

# POLAND ACCUSES

AN INDICTMENT OF  
THE MAJOR GERMAN  
WAR CRIMINALS

LONDON  
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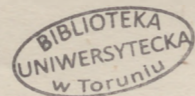
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74, CORNWALL GARDENS, S.W.7

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1373361

Printed by  
THE MONTGOMERYSHIRE PRINTING & STATIONERY CO., LIMITED,  
Printers and Publishers, NEWTOWN, Mont., Mid-Wales

## FOREWORD

The Polish Government in London was one of the first to advocate the punishment of war criminals who had committed against the Polish and other Allied Nations, acts of violence and bestiality unparalleled in the history of the world.

In January, 1942, at St. James' Palace, London, the Inter-allied Conference met to deal with this problem, under the chairmanship of the then Polish Prime Minister General Sikorski. There were present representatives of the Governments of German occupied countries: Belgium, Czechoslovakia, Greece, Luxemburg, Holland, Norway, Poland, Jugoslavia and of the National Committee of Free France. As a result of this conference a declaration was published on January 13th, 1942, dealing with the subject, and entitled: "The Inter-allied Declaration on the Punishment of War Criminals."

This document was signed by the Polish representative on the understanding that Poland would take part in the judgment of the main war criminals together with all other States which has suffered from the criminal activities of the German occupant.

The political events of 1943 to 1945, however, frustrated these hopes.

From the Teheran Conference onwards, all the most important decisions were made by the three main Powers only.

By the Yalta Agreement Poland was delivered to Soviet Russian rule. A Russian sponsored government was created in Moscow, and forced upon the Polish nation, as the so-called "Provisional Government of National Unity." This government was eventually recognised by the Three Powers. In this way the Russian plan of bringing Poland under the control of a Communist regime subservient to Moscow was realised.

On August 8th, 1945, Great Britain, the U.S.A., Soviet Russia and France concluded an Agreement on "the prosecution and punishment of the major war criminals of the European Axis," and the creation of the International Military Tribunal for the judgment of the main war criminals. According to this agreement, the Tribunal consisted entirely of judges appointed by the four Powers mentioned above. The Prosecutors also were representatives only of these Powers. This no-participation of Poland in the judging of the main German war criminals was eventually approved by the so-called Provisional Government of National Unity in Warsaw by their signature of the Agreement.

The trial of the main German war criminals is now taking place at Nuremberg before the International Military Tribunal. Among the accused sit war criminals who are, in many cases, answering for crimes committed against Poland. But Poland is missing, however, from the court room: there is neither Polish judge nor Polish Prosecutor. The accusations concerning crimes committed in Poland are lodged by the Soviet Prosecutor within the general indictment of German crimes committed in the countries of "Eastern Europe."

The lawful Polish Government is deprived of any opportunity to be represented and to take part in the Nuremberg Trial.

Poland was the first victim of German aggression, suffered the most and for the longest time from the criminal activities of the Germans. These crimes however, in their whole tragic extent, are not being examined by the Nuremberg Tribunal.

The aim of this publication is the exposure of the German crimes in Poland. It has been compiled from material available outside Poland, and therefore does not claim to be comprehensive, but is of necessity only an outline. It defines the main categories of German criminal activities, which should be dealt with at the Nuremberg proceedings.

THE COUNCIL OF POLISH POLITICAL PARTIES.

London, April 15th, 1946.

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## PREFACE

The object of this publication is to give a picture of German criminal activities against Poland.

The Indictment presented to the International Military Tribunal at Nuremberg by the four accusing Powers has almost entirely omitted the German crimes committed against Poland. During the trial itself in Nuremberg, these crimes were also treated very cursorily and glossed over as if of secondary importance, whereas in reality they were, both in quality and quantity, so enormous that to have shown them in their true perspective would have placed Poland in the forefront as the main victim of the war crimes.

It is sufficient to mention that, when dealing with the victims of German crimes in other European countries, figures of tens or hundred of thousands are necessary, whereas, when referring to Poland's losses, millions have to be used as a measure. There were over 6,000,000 human victims, 3,000,000 deported for forced labour and 2,500,000 expelled. These are the biological losses of the state of 35,000,000. Furthermore, the losses of millions which Poland suffered during the occupation of her eastern territories by Soviet Russia in 1939-41 are not included in these figures.

Poland's material losses are so enormous that it is difficult to make any estimate of them at present. According to calculations based on the information now available, a considerable part of the value of public property was destroyed. If the losses of private property due to mass robberies, expropriations, confiscations and other similar practices of the occupying power are added to that, it will be no exaggeration to state that Poland lost a large part of her national wealth.

The Indictment of the Nuremberg Trial based the responsibility of the accused leaders of the Third Reich on the Charter of the Tribunal, i.e., an agreement signed by four Powers in London on 8th August, 1945. In this publication their responsibility for the crimes committed in Poland is based, not on retroactive, specially created rules, but on existing laws in force at the time when the crimes were committed.

The German crimes committed between 1939 and 1945 often had an international character. Nevertheless, they were also in most cases common crimes, punishable under the penal laws of all civilised countries. This is the predominant feature of these German war crimes in Poland.

The criminal acts cited are not by any means a complete list of the crimes committed in Poland. These are so numerous that even a summary would be beyond the scope of this publication. The particular cases quoted are used as examples to illustrate the kinds and methods of crime.

Other examples may be found in books published by the Polish Government in 1941 and 42:—"The German Invasion of Poland," "The German and Soviet Occupation of Poland," and "The German New Order in Poland."

During the last years of the German occupation their criminal activity showed no signs of diminishing, but, on the contrary, increased in force. In the whole sinister catalogue there is not one which the Germans did not commit in Poland. The methods applied by the occupant prove that, in their treatment of the Poles, the Germans lost all sense of good and evil, making the cult of force, ruthlessness, outrage, robbery and looting, falsity and perfidy the basis of their rule. Possessed by the fury of atheistic totalitarianism, which deprived them of all human feelings, they committed their outrages with savage brutality, desecrating and defiling all principles of Christian morality and ethics. Crime became for them a medium to the cultural, economic and physical destruction of the Polish nation.

Poland, the "country of graves and crosses," faces the world as a symbol of martyred humanity, invoking all free nations to see that justice is done her and to pass judgment. The crimes committed in Poland are a stain on the whole German nation. The historic Nemesis has punished the German nation heavily, but the stain has not been removed. To wash it off the whole German nation must first condemn the crimes in Poland openly and frankly.

The Polish nation accuses: not only the Government and leaders of the Third Reich, not only their accomplices, not only the actual perpetrators of the crimes, not only their superiors and assistants, but also all those who supported or tolerated the German crimes in Poland. The Polish nation accuses them of immeasurable bloodshed, of the suffering of millions, of the wailing of women and children, of terror, robbery and looting, of defiling the feelings most sacred to man, of humiliating the dignity of the human being and of killing faith in the brotherhood of man.

Dr. BRONISŁAW KUŚNIERZ,  
Minister of Justice.

*London, April 15th, 1946.*

## INTRODUCTION

In connection with the preparation, initiation and waging of the war against Poland in 1939-45, the leaders of the Third Reich committed the crimes listed below. They committed them either in person or through their civilian or military subordinates, with the support and active collaboration of the whole German nation, which thus became their accomplices.

The leaders of the German Reich and their subordinates, individually or collectively, are responsible for the violation of :—

- (a) The general principles of the Law of Nations.
- (b) Customary International Law.
- (c) Positive International Law.
- (d) The general principles of Penal Law.
- (e) The Polish Penal Law.
- (f) The German Penal Law.
- (g) The basic principles of humanity.

## PART I

### CRIMES AGAINST PEACE

The peaceful relations between the German Reich and the Republic of Poland were based upon a number of bilateral and multilateral international agreements, of which the fundamental ones were :—

- (a) The Peace Treaty signed at Versailles on 28th June, 1919, in particular Part II and Sections VIII and IX of Part III.
- (b) The Treaty of Locarno, signed by Poland and Germany on 16th October, 1925.
- (c) The pact against war, the Briand-Kellog Pact, signed by Germany and Poland in Paris on 27th August, 1928.
- (d) The Polish-German Declaration of Non-Aggression, signed in Berlin on 26th January, 1934.

Germany, by starting her aggression against Poland on the night of 31st August—1st. September, 1939, broke these international treaties, violated the fundamental principle of international law—*pacta sunt servanda*—and, by starting the war, committed a crime against peace. It was entirely premeditated. This is proved by the following facts, which show that Germany made deliberate preparations for it.

#### 1. SUBVERSIVE ACTIVITIES IN POLAND.

The Government of the German Reich was in constant touch with the German minority in Poland, supplying them with financial assistance and directing their activities. This contact was maintained by the German Government mainly through such German organisations in the Reich as *Ausland-Organisation der NSDAP*, *Bund der Deutschen im Osten*, etc. The organisation of the German minority in Poland had the apparent character of cultural-education institutions. Beside this function, however, these institutions, according to instructions received from Germany, were engaged in political and propaganda activities. They were very often used by the German authorities to set up illegal paramilitary organisations. Members of the German minority were regularly used for purposes of economic and military intelligence.

In the spring of 1939, there were many obvious signs of German preparation for diversionary action in Poland. All existing contacts between the Reich and the organisations of the German minority in Poland were used for this purpose.

Diversionary preparations were not limited to the western parts of Poland, but extended with the help of persons of German origin throughout her whole territory, including the eastern areas, where, as for example in Volhynia, they reached serious proportions.

Materials collected by the Polish Security Service show that the object of this action were the creation of guerilla bands to collaborate with the German Army during the war, the smuggling of arms to Poland, the organisation of so-called "Fives" for purposes of sabotage, the smuggling to Poland of agents trained in Germany for special tasks, the preparation of provocations, such as attacks on German schools and frontier incidents.

The agents were equipped with German or Czech weapons, and often had German instructions in their possession with technical information on how to blow up railway lines and sabotage lines of communications. They carried out their acts of sabotage on receiving instructions in code messages broadcast by German radio stations. For example, a few days before the war, the German Radio Station in Gleiwitz (Polish: Gliwice) repeated several times in an evening broadcast the following words:—"Dr. Schreiber hat seine Arbeit zu machen, und sich dann sofort zu melden." After this broadcast, sabotage with high explosives was carried out in Katowice on the *Volksbund* Buildings, Mlynska Street, and on the German School, Stawowa Street. Similarly, after the bomb attempt on the railway station in Tarnow on 23rd August, 1939, the perpetrator, Guzy, gave evidence admitting that he had been trained as a saboteur in Germany, and that he had carried out his instructions on receipt of the message broadcast from Breslau: "Dr. Neumann soll zur Arbeit kommen." (See Enclosure No. 1.) The attempt on the railway station in Tarnow was carried out by means of a suitcase containing a time bomb. Twenty-two people were killed and thirty-seven injured on that occasion. Guzy's evidence disclosed that a further twenty suitcases with bombs had been placed in other stations; for example, eight in Lwow and four in Katowice.

These few examples, selected from many, illustrate the activity of German agents in Poland. These attempts were carried out by order of the German authorities, and the leaders of the Reich are responsible for them. Thus the German diversionary activity in Poland before the war demonstrates clearly that the German authorities were consciously aiming at creating in Poland of conditions to facilitate the international crime which was initiated on the night of 31st August—1st September, 1939.

## 2. THE DENUNCIATION OF THE POLISH-GERMAN DECLARATION OF NON-AGGRESSION OF 26th JANUARY, 1934.

The Polish-German Declaration of Non-Aggression was signed on 26th January, 1934, in Berlin, for the duration of ten years, and contained no clause about earlier denunciation. It was binding on both parties until 1944. This treaty excluded the application of force in the relations of the signatories, and bound both sides to peaceful settlement of all differences which might arise between them.

The Declaration of 26th January, 1934, in contrast to the Versailles Treaty, which was generally considered by the Germans as having been forced upon them after the last war, was represented in public speeches by Hitler and other members of the Reich Government as a voluntary agreement concluded directly with Poland and contributing more to the peace of the world than any efforts by international organisations. Such pronouncements, repeated during the years which followed, gave rise to the opinion in Germany that this treaty was a guarantee of peace, and that as long as it was in force there would be no war. It was, therefore, psychologically

difficult for the Reich Government to launch an attack against Poland without previous preparation of public opinion in Germany by denouncing this pact, which had been praised for so long. In consequence the denunciation of the declaration was announced on 28th April, 1939. It was done publicly by Hitler in a speech in the Reichstag, and the onus for breaking the pact was shifted onto Poland, who was accused of having forced this step on Germany by violating the treaty when she negotiated in April, 1939, an Agreement of Mutual Assistance with Britain.

The denunciation of the Polish-German Declaration of Non-Aggression constituted an international crime in itself by violating the principle of respecting contracted obligations. It was committed, however, as a preparatory act to create inside Germany a suitable atmosphere to facilitate the coming aggression against Poland.

## 3. THE ACCOMPLICE IN THE CRIME.

After having created a suitable atmosphere in Germany in the manner described above, the leaders of the Reich turned their attention to finding partners to assist them in forming favourable international conditions for the perpetration of the crime. First of all it was necessary to isolate Poland and place her in such a position that she would be unable to get effective help from her allies.

Poland was put in such a position by the conclusion of the Soviet-German Treaty of Non-Aggression on 23rd August, 1939. The history of the preparations for this plot against peace and against the integrity and independence of the Polish State has not, up to the present time, been sufficiently known, because the circumstances in which the Soviet-German Treaty was concluded were kept secret. Only after the capitulation of Germany was a document found which throws proper light on the case. It is a secret record of an address by Hitler to the German Military Commanders on 22nd August, 1939. This record appears among the material prepared by the American prosecutors for the Nuremberg Trial, as Document No. 798—PS. (See Enclosure No. 2).

This document proves that Hitler decided on the war in the spring of 1939. At that time he had no definite plan, and did not know whether he would start the war in the east or the west, that was to depend on international conditions. The negotiations which he conducted with Russia about the planned war were described in his speech as follows:—

"I brought about the change in our relations with Russia gradually. In connection with the commercial Treaty, we entered into political conversations. We proposed a non-aggression pact. After that we received a general proposition from Russia. Four days ago I took a special step which led to the fact that Russia replied yesterday that she is ready to sign. Personal contact with Stalin is already established. The day after tomorrow Ribbentrop will conclude the agreement. Now Poland is in the position in which I wanted to have her."

A further proof of the conspiracy between the Governments of Germany and Soviet Russia to attack Poland is to be found in the minutes of the conference between Hitler and the Italian Minister for Foreign Affairs, Count Ciano, on 12th August, 1939. (Document No. 1871—PS., Office of U.S. Chief of Counsel) The relevant part reads as follows:—

“Count Ciano asked when such an undertaking against Poland was to be expected, since Italy must, of course, prepare for all eventualities. The Fuehrer replied that under the prevailing circumstances an attack on Poland was to be expected at any moment.

“Telegrams from Moscow and Tokyo were handed to the Fuehrer during this exchange of opinions. The conference was interrupted for a short time, and Count Ciano was informed of the contents of the Moscow telegram. The Russians agreed to the sending of a German political mediator to Moscow. The Reich Foreign Minister added that the Russians were completely informed about Germany’s intentions against Poland. He himself had informed the Russian Chargé d’Affaires by order of the Fuehrer.”

The signing of the Soviet-German Agreement,\* which Hitler mentioned in his speech of 22nd August, 1939, was the last link in the German preparations. This act made possible the attack on the existence of the Polish State and nation, on which, in consequence, the crime of genocide was systematically committed throughout the German occupation of Poland.

The leaders of the Third Reich also turned to Italy in order to induce her to participate. In 1939 she refused to do so. This does not in the least alter the responsibility of the leaders of the Third Reich for their incitement because, in accordance with the generally accepted principles of penal law, whoever communicates with another person in order to commit a crime, or incites another person to do so, bears criminal responsibility.

It must also be added that the leaders of the Third Reich, by starting the war against Poland by an underhand attack at night on 31st August—1st September, 1939, violated Article I of Hague Convention III, relative to the opening of hostilities, signed on 18th October, 1907.

This Article states clearly that hostilities should not commence without previous and unequivocal warning, which shall take the form either of a reasoned declaration of war or of an ultimatum with a conditional declaration of war.

\*During the printing of this publication, the texts of the secret protocols to the Non-Aggression Treaty of 23rd August, 1939, have been revealed in the Nuremberg Trial. According to them, Germany and Soviet Russia divided the territories of Poland and Lithuania between themselves and agreed on the territorial and political alteration of the Baltic States (Finland, Estonia and Latvia) in Russia’s favour. These protocols represent irrefutable and direct proof of the conspiracy. (See Enclosures Nos. 6, 7 and 8.)

## PART II

### WAR CRIMES

Belligerents may not follow any procedure they like when waging war, but are bound by certain rules and obligations accepted by all civilised countries. These principles were stated at the Second Hague Conference, in the Introduction to Hague Convention IV, as follows:—“The populations and the belligerents shall be under the safeguard and dominion of the principles of the Law of Nations as they emerge from established usage among civilised nations, from the laws of humanity and the exigencies of the public conscience.”

Beside that the above-mentioned Conference codified in Conventions III and IV definite rules concerning the right and duties of belligerents, thus putting those rules on the statute book of the laws of nations.

The German Reich signed and ratified those conventions. She was, therefore, undoubtedly bound by them.

What the Germans did in Poland, from 1939 to 1945, was in flagrant violation of these international laws and of the criminal domestic laws existing in both Poland and Germany.

#### CHAPTER I

#### THE VIOLATION OF THE LAWS AND CUSTOMS OF WAR DURING THE POLISH-GERMAN CAMPAIGN OF 1939.

On numerous occasions, both before and after 1939 the leaders of the German Reich described the war as “total war.” This kind of war uses methods in glaring contrast to the principles and customs regulating the conduct of states during hostilities, so accepted by all civilised nations. During the war against Poland the provisions of Hague Conventions III and IV of 1907 were violated, and in particular Articles 22—28 of the latter Convention.

##### 1. THE BOMBARDMENT OF OPEN TOWNS AND THE CIVILIAN POPULATION.

In his speech in the Reichstag on 1st September, 1939, i.e., the day of the attack on Poland, Hitler said:—

“The necessary measures will be taken to ensure that the war is not directed against and does not affect women and children. But if the enemy thinks he can from that draw *carte blanche* on his side to act as he will, he will receive a reply which will deprive him of hearing and seeing.”



On the same day the German Foreign Office sent a note to the Polish Ambassador in Berlin which read as follows :—

“ The German Air Force have received the order to confine their war activities to military objectives. It is a self-evident condition for the maintenance of this order that the Polish Air Force should conform to the same rule. If this is not the case, then, as far as the Germans are concerned, the severest reprisals will immediately be taken.”

As all communications between Berlin and Warsaw were cut, a special telephone connection was established through neutral states to enable the Ambassador to inform the Polish Government of the contents of this note.

From the early morning of that same day, however, the German Air Force attacked several undefended towns, causing casualties among the civilian population.

Among the collection of documents\* concerning the German crimes during the invasion of Poland, appears a map of the unfortified places bombed on the first day of the war, with particulars of objects destroyed and civilians killed and injured.

As these documents prove, the German Air Force bombed, among other places, holiday resorts, evacuation trains including Polish Red Cross ones, refugees on the roads, churches, convents, hospitals, workmen's settlements, etc. Peasants in the fields, passengers on railway stations and people in the streets and parks were machine-gunned. Places where the diplomatic corps stopped after having been evacuated from Warsaw were also bombed. This has been proved, not only by official Polish documents, but also by reports of the representatives of different states.†

When considering those glaring violations of Article 25 of the Regulations to Hague Convention IV of 1907, the fact must be remembered that the German Air Force in its destructive activity took advantage of detailed information supplied by the Fifth Column, which had been organised by the Germans beforehand among Polish citizens of German nationality. (See Enclosure No 3). This is further evidence of the systematic German preparations for the aggression.

## 2. ATROCITIES COMMITTED ON SOLDIERS, PRISONERS-OF-WAR AND CIVILIANS.

During the campaign in Poland the German Army and the S.S. formations following it committed numerous acts of cruelty on Polish soldiers and civilians. Emphasis must be placed on murders and acts of violence, the destruction of private property, the burning and looting of towns, villages and houses, including buildings mentioned in Article 27 of the Regulations to Hague Convention IV.

It is impossible to state the exact number of civilian casualties in the campaign of 1939, because the five-year German occupation started immediately afterwards, accompanied by the expulsion of the population from their homes and by deportations to Germany.

\*Official documents concerning the shelling of open towns and the civilian population, published in “ The Polish White Book,” (Hutchinson and Co., publ., London, 1940, pages 129-133). “ The German Invasion of Poland,” documents, eye-witness accounts and over a hundred photographs concerning the German invasion of Poland, collected and published by authority of the Polish Government, (Hutchinson and Co., publ., London, 1940, map on page 22, “ The German Invasion.”)

†The State Department of the United States of America published in this connection, on 13th September, 1939, a statement based on a report by the U.S. Ambassador in Warsaw, Mr. Anthony J. Drexel-Biddle, dated 3rd September, 1939. Under the heading “ How the Swiss Legation left Poland,” the “ Journal de Genève ” published on 10th October, 1939, a report from M. Henri Martin, the Swiss Minister to the Polish Government.

According to the information available, the number killed and seriously wounded exceeds 100,000. In Warsaw alone, in September, 1939, over 60,000 people were killed as a result of indiscriminate air attacks on civilian populations. In Bydgoszcz about 10,000 fell victims of the German mass executions. Among the casualties a high percentage were women and children.

The spread of Nazi propaganda, used unscrupulously by the leaders of the Reich, contributed to these crimes to a great extent. The hatred of the fanatic *Hitlerjugend* and S.S., S.D., S.A. and Gestapo formations fanned the flames at the last moment through special *Greuelpropaganda* about alleged bloody pogroms on the German minority in Poland.

## CHAPTER II

### THE VIOLATION OF THE LAWS AND CUSTOMS OF WAR DURING THE GERMAN OCCUPATION OF POLAND.

#### 1. THE USURPATION OF SOVEREIGNTY.

Even before the campaign in Poland was finished, the Germans committed another international crime — the usurpation of sovereignty.

In accordance with the general principle of the Law of Nations, confirmed by Article 43 of the Regulations in Hague Convention IV of 18th October, 1907, occupation is the actual passage of the authority of the legitimate power into the hands of the occupying power, and the authorities of the occupant are bound to observe, unless unavoidably prevented from doing so, the laws of the occupied country. The above mentioned principle was also confirmed by Article 55 of the same Convention, where it is clearly stated that an occupying power is only to consider itself as administrator and usufructuary of the public property found in an occupied country. Occupation is, therefore, merely an actual provisional state of affairs, for the duration of war, and does not involve a change of sovereignty.

In violation of this fundamental principle of the Law of Nations, the Government of the Reich concluded a frontier agreement with the Soviet Union on 28th September, 1939, in Moscow, by force of which—

“ The Government of the U.S.S.R. and the Government of the German Reich define as the frontier between the interests of their states a line going through the territory of the former Polish State and elaborated in an enclosure to the agreement.”

This frontier ran through the middle of occupied Poland and was generally known as the “ Ribbentrop-Molotov Line.”

The agreement stated that “ Both parties recognise this line as their final frontier” and that each of the Governments would for their part carry out “ the necessary state reconstruction on its territory.” (See Enclosure No. 4).

This frontier agreement was preceded by a communique on 18th September, in which the Soviet and German Governments stated that the operations of their respective armies in Poland were not aimed against each other's interests, and that they were not contradictory to the spirit and letter of the Soviet-German Treaty of Non-Aggression of 23rd August. Beside that, on 22nd September, a communique was issued defining a provisional Soviet-German demarcation line.

In connection with this last, it should be emphasised that the official German newspaper, *Dienst aus Deutschland*, stated on 23rd September, that the Soviet-German agreement on the demarcation line in Poland was already in existence at the moment when the Soviet Government issued the order to the Army to cross the Polish frontier.\*

On the day when the Ribbentrop-Molotov Frontier Agreement was signed, the German and Soviet Governments issued a declaration to the effect that "the agreement signed to-day has finally settled all problems which emerged from the disintegration of the Polish State," and that if the efforts of both Governments to persuade England and France to discontinue the war with Germany are fruitless, that will constitute proof that England and France bear the responsibility for the continuation of the war. (See Enclosure No. 5.)

All these facts quoted above, together with the official German and Soviet statements prove that :

1. There was a German-Soviet conspiracy against Poland.
2. The leaders of the German Reich, by concluding with the Soviet Government on 28th September, 1939, a frontier agreement in the nature of a division of loot between accomplices in crime, committed the crime of usurpation of sovereignty over an occupied country.
3. The leaders of the Reich, in order to secure the advantages they had gained by crime, tried, by the mutual Soviet-German declaration of 28th September, 1939, to transfer the responsibility for the continuance of the war which they had started onto the shoulders of France and Great Britain.
4. The leaders of the Reich, by signing the agreement on the partition of Poland with Soviet Russia on 28th September, 1939,† thus perpetrated a repetition of the biggest international crime — the partitions of Poland at the end of the Eighteenth Century.

In the Ribbentrop-Molotov agreement of 28th September, 1939, the phrase used when referring to Poland is "the former Polish State." The same description is found in the decrees and administrative acts of the German occupying authorities with regard to the "incorporated Polish territories" and the so-called "General Government."

This German assumption that the Polish State had ceased to exist was void of any legal foundation, it was a glaring violation of international law.

International law defines a certain state of affairs as *debellatio*. Certain definite conditions, however, are required by the law before this can be assumed to exist. One of these conditions is the occupation of the territory in question, but that in itself is not sufficient. Other conditions are necessary, of which the main one is that the supreme state authorities no longer exist. Now as far as Poland was concerned, it is sufficient to point out, first, that the 1939-45 war against Germany was a coalition war, and that in such war the occupation of the territory of one of the allies does not even create the first necessary condition of *debellatio* with regard to this ally; secondly, at the moment when the Germans maintained that the Polish

\*This news was fully confirmed by the secret Soviet-German documents revealed during the Nuremberg Trial. (See Enclosures Nos. 6, 7 and 8).

†As is now known, this was clandestinely agreed upon on 23rd August, 1939.

State had ceased to exist, its supreme authorities — its Government, Army and Navy — were still in existence, and, in fact, still fighting against the Germans, thus excluding all other conditions for *debellatio*. Besides, the fact that the Germans admitted and were forced to recognise the status of the Polish prisoners-of-war in Germany pointed to the fact that they had not succeeded in bringing about the non-existence of the Polish State.

Other blatant acts of usurpation of sovereignty were the incorporation into the Reich of the Free City of Danzig and the western territories of Poland, and the creation of the so-called "General Gouvernement."

The Free City of Danzig, created by the Versailles Treaty and placed under the protection of the League of Nations, was incorporated into the Reich by a decree on 1st September, 1939, (R.G.Bl.I. No. 155). The constitution of Danzig was superseded, its inhabitants recognised as German citizens; and on 1st January, 1940, the German and Prussian laws were introduced in the territory of the Free City.

By decrees of 6th October, 1939 (R.G.Bl.I. p. 202), and 29th January, 1940, (R.G.Bl.I. p. 251), western territories of Poland, together with parts of southern and central Poland — a combined area of 72,866 square miles with a population of 10,740,000 — were also incorporated into the Reich. From these territories the districts of *Reichsgau Westpreussen* and *Reichsgau Wartheland* were created. Persons of German descent were awarded German citizenship. The Polish laws were abolished in these territories, and the German laws introduced in their place. The population was conscripted for active service in the German Army.

By a decree of 12th October, 1939, (R.G.Bl.I. p. 2077), a separate General Gouvernement was created out of the German-occupied Polish territory not incorporated into the Reich. This was supposed to become an "accessory" territory, called *Ostraum*, *Nebenland*, *Restgebiet*, *Heimstaette der Polen*, etc., administered as a kind of colony destined for *Lebensraum* and German expansion to the east.

It is characteristic that, from July 1940 onwards, the name "occupied territory" was no longer used, in an obvious effort to avoid all connections with Hague Convention IV of 1907.

In spite of official assurances given in a proclamation by the Commander-in-Chief of the German Forces, General von Brauchitsch, on 1st September, 1939, that "all the rules of international law will be respected," a number of decrees concerning the organisation of the General Gouvernement entirely annulled the pre-war Polish administrative divisions of *Voyevodships* and the organisation of the regional administration.

The German language was recognised as the official one, and Polish as only permissible. All county officials were subordinated to Prefects of Districts. In connection with this, the following oath was formulated for people in public service not of German nationality:—

"I undertake to carry out my duties faithfully and conscientiously in complete obedience to the German administrative authorities. I do not consider myself bound by the oaths of loyalty or by the service oaths made to the former Polish State and its organs, nor by any other similar promise."

A decree of 20th February, 1941, (V.Bl. 1941 I. p. 45), authorised the General Governor to change the names and spelling of places—for purposes of Germanisation.

A further violation of international law was the changes introduced by the Germans in the administration of justice. Two types of courts, German and Polish, were created. German nationals were subject to the German judiciary in all their legal dealings. Final decisions and verdicts of the Polish court were subject to re-examination by a German judge. The German judge could quash the decision and assign the case to the German judiciary.

The Polish Bill of 1932 concerning the Supreme Administrative Tribunal was abolished. By a retroactive decree, from 26th October, 1939, no case against a decision of the administrative authorities could be brought to court.

## 2. GERMANISATION.

As far as the territories incorporated into the Reich were concerned, the German aim was the expulsion of the entire Polish population, and colonisation by Germans. With regard to the territory of the General Gouvernement, however, their policy was to slow down the birth-rate and create conditions which would condemn the Polish population to gradual extinction.

In the incorporated territories, the Germans applied a policy fulfilling Hitler's words in *Mein Kampf* :—

“That which has been successfully Germanised in our history has only been the land which our ancestors conquered with the sword and settled with German peasants.”

The fight against everything Polish was started simultaneously on all fields—economic, social, cultural, educational and biological.

The economic destruction of the permanent foundations of existence was carried out by depriving the people of the possibility of finding independent employment in agriculture, industry or commerce, in order to degrade the conquered to the level of slaves.

The destruction in the social sphere was based on the segregation of the Polish group from the privileged German one, the annihilation of any kind of organisation, the systematic impoverishment and extermination of the intelligentsia, and the suppression of all signs of Polish national traditions.

There is no better characteristic of the German attitude of hatred and contempt towards the conquered people than the regulations issued to humiliate them and satisfy the German conceit. Among others these regulations included: the ignominious signs which had to be worn on the clothing by Poles and Jews, the duty of stepping off the pavement when meeting a German, the saluting of all uniformed Germans, special compartments in railway carriages and buses.

In the cultural and educational spheres, the destruction was carried out by checking all progress in these fields, removing all possibility for scientific research, uprooting religious life, and planned demoralisation.

This was followed by the expulsions of the Polish people, partly into the General Gouvernement, partly for forced labour to the Reich. During the remaining months of 1939, 70,000 Poles were expelled from Poznan alone, 60,000 from Kalisz, 50,000 from Wloclawek and 150,000 from Lodz. Up to the end of 1940 over 1,500,000 were expelled, and Germans repatriated from abroad were settled in their place.

In spite of the boastful motto, “The east is freed, the people's work begins,” the results of this colonisation were not satisfactory, and the Germans were forced

to draw on another reservoir by creating pseudo-Germans from the remaining native population. For this purpose a decree was issued on 4th March, 1941, establishing so-called *Deutsche Liste* for Pomerania and Silesia. Similar lists were afterwards also introduced in other incorporated territories.

The *Deutsche Volksliste* not only registered people according to nationality, but also issued *Staatsangehörigkeit* and *Reichsbürgerschaft*. Poles were considered as unworthy of inclusion in any of these categories, and were recognised as “persons remaining under the care of the German Reich,” (*Schutzangehörige*).

The Chief of the Gestapo and S.S., Himmler, was entrusted with carrying out all this, and not in vain. The inhabitants of Pomerania and Silesia were recognised as Germans *en bloc*. In other incorporated territories, enlistment as *Volksdeutsche* became a great part of the programme of Germanisation.

To avoid difficulties emerging from the Racial Theory, a special division was introduced—*Deutschstaemmig* and *Deutschblutig* people.

This whole procedure, of course, was an obvious violation of Articles 43, 45 and 46 of the Regulations to Hague Convention IV. The Germans tried to make this registration into a kind of plebiscite, which closely resembled that arranged by the Russians in the incorporated eastern territories of Poland. The compulsory enlistment as *Volksdeutsche* roused violent resistance from the Poles, and was followed, of course, by persecutions.

Other factors used for purposes of Germanisation were regulations issued to oust the Polish language from offices, courts, schools and churches, and a ban on its use in public. The economic destruction of the remaining Polish population and the far-reaching favouritism of the *Volksdeutsche* also contributed to the programme. All Polish characteristics, such as geographical names and cultural institutions, were carefully eradicated.

In the territory of the General Gouvernement, which was overcrowded with the population expelled from the west, a long term programme had to be applied in the process of Germanisation. During the whole occupation people were deported from this territory for forced labour in Germany. The Jews were exterminated. The remaining Polish population was, *de facto*, in the position of slaves, without individual rights or any protection against the whims of the authorities. Here, too, the systematic eradication of the country's Polish character took place by changes of geographical names, the destruction of culture, and by prohibiting the use of the Polish language in office, court and school.

The German administration was helped by German scientists, who, on the basis of the regional Polish names, tried to prove that there were actually very few original Poles, but that Poland was inhabited by different tribes of *Mazowszanie*, *Krakusi*, *Podlasianie*, *Kurpie*, *Lowiczanie*, etc.

This policy of Germanisation did not omit the practiced method of recognising not only “Germans by blood,” but also “other persons of German descent,” and others again who “feel German.” General Governor Frank's decree of 26th January, 1940, says that :—

“A German national is a person who, without being of German nationality professes to be a member of the German nation when this statement is supported by decent language, mental attitude, education and other circumstances.”

It can be understood that such regulations left a wide margin for abuse. A special *Volkspolitisches Referat* worked under the Chief of the Lublin District. Similar referats were appointed in other areas. Groups of Nazis (*Einsatzgruppen*)—members of the *Hitlerjugend* and *Bund Deutscher Maedel*—were occupied in connection with Germanisation.

Polish children were taken away from their families and sent for "education" to Germany. Special schools were organised for the youth destined to be Germanised. According to the *Hamburger Fremdenblatt* of 15th April, 1942, one hundred and two such schools were established in the Radom district, forty-seven in the Warsaw district, forty-four in the Krakow district and twenty-six in the Lublin district.

Parallel to this there was another activity leading directly to the biological destruction of the Polish population. This consisted of regulations aiming at lowering the birth-rate (obstacles in the way of marriage), the allocation of starvation rations, the use of Poles for the hardest labour, deportations to concentration camps, and finally common murder.

### CHAPTER III COMMON CRIMES.

Throughout their premeditated activities against Poland and against the life and property of her population, the Germans continually committed acts forbidden not only by international law but also by the penal laws of all civilised countries. The Germans violated these laws, not only with full consciousness of the nature of their actions, but also with deliberate intent to achieve a planned result.

These acts were usually carried out in a particularly cruel and savage manner, which increases the gravity of the offences and augments the penal responsibility of their authors and initiators.

As to their substance, these acts can be qualified as:—

1. Homicide—Article 225 of the Polish penal code and Article 211 of the German penal code.
2. Infliction of grievous bodily harm—Article 235 of the Polish penal code and Articles 223a, 223b, 224, 225 and 226 of the German penal code.
3. Deprivation of personal freedom—Articles 248 and 249 of the Polish penal code and Article 234 of the German penal code.
4. Robbery and pillage—Article 259 of the Polish penal code and articles 242, 243, 245, 246, 249 and 253 of the German penal code.
5. Arson—Articles 215 and 216 of the Polish penal code and Articles 306 and 307 of the German penal code.

#### 1. MURDERS AND ILL-TREATMENT OF THE POPULATION.

The characteristic and one of the most important features of the German occupation of Poland was terror, which aimed at the complete ruin of the Polish nation and the total physical elimination of whole national groups.

In the first place, the Germans started to destroy the intelligentsia, but as time went on, the terror was also applied to all classes of Polish society.

One of the forms was murder and persecution of the population. This was planned and prepared with precision for the main purpose of killing Poles and Jews on every possible occasion for the smallest and most innocent offence.

In application of collective responsibility, hostages were killed, and people were murdered for sympathy shown to British and American prisoners; for concealing Jews, for hiding girls and children from being deported to Germany, for defending daughters and sisters against violation, for refusing to go for forced labour to Germany, for resistance to robberies by German officials and soldiers, for not enlisting as *Volksdeutsche*, and for every sign of discontent with the occupying authorities.

Not only men were killed, but women, children and old people. The executions were carried out in public in the presence of the parents, wives and children of the victims.

The victims were seldom killed without previous torture, of which the mildest method was beating. In addition, before they were killed, their tongues were pulled out, their eyes knocked out, their bones broken, and during frosty weather water was poured over naked people; scientific experiments were carried out on them, and other cruelties which turn one's blood cold to mention.

The number of Poles and Jews murdered and tortured in such incidents amounted to hundreds of thousands. To enumerate all of them here would be impossible, the more so as at the same time another form of extermination was applied—concentration camps—which will be dealt with in Part III.

The cases listed below are, therefore, only a minute percentage of the total, and present a very inadequate picture of the sufferings of the Polish nation during the whole German occupation.

1. Within a few days after entering the Polish town of Bydgoszcz in the province of Pomerania the Germans executed in the town itself and in its neighbourhood over 10,000 Polish civilians.
2. On 9th and 10th September, 1939, 23 Poles were murdered in the village of Wiewiorki, district Chelmno; in Wlodawa 7; in Blendow Wood 16.
3. On 20th September, 1939, in Lipusz, district Koscierzyna, members of the S.S. hanged 30 Poles.
4. In October, 1939, in the village of Jaroszew, district Koscierzyna, 30 people were shot.
5. In September, 1939, 8 Poles chosen from among prisoners in the Victoria Schule in Gdansk were publicly shot.
6. On 10th October, 1939, 1,250 patients in the Mental Asylum at Kochorowo near Starogard were murdered.
7. On 14th October, 1939, 3 persons, aged nineteen, eighty-five and eighty-seven, were shot in Bydgoszcz.
8. On 29th October, 1939, 40 Poles were shot by the *Selbschutz* in Nowa Wies near Grudziadz.
9. In October, 1939, about 1,000 patients in the Mental Asylum at Swiecie were murdered.
10. In October, 1939, in Paparzyn near Lisow, 37 people were shot, and in Bialochon, district Grudziadz, 11 people.

11. In October, 1939, the Gestapo executed 22 Poles in Wolentar, district Starogard.
12. At the beginning of November, 1939, in Sieradz, 22 people were shot.
13. In November, 1939, in the market place of Grudziadz, 10 Poles accused of distributing leaflets were shot by volunteers of the *Selbschutz*.
14. On 10th November, 1939, in Kostrzyn, the S.S. executed 28 Poles.
15. On 10th and 11th November, 1939, in the Jewish Cemetery at Swiecie, over 60 people were murdered.
16. In November, 1939, in Lukow district, a mass murder of about 300 people was carried out.
17. In November, 1939, an S.S. unit murdered 22 Poles from a poorhouse in Skurcz.
18. On 7th December, 1939, in Lubawa, 11 people were shot in Warszawska Street.
19. In 1939, in Koronowo, near Bydgoszcz, the Gestapo shot 100 people, and in a wood near Skurcz 30 crippled old men were killed by machine-gun fire.
20. At the end of 1939 the *Selbschutz* shot 20 men and 5 women in Nowa Wies Chelminska near Chelmno.
21. At the end of 1939 in the district of Rypin 22 Poles were shot.
22. At the end of 1939, in Skarszewy, Koscierzyna district, 20 people were shot.
23. At the end of 1939, in Gdynia, 11 boys aged between eleven and fourteen were shot.
24. At the end of 1939, in a convent in Rywald, 76 Polish women were shot.
25. On 3rd or 4th November, 1939, in Lipno, 10 hostages were shot for the alleged killing of a German in S.A. uniform.
26. On 26th December, 1939, during Christmas, 107 Poles were shot in Wawer and Anin near Warsaw, before which they had all been inhumanly tortured. About 30 boys under sixteen were among the victims. This mass execution was carried out as a reprisal for the killing of two German policemen and one Polish policeman by unknown persons. The execution was supervised by the S.S. Commandant in Warsaw, Paul Moder.
27. In December, 1940, in the village of Kurcza, near Torun, 1,000 Poles were murdered and buried in a common grave.
28. During the first six months of 1941, an average of 300 people were arrested every month in Warsaw. The majority of these were afterwards shot, after verdicts of Gestapo courts consisting of two persons.
29. In March, 1941, in Warsaw 17 people were shot in reprisal for the killing of Igo Sym, an actor who collaborated with the Germans.
30. In August, 1941, 27 people from Szczepieszyn were shot in Zamosc.
31. In November, 1941, 14 Poles were shot near Bezwald at Lubawa.
32. In autumn, 1941, at Tczew, 10 Poles were shot for setting fire to the Arkona factory.
33. At the same time 100 Poles, men, women and children were shot in Fordon.
34. At the end of 1941, in Wiskitno, district Lodz, 14 Poles were shot. In the village of Jedrzejow, district Lodz, 14 Poles were shot as hostages for killing of a German policeman.

35. In the beginning of 1942, in Zwolen, near Radom, several hundred young peasants were shot because of a gathering on account of a robbery committed in the village by the Germans.
36. In March, 1942, in Starachowice, 30 women and 13 men were executed as hostages for the alleged burning of stacks of corn.
37. In March, 1942, in Ostrow Kielecki, 29 Poles were executed in public in front of the population who had been forcibly gathered to watch.
38. In March, 1942, in Bochnia, 16 people were shot.
39. On 18th March, 1942, in a suburb of Lublin, the Gestapo shot 140 political prisoners.
40. On 20th March, 1942, in Zgierz, in front of the forcibly gathered inhabitants of the town, 96 men and 4 women who had been rounded up in the street were shot.
41. In April, 1942, in Dabrowa Gornicza, 12 Polish workers were hanged for listening to the wireless.
42. In April, 1942, in Lwowska Street, Krakow, 40 women, children and old people were shot.
43. In spring, 1942, 92 hostages chosen from the prison in Lodz were shot in Zgierz as a reprisal for the killing of two S.S. men.
44. In spring, 1942, 24 Poles were hanged in Cieszyn in a public park on the bank of the river Olsza.
45. In July, 1942, the famous surgeon, Dr. Raszej, who worked in the Child Jesus Hospital in Warsaw, was murdered for visiting a patient in the Jewish Ghetto although he did have the necessary permit.
46. In summer, 1942, in Zgierz, 99 Poles were executed.
47. In summer, 1942, the village of Celichow near Lukow was razed to the ground, 36 Poles shot and the rest deported, all as a reprisal for the killing of a German officer and N.C.O. by Soviet guerillas.
48. In the first six months of 1942 in Rudka Kijanska, 214 Poles were shot for the shooting of an S.S., N.C.O. by Soviet guerillas.
49. In summer, 1942, in Janowiec, near Kazimierz on the Vistula, the German police shot 210 people for the killing of a *Volksdeutsche* by unknown bandits.
50. In October, 1942, in Oswiecim (called Auschwitz by the Germans) 300 prisoners were shot as so-called hostages for alleged acts of sabotage in Lublin.
51. In the second half of 1942 in Berlin, several dozen Poles, among them the former Voyevod of Poznan, Count Adolf Bninski, were executed after having been accused of "high treason."
52. At the end of 1942. in Prokocim near Krakow, 12 Poles were hanged as a reprisal for the killing of a German agent.
53. At the end of 1942, in Cierlicko Gorne, district Cieszyn, a student, Emil Trapka, was hanged for escaping from a concentration camp. The execution was carried out in the presence of his parents and the public, who were compelled to watch. The victim's friends were forced to erect the scaffold. Under the same conditions Joachim Jachtelik, Kokot of Pleszowice and Nowak of Godula were executed in Ruda Slaska.

54. On 8th January 1943, in Poznan, 80 Poles were executed in connection with the case of Dr. Witaszek, for alleged complicity in a poisoning plot of the Resistance Movement.
55. In April, 1943, 94 Poles were shot in Lida. At the same time 18 men and 1 woman were shot in Mokotow Prison in Warsaw, 10 prisoners in Wilno, 7 persons in Kielce, 16 persons in Rembertow, among them several women.
56. In April, 1943, in the village of Grabina, district Wegrow, 2 women and a boy of sixteen were shot for trading in meat. In Jablonna near Warsaw, *Kreishauptman* Dr. Ruprandt killed an old woman because she wept after her daughter had been deported for forced labour in Germany.
57. In April, 1943, in Sarbin, district Konskie, the German police burned 28 men to death, applying collective responsibility for the killing of 1 German. In the district of Debica 11 men were killed and 3 farms burned.
58. In April, 1943, in Pawiak Prison, the well-known Polish astrologer, Jan Starza-Dzierzbicki, was hanged.
59. In May and June, 1943, in Dabrowa and Rzepice, district Kielce, 57 people were murdered. In the village of Gebice in the same district, 25 peasants were shot and later women and children were locked in barns and burned to death. In addition to that, 2,200 people were shot, hanged or burned to death in houses in Lowicz, Sochaczew, Radom, Ostrow Mazowiecki, Suchedniow, Duniny, Kielce, in the prison of St. Cross, near Kielce, and in the districts of Wloszczow, Janow and Chelmino.
60. In July and August, 1943, over 50,000 people were murdered in the Voyvodships of Lublin, Krakow and Warsaw. The murdered people's children were deported to Germany. In the village of Szaulisy, district Wolkowysk, all the inhabitants were shot. In Bialystok 75 people were shot. In the district of Lomza over 7,000 people were shot. In Grodno and its district 508 people were shot. Infants were killed with hand grenades in front of their parents. In Brzesc 192 people were shot. Mueller's Group (police and S.S.) murdered 4,000 people in Grodno and its neighbourhood.
61. At the end of 1943 over 10,000 Poles were shot with machine-guns near Lwow. After the execution, their bodies, often still alive, were soaked with petrol and burned. Similar murders were carried out in almost every Polish town. Many women and children were among the victims.
62. During 1943 hundreds of Poles were condemned to death by special courts and executed for "September Crimes," for illegal trading with meat and for hiding and supplying British prisoners-of-war with civilian clothes. In Torun about 400 Poles were shot merely for having served in the Polish Army before the war.
63. In autumn, 1943, 20 hostages were shot in Gdansk Railway Station in Warsaw, among them a girl of fourteen.
64. From October till December, 1943, 300 priests and nuns were shot in Pelplin.
65. In November, 1943, the punishment of death was imposed in Warsaw for exceeding the allotted quota of electric current.
66. In 1943 a priest, Father Macha, from Ruda Slaska, was beheaded in Katowice for distributing money among the poor.

67. At the end of 1943 in the district of Zywiec the execution of 21 Poles of both sexes was carried out in public, and in the district of Chrzanow 102 families were shot for underground work.
68. In May and June, 1944, and in the months preceding the Warsaw Rising, when the terror reached its height, over one hundred people were shot daily in Warsaw.
69. During the Warsaw Rising, in August and September 1944, about 60,000 civilians who did not take part in the fighting were killed. In the workers' district, Wola, alone the number of victims among the civilian population exceeded 40,000.

Until the end of the German occupation this terror was one of the most fundamental elements in the German policy of extermination in Poland.

To sum up: during the execution of the German plan of extermination, 3,000,000 Poles were murdered under such circumstances and in the concentration camps.

During the same period of German occupation about 3,300,000 Polish Jews were killed as a result of a most ruthless policy of mass extermination.

## 2. MURDERS AND ILL-TREATMENT OF PRISONERS-OF-WAR.

The fate of the Polish prisoners-of-war in German hands is another black page of persecution and lawlessness.

After the campaign in September, 1939, Polish prisoners-of-war in the territory of the Reich totalled about 700,000. This number was increased throughout the war by the addition of prisoners captured from the Polish Forces still fighting abroad. On the other hand, however, the figure was diminished by the release of a considerable number by authority of the German decree of 25th July, 1940, which aimed at supplying cheap man-power for German industry and agriculture.

The conditions under which the prisoners-of-war were kept, their quarters, food, work and treatment, violated the provisions of the Geneva Convention of 27th July, 1929, regarding the treatment of prisoners-of-war. This Convention has been ratified by both Poland and Germany.

The conditions of their quarters in camps for officers (*Oflag*), and for the ranks (*Stalag*) in many cases seriously endangered the health of the prisoners.

The walls of the places allotted for quarters were damp and very often covered with dripping water (*Oflag* VIII B and others). The quarters were overcrowded and lacked the most primitive installations (*Oflag* VIB). The keeping of the prisoners in tents during the winter caused much sickness (*Stalag* IIC).

The food was inadequate, and this resulted in illnesses, often ruining the already weakened constitutions of the prisoners (*Stalags* IIC, IA, VIG, XVIII A, IIE).

The attitude of the camp authorities and guards was marked by tormenting, mental and physical cruelty and even killing. In *Stalags* IA, IB, IIC, VIB, XIA, VIIIC and XVIII A the prisoners were beaten and forced exercises were frequently imposed for punishment.

Blankets provided by the Red Cross and objects bought in the camp canteens (*Oflag* IVC) were confiscated, including medicines, which made treatment and cure impossible and even in some cases caused death (*Oflag* XC).

Apart from offending human dignity by addressing the prisoners as "criminals," "murderers," "scoundrels," etc., the camp authorities punished "obstinate prisoners" by keeping them out in the frost for several hours (*Oflag XC, Stalags VIC and IA*)

Other kinds of torment were the pouring of water from hoses on the prisoners in winter (*Stalag X XE*), cutting off the water supply during hot weather (*Stalag VIG*), night runs in the snow without shoes (*Stalag IA*), etc.

The guards of the camps, in accordance with their orders, took advantage of the slightest pretext, for instance looking through, opening or shutting a window, to shoot and wound the prisoners (*Oflag XC*).

Some prisoners were turned over to the German civilian authorities, or Gestapo, who carried out investigations on their own account for different "offences." Such incidents were not isolated examples. Their cause was usually the "security of the Reich," or prisoners' activities before September, 1939, or during the campaign. This handing over to the Gestapo, or even shooting of the prisoners, was applied as a reprisal for escaping from camps. In *Oflag VIB*, 21 Polish officers were handed over to the Gestapo and afterwards shot.

Requests to submit complaints to the International Red Cross were ignored, as were its interventions.

### 3. THE DEPORTATION OF THE POPULATION FOR FORCED LABOUR.

During the whole German occupation of Polish territory the occupying authorities deported Polish citizens in large numbers to Germany and other occupied countries for forced labour.

These mass deportations were accompanied by the severest measures of compulsion, thus violating the provisions of Hague Convention IV of 1907, and particularly Articles 46 and 52 of the Regulations in this Convention, which clearly define the rights and duties of the occupying power. The Polish lands, subjected to ruthless exploitation, were one of the main sources of cheap human labour for Germany.

Orders and instructions defining the principles of German policy in occupied Poland strongly emphasised the importance of this object. General Governor Franks' well-known circular of 25th January, 1940, issued on Goering's order, categorically demanded the compulsory recruitment of 1,000,000 Poles for labour in the Reich. According to this circular the territory of the General Gouvernement had to supply Germany with 750,000 landworkers and 250,000 industrial workers of both sexes.

The Germans applied the most brutal methods of administrative compulsion to mobilise such a great number. The contingents of workers to be supplied by particular villages and towns were fixed. Those who resisted were forced to submit by severe punishments applied not only to them but also to their families.

In the beginning the Germans tried voluntary recruiting, but it did not produce the desired results. In spite of increasing unemployment and privation, the Polish population refused *en masse* to take part in the German war effort.

On account of the obvious failure of this method, Governor General Frank announced in April, 1940, that he would not hesitate to apply the severest measures of compulsory recruitment on the stubborn population. To force the obstinate towns and villages to submit, the Germans sent punitive expeditions. To capture the necessary number of workers they organised mass round-ups, which were like

man-hunt extraordinary in their brutality. Heavily-armed units of the Gestapo, S.S. and Army surrounded whole districts, catching all able-bodied men and women. The people who were rounded up were taken under strong guard to the railway stations and deported to Germany in cattle trucks. The German soldiers used to shoot without warning any who tried to escape.

The Poles deported to forced labour in Germany formed a mighty army of slaves, which in time grew to over 2,000,000. They were used on the hardest labour, on the land and in factories, particularly in war industry. They worked under conditions degrading to human beings. For their work, which required the greatest exertions, they received very low pay and inadequate rations. They were submitted to severe and ignominious restrictions. In order to distinguish them from other people they were ordered to wear a large letter "P" on their chests. The German employers received strict instructions to maintain a stiff and contemptuous attitude towards the Polish workers. Employers accused of kindness were severely punished, and during the war the German press was not ashamed to publish verdicts by which employers were condemned for showing good feeling towards Polish workers.

Considering the inexpressible sufferings of the deportees, and the methods with which they were treated by the German authorities, the question arises whether the deportation for forced labour of over 2,000,000 Poles was only the result of the Reich's economic necessity, or whether it was a German plan aimed at the extermination of the Polish nation.

Adolf Hitler's words, quoted by Rauschning in his book *Hitler Speaks* (publ. Thornton Butterworth Ltd., London, 1939), page 140, give the answer to this question:

"We are obliged to depopulate, as part of our mission of preserving the German population. We shall have to develop a technique of depopulation. If you ask me what I mean by depopulation, I mean the removal of entire racial units. And that is what I intend to carry out—that, roughly, is my task. Nature is cruel, therefore we, too, may be cruel. If I can send the flower of the German nation into the hell of war without the smallest pity for the spilling of precious German blood, then surely I have the right to remove millions of an inferior race that breeds like vermin!"

These words explain the most essential methods of the German policy in Polish territory. This policy tried to depopulate Poland and weaken the vitality of the nation which resisted the German *Drang nach Osten* so strongly, by dividing families and by deportations for forced labour in Germany.

### 4. THE EXPULSION OF THE POPULATION AND PILLAGE OF PROPERTY.

Apart from the mass deportations of the population for forced labour and to concentration camps, the Germans applied expulsion on a large scale. The biggest example of this was the expulsion of a great part of the native population from the "incorporated territories" into those of the General Gouvernement.

This expulsion was connected with the expropriation of immovable and the looting of movable property. The internal fittings of houses, shops, factories and workshops, together with reserves of food, goods and raw materials had to be left

in place. The Germans to whom those houses and business premises were allotted took them over completely equipped with other people's property. The legal owners were thrown out into the street and only allowed to take as much as they could carry with them.

German newspapers at that time were full of advertisements, giving the new addresses of the Germans installed in stolen Polish properties.

The following is a typical example of how such expulsions were carried out :

On 12th October, 1939, the German police rushed at the crack of dawn to the Baltic sea-side resort of Orłowo, and drove away the entire Polish population into a provisional concentration camp five miles from the town. These people were later sent in cattle trucks to the General Gouvernement. They were not even allowed to take the smallest of their possessions with them. Their entire property was allotted to Baltic Germans who were settled in their place. This procedure was not initiated by the local police, but was an official move based on instructions.

It should be added that the expulsions from the "incorporated territories" were carried out during the late autumn and winter of 1939-40, which greatly increased the sufferings of the people expelled, and often caused deaths among the children. After a transport arrived at its destination the people were thrown out of the trucks without any provision for their future. Until the local Poles came to their aid these miserable people had to camp in the open in frosty weather, without warm food or any kind of shelter.

The population of the General Gouvernement suffered identical expulsions and expropriations. Although the Germans could not expel the whole population from its territory, they removed Poles and Jews from particular districts, places, or areas of towns. For the Jews special "ghettos" were created.

These expulsions used to fall suddenly on the population and take them completely by surprise, very often during the night. The empty districts or individual houses were turned into German offices or filled with German occupants. Those regulations were aimed at settling and grouping the Germans in the best districts.

Under such a system the Poles lived in a state of constant uncertainty. In June, 1940, the beautiful district round the Mickiewicz and Slowacki Avenues in Krakow was assigned entirely to Germans, after all the previous inhabitants had been expelled. By the regulations of 18th October, 1940, Warsaw was divided into three distinct areas, German, Polish and Jewish. In the course of a few days about 50,000 flats changed hands. The most beautiful district of the city, from which 150,000 people were expelled, was, of course, allotted to the Germans.

According to the normal procedure, all these actions were carried out in the most brutal manner. Those who were expelled from their homes had to leave not only their furniture to the Germans, but also their personal treasures, collections, private libraries, etc.

#### 5. THE WANTON DESTRUCTION OF TOWNS AND VILLAGES.

During the campaign of 1939 the Germans did not confine themselves to operations against military objectives, but also bombed and destroyed villages and towns.

Among the many examples of the burning and shelling of open towns, one must be emphasised, when, during the siege of Warsaw, which was solely defended in the

suburbs and outskirts, districts of no military importance were bombed and shelled with incendiary shells.

During the whole occupation of Poland the Germans widely indulged in burning towns, villages and individual houses as a repressive measure. They applied the method of "collective responsibility" in such cases as : failure to supply contingents of corn ; secret grinding of flour and the slaughter of cattle ; helping Allied prisoners-of-war ; hiding members of the Underground Army or Jews ; tearing down German posters ; failure to reveal Soviet guerillas ; refusing to go to Germany for forced labour ; killing German policemen ; even the resistance of a mother in defence of her daughter. In many cases the inhabitants were burned together with their homes, including women and children, and the "stubborn" ones who tried to escape from the burning houses were shot.

The Czech nation had one Lidice, which rightly shocked the whole world. Poland had hundreds of cases closely resembling or even surpassing Lidice in cruelty. We can quote numerous villages in the following districts : Garwolin, Wolkowysk, Kobryn, Pinsk, Drohiczyn, also such places as Nowe Slupie, Gębow Ocieszynski, Tuczne, Chlebowice Swirskie, Majdan Lipowiecki, Szwerogi, Kamionka Strumilowa, Harpin near Zelechów, Rzepniów, Suworczyn and others.

Reference must also be made here to the burning down of the northern part of Warsaw and its adjoining districts in connection with the liquidation of the Jewish Ghetto.

Finally, the destruction of Warsaw during the Rising in 1944 must be emphasised. The complete obliteration of the Capital, quite apart from the war damage caused by street fights, was ordered by the Germans as a reprisal against the Polish Underground Movement and the Polish Underground Army. The fact that particular buildings occupied by Germans were left intact among the surrounding ruins is proof that this destruction was planned. The fires stopped exactly where the Germans wanted. This testifies to the premeditated nature of the crime.

#### 6. THE LOOTING OF WORKS OF ART AND THE DESTRUCTION OF CULTURE.

After the occupation of Poland, the Germans started on the systematic destruction of Polish culture, science and art. Almost immediately after the campaign was finished, a number of German scientists appeared in Poland with previously prepared instructions for the confiscation and removal of Polish artistic and cultural property.

In the incorporated territories a complete stop was put to all Polish education, from the university in Poznan, which was turned into a German one, down to the elementary schools and kindergartens.

Not a single Polish school was left in a territory of 35,714 square miles, inhabited at the outbreak of the war by 10,500,000 Poles. The representatives of the Herrenvolk recognised this territory as truly German, and maintained that the Polish slaves did not need any education. All museums were confiscated, turned over to the Germans, and, as one of the German directors of the former Wielkopolskie Museum in Poznan said, "cleansed of Polish litter." Libraries and archives met with the same fate. In the former Church of St. Michael, Poznan, a so-called *Buchsammelstelle* was set up, where all the books confiscated from public and private libraries



were gathered and sorted. The French, English and the majority of the Polish editions went to the paper mills, and the rarest and most valuable books were removed to German libraries. Ancient Polish churches—historic relics—were turned into storehouses, and their treasures of goldsmiths' art, valuable vestments and embroideries, collected over the centuries, were confiscated and stolen. Monuments commemorating the Polish nation's historic splendour were blown up with dynamite. In Poznan and numerous other towns all monuments were destroyed.

To illustrate the German methods and behaviour in the incorporated territories, it is sufficient to quote as an example the fate of the cathedral in Pelplin. This cathedral was not only a place of worship, but also an artistic and cultural centre. Built in the Fourteenth Century, it belonged to the former Cistercian Abbey and consisted of the Bishop's Palace, many valuable treasures, a library with a famous collection of manuscripts and incunabula, archives and a museum. By order of the District Commandant, the Gestapo plundered the Church, Palace and collections. All movable treasures, books, vestments, monstrances, chalices and so on—mainly works of art from the Middle Ages—were taken to the nearest sugar factory and burned in its furnaces. The priests were led off to the forest near Starogard and there murdered. At night, in the plundered Palace, the Gestapo held a fancy-dress ball in the church liturgical robes. The Cathedral was changed into a garage.

In the General Gouvernement this liquidation was carried out in a less drastic manner, though with equally systematic methods. All universities and secondary schools were closed down, and only a limited number of primary and trade schools were left, with changed curricula. Governor Frank announced that "the Poles do not need either secondary schools or universities, and Polish territory is to be changed into an intellectual desert"—(*intellektuelle Wueste*). On 6th November, 1939, one hundred and sixty-seven professors of the oldest Polish university—The Jagiellonian University in Krakow—were arrested and deported to the concentration camp at Oranienburg, Sachsenhausen. Fourteen of them died in the camp, three died soon after their release, and the rest were freed with ruined health.

The systematic persecution of Polish scientists and artists lasted throughout German occupation. The closing down of universities and schools had another advantage for the Germans, in that it facilitated the looting of valuable installations and scientific materials. The University and Technical College in Warsaw, already heavily damaged during the bombing of the Capital, were completely pillaged. All installations and scientific apparatus were removed from the Astronomic, Geophysic and Geodetic Institutes of the Warsaw University, and also from the Institutes of Higher and Lower Geodesy, Physics, Technology, the Military Section of the Faculty of Mechanics and others of the Technical College. The buildings were turned into quarters for German soldiers, who destroyed any remaining scientific instruments.

The scientific equipment and library of the Agricultural College in Warsaw were removed under the direction of a group of German professors from Eberswalde, who arrived to complete the equipment of their schools with war booty. All the materials and achievements of Polish scientists in these institutes, unfinished work and manuscripts, were deliberately destroyed. This same group of professors supervised the robbery of the entire equipment of the Institute of Forestry Research.

From the Radium Institute the Germans stole 1½ grams of radium, a gift from Maria Curie-Sklodowska, presented to her by the women of America. To a greater or lesser degree the same fate befell all the other scientific institutes in Warsaw.

The fate of the scientific institutions in Krakow was slightly different. Here, under the supervising eye of Governor Frank, the *Institut fuer Deutsche Ostarbeit* was set up, a pseudo-scientific German institution, whose aim was to prove by scientific falsification that this territory had German cultural foundations, and to Germanise everything in the fields of art and culture. Governor Frank was its President, Dr. Wilhelm Coblitz its Director, and the staff consisted of professors and specialised scientists brought from every part of Germany, together with their numerous assistants. The Institute had twelve sections, each headed by one of the above-mentioned professors, and took over the confiscated laboratories of the Jagiellonian University and other scientific institutions in Krakow. The most valuable things, of course, were removed to Germany. The Institute had affiliated branches in Warsaw, and later in Lwow. It brought out numerous publications and scientific magazines which committed distortions of facts and plagiarisms and presented all problems in the light of German political propaganda.

Scientific life in smaller towns and in the rest of the country met the same fate as that of the Capital—everywhere confiscations, looting and removals.

In the artistic and cultural spheres the same aims and methods were put into practice. During hostilities some of the priceless art collections in Poland had already been destroyed. Some of the most valuable works of art from the Prince Czartoryski Museum in Krakow, and from the collection in Goluchowo, which had been hidden in Sieniawa, fell into the hands of German soldiers, who plundered the Palace and destroyed and pillaged the collections. In Lublin and many other places there were similar occurrences. This was only the first phase; if it could have been blamed onto the brutality of war, official robbery was soon started. A special commission, the so-called *Kommission des Sonderbeauftragten fuer die Erfassung und Sicherstellung der Kunst und Kulturschaetze*, was set up in Krakow under the chairmanship of Dr. Joseph Muehlmann. It consisted of a group of German art historians. Dr. Asmus von Troschke, a historian of art and also one of the men in charge of the famous concentration camp at Oswiecim (Auschwitz), was among its members.

Governor Frank's decree of 15th November, 1939, gave legal sanction to the looting. It announced the confiscation of Polish state property, including works of art and national treasures, thus contravening Article 56 of the Regulations to Hague Convention IV. The executive order to this decree, *Verordnung ueber die Beschlagnahme von Kunstgegenstaenden im General Gouvernement*, of 16th December, 1939, announced the confiscation of all works of art, including products of artistic industries, dating from before 1850. The lists contained every kind of *objet d'art* and the latest date by which such things had to be surrendered was 15th February, 1940. Those failing to obey the order were threatened with heavy punishment. So on 15th February, 1940, all works of art, both publicly and privately owned, ceased to be Polish property, with the exception of modern art alone.

By force of this decree the most valuable works of art from museums and churches in Krakow were confiscated. From the Cathedral the Germans took the Spear of St. Maurice, and insignium of the Crown of the Eleventh Century, a number of examples of goldsmiths' art from the Middle Ages, reliquaries and chalices, tap-

estries and Gobelins, all well-known in Europe. The most valuable Gothic chalices were taken from the Church of Our Lady, together with paintings by H.S. v. Kulmbach of the early Sixteenth Century. The Church of St. Florian and the Monasteries of St. Paul and the Dominicans, as well as many others, were treated in the same way. From the confiscated National Museum the entire sections of sculpture and painting of the Middle Ages were carried away to Germany. The museum building was emptied and given to the German authorities for propaganda exhibitions. From the Prince Czartoryski Museum, which had already lost most of its collection by the robbery in Sieniawa, the most valuable paintings were removed, including the famous "Lady with a Weasel" by Leonardo da Vinci, "The Portrait of a Youth" by Raphael, and "Landscape" by Rembrandt, which Governor Frank ordered to be sent to his private residence in Bavaria. Thanks to a lucky accident these masterpieces have been saved.

The Commission of *Sonderbeauftragter* worked all over the country. By order of this body a great number of very valuable works of art were confiscated and carried away from churches, for example the Sixteenth Century Triptych from Plawno, the late Fifteenth Century Triptych from Książnice Wielkie, the famous Triptych of about 1510 from Bodzentyn, and many others.

Numerous private collections throughout the whole of Poland were confiscated, as those in Sucha, Nieborow, Przeworsk, Gora Ropczycka, etc.

The Germans also removed the famous altar by Wit Stwosz from the Church of Our Lady in Krakow. This was one of the best examples of late Gothic sculpture in Europe, dating from the end of the Fifteenth Century.

In Warsaw, before the Commission of *Sonderbeauftragter* began its activities, the Gestapo started looting and removing the collections. The German scientist, Professor Dr. Paulsen, *Untersturmfuehrer*, and Theo Deisel, *Untergruppenfuehrer*, were among the Gestapo officials. Professor Dr. D. Frey from Wroclaw (Breslau) was special adviser to the Commission, and later Dr. K. Krauss and K. Muehlmann acted on its behalf.

The confiscations and robberies in Warsaw were much more serious than in other Polish towns—so widespread that neither public nor private collections escaped. The Warsaw collections, which had suffered considerable damage in the bombing of the Capital, were afterwards completely liquidated. The State Collection of Art in the Royal Castle was confiscated, and the famous set of over twenty paintings—views of Warsaw—by B. B. Canaletto, together with several dozen most valuable pictures by old masters, and carpets, Gobelin tapestries, bronzes, etc., were carried off. What was not taken away officially was stolen by the Germans. The collection at Lazienki met with a similar fate, and from it the famous "Portrait of a Youth" by Rembrandt was presented to Governor Frank. The University Library's collection of graphic art, including a beautiful set of drawings which had belonged to King Stanislaw August, was removed. The whole Section of Art of the Middle Ages, paintings by old masters, was carried away from the National Museum. Under the direction of Professor Dr. E. Petersen from Rostok, the Archaeological Museum was removed as a whole.

It would be difficult to name here all the museums and collections which suffered—though it can be stated that all public and private collections were confiscated

and robbed, and that the Capital was cleared of all works of art and relics by typical totalitarian methods.

In order to liquidate the libraries and archives, special offices were set up—this is, *Archivverwaltung beim Amt des General Gouvernements* directed by Dr. E. Randt, formerly Director of the Wroclaw (Breslau) Archives, and *Hauptverwaltung der Bibliotheken* directed by Dr. G. Abb, formerly Director of the Berlin University Library. All libraries and archives were confiscated, and in their place German *Staatsarchiven* and *Staatsbibliotheken* were set up. As far as the archives were concerned, the Germans removed all documents in any way connected with the "incorporated territories" and all documents concerning Germany. The Warsaw Archives suffered great losses during the siege of the Capital. The Zamoyski, Krasinski, Przewdziecki, Public Education and Rapperswill Archives and those of many other public and private institutions were partly or completely burned. From those which survived the Germans removed the greater part of the Archives of Recent Documents to Potsdam; most of the Central Archives of Old Documents; the Archives of the Forces as a whole, and many others. Among the documents stolen there were such valuable examples as the title deed of the Chelmno Land given by Konrad Mazowiecki to the Teutonic Knights in 1228, which was taken to Krolewiec (Königsberg). The oldest historic seals of Krakow, Warsaw and Lublin were also removed. The remains of all the archives were collected into one *Staatsarchiw* under German direction. Analogous methods were used in Krakow, Lublin and other Polish towns to rob and destroy the archives.

Libraries met with similar treatment. Here also Warsaw was the greatest sufferer. The bombing and the fires caused irreparable damage. The well-known Zamoyski, Przewdziecki, Rapperswill, Free University, and many other libraries were burned to the ground. After the arrival of the German Army and authorities, the usual system of robbery and removal of collections of precious books started. The Libraries of the Upper and Lower Houses of Parliament met with this fate, and the Library of the Great Synagogue was carried off to Vienna. The Commission of *Sonderbeauftragter* also took an interest in the book collections, and made a selection of the most valuable illuminated manuscripts, incunabulae and graphic documents. By its orders very precious examples were removed from the National and University Libraries, and from the remaining parts of the Krasinski and Zamoyski Libraries. In June, 1940, the *Hauptverwaltung der Bibliotheken* started its activities by organising *Staatsbibliotheken* in all the large Polish towns. The usual procedure was to gather the collections from the remaining libraries and, by reorganising them to destroy their separate entities and traditions. It is obvious that during this reorganisation all the more valuable books were stolen and duplicate copies generally went to the paper mills.

As a result of the German plan to cut off all sources supporting Polish culture, the doors of the libraries were shut to Poles. The Polish language was to be exterminated in every form and shape. The Polish press was liquidated and forced underground. Bookshops and publishing firms were shut and confiscated, together with the theatres and cinemas, which were changed into places of entertainment for the Germans. They tried to uproot any trace of creative and independent Polish spirit. All material signs of the great past and traditions were struck at, in the knowledge that they represented the spirit which, for over a hundred years of sub-

jection, had sustained the Poles and prevented them from resigning themselves to fate by continual reminders of the splendours of the past. The fighting had not spared the artistic and historic buildings. The bombing of Warsaw destroyed such historic churches as Augustins, Bernardins, Our Lady, the Cathedral and many other secular buildings, lovely places of the seventeenth and eighteenth Centuries such as Branicki, Kazimierzowski, Lubomirski, and the Primate's Palace. The Great Theatre, a beautiful building by Corazzi in the classic style, was also destroyed. First of all, however, the Royal Castle was intentionally bombed, as the Germans admitted themselves in an article in the *Krakauer Zeitung* of 28th December, 1941. After the occupation of Warsaw all Polish efforts to reconstruct the Castle, or at least to save it from further damage, met with categorical refusals from the German authorities. The Germans made no attempt to hide the fact that the Royal Castle was to be completely and intentionally destroyed, as a plain proof of the liquidation of Poland's historic past.

The indiscriminate plundering and robbery was officially sanctioned during Governor Frank's visit to Warsaw on 19th October, 1939, when the complete destruction of the Castle was decided upon. The Germans then started to remove systematically all furniture, tapestries and collections from it, even parts of the building itself, such as mosaic floors, fireplaces, staircases. Some of the things were thrown out into the courtyard where they were ruined by rain and frost. Part of the collections was removed to Krakow, part to the flats and houses of the German officials and to German messes and offices, and the remainder was unofficially looted and sold. On 9th November, 1939, the final demolition of the Castle started. In this way all memory of the Royal residence was to be obliterated for ever.

In a furious endeavour to wipe out all traces of the Polish past, the Germans did not spare the monuments either. In Krakow the monuments to Mickiewicz and Grunwald were demolished; in Warsaw those to Chopin, Kilinski, the Polish Airman, the Polish Soldier and many others.

The same thing happened all over the country, and every visible sign of historic tradition was supposed to be liquidated. All through the occupation the Germans systematically carried out the work of destroying Polish culture and art, trying to reach its deepest roots. When, in the summer of 1944 they had to withdraw from Warsaw, they left behind only ruins and ashes. During the Warsaw Rising the majority of the historic buildings which still survived were destroyed. Those which by a miracle still remained standing after that were blown up systematically, one by one, just before the Germans withdrew. The collections of books, libraries, archives, and collections which they did not manage to carry away with them were burned in the buildings to which they set fire as they left.

## 7. THE ECONOMIC PLUNDERING OF POLAND.

The Germans subjected the occupied Polish lands to a ruthless economic exploitation, without paying any attention to the interests of the country and its inhabitants.

Within the framework of the system imposed by force and maintained by terror, the economic resources of the country and the productive force of its population were destined to meet the insatiable needs of Germany and her war machine and contribute to the foundation of the German hegemony in Europe.

In order to achieve these aims, the Germans :

- (a) lowered the standard of living of the Polish population and condemned it to systematic undernourishment by carrying off a great amount of foodstuffs from the occupied country ;
- (b) removed to Germany raw materials, machinery and industrial equipment needed for the maintenance of German war production ;
- (c) confiscated immovable property and factories.

In order to understand the German economic methods in Poland it must be remembered that, after the conclusion of the Ribbentrop-Molotov Agreement on 28th September, 1939, Germany occupied 72,866 square miles of Polish territory, inhabited by 22,250,000 people. As has been mentioned before, the western part of this territory—35,714 square miles with 10,740,000 inhabitants—was incorporated into the Reich by a unilateral act of the Fuehrer and Reichskanzler of 9th October, 1939. The remaining part was organised into the General Gouvernement and reserved for the Polish population.

In this way two different zones of occupation were established in Poland, ruled by different laws.

In the western lands, illegally incorporated into the Reich, the German policy was aimed with extraordinary ruthlessness at :—

- (a) the complete removal of Poles by compulsory expulsions, and the compulsory liquidation of Polish property ;
- (b) forging the closest economic links between these lands and the Reich.

In the General Gouvernement the aim of the German policy was :—

- (a) strict and universal control of economic life ;
- (b) ruthless exploitation of the economic resources of the country, which was to be turned into a German colony.

The Polish western lands—the districts of Poznan and Pomerania—were destined for the ploughs of the German settlers, and were to become the granary of the Reich (*Kornkammer des Reiches*). As the intensification of agriculture, noisily propagated by the Germans failed to bear fruit, the occupying authorities systematically starved the Polish population of those lands in order to increase the export of food to the Reich. Two kinds of ration cards were issued : for the privileged Germans and for the downtrodden Poles, who received much smaller allowances of food. The Poles were not allowed the foodstuffs most necessary to the human body, i.e., meat and fats. The sale of fruit and milk to Polish children was forbidden. Systematic and organised famine became a mighty weapon in the hands of the Germans in their fight with the Polish population of the incorporated territories.

Under the pressure of this system the German authorities managed to squeeze a considerable surplus of food exports out of the country. According to the German press, during the first year of their rule the Germans exported to the Reich about 700,000 tons of corn from Warthegau District. The removal of such a large amount of grain gravely prejudiced the food situation in the country.

The German policy in the incorporated territories is summarised in two words : *aushungern* (to starve out) and *ausfuehren* (to export).

The aims and methods of German economic policy in the General Gouvernement are summarised in Frank's secret circular issued in January, 1940, by order of Goering, who was responsible for carrying out the Four Year Plan.

In this circular General Governor Frank ordered his subordinate officers:—

- (a) to desist from the long-term economic policy in order to extract the maximum immediate advantages from the country;
- (b) to intensify agricultural production, which had first of all to meet the needs of the German forces, military organisations, N.S.D.A.P. and Gestapo
- (c) to limit the food rations of the population to the minimum, i.e., to starve the Poles systematically;
- (d) to provide a considerable increase of timber for export to Germany, i.e., an organised plan to rob Polish forests;
- (e) to break up and remove for salvage (*Ausschlachtung und Verschrottung*) all industrial plant not essential to Germany's war effort (this was to lead to the deindustrialisation of Central Poland);
- (f) to deport 1,000,000 agricultural and industrial workers for forced labour in Germany.

The German policy in the General Gouvernement followed the lines indicated in Frank's circular. Since the Germans declared this area to be the *Heimstätt* of the Poles, some kind of economic freedom was granted to the native population, and expropriations were not so heavy as in the other parts of the country. Nevertheless the key industries were taken over by the Germans, as well as the larger firms with modern equipment. The Poles themselves were left with the smaller firms, which produced for local consumption. It was estimated that the volume of production for the needs of the native population dropped to 15% of the pre-war level, and of the total production 60% was diverted for the needs of the occupying administration. As a result of the persecutions of the Jews there was also a considerable fall in the production of handicrafts. The commercial services received by the Polish community were estimated at 38% of their pre-war level, while the remainder were rendered to the Germans and all the other services, such as transport, medical services etc., had to be shared with the occupying administration.

One of the chief things that facilitated the German exploitation was the dual system of prices. Officially prices and wages were controlled, and had been fixed at a level which did not differ greatly from that of pre-war days. For the Germans the official price system worked smoothly; through the rationing system they were able to buy enough goods to provide a decent standard of living. The remainder of the population got less than 25% of the essential minimum at the official prices.

With the extension of the war, exploitation became more ruthless. The supplies of crops and livestock sent to the Reich or delivered to the German Army were raised beyond productive capacity, causing further exhaustion of agricultural resources. The need of the German war industries for an increased number of workers, as well as for the building of fortifications, led to a general comb out. Thus both the industrial output and the agricultural produce available for the population decreased steadily.

## 8. THE LOOTING OF PUBLIC PROPERTY.

After invading Polish territory the Germans ordered the confiscation of the entire property of the Polish State.

In the General Gouvernement and in the incorporated territories the administration of this property was taken over by *Haupttreuhandstelle Ost*. Industrial establishments in the General Gouvernement were assigned to the specially created company—*Werke des General Gouvernements*.

The German treatment of Polish state property as "war booty" must be stigmatized as an act of robbery and looting. Such conduct constituted a violation of Article 55 of the Regulations to Hague Convention IV.

The Germans placed municipal property in Poland under their own administration, which in fact was equivalent to plunder; and thus violated Article 55 of the above-mentioned Convention, which states clearly that municipal property must be respected and treated as private property.

## 9. THE LOOTING OF PRIVATE PROPERTY.

In the Polish territory incorporated into the Reich the Germans made expropriations on a large scale. The seizure of other people's property was created into a system.

This seizure of Polish and Jewish property was based on a decree concerning the treatment of property belonging to citizens of the former Polish State, issued on 17th September, 1939, i.e., before the cessation of hostilities. This decree foresaw the confiscation of the private property of Polish citizens in such cases as, for example, when the owner had left his place of domicile (which, considering the mass expulsions of the Polish population, left a wide field for action), or when it was in the "interest of the defence of the German Reich," or in order to strengthen Germany.

A second decree with the same purpose was issued by Goering on 20th February, 1940, for "taking possession of agricultural properties and forests which, on 1st September, 1939, did not belong to German citizens." This decree deprived the Poles of all land ownership rights. By this German lawlessness, the peasants of Poznan and Pomerania were subjected to expropriation as well as the big landowners.

The liquidation of Polish land ownership was carried out quickly and effectively by the Central Trustee Office created by Goering, (*Haupttreuhandstelle Ost*), whose widespread activity gradually extended over every sphere of Polish ownership.

The trustees (*Treuhaender*) appointed by *Haupttreuhandstelle Ost* (H.T.O.) deprived the Polish owners of big estates and small farms, large industrial establishments and small workshops, in order to turn them over to Germans.

The number of expropriations carried out by H.T.O. can best be shown by the German official statistics, according to which this body took under its compulsory administration in 1941:—

264 large industrial firms,  
9,000 medium-sized industrial firms,  
76,000 small industrial firms,  
9,120 large commercial firms,  
112,000 smaller commercial firms.

It is no exaggeration to say that, in the territories incorporated into the Reich, the Poles were deprived of all rights of ownership.

Expropriations in the territory of the General Gouvernement did not assume such proportions. The Poles retained the right of ownership, but they could be deprived of their possession at any time by the civil or military authorities, who, by a decree of 24th January, 1940, applied wide expropriations "in the interests of the German nation."

The above-mentioned acts of spoliation constituted a violation of Article 46 of the Regulations to Hague Convention IV, which states clearly that private property must be respected and cannot be confiscated.

#### 10. THE LOOTING OF PROPERTIES UNDER THE SPECIAL PROTECTION OF THE LAW OF NATIONS.

On the outbreak of the Polish-German War, the Polish state property in the Polish Embassy and all Polish Consulates in Germany, together with the private property of the employees of these offices, was left under the care of Sweden as a neutral state. Apart from that, and in accordance with the customs of civilised nations, this property was under the special protection of international law.

First the German authorities respected this property, but later on they took it over and sold it by auction. On the intervention of the Swedish Legation in Berlin, the Secretary of State of the Reich Foreign Office replied on 29th April, 1941, that the seizure of this property was carried out on the basis of Article 2, paragraph 1, of the decree concerning the treatment of property belonging to citizens of the former Polish State, issued on 17th September, 1939, which also applied to members of the former Polish diplomatic corps in Berlin because the Polish State had ceased to exist and there were, therefore, no Polish diplomatic officials.

Such conduct of the German authorities was a flagrant breach of international law and universally recognised international custom. It was also a violation of the principles laid down in Article 46 of the Regulations to Hague Convention IV.

The reference to the alleged cessation of existence of the Polish State was just a manoeuvre without any legal foundation, and the confiscation of the state property and that of the Polish officials in Germany was clearly a common act of robbery.

### PART III

## CRIMES AGAINST HUMANITY AND MASS MURDERS

Almost all the provisions of criminal law which formulate injunctions and interdictions are based on the principles of the laws of nature. All these principles are so deeply rooted in the soul of every human being that the wrongness of any act committed against them is quite obvious and can be recognised by all without the shadow of a doubt.

Such prohibitions as : do not kill, do not seize other people's property, do not restrict other people's freedom, and many others, are typical principles of the law of nature, and the conviction is deeply rooted in the minds of decent people that to act against them is equivalent to breaking God's Commandments.

Since the plan for the invasion of Poland was thoroughly prepared, and since the system for the extermination of the Polish nation was scientifically and technically worked out to the last detail, it is apparent that not only the leaders of the Third Reich but also their accomplices and assistants fulfilled in their activities all the conditions required to incur individual responsibility for all acts committed in the execution of such plans.

If, in addition to this, the methods used in carrying out the plan of exterminating the Polish nation are taken into account, then the purport of the crimes committed and the criminal nature of the authors become most obvious. Among those methods were :—

- (a) the deliberate mass killing of Poles, including women and children ;
- (b) the perverted torturing of the victims before death ;
- (c) special concentration camps with installations for mass murder (gas chambers, etc) ;
- (d) medical scientific experiments carried out on live victims ;
- (e) the deportation of Poles for forced labour in Germany ;
- (f) the deportation of Polish children in order to denationalise them ;
- (g) orders and regulations to decrease the birth-rate in Poland ;

These crimes were carried out en masse by the Germans.

An act forbidden and punished by law becomes a mass crime when it is perpetrated by one or more persons against a large number of people.

In the matter of the establishment of guilt, the same principles apply as in cases of a single crime; corresponding intention should formulate the author's resolution and the degree of determination to commit the crime. (In the Polish penal code, direct and eventual intention; in the German penal code, *dolus premeditatus et repentinus*).

The perpetrators of the mass crime may act either in execution of a concerted plan or in the consciousness that such concert and will to achieve the result of the crime exists.

The leaders of the Third Reich acted in concert. The remaining perpetrators of the mass crimes against Poland acted, however, with full consciousness that such a plan existed, and did their best to carry out the agreed plan of the extermination of the Polish nation.

In consequence they all became guilty of the mass crimes committed against Poland—all who took part in the execution of the criminal plan, regardless of their position in the German hierarchy and the manner in which they participated in it.

#### 1. CONCENTRATION CAMPS.

The main places where the Polish people and the Jews were exterminated during the German occupation were the concentration camps. There were nearly 200 of these in Polish and German territory, and they were of different sizes and categories. Poles were sent to all of them, but in some only Poles and Jews were kept. They had different names, but their purpose was always the same: the quick, mass and secret killing of people, not only able-bodied men, but also old men, women and children.

Over 2,000,000 Poles and about 3,000,000 Jews were murdered in concentration camps.

#### TRANSIT CAMPS FOR EXPELLED PEOPLE

These were destined mainly for Poles compulsorily expelled from their homes before being sent to some other place. The best known were in Dzialdowo and Konstantynow.

THE CAMP AT DZIALDOWO was situated in the former barracks of the 32nd Regiment. During the first weeks of the German occupation the Poles were kept there who were afterwards shot in the woods of Malinow. A great number of priests expelled from the districts of Plock and Ciechanow passed through this camp. Here the Bishop of Plock, Antoni Juliusz Nowowiejski, died early in 1941 at the age of 85. Here also the Vicar General Bishop, Leon Wetmanski, was kept.

In 1941 this camp gradually became a punishment camp. The number of Poles imprisoned there amounted to several thousand. At that time the camp was in the charge of S.S. men, who applied the same methods to the inmates as in concentration camps. In 1943, Poles who refused to sign *Volksdeutsche* lists were sent there. They were tortured cruelly and frequently shot.

THE CAMP OF KONSTANTYNOW was a transit camp for priests. In summer 1941 several hundred priests, mainly from the Voyevodship of Lodz and the south eastern districts of Western Poland, were kept there. The methods applied to the inmates were similar to those in concentration camps.

THE CAMP AT MYSLOWICE was mixed. In May 1941, the number of people in it had already reached 7,000. During the same year a great number of political prisoners were moved to this camp from Sosnowiec. They were under the charge of the Gestapo, and during investigations they were subjected to such methods as beating, electric shocks, pulling out nails, pouring water up the nose, and so on. Many inmates lost their reason after these tortures.

#### FORCED LABOUR AND PUNISHMENT CAMPS.

These had an "educational" character, and were destined for "stubborn" Poles who refused to submit to the orders of the German authorities. The punishment camps contained many Poles serving sentences for crimes which they had very often not committed at all. These camps, like the others, usually contained people in transit to concentration camps.

#### CAMPS FOR PRIESTS.

These were situated in the Polish territories incorporated into the Reich, from which all priests of every denomination were systematically removed. A great number of the priests held in these camps met their death there. Many also were sent on to concentration camps, to Buchenwald, Oswiecim and most of all to Dachau. In the summer of 1940, the majority of these camps were liquidated, owing to the fact that the priests were now sent to the concentration camps directly.

#### SPECIAL CAMPS FOR CHILDREN.

These were created either for purposes of Germanisation or as punishment camps for youths. Children were kept there who had been taken away from their parents.

Particular attention should be drawn to the camp in Helenow near Lodz, established in the summer of 1941, at the suggestion of the "scientific group" of the N.S.D.A.P. of the Lodz District, as an experimental camp "for the improvement of the Nordic race." It was composed of a number of huts each inhabited by a couple, a German boy and Polish girl or a Polish boy and German girl. The young Poles, in perfect physical condition and conforming to the requirements of the Nordic race, were picked up in round-ups in the streets and railways, and after thorough medical examination were directed to this camp. All its inmates were treated equally, and had full freedom and good living conditions. Their only duty was to have sexual relations. This duty was under the control of the medical personnel of the camp, and any offence against it was heavily punished. There were several cases of suicide among Polish girls forced to live with Germans. At its busiest this camp contained over 500 boys and girls, but the inmates were constantly changing. The pregnant girls were taken away into Germany, and nobody knows what became of them.

#### CAMPS FOR JEWS.

These camps were set up as forced labour or concentration camps. Some of the latter were generally known under the name of "death camps." All of them served the purpose of liquidating Polish Jews as quickly as possible. The best-known in Polish territory were:—

Belzec, near Tomaszow,  
Chelmno, near Kolo,  
Kosow Podlaski, north-east of Warsaw,  
Sobibor, near Wlodawa,  
Treblinka, near Sokolow in the Lublin District.

These special camps for Jews were equipped with installations for quick, mass extermination, which reached its peak in 1942 and 1943, i.e., at the time of the liquidation of the ghettos.

THE CAMP AT BELZEC was established at the end of 1940. At the beginning expelled Jews were held there, and later on mass shootings took place. In the first six months of 1940 special electric installations for killing people were put in, and whole batches of Jews were murdered. In this camp Jews were gathered, mainly from the Lublin District, and from Eastern Poland—from Lwow—where in 1942 about 100,000 Jews were rounded up.

In the autumn of 1943, during the second phase of the ghetto liquidation, most of the Jews killed in this camp came from the district of Krakow, and at that time many thousands were exterminated each day.

THE CAMP AT CHELMNO (KULMHOF) ON THE RIVER NER. Mainly Jews from *Wartheland* were sent to this camp, and the first large contingents arrived in December, 1942, from Kolo and Debie. From the middle of January, 1943, Jews from Lodz Ghetto were sent there en masse.

THE CAMP AT TREBLINKA. In 1940 the Germans set up a punishment camp in the village, where only Poles who refused to supply agricultural contingents were sent. In September, 1941, the Governor of Warsaw, Dr. Fisher, announced that this camp was to be a punishment camp for the whole Warsaw District, and that everybody who committed any offence against German regulations was to be sent there. In March, 1942, the camp was considerably enlarged and turned into a Jewish extermination camp. Gas and steam chambers were installed, and with their help from autumn 1942 onwards several hundred thousand Polish Jews were exterminated there.

#### CAMPS OF DEATH.

All concentration camps in Poland, like those in the Reich and other territories occupied by Germany, were under the same organisation and subordinated to the S.S. As far as administration was concerned, they were under the *S.S. Wirtschafts und Verwaltungshauptamt* in Berlin, which had direct influence on the conditions and life of the inmates. These camps were *Vernichtungslager*, and their task was to break and exterminate the prisoners. The work done by the prisoners was only a medium to wear them out and exhaust them. This is why the work in the camps was not productive. The normal thing was moral and physical cruelty and the cutting off of all help from outside.

The most notorious camp in Poland and in the whole world was :

THE CAMP OF OSWIECIM (AUSCHWITZ) on the river Sola in Silesia. In April, 1940, the Germans started building this camp under the name *Konzentrationslager in Auschwitz* and it was used until Silesia was occupied by the Soviet forces. It was constantly extended, and covered the areas of the villages Rajsko, Brzezinka and Babice. In its last phase the camp was divided into three parts :

- (a) Auschwitz I, covering the town ;
- (b) Auschwitz II, covering Birkenau, i.e., Rajsko and Brzezinka ;
- (c) Auschwitz III, covering Manowice.

At the beginning of its existence Poles were sent there, but afterwards Jews from all countries. The latter usually went directly from the transports to the gas chambers.

The camp of Oswiecim was from the very beginning intended as a *Vernichtungslager*, and a crematorium was added during the first period of extension. This was used for the first time in June, 1940, when the bodies of 15 Silesians, brought from Sosnowiec, were burned in it. From that time onwards larger batches of Poles were sent there, and when the crematorium could not take them all, their bodies were burned in piles.

In April, 1942, in Rajsko, the building of new furnaces was started, and they were equipped with modern technical installations for cremation. They were finished in haste, because a great number of Jews were expected on account of the liquidation of the ghettos.

The camps in Oswiecim and Birkenau were modelled on the pre-war German ones (e.g., Dachau). Every method of murder was tolerated and encouraged by the authorities.

Because the installations and methods in Oswiecim and Birkenau were also applied in other concentration camps in Poland, they can be considered as typical.

The command and guarding of the camp was in the hands of the S.S. They had at their disposal a certain number of prisoners, who formed a sort of camp council. The so-called *Lageraelteste*, a sort of camp sheriff, had at his disposal *Kapos* chosen from among the professional criminals known for their cruelty and ruthlessness.

The S.S. guards were chosen from special formations, created and trained for work in concentration camps. They had full knowledge of refined methods of murdering and torturing.

In Oswiecim camp, as in all others, a special section existed, called the *Politische Abteilung*—a kind of Gestapo in the camp which was independent of the Camp Commandant. The man in charge of the *Politische Abteilung* was a political commissar subordinate to the *S.S. Polizeigericht*, who had similar power to that of a prosecutor. He investigated cases, prosecuted, and ordered execution of the sentence.

The chief of the Political Section in Oswiecim (up to November, 1943, *Kriminalobersekretar* Grabner) organised and trained his subordinates, and worked on the principle that their main task was the mass murder of the prisoners. With this object in view he established the unlimited power of the Political Section over the lives of the prisoners.

The first experience of every prisoner was the so-called "quarantine" through which they all had to pass. This was a kind of school and preparation for the new life in the camp. Physical training lasting many hours, constant parades, beating and kicking, replaced during this period the work which all inmates were afterwards forced to perform, regardless of age, sex or physical condition. The quarantine lasted from three to six weeks.

Beside the beatings, applied indiscriminately by the guards and *Kapos*, the regulations of the camp prescribed a range of punishments. For small offences

here were ordinary punishments, such as depriving the offender of a meal or forcing him to stand at attention for several hours. Other penalties were imposed by the Camp Commandant or his Deputy, and those most often applied were:—

- (a) THE STAKE—the delinquent was tied to a stake with his hands behind him, in such a way that his toes barely reached the ground, and left there from fifteen minutes to two hours. This was very painful and led to dislocation of the arms and unconsciousness. This torture was also used in the *Politische Abteilung* to force confessions.
- (b) PUBLIC WHIPPING—upwards of twenty-five strokes on a specially constructed trestle called a “Bock.”
- (c) THE DUNGEON—imprisonment in a dark cell so small that it was impossible to sit down.
- (d) PHYSICAL TRAINING, CALLED “SPORT”—consisted of runs with repeated commands of “down” and “up,” rolling and knee-bending, etc.
- (e) TRANSFER TO THE PUNISHMENT SQUAD—to which people condemned to death by the Gestapo were sent straight after their arrival in the camp. The task of the punishment squad was to torment and torture people, to make their lives unbearable and finally to kill them by the most refined methods. The people in those squads often became insane through ill-treatment. Many who could not bear it threw themselves on the barbed-wire surrounding the camp, where they were killed by electric shock or by the guards’ bullets. The S.S. guards, with the help of specially selected *Kapos*, often hanged the prisoners and pretended it was suicide.

Beside these official punishments there were a number of other tortures, such as pouring water on people regardless of the time of year; leaving people standing in frost and rain; pouring water into the nose and sexual organs; over-salting the food with a simultaneous ban on drinking; boxing training on the bodies of undressed prisoners. All these methods mentioned here were used most by the guards of the punishment squad.

#### METHODS OF MURDERING:—

- (a) Shooting collectively and individually;
- (b) murdering in gas chambers;
- (c) killing by injections of petrol, methyl and phenol;
- (d) drowning in water;
- (e) burying alive;
- (f) tearing to pieces by dogs;
- (g) killing by striking the neck with a heavy stick.

GAS CHAMBERS were first used in Oswiecim in June 1941.

In Birkenau, part of Oswiecim Camp, and destined only for women, a special experimental hut existed in which the following acts were committed:—

- (a) sterilisation by Roentgen rays (X-rays);
- (b) experiments with other sterilising apparatus;
- (c) the removal of feminine sex organs artificially infected with cancer;
- (d) artificial insemination and miscarriages.

THE CAMP AT MAJDANEK. This camp, established by the occupying authorities in 1940 as a *Konzentrationslager der Waffen S.S.*, was subordinated to the Gestapo in Lublin. Here, in 1941, many Poles, specially brought from German concentration camps, were exterminated. In 1943 mass murder started with the use of gas chambers. About 1,500 people were killed per day. As it was impossible to burn such a number of bodies, in spite of the many cremating furnaces installed, they were burned in a wood nearby in piles. In March, 1944, because the front line was approaching, the surviving prisoners were exterminated in haste on orders from Berlin.

Those who were still in good physical condition were moved to other concentration camps, mainly Oswiecim and Ravensbruck, and some were transferred to *Arbeitsamts* as labourers.

### CONCENTRATION CAMPS IN THE REICH.

THE CAMP AT DACHAU, NEAR MUNICH. This camp, the oldest of its kind, served as a model for all the others. Here cruelty was applied with detailed precision. Roman Catholic priests, particularly members of the Polish clergy, were the subjects of special hatred of the camp authorities. On account of epidemics, sickness and frost, several dozen people used to die daily. During the famine which appeared in this camp in 1941, cases of cannibalism were recorded. During the epidemic of typhus at the end of 1943, 5,000 people died, and in the first quarter of 1945, in epidemics of typhoid fever and dysentery, over 10,000 people lost their lives. According to the account of a former inmate of this camp, one of the medical officers there took an interest in tattooing, as a result of which he had tattooed people killed by injections and made their skins into lamp-shades.

A number of medical experiments were carried out here, specially on the kidneys, malaria, tuberculosis, bone operations and tests of endurance for flying purposes. These experiments were usually made on priests. All of them caused permanent disability, crippling, and very often death. About 1,100 experiments on malaria were carried out in Dachau, and here about 400 Poles were used. The experiments for flying purposes had many victims, since the people were first frozen and afterwards submitted to the influence of compressed and rarified air. According to a general account, in May, 1945, about 9,000 Poles were left in Dachau, and they were to be shot by order of Himmler before the taking of the camp by the Allies.

THE CAMP AT MAUTHAUSEN AND ITS BRANCH IN GUSEN, NEAR LINZ. The construction of this camp was started by German prisoners in 1940, and completed by Poles assembled from the concentration camps in Buchenwald, Dachau and Oranienburg. The majority of the internees worked in large quarries, the private property of high Nazis. This work, indescribably heavy, was performed under constant pressure and whipping. Everybody from eighteen to sixty was forced to do it. It consisted of carrying heavy rocks on the shoulders from high hills. Every attempt to avoid the work, including illness, was considered as sabotage. One of the monks from a monastery in Poznan describes the conditions in Gusen in the following words:—



"If Dachau was Purgatory, Gusen was Hell. Untreated illnesses, epidemics and starvation took dozens of human lives daily, and those who were unable to work were sent to *Invalidenkommandos* where they were murdered with terrible torture. Very often people were killed only for having gold teeth, which were extracted after death and sold to buy drinks."

**THE CAMP AT SACHSENHAUSEN.** The official name of this camp was *Konzentrationslager Sachsenhausen—Oranienburg bei Berlin*. It was established in 1938, and gradually expanded with the growth of the Hitler Regime. The first organised transport of Poles to this camp consisted of 167 scientists from the University and Mining Academy of Krakow. They arrived there at the end of 1939.

More transport of Poles arrived in quick succession, consisting mainly of people caught in street round-ups. In the middle of 1944 about 6,000 Poles were kept in this camp. They were used for work in factories, stone works, uprooting trees and building railway embankments. The greatest number of the prisoners died in the *Klinkerwerke*, where the weaker could not stand the strain of the work and the cruel methods applied by the guards who were chosen from among the worst sadists. From time to time a selection was made, and the sick, weak and crippled people were grouped in so-called *Sonderkommandos* and then sent to unknown destinations. Not one of those people ever returned to the camp.

**THE CAMP AT BUCHENWALD, near WEIMAR.** From 1939 to the beginning of 1945 about 50,000 Polish citizens passed through this camp, and when it was liberated by the Allied forces there were 3,500 Poles and Jews in it.

**THE CAMP AT STUTTHOF ON THE TERRITORY OF THE FREE CITY OF DANZIG.** This camp was already established in September, 1939. The German intention was to set up a big camp mainly for Poles deported from the western lands incorporated into the Reich. The inmates of this camp were also used for labour outside it.

**THE CAMP AT RAVENSBRUCK NEAR MECKLENBURG.** During 1941 and the following years, many Polish women and girls were deported by the Germans to this camp, which, in 1942, contained about 12,000 women, 20% of whom were Polish citizens. These women, beside their work in the camp, were put to hard labour in war factories, unloading railway trucks, building roads, etc. There was a hospital in the camp in which, from July 1942, German professors and doctors carried out experimental operations on the youngest and healthiest women. These experiments were performed with the knowledge and approval of the highest authorities in Berlin, and Professor Gephardt of Berlin was in charge. Young Polish girls were used as guinea pigs for these operations, and many of them lost their lives as a result, while a still larger number became crippled. In particular, muscle and bone operations were carried out for the purpose of breeding on living tissues, the antitoxin against gas gangrene together with the transplantation of bones and experiments on tuberculosis and tetanus. At the beginning they tried to persuade women and girls to volunteer for those operations, promising to release them from the camp afterwards. As the promise was never kept, and the women resisted, the experiments were then carried out by force. Many people crippled by the operations were exterminated. From time to time a so-called "cleansing" was carried out in the camp, and under the pretext of releasing the women they were put into columns, transported to a wood nearby and shot or else transferred to Birkenau Camp and killed in the gas chambers.

## 2. THE EXTERMINATION OF THE JEWS.

The outrages committed by the Germans on the Jews in Poland, culminating in their almost complete extermination, are without precedent in the history of national or religious persecutions. Before the war the Jews in Poland numbered about 3,500,000, this figure dropped to roughly 200,000.

Not only Polish Jews, however, were condemned to extermination.

The Germans chose Polish territory as the place of execution for Jews from all occupied countries. They were brought there from all over Europe and murdered.

The decree of 24th July, 1940 (V.Bl. No. 45), formulated the definition "Jew and Jewish half-caste." The half-caste Jews were also subjected to anti-semitic regulations.

The persecutions started by the introduction, by the decree of 23rd November, 1939, (V.Bl. No. 8) of special degrading signs for Jews and Jewesses over ten years of age, which had to be worn in the form of an armlet or a coloured patch on the clothing. All Jewish shops and businesses were also forced to display signs with special inscriptions. This branding of the Jewish population became the foundation for moral and physical torments and tortures.

The use of public transport, railways, buses, and tramcars, was forbidden to the Jews. They were also barred from entering public parks, restaurants and places of entertainment.

On every opportunity massacres broke out. Thus, according to information given by German newspapers of 1st December, 1939, 53 Jews, inhabitants of No. 9, Nalewki Street, Warsaw, were murdered because a policeman was shot in front of the house.

The *Volkischer Beobachter* of 19th March, 1940, reported a similar case of collective responsibility in Zaranie.

In the town of Bedzin the Germans herded the Jews into one district, which they afterwards set on fire. Those who did not die in the flames were shot. There is no place in Poland which did not witness murders of Jews. The Jewish women were put in brothels for German soldiers.

By the decree of 17th September, 1940, Jewish movable and immovable property in the incorporated territories was confiscated, with the exception of clothing and part of their money. In practice, however, when this decree was carried out, the Jews were usually completely robbed of everything.

Similar methods were applied to the Jews in the territory of the General Gouvernement. On every opportunity Jewish municipalities had to pay enormous fines, denuding them completely of money. This was usually carried out the day before mass deportations to extermination camps.

In general the Jews were subjected to refined collective tortures, by hard public labour, by transfer from one place to another, and finally by shutting them in ghettos from which they were gradually deported to death camps.

The biggest number of Jews were gathered in Warsaw, Lodz, Krakow and Lublin Ghettos. In the first place the inhabitants of the ghettos were systematically starved.

According to the statistics in the publication, "Rationing under Axis Rule," (London, May, 1942), the weekly ration for Jews in Poland was bread, 15 oz.; meat, 4 4/7 oz.; sugar, 1 4/7oz.; fat, 9/10 oz. At the same time the corresponding rations in Germany were: bread, 80 oz.; meat, 14oz.; sugar, 8oz.; fat, 9 1/2oz.

The *Litzmannstaedter Zeitung* of 16th February, 1941, reported that a special court in Lodz condemned two Poles to four months' imprisonment for handing parcels of food and tobacco to Jews in the ghetto.

The ghettos were the penultimate stage on the road to extermination. From them the Jews were transported or driven to the special concentration camps and places of extermination, where death awaited them.

### 3. THE FIGHT AGAINST RELIGION.

The fight against religion itself, and against all organised churches and denominations, was aimed at breaking those organisations and depriving the people of the moral support they could still find in their churches, which were the only places still capable of giving shelter to the language and the remnants of the national traditions.

The persecutions were carried out with every sort of brutality, and by every method available, including mass murders.

As far as the Catholic Church was concerned, almost all bishops in the incorporated territories were interned or imprisoned, among them the Bishop of Lodz, Jasinski, his assistant, Bishop Tomczak, the Suffragan Bishop of Wloclawek, Kozal, the Bishop of Plock, Nowowiejski, his assistant, Bishop Wetmanski, and the Vicar-General of Poznan, Dymek. In Pomerania from 650 priests 97% were deported or imprisoned, and from the incorporated territories 3,000 priests lost their lives during the German occupation.

In Poznan the Rev. Dr. Janicki, Delegate of the Polish Primate to the Polish Associations abroad, was tortured to death.

In Pabjanice the priests were forced to clean lavatories on Sundays.

In Wisnicz the Jesuits were compelled to slap each others faces and stamp on the Cross, which was afterwards used to beat them on the head.

The Rev. Professor Kukulka was arrested when carrying the Sacraments to a dying woman.

In the territory of the General Gouvernement the normal activity of priests was made impossible by their imprisonment and deportation, by limiting the celebration of Mass to certain hours, by the cancellation of all Church holidays, by the cancellation of all prayers and liturgies in any way connected with Poland, by other administrative regulations, etc.

In the Diocese of Lublin 200 priests were imprisoned, in that of Krakow 100, and in that of Tarnow 50% of them were deported to concentration camps.

The Polish population was completely deprived of Church Services, and Polish children of religious education.

There were no priests to administer the Sacraments and perform marriage ceremonies. However, not only were the clergy, both secular and monastic, subjected to bloody persecution. The Germans started a parallel persecution of all personalities in the Catholic movement.

Robberies, profanations and destruction of churches and chapels, together with the looting of church property, were carried out on a big scale. Even during the bombing of open towns in September, 1939, the Germans started the deliberate destruction of churches and their priceless contents. The ancient cathedral of Pelplin in Pomerania was turned into a garage, and the statue of the Virgin standing in

front of it was knocked down. Under the pretext of being *Baufaellig* (liable to collapse) many churches were closed.

As an example of the looting of church property, we can cite that in the Archdiocese of Poznan and Gniezno alone the Germans stole more than 1,000 chalices, 800 ciboria, 500 monstrances, 8,000 chasubles and capes and all the altar linen and furnishings of 100 churches and chapels. The chapels and shrines, so numerous by Polish roadsides, were barbarically destroyed. In many parts of the country even the cemeteries were not respected, and the tombstones with Polish inscriptions were ruined.

In the Archdiocese of Warsaw the Germans destroyed or burned 18 churches, and partly destroyed or burned 48 churches and 18 presbyteries.

In the Diocese of Lublin 8 churches, the Bishop's Palace and a seminary were burned.

In the Dioceses of Poznan, Gniezno, Pomerania and Wloclawek all shrines and road-side crosses were destroyed, and in Poznan and Bydgoszcz monuments of devotion of a religious character were demolished.

Many acts of robbery were committed in churches, church halls, Bishops' Palaces, Schools, etc., as, for example, in the Primate's Palace, Poznan, in the Bishop's Palace, Lublin, in the Capucin Monastery and School, Lublin. In the Jesuit College, "Bobolanum," several thousand books of priceless value were looted.

In Bydgoszcz the ex-Jesuit Church was demolished, and in Tarnow a newly-built church was changed into a barn for storing hay.

The whole Catholic press was suppressed. In the Diocese of Poznan alone the printing of the weeklies *Przewodnik Katolicki* (circulation 220,000), and *Kultura* together with the monthly *Ruch Katolicki* and many others were banned.

The destructive fury did not spare the religious institutions. Monks and nuns were sent en masse to concentration camps, and many of them were murdered there.

Very great loss has been inflicted on the Evangelical Augsburg Church as a result of the war and German occupation, which not only destroyed its unity and central authority but practically destroyed and exterminated the clergy, and profaned and burned the churches.

The membership of the Evangelical Augsburg Church in the Republic of Poland was about 470,000. It was divided into ten Dioceses, which included 157 parishes and sister churches served by 126 vicars, 7 deacons and 49 curates.

The legal position of the Church was regulated by a special decree of the President of the Republic of Poland and by internal rules and regulations. Its organisation was based on a synodal presbyterian system. The Synod, numbering fifty-two members, personified the legislative autonomy of the Church, whilst the Consistory with eight members formed the executive organ. The head of the Church was a Bishop who was also Chairman of the Synod and of the Consistory.

The German occupying forces paralysed the activity of the supreme authority of the Church by arresting the clerical members of the Consistory and the Seniors (Heads of the Dioceses). After some years in a concentration camp only one was able to return. It can truthfully be said that the Church has passed through a period of persecution and martyrdom. Out of about a hundred Evangelical clergy, twenty-two died in concentration camps and prisons, victims of the Nazi Regime, among them Bishop J. Bursche, well-known in Ecumenical circles, and his brother, Dr.

Edmund Bursche, Professor of Protestant Theology at Warsaw University. Several others died owing to the exceptional conditions in which they were forced to live.

During the occupation pastors were kept under surveillance, deprived of all means of earning a living, and their families doomed to misery. At the time of the Warsaw Rising in 1944 all property was taken away from pastors and theological professors in that city.

Material destruction must be added to these losses. The beautiful church of Warsaw parish, built in the days of the last Polish King, Stanislaw Poniatowski, was completely destroyed by German artillery fire on 16th September, 1939. All the charitable institutions, such as the two hundred years old hospital, the home for aged people, the orphanage, the home for mental defectives, the kindergarten and the day nursery for children, which were the pride of the Polish Evangelical Church, were totally destroyed. Apart from this the churches at Czestochowa, Wielun, Wloclawek, Torun, Drogomysl and many others were seriously damaged.

Before the war the Church owned four homes for Deaconesses in Warsaw, Lodz, Bielsko and Cieszyn. The Warsaw Diaconate, which was in existence since 1878, cannot continue its work owing to the destruction of parish buildings. The two Diaconates at Bielsko and Lodz no longer exist. Of eleven orphanages formerly owned by the Polish Evangelical Augsburg Church, only one (in Dzingilewo) remains.

There were also in Warsaw before the war two secondary schools—one for boys, the Mikolaj Rey School, and one for girls, the Queen Anna Waza School—both maintained by the Evangelical Augsburg Parish. On the sites of both schools to-day are heaps of rubble.

The German occupation caused great losses to the religious literature of the Church.

The Germans eagerly set about destroying Polish Evangelical books, burning them and throwing them out as salvage. They also forbade the publication of any church newspapers.

The German policy of exterminating the Jews in Poland did not omit, of course, synagogues and temples. From among the great number of synagogues destroyed, the burning of the big ones in Sosnowiec, Wloclawek and Tomaszow should be specially mentioned. Others were changed into store-houses, stables, etc. Rabbis and teachers of the Jewish religion met with the same cruel fate as the rest of the Jewish population.

#### 4. THE FIGHT AGAINST YOUTH AND CHILDREN.

The German policy of extermination also included the physical and moral destruction of the Polish younger generation.

Cardinal Hlond, in his interview to the newspaper *La Nation Belge*, on 28th February, 1940, (No. 68), quoted several cases where, in connection with the evacuation of the Polish population from the incorporated territories, the Germans deported Polish boys to the Reich for the purpose of denationalisation. Young girls, of whom every trace was afterwards lost, were also deported.

The death rate among children deported with their parents was enormous. According to an eye-witness, a Polish woman from Inowroclaw was sentenced to three years imprisonment for giving a roll to a hungry child.

During deportations from Lodz and Kalisz, little children, taken in haste without adequate warm clothing, froze in cattle trucks and their bodies were thrown out onto the railway lines.

The same thing happened during the evacuation of the Polish population from the districts of Zamosc, Krasnystaw, Hrubieszow and others in the General Gouvernement.

The other, intermediate, system of destroying Polish youth was by using them for heavy work. The decree of the General Governor of 14th December, 1939, authorised the Chiefs of the Districts to conscript boys of between fourteen and eighteen for compulsory labour.

Gauleiter Greiser, on 15th November, 1940, emphasised the necessity of educating German children to hate the Poles, "because only by hating Poles like the plague can one show attachment to the German nation."

During the hunts for Poles carried out to round up workers for heavy labour, young people were specially sought after. The purpose of deporting young people to the Reich is best explained by the advertisements in German papers calling on the public to adopt Polish orphans "of Nordic type."

The notorious undernourishment of the Polish population had, of course, a particularly adverse effect on young people. In the middle of 1941 the food ration for Poles in Warsaw contained only 680 calories. The regulation issued by the Burgermeister of Poznan of 8th November, 1940, allowed the sale of fruit only for German children.

Collective massacres of the Polish population in the incorporated territories and the General Gouvernement always included young people as well as grown-ups. On 10th June, 1940, during a massacre in Jozefow and its neighbourhood, all boys over the age of eleven were killed. There are thousands of similar examples.

Considering the very patriotic attitude of the Polish youth, it is obvious that numberless boys and girls gave their lives for their country when caught on propaganda activities.

Even *Thorner Freiheit*, a National Socialist paper, stated that among people sentenced to death by special courts, a great percentage consisted of women and young people. A considerable number of young people died for singing the Polish National Anthem.

## ENCLOSURES

### ENCLOSURE No. 1

#### REPORT OF POLISH POLICE OFFICIAL, D. BUBEN.

"On 23rd August, 1939, at about 22.45 hours (10.45 p.m.), two time bombs exploded in the left-luggage office at Tarnow Railway Station (25 Kg. of high explosive, deposited in two suitcases).

As a result of this explosion, 24 people were killed, 27 injured, of whom 22 were serious cases, and part of the station building was destroyed, together with the left-luggage office, the station post office, the barber's shop and part of the 2nd class restaurant. In addition some station installations were damaged, including three railway carriages standing in the vicinity.

Steps taken immediately afterwards led to the discovery and arrest of the direct author, a mechanic from Bielsko District in Silesia, Guzy by name, about 26 years old, who had been unemployed for a long time and was an active member of German youth organisations. During the investigation, the names of the whole German terrorist group to which Guzy belonged were discovered, which at that period showed the greatest activity and was organised within the net of the German youth organisations in Silesia.

I questioned Guzy personally. After a long cross-examination he admitted his guilt, and, describing the organisation's activity, its training and the preparations for terrorist action and sabotage, he gave clear evidence that this activity in Poland from 20th August, 1939, onwards was carried out by special German organisations, trained for this purpose in Germany during 1938 and 1939. He himself, as early as December, 1938, and May, 1939, had gone to the Carpathians to reconnoitre the terrain for purposes of later sabotage which were to precede the war. This activity was started by code message from the Breslau Radio Station: "*Hello, hello! Dr. Neumann soll zur Arbeit kommen,*" broadcast a few days ago during an interruption in a programme at about 21.00 hours (9 p.m.).

Afterwards Guzy gave evidence that this was the most recent code message set by the organisation, and its broadcast by Breslau in order to begin the terrorist action and sabotage was at the same time the real start of the German attack on Poland. Everything was already planned and instructions issued for this event, considering which he (Guzy) was and is certain that, if the war had not already started when he gave this evidence (evening of 26th August), that does not mean that it will not come, but that the war will inevitably break out within the next few days.

All the information given in Guzy's evidence can be confirmed not only by me but also by Staff Sergeant Wesolowski Josef, of the 2nd Battalion, SBSK, who, by my order and under my direction, continued the investigations, and took part in Guzy's cross examination."

### ENCLOSURE No. 2

#### THE FUEHRER'S SPEECH TO THE MILITARY COMMANDERS ON 22nd AUGUST, 1939.

"I have called you together to give you a picture of the political situation, in order that you may have insight into the individual elements on which I have based my decision to act, and in order to strengthen your confidence.

After this we will discuss military details.

It was clear to me that a conflict with Poland had to come sooner or later. I had already made this decision in spring, but I thought that I would first turn against the West in a few years, and only afterwards against the East. But the sequence cannot be fixed. One cannot close one's eyes even before a threatening situation. I wanted to establish an acceptable relationship with Poland in order to fight first against the West. But this plan, which was agreeable to me, could not be executed, since essential factors have changed. It became clear to me that Poland would attack us in case of a conflict with the West. Poland wants access to the sea. The further development became obvious after the occupation of the Memel region, and it became clear to me that under the circumstances a conflict with Poland could arise at an inopportune moment. I enumerate as reasons for this reflection:

First of all two personal constituents: my own personality and that of Mussolini.

Essentially everything depends on me, my existence, because of my political activities. Furthermore, the fact that probably no-one will ever have the confidence of the whole German people as I do. There will probably never again be a man in the future with more authority than I. My existence is therefore a factor of great value. But I can be eliminated at any time by a criminal or an idiot.

The second personal factor is the Duce. His existence is also decisive. If something happens to him, Italy's loyalty to the alliance will no longer be certain. The basic attitude of the Italian Court is against the Duce. Above all, the Court sees in the expansion of the empire a burden. The Duce is the man with the strongest nerves in Italy.

The third factor favourable to us is Franco. We can ask only benevolent neutrality from Spain. But this depends on Franco's personality. He guarantees a certain uniformity and steadiness of the present system in Spain. We must take into account the fact that Spain does not as yet have a Fascist party of our internal unity.

On the other side there is a negative picture as far as decisive personalities are concerned. There is no outstanding personality in England or France.

For us it is easy to make a decision. We have nothing to lose, we can only gain. Our economic situation is such, because of our restrictions, that we cannot hold out for more than a few years. Goering can confirm this. We have no other choice, we must act. Our opponents risk much and can gain only little. England's stake in a war is unimaginably great. Our enemies have men who are below average. No personalities. No masters, no men of action.

Besides the personal factor, the political situation is favourable to us; in the Mediterranean rivalry among Italy, France and England, in the Orient tension, which leads to the alarming of the Mohammedan world.

The British Empire did not emerge strengthened from the last war. From a maritime point of view, nothing was achieved. Conflict between England and Ireland. The South African Union became more independent. Concessions had to be made to India. England is in great danger. Unhealthy industries. A British statesman can only look into the future with concern.

France's position has also deteriorated, particularly in the Mediterranean.

Further favourable factors for us are these :

Since Albania there is an equilibrium of power in the Balkans. Yugoslavia carries the germ of collapse because of her internal situation.

Rumania has not grown stronger. She is open to attack and vulnerable. She is threatened by Hungary and Bulgaria. Since Kemal's death, Turkey has been ruled by small minds, unsteady, weak men.

All these fortunate circumstances will no longer exist in two to three years. No-one knows how long I shall live. Therefore it is better to have conflict now.

The creation of Greater Germany was a great achievement politically, but militarily it was questionable, since it was accomplished by a bluff of the political leaders. It is necessary to test the military. If at all possible, not by general settlement, but by solving individual tasks.

The relation to Poland has become unbearable. Hitherto my Polish policy has been in contrast to the ideas of the people. My propositions to Poland (Danzig corridor) were disturbed by England's intervention. Poland has changed her tone towards us. The initiative cannot be allowed to pass to the others. This moment is more favourable than in two to three years. An attempt on my life or Mussolini's would change the situation to our disadvantage. We cannot eternally stand opposite each other with cocked rifles. A suggested compromise would have demanded that we change our convictions and make agreeable gestures. They talked to us again in the language of Versailles. There was danger of losing prestige. Now the probability is still great that the West will not interfere. We must accept the risk with reckless resolution. A politician must accept a risk as much as a military leader. We are facing the alternative of striking or being destroyed with certainty sooner or later.

Reference to previous risks :

I would have been stoned if I had not carried my point. The most dangerous steps was the invasion of the neutral zone. Only a week before, I got a warning through France. I have always accepted great risks in the conviction that they may succeed.

Now there is also a great risk. Iron nerves, iron resolution.

The following special reasons strengthen my idea. England and France are bound—neither is in a position for war. There is no actual rearmament in England, just propaganda. Much damage has been done by what many reluctant Germans said and wrote to Englishmen after the solution of the Czech question : The Fuehrer carried his point because you lost your nerve, because you capitulated too soon. This explains the present propaganda war. The English speak of a war of nerves. One element of this war of nerves at present is the increase of armaments. But how is British rearmament in actual facts? The naval construction programme for 1938 has not yet been completed. Only mobilisation of the reserve fleet. Purchase of fishing steamers. Considerable strengthening of the Navy, but not before 1941 or 1942.

The following is characteristic of England : Poland wanted a loan from England for rearmament. England, however, only gave credit in order to make sure that Poland should buy in England, though England cannot deliver. This means that England does not really want to support Poland. She will not risk eight million pounds in Poland, although she put half a billion into China. England's position in the world is very precarious. She will not accept any risks.

France lacks men (decline of the birth rate). Little has been done in the way of rearmament. The artillery is antiquated. France did not want to enter on this adventure. The West has only two possibilities in the fight against us :

1. Blockade. This will not be effective because of our autarchy and because we have sources of aid in the East.
2. Attack from the West from the Maginot Line. I consider this impossible.

Another possibility is the violation of Dutch, Belgian and Swiss neutrality. I have no doubts that all these states, as well as Scandinavia, will defend their neutrality by all means available. England and France will not violate the neutrality of these countries. Actually England cannot help Poland. There remains an attack on Italy. A military attack is out of the question. No-one is counting on a long war. If Mr. von Brauchitsch had told me that I should need four years to conquer Poland, I would have replied : then it cannot be done. It is nonsense to say that England wants to wage a long war.

We will hold our position in the West until we have conquered Poland. We must take our great production into account. It is much bigger than in 1914-1918.

The enemy had another hope : that Russia would become our enemy after the conquest of Poland. The enemy did not count on my great power of recovery. Our enemies are little worms. I saw them at Munich.

I was convinced that Stalin would never accept the English offer. Russia has no interest in maintaining Poland, and Stalin knows that it will be the end of his regime no matter whether his soldiers come out of a war victorious or beaten. Litvinov's replacement was decisive. I brought about the change towards Russia gradually. In connection with the commercial treaty, we got into political conversation. The proposal of a non-aggression pact. Then came a general proposal from Russia. Four days ago I took a special step, which resulted in Russia answering yesterday that she is ready to sign. Personal contact with Stalin is established. The day after tomorrow von Ribbentrop will conclude the treaty. Now Poland is in the position in which I wanted to have her.

We need not be afraid of a blockade. The East will supply us with grain, cattle, petrol, lead and zinc. It is a big aim, which demands great efforts. I am only afraid that at the last minute some *Schweinhund* will make an offer of mediation.

The political aim is set further. A beginning has been made towards the destruction of England's hegemony. The way is open for the soldier, after I have made the political preparations. To-day's publication of the non-aggression pact with Russia hit like a shell. The consequences cannot be overlooked. Stalin also said that this course will be of benefit to both countries. The effect on Poland will be tremendous.

Goering answers with thanks to the Fuehrer, and the assurance that the armed forces will do their duty."

ENCLOSURE No. 3.

A NEUTRAL TESTIMONY ON THE GERMAN ESPIONAGE ACTIVITIES.

The Swiss Divisional Colonel, M. Bircher, a well-known military writer, gave a very interesting lecture on the German campaign in Poland at the *Allgemeine Offiziersgesellschaft* at Zurich. The *Neue Zuericher Zeitung* published a report of this lecture in its issue No 346 of 7th March, 1940 (*Der Feldzug in Polen*).

Inter alia the Colonel said:

"One of the main causes of the rapid Polish collapse was the perfection with which the extensive espionage system of the German minority in Poland carried out its function: numerous short-wave transmitters kept the German Army Command continually informed."

ENCLOSURE No. 4.

THE GERMAN-SOVIET AGREEMENT.

MOSCOW, SEPTEMBER 28th, 1939.

"The Government of the U.S.S.R. and the German Government following the collapse of the former Polish State, consider it as exclusively their own task to restore peace and order in these territories and to assure to the people inhabiting them a peaceful existence which will correspond to their national characteristics. With this object in view, they have concluded the following Agreement:

Article 1—The Government of the U.S.S.R. and the German Government establish, as the frontier between their respective State interests in the territory of the former Polish State, a line which is marked on the attached map and which will be given in more detail in a supplementary Protocol.

Article 2—Both countries recognise as final the frontier between their respective State interests, as set out in Article 1, and will resist any interference with this decision on the part of any other Powers.

Article 3—The German Government will carry out the necessary state reconstruction on the territory west of the line indicated in Article 1, and the Soviet Government on the territory east of this line.

Article 4—The Government of the U.S.S.R. and the German Government regard the above-mentioned reconstruction as a reliable foundation for the future development of friendly relations between their peoples.

Article 5—This Agreement is subject to ratification. The exchange of instruments of ratification is to take place as soon as possible in Berlin.

The Agreement enters into force from the moment of its signature."

ENCLOSURE No. 5.

DECLARATION OF THE SOVIET AND GERMAN GOVERNMENTS.

SEPTEMBER 28th, 1939.

"Now that the German Government and the U.S.S.R., by the treaty signed to-day, have finally regulated the problems arising out of the disintegration of the

Polish State, and by so doing have established a stable foundation for a long period of peace in Eastern Europe, they mutually agree in expressing the opinion that the liquidation of the present war between Germany, on the one hand, and England and France, on the other, would correspond with the interests of all nations. Therefore both Governments will direct their common efforts, if necessary in agreement with other friendly powers, to achieve this end as quickly as possible. If, however, these joint efforts of both Governments remain unsuccessful, this will establish the fact that England and France bear the responsibility for the continuation of the war, and in the event of the war continuing, the Governments of Germany and the U.S.S.R. will consult with each other on the necessary steps."

ENCLOSURE No. 6.

THE SECRET ADDITIONAL PROTOCOL TO THE GERMAN-SOVIET NON-AGGRESSION PACT OF 23rd AUGUST, 1939.

"On the occasion of the signing of the Non-Aggression Pact between the German Reich and the U.S.S.R., the plenipotentiaries concerned of both countries dealt, in a strictly confidential exchange of opinions, with the subject of the delineation of their respective spheres of interest. This exchange of opinion led to the following results:

- "1. In the event of a territorial and political transformation of the areas belonging to the Baltic States (Finland, Estonia, Latvia and Lithuania), the northern frontier of Lithuania will automatically be established as the boundary of the spheres of interest of Germany and the U.S.S.R., and at the same time both parties will recognise Lithuania's claim to the Wilno territory.
- "2. In the event of a territorial and political transformation of the areas belonging to the Polish State, the respective spheres of interest of Germany and the U.S.S.R. will be divided approximately by the line of the rivers Narev-Vistula-San. The question of whether it will be in the interest of both parties to maintain an independent Polish State will be decided definitely according to the further development of political events. In any case, both Governments will solve this problem by friendly agreement.
- "3.—As far as South-Eastern Europe is concerned, Russia for her part emphasises her interest in Bessarabia. Germany for her part announces a complete 'desinteressement' in this territory.
- "4.—This Protocol will be considered by both sides as strictly secret.

Signed: for the Government of the Reich,  
J. RIBBENTROP,  
as plenipotentiary of the Government of the U.S.S.R.  
W. W. MOLOTOV.

Moscow, 23rd August, 1939."

Several maps of Poland and the Baltic States were appended to this secret Protocol, showing the exact boundaries of the contrahents' spheres of influence.

THE SECOND SECRET ADDITIONAL PROTOCOL  
TO THE GERMAN-SOVIET NON-AGGRESSION PACT.

"The undersigned plenipotentiaries confirm the agreement of the Government of the German Reich and the Government of the U.S.S.R. on the following:

"The Secret Additional Protocol, signed on 23rd August, 1939, is changed in paragraphs 1 and 2 in such a way that the territory of the Lithuanian State is included into the Soviet Union's sphere of influence, while, on the other hand, the Lublin Voyevodship and part of the Warsaw Voyevodship are included in the German sphere of influence. (See map attached to the Frontier and Friendship Agreement signed to-day.)

"At the moment when the Soviet Government takes special steps on Lithuanian territory for the purpose of realising its interests, the present German-Lithuanian frontier will be rectified in such a way that the Lithuanian territory south and south-west of the line marked on the attached map will fall to the Germans."

Furthermore, it is hereby confirmed that the binding economic agreements between Germany and Lithuania will not be affected by the above-mentioned steps of the Soviet Union.

Moscow 28th September, 1939.

*Signed:* for the Government of the Reich

J. RIBBENTROP,

as plenipotentiary of the Government of the U.S.S.R.

W. W. MOLOTOW."

ENCLOSURE No. 8

A SWORN STATEMENT BY FRIEDRICK GAUSS

*Legal Adviser to the German Foreign Office.*

"Being acquainted with the consequences of bearing false witness, I make the following statement as evidence for the International Military Tribunal in Nuremberg, after having been requested to do so by the Counsel, Dr. Alfred Seidl, and having been informed by him that, in accordance with the normal procedure, I am obliged as a witness to give written as well as verbal evidence for this Tribunal.

- I. Concerning my person: My name is Friedrich Gauss, born on 26.11.1881 in Mahlum, district Gandesheim, of Evangelical-Lutherian faith, Doctor of Law, Legal Adviser to the Foreign Office in Berlin almost until the end of the war, and latterly with the title of "Ambassador for special Missions."
- II. Concerning the subject: The previous history and course of the political negotiations between the Government of the Reich and that of the Soviet Union in autumn, 1939, on which I have been called as witness by Dr. Alfred Seidl, as far as I was personally concerned as Legal Adviser, was, as far as I can remember, as follows:

1. In the early summer of 1939, it must have been in the last half of June, von Ribbentrop, at that time Foreign Minister of the Reich, summoned von Weizsaecker, at the time Secretary of State at the Foreign Office, and me to his estate Sonneburg near Freienwalde on the Oder, and informed us that for some time Adolf Hitler had been considering whether to attempt to bring about a better understanding between Germany and the Soviet Union. For this reason, as we must already have noticed, the extremely sharp attacks in the German press against the Soviet Union had been much toned down. An attempt was now going to be made, through the usual diplomatic channels, to discuss a current question of some importance with the Soviet Union in order to ascertain whether the latter were willing to hold a serious conversation with the Government of the Reich. If that were so, it was possible that wider political discussions might result to find out whether a *modus vivendi* could be brought about between the two countries. The first subject for discussion was to be, if I remember rightly, a not very important question about the consular representation of the Soviet Union in Prague. Mr. von Ribbentrop charged the Secretary of State and me to draft a suitable instruction to the German Ambassador in Moscow, for which he gave a number of detailed instructions. The Secretary of State and myself then immediately dictated in Sonneburg an appropriate draft, which Mr. von Ribbentrop altered in various places and then wished to show to Hitler for his approval. Shortly afterwards, however, I heard—I do not remember now whether from the Foreign Minister of the Reich himself or the Secretary of State—that the instruction dictated by us in Sonneburg had *not* been sent off, as Hitler had considered it "too plainspoken." After that I heard nothing more about a change in German-Russian relations.

2. At the end of June or beginning of July I went to Garmisch Partenkirchen on leave, was summoned by the Foreign Minister of the Reich towards the middle of July to his summer place, Fuschl, in the neighbourhood of Salzburg for a very important reason not concerning Russia, and had to remain from then on at the disposal of the Foreign Minister in Salzburg. After some time in Fuschl, Mr. von Ribbentrop gave me, much to my surprise, a draft to read of a special message from the Reich Government to the Soviet Government proposing an opening of political negotiations. After introductory explanations on the development of German-Russian relations up to that time and on the difference of both the state systems, the idea was expressed that the interests of both states were closely parallel but not overlapping. I can no longer recollect who had written this draft message—to judge from its style it had not come, or at least not all of it, from the pen of the Foreign Minister. A telegram was sent off to the German Ambassador in Moscow instructing him to deliver this message, and not long afterwards a reply was received from the Soviet Government which did not reject the idea in principle that German-Russian relations could be placed on a new political basis, but intimated that a longer examination of the subject and more diplomatic preparatory work would be necessary before the opening of direct negotiations. A second German message was quickly sent off to Moscow, expressing the fervent German wish for the immediate opening of negotiations. I do not know the author of this second German message either. The purpose of this second message—but perhaps also of the first—was the offer to send the Foreign Minister of the Reich to Moscow forthwith for political conversations. An answer agreeing to this was received from the

Soviet Government—I think it was on 21st August—which, it happened I was able to observe this personally, gave the greatest joy to Hitler and his associates. If my memory is not at fault, both the German dispatches were in the form of a direct personal message from Hitler to Mr. Stalin, and the preparatory correspondence confined itself to the exchange of these two messages.

3. At about midday on 23rd August the plane of the Foreign Minister of the Reich, whom I had to accompany as Legal Adviser for the proposed negotiations, arrived in Moscow. The first conversation between Mr. von Ribbentrop and Mr. Stalin took place on the afternoon of that same day, which on the German side was, besides the Foreign Minister, only attended by Counsellor of the Embassy Hilger as interpreter and perhaps also by Ambassador Count Schulenburg, but not by me. The Foreign Minister of the Reich returned in a very cheerful mood from this long meeting, and expressed himself to the effect that things were going so well that the agreement desired by Germany would surely be concluded. The continuation of the conversations, in which documents were to be discussed and prepared for signature, had been fixed for later that evening. I took part personally in this second conversation, as well as Ambassador Count Schulenburg and Mr. Hilger. On the Russian side the negotiations were conducted by Mr. Stalin and Mr. Molotov, accompanied by Mr. Pavlov as interpreter. Agreement was reached quickly and without difficulty on the text of the German-Russian Non-Aggression Pact. In the preamble which I had prepared, Mr. von Ribbentrop had himself made insertions about the friendly relations between Germany and Russia, to which Mr. Stalin objected with the remark that the Soviet Government, after having been covered with "buckets of filth" by the National Socialist Government for six years, could not suddenly come out with assurances of German-Russian friendship. The relative parts of the preamble were then cancelled or altered. Besides the Non-Aggression Pact, a long time was spent over a particular secret document, which, as far as I can remember, was entitled "Secret Protocol" or "Secret Supplementary Protocol," and which concerned the delineation of the respective spheres of interest in the European territories between the two states. I do not remember now whether it actually contained the phrase "spheres of interest" or some other wording. In the document Germany explained that she had no political interest in Latvia, Estonia and Finland, but claimed Lithuania in her sphere of interest. A controversy arose in connection with Germany's *desinteressement* in the two above-mentioned Baltic countries, as the Foreign Minister of the Reich, in accordance with his instructions, wished to exclude a certain part of the Baltic territory, to which the Soviet side took exception, in particular to the ports in this territory which were free of ice. The Foreign Minister of the Reich had made a telephone call to Hitler on this subject, which had evidently already arisen during the first conversation but which only came to a head during the second, and had been instructed in this direct talk with Hitler to accept the Soviet viewpoint. With regard to Polish territory, a demarcation line was decided upon, but I no longer remember whether it was shown on a map accompanying the document or only described in words in the document. In any case an understanding was reached on Poland—that both powers would finally settle the questions arising over that country by mutual agreement. It is, however, possible that the understanding on the Polish question was only reached in the alterations of the secret document mentioned below in paragraph 5.

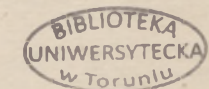
With regard to the Balkan countries it was agreed that there Germany would only have commercial interests. The Non-Aggression Pact and the secret document were signed at a late hour on the same night.

4. In conclusion I must add—having been specially asked about this—to the previous statement in paragraph 3, that, during a supper we had while the document was being prepared, Mr. von Ribbentrop quoted a public speech by Mr. Stalin which he had given in the spring, from which it had appeared, in Hitler's opinion—although Germany had not been mentioned—as though Mr. Stalin had wished to indicate that the Soviet Government considered it possible or even desirable to reach a better understanding with Germany. To this Mr. Stalin replied with a brief remark, which ran, according to the translation of interpreter Pavlov: "That was the intention." In this connection Mr. von Ribbentrop added that Hitler had seen a film about a large public meeting in Moscow, and that he, Hitler, had considered that film and the Soviet people appearing in it "very nice." In addition I must add, as I was also questioned about this, that during this conversation as well as in the actual negotiations, the Foreign Minister of the Reich spoke as if an armed conflict with Poland was not an already established fact but a strong possibility. The Soviet statesmen made no comments on this point which appeared to indicate approval of such a conflict or even encouragement. The Soviet representatives were much more cautious on this subject, and merely confined themselves to noting the German representatives' statements.

5. About one month later, during the negotiations over the second German-Soviet political agreement, the secret document mentioned in paragraph 3 was amended in conformity with a suggestion already previously communicated to Berlin by the Soviet Government, in which alterations were made to the effect that Lithuania, with the exception of a small "corner" bordering on East Prussia was to be taken out of the German sphere of interest for which, however, the demarcation line on Polish territory was to be moved further to the east. Later, as far as I can remember at the end of 1940 or the beginning of 1941, Germany finally also gave up this "Lithuanian corner" by negotiations conducted through diplomatic channels.

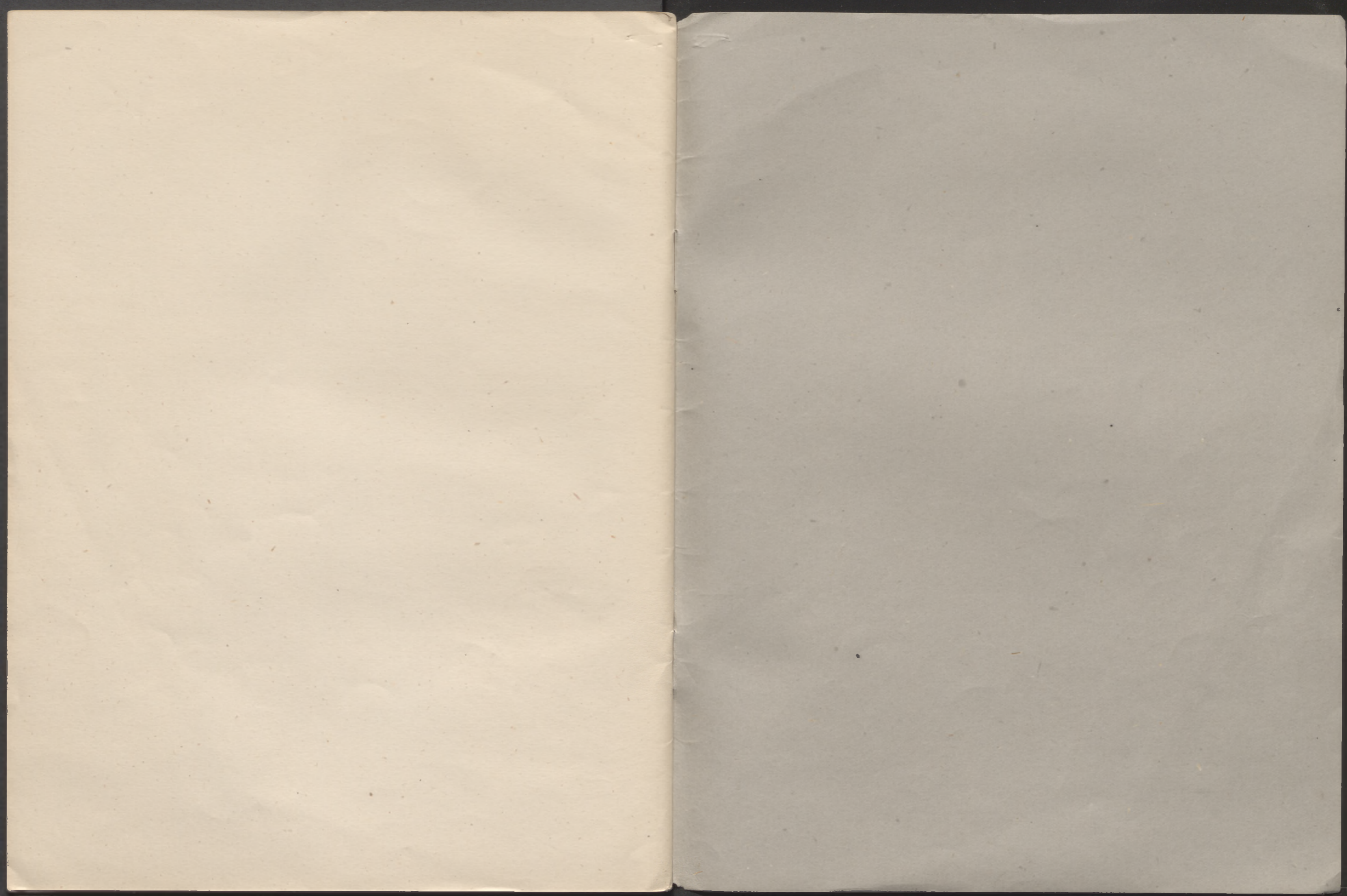
(signed) FRIEDRICH GAUSS."

Nuremberg,  
15th March, 1946.









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