

THE TRIAL

In the Case of the Atrocities Committed by the German Fascist Invaders and their Accomplices in KRASNODAR and KRASNODAR TERRITORY

JULY 14 TO 17, 1943

ON 14TH JULY, 1943, IN THE CITY OF KRASNODAR, IN THE NORTH CAUCASUS, the trial was opened before a Military Tribunal presided over by Justiciary Colonel *N. Y. Mayorov*, President of the Military Tribunal of the North Caucasian Front, of the case of the atrocities perpetrated by the German fascist invaders and their accomplices in the area of the city of Krasnodar and the Krasnodar Territory during the period of their temporary occupation. Justiciary Major General *L. I. Yachenin* acted as State Prosecutor.

The defendants in the case were: *I. Kladov, I. Kotomtsev, M. Lastovina, G. Misan, Y. Napsok, V. Pavlov, I. Paramonov, N. Pushkarev, I. Rechkalov, V. Tishchenko* and *G. Tuchkov*. They were charged with committing crimes covered by Articles 58-1 a and 51-1 b of the Criminal Code of the R.S.F.S.R., i.e., treason to the country.

The accused were defended by Advocates *A. I. Nazarevsky, V. I. Yakunenko* and *S. K. Kaznacheyev* as appointed by the court.

The morning session on the 14th was taken up with the preliminary formalities. At the afternoon session the indictment was read and before the court there was unfolded a frightful picture of the wholesale murder of innocent Soviet citizens who were killed in thousands by the German fascist invaders during their temporary occupation of the Krasnodar Territory.

The preliminary investigation, the indictment stated, had revealed that all these acts of murder, outrage, violence and plunder were committed by the punitive units of the German 17th Army, commanded by Colonel General *Ruoff*.

The immediate supervision and execution of all these acts of brutality were vested in the Krasnodar Gestapo, headed by the German Chief of the Gestapo, Colonel *Christmann*.

The Gestapo had under its command a special punitive unit of the Secret Police called the *Sonderkommando SS-10-a*, which was immediately responsible for the perpetration of all the atrocities.

The investigation revealed that persons under arrest were tortured and that prisoners confined in the cellar of the Krasnodar Gestapo were burnt to death; that patients in the Krasnodar Municipal Hospital, at the Berezhansk Medical Colony and also in the Territory Children's Hospital at Tretya Rechka Kochety Farm, in the Ust-Labinskaya District, were killed wholesale.

Lastly, the investigation revealed that many thousands of Soviet citizens were put to death by asphyxiation by means of carbon monoxide in motor vehicles specially equipped for this purpose, known as "murder vans."

The *Sonderkommando SS-10-a* was a punitive unit of the Gestapo, numbering about 200 men. The head of this *Sonderkommando* was Colonel *Christmann*, a German, Chief of the Gestapo. His immediate assistants in the work of exterminating Soviet citizens were the German officers: *Rabbe*, *Boss*, *Sargo*, *Salge*, *Hahn*, *Erich Meier*, *Paschen*, *Winz* and *Hans Münster*, the German Army Surgeons in the prison and the Gestapo, *Herz* and *Schuster* and also officials of the Gestapo, the interpreters *Jakob Eicks* and *Scherterlan*.

Furthermore, the following traitors, now before the court as defendants in the case, were recruited by the Gestapo and participated in the perpetration of all the aforementioned atrocities: *V. Tishchenko*, *G. Tuchkov*, *I. Rechkalov*, *M. Lastovina*, *N. Pushkarev*, *G. Misan*, *J. Naptsov*, *I. Paramonov*, *I. Kotomtsev*, *V. Pavlov* and *I. Kladov*.

The investigation revealed the following definite cases of atrocities perpetrated by the German fascist invaders in the Krasnodar Territory:

Soon after the occupation of Krasnodar, the cellar of the Krasnodar Gestapo was crammed with prisoners as a result of systematic raids upon and the wholesale arrest of the peaceful inhabitants. No investigation whatever was made into the cases of the hundreds and thousands of innocent people thus arrested. The latter were subjected to the most brutal violence and torture. Their fate was decided arbitrarily by Colonel *Christmann*, Chief of the Gestapo, who personally issued the orders for their physical extermination.

In the autumn of 1942, the Germans began to utilize specially equipped motor vehicles, which the population called "murder vans," for the purpose of doing away with Soviet citizens.

These "murder vans" were covered five-ton or seven-ton grey-painted motor trucks, driven by Diesel engines. The interior of these vans was lined with zinc-plated sheet iron. At the back they

had double doors which closed hermetically. The floor consisted of a grating, beneath which there was a pipe that was connected with the exhaust pipe of the engine. The exhaust gas from the Diesel engine, which contained a high concentration of carbon monoxide, penetrated the interior of the van, causing the rapid poisoning and death from asphyxiation of the prisoners confined in it.

Several times a week, and in January, before the Germans retreated from Krasnodar, two and three times a day, the "murder vans" were filled with people confined in the cellar of the Gestapo, which was situated in 61 Orjonikidze Street. The loading of the vans was usually supervised by Captain *Rabbe*, Deputy Chief of the Gestapo and Governor of the Gestapo prison. Before being dragged from the cellar the prisoners were stripped of their clothing; then they were bundled into the "murder van," 60 to 80 at a time. The doors of the van were then hermetically closed and the engine started. After standing with the engine running for several minutes, the van would drive to an anti-tank trench which had been dug outside the Measuring Instruments Factory on the outskirts of Krasnodar. As a rule, the murder vans were escorted by a convoy of police from the *Sonderkommando SS-10-a*. By the time the vans reached the anti-tank trench the people were asphyxiated by the gas. The bodies were flung into the trench and buried. Men, women and children were bundled into the van without discrimination.

In the course of time, in spite of the efforts the Germans made to keep this fiendish method of exterminating Soviet citizens a secret, the inhabitants living in the neighbourhood of the Gestapo premises, and, through them, the entire population, learned of the use to which these vans were being put.

The prisoners in the cellar of the Gestapo also learned of the purpose of the "murder vans," and on being loaded into them they offered resistance. At the time of loading the courtyard of the Gestapo premises echoed with their shrieks and wailing. Owing to this they were seized and dragged into the van by force. Soon after the engine was started the shrieks of these unfortunate people gradually subsided as they succumbed to the gases.

Yevdokia Fedorovna *Gazhik*, who, one day, witnessed the forcible loading into the "murder van" of an arrested woman and her five-year-old daughter, stated as follows:

"Into this 'motor bus' the Gestapo men were forcibly dragging a woman about thirty years of age. The woman refused to go into the van, resisted, and all the time tried to reach a little girl behind her, four or five years old, who was crying: 'Mummy, Mummy, I want to ride with you.' Unable to subdue the arrested

woman, one of the Gestapo men seized the little girl and smeared her lips and nose with a thick black liquid. The child instantly fell unconscious. The Gestapo man picked her up and threw her into the van. On seeing this, the mother uttered a wild shriek and rushed at the Gestapo man. After struggling with the woman for several seconds the Gestapo man succeeded in overpowering her and dragged her into the van."

Not only prisoners, but people indiscriminately seized in the streets during wholesale raids were also put to death in the "murder vans."

When the anti-tank trenches were dug up, among the victims of the fascist fiends were found bodies clutching baskets and other receptacles with which these unfortunate people were going to town, to the market, and so forth. When the anti-tank trench in the region of State Farm No. 1 was dug up, many corpses were found which were afterwards identified by their relatives.

Thus, Nikolai Kuzmich *Kolomyitsev*, an inhabitant of the city of Krasnodar, identified the body of his wife, Raissa Ivanovna Kolomyitseva, whom the Gestapo had arrested on 2nd February, 1943. Vassily Nikolayevich *Petrenko*, a worker employed at the Krasnolit Works, identified the bodies of his wife, Vera Zinov'yevna, of his son Yuri, seven years of age, and of his daughter Inna, three years of age. Petrenko's wife and children were also arrested on 2nd February, 1943. Father *Ilyashev*, priest of St. George's Church in the city of Krasnodar, personally identified Cyril Lugansky, Vladimir Golovaty and other inhabitants of the city of Krasnodar whom he had known.

In August, 1942, the Surgeon of the Gestapo, the German *Herz*, came to the Municipal Hospital in Krasnodar and inquired how many patients there were in the hospital. Shortly afterwards Herz visited the hospital again, accompanied by several German army officers, who inspected the hospital and then drove away again.

On 22nd August, Herz presented himself to *Dr. Bashlayev*, the head doctor of the hospital, and informed him and the other doctors that, in conformity with the orders received from the German Command, the patients were to be "removed" from the hospital. Shortly afterwards a "murder van" arrived and patients were forcibly bundled into it.

On the first occasion about eighty patients were loaded in the van, which drove away and soon returned. In the course of the next two hours the van made four journeys and carted away over 300 patients, all of whom were killed by the method described above, and their bodies flung into the anti-tank trench near the Measuring Instruments Factory.

The above facts were established by the depositions of witnesses *Makarov*, *Kantonistov*, *Mokhno*, and others.

Thus, the witness *Mokhno* stated as follows:

"After making several journeys, this same machine came to the building where the male patients lay. An order was received from the German officer to undress all the men who were capable of moving about, and to take them out to the van. Here, too, the patients raised a din with their groaning and shrieking, but the Germans brutally seized them and pushed them into the van. The gravely sick patients were brought out on stretchers and the Germans flung them into the van, too."

One day Ivan Ivanovich *Kotov*, an inhabitant of the city of Krasnodar, who had been discharged from this hospital long ago, came for a certificate just at the time when patients were being loaded into the van. One of the German officers who was supervising the loading caught sight of Kotov, seized him and pushed him into the "murder van." When the doors were closed and the van started off, Kotov, feeling that he was being asphyxiated, tore his shirt off his back and moistening it with his own urine put it to his mouth and nose. After a while he lost consciousness. When he came to he found himself in an anti-tank trench among dead bodies which had been haphazardly flung into the trench. He climbed out and returned home.

During the preliminary investigation Kotov stated as follows:

"... A German who was standing near the car rushed at me shouting something I could not understand, seized me by the collar of my coat and pushed me into the van. When I got in I found a lot of people there. How many I cannot say. There were men and women. The van was packed. The people were standing pressed close against each other. The van was filled with groans, shrieks and wailing. The people were in a frenzy, for they had a presentiment that the German barbarians intended to subject them to frightful torture and death. After me another five persons were pushed into the van, after which the doors were slammed to and several minutes later it moved off. In motion I felt that I was beginning to choke. I tore my shirt from my back, moistened it with my urine and put it over my mouth and nose. At once I felt some relief."

After the patients at the Krasnodar Hospital had been exterminated, only one ward with twenty beds was left for new patients. As a matter of fact this ward was nothing more than a trap, for Herz, the Gestapo surgeon, made two visits to the hospital for the new patients who had been placed in this ward and took them away in a "murder van."

On 5th September, 1942, this same Herz, Surgeon of the Gestapo, arrived at the Berezansk Medical Colony and informed the medical superintendent, *Dr. Kireyev*, in the presence of *Dr. Shapovalova*, that the van would arrive on 7th September to take the patients away, also to be exterminated. *Dr. Kireyev* begged Herz to leave at least the convalescents who were working in the vegetable plot. Herz consented and gave orders that the convalescents be put into a separate building. On the morning of 7th September a "murder van" arrived at the colony and the Germans, stripping the women patients naked, loaded them into it. Many of the patients tried to resist, but they were dragged into the "murder van" by force.

In all 320 patients were taken from the Berezansk Colony and put to death in this manner. Their bodies were thrown into an anti-tank trench which was situated five kilometres from the colony.

Several days later, a group of Germans, headed by an officer of the Gestapo named *Hans Münster*, arrived at the colony and took away everything of value as well as all the stocks of provisions.

In October, 1942, seventeen patients arrived at the colony from Krasnodar, and these, too, were subsequently put to death in a "murder van." As for the convalescents who were allowed to remain by Herz's permission, on 20th October, 1942, sixty of them were bundled into a motor truck by order of *Hans Münster* and taken to an anti-tank trench, where they were shot. Just before the shooting, a woman patient named *Marusya* cried out in frenzy: "Our men will come and avenge us!" *Münster* beat this sick woman about the face and head with the butt of a rifle until she was covered with blood. Another patient named *Dobuntsov* tried to run away, but was killed by a rifle shot.

In September, 1942, the Germans in the same manner organized the massacre of sick children in the Children's Hospital situated in *Tretya Rechka Kochety Farm*, *Ust-Labinskaya District*, Krasnodar Territory. In this hospital, *Erich Meier*, an officer of the Gestapo, and *Jakob Eicks*, an interpreter, took up their quarters.

On 21st September, 1942, Surgeon Herz and several other Germans arrived at the hospital in a passenger car accompanied by a "murder van." Forty-two sick children, dressed only in singlets and shorts, were bundled into the "murder van" and taken away and killed in the manner described above. The bodies of these little children were flung into a large pit which had been dug specially for the purpose in the vicinity of *Chernyshevka Farm* by the local inhabitants by order of *Meier* and *Eicks*, ostensibly as an anti-aircraft gun position.

In the course of the preliminary investigation of this case, pits containing the bodies of the victims of the German fascist monsters

were dug up at thirteen places. Of the vast number of bodies found in these places, 623 were examined by medical experts. Of these bodies 85 were children, 256 women and 282 men, 198 being of advanced age.

On the basis of the thorough medical, chemical and spectroscopic investigation which was carried out, a Committee of Experts consisting of *Dr. V. I. Prozorovsky*, Chief Medico-Legal Expert of the People's Commissariat of Public Health of the U.S.S.R.; *V. M. Smolyaninov*, Chief Medico-Legal Expert of the People's Commissariat of Public Health of the R.S.F.S.R.; Professor *M. I. Avdeyev*, D. M. Sc., Chief Medico-Legal Expert of the Red Army; *Dr. P. S. Semenovskiy*, Consulting Physician of the Moscow City Medico-Legal Experts' Department; and *S. M. Sokolov*, court chemist, arrived at the conclusion that the cause of death in 523 of the cases examined was carbon monoxide poisoning, and that in 100 cases death was due to firearm wounds inflicted, in the majority of cases, in the head.

In their report the Committee of Experts stated that the carbon monoxide could undoubtedly have had lethal effect from the Diesel engine penetrated the closed van.

The Commission stated:

"If the outlet for the carbon monoxide (including waste gases) is in closed premises, the concentration of carbon monoxide in those premises increases very rapidly and may cause death even in the course of a few minutes (from five to ten)."

Thus, the report of the medical investigation fully confirmed the data obtained during the preliminary investigation concerning the wholesale and brutal extermination by the Gestapo of Soviet citizens held in custody by the Krasnodar Gestapo and also of other peaceful inhabitants, adults and children, lying as patients in the Krasnodar Hospital, the Berezansk Medical Colony and in the Territory Children's Hospital.

The total number of the Soviet citizens asphyxiated in "murder vans" is 7,000.

The indictment also enumerated the established circumstances of the wholesale arrest and torture of Soviet citizens at the headquarters of the Krasnodar Gestapo.

In the cellar of the Gestapo premises, the prisoners were beaten every day. The officials of the Gestapo brutally assaulted them with ramrods and clubs, kicked them, stuck pins into the quick of their nails, and so forth. After these tortures the prisoners were flung into their cells in a state of unconsciousness, disfigured beyond recognition.

Particularly ferocious in torturing the prisoners were Colonel

Christmann, Chief of the Krasnodar Gestapo, and Herz, the Surgeon of the Gestapo. The witness *Miroshnikova*, who had been held at the Gestapo premises for some time, stated as follows:

"While I was in cell 1-1 at the Krasnodar Gestapo I saw Vera Bronnik, Irina Yatsenko, Grunya Grigoryeva, and a number of other Soviet girls and women return to the cell after interrogation in a battered condition. They told me that the officers of the Gestapo had stripped them naked and had flogged them and kicked them. Some of them were raped while under interrogation. When they returned to the cell the girls were covered with bruises and weals crusted with dried blood. Some of them, while in this state, were thrown into solitary confinement cells, where they were kept without water, or given salt water to drink."

According to the statements of the witness *Gazhik*, shrieks for help were constantly heard from the cellar where the prisoners were kept. Often she heard the prisoners shouting: "Give me a drop of water, or at least a crust of bread. The children are dying!"

Before their flight from the city of Krasnodar owing to the advance of the Red Army the Gestapo committed another fiendish deed.

On 10th February, 1943, the premises of the Gestapo were set on fire by a detachment of the *Sonderkommando SS-10-a* led by an officer named *Hahn*. The rapid spread of the flames and the explosion of mines which had been placed in the premises prevented the saving of the prisoners from the burning building. Only one prisoner managed to escape from the flames, but it was impossible to ascertain who he was as he died soon after as a result of the tortures to which he had been subjected and of the burns he had received in the fire. This was confirmed by the statements of the witnesses *Rozhkova*, *Dobrova* and *Gazhik*, and by defendant *Pushkarev*.

The total number of arrested Soviet citizens who died a painful death in the fire at the premises of the Gestapo is 300. Some of the charred bodies subsequently found in the cellar of the Gestapo premises bore traces of fiendish torture and torment. Thus, the body of an unidentified male of middle age was found with the hands lopped off.

In their brutal efforts to destroy as many Soviet citizens as possible, the German fascist gangsters did not hesitate to resort to the vilest tricks. One day, for example, the inhabitants of the city were informed that tripe would be on sale in the New Market. The inhabitants believed this announcement and gathered in the market. Instead of stalls selling tripe, they found a covered motor truck filled with police and German soldiers guarding an unidentified sailor of the Red Navy. In the presence of the crowd this sailor was hanged

on a post. As the noose was being put round his neck the sailor cried out to the weeping crowd:

"Don't weep! These butchers of the people will answer for this with thousands of their lives. Our men will be here soon and will avenge all this!"

On another occasion the German Command announced to the inhabitants of the city that several thousand Red Army prisoners of war would be led through the city and that the inhabitants would be permitted to give them food. A large number of the inhabitants of Krasnodar came into the streets expecting to meet the prisoners and brought small parcels of food with them. But instead of Soviet prisoners of war they found motor trucks filled with German wounded soldiers and, as the trucks drew near, a German cinema operator photographed the scene to produce a picture which the German provocateurs intended to use to illustrate how Soviet citizens "welcomed" German soldiers.

Summing up the fiendish crimes established by the investigation, the indictment stated that the entire responsibility for the atrocities and crimes perpetrated during the period of the occupation of the city of Krasnodar and the Krasnodar Territory, responsibility for the torture and torment, for the wholesale shooting and fiendish extermination with the aid of asphyxiating gases in specially constructed vehicles, for the burning and other methods of murdering absolutely innocent Soviet citizens, including the aged, women and children, rested upon the heads of the piratical fascist Government of Germany and the German High Command, and, in particular, on the Commander of the 17th Army, Colonel General *Ruoff*, and also on the immediate executors of these fiendish deeds, viz.:

Christmann—Colonel, Chief of the Krasnodar Gestapo,
Rabbe—Captain, Deputy Chief of the Gestapo,
Salge—Officer of the Gestapo,
Sargo—Officer of the Gestapo,
Paschen—Officer of the Gestapo,
Boss—Officer of the Gestapo,
Winz—Investigator of the Gestapo,
Hahn—Officer of the Gestapo,
Hans Münster—Officer of the Gestapo,
Erich Meier—Officer of the Gestapo,
Herz—Surgeon of the Gestapo,
Schuster—Surgeon of the Gestapo,
Jakob Eicks—Official of the Gestapo,
Scherterian—Official of the Gestapo.

In addition, the following were charged with complicity in all

these atrocities and crimes and had been brought into the case as defendants: *V. Tishchenko, G. Tuchkov, I. Rechkalov, M. Lastovina, N. Pushkarev, G. Misan, J. Naptsov, I. Paramonov, I. Kotomisev, V. Pavlov and I. Kladoy.*

All the accused pleaded guilty to the charges brought against them. During the preliminary investigation they had given detailed evidence of their treasonable activities and of the part they had played in the atrocities committed by the German fascist invaders.

The reading of the indictment was followed by a brief adjournment, after which the Military Tribunal proceeded to examine the defendants. The first to be examined was Tishchenko who, in answer to the questions put to him, admitted that he had treasonably, and of his own accord, joined the German Police Force in the occupied region and had been promoted to the rank of Police Inspector. Later he was transferred to the Gestapo, where he first served as a Sergeant-major in the *Sonderkommando* and then as a Gestapo investigator.

The State Prosecutor, Justice Major General Yachenin, requested the defendant to describe the Gestapo's method of operations. Tishchenko confessed that it was a method of savage and unbridled tyranny and the wholesale extermination of Soviet citizens.

The State Prosecutor: "Describe this more definitely, and in greater detail."

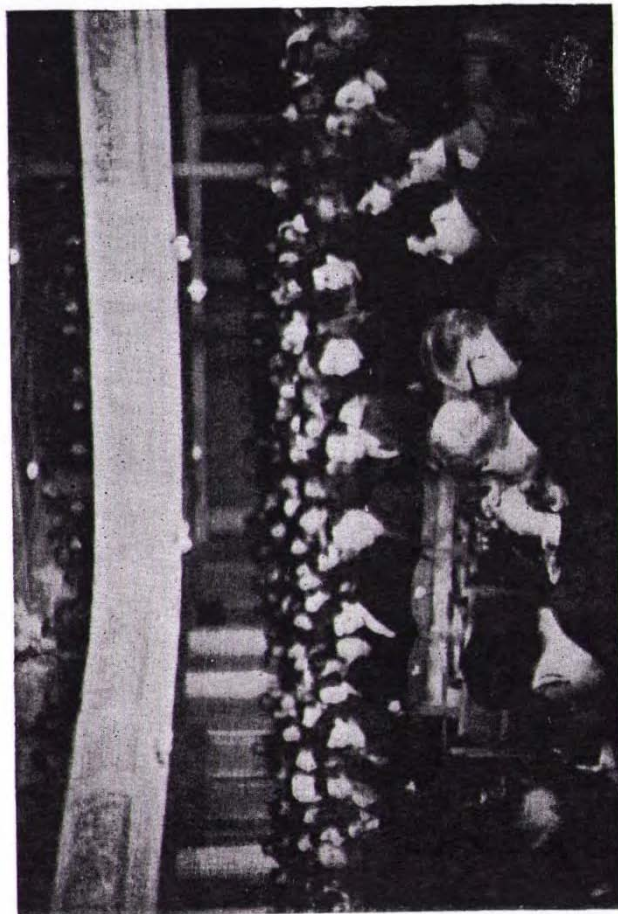
Tishchenko: "No charges were levelled against persons arrested by the Gestapo, no witnesses were called and no confrontations were arranged. The officers who interrogated the prisoners were always drunk. They flogged the prisoners with ramrods, clubs and whips, kicked them with their hobnailed boots, and tore out their hair and their finger nails. Christmann, Rabbe, Salge, Sargo and other officers raped arrested women."

The State Prosecutor: "Was that a regular practice?"

Tishchenko: "Yes, a regular practice."

Proceeding with his evidence Tishchenko, while doing his utmost to minimize the part he had played, admitted that he had personally assaulted prisoners, and that, on reports which he had sent in, the Soviet citizens Sarkissov and Patushinsky were shot by the Gestapo, while others were sent to a concentration camp.

The accused was questioned about the "murder vans," i.e., the motor vehicles specially equipped for the purpose of brutally putting Soviet citizens to death. Tishchenko answered in great detail showing that he was quite familiar with the whole business. These vans were five-ton or seven-ton motor trucks, he said, with bodies built over them. These had double walls and false windows which gave



The Hall in which the Trial was held



Prominent Soviet citizens at the trial. In the centre Alexei Tolstoy

them the appearance of motor buses. At the rear of each vehicle there was a door which closed hermetically. The floor consisted of a grating under which ran the exhaust pipe from the Diesel engine by which the vehicle was driven. The exhaust gas penetrated the interior of the vehicle. When the vehicle was standing with the engine running, death ensued within seven minutes; when it was in motion death ensued in ten minutes. The prisoners learned that a horrible death awaited them in these vans and, therefore, strongly resisted when they were being forced into them and shouted for help. When that happened the Gestapo officials grabbed their victims and bundled them into the vans by main force. The loading of these "murder vans" was usually supervised by Colonel Christmann, Chief of the Gestapo, Rabbe, and other German officers. Tishchenko stated that one day he was present when 67 adults and 18 children were bundled into a "murder van."

The State Prosecutor inquired about the ages of the children. Tishchenko answered: "From one to five years." At this reply a gasp of horror went up from the public in the hall.

Both the President of the Tribunal and the State Prosecutor tried to elicit from Tishchenko how he came to be promoted so rapidly to Police Inspector, Sergeant-major in the *Sonderkommando* and then to Investigator of the Gestapo, but he did all he could to wriggle out of these questions. At last, in reply to the question put to him by the President of the Tribunal: "We must assume that the Germans trusted you, since they promoted you so rapidly, is that not so?"—Tishchenko answered: "Yes, they trusted me."

The accused pleaded guilty to the charge of treason to his country, of having voluntarily deserted to the enemy, of having entered the service of the German Police, and later of the Gestapo, of having participated in the work of tracking down Soviet citizens, and of having assaulted, tortured and exterminated them wholesale.

This concluded the proceedings of the session of 14th July.

MORNING SESSION, 15TH JULY

At the morning session of 15th July, the examination of the accused was continued. In the course of the proceedings the fiendish crimes committed by the German fascist invaders and their accomplices—the wholesale extermination of Soviet citizens, the torture, rapine and plunder which these Hitlerites perpetrated in the area of the city of Krasnodar and of the Krasnodar Territory—were fully brought to light.

Of the eleven accused, ten had served in the so-called *Sonder-*

kommando SS-10-a, the punitive unit of the Gestapo. All had voluntarily joined this body and had zealously fulfilled all their infamous duties, doing their utmost to win the approval of their German masters. The Germans had recruited for the *Sonderkommando*, as well as for their Police Force, criminal elements, embezzlers and thieves, who had been sentenced by Soviet courts and had served various terms of imprisonment (such as Rechkalov, Kotomtsev and Tuchkov), and also former kulaks and other persons hostile to the Soviet regime.

The morning session commenced with the continuation of the examination of *Tishchenko*. The latter supplemented the evidence he had given on the previous day with additional facts about the blood-curdling atrocities which the German invaders had committed against peaceful Soviet citizens. He quoted numerous cases of outrage perpetrated by Colonel Christmann, the Chief of the Gestapo, and by Rabbe, Salge, Sargo and other officers of the Gestapo against Soviet women; he related how prisoners in the cellar of the Gestapo premises who were dying of thirst were given salt water to drink, how women were bundled into the "murder van" and their children flung in after them as if they were logs of wood. In one case which he had witnessed, a mother could no longer bear to see her child's sufferings and rushed forward to help it, but was knocked down with the butt end of a rifle. The child, which was being forcibly dragged into the "murder van," bit the hand of its tormentor, whereupon another German crushed its skull with the butt end of his rifle.

The next to be examined was the accused *Pushkarev*. He too stated that he had voluntarily entered the service of the Gestapo and had been soon promoted to the post of *Gruppenführer* (Platoon Commander). He, with other Gestapo officials, had visited the *stanitsas* (Cossack villages).

The State Prosecutor requested *Pushkarev* to describe these journeys in greater detail. The accused stated the following:

"We were provided with false papers and sent to the *stanitsas* ostensibly as Soviet prisoners of war who had been released from camp. We were instructed to track down Soviet citizens who had been publicly active, and also those who sympathized with the guerrillas. During one journey we visited Anapa where I witnessed the shooting by the Germans of twenty peaceful inhabitants. These people were stripped naked, pushed into a pit which had been dug for them, and then shot point-blank with automatic rifles."

The State Prosecutor then requested the defendant to relate what he knew about the atrocities perpetrated by the Gestapo. *Pushkarev* quoted a number of cases, each more frightful than the other.

"One day," he said, "a family of three was brought to the Gestapo: the husband, a sick man, his wife, and a ten-year-old child. The husband was so sick that he had to be carried; nevertheless he was stripped half-naked and flung into the cellar. It was a very cold day, the temperature being far below zero. All night the sentries standing over the cellar heard groans and cries for assistance. By the morning these cries subsided. The prisoner had been frozen to death."

In answer to a question *Pushkarev* stated that as *Gruppenführer* he often acted as Chief of the Guard of the Gestapo.

The State Prosecutor: "That is to say, you guarded the victims of the Gestapo?"

Pushkarev: "Yes, I saw people brought to the Gestapo premises, taken for interrogation and returning to the cells. Only rarely did they walk back to the cells after interrogation. In most cases they were carried or dragged back with their faces disfigured, their bodies covered with bruises and bleeding weals, and their limbs broken. The cruellest of the German officials was Colonel Christmann, the Chief of the Gestapo, but on the whole there was not much to choose between him and the other German officers."

From his further evidence it transpired that *Gruppenführer* *Pushkarev* was extremely "exacting" towards his subordinates. "This is not the Soviet regime. The Germans have trained us differently," he said to one of his subordinates one day. Once, in December, a woman who had just been brought to the Gestapo tried to escape and would have succeeded, but *Gruppenführer* *Pushkarev*, desiring to win the favour of the Germans, ordered the sentry to shoot. The latter hesitated, so *Pushkarev* snatched the rifle from his hand and shot the woman himself.

Pushkarev fully corroborated the evidence of the other accused concerning the "murder vans." His evidence on this point was particularly valuable because he had directly participated in loading prisoners into these frightful vehicles. In reply to questions put to him *Pushkarev* stated:

"The loading was supervised by Christmann, Rabbe, Dr. Herz, and other German officers. First women were bundled into the vans, and then men. Once, when I was present, eleven children were flung into a van; of these a number were suckling babes. The air was rent with weeping and wailing. Whoever resisted was beaten until he or she was nearly dead and then simply flung into the van. The door was then closed and the engine started."

Pushkarev stated that he was the last of the members of the *Sonderkommando* to leave the premises of the Gestapo when the

Germans fled from Krasnodar on the advance of the Red Army. Here he was a participant in another fiendish crime which the German invaders committed.

"Before the Germans left," he said, "the cells were crammed with prisoners. I was on guard then and heard shots and shrieks in the cellar. A number of German officers emerged from the cellar and soon after huge flames burst from the windows. I realized that these officers had set fire to the building with these prisoners locked in. The shrieks became louder and rose to a pitch of frenzy, but gradually they subsided."

The State Prosecutor : "Why were you acting as sentry on that occasion ? Was it to prevent the unfortunate victims from escaping ?"

Pushkarev : "Yes, when the people had been burnt to death the guard was removed."

In the course of his evidence Pushkarev revealed the vile tricks the German invaders resorted to. Thus, they tried to palm off the people whom the Gestapo had brutally killed as "victims of the Soviet regime." One day, according to Pushkarev, the Germans circulated a rumour to the effect that a contingent of Soviet prisoners of war would pass through the town and that the people would be permitted to give them food. When the people assembled in the street through which the prisoners were expected to pass, a train of motor trucks carrying German wounded appeared and German cinema operators photographed the scene. The purpose of this, as Pushkarev said in his evidence, was to produce a film showing how the inhabitants of Krasnodar had come out to welcome the German wounded soldiers.

In concluding his evidence Pushkarev stated that one day Winz, one of the German detectives of the Gestapo, while under the influence of drink, had confided to him that a secret order had been received from Colonel General Ruoff, the Commander of the German 17th Army, to the effect that, when retreating from Krasnodar, the Germans were not to leave a stone standing in the city, that everything was to be put to the flames, and that as many Soviet citizens as possible were to be slaughtered and the rest carried away with the retreating German forces.

The successful offensive of the Red Army, however, prevented the Hitlerites from carrying out their fiendish designs to the full.

The next to be examined was the accused *Rechkalov*. He admitted that he had been an embezzler and thief and had served two sentences of imprisonment passed upon him by Soviet courts, and that he had voluntarily joined the Gestapo.

The State Prosecutor : "Why did you do that ?"

Rechkalov : "I wanted a job with as little work and as much pay as possible."

Like the other defendants, Rechkalov admitted that he had taken part in rounding up Soviet citizens, had stood guard over Soviet prisoners and had zealously carried out all the orders of his German masters. One day he formed part of the convoy which escorted a "murder van" to an anti-tank trench. Concerning this incident he stated the following :

"While the people were being loaded into the van they strenuously resisted. One woman shouted : 'What are you doing ? Why, I have not been interrogated once!' When all the people had been loaded into the van and the van had started off it was followed by twelve mounted men from the *Sonderkommando*, including myself. The van stopped at the anti-tank trench and we began to unload. All the people were dead. From the appearance of the bodies it was evident that they had undergone frightful suffering. One woman clasped a tuft of hair which she had torn from her head. Among the bodies I saw several children."

The accused *Misan* was then examined. In answer to the questions put to him by the President and the State Prosecutor he, mumbling rapidly, related how he had taken part in loading prisoners, including women and children, in the "murder van." In particular, he related that he had voluntarily offered to shoot Constable Gubsky, whom the Germans had suspected of being secretly in sympathy with the Soviet regime, and that, after performing this executioner's job, he had won the confidence of the officers of the Gestapo.

In reply to further questions Misan tried to wriggle and deny his guilt, but Paramonov and Naptsov, Rechkalov and other accused, on being interrogated, exposed him as an agent of the Gestapo, a provocateur and a spy.

Evidence was then given by *Kotomtsev*. He admitted that he had served in the Red Army but had voluntarily deserted to the enemy and had accepted service in the German Police Force and later in the Gestapo. He also admitted that he had taken part in three punitive expeditions against Soviet citizens.

"One of these punitive expeditions," he stated in the course of his evidence, "was commanded by Colonel Christmann, the Chief of the Gestapo, himself. During that expedition a girl, whose identity was not ascertained, was hanged on suspicion of being in communication with the guerrillas. But that was not enough. All the inhabitants of this village were driven from their homes."

"How did the German Command reward you for this ?" inquired the State Prosecutor.

At first Kotomtsev pretended that he did not understand the question, but finally he admitted that he was officially thanked by the Chief of the Gestapo.

The State Prosecutor: "What for? For faithfully serving the German invaders? For helping them to exterminate Soviet people?"

"Yes," answered Kotomtsev, thus himself summing up his criminal and treasonable activities.

The accused *Napsok* was then summoned to give evidence. The President asked him:

"Were you aware that the *Sonderkommando* was a punitive body of the Gestapo and that its main function was to exterminate Soviet citizens?"

"Yes," answered the accused.

The President: "Consequently, you deliberately betrayed your country and deserted to the worst enemy of your people?"

Napsok (after a brief pause): "Yes, deliberately."

The last to be examined at the morning session was the defendant *Tuchkov*, who fully admitted that on entering the service of the Gestapo he did his utmost to win the favour of the German officers and that he had taken an active part in all the terroristic and provocative activities of the Gestapo in the area of the city of Krasnodar and the Krasnodar Territory.

AFTERNOON SESSION, 15TH JULY

During the afternoon session the accused *Kladov*, *Paramonov*, *Pavlov* and *Lastovina* were examined. Their evidence supplemented the picture described by the previous accused. In particular, they corroborated all that had been said about the "murder vans" which the German fiends had invented for exterminating Soviet people. It transpired from their evidence that at first the "murder vans" made their appearance on definite days in the week. Later on, however, when the Red Army had passed to the offensive and the German invaders realized that they would soon be compelled to flee from Krasnodar, they began to exterminate Soviet people with feverish haste, and the "murder vans" were worked to the utmost capacity, making several journeys a day. In all, according to as yet incomplete figures, they put to death in this way as many as 7,000 people, including hundreds of children.

All the accused pleaded guilty to the charges of having actively assisted the German invaders in their acts of rapine and murder against the inhabitants of Krasnodar and the Krasnodar Territory. All of them admitted that they had voluntarily taken service in the

Gestapo, had carried out all the fiendish orders of the German officers, and had directly participated in the wholesale extermination of Soviet citizens.

The accused *Lastovina*, who had been employed as a male nurse at the Berezansk Medical Colony where there were hundreds of patients, stated in his evidence that after the Germans had brutally put to death the majority of the patients in their "murder vans" they rounded up the rest and carted them to an anti-tank trench in motor trucks. He, *Lastovina*, was ordered to escort the trucks containing these doomed people, and he gladly consented.

"When the patients were being loaded on the trucks," he continued, "they struggled and begged to be spared, but the Germans bundled them in. One woman patient named Marusya struggled more than the rest, and as she was overpowered she shouted: 'Our men will avenge all this!'—whereupon a German officer cracked her skull and flung her into the truck. All the patients were taken to an anti-tank trench five kilometres away and there they were pulled out of the truck in batches of five. I undressed them and, after they were shot, threw their bodies into the trench."

After a brief adjournment the court proceeded to examine the witnesses. In their evidence the witnesses drew a frightful picture of the orgy of terrorism indulged in by the Hitlerites and of the incredible outrages and tortures to which they subjected the inhabitants of the towns and villages they had occupied. The first to be examined was the witness *Klimova*, who related what she had herself seen and experienced when she was arrested and thrown into the cellar of the Gestapo.

"The women in my cell," she stated, "were unrecognizable when they returned from interrogation. I vividly remember the story told by a girl who came back to the cell after interrogation. The German officers had ordered her to be stripped and tied naked to a table. They then started a gramophone and while the music was playing they beat the girl almost to death. Then they began to interrogate her, but she refused to confess anything and so they started the gramophone again and beat her until the record was played out. This went on for two hours."

The public in the hall listened with bated breath to the evidence of the witness *Golovaty*, who said:

"My son, a member of the Young Communist League, 17 years of age, was arrested and taken to the Gestapo. From that moment I did not see him alive again. I saw him only after the Germans had been driven from Krasnodar, but he was dead. I found his body frightfully mutilated in an anti-tank trench. Around him there were

many other bodies, including those of women and little children. The bodies had been thrown into the trench in rows, one on top of the other. I was accompanied by another workman from our factory and he discovered the frightfully mutilated bodies of his wife and little child."

The witness identified the accused in the prisoners' dock and denounced them as vile traitors to their country and active accomplices of the Hitlerites in all the foul crimes and outrages they had committed against Soviet citizens.

MORNING SESSION, 16TH JULY

At the morning session on 16th July, the examination of witnesses was continued. The Military Tribunal heard the evidence of 22 witnesses who had either themselves been in the clutches of the Gestapo, had lost relatives and friends, or had witnessed the frightful crimes committed by the fascist invaders.

The proceedings were opened by the examination of the witness *Kolomyitsev*, who stated:

"In the beginning of February my wife was arrested and I did not see her again until 28th February—she was dead, and lying in an anti-tank trench. Her face was marked with livid vertical streaks."

The State Prosecutor: "Were there many other bodies in the trench?"

Kolomyitsev: "Thousands! What was very noticeable was the number of little children, many of them tiny infants, also women and aged men. Many of the bodies bore obvious traces of ferocious beating and torture. The majority bore no signs of injury from firearms; it was evident that they had been asphyxiated by some poisonous substance."

The State Prosecutor: "What had you known about the German atrocities previous to that?"

Kolomyitsev: "The Germans began to exterminate Soviet citizens on the very first day they occupied the city, but at the end of January this assumed a wholesale character. Gallows were erected all over the town; people were also hanged on telegraph poles. I remember the body of one man hanging for several days. To his chest was attached a tablet bearing the inscription: 'He stole firewood from Germany.' He was hanged for taking a few twigs from the cemetery."

The next to be examined was the witness *Petrenko*, who stated:

"Shortly after the Germans arrived in Krasnodar I was summoned to the Gestapo premises and there called upon to divulge the whereabouts of Soviet citizens who, to my knowledge, had been active in

public life. I had no desire to be a traitor, and so I secretly left the town to hide in a *stanitsa*. My wife and two children did not manage to get away, and in revenge for my escape the Gestapo arrested them."

The State Prosecutor: "How old were the children?"

Petrenko: "The boy was seven years old and the girl three."

The State Prosecutor: "Please continue."

Petrenko: "After Krasnodar was liberated from the German invaders I returned and began searching for my wife and children. Wherever I went, in all the cellars of the Gestapo, I found bodies of people whom the Hitlerites had burnt to death. At last I went to the anti-tank trench. There I found dead bodies in countless numbers. Among them I found my wife and daughter. Both were stripped naked. I found my son in the same trench two weeks later. As we learned afterwards, they had all been asphyxiated in a 'murder van'."

The State Prosecutor: "What did you see in the cellars of the Gestapo when you were searching for the bodies of your wife and children?"

Petrenko: "I saw the bodies of people who had been burnt to death. By their pose one could see that they had suffered frightful agony before they died, and had made desperate efforts to get out of the cellar."

Petrenko was followed in the witness stand by Agrippina Antonovna *Korolchuk*, an old lady who lived near the anti-tank trench into which the Germans had flung their victims. In her evidence this witness stated:

"Large covered motor vans passed our house on their way to the trench every day. They were usually escorted by mounted men carrying spades. One day a van got stuck in the mud and, try as they would, the Germans could not drag it out. They drove us all into the house so that we should not see what was going on, but I peeped through the window and saw a cart ride up to the van and into this cart the Germans began to unload dead bodies from the van. They would fill the cart with as many bodies as it would hold, take it off to the trench, unload, and come back for more. This they did six or seven times, until all the bodies had been carted to the trench."

The wholesale slaughter of peaceful Soviet citizens by the German invaders was corroborated by the witness *Talashchenko*, who also lived near the anti-tank trench. In her evidence she stated:

"Among those whom the Germans brought here to be shot every day were many women and children. I can still hear their heart-rending shrieks: 'My God, how many of us innocents are here!' The 'murder van' also came to the anti-tank trench every day. It was backed right up to the edge of the parapet, the doors were opened

and the bodies flung out as if they were logs of wood. The Germans threw a few shovelfuls of earth over the bodies and rode away."

The next witness was Father *Ilyashev*, the aged priest of St. George's Church, who, in his evidence, told of numerous Russian families whom the Germans had robbed of their bread-winners, of mothers who had been tortured to death, and of sons and daughters who had been killed.

"The very next day after the Germans fled from Krasnodar," he said, "I was invited to visit a family which had suffered a great bereavement. They had just brought home the body of their only son whom the fascist butchers had killed. The day after that I visited the family of my friend Lugansky, a photographer. I had seen him quite shortly before that, and now I was invited to perform the last rites over him. 'Did the Germans kill him?' I asked. 'Yes, Father, the Germans, may they be cursed!'—was the answer. I could not read the prayers, for tears streamed from my eyes and I thought of the innumerable Russian people who, for no reason at all, had been put to death on their own native soil by those German monsters. My neighbour, Raissa Ivanovna, also died at their accursed hands. I knew her family very well indeed, a friendly, industrious Russian family. The Germans asphyxiated Raissa Ivanovna with some poisonous substance; her body bore no sign of wounds; only her face was lined with livid streaks."

Continuing, Father *Ilyashev* said:

"Many of my parishioners told me that on the day before they left, the Germans put on Red Army uniforms and went from house to house saying: 'What are you waiting for, citizens? The Red Army is here already. Go and help it.' Credulous people believed them and ran out into the streets, some of them taking hidden arms with them. But the German provocateurs pounced upon them and killed them out of hand.

"All that the Germans have done here—their wholesale repressions, round-ups, and extermination of thousands of innocent people—utterly convinced me of what the Germans are. I testify here, before the entire Russian nation, before the whole world, that they are savage beasts, and I cannot find the words with which to express our hatred and curses for these fiends!"

The witness *Skrynnikova*, in her evidence, corroborated the story about the vile trick the Germans played on the inhabitants of Krasnodar by circulating the rumour about Red Army prisoners passing through the town. She said:

"One day the Germans announced that on such and such a date a contingent of Red Army prisoners would pass by the Cathedral, and that whoever desired to give them food would be permitted

to do so. Thousands of people gathered. But instead of Red Army-men we found motor trucks with German wounded. German photographers climbed on the balconies of the houses near by, and on telegraph poles, and photographed the scene in order to make pictures to illustrate how the people of Krasnodar welcomed the German army. After the motor trucks had passed the Germans began to disperse the crowd, prodding them with their rifles."

A deep impression on the court was made by the evidence of the witness *Kozelsky*, a physician at the Krasnodar Municipal Hospital. He stated:

"A few days after the Germans occupied the town, the alleged surgeon, but actually the butcher of the Gestapo, Herz, came to our hospital and inquired how many patients were there, and who they were. Several days later he came again, accompanied by a group of German officers. On 22nd August, the corridors of the hospital again echoed with the tramp of these German jack-boots. On Herz's orders all the doctors of the hospital were assembled in the head doctor's office and there Herz unhitched his revolver from his belt, laid it on the desk, and in broken Russian asked: 'Communists, Young Communist Leaguers, Jews, any such here?' He was informed that none of the doctors were either Communists or Jews. He then went on to say: 'I am a German officer. I have received orders to remove all the patients from here. The German Command has ordered that there must be no sick persons in war time. They must be exterminated. How they are to be exterminated is no business of yours.'

"Deathly silence reigned in the office. Everybody's face was as pallid as chalk. Somebody asked: 'What about the convalescents?' They are almost well.' 'I shall tell you what to do with them,' answered Herz roughly, 'but now I must proceed to business.'

"I went into the courtyard," continued the witness, "and there I found that while Herz had been speaking to us the loading of the 'murder vans' had already started. At first the patients did not realize what was happening; they were told that they were being transferred to another hospital. But later they guessed. The shrieks and groans that then went up were truly heartrending. When the 'murder van' was packed to its fullest capacity it went off and returned for another load. In the course of several journeys the Germans murdered over 300 patients. I must add that, after killing all the patients, the Germans left a small ward with about twenty beds for new patients. But this turned out to be a trap in which to entice fresh victims for the slaughter. The 'murder van' came again once or twice to take away the unfortunate victims who had fallen into this trap. Afterwards we learned that the same thing had happened at the Children's Hospital at Tretya

Rechka Kochety. People who witnessed the scene there informed me that when the children had been loaded and the van had moved off, piercing shrieks and the wailing of children were heard from the interior of the van. Members of the hospital staff afterwards identified their little patients who had been brutally murdered by the German fiends. When one pit was opened, forty-two bodies of children were found wearing underclothing with the hospital's stamp."

All these facts were corroborated by the witness *Anokhina*, who added that the patients who were unable to walk were carried out by the Germans on stretchers and slung into the van.

The tragic scenes that occurred at the Berezansk Medical Colony were described by the witness *Mokhno*. She stated the following:

"One day a German officer came to the colony and roughly ordered us to assemble all the patients in the courtyard. Some of the patients resisted and they had their arms twisted behind their backs. They were beaten and pushed into the van by main force. I heard a German soldier say to somebody, laughingly: 'Russian patients *kaptu* with gas!'"

This witness gave details of another vile trick the Germans perpetrated on the inhabitants of Krasnodar. She said:

"One day the rumour was spread that tripe would be on sale in the New Market. A large crowd gathered in the market, for since the Germans had been bossing the town everybody was starving. The crowd stood and waited. Suddenly a motor truck drove up and from it the Germans dragged a man wearing a sailor's uniform. They put a noose round his neck and made preparations to hang him. The women were petrified with horror. Many of them began to weep. The sailor shouted: 'Don't weep! Our men will be here soon and will avenge all this!'"

The next witness to be examined was *Kotov*, whom the Germans had seized and bundled into the "murder van," but who had saved himself by his coolness and resourcefulness. In his evidence he stated:

"On 22nd August, I went to the Third Municipal Hospital, where I had been a patient, to obtain a certificate. When I arrived in the courtyard the first thing I noticed was a large van with a dark grey body. Before I had managed to take a couple of steps a German officer seized me by the collar of my coat and pushed me into the van. The van was packed with people, some of them quite naked, others only in their underclothing. The door was slammed to and the van moved off. Several minutes later I felt bad and began to lose consciousness. At one time I had taken a course of anti-gas bombing drill and I soon realized what was happening—we were being poisoned with some kind of gas. I tore off my shirt, moistened it with my urine

and pressed it to my nose and mouth. I began to breathe more easily, but I lost consciousness all the same. When I came to I found myself in a pit among scores of dead bodies. I managed to climb out of the pit somehow and crept home with great difficulty."

A frightful picture of the extermination of children by the German invaders was drawn by the witness *Inozemtseva*, a member of the staff of the Children's Hospital. In her evidence she stated:

"On 13th September a group of German officers arrived at the Children's Hospital. Among them were Erich Meier and Jakob Eicks. They stayed at the hospital several days, roaming about the wards, watching the children and the medical staff. Going on duty on 23rd September, I saw a large dark grey vehicle in the courtyard, which looked something like a furniture van. A tall German roughly asked me how many people lived in the neighbourhood of the hospital and what nationality they were. This German proved to be Doctor Herz, one of the most brutal of the Gestapo butchers. He had arrived with a number of other Germans who, on his orders, began to put the children into the van. We were not allowed to dress the children, although we were told that they were being taken to Stavropol—and that meant a long journey. The children were dressed only in singlets and shorts. When all the children had been loaded in the van the butchers slammed the door and the van moved off, followed by a motor car in which there were several German officers. Twenty or twenty-five minutes later they returned and began drinking. . . . I shall never forget those little children—some of them were only a year old. They cried and shrieked, instinctively feeling that something terrible was going to happen to them. Volodya Zuzuyev, one of our little boy patients, cried out: 'Good-bye Comrade Stalin, good-bye nurseries. I am never coming back any more!' I shall never forget that frightful day as long as I live."

Inozemtseva's evidence was fully corroborated by the witness *Popovich*, who stated that the Germans put to death in their diabolical "murder van" no less than forty-two child patients at the Tretya Rechka Kochety Children's Hospital.

The witness *Ivko*, who lives on the outskirts of Krasnodar, stated in her evidence that she had been an involuntary witness of what had taken place after the "murder van" had left the gates of the Children's Hospital. She said:

"One day some Germans came to our district and compelled the inhabitants to go out and to dig a large pit, which, they said, was to serve as a position for an anti-aircraft gun. We were afraid to disobey and so we went out and dug the pit. Several days later a large grey motor van stopped outside our co-operative store. A German

jumped down from the driver's cabin and ran towards the collective farm office. I walked up to the machine and heard what I thought were stifled groans. I listened again; they were indeed groans coming from inside the van. I heard footsteps and quickly skipped away from the van. I saw the German coming out of the office and heard him swearing terribly at our book-keeper, saying: 'You—so and so—Russian swine, get me a spade, I don't care where you get it from!' When they got him a spade he drove the van straight to the pit which we had dug several days previously. About fifteen minutes later a motor car, with German officers in it, arrived at the pit.

"We then got an inkling of what was going to happen and we began to cry. We were sure that these scoundrels had come here to kill guerrillas, or Jews. Soon, a little girl came running towards us, her face distorted with horror. It appeared that she had been at the pit raking the fresh earth with which it had been filled and had discovered a child's dark-blue singlet. Later we learned that here the Germans had buried the child patients from the Tretya Rechka Kochety Children's Hospital, whom they had killed with gas in their 'murder van'."

Evidence was then given by the witness *Rozhkova*, who stated:

"On the night before the Germans fled from Krasnodar a stranger came to our house, or rather crawled into our house. It turned out that he was a Red Armyman who had been taken prisoner by the Germans. He was an Uzbek. He told us that he had escaped from the cellar of the Gestapo premises after the Germans had set fire to the building. We gave him something to drink and put him to bed, but all our efforts were in vain. Soon after he died."

The State Prosecutor: Describe his appearance.

Rozhkova: He was covered with wounds and burns. His jaw was knocked to one side.

The State Prosecutor: Did he manage to tell you anything?

Rozhkova: The only thing he managed to tell us was that there had been forty men in his cell, but he was the only one to get away. All the rest were burnt to death."

The last to be examined was the witness *Gazhik*, who lived in the house next to the premises of the Gestapo. She stated:

"When I swept the pavement outside my house I kept my eyes open to see what was going on in that place. I often heard women's shrieks and children crying. The sounds came from the cellar of the Gestapo. Often the prisoners would beg in a feeble voice: 'Give us at least a sip of water.' Sometimes, when the sentry was not looking, I managed to push a cupful of water or a crust of bread through the grating and

then I would hear excited children's voices saying: 'Don't drink it all; leave me a little drop!'

"Through the fence I saw them loading people in the 'murder van.' With my own ears I heard a five-year-old girl, not understanding what was going on, shout to her mother who was being dragged into the van: 'Mummy, I want to ride with you!' A German officer took a small tube from his pocket, squeezed it and smeared the little girl's lips with somestuff. The little girl seemed to have been stunned. The German picked her up and threw her into the van. The mother rushed at the brute and scratched and bit his face. Other Germans rushed at her, twisted her arms behind her back and bundled her into the van.

"Before leaving Krasnodar, the Germans set fire to the houses. With our own eyes we saw them set fire to the State Bank, the tobacco warehouse, and other buildings. After the explosion in the premises of the Gestapo, I went into the cellar. The first thing I saw was a dead body with the arms cut off. All around were lying charred bodies and numerous petrol tins twisted by the flames. There were so many dead bodies there that I could not count them. There were dead bodies not only in the cellar. In the spring we were given a vegetable plot near the premises where the *Sonderkommando*—those fellows over there [pointing to the prisoners in the dock]—had their living quarters. When we began digging the plot we found several bodies of Soviet people who had been tortured to death."

The court then adjourned.

AFTERNOON SESSION, 16TH JULY

The afternoon session was devoted to hearing the evidence of the Committee of Experts consisting of V. I. Prozorovsky, Chief Medico-Legal Expert of the People's Commissariat for Public Health of the U.S.S.R., and Director of the State Medical Jurisprudence Research Institute; V. M. Smolyaninov, Chief Medico-Legal Expert of the People's Commissariat for Public Health of the R.S.F.S.R., and Professor of Forensic Medicine at the Second Moscow Medical Institute; Dr. P. S. Semenovskiy, Consulting Physician of the Moscow City Court Medical Experts' Department, and Court Chemist S. M. Sokolov.

The Committee's report was read by Dr. V. I. Prozorovsky, who stated that the exhumation and examination of the bodies of the victims of the German fascist invaders had established the following:

"The corpses were lying in the pits in such a way as to form a jumbled tangle of human bodies. Some of the bodies lay in a hori-

zontal position with their arms and legs stretched out, some face upwards and some face downwards. Some of the bodies were lying in a half-bent position; others were in a sitting position and some even in an upright position. The arms, legs and heads of the bodies were so interlaced that in attempting to raise individual bodies from the pit, several were pulled out together. This proves that the bodies were not properly buried, but thrown into the pit haphazard, and just covered with earth.

"As a rule the bodies—of men, women and children (including infants at the breast) were bereft of clothing and footwear. In those cases where bodies were clothed, the clothing—underwear or top clothing—was mere rags. In some of the pits bodies were found with wooden crutches near them, and household utensils (such as market baskets, bottles, and so forth).

"From 1st March to 26th June, 1943, the Committee exhumed and examined in all 623 bodies.

"The medical, chemical and spectroscopic investigations established beyond doubt that in 523 cases the cause of death was poisoning by carbon monoxide; in 100 cases, death was due to wounds inflicted in the head and chest by firearms."

At the request of the State Prosecutor the court appended to the documents in the case the affidavit of the Krasnodar City Extraordinary State Commission for investigating atrocities committed by the German fascist invaders and their accomplices.

The President declared the court investigation at an end and invited Justiciary Major General *L. I. Yachenin* to deliver the speech for the prosecution.

SPEECH FOR THE PROSECUTION

The State Prosecutor said:

"It is with feelings of profound grief for the innocent blood shed by thousands of martyred Soviet people, with feelings of unquenchable hatred of the German invaders for their brutalities and violence, and the sorrow and suffering they have caused our people, that I commence my speech for the prosecution.

"Comrades judges, during the few days that this trial has proceeded we have followed the tracks of a wild beast. Before us yawned the dark depths of anti-tank trenches which the German fascist fiends converted into gigantic graves for over seven thousand peaceful Soviet citizens, women, children and the aged. The groans and death rattle of our brothers, sisters and children who were tortured, asphyxiated, or shot still ring in our ears.



Dead bodies of Soviet citizens shot by the Germans



Dr. P. S. Semenovskiy, a member of the Committee of Experts, examining the body of a child which had been brutally murdered by the German fascist invaders.

"For six months these swarms of brown locusts devoured and devastated the bounteous Krasnodar Territory. Reeling back under the blows of our Red Army, they left a trail of blood and tears, heaps of corpses, fire, and an abyss of hopeless misery.

"The Krasnodar Territory does not stand alone in this respect. Wherever the foot of the fascist beast has trod the gloom of night prevails. Life has died out. Hundreds and thousands of innocent people have been thrown into yawning graves.

"Such is the nature of fascism; such is its savage programme in action.

"Hitler, that vile chief of the fascist gangsters, boasted of these bloodthirsty plans with diabolic candour even before the war; and it is by his direct orders that his henchmen kill, strangle, rob and hang.

"For years Hitler and his clique imbued the German people with the ethics of the jungle and eradicated from their hearts and minds every trace of conscience and honour.

"Characterizing the Hitlerites in the speech he delivered on 6th November, 1941, Comrade Stalin quoted the following passages from statements made by Hitler and Göring: 'Kill everyone who is opposed to us.' 'Kill, kill! It is not you that will be held responsible, but I! Therefore, kill!' This is what Göring said. And Hitler said: 'I emancipate man from the humiliating chimera which is called conscience. Conscience, like education, mutilates man. My advantage is that I am not deterred by any considerations theoretical or moral.'

"This war will end with our victory; the buildings wrecked in Krasnodar and other cities will be restored. Our gardens and orchards will flourish again, and will ring again with the laughter of our children. The wounds which the fascist hordes have inflicted on our land will heal. But the memory of the dark pits and anti-tank trenches in which they buried thousands of their human victims, of the charred walls of the Gestapo premises in the cellar of which three hundred Soviet patriots met their death in flames, and of those thousands who were asphyxiated, shot, tortured, and outraged will for ever haunt us like a frightful shadow and call for inplacable vengeance and retribution.

"The enemy is still trampling upon our soil; he is still perpetrating his deeds of violence against our Soviet people in the occupied regions. At this very moment, while I am speaking, somewhere in the districts occupied by these German fascist barbarians the engines of 'murder vans' are droning as they convey new victims to the graves which have been dug for them.

"The entire responsibility for the atrocities and crimes committed during the German occupation of the city of Krasnodar and the

Krasnodar Territory, responsibility for the torture and outrage, for the wholesale shooting, burning and fiendish extermination with poison gases, for the burning and hanging of innocent Soviet people—the aged, women and children—rests upon the chiefs of the predatory fascist government of Germany and on the German High Command.

"Responsibility for these frightful crimes rests upon Colonel General *Ruoff*, Commander of the German 17th Army. Full responsibility for them rests upon the Butcher of Krasnodar, Colonel *Christmann*, Chief of the Gestapo, and upon his henchmen, the officers of the Gestapo, Captain *Rabbe*, *Salge*, *Paschen*, *Sargo*, *Winz*, *Hahn*, *Münster*, *Erich Meier*, the so-called surgeon *Herz*, and members of the staff of the Gestapo, *Jakob Eicks* and *Scherterlan*."

Proceeding to deal with the circumstances of the case, the State Prosecutor emphasized the vile and treasonable activities of the traitors *Tishchenko*, *Rechkalov*, *Naptsok*, *Misan* and the other defendants in this case. He reminded the court of the frightful details it had heard of the torture and wholesale slaughter of innocent people practised by the Gestapo in Krasnodar, in which the traitors, now in the prisoners' dock, had taken an active part. He dealt particularly with the exceptionally brutal torture inflicted upon his victims by Colonel *Christmann*, the Chief of the Gestapo. Everybody in the Gestapo knew that if a prisoner was taken to be interrogated by the chief, he or she would not come back alive.

The State Prosecutor also pointed to the fact that the Gestapo in Krasnodar, and the so-called *Sonderkommando*, made regular visits to the *stanitsas* and farms in the Krasnodar Territory for the purpose of exterminating Soviet citizens. These punitive expeditions cost our Russian people a great deal of blood. Sixteen Soviet patriots hanged in the *stanitsa* of Krimskaya; an innocent girl hanged at the Kurundupe Farm, wholesale assault, arrest and shooting in the district of Tenmy Gastagai, wholesale robbery of the population—these are only a few of the milestones on the road of blood traversed by the Gestapo in the Krasnodar Territory. In these punitive expeditions the defendants *Pushkarev*, *Rechkalov*, *Kotomtsev*, *Naptsok* and *Pavlov* had taken an active part.

The State Prosecutor reminded the court of the details it had heard of the torture and outrage to which the Gestapo had subjected its victims even before the doors of the "murder van" were opened for them. Fresh captives poured into the cellars of the Gestapo in an endless stream. Here languished people of 70, young girls, and little children captured together with their mothers. The fiends of the Gestapo massacred the Soviet population wholesale with savage ferocity and typical German thoroughness. These wild beasts who claim to be

the bearers of technical progress invented special machines—the "murder vans"—for the purpose of putting people to death wholesale. They invented a conveyor system of death. According to incomplete figures based on the evidence of witnesses, no less than 6,930 people were hauled out of the cellars of the Gestapo and put to death in the "murder vans."

The State Prosecutor then dealt with the extermination of Soviet people from the hospitals and medical institutions in the Krasnodar Territory, which the fascist fiends had converted into man-traps. He recounted the circumstances of the slaughter in "murder vans" of over 300 patients from the Krasnodar Municipal Hospital, 320 patients from the Berezansk Medical Colony—and of another 17 from this colony who were killed subsequently—and of the 60 convalescents who were taken to an anti-tank trench and there shot by the German fascist butchers.

He then proceeded to deal with the massacre of the forty-two sick children lying at the Krasnodar Children's Hospital in Tretya Rechka Kochety Farm.

"Here, being restored to life and health and surrounded by the care and solicitude of the Soviet authorities were forty-two sick children," he said. "But the 'murder van' found its way even here. On 21st September, the German officer Herz arrived. Several days previous to that Erich Meier and Jacob Eicks had taken up their quarters there. These Gestapo officers, with their own hands, loaded all the children into the 'murder van' and took them away from the hospital. A few days before that Meier and Eicks had compelled the people living in the neighbourhood to dig a pit, ostensibly for an anti-aircraft gun, and when these preparations were completed these baby-killers set to work to murder these children in cold blood! The loading of the children into the van was accompanied by tragic scenes. These half-naked children struggled, prayed for assistance and protection; their little hands clutched at the nurses and doctors. Some of them were unconscious with fright.

"When the fascist fiends were driven out of Krasnodar Territory, representatives of the public dug up the places where these unfortunate children had been buried, and their gaze encountered a shapeless mass of little dead bodies mixed up with shorts and singlets bearing the stamp of the Children's Hospital. Some of these articles of under-clothing have figured in the case as exhibits."

The State Prosecutor reminded the court that the Committee of Experts which had exhumed and examined 623 of the bodies found in these pits and anti-tank trenches in Krasnodar, in the Berezansk Colony, and near Tretya Rechka Kochety Farm, had established that

in 523 cases death was due to poisoning by carbon monoxide, and in 100 cases it was due to mortal wounds inflicted by firearms.

The State Prosecutor then referred to the tricks the German fascist butchers had resorted to in order to discover Soviet citizens who had been active in public life and to put them to death.

"They resorted to a trick of this kind just before they left Krasnodar," he said. "One of their rearguard units, consisting of men who spoke Russian, put on Red Army uniforms and went from house to house calling upon the young people to arm and go in pursuit of the retreating enemy. Some of the more credulous of the young Krasnodar patriots allowed themselves to be deceived and paid for this with their lives. Cases of this kind could be quoted without end, but this would be superfluous as the brutal features of the bloodthirsty fascist monsters stand out clearly enough as it is.

"The German barbarians marked the last days of their presence in Krasnodar by a crime of the most heinous kind. At dawn, on 10th February, the sky was aglow with the flames of the burning premises of the Gestapo in which the Germans had placed numerous tins of petrol and incendiary bombs and deliberately set fire to them. While the building was burning a strong cordon of police kept guard to prevent the unfortunate prisoners in the basement from escaping. Over 300 perished in the flames. Only one Red Armyman, his body scorched and mutilated, managed to escape from this inferno, and before dying he told the witnesses Gazhik, Dubrova and Rozhkova about the last horrible moments suffered by the prisoners of the Krasnodar Gestapo.

"A monstrous tidal wave of blood swept through the towns and villages of Krasnodar Territory, driving tens of thousands of human beings into their graves; but it did not for a moment break the spirit of the Soviet people or shake their confidence in ultimate victory. When death was already leering in the face of the sailor of the Red Navy in the market place of Krasnodar, with the noose over his neck, he kicked aside the traitor standing near him and shouted to the weeping women: 'Don't weep. These butchers will answer for this with thousands of their lives. Our men will be here soon and avenge us!' And at the Berezansk Medical Colony, Marusya, battered and bleeding, hurled in the face of her executioners as she was about to die: 'Our men will come and avenge us!'

"The years will pass. In the finest square in regenerated Krasnodar a monument will rear its head in proud memory of that heroic sailor, and of all those nameless patriots who gave their lives for their Soviet Motherland and for their great people.

"But now let us bow our heads before the ashes of our martyred

brothers and mothers, children and sisters, and vow to exact implacable retribution for their sufferings, for their blood, for their terrible fate.

"Let us vow to carry out Comrade Stalin's behest:

"'. . . to liberate from the yoke of the German invaders the people of our villages and towns who were free and lived like human beings before the war, but are now oppressed and suffering from rapine, ruination and famine . . . to liberate our women from the outrage and violence to which they are subjected by the German fascist monsters. . . .' 'To take ruthless vengeance on the German invaders for the blood and tears of our wives and children, our mothers and fathers, our brothers and sisters.'

"The ruthless vengeance which our teacher and leader calls for will come; it will inevitably strike the fascist savages who devastated Krasnodar Territory, the murderers of thousands of its peaceful inhabitants. It will strike their vile accomplices who are now standing before the present Military Tribunal!"

The State Prosecutor then proceeded to weigh the individual guilt of each of the defendants, and after analysing the evidence demanded that sentence of death be passed on *Pushkarev, Misan, Napisok, Kotomtsev, Kladov, Rechkalov, Tishchenko* and *Lastovina* for committing crimes covered by Arts. 58-1 *a* and 58-1 *b* of the Criminal Code of the R.S.F.S.R.

As regards *Paramonov, Tuchkov* and *Pavlov*, the State Prosecutor waived the demand for capital punishment on the grounds that their crimes had been less heinous than those of the other defendants.

In conclusion the State Prosecutor said:

"To-day Soviet law will mete out justice to the traitors, fascist hirelings and boot-lickers now in the prisoners' dock. To-morrow the court of history, the court of the freedom-loving nations of the world, will pronounce its inexorable verdict on the bloodthirsty rulers of Hitlerite Germany and all its associates, on the enemies of mankind who have plunged the world into the welter of the present war. Not one of them will escape stern retribution! Blood for blood, death for death!"

* * * * *

On the conclusion of the speech for the prosecution, the President called upon the Advocate S. K. Kaznacheyev, whom the court had appointed to defend *Tishchenko, Paramonov* and *Lastovina*.

"First of all," said counsel in opening his speech, "I would like to

express my regret that the chief organizers and inspirers of these fiendish crimes are not in the prisoners' dock to-day. The principal defendants in this case are Hitler and his criminal gang of generals and officers of the German army, in whose hands the persons now in the prisoners' dock were only tools, executing their fiendish instructions and orders. Mankind was aware of the savage nature of fascism even before the war, but it saw this in all its repulsiveness and horror during the war."

Counsel went on to admit that his clients Tishchenko, Paramonov and Lastovina had committed heinous crimes, but he appealed to the court, when deciding their fate, to take into account their frank confession of guilt, and the fact that they were merely tools, executing the criminal will of the German fascist butchers.

Advocate V. I. Yakunenkov, whom the court had appointed to defend Pushkarev, Tuchkov, Kotomtsev and Kladov, rose to speak in defence of his clients. He appealed to the court to spare the life of the accused Tuchkov. On behalf of Pushkarev, he appealed to the court to take into account the fact that when Krasnodar was liberated from the German fascist invaders he voluntarily gave himself up to the Soviet authorities and made a full and frank confession of the crimes he had committed.

Counsel made a similar appeal on behalf of the accused Kotomtsev and Kladov. In conclusion he said:

"The main burden of responsibility for these crimes rests upon those who, like their accomplices, will not escape the hand of justice. Not the *Gruppenführers* of the type of my client Pushkarev, but the *Führer* who is the chief organizer of these innumerable crimes and massacres—Adolf Hitler and his gang—must be put in the prisoners' dock to face their stern but just judges."

The court then adjourned until next morning.

MORNING SESSION, 17TH JULY

The proceedings at the morning session of 17th July were opened by the speech of the Advocate A. I. Nazarevsky, whom the court had appointed to defend Pavlov, Rechkalov and Misan.

Referring to the horrors of the six months' occupation of Krasnodar and the Krasnodar Territory by the German fascist invaders, counsel appealed to the court to bear in mind that the chief culprits in all these fiendish crimes and atrocities should bear the main responsibility for all that they have committed. Continuing, he said:

"The fate of the accused Pavlov is a glaring illustration of the

consequences to which loss of courage, and the sense of duty to one's country, lead. This was the original cause of Pavlov's fall. He was caught in the blood-stained net of the Gestapo. He lost his sense of duty and his courage, and became a traitor.

"As for the accused Rechkalov, he was dragged down by his criminal past; but in the evidence he gave before the court he proved that he fully appreciated how low he had fallen, and if his life is now spared he will not hesitate to sacrifice it in order to expiate the crime he has committed against his country.

"Misan, too, has sincerely confessed his guilt and realizes how heinous are the crimes he has committed."

On these grounds counsel appealed to the court to spare the lives of his clients.

At the opening of the court proceedings the accused Napsok had declined the services of counsel. The President, therefore, now invited him to speak in his own defence. Napsok, however, declined this invitation too. The President then invited the accused to make their last statements.

One after another, all the accused again fully confessed their guilt, but pleaded that the court should take into consideration the fact that they had been merely the instruments of the criminal will of the German fascists, and that they had been driven by fear to take up service with them. They begged the court to spare their lives and give them the opportunity to expiate the crimes they had committed against their country and against the Soviet people.

The court then adjourned to consider its verdict.

AFTERNOON SESSION, 17TH JULY

The court reassembled in the afternoon of 17th July, when the President pronounced the following verdict.

VERDICT

IN THE NAME OF THE UNION OF SOVIET SOCIALIST REPUBLICS

On 14th to 17th July, 1943, the Military Tribunal of the North-Caucasian Front, consisting of the *President*, Justiciary Colonel N. Y. Mayorov, President of the Military Tribunal of the North-Caucasian Front, *two members*: Justiciary Colonel G. K. Zakharyants, Vice-President of the Military Tribunal of the same front, and Justice

Major *N. N. Kostrov*, member of the Military Tribunal of the same front, and a *Secretary*, Justiciary Major *L. A. Gorev*; and assisted by the *State Prosecutor*, Army Procurator, Justiciary Major General *L. I. Yachenin*; and by *Advocates S. K. Kaznacheyev, V. I. Yakunenko* and *A. M. Nazarevsky*, appointed by the court to act as counsel for the defence; sitting in the city of Krasnodar in open session, examined the case of the atrocities committed by the German fascist invaders and their accomplices in the area of the city of Krasnodar and of Krasnodar Territory, in which the following were indicted:

1. Tishchenko, Vassily Petrovich, born 1914 at Bichevaya Balka Farm, Pavlovsk District, Krasnodar Territory.

2. Rechkalov, Ivan Anisimovich, born 1911 in the village of Pichevka, Urgamysh District, Chelyabinsk Region, who has two previous convictions against him for larceny and was sentenced on each occasion to five years' deprivation of liberty, which sentences he served.

3. Lastovina, Mikhail Pavlovich, born 1883 in the *stanitsa* of Novo-Titarevskaya, Krasnodar District, Krasnodar Territory, a kulak.

4. Tuchkov, Grigory Petrovich, born 1909 in the *stanitsa* of Novo-Dimitrievskaya, Soviet District, Krasnodar Territory.

All four, for committing crimes covered by Art. 58-1 *a* of the Criminal Code of the R.S.F.S.R.

5. Pushkarev, Nikolai Semenovich, born 1915 in the city of Dnepropetrovsk.

6. Misan, Grigory Nikitovich, born 1916 in the *stanitsa* of Suzdal-skaya, Goryache-Kluchevsky District, Krasnodar Territory.

7. Naptok, Yunus Mitsukhovich, born 1914 in the *aul* [village] of Lekushkai, Takhtamukay District, Krasnodar Territory.

8. Kotomtsev, Ivan Fedorovich, born 1918 in the village of Polonets, Zuevsky District, Kirov Region, convicted in 1937 for hooliganism and sentenced to two years' deprivation of liberty, which sentence he served.

9. Pavlov, Vassily Stepanovich, born 1914 in the city of Tashkent.

10. Paramonov, Ivan Ivanovich, born 1923 in the city of Rostov-on-Don.

11. Kladov, Ignaty Fedorovich, born 1911 in the village of Sizikovo, Nevyansk District, Sverdlov Region.

All seven, for committing crimes covered by Art. 58-1 *b* of the Criminal Code of the R.S.F.S.R.

The materials of the preliminary and court investigation of the Military Tribunal of the North-Caucasian Front established the following:

On 9th August, 1942, the German fascist troops temporarily cap-



The Accused

Police Force. In September, 1942, he was, by way of encouragement, promoted, first to the rank of Sergeant-major in the punitive body of the Gestapo known as the *Sonderkommando SS-10-a*, and then to the post of investigator of the Gestapo, while at the same time serving as a secret agent of the latter.

Holding the aforementioned posts in the service of the German invaders, Tishchenko, together with Boss and other officers of the Gestapo, often made excursions to round up guerrillas, Communists, and other Soviet citizens who were active in public life. Under the direction of the Gestapo officers Sargo and Salge, he acted as investigator in the cases of these citizens and flogged them in the process, and was responsible for the asphyxiation of several Soviet citizens in his custody by means of carbon monoxide in specially equipped vehicles known as "murder vans."

2. Pushkarev, in August, 1942, voluntarily joined the Hitler Police Force and was shortly afterwards promoted to the rank of *Gruppenführer*, i.e., Platoon Commander, in the aforementioned *Sonderkommando*.

Pushkarev, jointly with the Hitlerite officers Stein, Herz, Hahn and others, and under the command of Colonel Christmann, Chief of the Gestapo, repeatedly visited the *stanitsas* of Gladkovskaya and Krasny Psebebs, the town of Anapa and other places, for provocative and punitive purposes, and there participated in the search for, arrest and shooting of guerrillas and other Soviet citizens active in public life.

As chief of the guard of the Gestapo, Pushkarev stood guard over Soviet citizens, took part in torturing and assaulting them, and was present when they were loaded in the "murder vans" in which the German fascist butchers put people to death by poisoning them with carbon monoxide.

In the beginning of February, 1943, before the Germans were driven from the city of Krasnodar, he helped the Gestapo officials to set fire to and blow up the premises of the Gestapo where arrested Soviet citizens were confined, as a result of which the latter perished.

3. Rechkalov, in August, 1942, having been released before the expiration of his term from the prison where he was undergoing sentence for larceny and evading service in the Red Army, deserted to the German fascist invaders and voluntarily joined the German Police Force, in which, as a reward for zealous service, he was soon transferred to the *Sonderkommando SS-10-a* of the Gestapo, where he regularly served as a sentry, guarding arrested Soviet citizens, and saw the way they were tortured.

4. Misan repeatedly helped to load arrested Soviet citizens in

the "murder vans" in which the Gestapo officials put them to death by means of carbon monoxide.

Misan volunteered to shoot citizen Gubsky, who was carrying on anti-fascist activities. Misan shot Gubsky, thereby winning the confidence of the German invaders, and was afterwards appointed a secret agent of the Gestapo.

5. Kotomtsev, in September, 1942, voluntarily joined the German Police Force at the war prisoners' camp, and in November, 1942, voluntarily joined the *Sonderkommando SS-10-a*, in the ranks of which he actively assisted the Gestapo to exterminate Soviet citizens, and participated in punitive expeditions against partisans.

In January, 1943, Kotomtsev, with a punitive unit, took part in rounding up and arresting guerrillas at Kurundupe Farm and the *stanitsa* of Krymskaya. At Kurundupe Farm he actively assisted in hanging a girl for being in communication with the guerrillas; and at the *stanitsa* of Krymskaya he took part in hanging sixteen Soviet citizens.

6. Napsok voluntarily joined the *Sonderkommando SS-10-a* of the Gestapo, where he regularly stood guard over the Soviet citizens who were confined in the dungeons of the Gestapo. On many occasions he went out with punitive expeditions to round up and exterminate guerrillas and other Soviet citizens. In January, this year, he actively participated in the hanging of several Soviet citizens in the *stanitsa* of Gastogaevskaya, and at Kurundupe Farm.

7. Kladov, in September, 1942, during the temporary occupation of the city of Krasnodar by the Germans, voluntarily joined the *Sonderkommando SS-10-a* of the Gestapo, where he stood guard over arrested people and at the same time acted as secret agent in searching for guerrillas and other persons who were assisting the Red Army.

8. Lastovina, fleeing from justice as a kulak, arrived in the city of Krasnodar in 1932 and obtained a situation as a male nurse in a hospital. In December, 1942, while the German fascist invaders were in temporary occupation of the city of Krasnodar, he helped the officials of the Gestapo to shoot sixty sick Soviet citizens.

9. Tuchkov, during the temporary occupation of the city of Krasnodar by the German invaders, voluntarily joined the German Police Force and then transferred to the *Sonderkommando SS-10-a*, in the ranks of which he, on three occasions, took part in rounding up and arresting persons who were in sympathy with the Soviet regime.

10 and 11. Paramonov and Pavlov voluntarily joined the *Sonderkommando SS-10-a* of the Gestapo and remained in the ranks until the fascists were driven from the city of Krasnodar, standing guard

over the persons arrested and confined at the premises of the Gestapo, and taking part in the rounding up and arrest of guerrillas.

Thus, the guilt of all the aforementioned accused of the crime of treason to the country is proved by their own confessions and the evidence of witnesses.

In conformity with Articles 319-320 of the Code of Criminal Procedure of the R.S.F.S.R., and guided by the Ukase of the Presidium of the Supreme Soviet of the U.S.S.R., of 19th April, 1943, concerning traitors to the country, the Military Tribunal SENTENCES:

Tishchenko, Vassily Petrovich; Rechkalov, Ivan Anisimovich; Lastovina, Mikhail Pa
Misan, Grigory Nikitovich; Napsok, Yunus Mitsukhovich; Kotomtsev, Ivan Fedorovich and Kladov, Ignaty Fedorovich—to death by hanging.

Tuchkov, Grigory Petrovich; Pavlov, Vassily Stepanovich and Paramonov, Ivan Ivanovich—being the least active of the accomplices convicted of assisting the German fascist criminals in their fiendish treatment of the Soviet civilian population and Red Army prisoners of war—to exile and penal servitude for the term of twenty years each.

This verdict is final and not subject to appeal.

Signed: Justiciary Colonel N. MAYOROV,
President.

Justiciary Colonel G. ZAKHARYANTS,
Justiciary Major N. KOSTROV,
Members of the Tribunal.

THE TRIAL

Of the Case of the Atrocities Committed by the German Fascist Invaders in KHARKOV and the KHARKOV REGION

Proceedings in the trial of the case of the atrocities committed by the German fascist invaders in the town and region of Kharkov during the period of their temporary occupation were opened in Kharkov on 15th December, 1943, before the Military Tribunal of the 4th Ukrainian Front, president Justiciary Major-General A. N. Miasnikov, and with the participation of the State Prosecutor, Justiciary Colonel N. K. Dunayev.

Those committed for trial in the present case and charged with crimes covered by the Order of the Presidium of the Supreme Soviet of the U.S.S.R. of 19th April, 1943, were:

Corporal of Auxiliary Police Reinhard Retzlaff, official of the 560th Group of German Secret Field Police; Officer of the German Military Counter-Espionage Service Wilhelm Langheld; *S.S. Untersturmführer* Hans Ritz, Assistant *S.S.* Company Commander of the *S.D. Sonderkommando*; and their accomplice the traitor to the motherland, Bulanov, who served as a chauffeur with the Kharkov *S.D. Sonderkommando*.

The board of medico-legal experts taking part in the proceedings was composed of: the chief medico-legal expert of the People's Commissar for Health of the U.S.S.R., Director of the Research Institute of Forensic Medicine V. I. Prozorovsky; Professor of Forensic Medicine at the Second Moscow Medical Institute V. M. Smolyaninov; senior staff member of the Institute of Forensic Medicine Semenovskiy; chief medico-legal expert of the 2nd Ukrainian Front, Major of Medical Service M. P. Pritvorov; medico-legal expert Major of Medical Service Gorodnichenko; and pathologist-anatomist Major of Medical Service Yakash.

Counsel appointed by the Court for the defence were N. B. Kommodov, C. K. Kaznacheyev and N. P. Belov.

The presiding judge interrogated the defendants and witnesses and warned the latter of their duty to testify the truth. He then warned the medico-legal experts that they must present their findings

in conformity with their special knowledge. The interpreters of the court were then warned that their duty was to interpret all questions and answers with absolute precision.

When the questioning of accused and witnesses was completed, the court heard the indictment, which was read by the Secretary of the Court, Justiciary Captain Kandibin.

The indictment gives a detailed account of the massacres and torture to which were subjected perfectly innocent Soviet people, who were exterminated by the thousand by the German fascist monsters in the town and region of Kharkov. The text of the indictment follows:

THE INDICTMENT

In the case of the atrocities committed by the German fascist invaders in the town of Kharkov and the Region of Kharkov during the period of their temporary occupation.

As the German fascist invaders are being expelled from Soviet territory, ever greater crimes committed by the troops of the German Army are coming to light. After the liberation of the city and Region of Kharkov numerous facts were revealed of the monstrous extermination by the Germans of peaceful Soviet citizens, including women, old men and children.

Under the direction of their superiors, the German fascist troops asphyxiated in specially equipped gas lorries—"murder vans"—hanged, shot or tortured to death many tens of thousands of Soviet people; plundered the property of State, economic, cultural and public organizations; burned down and destroyed entire towns and thousands of inhabited places; and drove to slavery in Germany hundreds of thousands of the peaceful population.

All these crimes and outrages are not isolated facts, but only a link in the long chain of crimes which have been and are being committed by the German invaders on the direct instructions of the German Government and the Supreme Command of the German Army.

Long before the war, even, Hitler, the leader of the German fascists, in expounding his plans for the enslavement of Europe, pointed out the necessity for exterminating the Slav peoples—Russians, Ukrainians, Poles, Czechs and others. Hitler's closest associate, Göring, acting on the principles enunciated by his master, called upon the Germans to murder Soviet citizens. These cannibalistic principles of the fascist leaders have formed and to-day form the basis of the education of the German Army, which has yielded sanguinary results.

For the practical implementation of Hitler's plans to exterminate

the Slav peoples, the German Command introduced in its military schools and colleges a special course of lectures on the subject of the necessity of exterminating the Soviet people. Thus, the accused in the present case, Corporal Reinhard Retzlaff of the German Army, who passed a course of training in the Independent "Altenburg" Battalion, stated at the preliminary examination:

"At the courses there were even arranged several lectures by leading officials of the German Secret Field Police who directly stated that the peoples of the Soviet Union, especially of Russian nationality, are inferior, and the overwhelming majority of them are to be exterminated while an insignificant minority are to be used as slaves by German landowners. These instructions were the outcome of the policy of the German Government with regard to the peoples of occupied territories and it must be admitted that in practice every member of the German Army, including myself, carried them out infallibly." (Vol. II, page 67.)

When the war against the U.S.S.R. broke out the German troops proceeded to put these principles into effect in the temporarily occupied districts of the U.S.S.R. Invading the territory of our country, encountering the resistance of the Soviet people, the German armies and punitive organs began to practise brigandage and murder on a large scale against perfectly innocent Soviet people.

Having been taken prisoner by the Red Army, *Obersturmbannführer* Georg Heinisch, formerly assistant chief of Hess's general staff, a member of the National Socialist Party since 1923, and holding, in temporarily occupied Soviet territory, the post of District Commissar of the town of Melitopol, stated during his interrogation:

"In mid-August, 1943, a conference of 28 District Commissioners of the Ukraine was held in a settlement near the town of Rovno. The deliberations of the conference were directed by *Reichskommissar* of the Ukraine, Koch. It was evident from reports of the District Commissars that the population was resisting compulsory mobilization for work in Germany. In this connection Koch spoke of the necessity for adopting severe measures against the population without restricting themselves to the extermination of a few thousand superfluous people. In particular he stated that he had decided to dispatch for work in Germany the maximum number of able-bodied inhabitants of districts of the Northern Ukraine, and completely to exterminate the rest of the population of these districts, because several elusive guerrilla detachments operated in them, and repressive measures previously carried out against the peaceful population—burning down of villages, mass shootings and extermination of the population of these districts—had, according to Koch, not yielded satisfactory results.

"The extermination of the greatest numbers of citizens of Soviet Russia can only be of benefit to Germany, as it is bound to weaken Russia.

"These last words of Koch express the policy of Hitler and his staff, a policy which they carried out with particular brazenness during the retreat when all inhabited places were completely destroyed and their population compulsorily evacuated.

"Those who refused to be evacuated were shot on the spot.

"Children, old men and also women were driven off by the Germans to die of hunger, as no one supplied them with food, and from sickness and privation. It is clear that these measures had no other design than the extermination of the maximum number of Soviet citizens, so that the Bolsheviks might be deprived of labour-power and reinforcements for the army." (Vol. 3, pp. 9-10.)

Thus the brutal extermination of Soviet people by means of asphyxiating them in gas lorries—"murder vans"—by shootings and beatings, violence and plunder perpetrated by German troops in the city and Region of Kharkov, constitute the fulfilment of the monstrous plans of the ruling clique of fascist Germany for the extermination of the Soviet people.

Investigation has established that the atrocities, violence and plunder in the town and Region of Kharkov were committed by officers and men of the German Army and in particular by: S.S. Division "Adolf Hitler," commanded by *Obergruppenführer* of S.S. Troops Dietrich; S.S. Division "Totenkopf," commanded by *Gruppenführer* of S.S. Troops Simon; the German Punitive Organs: the Kharkov *S.D. Sonderkommando* *banführer* Hanebitter; the group of German Secret Field Police in the town of Kharkov, headed by *Polizei Kommissar* Karchan and his deputy—Police Secretary Wulf; the 560th Group of Secret Field Police attached to the staff of the 6th German Army—*Polizei Kommissar* Mehritz; the defendants in the present case: Reinhard Retzlaff, official of the 560th Group of the German Secret Field Police; Wilhelm Langheld, Captain of German Military Counter-Espionage Service; Hans Ritz, Assistant Commander of the S.S. Company *S.D. Sonderkommando*; Mikhail Bulanov, chauffeur of the Kharkov *S.D. Sonderkommando*.

The preliminary examination has established the system followed: Asphyxiation with carbon monoxide in specially equipped automobile "murder vans" of many thousands of Soviet people;

Brutal massacres of peaceful Soviet citizens and destruction of towns and villages of temporarily occupied territory;

Mass extermination of old people, women and small children;

Shooting, burning and brutal treatment of Soviet wounded and war prisoners.

All this constitutes a flagrant violation of the rules for the conduct of war established by international conventions, and of all generally accepted legal standards.

I

The proceedings in the case of atrocities committed by the German invaders in the town of Krasnodar, which took place in July, 1943, established the existence of specially equipped motor vans called "murder vans," in which German punitive organs asphyxiated peaceful Soviet citizens by poisoning them with carbon monoxide.

Medico-legal experts who exhumed and examined bodies found in an anti-tank ditch near Krasnodar stated in their post-mortem findings on 29th June, 1943: "The skin, skeletal muscles and mucous membranes of lips, stomach, intestines, pericardium and peritoneum were either a pale pink or bright cherry colour, also noted in some cases in sections of internal organs such as the kidneys, lungs and heart. Spectroscopic and chemical examinations of the blood and portions of organs removed for biopsy showed that in 523 cases out of 623 bodies, death was caused by carbon monoxide poisoning."

As established by the investigation similar "gas lorries," which were nicknamed "murder vans," were used by the Germans for murdering peaceful Soviet citizens not only in Krasnodar but also in Kharkov.

These vans, as testified by the German defendants in the present case and also by witnesses who witnessed the crimes committed by the Germans, are large closed trucks of dark grey colour, driven by Diesel engines.

The vans are lined inside with galvanized iron and have air-tight folding doors at the back. The floor is equipped with a wooden grating under which passes a pipe with apertures. This pipe is connected to the exhaust pipe of the engine. The exhaust gases of the Diesel engine, containing highly concentrated carbon monoxide, enter the body of the van, causing rapid poisoning and asphyxiation of the people locked up in the van.

The accused in the present case, Corporal Reinhard Retzlaff of the German Army, and official of a group of the German Secret Field Police in the city of Kharkov, who directly participated in the murder of Soviet people in gas lorries—"murder vans"—stated:

"Mass executions by hanging and shooting seemed to the German Command too troublesome and slow a way of accomplishing the

assignments set to the punitive organs and therefore one had to think of simpler methods of exterminating the population and it can be said that these were found. Once, early in March, 1942, as I came to the jail, my attention was drawn to a group of policemen, crowding near a large dark grey truck at the very entrance to the jail with the back doors flung open. Seeing among the crowd of policemen my acquaintance the S.D. employee, Kaminsky (a German from Berlin, who prior to the war, served in an S.S. detachment) I asked him what kind of truck this was and what it was intended for. Kaminsky stated that it was a "gas lorry" intended for killing people. Later, I had many opportunities of observing the work of this van and on several occasions I directly assisted in putting arrested persons held in the Kharkov jail into it. On these occasions I found that the gas lorry fully served its purpose." (Vol. 2, pp. 68-69.)

The use of gas lorries—"murder vans"—by the Germans for the extermination of Soviet citizens is also confirmed by the accused in the present case—the German *Untersturmführer* Hans Ritz, Assistant S.S. Company Commander; Captain Wilhelm Langheld of the German Army, officer of Military Counter-Espionage; and the traitor to the Motherland, Mikhail Bulanov, chauffeur of the Kharkov S.D. *Sonderkommando*, and also by the witnesses: the German *Obersturmbannführer* Heinisch, District Commissar of the town of Melitopol; Karl Kosch, engineer of a company of the 79th German Infantry Division; and Ivan Boiko, chauffeur of the Kharkov S.D. *Sonderkommando*. The witness *Obersturmbannführer* Heinisch stated:

"In the S.D. (Security Service) a so-called 'gas lorry' was manufactured. Outwardly it hardly differs from an ordinary prison van, but its body is hermetically closed and exhaust gases pass from the engine along a special pipe to the body. This van holds several dozen persons. They are usually told that they are to be dispatched to another jail or camp. When the van starts the gases penetrate inside the lorry and the people are asphyxiated." (Vol. 3, p. 4.)

Testifying to the use of this horrible murder instrument, the German accused in the present case drew a monstrous picture of the preparations for the killings, and the violence used against Soviet citizens when being loaded into the gas lorries—murder vans.

The same testimony was given by Corporal Retzlaff: "When it came to putting women into the van the most horrible scenes took place. All women without exception, not to mention children, sobbed, fell on their knees and implored us to spare them, the weeping of the women intermingled with the cries of the children, who appealed to us, the direct perpetrators of these atrocities, to spare them. But in reply they received kicks, blows with rifle and pistol butts. On such

occasions I and other officials of the Secret Field Police and the S.D. bound the women and put them into the van. As regards the children it was simpler; they were seized by their arms or often by the legs and flung into the lorry. These deeds brought down curses on the Germans, and the courtyard was filled with heartrending shrieks and appeals for help and mercy. I remember the case when a woman, before whose eyes an S.D. officer had flung her child into the van, pommelled the officer and dug her hands into his face, scratching it till the blood came. But in most cases short shrift was made of such recalcitrant prisoners: they were shot on the spot and then flung into the van." (Vol. 2, pp. 94-95.)

Witness Ivan Semenovitch Boiko who worked as a chauffeur for the Kharkov S.D. *Sonderkommando* and who, in this capacity, witnessed many crimes committed by the Germans, testified: "Realizing that they had been deceived and that death awaited them, the sick people who were being put into the van resisted; but the Gestapo men, with blows from rifle butts and clubs, drove them into the van and compelled those who were not so sick to pull into the van persons who could not move unaided. Cries for help and the sobbing of women resounded from the van. When some 50 patients and their attendants had been thrust into the gas van its doors were slammed and it drove off beyond the town." (Vol. 3, p. 87.)

Witness Ulyana Podkopay, residing in Rybnaya St., Kharkov, in which was situated the Gestapo garage where the murder vans were kept, testified: "There were men, women and children among the arrested and the Gestapo men drove them into the murder vans with kicks and rifle butts. Many had bruises and blood on their faces, their clothing was torn, women and children sobbed, but the Gestapo men seized them and forcibly pushed them into the van. When the van was crammed full with people and the Germans were just about to shut it up, two Gestapo men brought out a weeping woman with two little girls aged about eight and ten into the courtyard. One of the children, not realizing what was happening, exclaimed: 'Mamma, come quickly or the car will leave without us.' When the woman approached the van and heard the cries and groans inside, she wept the more and held back, but was forcibly pushed into it. One of the little girls now also began to cry and to scream 'Mamma! Mamma!' Gestapo men standing near by seized the two little girls and flung them into the van after their demented and terrified mother. After that the doors of the van were slammed and it drove out of the prison." (Vol. 3, p. 182.)

The investigation has also established that after murdering Soviet people in the "murder vans," the German invaders conveyed their

bodies to the outskirts of Kharkov, dumped them in empty barracks or other half-demolished buildings, poured petrol over them and set them on fire.

Accused Retzlaff, Corporal of the German Army, made the following testimony on this point:

"At the end of March, 1942, I helped to load people into the 'gas van' and then was ordered by Hanebitter to accompany the van to the place where it was to be unloaded. We drove through the city and stopped at the barracks of the Kharkov tractor works. Then Hanebitter, who was the head of the S.I. detachment, ordered the men of the *Sonderkommando* who were with us to unload the bodies and I saw with my own eyes that there were already a large number of corpses, evidently brought there earlier. When we had finished unloading, Hanebitter ordered all lorries to be driven to one side, except one which had carried a group of men of the *Sonderkommando*. On Hanebitter's instructions the men took several cans of petrol from the lorry, entered the barracks, poured the petrol over all the bodies and over some outside parts of the barracks and then set fire to it." (Vol. 2, pp. 95-96.)

The fact that the Germans had burned the bodies of people whom they had murdered in gas lorries—"murder vans"—in the barracks of the Kharkov tractor plant, apart from the testimony of the accused Retzlaff, is confirmed by the testimony of the witnesses Danil Alexandrovich Serikov, Porfiri Josevich Rizvan, and by the findings of the medico-legal experts who effected the exhumation and examination of the bodies discovered on the territory of the city of Kharkov and its districts. Having investigated the circumstances of the burning of the bodies in the barracks of the Kharkov tractor plant, and the remains of bodies and bones which were exhumed during the excavation of the site of the burned-down barracks, the medico-legal experts state, in their findings, dated 15th September, 1943:

"During the examination of the sites of several burned-down barracks of the Kharkov tractor plant a considerable number of charred human bones and whole skulls, with no signs of physical injury, were discovered. During the excavation, one of several slit trenches (open) near a burned-down barrack was found to contain charred human bones (clavicles, ribs and vertebrae) as well as whole skulls without sign of physical injury among the ashes, earth and garbage. In addition there were found burnt shreds of clothing, spoons, pots, a metal fastener of a woman's handbag, etc."

Fearing to be made answerable for their monstrous crimes and for the extermination of Soviet people in specially equipped motor

vehicles, the German fascists have recently begun to take measures to conceal the fact that they used this instrument of death.

Obersturmbannführer Heinisch stated at his interrogation that in July, 1943, at a secret conference of five district Commissioners of the Taurida region, the S.D. and Gestapo chief of the Crimea and Taurida, Lt. General of Police von Alvensleben, stated that Hitler was extremely annoyed about the talkativeness of persons who in some way or another had learned about the existence of the "gas lorries." As a result of this talkativeness, von Alvensleben said, and also as a result of the carelessness of certain S.D. and Gestapo chiefs, documents concerning the "gas lorries" had fallen into the hands of Russians. In this connection, Heinisch stated at his interrogation, von Alvensleben conveyed to them Hitler's orders on measures necessary to put an end to such talkativeness and introduce stricter secrecy in the use of the "gas lorries." (Vol. 3, p. 5.)

II

In their efforts to exterminate the greatest possible number of peaceful Soviet citizens, the German invaders murdered people not only in gas lorries—"murder vans," but also by mass shootings, hangings and tortures.

As a result of systematic round-ups and mass arrests of peaceful Soviet citizens, as testified by the defendants in the present case—Retzlaff, Ritz, Langheld and the traitor to the motherland Bulanov—the jails of the Gestapo and other German punitive organizations were packed with perfectly innocent Soviet people. During interrogation of each arrested person, irrespective of the existence of evidence against him, fascist officials of the punitive organization subjected him to inhuman torture and beatings with ramrods, rubber clubs, whips and sticks, thus extorting "testimony." Many of the prisoners were beaten up to such an extent that they died in the course of interrogation. A spectacle of particular horror was the massacre of Soviet children and adolescents by the German monsters. There were by no means isolated instances of Germans throwing little children into pits and burying them alive.

In Kharkov, on Gestapo orders, many peaceful Soviet citizens were moved from their flats in the city to specially designated barracks on the territory of a workers' settlement of the Kharkov tractor plant. According to the accused Bulanov, Soviet citizens on their way from the city to the workers' settlement were repeatedly plundered and subjected to humiliations. Having put the people in barracks, the

Germans divided them into groups of two or three hundred people, including adolescents, children and old folk, and then, under the pretext of sending them to the deep rear, drove them to a gully, four to five kilometres away from the settlement of the Kharkov tractor works, where they were shot near large pits which had been prepared beforehand.

In December, 1941, Gestapo men shot 900 Soviet citizens who were undergoing treatment at the Kharkov hospital. Among them were many children and old people. They were shot four to five kilometres from Kharkov, near the Chugayev road. Their bodies filled two big pits dug beforehand for this purpose.

The accused Bulanov, who participated in these shootings, testified: "I was ordered to drive a three-ton lorry to the hospital in the outskirts of Kharkov. There I found more lorries. As soon as I parked my lorry by the main entrance of one of the hospital buildings, the Gestapo men began to take out patients clad only in their underwear, and loaded them on the lorries. There were up to 40 persons in each lorry. Having loaded my lorry I drove these people to the shooting site which was surrounded by Gestapo men. The patients were dragged out of the lorries and put by the edge of a ditch. Heartrending sobs and shrieks by adults and children filled the air. Sick people begged for mercy but the Gestapo men paid no attention to this, shot all of them and threw the bodies into the ditch. As far as I can remember, particular brutality was displayed by the Gestapo interpreter, Hans Berg, and the medical orderly, Alex. Both of them knocked down whoever resisted, pushed them into the ditch and shot them. I saw how some of those who had resisted and been thrown into the ditch tried to rise; they were wounded and covered with blood. They were again knocked down and on the orders of the instigators of this crime—the chief of the Gestapo and the interpreter Hans Berg—they were buried while still alive. Many adolescents and children were among those who were buried alive." (Vol. 2, pp. 255–256.)

The forest park near the Sokolniki settlement on the outskirts of Kharkov is densely dotted with graves containing the victims of the German fascist terror. Describing the ghastly scenes of the shooting of Soviet people in the park the witnesses, Alexander Filipovich Bespalov and Darya Vasilyevna Danilenko, residents of the Sokolniki settlement, who had been involuntary eye-witnesses of the German crimes, testified that in the course of 1942 and 1943 the German fascists used to bring several van-loads of people doomed to death to the forest-park almost daily. Here they subjected them to humiliations and torture and then shot them. Some of the prisoners assaulted

the Germans but they were knocked down, stabbed with bayonets, kicked and beaten up with rifle butts. Heartrending groans of dying people could be heard in the forest. Some people writhing in death agony were flung by the German executioners into the ditches in this state.

The witness Bespalov, describing one such brutal massacre, stated: "At the end of June, 1942, I personally saw how some 300 girls and women were brought to the forest park in ten or twelve lorries. The unhappy people threw themselves from side to side in their terror, screamed and tore their hair and clothes. Many of them fainted, but the German fascists took no heed of this. With kicks and blows with rifle butts and clubs they forced them to rise to their feet. Those who would not rise were stripped by the executioners and thrown into the pit. Several girls who had children with them tried to flee but were killed. I saw how, after a tommy-gun burst, some women, staggering and helplessly waving their hands, with heartrending shrieks, staggered towards the Germans who stood there. The Germans fired on them from their pistols. Demented by fear and grief, mothers tightly clutching their babies with heartrending cries ran around the clearing trying to save themselves. Gestapo men snatched the children from them by the leg or arm and threw them alive into the ditch, and when the mothers ran after them towards the ditch, they were shot." (Vol. 3, pp. 162–163.)

Confirming the facts of the shooting of Soviet people in the forest park, the witness Danilenko testified:

"At the end of January, 1943, at the same spot for two days the Germans were shooting Soviet citizens. During those two terrible days firing was heard in the forest and incredible shrieks of people; the voices were of men, women and children.

"In the spring of 1943 when the snow had melted and the earth filling the ditches had subsided, I went with other residents to cover up the ditches. When I came to the place where our Soviet citizens had been shot I saw that both pits were packed with their bodies. Naked human arms and legs could be seen sticking out of the thin layer of earth." (Vol. 3, p. 152.)

III

The standards of international law prohibit cruel treatment of prisoners of war. According to these international standards, war prisoners—wounded and sick—must enjoy protection on the part of the belligerent in whose power they find themselves. However,

trampling down all international legal provisions, the German fascist cut-throats systematically exterminated and continue to exterminate wounded Soviet war prisoners. Furthermore, the German Military Command confines in war prisoners' camps, Soviet civilians who fall into their hands in temporarily occupied territory of the Soviet Union and regards them as war prisoners.

Witness Sergeant-major Heinz Jantschi of the German Army, assistant to an officer of the counter-espionage in a war prisoners' camp called "Dulag-231," testified: "Along with Soviet war prisoners there were in the camp Dulag-231 also civilians who had been seized in the occupied territory of the Soviet Union and were regarded by the German command as war prisoners. Among them were old people, women and children. I know that not only in our camp were there civilian prisoners taken on Soviet territory occupied by German troops and officially designated as prisoners of war, but also in other German camps. Soviet civilians are confined to war prisoners' camps under the pretext of evacuation of the population or of recruitment of labour-power for dispatch to Germany, and finally for the purpose of the isolation of undesirable elements including children and adolescents as potential fighters in anti-German formations." (Vol. 3, pp. 38-9.)

With the intention of exterminating Soviet prisoners of war, sick and wounded, and civilian population, the Germans instituted unbearable conditions for the maintenance of sick and wounded in hospitals and in camps for prisoners of war and peaceful citizens. They were starved, denied medical assistance, and excessive overcrowding and lack of elementary sanitary conditions resulted in mass epidemics and a terrific mortality rate. Without any reason at all, or on the strength of fabricated "evidence," wounded and war prisoners alike were burned alive, tortured and subjected to humiliations down to setting dogs on them. All these German crimes are confirmed by the testimonies of the accused Ritz and Langheld, and the witnesses: the German Jantschi, Professor E. S. Katkov, Dr. G. Z. Dzhenchviladze, medical nurse V. A. Sokolskaya, M. A. Kozlova and others, and are also confirmed by the protocols of the medico-legal experts.

Accused in the present case, Captain Langheld of the German Army, who directly participated in all these murders and outrages, testified to the inhuman torture of Soviet war prisoners and civilians in German camps. Langheld said: "The atrocities committed by German officers and men on Russian people by means of exterminations, starvation, beating up of exhausted persons, shootings, setting dogs on people, etc., were in accordance with the principles of the

German Government towards Russian people. People were shot on my order on a number of occasions. For instance, in May to June, 1942, in Dergachi near Kharkov, I had a group of Russian prisoners, about 20 persons, shot on the charge of maintaining contact with the local population. I admit that the charges were trumped up; in fact, that those people were exterminated just because they were Russians. Another occasion was the shooting of a group of Russian officers at an assembly and transit point for war prisoners in the autumn of 1941. Choosing ten officers of middle rank, I ordered soldiers to shoot them with Tommy-guns in front of all the other war prisoners. The bodies of the men shot were thrown into a ditch, which had been prepared beforehand. As a rule the Russians refused to betray military secrets and that is why I beat them with a club of some four to five centimetres thick, after which the interrogated men often had to be carried out of my office. This beating of war prisoners was practised in all units of the German Army. During the distribution of the scanty rations, soldiers of the escort used to set dogs on the exhausted and hungry people. The dogs jumped into the crowd, tore to shreds the clothes and bodies of the war prisoners, knocked them down, dragged and mauled them on the ground. Some of the badly mauled prisoners and civilians were then shot by soldiers and thrown over the fence so as to avoid bothering about their treatment." (Vol. 2, pp. 194-195.)

In March, 1943, the Germans shot and burned 800 wounded men and officers of the Red Army, who were receiving treatment at the First Army Evacuation Hospital of the 69th Army in Trinkler Street, Kharkov.

Describing the circumstances of this crime, the witnesses Professor Katkov, Dr. Dzhenchviladze and the medical nurse Sokolskaya, employed at the hospital at that time, said: "On 13th March, 1943, three automobiles with S.S. men of the 'Adolf Hitler' division drove up to the hospital. They shut the door of block No. 8 and threw an incendiary shell into the building. It caught fire. When the wounded tried to save themselves by jumping out of the windows, they were shot down by the S.S. men with automatic rifles. The next day, a group of nine S.S. men came to the hospital and, driving the medical personnel out of the wards, shot all the remaining wounded in the other blocks of the hospital."

The witness Maria Alexandrovna Kozlova, whose husband was brutally killed during this Hitlerite carnage, testified:

"While on active service with the Red Army my husband was wounded and sent for treatment to the First Army Hospital, situated at that time in the town of Kharkov. On 15th March I decided to

take him a parcel. When I got to the site of the hospital, I could not recognize it as the same hospital in which my husband was being treated.

"A ghastly sight confronted me. Everywhere were piles of ruins and all over the place were strewn the bodies of charred and brutally tortured Soviet citizens. When I saw this monstrous crime, I was beside myself and rushed into the fourth block, which was untouched by the fire. I was filled with horror when I came to the first ward. Heaped in it were piles of corpses mutilated beyond recognition. Frantic, I rushed over to my husband's bed. It was empty and covered with blood. At that moment I saw the body of my husband, mutilated and covered with blood, lying on the floor between the beds. The head was bashed in, one eye had been knocked out, the arms were broken and blood still flowed from gaping wounds." (Vol. 3, pp. 146-147.)

Thus it has been established by the data of the investigation—testimony of defendants and witnesses and also by protocols of the medico-legal experts—that during the period of the temporary occupation of the city of Kharkov and the Kharkov region, the German fascist invaders killed in gas lorries—"murder vans"—hanged, shot and tortured to death in Gestapo torture-chambers over 30,000 Soviet citizens.

Thus, it has been established that the whole weight of responsibility for the massacres and crimes committed by the German fascist invaders during their temporary occupation of Kharkov and the Kharkov Region, for the torture and massacre of the peaceful population, for shooting and asphyxiation with carbon monoxide in specially equipped vehicles—"murder vans"—for burning and other forms of extermination of absolutely innocent Soviet people—including women and old people—is borne by the leaders of the predatory fascist government of Germany and by the Supreme Command of the German Army.

It has also been established that the following commanders and chiefs of the German Military Command, police and punitive organizations took an immediate part in the crimes which formed the subject of the investigation in this case and specific account of which has been given above:

1. *Obergruppenführer* Dietrich, Commander of "Adolf Hitler" S.S. Division.
2. *Gruppenführer* Simon, Commander of "Totenkopf" S.S. Division.
3. Hanebitter, Chief of Kharkov *Sonderkommando S.D.*

4. Police Commissar Karchan, chief of the group of German Secret Field Police in Kharkov.

5. Police Commissar Mehritz, Chief of 560th Secret Field Police attached to the H.Q. of the 6th German Army.

6. Police Secretary Wulf, Assistant Chief of group of German Secret Field Police of the city of Kharkov.

The guilt of all above-mentioned persons in the criminal acts they have committed has been fully proved by the investigation, on the strength of which all of them are to bear criminal responsibility for the crimes committed by them against Soviet citizens on Soviet territory in accordance with the criminal laws of the U.S.S.R. Also guilty together with them of all these brutal crimes are the participants in these crimes arraigned as defendants in the present case; the officials of the military, police, intelligence and punitive organizations of the German Army—Reinhard Retzlaff, Hans Ritz, Wilhelm Langheld and also their accomplice, traitor to the motherland, Mikhail Bulanov.

The specific criminal acts committed by the persons enumerated are as follows:

Reinhard Retzlaff, an official of the German Secret Field Police in Kharkov, conducted the examination of a number of arrested Soviet citizens. He extorted evidence from them by means of inhuman cruelties and torture, falsified the evidence and brought false charges against them.

He drew up a flagrantly invented report alleging that the arrested persons had confessed to anti-German activities. He deliberately implicated in his report 25 persons employed at the Kharkov Tractor Works and the Kharkov City Electric Power Station, as a result of which the persons in question were arrested and 15 of them were subsequently shot and 10 done to death in a "murder van." On more than one occasion he had helped to load Soviet citizens into "murder vans," thereby killing 40 more persons. He accompanied a "murder van" to the place where it had to be unloaded and took a direct part in burning the bodies of the asphyxiated.

Hans Ritz, assistant commander of an S.S. Company of the Kharkov *Sonderkommando S.D.*, took part in the torture and shooting of peaceful Soviet citizens. In June, 1943, he participated in the mass shooting of peaceful Soviet citizens in the vicinity of the village Podvarka near Kharkov. He took part in the examination of persons arrested by *Sonderkommando S.D.* and himself beat them up with ramrods and rubber truncheons in order to extort from them flagrantly false evidence of their alleged anti-German activities.

Wilhelm Langheld, an officer of the Military Counter-Espionage, took part in the shooting and torture of war prisoners and peaceful

population. He used torture and provocation in the examination of war prisoners, extorting flagrantly false evidence from them. He invented a number of false charges against Soviet citizens, as a result of which 100 persons were shot.

Mikhail Petrovich Bulanov, a traitor to his motherland, went over to the Germans and entered their employ as a chauffeur in the Kharkov department of the Gestapo. He took part in the extermination of Soviet people by means of asphyxiation in "murder vans." He drove peaceful Soviet citizens to the place where they were shot. He took part personally in the shooting of a group of 60 children.

All the accused in the present case, namely: R. Retzlaff, H. Ritz, W. Langheld and M. P. Bulanov, have pleaded guilty to the charges brought against them and have given detailed evidence of their criminal activities.

On the basis of the foregoing exposition they are charged:

Reinhard Retzlaff, born 1907 in the town of Berlin, of secondary education, an official of the German Secret Field Police in the town of Kharkov, senior corporal in the Auxiliary Police.

Hanz Ritz, born 1919 in the town of Marienwerder, Germany, a German of higher education, member of the National Socialist Party since 1937, assistant commander of an S.S. Company, *Untersturmführer* S.S.

Wilhelm Langheld, born 1891 in the town of Frankfurt-on-Main, a German, member of the National Socialist Party since 1933, officer in the Military Counter-Espionage of the German Army of the rank of captain.

With having:

While on service in the German Army during 1941-1943 taken a direct part in mass and brutal extermination of peaceful Soviet people by the use of specially equipped automobiles known as "murder vans," and also with having taken a personal part in mass shootings, hangings, burning, plunder and outrages on Soviet people—i.e. in crimes covered by the Order of the Presidium of the Supreme Soviet of the U.S.S.R. of 19th April, 1943.

Mikhail Petrovich Bulanov, born 1917 at Dzhaniyev Station, in the Kazakh S.S.R., a Russian, non-party, is charged with betrayal of the motherland, having voluntarily gone over to the Germans and accepted employment in the German punitive organization, and in conjunction with the Germans with having taken a direct part in the mass extermination of Soviet people by means of asphyxiation in "murder vans," with having personally shot peaceful Soviet citizens, among whom were old people, women and children, i.e. in crimes

covered by the Order of the Supreme Soviet of the U.S.S.R. of 19th April, 1943.

As a result of the foregoing exposition, the persons enumerated are committed for trial before the Court of the Military Tribunal.

The indictment was read and translated into German, after which all the accused in reply to the President of the Court pleaded guilty to the charges.

After the translation of the indictment into German, the Court proceeded to examine the accused. All the accused, Reinhard Retzlaff, Wilhelm Langheld, Hans Ritz and Bulanov, pleaded guilty to the offences with which they had been charged.

The accused Wilhelm Langheld, Captain of the German Counter-Espionage, was the first to be questioned. He admitted that he took a direct part in the mass shooting of Soviet people. Not in vain was he considered an "exemplary" soldier, and he received three awards from his command. Answering the prosecutor's questions, Langheld told how in the war prisoners' camp the Hitlerites fabricated false accusations on the basis of which completely innocent people were to be shot.

"My immediate superior," stated Langheld, "a major, reproached me because there were not enough executions under my command. I apologized and said that I had not been long in the camp and had not yet had time to assert myself."

Prosecutor: Did you not try to prove to the major that the prisoners of war had not committed any crimes?

Langheld: Yes, I knew there had been no crimes, and no cases. But I understood the major's remark as an order to create cases, to invent them if they did not exist. I ordered one of the most exhausted prisoners to be brought to me, assuming that from him it would be easier to obtain the necessary evidence.

Prosecutor: You mean invented evidence?

Langheld: Yes, of course, invented, provoked evidence. When the prisoner was brought before me I asked whether he knew who was preparing to escape from the camp and at the same time promised to improve his food. The prisoner refused to mention any names whatsoever, saying that he knew nothing of such rumours. But as I had to carry out the major's orders, I ordered the prisoner to be thrown on the ground and beat him with sticks until he lost consciousness. Then I drew up a statement, kicked the prisoner till he sat up, and tried to force him to sign it. He again refused.

Prosecutor: Who signed the statement after all?

Langheld: The interpreter.

Prosecutor : Consequently, this statement was invented ?

Langheld : Yes.

Prosecutor : What did it say ?

Langheld : We wrote that 20 prisoners of war were alleged to be preparing to escape. We chose the names at random from the camp list. On the following day the statement was handed to the major, and he ordered all of them to be shot. This order was carried out.

Prosecutor : Thus completely innocent people were shot ?

Langheld : Yes.

It was apparent from the further evidence of the accused that this practice of Langheld and other German officers was systematic. The accused gave evidence of a second similar case. On that occasion his victims were six completely innocent Ukrainian women. They were peasant women from surrounding villages, who came to the camp to look for relatives. Wanting to distinguish himself in the eyes of his superiors, Langheld decided to extort evidence from these women by alleging that they had attempted to establish communications between guerrillas and war prisoners in the camp. For this purpose the six women were arrested, including one with a five-year-old child. Attempts were made to extort evidence from them by similar methods. They were undressed, flung on to a bench and beaten with sticks and rods. But no tortures could force these Soviet women to give false evidence. They fell unconscious, but did not say a word.

Prosecutor : How did the mother of the child behave and what did the child do ?

Langheld : The child at first clung to its mother crying, and then crept away to a corner and crouched there in terror.

On the following day Langheld made a statement to the Local H.Q. alleging that they had discovered five cases of communication between guerrillas and prisoners of war. The local H.Q. took away five women and, as it was learned later, shot them.

Prosecutor : But there were six women. What became of the sixth woman ?

Langheld stated dispassionately that the sixth woman died the same night from the beating and that it was therefore useless for him to include her in the list. This sixth woman was the mother of the five-year-old child.

When the Prosecutor asked what became of the child, Langheld answered : "He clung to his dead mother, crying aloud. The lance-corporal who came to take away the woman's body got tired of this so he shot the child."

A murmur of indignation passed through the hall : "These vile

child-murderers! They will answer for their monstrous crimes." The examination was continued.

The Prosecutor then asked whether such cases were isolated instances or whether they were part of the system in the German Army.

"Such things happened everywhere. It was a system," answered Langheld.

He further testified that this system was approved and encouraged by orders and instructions of the German Government and the Command of the German Army.

Prosecutor : This means that it may be considered a fact that orders for the mass extermination of completely innocent Soviet people came from the German Government ?

Langheld answered clearly and briefly : "Yes," and gave an instance when on his orders ten completely innocent Red Army officers were shot in the camp so as to "forestall" an escape. "This initiative on my part," he declared, "was fully approved of by the command." Langheld admitted that he not only knew of the existence of the so-called "gas lorry," a specially equipped van for the asphyxiation of Soviet people with carbon monoxide, but himself saw this van and saw how Soviet citizens were loaded on it.

Langheld's further evidence presented a terrible picture of the terror and provocation existing in the German prisoner-of-war camps. In these camps civilians were also kept together with the prisoners of war, the Germans regarding them also as prisoners of war. Prisoners of war and civilians held as prisoners of war were starved to death, had dogs set on them, were exterminated under every pretext and without any pretext. Langheld instanced the following fact : in one of the camps the prisoners lived in the open. In order to warm themselves they lit fires at night. The camp authorities gave permission for this, and then soldiers opened fire on the defenceless people who were gathered round the fires. This was previously planned, cruel provocation.

"Tell me, Langheld," asked the Prosecutor, "how many Soviet citizens have you personally exterminated ?"

The fascist hangman raised his eyes to the ceiling, meditated for a moment and answered : "I cannot give the exact figure, but I imagine there were at least 100."

Prosecutor : And do you know how many Soviet people had been killed altogether by the Germans during the occupation of Kharkov and the Kharkov region ?

Langheld : I have heard that over 30,000 people had been exterminated. As many, if not more, had been exterminated in Kiev and about 15,000 in Poltava.

This is how Langheld and others like him were carrying out the instructions of the German Government on the mass extermination of Soviet people.

The President of the Court, Justiciary Major-General Miasnikov, gave more precise information on the activities of hangman Langheld on Soviet territory. He was at Poltava, Kiev, Berdichev, and Rossosh.

President : And did you everywhere take such an active part in the extermination of Soviet people ?

Langheld : Yes, everywhere.

President : Do you know of instances when the German Command called its officers to task for atrocities against peaceful inhabitants ?

To Langheld this question seemed incomprehensible: "Such practices were not only not punished but were encouraged in every way by the German Command.

When the President asked how he had earned his three decorations and whether it was because he was so zealous in exterminating Soviet citizens, Langheld answered: "Yes. I tried to fulfil the orders of my superiors."

President : The accused is at the disposal of the member of the Court, Comrade Kharchev.

Kharchev : For what reasons and when did you join the National Socialist Party ?

Langheld : I joined the National Socialist Party in 1933 mainly because I approved of its programme.

President : Have the experts any questions to the accused Langheld ?

There were no questions.

President : Have counsel for the defence any questions to the accused ?

Counsel for the Defence Kommodov : What was the occupation of the accused Langheld before the war ?

Langheld : Before the war I was an official of the Town Council of Frankfurt-on-Main.

Kommodov : How long have you been on the Eastern front ?

Langheld : Since the beginning of the war.

Kommodov : Did you share the views of the National Socialist Party before you joined the party ?

Langheld : No, before then I was not a party member.

Kommodov : Did you take part in the war of 1914-1918 ?

Langheld : Yes, I took part in the war of 1914-18.

Kommodov : How do you explain your personal participation in the crimes to which you plead guilty ?

Langheld : I fulfilled the orders of my superiors. Had I not done so I would have been court-martialled.

President : Has the Defence any other question to put to the accused ?

The Defence : No.

Summing up all the facts which had been elicited during the examination of Langheld, the President of the Court asked him whether he considered the German Government and the Command of the German Army fully responsible for all these crimes, and for the mass extermination of Soviet citizens. Langheld answered, "Yes, I do."

The Court was then adjourned till 16th December at 10 a.m.

The session was resumed at 10 a.m. on 16th December, 1943.

The President, Justiciary Major-General Miasnikov, announced that the Court's examination of Langheld would be continued.

President : Accused Langheld, where did you see a 'gas van' ?

The accused Langheld replied through the interpreter Kopilov: I saw the 'gas van' in Kharkov.

President : When ?

Langheld : Sometime in May, 1942, when I was on a service visit to Kharkov.

President : Describe what the 'gas van' is like.

Langheld : As far as I remember the 'gas van' is a vehicle dark grey in colour, completely covered in, having hermetically sealed doors at the back.

President : How many persons can a van hold ?

Langheld : Approximately 60 to 70 persons.

President : Under what circumstances did you see the van in Kharkov ?

Langheld : I was at 76, Chernishevsky Street at the H.Q. of the S.D. and heard a terrific noise and screaming outside.

President : What happened then ?

Langheld : A gas van at that moment had driven up to the main entrance of the building, and one could see how people were being forcibly driven into it, while German soldiers were standing at the doors of the van.

President : Were you present when the people were driven into the gas van ?

Langheld : Yes. I was a few paces away from the gas van and saw it being done.

President : Tell the Court how the people were loaded into the gas van.

Langheld : Among the people being loaded into the gas van were old men, children, old and young women. These people would not

go into the machine of their own accord and had therefore to be driven into the gas van by S.S. men with kicks and blows of the butt ends of automatic rifles.

President : Why didn't the people go into the machine of their own accord? Did they know what kind of a machine it was?

Langheld : I presume that these people guessed the sort of fate that awaited them.

President : Who conducted the loading of the machine when you were there?

Langheld : It is difficult for me to mention any particular name, as the men there were all unknown to me, but at any rate, they were all S.S. men. Near the gas van I met an acquaintance of mine, a captain in the German Army.

President : What was his name?

Langheld : It was Captain Beukow.

President : In what towns of occupied Soviet territory was the gas van used for the extermination of Soviet citizens?

Langheld : I heard from Captain Beukow that the same kind of gas vans were used in the majority of towns in occupied Soviet territory, such as Kharkov, Poltava, Kiev.

President : Did you know that the gas van had also been used in Smolensk, as you testified at the preliminary examination?

Langheld : Yes, I had heard that the gas van was also being used in Smolensk.

President : By whose order?

Langheld : As the gas van was used by S.S. men it must be presumed that it was done by order of the Government.

President : Tell the Court the names and functions of the assistants with whom you worked.

Langheld : My assistants were Sergeant-Major Runge, the interpreter Schulz, Senior Corporals Ettman and Maine.

President : Did they also take an active part in the shooting and beating up of Russian prisoners of war and civilians?

Langheld : Yes, they all took the same part.

President : Explain the offences of each of them in particular.

Langheld : Sergeant-Major Runge mainly fulfilled instructions in the arrangement and carrying out of shootings. The other three took part in beating up people during interrogation and the like.

President : Tell us why, when German officers and soldiers came to the camp, as you testified at the preliminary examination, they tore off the caps of war prisoners and threw them into a forbidden zone?

Langheld : The soldiers practised this as a sport in order thereby to show their contempt of the Russians.

President : And what happened afterwards?

Langheld : When the prisoners tried to pick up their caps, the guard fired at them. Naturally there were occasions when they were killed.

President : Were there other occasions when prisoners were fired at?

Langheld : Yes. There were other occasions and I myself witnessed similar incidents in the camp at Poltava.

President : Who did the shooting, soldiers or officers?

Langheld : A man particularly to distinguish himself in this was a sergeant whose name I cannot for the moment remember.

President : So it means that war prisoners were chosen as shooting targets?

Langheld : Yes, it may be said that at the given moment they were regarded as game to be shot at.

President : Did German officers and soldiers take the prisoners' clothes from them?

Langheld : Yes. All the good things they had were taken from them.

President : That is to say, they were robbed.

Langheld : Yes, that is so.

President : And did you take a part in this robbery?

Langheld : Yes, I did.

President : What was done with the things stolen from the war prisoners?

Langheld : As a rule, they were distributed among the men of the company.

President : Did the German Army also take things from civilians?

Langheld : In regard to the civilian population, I am unable to give any details.

President : And how did the camps dispose of the corpses of prisoners of war?

Langheld : Ditches had been dug beyond the confines of the camp and the bodies of the prisoners killed were thrown into them.

President : Approximately how many prisoners of war perished in the camps?

Langheld : The highest figure is approximately 60 dead prisoners per day.

President : Apparently they were not camps for prisoners of war, but camps of death.

Langheld : Yes, that is so.

President : Does the military prosecutor wish to put any supplementary questions?

Military Prosecutor : No.

President : Does the defence wish to ask any questions?

Defence : No.

President : You may sit down, accused Langheld.

After the examination of Langheld, the Court proceeded to examine the accused Ritz, who was first questioned by the Prosecutor.

Prosecutor : Accused Ritz, tell us what rank you held in the German Army.

The accused Ritz answered through the interpreter, Stesnov, that he held the rank of *S.S. Untersturmbannführer*, which corresponds to the rank of Lieutenant.

Prosecutor : You served in the S.S. troops?

Ritz : Yes, I served in the S.S. troops.

Prosecutor : What functions were fulfilled by the S.S. troops?

Ritz : The S.S. troops are used like ordinary army units, but certain demands are made on members of the S.S.—Aryan origin, a particular height, devotion to National Socialism, etc.

Prosecutor : What were the functions of the detachment under your command?

Ritz : I commanded an S.S. Company which was a punitive company and was attached to the *S.S. Sonderkommando* in Taganrog.

Prosecutor : What was the actual work of this Company?

Ritz : The S.S. Company acted on orders of the Taganrog *S.S. Sonderkommando* and carried out punitive actions, for example, shooting, forcible evacuation of villages, the transportation and guarding of arrested persons.

Answering further questions put by the Prosecutor, Ritz gave more precise information on the activities of the S.S. Company of which he was assistant commander. It appeared that they consisted mainly in exterminating the peaceful population by means of inventing all sorts of false charges. Ritz admitted that on his personal orders alone about 300 people were killed in this manner in the Taganrog district.

Prosecutor : Do you know anything about other districts?

Ritz : I know facts about the extermination of peaceful citizens in Kharkov. I heard about this when I passed through Kharkov and later when I was attached to the *Sonderkommando* of the town of Kharkov.

Prosecutor : Tell us in detail about this.

Ritz : On 31st May, 1943, I arrived in Kharkov and reported to the Chief of the Kharkov *Sonderkommando*, Hanebitter, whom I used

to know in Germany. There I also met the officers of the *Sonderkommando*; Assistant-Chief of the *Sonderkommando* Irchner, officers Fast, Peters, Dr. Kappe and Lt. Jacobi. I can tell of certain incidents which I happened to see in Kharkov. Most of all I came in contact with Lt. Jacobi, who told me they had much work to do in connection with arrested persons detained in the Kharkov prison, but that, thank God, they had a special method of clearing the prisons of arrested persons. When I asked him what this special method was, Jakobi told me that this was the 'gas van.' Hearing the expression 'gas van' I remembered that I had heard about this vehicle in Germany. I remembered the vehicle from my stay in Warsaw, when I witnessed the evacuation in it of the unreliable sections of the Warsaw population. From conversations with the secretary of the National Socialist organization in Warsaw—Richter—I got to know that part of the Warsaw population were evacuated by railway and another part were loaded into the 'gas vans' and exterminated. When I asked him what sort of a machine this was, Richter told me that it was just an ordinary goods van, but that the exhaust gases were directed into the body of the machine, thereby exterminating the persons inside.

I was given a similar description of the gas van in September, 1942, in Riga by the engineer-constructor Deppe. Moreover, in May, 1942, I was told by an official of the Russian Town Council, Meier, that the gas van was used for exterminating civilians in the town of Vitebsk. I remembered all these conversations when Lt. Jacobi told me about the use of the gas van in Kharkov. I asked Lt. Jacobi to let me have a look at the vehicle. Lt. Jacobi agreed, saying that there would be a good opportunity to do so, as at six o'clock the next morning the machine would be loaded and that if I came to the prison yard I would see it. The next day I appeared at the appointed time in the prison yard and found Lt. Jacobi, with whom I exchanged greetings, and who afterwards showed me the vehicle standing in the yard. It was an ordinary closed army transport lorry, only with an air-tight body. Lt. Jacobi opened the doors of the machine and let me look in. Inside the machine was lined with sheet iron, in the floor was a grating through which entered the exhaust gases of the motor which poisoned the people inside the van. Soon afterwards the doors of the prison opened and arrested persons were led out in groups. Among them were women of varying ages and old men; they were accompanied by S.S. men. The sight of those people made a very painful impression on me: they were emaciated, their hair was matted and there were traces of blood on their faces from blows. Those of the prisoners who held back were beaten and kicked. They had been

ordered to go to the van and get into it. I should add that they numbered about 60 persons. When the loading began, some of the prisoners went into the van, others wouldn't go in and resisted, but they were forced in by kicks and blows from the butt ends of rifles on the part of S.S. men. When I saw this I asked Lt. Jacobi how it was that the people knew what awaited them in the gas van. Lt. Jacobi replied that the people had not been told what would happen to them, but as the gas van had been so extensively used in Kharkov many people appeared to have learnt what the van portended.

Prosecutor : How many times did you witness similar loadings into gas vans?

Ritz : I saw it only on the occasion I have told you about.

Prosecutor : Were you ever present at the mass shooting of Soviet citizens?

Ritz : Yes, I was.

Prosecutor : Tell us all about it in detail.

Ritz : Hanebitter told me that some 3,000 persons were to be shot for having welcomed the Soviet authorities when the Soviet troops occupied the town of Kharkov. Hanebitter told me that I might be present at this shooting.

Prosecutor : Did you ask to be allowed to witness this shooting?

Ritz : Yes, I did ask and Major Hanebitter gave me permission to watch the operation.

Prosecutor : Tell us in detail about it.

Ritz : On 2nd June, Major Hanebitter took me and several officers and drove out to a village near the town of Kharkov, called Nadvorki or Prodworki, where the shooting was to take place. On the way we overtook three lorries loaded with prisoners accompanied by S.S. men who were going to the same place. The car in which I rode passed a lorry with prisoners and arrived at a forest clearing, where pits had been dug. This clearing was surrounded by S.S. men. Soon afterwards the lorries arrived with the prisoners. Hanebitter said that about 300 would be shot that day. The prisoners were divided into small groups and were shot in turn by S.S. men with automatic rifles. I do not wish to conceal my own participation in this operation. Major Hanebitter said to me: "Show us what you are made of." So as a military man and an officer I did not refuse. I took the automatic rifle from one of the S.S. men and fired at the prisoners.

Prosecutor : Were there women and children among the people shot?

Ritz : Yes. I remember a woman with a child. The woman, trying to save the child, covered it with her body. But this did not help her because the bullet went through her and the child.

Prosecutor : How many people were shot on that occasion in your presence?

Ritz : Major Hanebitter told me about 300 people were to be shot on that day.

Prosecutor : In the pits in which the shot people were buried, did you see any who had been asphyxiated in the gas vans?

Ritz : Yes. When we officers afterwards examined the place where the shooting had been carried out, Lt. Jacobi showed a pit covered with a thin layer of earth through which showed the outlines of human bodies. Jacobi said these were the passengers of yesterday's ride in the gas van.

Prosecutor : Was it your duty to question arrested peaceful Soviet citizens?

Ritz : Yes, I took part in interrogations of Soviet citizens in Taganrog.

Prosecutor : Tell us how you questioned Soviet citizens.

Ritz : At first I questioned the prisoners according to my knowledge of jurisprudence. However, soon the Chief of the *Sonderkommando* of the town of Taganrog, Ecker, came to me and declared that I could not continue in this way, that these people were thick-skinned and other methods ought to be applied. Then I started beating them up at the interrogations.

Prosecutor : Was beating part of the system of interrogation of Soviet citizens?

Ritz : Yes, it can be stated with certainty that this was the system. In Kharkov, as I stated before, I had the opportunity of being present at interrogations and I came to the conclusion that everyone from the commander to the lowest ranks of the *Sonderkommando* beat up people and beat them hard. So that I repeat: it is undoubtedly the system.

Prosecutor : You, Ritz, are a person of higher legal education and apparently consider yourself a man of culture. How could you not only watch people being beaten, but even take an active part in it, and shoot perfectly innocent people, not only under compulsion but of your own free will?

Ritz : I had to obey orders, otherwise I would have been court-martialled and certainly sentenced to death.

Prosecutor : This is not quite so, because you yourself expressed a desire to be present when people were loaded on to the gas vans and nobody specially invited you to be there.

Ritz : Yes, that is true. I myself expressed a desire to be present, but I beg you to take into consideration that I was then still a newcomer on the Eastern Front and wanted to convince myself as to whether

it was true that these lorries of which I had heard were used on the Eastern Front. Therefore, I expressed my desire to be present when people were loaded on them.

Prosecutor : But you took a direct part in the shooting of innocent Soviet citizens?

Ritz : As I have testified earlier, during the shooting at Podvorki, Major Hanebitter said to me: "Show us what you are made of," and, not wanting to get into trouble, I took an automatic rifle from one of the S.S. men and started firing.

Prosecutor : Consequently, of your own free will you entered upon this vile course of shooting completely innocent people, as nobody had forced you to do it.

Ritz : Yes, I must admit that.

Prosecutor : Now, Ritz, you are a man with some knowledge of law. Tell us, were the standards of international law observed to any extent by the German Army on the Eastern Front?

Ritz : I must say that on the Eastern Front there was no question of international or any other law.

Prosecutor : Tell us, Ritz, on whose orders did all this take place? Why was this system of complete lawlessness and monstrous slaughter of perfectly innocent people instituted?

Ritz : This lawlessness had its deep-seated reasons. It was instituted on the instructions of Hitler and his collaborators, instructions which are capable of detailed analysis.

Prosecutor : Tell us in detail and concretely : Who is actually to blame for all this?

Ritz : I consider the primary and chief culprit to be Hitler, who calls first of all for the introduction of a system of cruelty and, secondly, speaks of the superiority of the Germano-Aryan race whose mission it is to establish order in Europe. He also speaks of the necessity of exterminating the inferior Russian people. Further, I would like to point out that Himmler stated repeatedly that there is no need to pay any attention to the paragraphs which entail the death sentence, but that the death sentence must be imposed according to one's Aryan instinct. This Germano-Aryan instinct had to be covered up to a certain extent in Germany, but on the Eastern Front the German troops acted openly. Further, I want to speak about Rosenberg, the propagandist of the superiority of the German race. This propaganda, carried on by Rosenberg also in relation to the Russians as barbarians, caused the German soldiers to behave as they do. Thus, when speaking about the actual and fundamental reasons for these crimes, I considered it necessary to single out these

three persons with whom the crimes perpetrated by the German troops are without doubt connected.

President : Accused Ritz, tell us briefly about your life.

Ritz : I was born in 1919 in Marienwerder in Germany. My father was a professor. I went to a State school for three years and then for nine years to a high school studying the humanities. I completed the course and then did my labour service for seven months. Then I went to Königsberg University where I studied law and also music. In 1939 I was called up in the German Army, but then released for a year to sit for my State examinations in 1940. Until October, 1940, I was in the army. Then I was demobilized because of gastric trouble and spent the first period doing juridical work at the Oberpraesidium of East Prussia in Königsberg. From April, 1941, till May, 1943, I worked as a lawyer in Poznan. At the end of May, 1943, during the so-called "total mobilization," I was called to the German Army again and sent to the Eastern Front.

President : What public posts did you hold as a member of the Hitler Youth?

Ritz : As a member of the Hitler Youth since 1933 I first held minor leading positions, but when in Poznan I was President of the Court of Honour of the Hitler Youth.

President : Accused Ritz, how long were you in Taganrog?

Ritz : I was in Taganrog from 5th June to 1st September, 1943.

President : You and your company carried out punitive measures not only in Taganrog itself, but also in the neighbourhood?

Ritz : As I testified before, our company carried out shooting in the area of the sandpits north-east of the town of Taganrog and engaged in other punitive expeditions as well.

President : Did you personally take part in shooting people in the sandpits?

Ritz : Yes, I did.

President : How many people were shot in the sandpit?

Ritz : Up to 60 persons.

President : And were those all?

Ritz : On two occasions 120 persons were shot. The total number shot was 2,000 to 3,000.

President : In Taganrog?

Ritz : In Taganrog and its neighbourhood.

President : Tell us the names and functions of the Gestapo men who took an active part in shooting people in Taganrog and its neighbourhood.

Ritz : The chief, the one fully responsible for the shootings, was leader of the *Sonderkommando*, *Hauptsturmführer* Ecker. Sergeant-

major Schulz took a direct part in the shootings. I also remember Captain Wassberger, Lt. Heintel and Privates Mainhor and Retschke.

President : Did you personally take part in the shootings in the pits in the vicinity of Taganrog ?

Ritz : As in many other cases, I was ordered by the Chief of the *Sonderkommando*, *Hauptsturmführer* Ecker, to detail a firing squad. After giving my orders, I went to the site to check up whether my instructions had been accurately carried out.

President : What did you see on the spot ?

Ritz : When I got to the spot I saw a pit of approximately 50 × 50 metres and 4 metres deep. Inside it were a group of persons who were to be shot, approximately 50 in number. Sergeant-major Turkel was the leader of the squad. Sergeant-major Turkel reported that everything was ready for the shooting. The prisoners were poorly clad and had been beaten up. I said "Begin" and fire was opened. As soon as the firing began a mass of bloodstained bodies piled up in the pit, but among them were some not yet dead. I then ordered two privates to go down into the pit and finish off those who were still alive. Soon after two S.S. men and I got into the pit. Two persons who were wounded but still alive I finished off with my pistol. When the operation was completed I ordered two privates to stay on the spot as guards, and the others to return to Taganrog, where I also went to report to Ecker that the order had been fulfilled.

President : Were there women and children ?

Ritz : I did not notice any children, but I can say with certainty that there were women.

President : In which towns were gas vans used ?

Ritz : To my knowledge, gas vans were used in Kharkov and I have also testified to this in detail. I know from conversations with Ecker and officers of the *Sonderkommando S.D.* that they had been informed by Rabbe, former Assistant Chief of *Sonderkommando S.D.* in Krasnodar, that gas vans were used there.

President : Who was exterminated in the gas vans in Krasnodar ?

Ritz : I know that in Krasnodar the civilian population was exterminated and that gas vans were also used to destroy the patients in hospital.

President : That means that they exterminated women and children and sick people ?

Ritz : That is correct.

President : How many people were exterminated in Krasnodar ?

Ritz : Several thousand.

President : You stated that gas vans were used in Warsaw and Riga. Who directed their use there ?

Ritz : In those cities it was also done under Gestapo direction.

President : And who specifically directed it ?

Ritz : I do not know.

President : Who told you that gas vans were used in Warsaw ?

Ritz : I was told about it, as I have already testified, by a certain Richter, a former leading functionary of the district leadership of the National Socialist Party.

President : And how did you hear about the use of the vans in Riga ?

Ritz : I got to know this from a construction engineer named Deppe, and from a certain Major, a former official of the Riga town administration.

President : Have counsel for the defence any questions to the accused ?

Kommodov : Tell the Court whether you still remain loyal to the ideas of the National Socialist Party.

Ritz : I cannot say that I remain faithful to the ideas of National Socialism, because since I have been on the Eastern Front I have been able to convince myself step by step that the ideas of the National Socialist Party are false.

Kommodov : Do you realize that the German Government and the National Socialist Party deceive the German people ?

Ritz : The word "deception" is the most suitable to describe this.

Kommodov : Did your father, the professor, share the ideas of the National Socialist Party ?

Ritz : My father, who before Hitler came to power was a member of the Liberal Party, joined the National Socialist Party because he wished to retain his post. However, I cannot say that he completely shared the ideas of the National Socialist Party.

This concluded the interrogation of the accused Ritz.

The Court then proceeded to examine the accused Retzlaff.

Prosecutor : Defendant Retzlaff, tell the Court who your parents are and what education you received.

Retzlaff : My father was an employee of a health insurance bureau. I graduated from a secondary school.

Prosecutor : What was your occupation before the war ?

Retzlaff : I was assistant manager of a department in the office of a Frankfurt newspaper.

Prosecutor : How long have you served in the German Army ?

Retzlaff : Since May, 1940.

Prosecutor : In what capacity did you serve in the German Army ?

Retzlaff : Early in May, 1940, I was trained as radio operator of an artillery unit. Then after the campaign in France I was transferred

to a security battalion which was stationed at first in France and then in Pomerania.

Prosecutor : What was this security battalion ?

Retzlaff : This battalion was charged with the guarding of war prisoners and at that time we were guarding French and Belgians.

Prosecutor : How did you come to serve in that battalion ?

Retzlaff : I was assigned to that battalion because I reached the age which, after the French campaign, was no longer called up for active service.

Prosecutor : Was this battalion subordinate to the German Secret Field Police ?

Retzlaff : No. It was a reservist battalion, rather. In May, 1940, I was transferred from this battalion to the "Altenburg" Special Battalion.

Prosecutor : Tell the Court in detail what was this "Altenburg" Battalion.

Retzlaff : The "Altenburg" Battalion is a school for training officials for the German Secret Field Police.

Prosecutor : How did you come to join this battalion ?

Retzlaff : I was sent there by the Command.

Prosecutor : What was the strength of this battalion ?

Retzlaff : Its strength fluctuated, but at the time I was undergoing training there it numbered about two hundred men.

Prosecutor : Whom did they train in this battalion ?

Retzlaff : This battalion trained officials for the German Secret Field Police. This was the only school in Germany for training them. Its course comprised military training and special instruction in the service of the Secret Field Police.

Prosecutor : What subjects were studied in the "Altenburg" Battalion ?

Retzlaff : In this battalion chiefly the following subjects were taught: criminal law, methods of examination, arrests, searches, espionage activities among the civilian population. In addition, special lectures were given us.

Prosecutor : Specifically, what kind of lectures ?

Retzlaff : Leading Gestapo officials gave us special reports explaining the mission of the German people as a representative of a superior race and its tasks in the establishment of the "New Order" in Europe and measures related to it.

Prosecutor : What are these measures ?

Retzlaff : We were told that the Soviet people as one of the inferior races must be exterminated.

Prosecutor : Thus, in the battalion you were taught methods of extermination of the Soviet people ?

Retzlaff : Yes.

Prosecutor : Was this policy ordered by the German Government ?

Retzlaff : Yes. In the course of a number of years the German Government impressed this policy upon German minds through Press, cinema and radio.

Prosecutor : Thus you were trained in this battalion not as officials but as hangmen ?

Retzlaff : Yes, one may say so, as I later saw in practice.

Prosecutor : And in your practical activities you pursued the hangman's policy you had been taught in the "Altenburg" Battalion ?

Retzlaff : Yes. Like the other officials of the Secret Field Police, I carried out these instructions.

Prosecutor : That means that you took a direct part in the extermination of the Soviet people ?

Retzlaff : I must admit that upon the orders of my immediate superiors I personally took part in the extermination of Soviet citizens.

Prosecutor : Tell the Court how you exterminated Soviet citizens.

Retzlaff : In June, 1941, in Zhitomir where the 560th Group of the Secret Field Police was stationed, I saw for myself that the methods which we had been taught were being applied.

Prosecutor : Put it more concretely.

Retzlaff : Every person detained by the military authorities and sent to the Secret Field Police for examination, was first of all beaten up. If a prisoner gave the evidence we needed, the beatings were discontinued, while those who refused to give evidence were further beaten, and this frequently resulted in their death.

Prosecutor : This means that if a person did not confess, he was murdered. And if he did—he was shot. Is that correct ?

Retzlaff : Yes, that was so on most occasions.

Prosecutor : Was there any occasion when cases were trumped up and evidence was faked ?

Retzlaff : Yes, all this happened and rather frequently. One may say that this was quite a normal procedure.

Prosecutor : In addition to shootings and hangings, what other methods of extermination of Soviet citizens were employed by the Secret Field Police ?

Retzlaff : In addition to this, as far as I know, they used the gas van.

Prosecutor : What is the gas van like ?

Retzlaff : In March, 1942, when I entered the courtyard of Kharkov Jail, I saw there a large van painted dark grey.

Prosecutor : Did you see this van once or several times ?

Retzlaff : After that I used to see this van often.

Prosecutor : Tell the Court all you know about the use of the gas van.

Retzlaff : In March, 1942, I saw a van parked in the courtyard of Kharkov Jail. I asked an acquaintance of mine in the Kharkov Squad, named Kaminsky, what was the purpose of this van, as I knew that previously prisoners were taken to execution in open vans. Kaminsky replied that the van was a new method of exterminating the Russians which greatly reduced time. Kaminsky further explained that the exhaust gases penetrating from the engine into the body of the van within a certain time poisoned the people inside. In the middle of May and at the end of that month I myself received orders from Police Commissar Karchan to turn over to the S.D. Security Service twenty people arrested on a charge of anti-German activities. I was accompanied by Sergeant-major Folmann and N.C.O.s Tetzmann and Gerlitz. When I arrived in the court-room of the prison, I saw there *S.D. Sturmführer* Frese. I reported to him the purpose of my visit and he answered that on that day the jail was to be cleared and proposed that I take part in this work. Soon after, *Sturmabführer* Hanebitter entered the prison office and ordered all employees to go into the courtyard. When we came out into the courtyard, the gas van drove up to the prison entrance. Hanebitter ordered us to fetch the prisoners from their cells. I had a list with the names of twenty prisoners and called them out from various cells. Then they were ordered to line up in the corridor. After that they were told that some would be transferred to another prison and others transferred to a camp. Then the prisoners were led out to the courtyard where the gas van was already waiting for them. There the S.D. men were putting prisoners on board and we also loaded our batch. Although the destination of the gas van was strictly secret, nevertheless certain people had evidently been informed of it. Some of the prisoners resisted when being put into the gas van and they were driven into it by blows with clubs and rifle and pistol butts. There were old folk, women and even children among the prisoners. On that day a wild scene took place. Women sobbed, some of them fell to their knees, imploring that their lives be spared. I recall how, when one woman's child was snatched out of her arms, she shook with sobs, jumped at the S.D. officer who stood near by, and scratched his face. The latter immediately pulled out his pistol and shot her. S.D. soldiers threw her body into the van.

Prosecutor : How many Soviet citizens in all were exterminated by means of the gas van ?

Retzlaff : As S.D. man Kaminsky told me, more than 5,000 people were destroyed in March. Taking into consideration this figure as well as the fact that the gas van made its deadly rounds every day, it can be considered that the total number of persons put to death in Kharkov is approximately 30,000.

Prosecutor : How many Soviet citizens were exterminated by means of the gas van and with your direct participation ?

Retzlaff : I personally took part twice in loading people into the gas van, in March and July, 1942. I put there about twenty persons each time.

Prosecutor : How were the people murdered in the gas van buried ?

Retzlaff : The bodies of the murdered people were buried in a gully to the south of Kharkov or burned.

Prosecutor : Why were they burned ?

Retzlaff : At the end of March, 1942, I was ordered to accompany the gas van and drove to the area of the barracks of the Kharkov Tractor Plant. When we arrived there Hanebitter ordered all trucks, with the exception of the gas van and the car with the S.D. men, to be driven on one side. The gas van drew up in front of a grey-painted barrack. The S.D. men jumped out of their car and began to unload the bodies of the murdered people from the gas van and carried them into this barrack. When I entered, I saw that the rooms on the right and left of the corridor were already packed with bodies which had apparently been brought there earlier.

Prosecutor : Approximately how many bodies were there in the barrack together with those you had brought ?

Retzlaff : There were approximately 300 to 350.

Prosecutor : Continue your testimony.

Retzlaff : When the bodies had been stacked in the corridor, the S.D. men entered the barrack and poured petrol over them. They also poured petrol over the outside wall of the barrack. Then the S.D. men flung blazing torches inside and set fire to it. I saw six other barracks burnt down in the same manner.

Retzlaff then stated that he had seen these burnt barracks and knew that bodies of people finished off in the gas van were burnt there also.

Prosecutor : What was the purpose of burning the bodies of people finished off in the gas van ?

Retzlaff : So that the use of the gas van should be kept secret, and therefore the traces of its work—dead bodies—were to be burnt.

Prosecutor : I have no more questions to ask the defendant.

President : Accused Retzlaff, in what occupied Soviet towns did you work ?

Retzlaff: In June, 1942, I was in Zhitomir, where I worked in the 560th Group of the Secret Field Police. The 560th Group of the Secret Field Police was attached to the H.Q. of the Sixth German Army and together with this group I worked in the towns of Ivankov, Pereyaslav, Lubny and Poltava.

President: Were you in Zhitomir?

Retzlaff: I stayed in Zhitomir from the second half of June till September.

President: In all these towns you also took part in the extermination of Soviet people?

Retzlaff: Yes, in all these towns a group of the German Secret Field Police conducted similar activities.

President: How many Soviet citizens were exterminated in the towns in which you were?

Retzlaff: In Zhitomir the Secret Field Police alone exterminated approximately 5,000 to 8,000 persons. I find it difficult to give exact figures.

President: Did you mention at your preliminary interrogation the numbers of Soviet people who were exterminated in Pereyaslav and Lubny?

Retzlaff: Yes, I did, but in these towns the extermination of Soviet citizens was done by the S.D. organs. I know that in Kiev 35,000 Soviet citizens had been exterminated, in Lubny—4,000, in Pereyaslav—2,000. I have no information about Poltava.

President: How many Soviet citizens were exterminated with your direct participation?

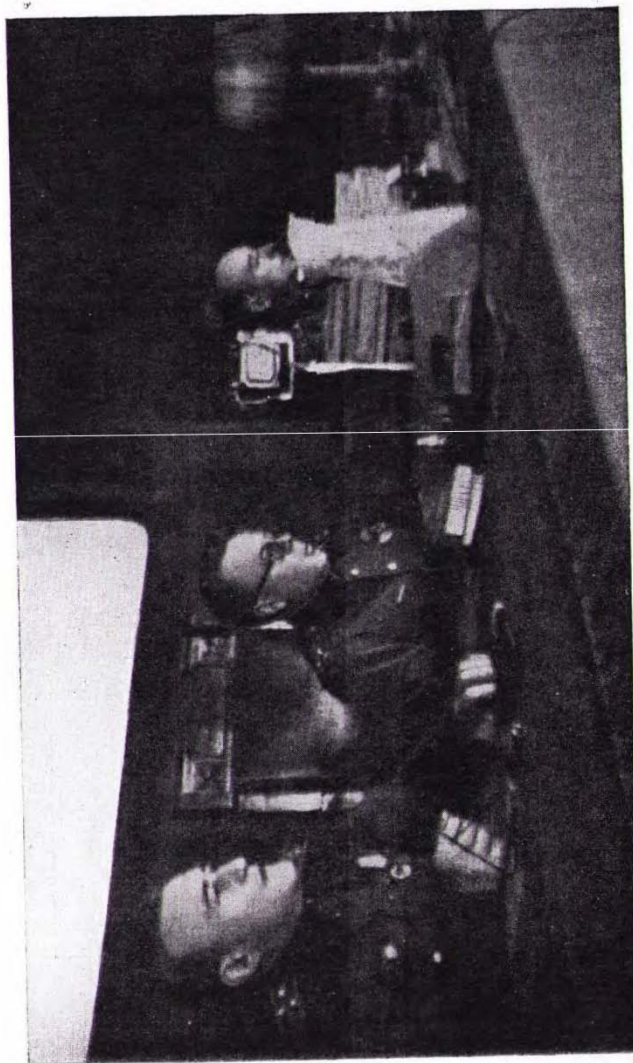
Retzlaff: With my participation no more than 40 persons were loaded into the gas van. In addition, on the orders of Police Commissar Meritz, when I was in Zhitomir, I took part in mass shootings.

President: Who else was engaged in the mass shootings?

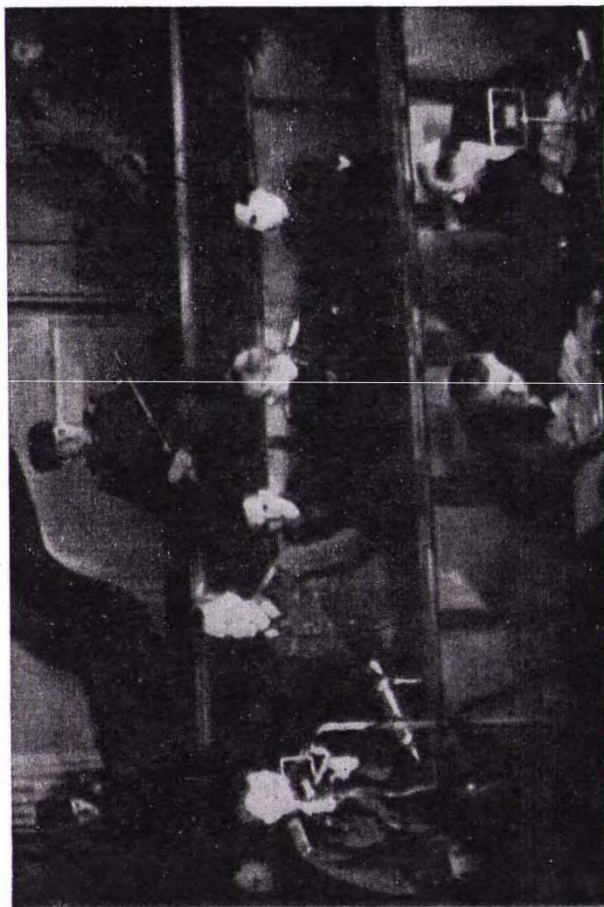
Retzlaff: The entire personnel of the 560th Group of Secret Field Police.

President: Defendant Rezlaw, tell the Court how you trumped up charges against workers whom you examined.

Retzlaff: In April, 1942, I received orders from the Chief of the Secret Field Police at Kharkov, Police Commissar Karchan, to examine two arrested workers. Karchan warned me that it was necessary to convict them of guerrilla activities and obtain from them information about their accomplices. During the interrogation I established the fact that both prisoners were workers from the Kharkov Tractor Plant. I got the impression that these persons were not guilty and I reported this to Karchan. The latter asked me whether I resorted to beatings.



Members of the Tribunal



The Accused

I replied in the negative. Then Karchan ordered me to beat up the prisoners. I obeyed his order, but this failed to produce the desired effect.

President : Relate in detail how you carried out Karchan's order.

Retzlaff : I borrowed a rubber truncheon from Sergeant-major Tichner which he usually used at interrogations and beat the prisoners with it.

President : Did you achieve any results by this means ?

Retzlaff : I failed to achieve anything by this means and reported to Police Commissar Meliss, who then came to the office in which I examined the prisoners. Meliss told me that in examinations one must display greater resourcefulness. Pointing at the prisoners, he said : "Look, this prisoner has a fine beard. Pluck out the hair from it and prick the other with a needle." I obeyed this order too, but failed to obtain any result.

President : You plucked out the man's whole beard without achieving any result ?

Retzlaff : Not quite so; I plucked out the hair from the beard of one prisoner, and pricked the other somewhat with a needle.

President : Tell us what happened to the workers whom you had examined ?

Retzlaff : In spite of everything I failed to elicit the necessary evidence from them. Then Police Commissar Karchan ordered me to obtain through the Kharkov Passport Bureau a list of workers of the Tractor Plant and to copy out fifteen names. I carried out this order of Karchan and next day handed him a list of 15 workers. I know that the two prisoners whom I had examined were asphyxiated in the gas van and the 15 workers who were on my list were shot.

President : Did you write a report about these 15 workers ?

Retzlaff : No, as a rule in the Secret Field Police we did not keep any files or write reports. I merely drew up the list and turned it over to the Police Commissar and in accordance with this list they were shot.

President : How often did you resort to such methods of investigation ?

Retzlaff : I used this method twice: once in April on the orders of Police Commissar Karchan and later on the orders of Police Commissar Wulf. This time it concerned workers of a power station.

President : Who commanded the battalion in which you were trained ?

Retzlaff : The battalion was commanded by Krone.

President : Who gave you lectures on the extermination of the Soviet people ?

Retzlaff: Judging by their badges, they were leading officials of the German Secret Field Police. But as they did not teach regularly but only read papers, I do not know their names.

President: Do you remember the names of the two workers from the Kharkov Tractor Plant who were finished off in a gas van and those 15 workers who were shot?

Retzlaff: No, I do not remember. During my work I had to deal with so many prisoners that I could not remember all these Russian names.

President: Were you often present when Soviet citizens were put into the gas van?

Retzlaff: I personally took part only twice in putting people into the gas van, but I frequently had occasion to see the gas van because I went daily on a round of inspection of Kharkov Prison.

President: Defendant, describe how people were put on board the van, especially women and children.

Retzlaff: In general the loading of the gas van went off comparatively smoothly, as on most occasions the people were unaware of the purpose and destination of this van. But sometimes it happened that old men, women or children caused us difficulties. On such occasions the S.D. men had to urge them on with rifle butts and sticks.

President: Do you admit that you were engaged in the methodical extermination of Soviet citizens?

Retzlaff: I do, although I did all this upon the orders of my direct command.

President: Who gave you instructions concerning the extermination of Soviet citizens?

Retzlaff: I received orders from my superiors. I also wish to add that for years the German people had been trained by the National Socialist leaders in the spirit of such a policy.

President, addressing counsel for defence: Have counsel for the defence any questions to ask the accused?

Kaznachejev: Accused Retzlaff, you spoke here about a number of atrocities and I will ask you to make it more precise: to what extent do you hold yourself personally responsible for these crimes?

Retzlaff: Mr. Kaznachejev, I plead guilty to all the crimes I have committed upon the orders of my immediate command.

Kaznachejev: For what reason were you, a radio operator by profession, sent to a battalion guarding war prisoners and then to the "Altenburg" Battalion?

Retzlaff: When I completed my training as radio operator, the war with France came to an end and therefore they did not use me as a radio operator, but sent me to a battalion guarding war prisoners.

Subsequently, as I was unfit for active military service, and also because being a clerical worker I had sufficient training, I was sent to the "Altenburg" Battalion.

Kaznachejev: I would like to know who selected men for the "Altenburg" Battalion and how the selection was made.

Retzlaff: I was selected for the "Altenburg" Battalion by the former commander of the battalion guarding war prisoners.

Kaznachejev: How long did you spend in the "Altenburg" Battalion?

Retzlaff: The course of training in the "Altenburg" Battalion lasted six weeks.

Kaznachejev: Were all the men of the "Altenburg" Battalion sent for service in the Secret Field Police?

Retzlaff: No, not all. After completion of the course of studies all the men were instructed to write a detailed account of their lives, after which some of the students were sent back to their former units.

Kaznachejev: Were you immediately sent for service? And did you immediately become a police official?

Retzlaff: Yes, precisely so. I was sent as an official and the same happened to the majority of the others with the exception of only a small number of those who proved incapable.

Kaznachejev: You served as a police official for about a year, did you not?

Retzlaff: Yes.

Kaznachejev: I have no further questions to ask accused Retzlaff.

President: Has the Prosecutor any questions to ask the accused Bulanov?

Prosecutor: Yes. Accused Bulanov, how long did you serve in the Gestapo and the *Sonderkommando*?

Bulanov: I served with the Gestapo from October, 1941, till February, 1943.

Prosecutor: In what towns did the punitive activities of the *Sonderkommando* take place?

Bulanov: As far as I know, the punitive activities of our *Kommando* were conducted in the city of Kharkov and in Nizhne Chirskaya village.

Defendant Bulanov then gave a detailed account of the brutal suppression of the civilian population practised by the *Sonderkommando* in Kharkov, in Nizhne Chirskaya village and in other places. Employed as a chauffeur by the *Sonderkommando*, Bulanov was often present at shootings of Soviet civilians.

Prosecutor: Did you personally take part in shooting Soviet people? When and where did this take place?

Bulanov : Yes, I did. When I worked as chauffeur for the Gestapo I often had to drive to the sites of shootings and also to places in Kharkov, in Nizhne Chirskaya and in other areas where arrests were effected.

Prosecutor : Tell the Court about this in detail.

Bulanov : Early in December, 1941, on the orders of the Gestapo Chief, about 900 sick people undergoing treatment in Kharkov Hospital were shot.

Prosecutor : What was your part in this affair ?

Bulanov : I was ordered to bring the three-ton truck at the disposal of the Kharkov Hospital. When I arrived there, nine more three-ton trucks had arrived besides mine.

Prosecutor : How many trips did you make ?

Bulanov : I made four trips during which I brought to the shooting site approximately 150 persons.

Prosecutor : Did you see how the Germans shot them ?

Bulanov : Yes, I did.

Prosecutor : Tell the Court how this was done.

Bulanov : When I arrived at the hospital I was told to drive up to one of the hospital blocks. At this moment Gestapo men began to lead out patients dressed only in their underwear, and load them into the trucks. After loading, I drove the truck to the shooting site under German escort. This place was approximately four kilometres from the city. When we arrived at the shooting site, screams and sobs of patients who were already being shot filled the air. The Germans shot them in front of the other patients. Some begged for mercy and fell down naked in the cold mud, but the Germans pushed them into the pits and then shot them.

Prosecutor : Tell the Court what you know about the shooting of children in the Children's Hospital of Nizhne Chirskaya.

Bulanov : In the summer, when the S.D. Squad split up into sections which left for various towns, districts and villages, I had to drive one section of the S.D. Squad to the village of Nizhne Chirskaya. On 25th to 26th August, 1942, I, together with chauffeur Blokhin, was ordered to get the trucks ready. When the trucks were ready, we were ordered to drive them to Nizhne Chirskaya Children's Hospital. Upon our arrival there, the Gestapo men began to lead the children out of the hospital and load them on to the trucks. The children were ragged, and swollen from hunger. Many children resisted and would not board the trucks, but the Gestapo men assured them that they were going to their uncles and aunts in Stalingrad. Some children yielded to persuasion and got on to the trucks, while others resisted; the Gestapo men forcibly put them in and I was

ordered to fasten the canvas at the back of the truck. When I had carried out this order, I drove to Chirskaya station, escorted by the Germans. Here, behind the bridge, at a distance of three to four kilometres from Nizhne Chirskaya village, a pit had been prepared beforehand. Having reached the pit, I and other Gestapo men, on the order of the chief of the section, began to take the children towards the pit near which stood the Gestapo man Alex, a German whose exact surname I do not know. Point-blank he shot the children in the head with an automatic rifle and then pushed them into the pit. Seeing this, the children struggled and tried to break away, crying "Uncle, I am afraid!" "Uncle, I want to live, don't shoot me!" and so on. But the Germans took no notice of this.

Prosecutor : What was the age of these children ?

Bulanov : They ranged in age from six to twelve years.

Prosecutor : Did you, Bulanov, see the gas van in which people were murdered with carbon monoxide ?

Bulanov : In January, 1942, such a van arrived at our garage from Germany. The Germans called those vans *Gasenwagen*.

Prosecutor : Did you have occasion to repair it ?

Bulanov : I had occasion to repair it and clean it. When cleaning it and sweeping the inside of the body I saw there children's caps and tiny shoes which had evidently fallen off the murdered children.

Prosecutor : Tell the Court in detail what this van was like, how it was designed and how people were murdered in it.

Bulanov : This machine was a huge two-axled truck of approximately five to seven tons capacity. It was painted grey and had a six-cylinder engine. The body of this machine had folding doors which closed hermetically. It was evidently made airtight by means of the rubber lining of the door.

Prosecutor : The lining of the door ?

Bulanov : Yes, the lining of the door. The body is lined inside with galvanized iron and there is a wooden grating in the lower part of the body.

Prosecutor : That means that this grating forms the floor ?

Bulanov : Yes, this grating forms the floor on which the prisoners stand. In the lower part of the truck is the exhaust pipe of the engine through which the exhaust gas passes into the body. After the people are put into the truck, the door is closed, the engine is started and the truck is driven to the unloading point. During this time the people are done to death.

Prosecutor : Did you often witness how people were being put into the gas van ?

Bulanov: I witnessed the loading of the van several times and the unloading more than twenty times.

Prosecutor: Which of the Germans was in charge of this van?

Bulanov: The driver of this truck was a German of about 35 or 36, who looked very ill. I do not know his surname.

Prosecutor: And do you know on whose orders this van was used?

Bulanov: By order of the Gestapo Chief.

Prosecutor: What was his name?

Bulanov: I am not absolutely certain of the name of the Chief, but I think it was Hanebitter.

Prosecutor: What part did you take in putting people into this truck?

Bulanov: It was my job to drive the police to the unloading point.

Prosecutor: How many times?

Bulanov: I had to take them more than twenty times in the period from January to June, 1942.

Prosecutor: How many people were murdered in this truck before your eyes and with your participation?

Bulanov: When I drove the police to the unloading place we used to carry bodies into the barracks of the Kharkov Tractor Plant, after which the Gestapo men would set fire to the barracks. When we returned, the barracks were already burnt down. Similarly, I had to dump bodies into two barracks which already contained a large number of bodies. I cannot give a precise estimate, but approximately six hundred bodies and maybe more were burned before my eyes.

Prosecutor: Were these barracks burnt down before your eyes?

Bulanov: I only saw that liquid was poured over them but I did not see how they were set on fire.

Prosecutor: Have you ever seen how children and little babies were put into these murder vans?

Bulanov: Repeatedly. I happened to see Gestapo men on two or three occasions putting women and children into the murder vans.

Prosecutor: What remuneration did you receive from the Germans for your traitorous activities?

Bulanov: I received from the Germans 90 marks or 900 roubles as wages. I also received a soldier's ration. Furthermore, the belongings of executed Soviet citizens which remained after the Germans had selected the best for themselves were given to us.

Prosecutor: Did the Germans send the best things away to Germany?

Bulanov: The Germans sent the best things to Germany.

Prosecutor: I have no more questions to ask.

Presiding Judge: There will be an adjournment until 6 p.m.

EVENING SESSION, 16TH DECEMBER, 1943

President: We shall continue the session of the Court of the Military Tribunal. Accused Bulanov, did you ever repair the murder van?

Bulanov: Yes, I had occasion to repair the murder van.

President: You testified that you took part in shooting sixty children?

Bulanov: Yes, I told about this.

President: Did you bring these children to the shooting site?

Bulanov: Yes, I did.

President: Did you lead the children out of the truck?

Bulanov: Yes, I did, together with other Gestapo men.

President: You testified that for your work you received money and belongings of executed people. What things did you receive for your work?

Bulanov: I received overcoats for my wife and myself, also two suits of clothes and footwear.

President: Accused Bulanov, it follows from your testimony that you betrayed your motherland, that you sold yourself to the Germans for ninety marks, took an active part in the systematic shootings and extermination of innocent Soviet people. Do you plead guilty to this?

Bulanov: Yes, I do.

President: Have counsel for the defence any questions to ask the Defendant?

Defending Counsel Belov: Did you tell everything as honestly and sincerely during the preliminary investigation as you did here in the Court?

Bulanov: No. When arrested, I was afraid that in the front zone I might be treated cruelly, and I concealed my work for the Gestapo. But when I was transferred to a camp I decided to tell the whole truth.

Belov: Do you know, defendant Bulanov, whether the *Sonderkommando* with which you served evacuated in time?

Bulanov: The *Sonderkommando* with which I served was able to get away in time.

Belov: I have no further questions to ask.

President: Have the accused any questions to put to Bulanov?

Through the interpreter Ivanov, who interpreted to them the whole examination of Bulanov, the accused replied that they had no questions. This ended the examination of the accused.

The Presiding Judge, Major-General of Justice Miasnikov,

then announced that following this the Court would proceed with the examination of the witnesses.

The first witness to be examined was Georg Heinisch with the aid of interpreter Kopylov.

President : When were you born ?

Heinisch : I was born on 8th November, 1901, in the town of Neustadt.

President : Who are your parents ?

Heinisch : My father is a merchant.

President : What military rank do you hold ?

Heinisch : I am an *Obersturmbannführer*. In the past I was the Assistant of the Chief of Hess's H.Q., and recently held the post of District Commissar in the town of Melitopol. My rank corresponds to that of major-general.

The President warned the witness Heinisch that he must give truthful evidence to the Military Tribunal and that he would bear responsibility under law for false evidence.

President : Witness Heinisch, the Military Prosecutor has questions to put to you.

Prosecutor : Witness, are you a member of the National Socialist Party ?

Heinisch : Yes, I am.

Prosecutor : Since when ?

Heinisch : Since 1923.

Prosecutor : Were you engaged in active Party work ?

Heinisch : Yes, I was.

Prosecutor : What kind of Party work did you do ?

Heinisch : I was organizer and leader of S.D. detachments in Bremen and Frankfurt-on-Main, and political leader of the H.Q. of Hess up to 1941.

Prosecutor : What decorations have you ?

Heinisch : I hold the following decorations: the Bronze, Silver and Gold Medals of the National Socialist Party, and the Badge of Honour of the National Socialist Party as a Party member since 1923.

Prosecutor : What were your occupation and activities while you were Commissar in Melitopol ?

Heinisch : It was my duty to direct the economic management and exploitation of the region entrusted to me. I was to pump out agricultural produce in order to supply the Army and the German rear.

Prosecutor : Did the local residents willingly deliver produce to you ?

Heinisch : The population delivered it unwillingly: some of them

sabotaged deliveries while others were generally unable to deliver the required quotas of agricultural produce.

Prosecutor : What did you do to the people who did not deliver produce ?

Heinisch : Those who resisted and refused to deliver the required produce were arrested by the Gestapo and S.D. squads and liquidated.

Prosecutor : What does it mean—liquidated ?

Heinisch : To liquidate means to destroy, to shoot.

Prosecutor : Thus you were engaged in plunder, and the Gestapo in murder.

Heinisch : Exactly.

Prosecutor : How many people were exterminated during your stay in Melitopol ?

Heinisch : In the period from 3rd September, 1942, till 14th September, 1943, between 3,000 and 4,000 persons were exterminated in the Melitopol region.

Prosecutor : Do you know that after the expulsion of the Germans from Melitopol 14,000 bodies were discovered there? You are underestimating this figure, are you not ?

Heinisch : This difference is due to the fact that as far back as 1941 and 1942 during the occupation of Melitopol the Gestapo and S.D. had exterminated many Soviet citizens.

Prosecutor : How many such large-scale operations were carried out during your period in Melitopol ?

Heinisch : During my work in Melitopol there were three or four mass operations, in particular in December, 1942, when 1,300 persons were arrested at once.

Prosecutor : Was this on Christmas Eve ?

Heinisch : Yes.

Prosecutor : Why were those people arrested ?

Heinisch : For sabotage and anti-German sentiments.

Prosecutor : And what was done to these people afterwards ?

Heinisch : They were sent to Simferopol Camp and there shot or finished off in the gas van.

Prosecutor : Was there a war prisoners' camp there ?

Heinisch : Concentration camps were not set up in Russia, but war prisoners' camps were used for this purpose.

Prosecutor : Consequently civilians were confined in war prisoners' camps ?

Heinisch : Yes.

Prosecutor : Tell the Court everything you know about the gas van.

Heinisch : The gas van is a kind of prison van, equipped with

hermetically closing folding doors, in which exhaust gases from the engine pass along a special pipe into the body of the van, thus causing asphyxiation of all the people inside.

Prosecutor : How long have you known of the existence of this gas van ?

Heinisch : I learned about its existence in January this year during a conference of District Commissars at which Lieut.-General of Police von Alvensleben was present.

Prosecutor : Tell the Court about this conference and what you learned there about the gas van.

Heinisch : Von Alvensleben stated that information concerning the gas van had fallen into the hands of the Russians. According to Lieut.-General of Police von Alvensleben, the Führer—that is, Hitler—had ordered that there should be no further open talk about the gas van on pain of arraignment for trial by a special court of S.S.

Prosecutor : Have you yourself ever seen a gas van ?

Heinisch : Yes, I saw one in the town of Rovno, but not in action.

Prosecutor : Did you take part in the extermination of people by means of gas vans ?

Heinisch : No, I did not.

Prosecutor : Tell the Court in detail about your talk with Somann.

Heinisch : Somann told me that death caused by gas poisoning was painless and more humane. He said that in the gas van death was very quick, but actually death came not in twelve seconds but much more slowly and was accompanied by great pain.

Somann told me about the camp in Auschwitz in Germany where the gassing of prisoners was also carried out. The people were told that they were to be transferred elsewhere, and foreign workers were told that they would be repatriated and were sent under this pretext to bath-houses. Those who were to be executed first entered a place with a signboard with "Disinfection" on it and there they undressed—the men separately from women and children. Then they were ordered to proceed to another place with a signboard "Bath." While the people were washing themselves special valves were opened to let in the gas which caused their death. Then the dead people were burned in special furnaces in which about 200 bodies could be burned simultaneously.

Prosecutor : Did Somann tell you on whose instructions execution by gas poisoning was introduced ?

Heinisch : Somann told me that in the autumn of 1942 a conference took place between Hitler, Himmler, and S.D. Chief Kaltenbrunner, at which it was decided to perform executions by means of gas poisoning.

Prosecutor : Will you tell the Court about your attitude towards the atrocities of Hitler and his clique.

Heinisch : As a National Socialist, I am bound to obey Führer's orders and instructions. However, I repudiate the atrocities.

Prosecutor : You repudiate the atrocities ?

Heinisch : Yes, I do.

Prosecutor : And do you also disapprove of poisoning people with gas ?

Heinisch : I believed gas poisoning to be a humane method, but I did not know that death followed after such prolonged agony.

Prosecutor : Does the witness know of any document formulating the policy of the German Government in occupied countries, in particular in the temporarily occupied districts of the U.S.S.R. ?

Heinisch : No, I do not know of such documents. However, judging from the utterances of competent leaders I know it had been planned to defeat the Russian Army fairly quickly. Cons' that it would be very difficult to keep the Russian people in subjection, the orders prescribed ruthless application of reprisals against the civilian population. One was not to hesitate at arrests and shootings because this was the only possible way to keep people in subjection and to colonize the country. In addition the strength of the people was to be weakened by reducing the number of people—i.e., by their extermination. In August this year, at a conference of District Commissars, *Reichskommissar* of the Ukraine Koch spoke of the difficulties in recruitment of labour power for dispatch to Germany. Koch demanded of the Commissars ruthless application of all the means at their disposal for dispatch of the required contingents of workers to Germany. Koch further stated at the Conference that he intended to carry out the forcible evacuation to Germany of the who population of the northern districts of the Ukraine. He said that the struggle against guerrillas the burning of villages and such-like reprisals do not yield the necessary results because the guerrillas are able to hide in the wooded areas. In order to weaken the stubbornness of the Russian people Koch proposed the extermination of all unnecessary elements.

Prosecutor : Did these instructions of Koch reflect the policy of the German rulers ?

Heinisch : Exactly.

Prosecutor : I have no more questions.

President : Witness Heinisch, who is Somann ?

Heinisch : Somann was Chief of the Security Service of the Breslau area.

President : Was it from him that you learned about the use of gas ?

Heinisch : Exactly.

President : In what towns were bath-houses used for poisoning civilians with gas ?

Heinisch : Extermination of people by gas poisoning was to take place in concentration camps.

President : In German-occupied territory ?

Heinisch : There are no concentration camps in the occupied regions.

President : That means in Germany ?

Heinisch : Yes.

President : It is known that 14,000 persons were asphyxiated, hanged or shot in Melitopol, whereas you mentioned only 4,000. When were the remaining 10,000 persons destroyed ?

Heinisch : The majority of the Soviet elements were destroyed immediately after the town was captured.

President : That means at the time when advanced units of the German Army were passing through there.

Heinisch : Exactly.

President : And the population was exterminated by the advanced units of the German Army ?

Heinisch : Yes.

President : But when the advanced units of the German Army proceeded further beyond Melitopol who then destroyed the 4,000 persons ?

Heinisch : The Gestapo and Security Service.

President : And during the retreat of the German Army was the civilian population exterminated then also ?

Heinisch : During the retreat of German troops towns and villages were burnt and the civilian population forcibly evacuated.

President : What were your tasks as District Commissar in the event of evacuation of the town of Melitopol ?

Heinisch : I received instructions personally from the Field Commandant concerning the forcible evacuation of the population. It was conducted by army units.

President : What instructions did you receive concerning the destruction of State and public buildings and dwelling-houses in the towns ?

Heinisch : Houses and institutions in the towns as well as buildings of importance for defence were demolished by the Army Commissary detachments.

President : Upon whose orders ?

Heinisch : Upon the orders of the Field Commandant.

President : Who was the Field Commandant at that time ?

Heinisch : General Taser.

President : It follows from your statements that when German advanced units captured territory they murdered and plundered the civilian population, and after this the Gestapo, Security Service and other punitive organs exterminated the Soviet people. Before the retreat of the German Army civilians were also exterminated. Is that right ?

Heinisch : I have no right to criticize the Führer's instructions conditioned by the war. (Laughter in Court.)

President : What do you know of the removal of property and valuables from territories occupied by the German Army, and what instructions did you receive on this subject from your superiors ?

Heinisch : I was instructed by the *Reichskommissar* to squeeze out of the population everything not needed by the German Army on the spot—this refers to agricultural produce—and send it away to Germany. Executive powers to carry out this measure was granted to the Commissary detachments under the General Commissariat.

President : And who exported the property and valuables ?

Heinisch : This was in charge of the Economic Departments in the Districts and Commissary Squads in the German Army.

President : To whom were the Economic Departments subordinated ?

Heinisch : To the Chief Economic Department under the General Commissar.

President : Whom do you believe responsible for all the crimes committed by the Germans, for destruction of towns and villages, for extermination of guiltless people ?

Heinisch : I do not give orders to the Gestapo and Security Service.

President : Have counsel for the defence any questions to ask the witness Heinisch ?

Counsel Below : Can the witness Heinisch tell the Court what punishment is provided by war-time laws for attempts to evade evacuation during the retreat of German troops ?

Heinisch : I cannot say anything about what orders there are on this subject.

Below : And if a man in the *Sonderkommando* evades evacuation during the retreat of German troops ?

Heinisch : Then according to war-time law he is shot.

Below : I have no more questions.

This concluded the examination of the witness Heinisch.

President : The next witness to be examined is Kosch.

President : What is your name and place of birth ?

Kosch : My name is Karl Kosch. I was born on 27th December, 1908.

President : And what was your profession ?

Kosch : I was an architect.

President : What post did you hold in the army ?

Kosch : I served in the sappers.

President : As officer or private ?

Kosch : I was a sapper.

President : What was your military rank ?

Kosch : Private.

Prosecutor : Tell us, witness Kosch, what you know about methods of exterminating the Soviet civilian population practised by the German Army.

Kosch : Besides mass shootings to which National Socialists resort to exterminate the Soviet civilian population, I also know of a special method, viz., the gas van.

Prosecutor : How do you know about the gas van ?

Kosch : I heard about it from my comrades and also saw this machine myself.

Prosecutor : In what circumstances and where did you see it ?

Kosch : It was early in May, 1943, in Sretenka, near Volnovakha, where our battalion was stationed. On that day I had to go to Volnovakha on service business. Waiting on the road for a truck to take me back to my battalion I saw a big van coming in my direction. I took it for a prison or mail van. It stopped near me. An *Unterscharführer* came out of the driver's cabin and asked me whether I had seen a big truck with S.S. troopers in it. Then he came closer and lit a cigarette, and I noticed that he was slightly drunk. I asked him if he could give me a lift in the direction of Mariupol. He laughed and, taking me to the back door of the van, said : "Well, climb in. There is plenty of room in here." When he opened the door a wave of terrible stench came out. The truck was completely empty. It suddenly occurred to me that this was probably the gas van of which I had heard. I said : "So you want to give me a ride to heaven in this truck ?" The *Unterscharführer* suddenly stopped talking, looked grave, and asked me : "And what do you know about this machine ?" I answered that I had heard a great deal about the gas van. He said that this was a gas van, but I must not say a word about it to anyone because the machine was strictly secret. He also said that they had just come from a place where 42 Russians had been put to death.

Prosecutor : From whom did you first hear about this gas van ?

Kosch : I first heard of it from N.C.O. Haas. Previously Haas had been in the central sector of the Eastern Front and he said he had

seen the gas van on the outskirts of Smolensk and in Vitebsk and Byelgorod. I also heard about it from Winn and Bernhold, who served in the 1st Company, 179th Battalion, 79th German Infantry Division. These men also said that they had seen and heard about the gas vans in the central sector in the areas of Smolensk, Vitebsk and Byelgorod. No wonder that all nations now associate the name of German with barbarism. The German people may thank Adolf Hitler for this and also for the fact that now one is far from happy being German. Blood and more blood goes with the whole Hitlerite organization from its very beginning to its end. The Hitlerites have had orgies of bloodshed wherever they have appeared. It would be most just if Hitler and his clique were given a ride in this gas van which they have conceived to Germany's disgrace.

The next to be examined was the witness Jantschi.

President : Your name ?

Jantschi replied through the interpreter.

Jantschi : Heinz Jantschi.

President : When were you born ?

Jantschi : 1916.

President : Place of birth ?

Jantschi : Vienna.

President : Education ?

Jantschi : Higher education.

President : What post did you hold in the army ?

Jantschi : I was sergeant-major.

President : Witness Jantschi, you must tell only the truth. Witnesses are held responsible before the law for false testimony.

Prosecutor : Did you serve in Camp 271 ?

Jantschi : Yes, I did.

Prosecutor : Who was kept in this camp ?

Jantschi : Officially only war prisoners, actually civilians as well.

President : Describe the regime in the war prisoners' camp and tell the Court what you know about the war prisoners' camp in Vyazma.

Jantschi : In October and November, 1941, there was a war prisoners' camp in Vyazma.

Prosecutor : How many persons were kept in this camp ?

Jantschi : When we arrived there were approximately 25,000 war prisoners and civilians in the camp.

Prosecutor : How were the prisoners evacuated from the Vyazma camp to Smolensk ?

Jantschi : The camp command in Vyazma decided to escort the prisoners to Smolensk on foot.

Prosecutor : How many persons were to be escorted ?

Jantschi : 15,000.

Prosecutor : Does the witness know how many of these 15,000 reached Smolensk ?

Jantschi : Yes, the receiver in the Smolensk camp reported that 2,000 persons arrived there.

Prosecutor : What happened to the remaining 13,000 ?

Jantschi : These 13,000 died on the way from exhaustion while some were simply shot by the escort. The prisoners, among whom were women, old people and children, were emaciated, poorly clothed and barefoot even before they set out. On the way many fell from fatigue and exhaustion or died from starvation. The exhausted people were shot by soldiers of the escort.

Prosecutor : Witness, tell the Court how the war prisoners and civilians left in Vyazma were quartered and how they lived after that.

Jantschi : The 10,000 war prisoners and civilians who remained were transferred to the building in the area of the plant.

Prosecutor : Was it in Pekarnaya Street ?

Jantschi : Yes.

Prosecutor : Was this building large enough to hold this number of people ?

Jantschi : No. The war prisoners and civilians in this building had to stand up day and night and were unable to sleep. They stood as people stand in a crowded tram. The building was so packed that at first it was impossible to enter it.

Prosecutor : What was the weather at that time ?

Jantschi : The weather was very bad, damp, rainy and cold.

Prosecutor : You said it was absolutely impossible to enter the building. And did it become less crowded later ?

Jantschi : Yes, after a large proportion of the war prisoners and civilians there died it became somewhat less crowded.

Prosecutor : Did many people die in the camp ?

Jantschi : Of the 10,000 who were there at the beginning 6,000 died.

Prosecutor : Was medical aid rendered to the sick ?

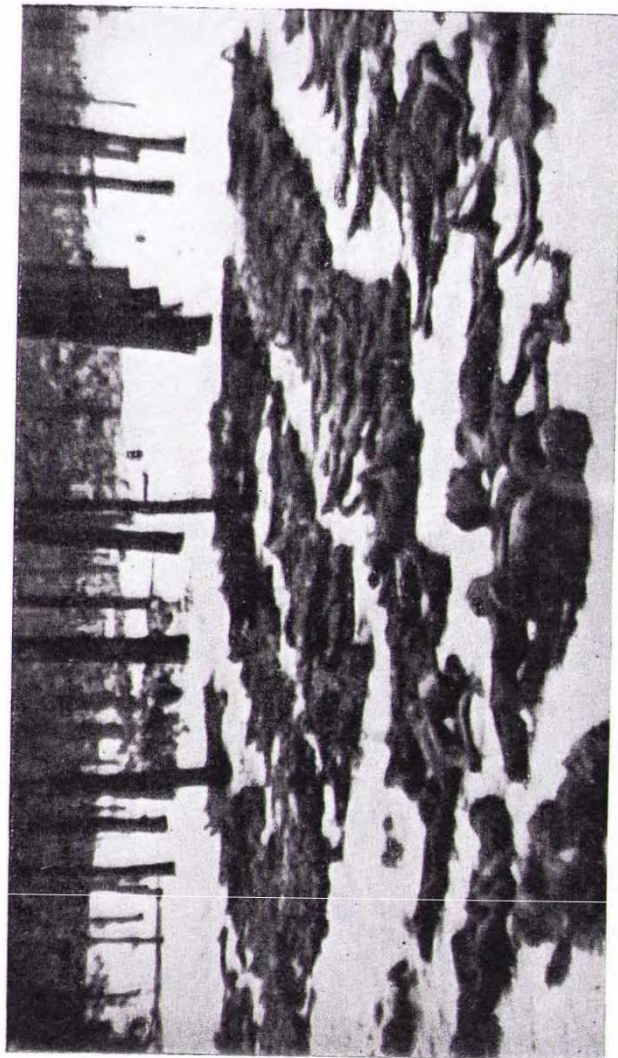
Jantschi : There was no doctor in the camp itself, only small premises equipped as a hospital.

Prosecutor : Witness, tell the Court how the inmates of the camp were fed.

Jantschi : There was no kitchen of any kind in the camp. Feeding was arranged as follows: The guards' squads were issued with cases of dehydrated cereals in packages. In order to save their labour in distribution of the food, the soldiers of the guards' squads would



Dead bodies of Soviet civilians discovered in the grounds of the Kharkov Tractor Works



Bodies of Soviet citizens who had been shot in the Park of Culture

stand on the staircase and throw the packages into the crowd of prisoners.

Prosecutor : And could they cook the food ?

Jantschi : Nobody bothered about that. This method of food distribution was considered quite satisfactory.

Prosecutor : Was everyone given food ?

Jantschi : No. With such a method of distribution the packages of cereals could be obtained only by lucky prisoners in the first row and who could catch them in the air, while the remaining mass of war prisoners and civilians, including the children, old people and sick who were in the camp, could not obtain this food and died of hunger.

Prosecutor : Were there many children, women and old people in the camp ?

Jantschi : Yes.

Prosecutor : Witness, tell the Court whether there were cases of shooting war prisoners and civilians.

Jantsi : There were. The guards seized at every opportunity to shoot at the prisoners. For instance, during the distribution of food the guards shot at war prisoners and civilians with rifles from the watch tower. They also fired from machine-guns and flung grenades. On the suggestion of Capt. Rzywar, the counter-espionage officer, a special order permitting shooting was issued by Major von Tittskron, the commandant of the camp. I have already said that prisoners who got the packages of cereals were unable to cook them because there were no facilities for that. They collected water from dirty puddles and drainage ditches to try and cook something. They also collected bits of fuel in the camp and made fires. With such a number of military people and civilians it was necessary to light fires even during the night. The camp guards took advantage of Tittskron's order to open fire not only on those who made the fires, but also on those who gathered water from the puddles or wood splinters and bits of fuel in the camp. The shots rang out in this camp from morning till night. Anybody approaching the camp might have thought that an engagement between infantry units was being fought.

Prosecutor : Witness, did you enter the premises of the camp ?

Jantschi : Yes, I did, but only after, with all these shootings and deaths the camp became so empty that it was possible to enter it.

Prosecutor :
premises when you entered.

Jantschi : The appearance of the camp after it became possible to enter it was horrible. The plot of land in front of the factory building was a sea of mud, in some places half a metre deep, and hundreds of bodies of war prisoners and civilians were buried in this

mud. You could see here and there an arm sticking out or a leg or head. There was a particularly large heap of bodies near the walls of the factory building. Bodies of shot people lay there. Dying people also kept near the camp walls, sitting or standing in some nook to get shelter from the cold. There was a large number of ditches filled with mud and rain water. Bodies blue and swollen with water lay here also. Some of these ditches were used by the war prisoners as latrines. In these there were also many bodies. I had never imagined that a person could be so emaciated before death. They were so emaciated that their bodies were mere skeletons covered with skin. Their heads were like bare skulls. Inside the building I saw the same sort of thing. There were no windows, the roof was half destroyed, and the place was terribly draughty.

Prosecutor : Were the bodies buried ?

Jantschi : They began to bury bodies only when almost everybody in the camp had died. The bodies lay everywhere in mountains. There were five or six hundred of them in the attic alone. Those who could still move were given lengths of telephone wire which were fastened to the neck, arm or leg of a body which was then dragged through the whole camp to a pit dug beforehand, and earth was thrown over the bodies. The prisoners who buried bodies knew that in a couple of days they themselves would be dumped in the same pit.

Prosecutor : Tell the Court what conditions were in the camps in Borissov, Kastornoye and Millerovo.

Jantschi : Conditions in those camps were the same as in Vyazma.

Prosecutor : Were there dogs in the camps ?

Jantschi : There were. Officially dogs were kept to guard the camps, but actually they were set on prisoners and also on civilians who collected round the camp to find out about the fate of their relatives.

Prosecutor : Did any inspectors visit the camps ?

Jantschi : Yes, very frequently.

Prosecutor : And did the regime improve after that ?

Jantschi : No, conditions did not change.

Prosecutor : Consequently the Supreme Command knew about these horrors in the camps.

Jantschi : Yes. The supreme Command was undoubtedly informed as to the situation in the camps. Colonel Rieth came to the camp at Evdakovo and said that he came straight from Adolf Hitler. The Supreme Command was not only aware of the regime in the camps, but organized it. These camps were in fact not camps for war prisoners but camps for the extermination of war prisoners and civilians in the Soviet Union.

Prosecutor : Witness, tell the Court who bears direct responsibility for the deaths of Soviet war prisoners and civilians in camp No. 231.

Jantschi : Direct responsibility in the first place belongs to Major Fonst, Commandant of Camp 231, who worked from the beginning there until December, 1941; then Lieut.-Colonel Gutschmidt, who replaced him; a counter-espionage officer, Dr. Grzewann; Camp Dr. Rabensonfner, and Lieut. Kirns, who was Adjutant and concurrently Assistant of the Camp Commandant. Those are the chief culprits.

Prosecutor : Did you live in Kharkov ?

Jantschi : Yes, I was in Kharkov.

Prosecutor : What do you know about war prisoners and civilians kept in Camp No. 364 located on Kholodnaya Gora ?

Jantschi : I lived in the camp on Kholodnaya Gora only four days. I came there to collect prisoners for work. What I saw there was no different from the conditions in Camp 231. Moreover, Officer mann told me a good deal about this camp.

Prosecutor : Were civilians also kept in this camp on Kholodnaya Gora ?

Jantschi : Yes. I myself saw civilians in that camp.

Prosecutor : Describe this camp in detail.

Jantschi : It was set up in the former prison building. I did not enter the building but did go into the grounds of the camp. There, too, bodies of dead and dying people who were getting no assistance were lying around. They were all emaciated and ragged and many were barefoot. Guards drove these prisoners to work with clubs. During the four days I spent there an order was received to dispatch prisoners on foot to Poltava. They were marched in the same way as from Vyazma to Smolensk. The people were so exhausted that the majority never reached the destination. A few days later I had to ride in a car to Kolomak and I saw that the road was littered with bodies of war prisoners and civilians. There were women and children among them. Several hundred war prisoners remained in the camp in Kholodnaya Gora. But they were so exhausted that they could no longer keep on their feet. As I later learned from the soldiers who remained at the camp, the war prisoners who stayed there were shot not long before the Soviet troops arrived.

The next to be examined was the witness Boiko, whose evidence was translated into German for the benefit of the Defendants, first by interpreter Stesnova and then by interpreter Ivanova.

President : Your name ?

Boiko : Boiko.

President : Your first name and patronymic ?

Boiko : Ivan Semenovich,

President : When were you born ?

Boiko : 1900.

Prosecutor : Tell the Court how you came to be in the service of the Germans.

Boiko : In October, 1941, in Kiev, I went to work as a driver and also as interpreter for a punitive detachment of the Gestapo.

Prosecutor : And then together with the detachment you moved to Kharkov ?

Boiko : After a while the detachment moved from Kiev to Kharkov, where we arrived on 16th November, 1941.

Prosecutor : Tell the Court how the citizens of Kharkov were moved from city apartments to barracks by order of the German Command. Do you know about this ?

Boiko : Some time later came the order of the S.D. chief concerning eviction of residents of Kharkov from the city to the barracks near the Kharkov Tractor Plant.

Prosecutor : Tell the Court how the patients were carried away from the hospital in Volchansk and destroyed.

Boiko : On 12th June, 1942, an order was received to detail 15 men. I was included in this number, and I had to go to the town of Volchansk. On arrival in Volchansk the hospital was chosen as our quarters. The hospital was overcrowded, but Helmrich gave the order to clear the hospital of patients. This order was carried out. German soldiers entered the hospital and ordered all patients to get ready for removal to Kharkov. Everybody began dressing. But when the order was given not to put on clothes some of them understood what was up and panic set in. They refused to come and had to be driven out. The patients rushed the doors, but the Gestapo men stood all round and did not let them pass. They fired at those who tried to escape and many were wounded or killed. Then loading into a van commenced with free use of clubs and weapons.

Prosecutor : How many people were murdered in this manner ?

Boiko : The first time they carried away fifty people and then the rest. In all 90 were killed, 80 patients, the rest being hospital staff.

Prosecutor : What do you know about the extermination of Soviet citizens, residents of Voronezh, deported on the order of von Radezky ?

Boiko : When our detachment completed the work we had to do in Volchansk we left for Voronezh. When we drove through Byelgorod the *Gasenwagen* was left there. We reached Voronezh by way of Kursk.

Prosecutor : Did you not arrest anyone on your way ?

Boiko : On the way from Volchansk to Kursk and then to Voronezh arrests and shootings were carried out continuously. On arrival in

Voronezh von Radezky issued an order for all residents remaining in the town to evacuate it. Those remaining would be shot or hanged. The population was ordered to go in the direction of the Khokhol settlement. The terrified citizens left with their children in the direction of the Khokhol settlement. Some were left there while others were sent elsewhere to have their documents checked.

Prosecutor : How many people were exterminated then ?

Boiko : About 2,000 people.

Prosecutor : How was the extermination effected ?

Boiko : Other drivers and I drove people who arrived on foot in the Khokhol settlement to Matrenovka village. On arrival there we were ordered to unload the trucks. Those in the trucks got into a panic. Those who tried to run away were shot immediately. I remember how one woman wept and screamed : "What do you kill us for ? Do not kill us." I also remember how one little girl entreated a Gestapo man not to shoot her mother. She begged : "Uncle, don't kill my mother." But the Gestapo man first shot the mother and then the little girl.

Prosecutor : Where did you go then ?

Boiko : This went on there for several days and about 2,000 people were shot. Then we went to Kursk. When we were in the garage in Kursk, driver Hans Hern told me how people were shot in Kursk. He said that several trucks drove up to the jail. Arrested people were pushed into them and on the order of Radezky they were driven to the barracks and shot. Because of ammunition shortage 25 people were left who were not shot. It was suggested to Radezky that they be driven back to the prison and shot next day, but he ordered them not to be taken back but killed with spades, rifles, etc.

Prosecutor : Thus 25 persons for whom no cartridges were left were killed with rifles and spades.

Boiko : Yes, with rifles and spades.

Prosecutor : And where did you go next ?

Boiko : Then the detachment left for Kiev. From there the detachment went to Chernygov to fight the guerrillas, but I fell sick and remained in Kiev with a local squad. I stayed at Central H.Q. at No. 5, Institutskaya Street.

Prosecutor : Central H.Q. of what ?

Boiko : Central H.Q. of the Gestapo.

Prosecutor : What did you do in Kiev ?

Boiko : I worked in a garage. Drivers who worked there for some time say that arrests and shootings took place in Kiev every day. I saw a gas van in the garage. It would leave in the morning and return at the end of the day.

Prosecutor : Witness Boiko, name the Gestapo men who directed the mass extermination of Soviet citizens in Kharkov.

Boiko : *Sturmabführer* Granbel, *Obersturmführer* Feinholz, *Obersturmführer* Kirche, *Obersturmführer*

MORNING SESSION—17TH DECEMBER, 1943

At the morning session on 17th December the Court continued the examination of witnesses. As on the preceding days, the hall was crowded with people, who tensely followed the proceedings, which revealed more and more ghastly details of the crimes committed by the German fascist invaders during the period of their temporary occupation of Kharkov and the Kharkov region.

A group of witnesses, including former personnel of the First Evacuation Hospital of the 69th Army, were examined. Their testimony revealed details of the terrible tragedy enacted in the hospital, in which wounded Red Army men were being treated, after the capture of Kharkov by the Germans.

"The human mind simply cannot grasp what I saw and lived through in the period of the German occupation," stated Witness Djinchviladze. "In the 8th block of the hospital there were 400 seriously wounded men who needed immediate surgical attention. They were either in the operating theatre or being prepared for operating when a dull explosion occurred. The nurses ran towards me shrieking. It transpired that S.S. men had driven up to the hospital, nailed up all the entrances and hurled two incendiary bombs into the premises. The first floor was at once enveloped in flames. The fire reached the beds of the wounded. With their clothes burning, they crept towards the windows. Many were so weak that they fell dead after crawling a few steps. Those who reached windows and climbed on to sills were shot from Tommy-guns by S.S. troopers who had surrounded the building. Words cannot describe what was happening at that time: burning people ran about the wards, but there was no salvation for them anywhere—flames raged in the building, and bullets awaited them outside the windows. Similar scenes took place on the second floor, which the fire soon reached. We managed to conceal a group of wounded on the staircase, and when the S.S. men departed, evidently believing that all the wounded had perished in the fire, we pulled them out of the windows into the street. Out of the 400 men in this block of the hospital not more than 50 were saved.

"The same fate befell the wounded in other blocks of the hospital. Next day an S.S. detachment came again, and mass shootings com-

inenced. The S.S. men rummaged in all the corners and basements. Some of the wounded men were dragged into the hospital yard and shot there; others were finished off on the spot. These bloody massacres continued for four days. The bodies of the dead lay in the yard and in the basements for 12 days. The Gestapo would not allow us to bury them."

The evidence of Djinchviladze was supplemented by the witness Professor Katkov, who at the time of this tragedy was deputy superintendent of the hospital and actually carrying out all the duties of the superintendent. His testimony proved clearly and beyond any doubt that this monstrous crime had been planned, prepared and organized by the Hitlerites beforehand.

"On the eve of the tragedy," stated Katkov, "a German officer arrived at the hospital and ordered the wounded to be gathered in one block which, he stated, would serve as the hospital for the Russians. When this was done, S.S. men drove up to the hospital, surrounded the block into which we had begun to gather the wounded, and set fire to it with incendiary bombs. Those who tried to jump out of the windows in their efforts to escape from the fire were shot from Tommy-guns. Next day the Germans made a round of the other blocks—ward after ward, basement after basement. Coming to a ward, they would first toss several grenades into it, fire then enter the ward and finish off those who were still alive. Wounded men who, by some miracle, escaped with their lives, later told me that the Germans were accompanied by an officer, who flashed a torch into all the corners. On approaching each bed and ascertaining that the patient was dead, he would say: 'Kaput,' and walk on.

"Not content with these atrocities the German monsters crucified a seriously ill patient, nailing him to the wall in the hospital yard. A small crowd of Germans gathered round the crucified man. They laughed merrily, and some of them took snapshots of their victim."

The audience heard with deep emotion facts cited by the witness Katkov, depicting the exceptional devotion and patriotism of Russian women who, at the risk of their lives under the German bullets, penetrated the hospital grounds, brought food to the wounded men who had survived the massacre, and nursed them as their own mothers and sisters would have done. Unfortunately the names of these women remain unknown.

The next to be examined was witness Sokolskaya, who was employed as a nurse in the First Evacuation Hospital. Her testimony fully confirmed everything said in Court by the preceding witnesses. She stated:

"On 14th March I was in the hospital when an explosion was heard.

It was the Germans, who had thrown incendiary bombs. Fire broke out in the building. The wounded, endeavouring to save themselves from a painful death by fire, crept down from the beds, but the majority immediately fell down. Even those who reached the windows failed to escape. Germans were watching out for them and shot them with tommy-guns."

The witness Sokolskaya then described the unprecedented crime committed by the Hitlerites in the hospital yard. They had found a man still alive in one of the basements. They dragged him into the yard and were about to shoot him. One German was already aiming his tommy-gun when another said something to him, and both burst out laughing. The first German ran off and soon returned with a hammer and nails. Both Germans seized the half-dead man, stripped him naked and nailed him to a wall for the amusement of themselves and other German monsters."

A profound impression was produced on the audience by the brief testimony of the woman witness Kozlova. During the bloody massacre perpetrated by the Hitlerite monsters, her husband, who was undergoing treatment in the hospital, also perished.

"When I came to the hospital," stated Kozlova, "I could not recognize the building. It was a charred ruin. Inside it I saw numerous bodies. The whole wing was packed with them. To pass from one room to another, I literally had to tread on bodies. Among them I found the mutilated body of my husband."

The witness Bupalov, residing on the territory of the park, gave evidence on the massacres of Soviet people in the Sokolniki Park. From the window of his house, at a distance of some 150 metres, he saw on three occasions how the Hitlerites exterminated several thousand Soviet citizens, including many children, women, and aged people.

"For several hours," stated Bupalov, "the Germans drove the arrested people to pits prepared beforehand. They were all ordered to undress. Those who resisted were beaten up and forcibly stripped of their clothes, then dragged alive to the pits and trampled down. The Germans collected the things taken from the victims, loaded them into lorries, and then drove away singing lustily. A few days later a large party of women and children were brought to the same spot. The air was filled with loud screams and sobbing. The Germans beat the victims with rifle butts, trampled on them, and tore the children from their mothers' arms.

"Before the mass shooting began many Hitlerites amused themselves by selecting victims and shooting them with their pistols. Then the mass of people was driven into the pits and shot with automatic rifles. Near my garden the Germans dug an enormous pit. For three days

they had been bringing arrested Soviet citizens—war prisoners and women, little children and very old people. The heart-rending scenes there defy description. People wept parting with each other and parents pressed their children to their breasts. Some in their despair spat into the faces of their executioners or rushed at them with their fists. The Hitlerites forced all the doomed people into the pit, threw in hand grenades, and simultaneously fired several volleys from automatic rifles."

Bupalov described a further massacre of a large number of Soviet women who had been gathered ostensibly to cut down trees in the park.

Replying to a question of the President, the accused Bulanov confirmed the testimony of the witness, and stated that he himself had repeatedly driven Soviet citizens for shooting to the Sokolniki Park.

The next to be examined was the witness Serikov, who testified to the circumstances in which thousands of Kharkov residents were moved from the city apartments to the barracks of the tractor plant. These people were forbidden to move about the streets after nightfall, and they were also forbidden to enter houses to warm themselves. They were only partly dressed and barefooted; many of them froze to death in the streets. At dawn their frozen corpses were seen lying around. Further, Serikov described how he had seen the barracks full of corpses. "On one occasion," he said, "I was ordered to help clear the barracks. I myself carried charred bodies from the barracks and put them in trenches. Several times I saw German soldiers drive up to the barracks where the bodies were stocked and set fire to them."

The woman witness Podkopa, residing at No. 8, Rybnikovskaya Street, in Kharkov, where the garage of the Gestapo was located, helped to fill in the picture of the mass extermination of Soviet citizens in "murder vans." "There were many lorries in the yard of the garage," she said, "but one of them attracted special attention. This was a van with a huge body, painted grey. I asked Gestapo driver Boiko what kind of lorry this was. At first he refused to tell me, saying that it was secret, but then he did tell me.

"This lorry," he said, 'is for gassing people.' One day, I was standing out of doors when a 'murder van' drove up. All of us were immediately told to go indoors. Through the windows we saw German soldiers dragging bodies out of the van. Later I learned that the 'murder van' had developed a defect on a trip and was brought back to the garage for repair."

Witness Gaidamak, who lived in the grounds of the hospital in the Lipetsk district of the Kharkov region, testified to the brutal extermination of the patients.

"One day we saw," he stated, "a large group of German soldiers arrive at the hospital. We all ran into our houses to hide our belongings, as we knew that when the Germans came, they would immediately rob us. We heard a burst of rifle fire. I stole a look out of the window and saw a German leading a group of half-dressed patients through the hospital yard gates. Then came another volley. This was repeated many times. The patients screamed and tried to wrest themselves free from the hands of the butchers, but the Germans pushed and beat them with the butt ends of their rifles and automatic rifles, forcing them towards the execution place. This bloody massacre went on till nightfall. Soon after, some members of the hospital staff told me the whole story. A German officer came to the chief surgeon and suggested that the patients be poisoned. When the chief surgeon refused, the officer said he would finish them off himself. He ordered all the hospital staff to stay where they were, and himself went into the yard to direct the shooting. In this way 435 patients, including many women, were killed."

EVENING SESSION, 17TH DECEMBER, 1943

At the evening session on 17th December, the Court examined the witness Golovko, who served as a doctor in the Lipetsk Hospital.

"On 21st November, 1941," stated Golovko, "three German officers came to the hospital—one captain and two lieutenants. One of them told me that there was an order to exterminate all patients undergoing treatment in our hospital, and suggested that I poison them. I hotly protested, and stated that a doctor's duty was to cure people, not poison them. Then the officer asked: 'Perhaps somebody on your medical staff would undertake this assignment?' I replied that there were no such people among us. Nevertheless the officer ordered me to gather the medical personnel and inform them of this proposal. I submitted to the order and gathered the whole medical personnel. As I expected, they unanimously authorized me to tell the officer that they refused to become the murderers of our patients. I conveyed this answer to the officer, who then stated: 'In that case I shall do it myself.' I tried to save the patients by saying that if the German Command needed the building of our hospital it would be immediately vacated. 'No, we do not need the building,' the officer replied, 'all that we need is to exterminate the patients.' He ordered the hospital personnel to enter the building, and not to leave it on pain of being shot. Then a number of German soldiers entered the yard, other soldiers surrounded the entire hospital grounds, and machine-

guns were installed outside the fence on the crossroads. Everything indicated that the Germans had prepared this operation with great thoroughness and had planned everything down to the smallest detail. The officer ordered the soldiers to lead the patients from the wards in batches of ten. The patients were taken out of the building and ordered to go to the hospital garden. There, in a ravine, were several German soldiers with an officer. When the patients approached the ravine the Germans opened fire. Some of the patients tried to run away, but the German soldiers caught them and killed them.

"At that moment another car arrived with another German officer who stated that he was a doctor and had been sent to take over from me the property of the hospital. On hearing the word 'doctor' my spirits rose and I asked him to help me to put an end to this brutal massacre of defenceless patients. The officer stated that his business was to take over the property and the rest did not concern him. On entering the storehouse this 'doctor' first of all chose a sweater for himself, tried it on, said 'Gut!' and walked on.

"Meanwhile the shooting was still going on in the garden. It lasted late into the night and was resumed next morning. Almost all the patients except for a few who could not walk were murdered in that way. The Germans carried the helpless patients into the yard and shot them also."

President : How many patients were there in the hospital ?

Golovko : Four hundred and thirty-five.

President : Were there children and women among them ?

Golovko : Yes, more than fifty per cent.

President : Was the building of the hospital used subsequently by the German Command ?

Golovko : No, it stood vacant for more than a year and was only used for a short period as a barracks.

The Court proceeded to the examination of witness Osmachko. This elderly collective farm woman had faced a firing-squad and survived by mere chance. She stated: "On hearing the sound of shooting several of us women collective farmers decided to go to the outskirts of the village to see what was happening. I also went and took my son Vladimir along. No sooner had we reached the end of the village than German soldiers halted us. They ordered us to line up along the road and led us to a field. There, near a large pit, the Germans were shooting people. They ranged us up along the edge of the pit and opened fire. Women screamed and many fell down bleeding. I, too, fell into the pit and fainted. When I came to I heard shots. Beside me my son Vladimir lay dead. More and more bodies fell right on top of me from above. I could hardly prevent

myself screaming, but decided that my only salvation was to seem dead. I lay in the pit till nightfall and when the Hitlerites finished shooting and went away I climbed out of the pit and somehow crept home."

The President of the Court, Major-General Miasnikov, announced that the examination of witnesses had been concluded. After a short interval, the Court heard the report of the medico-legal experts. The protocol drawn up by the experts was read by Professor Smolyaninov of the Second Moscow Medical Institute, Chair of Forensic Medicine. Senr. staff member N. P. Semenovskiy of the Institute of Forensic Medicine, and medico-legal expert of the 69th Army, Major of Medical Service G. S. Gorodnichenko answered questions put to the medico-legal experts in the morning session of 17th December. The chief medico-legal expert of the People's Commissariat for Health Protection of the U.S.S.R., V. I. Prozorovskiy, read the general findings of the medico-legal experts in the case.

FINDINGS OF THE COMMISSION OF MEDICO-LEGAL EXPERTS

The medico-legal experts examined in Kharkov and neighbouring localities the scenes of the crimes of the German fascist invaders--the places where they carried out the extermination of Soviet citizens. These included the burned-out block of the army hospital, where they shot and burned war prisoners--severely wounded personnel of the Red Army; the place of the mass shooting of the healthy and sick, of small children, juveniles, young people, old men and women in the forest park of Sokolniki, near the village of Podvorki, in the Dobritsky gully, and in the therapeutic colony of Strelechy. At these sites the medico-legal experts examined the grave-pits and exhumed bodies of Soviet citizens shot, poisoned, burned or otherwise brutally exterminated.

The medico-legal experts examined the places where the German fascist invaders burnt bodies to destroy evidence of their crimes--the poisoning with carbon monoxide. This is the site of the conflagration on the territory of the barracks of the Kharkov tractor plant. Examination of territories on which bodies were burnt or buried, examination of the grave-pits and positions of bodies in them and comparison of material thus obtained with data of the Court proceedings, provide grounds for considering that the number of bodies of murdered Soviet citizens in Kharkov and its environs reaches several tens of thousands, whereas the figure of 33,000 exterminated Soviet citizens given by accused and some witnesses is only approximate and undoubtedly too low.

In the 13 grave-pits opened in Kharkov and its immediate vicinity were found a huge number of corpses. In most graves they lay in extreme disorder, fantastically intertwined, forming tangles of human bodies defying description. The corpses lay in such a manner that they can be said to have been dumped or heaped but not buried in common graves. In two pits in the Sokolniki forest park bodies were found lying in straight rows, face downward, arms bent at the elbow and hands pressed to faces or necks. All the bodies had bullet wounds through the heads. Such a position of the bodies was not accidental. It proves that victims were forced to lie down face downward and were shot in that position. In the grave-pits where the bodies lay and in places where the bodies had been burnt the medico-legal experts found articles of everyday use and personal effects, such as bags, sacks, knives, pots, mugs, spectacles, fasteners of women's handbags, etc. The fact revealed by the investigation--namely, that before being murdered Soviet citizens were stripped of their clothes and footwear--is fully confirmed by the medico-legal examinations: during exhumation the experts in most cases discovered naked or half-naked bodies.

In order to ascertain which Soviet citizens were exterminated and in what manner, the experts exhumed and examined 1,047 bodies in Kharkov and its environs. These included the bodies of 19 children and adolescents, 429 women and 599 men. The dead ranged in age from two to 70 years. The fact that bodies of children, adolescents, women and old men as well as invalids were discovered in grave-pits with civilian clothes and articles of domestic use and personal effects on the bodies or near them, proves that the German fascist authorities exterminated Soviet civilians regardless of sex or age. On the other hand, the fact that on bodies of young and middle-aged men were found clothes of military cut worn in the Red Army, also articles of military equipment (pots, mugs, belts, etc.) is evidence of the extermination of Soviet war prisoners.

The extermination of Soviet people (civilians and war prisoners) was effected by means of poisoning with carbon monoxide, shooting, burning, and killing with blunt, hard and heavy instruments. All this has been established absolutely and irrefutably, by the material of the preliminary investigation, the Court proceedings, and proved by the medico-legal experts with scientific objectivity.

The depositions of the accused and the witnesses state that in various parts of the temporarily occupied territory of the U.S.S.R. the German fascist invaders used specially equipped large vans in the bodies of which Soviet citizens were murdered by exhaust gases containing carbon monoxide. The medico-legal experts proved this

beyond doubt for the first time when examining bodies exhumed in the town of Krasnodar and in its vicinity. At that time the presence of carbon monoxide was irrefutably established by a combination of physiological, chemical and spectroscopic tests of the blood in the tissues and organs of the corpses. The same method of poisoning with carbon monoxide as was used in Krasnodar has been proved by medico-legal examination of some of the bodies exhumed in Kharkov.

The lorry which came to be known as the "gas van" or "murder van," designed to exterminate people inside its air-tight body by means of exhaust gases, must be regarded as a mechanical method for the simultaneous poisoning of large groups of people.

Investigation and medico-legal examinations have established that in addition to poisoning with carbon monoxide, the Germans applied on a large scale, in Kharkov and its environs, mass shooting from automatic firearms, firing as a rule into the back of the head, the back of the neck and the spine.

Examination of bodies has also proved that there were cases of killing by means of the smashing of the skull and destruction of the cerebral cortex by blows from blunt, hard and heavy implements.

It should be noted that in Kharkov gravely wounded Soviet war prisoners were exterminated in an especially painful manner by means of burning in combination with shooting. This has been proved by the data of the preliminary investigation, the Court proceedings, and also by medical examination of parts of corpses found on the site of the burnt-down block of the army hospital when, in particular, soot was discovered in the respiratory tract of a charred body, which indicates that the victim was subjected to the action of smoke and fire when still alive.

The German fascist invaders tried to cover up the evidence of their crimes, in the first place of poisoning with carbon monoxide, by burning the bodies of poisoned persons. However, the material of the investigation and discovery of portions of skeletons of bodies which were burnt on the territory of the barracks of the Kharkov tractor plant, prove the fact of the burning of bodies.

On the basis of all the combined data of their investigation—the preliminary investigation and the Court proceedings—the medico-legal experts have established the presence of:

- (a) A vast number of burial sites in the city of Kharkov and its immediate environs.
- (b) A huge number of bodies in the grave-pits.
- (c) Varying times of burial in various graves.

- (d) Varying degrees of preservation of the bodies in the same graves.
- (e) Distinction of bodies in regard to sex and age.
- (f) Uniformity of methods of extermination.
- (g) Use of gas vans specially adapted for the extermination of human beings.

We regard the above as proofs of systematic, methodically organized, mass extermination of Soviet civilians and war prisoners.

Chief medico-legal expert of the People's Commissariat for Health Protection of the U.S.S.R., Director of the State Scientific Research Institute of Forensic Medicine under the People's Commissariat for Health Protection of the U.S.S.R. Prozorovsky.

Professor of Forensic Medicine at the Second Moscow Medical Institute, Doctor of Medical Science Smolyaninov.

Snr. Staff Scientist of the tanatological department of the State Scientific Research Institute of Forensic Medicine of the Commissariat of Health of the U.S.S.R., Dr. Semenovskiy.

Chief medico-legal expert of the 69th Army, Major of Medical Service Gorodnichenko.

Pathologist-anatomist Major of Medical Service Yakusha.

After the translation of the findings of the medico-legal experts into the German language, the President, Justiciary Major-General Miasnikov, declared the Court proceedings concluded.

MORNING SESSION, 18TH DECEMBER, 1943

Speech for the Prosecution

Opening the session, the President called upon the State Prosecutor, Justiciary Colonel Dunayev.

Speech of the State Prosecutor, Justiciary Colonel N. K. Dunayev

"Citizen judges, since the treacherous attack of Hitlerite Germany on our motherland, the peoples of the Soviet Union learn of new crimes each day, new monstrous villainies committed by the German fascist invaders in our land. It was comparatively recently that the whole world was shocked by the bloody atrocities of the German fascist invaders revealed at the Krasnodar trial, and again, at this trial, we have learned of the horrors which the German brigands have wrought in the area of Kharkov and the Kharkov region.

"Mountains of bodies of bestially murdered, peaceful Soviet

citizens have been piled up by the Hitlerites wherever they have set their foot. Thousands of murdered children, of women and aged people killed, of sick war prisoners burnt to death—such are the ghastly traces left by German occupation. 'Like the medieval barbarians or the hordes of Attila, the German fiends trample down our fields, burn down our towns and villages, and demolish our industrial enterprises and cultural institutions,' said Comrade Stalin in his speech on the 26th anniversary of the Great October Socialist Revolution.

"Turning over the gory pages of this case, one might think that one is dealing with the darkest period of medieval barbarism, which, however, has been far outstripped by the German hangmen of our times.

This is not the first time in history that one is confronted with German atrocities. They are universally known. But all that was known hitherto cannot be compared with what the German invaders have perpetrated in this war on our land. In Kharkov and Krasnodar, wherever the Germans have set their foot, the same ghastly scenes of crimes, of massacres and destruction, rise before our eyes. The whole world sees piles of ruins, heaps of rubble and ashes, in place of the flourishing towns and villages of our motherland; deep pits filled to the brim with shot, hanged or asphyxiated Soviet citizens.

"It is a matter of common knowledge that these are no accidental crimes of individual Germans, but a thoroughly considered, well-worked-out programme for the extermination of the Russian, Ukrainian, Byelorussian and other peoples, that this is a system of annihilation of the population in the temporarily occupied districts of the Soviet Union.

"It is common knowledge that the extermination of the peoples of the Soviet Union was proclaimed by Hitler long before the beginning of the war imposed upon us by the German fascist invaders. Hitler, Göring, Göbbels, Himmler and their kin are the chief inspirers and organizers of the massacres and crimes committed by the Germans on Soviet land, in Kharkov, Krasnodar and other towns. *Obergruppenführers* and *Gruppenführers* of S.S. troops—Dietrich and Simon, garrison commanders, commandants and gendarmes, Gestapo chiefs, German hangmen of all ranks and titles—these are the people directly responsible for the deaths of hundreds of thousands of Soviet citizens."

The Prosecutor then gave a detailed exposition of the monstrous crimes committed by the German hangmen in Kharkov and the Kharkov region. Citing dates and naming places in which the mass extermination of Soviet citizens was effected, enumerating methods of this extermination—shootings and hangings, asphyxiation by

carbon monoxide in "murder vans," torture, burning alive, etc. The Prosecutor continued:

"Comrades judges, we have incontrovertible proofs of the fact that the German invaders committed all these monstrous crimes on the direct instructions of the leaders of the German predatory Government and Supreme Command of the German Army."

Further, the Prosecutor emphasized that, as had been proved with the utmost precision at the preliminary investigation and during the Court proceedings, the mass atrocities and massacres of civilians in Kharkov and the Kharkov region were committed by officers and men of the German Army and by German punitive organs, namely:

The "Adolf Hitler" S.S. Division under the command of *Obergruppenführer* of S.S. troops, Dietrich.

The "Death's Head" S.S. Division under the command of *Gruppenführer* of S.S. troops Simon.

By the German "*Sonderkommando S.D.*" in the city of Kharkov headed by *Sturmabführer* Hanebitter.

The group of the German Secret Field Police in Kharkov headed by Chief Police Commissar Karchan.

The accused in this case: Wilhelm Langheld, Hans Ritz, Reinhard Retzlaff, and their accomplice, the traitor to the motherland Bulanov.

Passing over to an exposition of the specific guilt of each one of the accused, the Prosecutor set forth in detail the crimes committed by each of them, and listed incontrovertible legal evidence proving the guilt of the accused—their own confessions, the testimony of witnesses, the findings of medico-legal experts, etc. Then, referring to the universally accepted provisions of international law and also to the Hague Convention of 1907 and the Geneva Convention of 1929, laying down the rules of the conduct of warfare, the Prosecutor stated that the German fascist invaders cynically trampled underfoot all international regulations and usages concerning the conduct of warfare in spite of the fact that, on 27th November, 1909, Germany joined the Hague Convention, and on 21st February, 1934, affixed her signature also to the Convention of 1929. In this connection the Prosecutor said:

"Having solemnly endorsed these Conventions of her own free will, Germany then cynically and baseily violated them, just as she violated the treaties of peace she had concluded. 'Wherever the German invaders have set their foot on Soviet territory,' says Molotov's note of 6th January, 1942, 'they have brought with them the destruction and devastation of our towns and villages.'

"Perpetrating the basest outrages against the peaceful population of temporarily seized territories, murdering without any restraint old

people, women, and children, giving no quarter to the wounded and the sick, exterminating war prisoners, the German fascist barbarians trample underfoot all the international regulations and usages of war and commit capital crimes. The fact that the orders of the higher German fascist military authorities prescribed terror and extermination of Soviet civilians and Red Army men taken prisoner is altogether irrelevant in establishing the responsibility of the German war prisoners accused. There are actions whose criminal nature is obvious to everybody, and this applies with special force to the monstrous crimes which form the subject of the present trial. These crimes were committed both on the orders of the German Government and German Command as well as on the personal initiative of the accused themselves, who issued orders to their subordinates on the extermination of Soviet citizens. The accused fully admitted this at the trial. Thus the problem of responsibility of the accused for the crimes they committed is perfectly clear. The pleas of the accused that they only executed orders are untenable. We can refer even to German data of the period of the Weimar regime. It is well known that, after the First World War, in 1921, the Leipzig tribunal tried to cover up atrocities committed by Germans in the war of 1914-18. That, as is well known, was a 'legal farce,' but on one particular point, in order to placate world public opinion incensed by the atrocious sinking of the British hospital ship *Llandovery Castle*, by a German submarine, even that court was compelled to declare that, although the action of the accused followed from the direct or indirect order of their commander, that did not absolve them of responsibility, as there could be no doubt that the accused realized the dishonourable and criminal nature of their commander's intention.

"Furthermore, the Washington Treaty of 1922, laying down the rules of submarine warfare, holds that any person in the service of any power whatsoever who violates any one of the preceding regulations, whether acting on the orders of his superiors or not, shall be considered a violator of the laws of warfare, and shall be subject to trial and punishment as if he committed an act of piracy.

"It follows from this that the contention that the orders of superiors absolve the Hitlerite fiends of responsibility for their monstrous crimes should be completely ruled out. Numerous orders of the Hitlerite Government and Hitlerite military authorities prescribe such actions as, manifestly and beyond the doubt of any person, are major crimes and flagrant violations of international law.

"The German serviceman who sets fire to peaceful towns and villages, who shoots civilians, who forces women, the aged, and children

into burning houses, cannot but know that such actions constitute a travesty of international law and the laws of all civilized countries.

"As long as on the part of Hitlerite Germany the war bears the nature of extensively organized military brigandage, both the inspirers and executors must be charged with legal responsibility for the crimes committed, as otherwise most of the monstrous crimes committed by the fascist criminals will remain unpunished, since the criminals would be able to use the orders of their superiors as a shield. The former servicemen of the German Fascist Army who are to-day in the dock are criminals, and must bear deserved punishment for the criminal offences they have committed.

"The declaration on atrocities signed in 1943 by the heads of the Governments of the U.S.A., the U.S.S.R., and Great Britain, warns clearly: 'Those German officers and men and members of the Nazi Party who have been responsible for or have taken a consenting part in the above atrocities, massacres, and executions will be sent back to the countries in which their abominable deeds were done, in order that they may be judged and punished according to the laws of those countries.'

"The defendants Retzlaff, Ritz, and Langheld, who had committed bloody crimes on the territory of the Soviet Union, should bear responsibility as criminals before the Soviet Court under the laws of the Union of Soviet Socialist Republics.

"Before us, comrades judges," continued the Prosecutor, "at this trial were revealed again and again the sanguinary, terrible misdeeds of the Hitlerite brigands who have shed an ocean of blood of peaceful Soviet citizens—children, women and old people—who have committed many of our town and villages to the flames and to ruin, who have brought incalculable disasters and sufferings upon our people. At this trial, before the eyes of the world, there has been demonstrated and proved again and again the monstrous guilt of all the accused—of those who are already in the dock and of those who will yet be there. Their bloody crimes have been exposed and proven: by the testimony of numerous witnesses and victims; by the detailed and scientifically substantiated data of the medico-legal experts; by the public and full confessions of the accused themselves, and, finally, by the voluminous material evidence available in this horrible case.

"The amount of this material evidence of unheard-of crimes which have been committed on our soil by the base Hitlerite invaders is incalculable. This material evidence—houses and streets burnt down or blown up, mountains of bodies, enormous pits and ditches filled to the brink with the remains of absolutely guiltless Soviet people buried alive, asphyxiated, hanged, shot, tortured to death—this material

evidence is not far away, citizen judges. It is in the suburbs of Kharkov, in the forest park, on the territory of the tractor plant, and in many other places converted by the fascist hangmen into the ghastly graves of victims in tens of thousands.

"This material evidence calls for the innocent blood to be avenged!

"This trial has demonstrated again and again to the whole of humanity what horrible, monstrous fruit has been born of German stupidity, arrogant self-assurance, and hatred of human kind multiplied by the devilish Hitlerite system. Even the great Russian writer, Leo Tolstoy, whose grave, sacred to the Russian people and to the whole world, was barbarously defiled by the modern Huns—the German fascists—when dealing with the stupid, soulless German soldiers and their leaders, wrote: 'What, indeed, must be going on in the head of some German Wilhelm, a narrow, ill-educated, vain-glorious man with the ideals of a German Junker, when there is no stupid or vile thing he says but is received with an enthusiastic "Hoch" as something supremely important. . . . If he says that at his pleasure soldiers must kill even their own fathers—they shout "Hurrah!" If he says that the gospel must be propagated by the mailed fist—"Hurrah!" If he says that in China troops must not be taken prisoner but killed, every one of them, he is not put into jail—instead they shout "Hurrah," and sail for China to carry out his orders. . . .'

"The heroic Red Army, led by the great Stalin, has dealt a series of shattering blows to the German war machine, and is expelling the German bands from our Soviet soil! The gigantic battle being fought against Hitler's bestialized bands by the freedom-loving peoples of the whole world, and primarily by the peoples of the Soviet Union, is not yet over, but its outcome is already determined. The hour of complete, final defeat of the German armies, the great hour of victory is drawing near. Our descendants will say with pride that in this battle, without parallel for its scale, in this contest between light and darkness, in this war in which the destinies of our motherland and the destinies of the world were at stake—the first and the decisive blows were dealt by our Red Army, by our people who so gallantly and heroically met the treacherous invasion of an enemy armed to the teeth!

"Concluding my speech for the prosecution, I appeal to you, citizen judges, to inflict severe punishment on the three base representatives of fascist Berlin, and on their abominable accomplice, who are sitting in the dock, to punish them for their bloody crimes, for the sufferings and the blood, for the tears, for the lives of our children, of our wives and mothers, of our sisters and our fathers!

"To-day they are answering to the Soviet Court, to our people, to the whole world, for the felonies they committed on a scale and of a

baseness far surpassing the blackest pages of human history, the horrors of the Middle Ages and of barbarism! To-morrow their superiors will have to answer—the chieftains of these bandits who invaded our peaceful, happy land on which our people toiled, reared their children, and built their free State. I accuse Retzlaff, Ritz, Langheld, and Bulanov of the crimes specified in Part I of the Decree of the Presidium of the Supreme Soviet of the U.S.S.R., dated 19th April, 1943.

"In the name of the law and of justice, in the name of tens of thousands of people maimed and tortured to death, in the name of the entire people—I, as State Prosecutor, beg you, citizen judges, to sentence all four base criminals to death by hanging."

Following the speech of the Prosecutor, the President called upon counsel for the defence, N. V. Kommodov, S. K. Kaznacheyev, and N. P. Belov.

Counsel for the defence Kommodov began his speech with a detailed analysis of the monstrous system of education in fascist Germany, which produced such moral and criminal monsters as now stood before the Court. It was doubtful, he continued, whether it was possible to place on the same plane those who committed these misdeeds and those who inspired their crimes. "These men," he said, "were made into assassins by, first of all, killing their souls, and it is this doubt which gives me, comrades judges, the moral right to pose the question of the possibility of a lesser penalty than that demanded by the Prosecutor."

Counsel for the defence S. K. Kaznacheyev, while also admitting the monstrous character of the crimes committed by the accused Retzlaff, said: "It must not be forgotten that Retzlaff served in an army of bandits, where human feelings were considered a weakness, and ruthlessness and fanaticism a virtue. Nor must it be forgotten that the principal crimes were committed by them under the orders and directives of the fascist leaders. There is no measure to the crimes committed by Retzlaff, but taking into account the facts which I have just stated, and notably the fact that Retzlaff was carrying out the vile orders of his chiefs, that now he is conscious of what he has done and has undergone a psychological transformation, I consider it possible to ask that his life be spared."

Counsel for the defence for Bulanov N. P. Belov, admitting the infamous crimes committed by traitor to the motherland Bulanov, asked the Court to take into account the accused's youth and the fact that he had repented.

The President then gave the defendants the opportunity to make their final statements:

Langheld stated as follows: "Supreme Court: I have nothing to add to the evidence I have given. I flogged Russian prisoners of war. I issued orders for them to be shot. On my orders, civilians were arrested and subsequently shot. But I beg you to take this into consideration. I am not the only one. The whole German Army is the same. I was not the only one to perpetrate atrocities. I do not want to minimize my guilt in any way, but I should like to point out that the underlying reasons for all the atrocities and crimes of the Germans in Russia are to be sought in the German Government.

"The Hitlerite regime has succeeded in stifling the finest feelings of the German people, by implanting base instincts in them. This was accomplished both by propaganda and by acts of mass terror, and was given particular development in the German Army during the war. One might quote the words of the German poet: 'Accursed evil in its turn engendering evil.'

"This evil, I repeat, has shown itself particularly during the present war. This evil found expression in the orders and directives of the higher German military authorities. To act contrary to these directives, or fail to carry them out, would have meant to sentence oneself to death. I was also the victim of these orders and directives.

"I beg you to take this into consideration. I also ask you to consider my age, and also the fact that both at the preliminary investigation and at the trial I told the whole truth."

The President then called on the accused Ritz to make his final statement.

Ritz said: "Gentlemen judges, the trial is nearly over, and you have given me the opportunity to make my last plea. What I should like to do, however, is to make a perfectly frank statement of my attitude to everything that has taken place here. I want the testimony I have given at both the preliminary investigation and at the trial to leave you with the impression and to convince you that I have always talked frankly about everything, desiring to reveal completely the crimes that were committed. As before, so now, too, I have no intention of trying to under-estimate the extent of the part I have played in these crimes. An atrocity remains an atrocity. I repeat that I don't want to minimize my part in them in the least.

"However, I don't want you to be left with the impression that I committed murders and atrocities because I derived any satisfaction from them or felt any gratification. That is not the case. The thing is that I was acting on orders. The cause lies with the entire system of orders in the German Army, which compelled me to do what I was told. After listening to the speech of the Prosecutor, I would like to ask the Court to take into consideration an old principle of Roman Law:

Crime under duress. You must believe me that if I had not obeyed orders I should have been arraigned before a German military tribunal and sentenced to death. It is quite clear that the Hitlerite system is directed not only against alien peoples, but also against its own people should any be found who refuse to obey orders.

"I beg you, gentlemen of the Court, also to take into consideration the facts of my life. When the Hitlerite system came to power I was a child of only thirteen. From that time on I was subjected to the systematic and methodical influence of the Hitlerite system and education in the spirit of the legend of the superiority of the German race; an education which taught that only the German people were destined to rule, and that other nations and races were inferior and should be exterminated. I was subjected to systematic training by such teachers as Hitler, Rosenberg, and Himmler, who educated the whole German people in the same spirit.

"At the beginning of the war new propaganda ideas came from these same sources, although these were also to be encountered before the war. I have in mind the idea that the Russian people were uncultured and inferior. That is what they taught us. Then, with total mobilization, I was sent to the front. When I reached the Eastern Front I was convinced that there was not a word of truth in these fables of Hitler, Rosenberg, and the others; that on the Eastern front the German Army did not have the slightest understanding of any tenets of international law; that there was no justice here in all the actions of the German authorities. But nothing remained to me but to continue along the same path. On the Eastern Front I was also convinced of another thing, namely, that a system on the banner of which is inscribed the words 'murder and atrocities' cannot be a right system.

"I realize that the destruction of this system would be an act of justice. I am young. Life is still only beginning for me. I request you to spare my life so that I may devote myself to the struggle against that system. I know that I am capable of waging a struggle against it. To-day, gentlemen of the Court, I appear before you as an accused man, but I am sure that the day will come when the principal culprits and instigators of the crimes will be sitting in the prisoners' dock, for they, as this trial has proved, are the principal organizers of these sanguinary crimes. I am a soldier, and face a court of soldiers. I beg you to weigh everything that I have said frankly and straightforwardly. I know that sentence is to be passed—a just sentence which will take into consideration everything that I have said here. I have no more to say."

President: Accused Ritz, take your place. Accused Retzlaff, you will make your final statement.

Retzlaff: Gentlemen judges and Prosecutor. I admit my guilt in the crimes with which I have been charged. I should like to point out that in every single case I acted on the orders of my immediate superiors. If I had not obeyed these orders, I should have been put in the same position as my victims. All my criminal acts were the result of the criminal propaganda of the Hitlerite rulers. They drummed it into our heads that the German people are a higher race and that other peoples are inferior. They told us that with the establishment of the "New Order" in Europe the German people would play the role of masters and the remaining people would be their slaves. During my period of service on the Eastern Front and also as a prisoner of the Russians I had occasion to be convinced of the opposite. I had occasion to become convinced that the Hitlerite propaganda is a lie from beginning to end. I want to open the eyes of the German people to the falseness of the Hitlerite propaganda. To sum up all that I have said, I beg you to grant me pardon and give me the opportunity of returning to Germany to put my wish into action. I have finished.

President: Take your place, accused Retzlaff. Accused Bulanov, you may make your final statement.

Bulanov: I will not attempt to justify myself, because I admit my guilt of all the crimes with which I have been charged, which I committed under threat of German arms. I admit that I am guilty of having helped the Germans and perpetrated bloody atrocities against the Soviet people. I cannot express all that I have lived through, but I want you to realize it. Working for the Germans, I saw all the terrible things they did to Soviet citizens. I ask one thing of you, citizen judges, that in passing sentence you spare my life so that I may in the future atone for my guilt before the country. That is all.

President: Take your place, Defendant Bulanov.

The Court then retired to consider its verdict.

THE VERDICT

In the name of the Union of Soviet Socialist Republics

From 15th to 18th December, 1943, the Military Tribunal of the 4th Ukrainian Front, composed of the presiding Justiciary Major-General A. N. Miasnikov, President of the Military Tribunal of the Front; and the members, Colonel of Justice M. A. Karchev and Major of Justice S. S. Zapolski, and Clerk of the Court Justiciary, Captain of Justice M. Kandybin, with the participation of the State

Prosecutor, Justiciary Colonel N. K. Dunayev, and of counsel for the defence appointed by the Court, N. B. Kommodov, S. K. Kaznacheyev, and N. P. Bolov, in public session in the city of Kharkov, has examined the case relating to the atrocities of the German fascist invaders in the city and region of Kharkov in which the accused are:

1. Wilhelm Langheld, born in 1891 in Frankfurt-am-Main, Germany; German, member of the National Socialist Party since 1933, officer of the military counter-espionage service of the German Army, Captain.

2. Hans Ritz, born in 1919 in the town of Marienwerder, Germany; German, has had a higher legal education, member of the National Socialist Party since 1937, Assistant Commander of an S.S. Company and S.S. *Untersturmführer*.

3. Reinhard Retzlaff, born in 1907 in Berlin; German, secondary education, functionary of the German Secret Field Police in the city of Kharkov, Senior Corporal.

4. Mikhail Petrovich Bulanov, born in 1917 at Dzhaniyeb, Kazakhstan; Russian, member of no party.

All four are accused of having committed crimes detailed in the first part of the decree of the Presidium of the Supreme Soviet of the U.S.S.R. of 19th April, 1943. From the materials of the preliminary and judicial inquiries the Military Tribunal of the Front has established that: Having treacherously attacked the Soviet Union and temporarily occupied part of its territory, the German fascist troops under the direct instructions of the Hitlerite Government, despite the international conventions on the rules of war signed and ratified by Germany, savagely exterminated the civilian Soviet population, deporting into German slavery hundreds of thousands of Soviet citizens, pillaged, burnt and destroyed the material and cultural treasures of the Soviet people. Violent atrocities against Soviet civilians were carried out on the territory of the city and region of Kharkov by officers and soldiers of:

The S.S. Adolf Hitler Division, commanded by *Obergruppenführer* of S.S. Troops Dietrich.

The Death's Head Division, under the command of *Gruppenführer* of S.S. Troops Simon.

By the German punitive organs.

The Kharkov S.D. *Sonderkommando*, commanded by *Sturmabteilungsführer* Hanebitter.

By the Kharkov group of the German Secret Field Police, commanded by Police Commissar Karchan.

By Wilhelm Langheld, Hans Ritz, Reinhard Retzlaff, who are

accused in this trial together with their accomplice, traitor to the motherland Mikhail Bulanov.

During the temporary occupation of the city and region of Kharkov the German fascist invaders shot, hanged and burnt alive, or asphyxiated by means of carbon monoxide more than 30,000 completely innocent Soviet civilians, including women, old folk and children. Thus in November, 1941, in the city of Kharkov, about 20,000 Soviet civilians were, under the orders of the Gestapo, turned out of their houses in the town into barracks in the area of the Kharkov Tractor Factory. Later they were taken away in groups of two to three hundred to a gully in the vicinity and were there shot.

The German Command, carrying out the direct instructions of the Government of Hitlerite brigands on the extermination of the Soviet people, did not stop at the execution of sick and wounded Soviet citizens, including children. Thus in December, 1941, Gestapo agents shot 435 patients in the Regional Hospital of Kharkov, among whom were many old people and children.

In March, 1943, the Germans shot and burnt alive 800 wounded officers and Red Army men who were undergoing treatment in the First Evacuation Hospital of the 69th Army, situated in Trinkler Street, Kharkov.

Many Soviet citizens arrested without cause were subjected in the fascist torture-chambers of the Gestapo and other punitive organs to terrible tortures and abuse, so much so that they often died during the course of the "interrogation."

In spite of the laws generally accepted with regard to the waging of war, the German Command forcibly confined to war prisoners' camps Soviet civilians in the temporarily occupied areas of the Soviet Union, and regarded them as war prisoners. In these camps, by means of torture, shooting, starving to death, and the creation of unbearable conditions, the mass extermination was effected of war prisoners and civilians detained in the camps.

For the mass murder of Soviet citizens the German fascist invaders used the so-called "*Gasenwagen*," big covered vans which the Russians called "murder vans." The German fascist invaders drove Soviet citizens into these "*Gasenwagen*" and asphyxiated them with a particularly deadly carbon monoxide.

In order to wipe out all traces of their monstrous crimes and of the mass extermination of Soviet citizens asphyxiated by carbon monoxide in the gas vans, the German fascist criminals burnt the bodies of their victims.

During the victorious offensive of the Red Army in the summer of 1943 and the liberation of the city and region of Kharkov from the

German invaders all the monstrous crimes carried out by the German fascist criminals were discovered by the Soviet organizations and confirmed by the preliminary investigation and judicial proceedings.

Having heard the explanations of the accused, the testimony of the witnesses, the findings of the medico-legal experts, as well as the speeches for the State Prosecution and for the defence, the Military Tribunal established the guilt of each defendant as follows:

1. Wilhelm Langheld, being an officer of the German Military Counter-Espionage Service, took an active part in the shooting of and atrocities against war prisoners and the civilian population, and during the interrogation of war prisoners tried to extort from them false statements by means of torture and provocation. He personally fabricated a number of cases in which about 100 perfectly innocent Soviet war prisoners and civilians were shot.

2. Hans Ritz, being Assistant S.S. Company Commander with the Kharkov *S.D. Sonderkommando*, personally took an active part in the torturing and shooting of Soviet civilians in the area of Podvorki village, near Kharkov, and directed the shootings carried out by the *S.D. Sonderkommando* in Taganrog, and during the examination of prisoners beat them up with ramrods and rubber truncheons, thus trying to extort from them false statements.

3. Reinhard Retzlaff, being an official of the German Secret Field Police in Kharkov and conducting investigations into cases of arrested Soviet citizens, tried to extort from them false statements by means of torture—plucking out their hair and torturing them with needles, drew up fictitious reports in the case of 28 arrested Soviet citizens charging them with anti-German activities, as a result of which some of the arrested were shot and the rest done to death in the "murder van." He personally drove into the "murder van" Soviet citizens doomed to death, accompanied the "murder van" to the place of unloading and took part in the burning of bodies of asphyxiated people.

4. Mikhail Petrovich Bulanov, having betrayed the Socialist motherland, voluntarily sided with the enemy, joined the German service as a chauffeur with the Kharkov Gestapo branch, personally took part in the extermination of Soviet citizens by means of the "murder van," drove peaceful Soviet citizens to the place of shooting and took part in the shooting of sixty children.

Thus the guilt of all the above defendants of the crimes specified in the first section of the decree of the Presidium of the Supreme Soviet of the U.S.S.R. of 19th April, 1943, has been proved both by preliminary investigation and Court examination.

On the basis of Article 296 of the code of criminal procedure of the Ukrainian Soviet Socialist Republic and the decree of the Presidium of the Supreme Soviet of the U.S.S.R. of 19th April, 1943, the Military Tribunal of the Front sentenced:

Wilhelm Langheld, Hans Ritz, Reinhard Retzlaff, and Mikhail Petrovich Bulanov to death by hanging.

The verdict is final and not subject to appeal.

Presiding Judge, Major-General of Justice A. Myasnikov; Members of the Court, Colonel of Justice M. Kharchev, Major of Justice S. Zapolski.

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The sentence of death by hanging passed by the Military Tribunal of the 4th Ukrainian Front on the German fascist criminals Wilhelm Langheld, Hans Ritz, Reinhard Retzlaff, and their accomplice, traitor to the motherland Mikhail Petrovich Bulanov, condemned for the brutal extermination of Soviet civilians, including women, children and old folk, in the city and region of Kharkov, was carried out in Kharkov City Square at 11 a.m., 19th December, 1943. Over 40,000 working people of Kharkov city and collective farmers of the neighbouring districts of Kharkov region, Red Army men and officers, representatives of the Soviet and foreign Press were present in the City Square when the sentence of the Military Tribunal was carried out. The reading and execution of the sentence was received with great satisfaction and stormy and prolonged applause by the working people of Kharkov and the collective farmers of the districts of Kharkov region who were present.