MEMORANDUM TO MR. JUSTICE JACKSON

SUBJECT: Review of the Evidence Submitted by the U.S.S.R. on 17 September 1945 at the Meeting of Chief Prosecutors.

For your information and the information of others in the staff of the division and committee levels, I am attaching hereto mimeographed copies of notes prepared by Mr. Hazard in reviewing the Russian evidence presented by General Rodzianko at the London meeting of Chief Prosecutors on 17 September 1945. The Russian materials fall into two groups: 1) 9 items of reports of the Extraordinary State Commission submitted in typescript form in the Russian language; 2) Captured German documents submitted in the form of photostats, copies of the originals, of course in German.

Dr. Hazard's review of these materials is divided into three parts:

1. A note concerning translations of Protocols of the Extraordinary State Commission available in English in the Soviet War News;
2. Some comments he has made on language used in the London draft of the counts charging war crimes and crimes against humanity; and
3. A brief summary of the substance of each of the 32 documents contained in the Russian materials presented on 17 September.

As you will see, the Russian materials deal almost entirely with war crimes and crimes against humanity, and would fall particularly under the jurisdiction of Committee 2.

Attachment

Sincerely,

[Signature]

[Handwritten Note]
Note Concerning Translations of Protocols
of the Extraordinary State Commission.

The first nine items on Prosecutor Budeshin's list of 17 September 1946, submitted in the written form in the Russian language may be found in essentially complete English translation in the Soviet War News of the following issues:

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In the Soviet War News translations some sentences of the originals have been omitted containing additional details and names of responsible Germans.
II (a) The term "ill-treatment," both in the heading and wherever it is met with in the text should be replaced by the term "inhuman treatment," since this corresponds more closely to what actually happened.

II (a)(ii) In place of "ill-treatment at places in the Eastern Countries and in Eastern Russia" the following should be inserted: "Mutilation and inhuman treatment in the temporarily occupied territories of the Soviet Union"

In listing the concrete criminal activities under this heading there should be added a point reading as follows:

"In the city of Smolensk and its environs the number of Soviet citizens who were put to death or perished during the period of temporary occupation of these places by the Germans exceeded 15,000 persons."

II (b) In the last paragraph under subsection (b), the present text speaks of the "deportation of the sick body" civilized for the purpose of slave labor and for other purposes." The sentence on this deportation should be expanded to include the deportation of Soviet citizens from the Ukraine, Belorussia, Lithuania, Latvia and other Soviet territories temporarily annexed by the German army.

II (2) "Plunder of Public and Private Property" Point (ii).

"During the occupation of the Eastern Countries the German government and the German High Command carried out, as a systematic policy, a continuous course of plunder and destruction, as well as the transformation of whole regions into a 'desert zone,' including:"

And further on in the text of the draft, before the words "destruction of the estate of the poet Pushkin in Mikhailovskaya," include the sentence, "destruction of the estate-museum of Leo Tolstoy, 'Esenin Polyana' and the desecration of the tomb of this great writer."

Before the paragraph which begins with the words "destruction in both of cultural and industrial properties" place the following paragraph: "destruction, devastation and meaningless dismantling of such priceless monuments of the Christian Church, as the Kiev-Pecherskaya Lavra, and New Jerusalem in the Istra region, etc."

Terminate the listing of concrete materials on the loss born by the national economy of the Soviet Union with a statement to the effect that the general measure of this loss, in values of 1941, has been established at 69 trillion rubles in accordance with the accounting of the Extraordinary State Commission."
1. Commission Report - In usual form of this type of report recounts activities of Germans in North Caucasus, in particular: killing of poisoned soda water and alcohol before retreating, gassing of wounded children and other hospital patients in gas vans, beating of hospital attendants, burial of children alive in the graves of their murdered mothers, torturing of witnesses and possible informants with chains which stretch their arms and legs, orders relating to the wearing of the Star of David, murdering of Jews. Report includes names of Germans concerned and as evidence gives testimony of witnesses and of the Commission members. Attached to this report is a statement by the eminent Soviet writer A.N. Tvardoy (recently deceased) giving some of the same material in more literary style.

2. Commission Report - Details the destruction done to coal mines and industry in one of the principal Soviet industrial areas. Includes Russian translations of what are given as German orders to move industries to Germany or retreat and to destroy what cannot be moved; also reports on despatch of population westward to German slavery. Includes the now famous report on throwing bodies of victims into flooded mine corridor.

3. Commission Report - Same as printed document listed as "1/4" except that it is typewritten, without photostate and personally signed by the members of the Commission.

4. Commission Report - Recounts spreading of typhus through concentration camps by systematic selection of persons suffering from the disease for inclusion in those camps. The camps were kept in filthy condition so that the disease spread. Certain testimonies of infected persons who were sought out to be sent to the camps. Attached opinion of medical experts.

5. Commission Report - Recounts conditions in a hospital camp for Soviet prisoners of war, using eye witnesses reports of what the Commission saw, and testimony given the Commission by survivors and Soviet employees of the camp. Alleges that the Germans brought infectious cases in and placed them together, without segregation as to types, for the purpose of spreading disease. Linen of the sick was never changed, and sores were wholly naked. Gives the food ration and testimony as to the lack of medical care, as well as beatings, torture, killings and burial of some patients alive, estimating the death rate to have been up to 300 per day. Gives testimony on opening of graves to find many more bodies than were on name-plates above, and concludes Germans tried to conceal real number of deaths.
6. Report on the introduction by the Germans of the "New Order" into Latvia, in accordance with a plan of murder of Soviet citizens, stating that Himmler himself came several times to inspect the "death factory." Says that around 700,000 persons were murdered, including citizens of U.S.A., Great Britain, Czechoslovakia, Yugoslavia and Holland. Germans came with prepared lists and mass arrests began immediately, especially of the intelligentsia; including the Rector of the University. One Professor who escaped gave testimony: Professor was made to clean the stairs of a four-story building with their tongues, and some were shot afterwards. Men were also put in water bags in winter and kept there until the water froze solid. Also the commandant had children thrown in the air so he could shoot at them to amuse his 9 year old daughter. The camp was a school for commanders who came from other cities to see how destruction was carried out.

7. Report on Latvia and the German occupation - Murder of 230,000 peaceful citizens, 377,000 Soviet prisoners of war, and putting into slavery of 175,000 citizens of Latvian S.S.R. Also lists destruction of factories, libraries, municipal services, and dwellings. Germans took back the land and cattle given the peasants when Latvia became a Republic of U.S.S.R. and restored the economy of the landlords and kulaks. Documents given showing that deaths in psychiatric hospitals were ordered by Germans. Bodies of murdered persons were burned after mass shootings of citizens. Villages were burned down on accusation of aiding Red Army man. Many details on the situation of the Jews, including sterilization. Special section on mistreatment of POWs.

8. Report on Auschwitz. The report is the one distributed widely on the findings in this camp.


11. Photostat of booklet actually signed by Himmler. No Russian translation. A table of punishments

12. Photostat of typewritten document to which Reichenau's name is typed. No Russian translation.

13. Photostat of typewritten document to which Göring's name is typed. No Russian translation.

14. A printed booklet, duly authenticated by the E.S.C., with photostats of the original German text attached (these photostats appear to be photostats of the pages in the
booklet, which contains photographs of the originals, and not photocopies of the originals themselves).

Recommend the original German to be translated. The Soviet booklet only translates excerpts into Russian.

15. The well-known order on branding of prisoners: signed by indistinguishable signature on behalf of the Chief of Police.

16. (Copy No. 14 of 30 copies.) Certified copy of Order signed by Keitel, with covering memo to the Chiefs of the Legal Sections of the S.S. and the Courts, etc., signed on behalf of the Chief of the Principal Legal Administration of the S.S. at Danzig.

Substance: Says that Fuhrer has heard that individual German soldiers, taking part in the struggle against guerrillas, have been held responsible for their actions, and in view of that the Fuhrer has ordered that the struggle is brutal and has nothing in common with the Geneva Convention. The struggle in the East and in the Balkans is so severe that troops have the right and the duty “to use any means, without limit, against even women and children if this will assure success.” This continues to say that no German taking part in military activities against guerrillas can be held responsible in disciplinary procedure or in court for his actions against bandits and their accomplices.


Substance: To retrench, destroy all rail and blow up all lines. Load all grain to the last centar, and throw out all other freight, such as furniture, etc.

18. Order, signed by Major General of Military Command of Plesov. States that women and even children are serving as spies for guerrillas, making it possible for them to attack railroads, highways and bridges and ordering that all persons regardless of age and sex found on the highway or near it must be considered as bandits and shot (excluding, of course, those of workforce under supervision). Lower section reduces forces by saying that persons discovered in daytime must be detained and verified.


Following the undermining of the railway, inhabitants of 3 villages were evacuated and villages burned down, during which much ammunition exploded (believed to show relationship to guerrillas). People and cattle were sent to police — only one man escaped.
20. Report and supplement, signed by Commander of detail on expedition to clear woods of guerrillas. In supplement it stated that 20 persons from the civilian population of the populated place of Borovoi went ahead of the troops as mine searchers, since it was learned that the road was mined.

21. Photostat of signed but uncertified copy of a directive issued at Graz, to all Police organizations. Gives procedure for camps of workers, saying that the workers can leave the camps only to go out to work. Ministry of Labor is in charge of camps, although police supervision is not their responsibility. In occupied territories (with exception of camps having Austrian, Slovakian and Lithuanian and persons from Bialystok and Galicia) the camps must be under guard. An the workers must be under guard when being transported.

22. Photostat of only fresh page showing 22.1. In translation, there appears signature of Rosenberg.

Law ordering registration of all local men from 15 to 60 and local women from 15 to 45 living in the occupied Eastern areas, not belonging to list of persons given in Figure 2 (not shown), with the labor exchanges.

23. Same source and signature as No. 22 below, giving rules that identifying marks be sewed to clothes on outside.

24. Dated Pristensfeld. Notice to all Police Departments under his jurisdiction, signed by Chief of the District Police, saying that the Chief of the Administrative Dept. at Pristensfeld directs the police to pay special attention to identifying marks and, therefore, they are directed to use all means, in particular calling price reservists to verify the wearing of identification marks by Polish and Russian workers, and to continue this verification often, especially on Sundays.

25. Photostat of certified copy of Order signed by Chief of Court Administration of S.S., Doctor Rielwe, that is entitled "Sexual Relations with Women of Other Races."

States that it is notice to certain specified S.S. and police organizations that the Reichsführer S.S. has ordered that women of foreign nationality in the occupied Eastern regions, who become pregnant as a result of sexual relations with members of S.S. and police, shall undergo an abortion. Russian women and women must be advised if she is carried out for social reasons, and there must be no indication that there is an order on this subject.

26. Photostat of printed bulletin with directive signed by Oberkommerer Kremer, saying Jews must not walk on sidewalks but in single file on right side of street. Also forbids Jews
entrance into all parks and places for walking, and the use
of bonobos or any public means of conveyance - taxis, horse
drawn vehicles, suburban, passenger boats and the like.
Orders all owners of vehicles to display a sign on them,
"Forbidden to Jews."

A second notice requiring Jews to wear yellow Star
of David on sleeve and back, and forbidding them night to
return to Knesset if they had fled. Also stated right to
sell any real or personal property.

27. Photocopy of printed copy of Collection of Laws,
ordering confiscation of all property of Jews, except house-
hold utensils needed to satisfy minimum personal needs and
cash and deposits etc., in value up to 3 Reichsmarks.

28. Deted Lemberg. Certified copy of Order signed by
Major of the Security Police, purporting to be on authority
of Commander, forbids personal use of property confiscated
from Jews, except in exceptional cases when permission is
given and orders the property to be transmitted without charge
to Red Cross and Police organizations. States that in spite of
this, individual officers appropriating to their own use
leather, soap, candles, etc., and gives, among the guilt of
this was sentenced to 3 years prison as a reminder to others.

29. A printed booklet duly authenticated by the USH
Photographs of piles of human bones and skulls, the crematories,
the warehouse of 800,000 pairs of shoes, etc., with text
detailing torture, mass shootings, gas chambers, etc.

30. Duly authenticated by USC albums. One showing outline
of camp, prisoners behind fences, and in crowded wooden bunkes
mostly women), piles of suitcases from all over Europe (bearing
genital signs from Vienna, Florence, Budapest, Switzerland),
piles of clothing, women's hair (some already pressed for ship-
ment), cooking utensils, miscellaneous corpses, funeral proccessions
and burial services after deaths arrived. The other with
pictures of living men, associated to the third degree (including
11 year old Hungarian boy and 6 year old Greek boy and 12 year
old Hungarian girl, also 2 and 4 year old Hungarian girls),
persons with forced feet, marks of beatings on back. Collection
of pictures of castrated male genital organs (some only one
side, for experimental purposes).

31. Same sort of pictures as those from Auschwitz.

32. The full texts, as published generally elsewhere.

John Halasz
MEMORANDUM TO MR. JUSTICE JACKSON

SUBJECT: Review of the Evidence Submitted by the U.S.S.R. on 17 September 1945 at the Nuremberg Chief Prosecutors

For your information and the information of others of the staff on division and committee levels, I am attaching hereto mimeographed copies of notes prepared by Dr. Hazard reviewing the Russian evidence presented by General Budenko at the London meeting of Chief Prosecutors on 17 September 1945. The Russian materials fall into two groups: 1) 7 items of reports of the Extraordinary State Commission submitted in typewritten form in the Russian language; 2) Captured German documents submitted in the form of photostatic copies of the originals, of course in German.

Dr. Hazard's review of these materials is divided into three parts:

1. A note concerning translations of Protocols of the Extraordinary State Commission available in English in the Soviet War News;

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As you will see, the Russian materials deal almost entirely with war crimes and crimes against humanity, and would fall particularly under the jurisdiction of Committee 2.

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SIDNEY ALDRICH

Attachment
### Note Concerning Translations of Protocols

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In the Soviet War News translations some sentences of the originals have been omitted containing additional details and names of responsible Germans.
II (a) The term "ill-treatment," both in the heading and wherever it is met with in the text, should be replaced by the term "inhuman treatment," since this corresponds more closely to what actually happened.

II (a)[1] In place of "murders and ill-treatment at places in the Eastern Countries and in Eastern Russia," the following should be inserted: "murders and inhuman treatment in places in the Eastern Countries and in the temporarily occupied territories of the Soviet Union."

In listing the concrete criminal activities under this heading there should be added a point referring as follows: "In the city of Smolensk and its environs the number of Soviet citizens who were put to death or perished during the period of temporary occupation of these places by the Germans exceeded 135,000 persons."

II (b) In the last paragraph under subsection (b), the present text speaks of the "deportation of the able bodied civilians for the purpose of slave labor and for other purposes." The sentence on this deportation should be expanded to include the deportation of Soviet citizens from the Ukraine, Belarus, Lithuania, Latvia and other Soviet territories temporarily seized by the German army.

II (d) "Plunder of Public and Private Property" Point (i). It would be desirable to insert the following rendering: "During the occupation of the Eastern Countries the German government and the German High Command carried out, as a systematic policy, a continuous course of plunder and destruction, as well as the transformation of whole regions into a 'desert zone,' including: . . . .

And further on in the text of the draft, before the words "Destruction of the estate of the poet Pushkin in Mikhailovskoye," include the sentence, "Destruction of the estate museum of Leo Tolstoy, 'Yasnaya Polyana,' and the desecration of the tomb of this great writer."

Before the paragraph which begins with the words "Destruction in Estonia of cultural and industrial premises" place the following paragraph: "Destruction, desecration and meaningless annihilation of such priceless monuments of the Christian Church, as the Rila-Pecherskaya Lavra, and New Jerusalem in the Isthmus region, etc."

Terminate the listing of concrete materials on the losses borne by the national economy of the Soviet Union with a statement to the effect that the general measure of this loss, in values of 1941, has been established at 670 billion rubles in accordance with the accounting of the Extraordinary State Commission."
1. **Concluded Report** - In usual form of this type of report presents activities of Germans in North Caucasus, in particular: burning of Potemkin ships and alcohol before retreat, gassing of wounded children and other hospital patients in gas vans, beating of civilians and attendants, burial of children alive in the graves of their murdered mothers, which stretch their arms and legs; orders relating to the Westing of the Star of David, one of the most orders of Jews. Report includes name and position of the Commission members. Attached to this report is a statement by one of the most successful writers A.J. Todorov recently deceased, giving some of the same material in more literary style.

2. **Concluded Report** - Details the destruction done to the germ cine and industry in one of the principal Soviet industrial areas. Includes Russian translations of what are given to the workers by the German military to save industries to Germany or destroy what cannot be moved; also report on despatch of potash to Germany is included. The report includes a famous story of a farmer shooting a victim into flooded mine corridor.

3. **Commission Report** - Same as printed document listed as personally signed by the members of the Commission.

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4. **Commission Report** - Concludes German camp did not maintain its prisoners in a condition necessary to prevent disease and death. The report estimates the number of deaths to have been at least 200 per day. Given testimony on opening of graves to find many more bodies than were on names-plates above, and concludes German tried to conceal real number of deaths.
6. Report on the introduction by the Germans of the “New Order” into Latvia, in accordance with a plan of murder of Soviet citizens, stating that Himmler himself came several times to inspect the “death factory.” Says that around 700,000 persons were destroyed, including citizens of U.S.S.R., Great Britain, Czechoslovakia, Yugoslavia, and Holland. Germans came with prepared lists and mass arrests began immediately, especially of the intelligentsia; including the Rectors of the University. One Professor who escaped gave testimony. Professor was made to climb the stairs of a four-story building with his tongue, and some were shot afterwards. Men were also put in water tanks in winter and left there until the water froze solid. Also the Commandant had children thrown in the air so he could shoot at them to amuse his 5 year old daughter. The camp was a school for commanders who come from other cities to see how destruction was carried out.

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Substance: Says that Fuehrer has heard that individual German soldiers, taking part in the struggle against guerrillas, have been held responsible for their actions, and in view of that the Fuehrer has ordered that the struggle is brutal and has nothing in common with the Geneva Convention. The struggle in the East and in the Balkans is so severe that troops have the right and the duty "to use any means, without limit, against even women and children if this will assure success." Then continues to say that no German taking part in military activities against guerrillas can be held responsible in disciplinary procedure or in court for his actions against bandits and their accomplices.


Substance: In retreat, destroy all rails and blow up all ties. Load all grain to the last cart, and throw out all other freight, such as furniture, etc.

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21. Photostat of signed but uncertified copy of a directive issued at Oras, to all police organizations. Gives procedure for camps of workers, saying that the workers cannot leave the camp only to go out to work. Ministry of Labor is in charge of camps, although police supervision is not their responsibility. In occupied territories (with exception of camps having Estonians, Latvians, and Lithuanians and persons from Bialystok and Cullon), the camps must be under guard. As the workers must be under guard when being transported.

22. Photostat of only front page showing IP 1. In translation, there appears signature of Rosenberg.

Law ordering registration of all local men from 15 to 65 and local women from 15 to 45 living in the occupied Eastern areas, not belonging to list of persons given in IP 2 (not shown) with the labor exchanges.

23. Same page and signature as No. 21 above. Giving rules that identifying marks be sewed to clothes on outside.

24. Dated Pforten, Ordinance to all Police Departments under his jurisdiction, signed by Chief of the District Police, saying that the Chief of the Administrative Dept. at Pforten, directs the police to pay special attention to identifying marks and, therefore, they are directed to use all means, in particular calling police reservists to verify the wearing of identifying marks by Poles and Eastern workers, and to continue that verification often, especially on Sundays.


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Orders all owners of vehicles to display a sign on them, "Forbidden to Jews."

A second notice requiring Jews to wear yellow Star of David on sleeves and backs, and forbidding them right to return to Emske if they had fled. Also denied right to sell any real or personal property.

27. Photostat of printed copy of Collection of Jews, bearing/issue signed by Reichskommissar Theodor Eicke—ordering confiscation of all property of Jews, except household utensils needed to satisfy minimum personal needs and cash and deposits etc., in value up to 100 Reichsmark.

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29. A printed booklet duly authenticated by the RSO, with photographs of piles of human bones and skulls, the crematorium, the warehouse of 800,000 pairs of shoes, etc., with text detailing torture, mass shootings, gas chambers, etc.

30. Duly authenticated by RSO albums. One showing outline of camp, prisoners behind fences, and in cremated wooden huts (mostly women), piles of suitcases from all over Europe (including hotel suitcases from Vienna, Warsaw, Budapest, Switzerland), piles of clothes, women's hair (some already packed for ship-

31. Some sort of pictures as those from Auschwitz.

32. The full texts, as published generally elsewhere.