

November, 1947

DRAFT

Brigadier General Telford Taylor
Chief of Counsel
Nuremberg

My dear General:

It is hardly necessary to stress the particular interest Jews have in the prosecution of Germans responsible for the recent holocaust, as a result of which over 6 million Jews perished at the hands of Germans and their minions. This mass murder of unheard-of extent was unique not only in its inhuman brutality but also in meticulous planning. It is widely known and does not require repetition that the extirpation of all Jews of Europe in well-defined stages was planned by the highest officials of the German Reich and of the Nazi Party in advance and that there was hardly any one among them who did not participate directly in this plotting, let alone had no definite knowledge thereof. The most incredible of these infamous decisions, involving the final solution of the Jewish problem, was taken by the top officials of all German ministries, on January 20, 1942, in Gross Wannsee. The minutes of this meeting, discovered some time ago and deposited - to the best of our knowledge - with the Office of the Chief of Counsel, disclose that the following persons participated therein:

Reinhard Heydrich, SS-Obergruppenfuehrer
Dr. Meyer, Gauleiter
Dr. Leibbrandt, Reichsamtseleiter
Dr. Stuckart, State Secretary
Neumann, State Secretary
Dr. Freisler, State Secretary
Dr. Buehler, State Secretary
Luther, Under State Secretary
Klopfer, SS-Oberfuehrer
Kritzinger, Ministerialdirektor
Hofmann, SS-Gruppenfuehrer
Mueller, SS-Gruppenfuehrer
Eichmann, SS-Obersturmbannfuehrer

Dr. Schoengarth, SS-Oberfuehrer, Commander of the Security Police and the SD in the Government General
Dr. Lange, SS-Sturmabfuhrer, Commander of the Security Police and the SD for the General District Latvia, as deputy of the Commander of the Security Police and the SD for the Reich Commissariat for the Ostland

The crimes committed against Jews since the beginning of the war found strong condemnation at the Nuremberg trial of the major war criminals. Being bound, however, by the provisions of the Charter, the International Tribunal could deal with crimes against humanity only to the extent to which they were connected with the waging of aggressive war. This limitation, even under the most liberal interpretation, must have restricted the Tribunal in dealing with the crime against the Jewish people in its totality and to the proper extent. The connection between aggressive war and crimes against humanity was dropped in Control Council Law #10. Trials by American military courts on the basis of this law have brought to justice a number of Germans responsible i.e. for crimes against Jews. But none of these trials dealt, because of the persons involved and the character of the cases prosecuted, with a group of persons who, being at the top of the Nazi hierarchy, actually planned the destruction of the European Jewry, and under whose direction and supervision the extirpation of these millions was carried out.

We realize that it may be impossible now to initiate a special Jewish trial. However, there should be no legal or practical impediment in bringing to justice, within the framework of the present plans and programs, those of the chief criminals responsible for the Jewish debacle who are in American hands. Among them are the above-enumerated persons and the highest officials of Section IV/B4 of the

Gestapo which dealt directly with the extermination of Jews. Although the Chief of the Gestapo, Mueller, and his chief assistant, Eichman, are missing, two of the collaborators of the latter could be brought to justice, as Krumey is said to be held in a British camp and Girzik is in Nuremberg.

On November 3, 1947, the indictment of nineteen high German officials in the so-called "ministries" case, was announced on eight charges, including the waging of aggressive war, plundering of subjugated territories and enslavement of defeated peoples. Among these criminals only one of the Germans who participated in the January 20, 1942 meeting is to be found, namely, Wilhelm Stuckart, former State Secretary of the Interior. While some of the rest are dead or missing at least four others are known to be in jail in Nuremberg, namely, Erich Neumann, Georg Leibrant, Otto Hoffmann, and Kritzinger. As the persons indicted are of the highest rank, and the trial deals, among others, with crimes against humanity, it would lend itself excellently to the inclusion of the highest German officials responsible for crimes against Jews.

According to authoritative pronouncements, the United States authorities resolved some time ago virtually to discontinue the prosecution of German war criminals by American military courts by the end of this year. Only a few trials of such persons will reportedly be conducted until the middle of the coming year, while it has apparently been decided to leave practically all further indictment and adjudication of these criminals to the Germans. This trial is, therefore, the last chance to bring these culprits to justice. In view of the well-known attitude of the Germans it could obviously not be expected that these or any other Nazis responsible for the death of millions of Jews will be dealt with adequately.

Our contention is that it is the sacred duty of the Allies, who have repeatedly and solemnly proclaimed that the crimes against the Jewish people will not be condoned, to do their utmost to bring the culprits to justice. We therefore appeal to you in the name of the Jews the world over to order the extension of the "ministries" case by including among those prosecuted, top Nazis who are mainly responsible for the Jewish catastrophe and are in Allied hands, especially the persons enumerated above, i.e. Neuman, Leibbrant, Hoffman and Kritzing and, if possible, Krume and Girzik. In this way the trial could also serve as a token of retribution to the German people for their crimes against Jewry.