

MILITARY TRIBUNALS

CASE No. 8

THE UNITED STATES OF AMERICA

—against—

**ULRICH GREIFELT, RUDOLF CREUTZ, KONRAD
MEYER-HETLING, OTTO SCHWARZENBERGER,
HERBERT HUEBNER, WERNER LORENZ, HEINZ
BRUECKNER, OTTO HOFMANN, RICHARD HILDE-
BRANDT, FRITZ SCHWALM, MAX SOLLMANN,
GREGOR EBNER, GUENTHER TESCH, and INGE
VIERMETZ**

Defendants

**OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)
NURNBERG 1947**

INDICTMENT

The United States of America, by the undersigned Telford Taylor, Chief of Counsel for War Crimes, duly appointed to represent said Government in the prosecution of war criminals, charges that the defendants herein committed Crimes against Humanity and War Crimes, as defined in Control Council Law No. 10, duly enacted by the Allied Control Council on 20 December 1945. These crimes included murders, brutalities, cruelties, tortures, atrocities, deportation, enslavement, plunder of property, persecutions and other inhumane acts, as set forth in Counts One and Two of this Indictment. All but one of the defendants herein are further charged with membership in a Criminal Organization, as set forth in Count Three of this Indictment.

The persons accused as guilty of these crimes and accordingly named as defendants in this case are:

ULRICH GREIFELT—Obergruppenfuehrer in Die Schutzstaffeln der Nationalsozialistischen Deutschen Arbeiterpartei (commonly known as the "SS") and General of Police (Lt. General); Chief of the Main Staff Office (Stabshauptamt) of the Reichs Commissioner for the Strengthening of Germanism (Reichskommissar fuer die Festigung des deutschen Volkstums, commonly known as the "RKFDV"); Chief of Amtsgruppe "B" of the Main Staff Office.

RUDOLF CREUTZ—Oberfuehrer (Senior Colonel) in the SS; Deputy to GREIFELT and Chief of Amtsgruppe "A" of the Main Staff Office of the RKFDV.

KONRAD MEYER-HETLING—Oberfuehrer (Senior Colonel) in the SS; Chief of Amtsgruppe "C" of the Main Staff Office of the RKFDV.

OTTO SCHWARZENBERGER—Oberfuehrer (Senior Colonel) in the SS; Chief of Amt V in Amtsgruppe "B" of the Main Staff Office of the RKFDV.

HERBERT HUEBNER—Standartenfuehrer (Colonel) in the SS; Chief of Branch Office Posen of the Main Staff Office of the RKFDV and local representative of the SS Main Race and Settlement Office (Rasse und Siedlungshauptamt, commonly known as "RuSHA") for the Warthegau.

WERNER LORENZ—Obergruppenfuehrer in the SS and General of the Waffen-SS and Police (Lt. General); Chief of the Repatriation Office for Ethnic Germans (Volksdeutsche Mittelstelle, commonly known as "VOMI") of the SS.

HEINZ BRUECKNER—Sturmbannfuehrer (Major) in the SS; Chief of Amt VI of VOMI.

OTTO HOFMANN—Obergruppenfuehrer (Lt. General) in the SS; Chief of RuSHA, July 9, 1940—April 20, 1943; later Higher SS and Police Leader (HSSPF) for Southwestern Germany.

RICHARD HILDEBRANDT—Obergruppenfuehrer in the SS and General of Police (Lt. General); Chief of RuSHA, April 20, 1943—May 1945.

FRITZ SCHWALM—Obersturmbannfuehrer (Lt. Colonel) in the SS; Chief of Staff of RuSHA and principal RuSHA representative at the Immigration Center at Lodz (Einwandererzentrale Lodz, commonly known as "EWZ").

MAX SÖLLMANN—Standartenfuehrer (Colonel) in the SS; Chief of Lebensborn, e. V. (Well of Life Society) of the SS; Chief of Main Department A of Lebensborn.

GREGOR EBNER—Oberfuehrer (Senior Colonel) in the SS; Chief of the Main Health Department of Lebensborn.

GUENTHER TESCH—Sturmbannfuehrer (Major) in the SS; Chief of the Main Legal Department of Lebensborn.

INGE VIERMETZ—Deputy Chief of Main Department A of Lebensborn.

COUNT ONE—CRIMES AGAINST HUMANITY

1. Between September 1939 and April 1945, all the defendants herein committed Crimes Against Humanity as defined by Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, were connected with plans and enterprises involving, and were members of organizations or groups connected with:

Atrocities and offenses, including but not limited to murder, extermination, enslavement, deportation, imprisonment, torture, persecutions on political, racial and religious grounds, and other inhumane and criminal acts against civilian populations, including German civilians and nationals of other countries, and against prisoners of war.

2. The acts, conduct, plans and enterprises charged in Paragraph 1 of this Count were carried out as part of a systematic program of genocide, aimed at the destruction of foreign nations and ethnic groups, in part by murderous extermination, and in part by elimination and suppression of national characteristics. The object of this program was to strengthen the German nation and the so-called "Aryan" race at the expense of such other nations and groups by imposing Nazi and German characteristics upon individuals selected therefrom (such imposition being hereinafter called "Germanization"), and by the extermination of "undesirable" racial elements. This program was carried out in part by

a) Kidnapping the children of foreign nationals in order to select for Germanization those who were considered of "racial value";

b) Encouraging and compelling abortions on Eastern workers for the purposes of preserving their working capacity as slave labor and nations;

c) Taking away, for the purpose of extermination or Germanization, infants born to Eastern workers in Germany;

d) Executing, imprisoning in concentration camps, or Germanizing Eastern workers and prisoners of war who had had sexual intercourse with Germans, and imprisoning the Germans involved;

e) Preventing marriages and hampering reproduction of enemy nationals;

f) Evacuating enemy populations from their native lands by force and resettling so-called "ethnic Germans" (Volksdeutsche) on such lands;

g) Compelling nationals of other countries to perform work in Germany, to become members of the German community, to accept

German citizenship, and to join the German Armed Forces, the Waffen-SS, the Reich Labor Service and similar organizations;

h) Plundering public and private property in Germany and in the incorporated and occupied territories, e. g., taking church property, real estate, hospitals, apartments, goods of all kinds, and even personal effects of concentration camp inmates; and

i) Participating in the persecution and extermination of Jews.

3. Throughout the period covered by this Indictment, all of the defendants herein were associated directly or indirectly with the Main Staff Office (Stabshauptamt) of the Reich Commissioner for the Strengthening of Germanism (Reichskommissar fuer die Festigung des deutschen Volkstums, commonly known as the "RKFDV"), with the Repatriation Office for Ethnic Germans (Volksdeutsche Mittelstelle, commonly known as "VOMI"), with the SS-Main Race and Settlement Office (SS-Rasse und Siedlungshauptamt, commonly known as "RuSHA"), and with the Well of Life Society (Lebensborn, e. V., commonly known as Lebensborn).

4. Heinrich Himmler, Reichs Fuehrer of the SS and Chief of the German Police, was also the RKFDV. In his capacity as RKFDV he established the Main Staff Office (Stabshauptamt) with the defendant ULRICH GREIFELT in charge. The Main Staff Office was responsible, among other things, for bringing "ethnic Germans" into Germany, for evacuating non-Germans from desirable areas in foreign lands, and for establishing new settlements of Germans and "ethnic Germans" in such areas. These activities involved transfer of populations, Germanization of citizens of other countries, deportation of Eastern workers, deportation to slave labor of members of other countries eligible for Germanization, kidnapping of so-called "racially valuable" children for Germanization, participation in the performance of abortions on Eastern workers, murder and plunder of property. ULRICH GREIFELT was Chief of the Main Staff Office and in personal charge of Amtsgruppe B, which consisted of the offices for economy, agriculture, and finance; RUDOLF CREUTZ was Chief of Amtsgruppe A, which consisted of the Central Office and the offices for resettlement of folkdom, and labor, and was in personal charge of Amt Z (Central Office); KONRAD MEYER-HETLING was Chief of Amtsgruppe C, which consisted of the Central Land Office and the offices for planning and construction, and was in personal charge of Amt VI (Planning); OTTO SCHWARZENBERGER was Chief of Amt V (Finance); and HERBERT HUEBNER was Chief of Branch Office Posen.

5. The Office for Repatriation of Ethnic Germans (VOMI) was responsible, among other things, for the selection of "ethnic Germans",

their evacuation from their native country, their transportation into "VOMI" camps, their care in these camps including temporary employment as well as ideological training, and their indoctrination after final employment or resettlement. It took large amounts of personal effects of concentration camp inmates and of real estate, for the use of resettlers. VOMI also played a leading part in the compulsory conscription of enemy nationals into the Armed Forces, Waffen-SS, Police and similar organizations. In addition, it participated in the compulsory Germanization of "ethnic Germans" and people of German descent, in the forcing into slave labor of individuals considered eligible for Germanization, and in the kidnapping of foreign children. WERNER LORENZ was the Chief of VOMI; and HEINZ BRUECKNER was Chief of Amt VI (Safeguarding of German Folkdom in the Reich—Sicherung deutschen Volkstums im Reich).

6. The SS Main Race and Settlement Office (RuSHA) was responsible, among other things, for racial examinations. These racial examinations were carried out by RuS leaders (Rasse und Siedlungs-Fuehrer) or their staff members, called racial examiners (Eignungspruefer), in connection with: cases where sexual intercourse between workers and prisoners of war of the Eastern nations and Germans had occurred, pregnancy of Eastern workers, children born to Eastern workers, classification of people of German descent, selection of enemy nationals, particularly Poles and Slovenes, for slave labor and Germanization, kidnapping of children eligible for Germanization, transfers of populations, and persecution and extermination of Jews. OTTO HOFMANN was the Chief of RuSHA from 1940 to 1943; RICHARD HILDEBRANDT was the Chief of RuSHA from 1943 to 1945; FRITZ SCHWALM was Chief of Staff of RuSHA; and HERBERT HUEBNER was the RuS leader for the Warthegau.

7. Lebensborn was responsible, among other things, for the kidnapping of foreign children for the purpose of Germanization. MAX SOLL-MANN was the Chief of Lebensborn and in personal charge of Main Department A, which consisted of offices for reception into homes, guardianship, foster homes and adoption, statistics, and registration; GREGOR EBNER was the Chief of the Main Health Department; GUENTHER TESCH was the Chief of the Main Legal Department; and INGE VIERMETZ was Deputy Chief of Main Department A.

8. The RKFDV Main Staff Office, VOMI, RuSHA, and Lebensborn were inter-related in their operations, purposes, and functions. The Main Staff Office was the driving force for carrying out the program set forth above in Paragraph 2. VOMI, RuSHA and Lebensborn participated in the execution of various portions of this program. RuSHA, in carrying out racial investigations and examinations, took a leading part in the accomplishment of the program. Since negative results of racial in-

vestigations and examinations led to the extermination or imprisonment in concentration camps of the individuals concerned, the Main Staff Office, as well as VOMI, RuSHA and Lebensborn, acted in close cooperation with the SS Reich Main Security Office (SS Reichssicherheitshauptamt, commonly known as the "RSHA"). The RSHA imposed capital punishment and imprisonment in concentration camps upon individuals designated by RuSHA, after examination, and upon those persons who resisted measures which the Main Staff Office, VOMI, RuSHA and Lebensborn sought to carry out.

9. The ties between the Main Staff Office, VOMI, RuSHA and Lebensborn were not only organizational but also personal. Higher SS and Police leaders, such as the defendant OTTO HOFMANN, after his resignation as Chief of RuSHA, represented at the same time the RKFDV. In some instances, RuS leaders also represented Lebensborn.

10. The fundamental purpose of the four organizations described as set forth above in Paragraphs 4 to 9 inclusive, was to proclaim and safeguard the supposed superiority of "Nordic" blood, and to exterminate and suppress all sources which might "dilute" or "taint" it. The underlying objective was to assure Nazi dominance over Germany and German domination over Europe in perpetuity. In carrying out the plans and enterprises constituting a vast integrated scheme to commit genocide and thereby to strengthen Germany, the defendants herein participated in criminal activities, including but not limited to those set forth hereinafter in Paragraphs 11 to 21, inclusive, of this Indictment.

11. Kidnapping of Alien Children. An extensive plan of kidnapping "racially valuable" alien children was instituted. This plan had the two-fold purpose of weakening enemy nations and increasing the population of Germany. It was also used as a method of retaliation and intimidation in the occupied countries. During the war years, numerous Czech, Polish, Yugoslav and Norwegian children were taken from their parents or guardians and classified according to their "racial value". Also included in this program were the illegitimate children of non-German mothers, fathered by members of the German armed forces in the occupied countries. Those children considered to be "racially valuable" were selected for Germanization and placed in foster homes or designated children's homes. In carrying out this program, numerous birth certificates were falsified and German names were given to those children selected for Germanization. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HUEBNER, HILDEBRANDT, HOFMANN, SCHWALM, SOLLMANN, EBNER, TESCH, VIERMETZ, LORENZ and BRUECKNER are charged with special responsibility for and participation in these crimes.

12. Abortions. All known cases of pregnancy among deported Eastern slave workers were submitted to RuSHA. Examinations were conducted of the racial characteristics of the expectant mother and father. In the majority of instances, where the racial examinations yielded negative results showing that the expected child was not of "racial value", the Eastern women workers were induced or forced to undergo abortions. When the expected child was found to be of "racial value" it was taken shortly after birth, as described below in Paragraph 13. The desired results of this systematic program of abortions were immediately, to keep the women available as labor, and, ultimately, to reduce the populations of the Eastern nations. Abortions on Polish women in the Government General were also encouraged by the withdrawal of abortion cases from the jurisdiction of the Polish courts. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HOFMANN, HILDEBRANDT, SCHWALM, HUEBNER, LORENZ and BRUECKNER are charged with special responsibility for and participation in these crimes.

13. Taking Away Infants of Eastern Workers. Often cases of pregnancy among workers were not discovered until too late for an abortion to be performed or until the child was actually born. Racial examinations of the expectant mother and father were carried out. When the child was determined to be of "racial value", it was taken immediately after birth by the National Socialist Public Welfare Association (NSV) or Lebensborn, for the purpose of Germanization. Numerous children not selected for Germanization were taken from their mothers and placed in designated collection centers for the purpose of extermination. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HUEBNER, HILDEBRANDT, HOFMANN, SCHWALM, SOLLMANN, EBNER, TESCH and VIERMETZ are charged with special responsibility for and participation in these crimes.

14. Punishment for Sexual Intercourse with Germans. Czechs, Poles and other Eastern workers or prisoners of war who had had sexual intercourse with Germans were examined by the racial examiners of RuSHA. Those who were found to be not "racially desirable" were imprisoned in concentration camps or executed. Those found "racially valuable" were Germanized. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HOFMANN, HILDEBRANDT, and SCHWALM are charged with special responsibility for and participation in these crimes.

15. Hampering Reproduction of Enemy Nationals. To further weaken enemy nations, both restrictive and prohibitive measures were taken to discourage marriages and reproduction of enemy nationals. The

ultimate aim and natural result of these measures was to impede procreation among nationals of Eastern countries. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HOFMANN, HILDEBRANDT, SCHWALM, HUEBNER, LORENZ and BRUECKNER are charged with special responsibility for and participation in these crimes.

16. Forced Evacuation and Resettlement of Populations. In occupied territories enemy populations were forcibly evacuated from their homes and transferred either to other occupied territories, particularly to the Government General, or to Germany for slave labor. They were replaced by Germans and "ethnic Germans". The latter were systematically collected in foreign countries, either occupied or under German domination, brought to camps and then transferred to occupied areas from which the native population had been removed. Before resettlers were transferred to their final destination they were racially and politically examined by the Staff of the Immigration Center at Lodz (Einwandererzentrale Lodz). "O" Cases, i. e., those who were found "racially valuable" and politically reliable were transferred to Eastern areas. "A" Cases, i. e., those who were found less reliable but "racially valuable" were brought to Germany proper. "S" Cases, i. e., those found not "racially valuable" were either sent to the Government General or returned to their native countries. In addition, special actions were undertaken in France and Belgium to transfer citizens allegedly of German descent from these countries either to Germany or to Alsace-Lorraine, depending on their political reliability. Those found "racially valuable" were given German citizenship and settled either in Germany or in the Eastern occupied territories; men of military age were inducted into the Armed Forces or Waffen-SS; those found not "racially valuable" were brought to parts of France other than Alsace-Lorraine or placed in concentration camps. At the same time the populations of non-German descent in Alsace-Lorraine, Luxembourg, Eupen, Malmedy and Moresnet were evacuated. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HUEBNER, LORENZ, BRUECKNER, HOFMANN, HILDEBRANDT and SCHWALM are charged with special responsibility for and participation in these crimes.

17. Forced Germanization of Enemy Nationals. After the outbreak of the war, large numbers of nationals of other countries who were considered to be "ethnic Germans" or of German descent were classified and registered in the four DVL (German Peoples' List) Groups. These four DVL Groups may be broadly characterized as follows: Group I—"ethnic Germans" actively pro-German before the occupation; Group II—"ethnic Germans" who had been known as such before the occupation; Group III—persons allegedly of German descent who could easily be Germanized, and members of minority Slavic groups which

were considered to have Germanic affiliations; and Group IV—persons allegedly of some German descent who were actively anti-German. Persons in Groups I and II were given full German citizenship while persons in Groups III and IV received German citizenship subject to revocation. One of the main purposes of this procedure was to procure men for induction into the Armed Forces, the Waffen-SS, the Police, and similar organizations, and, thus, to force them to fight against the countries to which they owed allegiance. Members of these groups who deserted were executed, Persons classified in DVL Groups III and IV were subjected to extraordinary limitations of their economic and civil rights. Individuals who refused to file application for Germanization under this procedure were placed in concentration camps, their children taken away, and their property confiscated. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HUEBNER, LORENZ, BRUECKNER, HOFMANN, HILDEBRANDT, and SCHWALM are charged with special responsibility for and participation in these crimes.

18. Slave labor. In addition to the DVL program, selected foreign nationals without any German ancestry were sent to Germany as slave labor and for possible future Germanization. Most of them were employed in agriculture, industry and as domestic help. Those who refused to submit to slave labor or Germanization were placed in concentration camps. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HUEBNER, LORENZ, BRUECKNER, HOFMANN, HILDEBRANDT and SCHWALM are charged with special responsibility for and participation in these crimes.

19. Conscription of Non-Germans. Nationals of occupied or dominated countries who were not of German descent were compelled to join the Armed Forces, Waffen-SS, Police and similar organizations. This conscription was done by VOMI in close cooperation with the SS Central Office (SS-Hauptamt) and through associations such as the Association of Germans Abroad (Verein fuer Deutschtum im Ausland, commonly known as the "VDA"). The defendants LORENZ and BRUECKNER are charged with special responsibility for and participation in these crimes.

20. Plunder. The plunder of private and public property, both in Germany and in the occupied territories, formed a large part of the activities carried on by the defendants named herein. Great amounts of private property were confiscated for use of resettlers or for other purposes. Church property and cultural goods were seized for the same purpose. The value of landed property confiscated from Poles and Jews in Poland alone was estimated by the defendant GREIFELT at seven hundred million to eight hundred million marks. Personal effects

confiscated from concentration camp inmates were distributed among resettlers. Lebensborn took over Jewish and Polish hospitals and Jewish apartments and goods. Concentration camp enterprises were founded by the WVHA (the SS Main Economic and Administrative Office) in agreement with the Main Staff Office and the proceeds placed in special accounts. The Main Staff Office was thus a partner in the exploitation of the slave labor of the Jews and other inmates of concentration camps and in the taking over of Jewish property in the Government General. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HUEBNER, LORENZ, BRUECKNER, HOFMANN, HILDEBRANDT, SCHWALM, SOLLMANN, EBNER, TESCH and VIERMETZ are charged with special responsibility for and participation in these crimes.

21. Persecution and Extermination of Jews. The RKFDV Main Staff Office was responsible for the evacuation of large numbers of Jews from the occupied and incorporated territories. RuSHA also participated extensively in the persecution and extermination of Jews. The Genealogy Office (Ahnenafelamt) of RuSHA prepared and retained in its files the names of all Jewish families in the Reich and persons having any Jewish ancestry. This office also participated in preparing similar files in the Netherlands, Belgium, Norway, Denmark, Danzig, and France where it worked together with the RSHA (Reich Main Security Office). These files were used for enforcing discriminatory measures against Jews and preparing transport lists of Jews to be taken from Germany and the occupied countries to the extermination camps in the East. The defendants GREIFELT, CREUTZ, MEYER-HETLING, SCHWARZENBERGER, HOFMANN, HILDEBRANDT, SCHWALM and HUEBNER are charged with special responsibility for and participation in these crimes.

22. The defendant HILDEBRANDT is charged with special responsibility for and participation in the extermination of thousands of German nationals pursuant to the so-called "euthanasia program" of the Third Reich, from September 1939 to February, 1940.

23. The acts and conduct of the defendants set forth in this Count were committed unlawfully, wilfully, and knowingly and constitute violations of international conventions, particularly of Articles 4, 5, 6, 7, 23, 43, 45, 46, 47, 52 and 56 of the Hague Regulations, 1907, and of Articles 2, 3, 4, 9 and 31 of the Prisoner of War Convention (Geneva, 1929), of the laws and customs of war, of the general principles of criminal law as derived from the criminal laws of all civilized nations, of the internal penal laws of the countries in which such crimes were committed, and of Article II of Control Council Law No. 10.

COUNT TWO—WAR CRIMES

24. Between September 1939 and April 1945, all the defendants herein committed War Crimes, as defined by Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, were connected with plans and enterprises involving, and were members of organizations or groups connected with: atrocities and offenses against persons and property constituting violations of the laws or customs of war, including but not limited to plunder of public and private property, murder, extermination, enslavement, deportation, imprisonment, torture, and ill-treatment of and other inhumane acts against thousands of persons. These crimes embraced, but were not limited to, the particulars set out in Paragraphs 11 to 21, inclusive, of this Indictment, which are incorporated herein by reference, and were committed against prisoners of war and civilian populations of countries and territories under the belligerent occupation of, or otherwise controlled by, Germany.

25. The acts and conduct of the defendants set forth in this Count were committed unlawfully, wilfully, and knowingly and constitute violations of international conventions, including the Articles of the Hague Regulations, 1907, and of the Prisoner of War Convention (Geneve, 1929), enumerated in Paragraph 23 of this Indictment, of the laws and customs of war, of the general principles of criminal law as derived from the criminal laws of all civilized nations, of the internal penal laws of the countries in which such crimes were committed, and of Article II of Control Council Law No. 10.

COUNT THREE—MEMBERSHIP IN CRIMINAL ORGANIZATION

26. All of the defendants herein, except defendant VIERMETZ, are charged with membership, subsequent to September 1, 1939, in the Schutzstaffeln der Nationalsozialistischen Deutschen Arbeiterpartei (commonly known as the "SS"), declared to be criminal by the International Military Tribunal and Paragraph 1 (d) of Article II of Control Council Law No. 10.

Wherefore, this Indictment is filed with the Secretary General of the Military Tribunals and the charges herein made against the above named defendants are hereby presented to the Military Tribunals.

TELFORD TAYLOR

Brigadier General U. S. Army

Chief of Counsel for War Crimes

Acting on Behalf of the United States of America

Nurnberg, 1 JULY 1947