

## INTRODUCTION

The trial of 23 officials of the I.G. Farben concern was commonly referred to as the Farben case and is officially designated as *United States of America vs. Carl Krauch, et al.* (Case 6). The Farben case was the third largest of all the Nuernberg trials, the record being surpassed in length only by the IMT case (Trial of the Major War Criminals, vols. I–XLII, Nuremberg, 1947) and the Ministries case (vols. XII–XIV, this series).

The Farben case was the second of the so-called industrialist cases, the indictment being filed after the indictment in the Flick case (vol. VI, this series) and before the indictment in the Krupp case (vol. IX, this series). Each of these three industrialist cases contained counts alleging spoliation of property in invaded countries and participation in Germany's slave labor program, and under these counts some of the defendants were found guilty in each of these cases. The indictments in both the Farben and the Krupp cases contained counts alleging crimes against peace, and in both cases the Tribunals found all defendants charged to be not guilty under these counts. The Tribunal in the Krupp case made its finding of not guilty at the conclusion of the prosecution's case in chief upon a defense motion, whereas the Farben Tribunal did not make its finding until final judgment. In a trial under Control Council Law No. 10 in the French Zone of Occupation, the German industrialist Hermann Roechling was found guilty of crimes against peace by a military tribunal of international composition, but this conviction was reversed upon appeal to the General Tribunal of the Military Government of the French Zone of Occupation in Germany. (The indictment, judgment, and judgment on appeal in the Roechling case are reproduced as Appendix B, vol. XIV, this series.)

Each of the 23\* defendants in the Farben trial was an official of the I.G. Farben concern for varying periods of time: the first-named defendant, Krauch, was a member of Farben's managing board (Vorstand) from 1934 until 1940 and thereafter, until 1945, the chairman of Farben's supervisory board (Aufsichtsrat);

---

\* The Farben indictment named 24 defendants. The case as to defendant Brueggemann was severed early in the trial by reason of Brueggemann's ill health and inability to stand trial with the other defendants. See section XX C, vol. XV, this series.

19 of the other defendants were members of the managing board; and three of the defendants held other important positions in the concern.

Each of the defendants was charged under four of the five counts of the indictment: count one, the planning, preparation, initiation, and waging of wars of aggression and the invasions of other countries; count two, plunder and spoliation; count three, slave labor; and count five, common plan or conspiracy to commit crimes against peace. Only three of the defendants, Schneider, Bueteſisch, and von der Heyde, were charged under count four with membership in the SS, an organization of the Nazi Party declared criminal by the judgment of the International Military Tribunal. None of the defendants was found guilty under counts one and five (crimes against peace). Nine of the defendants were found guilty under count two (plunder and spoliation): Buerſgin, Haefliger, Ilgner, Jaehne, Kugler, ter Meer, Oster, Schmitz, and von Schnitzler. Five of the defendants were found guilty under count three (slave labor): Ambros, Bueteſisch, Duerrfeld, Krauch, and ter Meer. None of the three defendants charged was found guilty under count four (membership in the SS).

The argumentation and evidence reproduced in these two volumes on the Farben case on the charges of crimes against peace (counts one and five) are more extensive than the materials included on the other three counts taken together for a number of reasons: first, the materials submitted by both the prosecution and the defense on these two counts were relatively more extensive; second, the Farben case was the only industrialist case involving charges of crimes against peace in which the defense was put to its proof; third, the two counts of the indictment on crimes against peace (counts one and five) both incorporated the detailed charges of counts two and three by reference on the theory that the acts of spoliation and slave labor "were committed as an integral part of the planning, preparation, initiation, and waging of wars of aggression and invasions of other countries" and "formed a part of said common plan or conspiracy"; and lastly, a number of the other volumes of this series contain extensive materials on either spoliation or slave labor, or on both spoliation and slave labor. (For materials on spoliation, see particularly the Flick case, vol. VI, the Krupp case, vol. IX, and the Ministries case, vols. XII-XIV; for materials on slave labor, see particularly the Milch case, vol. II, the Pohl case, vol. V, the Flick case, vol. VI, the Krupp case, vol. IX, and the Ministries case, vols. XII-XIV.)

The Farben case was tried at the Palace of Justice in Nuernberg before Military Tribunal VI. The Tribunal convened on 152

separate days. Testimony was taken at a number of sessions before commissioners appointed by the Tribunal (see section XVII, vol. XV, this series). The trial lasted nearly 15 months, as shown by the following schedule:

Indictment filed .....	3 May 1947
Arraignment of all defendants excepting Brueggemann, Lautenschlaeger, and Wurster .....	14 August 1947
Arraignment of defendant Lautenschlaeger .....	27 August 1947
Prosecution opening statement .....	27 August 1947
Severance of the case against defendant Brueggemann .....	9 September 1947
Arraignment of defendant Wurster .....	17 September 1947
Defense opening statements .....	18-19 December 1947
Defense closing statements .....	2-4, 7-9 June 1948
Prosecution closing statement .....	10 June 1948
Defense rebuttal closing statements .....	11 June 1948
Judgments .....	29, 30 July 1948
Sentences .....	30 July 1948
Filing of concurring and dissenting opinions of Judge Hebert .....	28 December 1948
Review of sentences by the Military Governor of the United States Zone of Occupation .....	4 March 1949

The English transcript of the Court proceedings runs to 15,966 mimeographed pages, excluding the concurring and dissenting opinions filed by Judge Hebert.

The prosecution introduced into evidence 2,282 written exhibits (some of which contained several documents) and the defense, 4,102 written exhibits. The testimony of over 189 witnesses was heard by the Tribunal or taken before the commissioners appointed by the Tribunal. One hundred two of the witnesses heard were defense witnesses. Four hundred nineteen of the prosecution's written exhibits were affidavits, whereas 2,394 of the written exhibits of the defense were affidavits. The exhibits offered by both prosecution and defense contained documents, photographs, affidavits, letters, charts, and other written evidence. Each of the 23 defendants who stood trial elected to testify on his own behalf, excepting the defendants Schmitz, von Schnitzler, and Lautenschlaeger. Each of the defendants who testified was subject to examination on behalf of the other defendants and on behalf of the prosecution. The prosecution did not elect to cross-examine the defendant Duerrfeld.

The members of the Tribunal, the commissioners of the Tribunal, and prosecution and defense counsel are listed on the ensuing pages. Prosecution counsel were assisted in preparing the case by numerous staff members of the Office of United States Chief of Counsel for War Crimes, including Walter H. Rapp, Chief of the Evidence Division; Fred Niebergall, Chief of the

Document Branch; interrogators Arthur T. Cooper, Benvenuto von Halle, Paul H. Katscher, Peter Miller, and Otto Verber; research and documentary analysts Sandu Apoteker, Henry Buxbaum, John Boll, Alfred Elbau, Max Frankenberg, Dorothea Galewski, Constance Gavares, Ester Glassman, George Halpern, Kurt Hauptmann, Otto Heilbrunn, Karl Kalter, Moriz Kandel, Hermann Lang, Hilde Meyer, Dorothy Plummer, Elvira Raphael, Walter Schoenfeld, Yvonne Schwarz, Wilhelm Tanner, Erna E. Uiberall, Herbert Ungar, and Hans Wolffsohn.

---

Selection and arrangement of the Farben case material published herein was accomplished principally by Norbert G. Barr, Dr. Karl Hoffmann (formerly defense counsel for defendants Ambros and von der Heyde), Walter Schoenfeld, Erna E. Uiberall, and Hans J. Wolffsohn, working under the general supervision of Drexel A. Sprecher, Deputy Chief of Counsel and Director of Publications, Office United States Chief of Counsel for War Crimes. Catherine Bedford, Gertrude Ferencz, Paul H. Gantt, Hans Lamm assisted in selecting, compiling, editing, and indexing the numerous papers.

John H. E. Fried, Special Legal Consultant to the Tribunals, reviewed and approved the selection and arrangement of the materials as the designated representative of the Nuernberg Military Tribunals.

Final compilation and editing of the manuscript for printing was accomplished under the general direction of Colonel Edward H. Young, JAGC, Chief of the War Crimes Division in the Office of the Judge Advocate General, Department of the Army, and Amelia D. Rivers as publications editor and under the direct supervision of Norma Heacock Sherris as editor, assisted by Ruth A. Phillips (editorial), Clara R. Gale and John P. Banach (research), and Anne Hall, research analyst assisted by Karl Kalter.