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SELECT COMMITTEE ON THE KATYN FOREST MASSACRE (Madden Committee)

FINAL REPORT (House Report No. 2505) - December 22, 1952

APPENDIX - Excerpts from *Interim Report*, July 2, 1952 (part X)

X. NUREMBERG

This committee reports that during the International Military Trials held in Nuremberg after World War II, evidence was heard relative to the Katyn massacre.

The committee has heard testimony from two of the attorneys who participated in the Nuremberg trials. (See pt. V of the published hearings.) In accordance with the London agreement of 1945, the Soviets were in charge of war crimes which were allegedly committed in the eastern areas, such as: U.S.S.R., Poland, Yugoslavia, Bulgaria, and Czechoslovakia. Hence the Katyn massacre, since it occurred in Soviet territory, was the direct responsibility of the Government of the U.S.S.R. to prosecute the individuals responsible for this crime.

The Katyn massacre appears in the Nuremberg trials as a charge against Herman Goering since he was the highest ranking German officer. The Soviet prosecutor produced three witnesses to establish the Germany guilt for the Katyn massacre. The German defense counsel produced three witnesses for the defense. These are all the witnesses the tribunal would hear. Witnesses for both the Germans and the Soviets were duly examined and cross-examined.

This committee in the course of the hearings at Frankfurt heard testimony from the three German witnesses who appeared at Nuremberg, that is, Col. Ahrens, Gen. Oberhaeuser, and Lt. von Eichborn. (See pt. V of the published hearings.)

These three witnesses testified that they were with German Signal Regiment 537, not the Five hundred and thirty-seventh Engineer Battalion as alleged in the Russian report. (See p. 247, pt. II of the published hearings.)

Soviets fail to prove case at Nuremberg

All of them arrived in the Smolensk area after September 1, 1941. In the case of Col. Ahrens, he testified that he did not arrive in the Katyn Forest until early November 1941. He was specifically named in the Russian report as the individual who directed the mass shootings of the Polish prisoners. (See p. 247, pt. III of the published hearings.) Col. Ahrens was again accused before the International Military Tribunal by the Soviet prosecutor and it is significant to note that he was never indicted by the tribunal nor was his indictment requested by the Soviet prosecutor. (See pt. V of the published hearings.)

This committee heard testimony from Col. Albert Bedenk who was the predecessor to Col. Ahrens as commanding officer of Signal Regiment 537. He testified that he arrived in the Smolensk area on July 28, 1941, several days after the fighting front had moved many miles east of Smolensk on the way to Moscow. Col. Bedenk set up the headquarters of Signal Regiment 537 in the Dnieper Castle about the middle of August 1941. He testified: "*the total strength of the regiment at that time was 17, of which 5 or*

6 were officers, 4 were noncommissioned, and the rest were enlisted men." (See pt. V of the published hearings.)

The Russian report states:

The Polish prisoners of war who were in the three camps west of Smolensk employed on road building up to outbreak of war, remained there after the German invaders reached Smolensk, until September 1941. (See p. 247, pt. III of the published hearings.)

Col. Bedenk categorically denied ever seeing a Pole in the area, as did Gen. Oberhaeuser and Col. Ahrens. Col. Bedenk also testified that Col. Ahrens relieved him as commanding officer of Signal Regiment 537 on November 20, 1941, as did Gen. Oberhaeuser. (See pt. V of the published hearings.) Thus the testimony taken before this committee under oath speaks for itself.

The Soviet prosecutor in his summation of the charges against Goering never mentioned the Katyn massacre. Testimony before this committee reveals that the Soviet prosecutor failed to prove his case against the Germans, therefore the matter was dropped by the tribunal.

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FINAL REPORT

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