

MILITARY TRIBUNALS

CASE No. 9

THE UNITED STATES OF AMERICA

— against —

**OTTO OHLENDORF, HEINZ JOST, FRICH NAUMANN,
OTTO RASCH, ERWIN SCHULZ, FRANZ SIX, PAUL
BLOBEL, WALTER BLUME, MARTIN SANDBERGER,
WILLY SEIBERT, EUGEN STEIMLE, ERNST BIBER-
STEIN, WERNER BRAUNE, WALTER HAENSCH, GUSTAV
NOSKE, ADOLF OTT, EDUARD STRAUCH, EMIL HAUSS-
MAN, WALDEMAR KLINGELHOEFER, LOTHAR FENDLER,
WALDEMAR VON RADEZKY, FELIX RUEHL, HEINZ
SCHUBERT, and MATHIAS GRAF**

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 the murder of more than one million persons, tortures, atrocities, and other inhumane acts, as set forth in Counts One and Two of this Indictment. All of the defendants are further charged with membership in criminal organizations, 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:

OTTO OHLENDORF — Gruppenführer (Major General) in the Schutzstaffeln der Nationalsozialistischen Deutschen Arbeiterpartei (commonly known as the "SS"); member of the Reichssicherheitsdienst des Reichsführers SS (commonly known as the "SD"); Commanding Officer of Einsatzgruppe D.

HEINZ JOST — Brigadeführer (Brigadier General) in the SS; member of the SD; Commanding Officer of Einsatzgruppe A.

ERICH NAUMANN — Brigadeführer (Brigadier General) in the SS; Member of the SD; Commanding Officer of Einsatzgruppe A.

OTTO RASCH — Brigadeführer (Brigadier General) in the SS; member of the SD; member of the Geheime Staatspolizei (commonly known as the "Gestapo"); Commanding Officer of Einsatzgruppe C.

ERWIN SCHULZ — Brigadeführer (Brigadier General) in the SS; member of the Gestapo; Commanding Officer of Einsatzkommando 5 of Einsatzgruppe C.

FRANZ SIX — Brigadeführer (Brigadier General) in the SS; member of the SD; Commanding Officer of "Vorkommando Moskau" of Einsatzgruppe B.

PAUL BLOBEL — Standartenführer (Colonel) in the SS; member of the SD; Commanding Officer of Sonderkommando 4a of Einsatzgruppe C.

WALTER BLUME — Standartenführer (Colonel) in the SS; member of the SD; member of the Gestapo; Commanding Officer of Sonderkommando 7a of Einsatzgruppe B.

MARTIN SANDBERGER — Standartenführer (Colonel) in the SS; member of the SD; Commanding Officer of Einsatzkommando 1a of Einsatzgruppe A.

WILLY SEIBERT — Standartenführer (Colonel) in the SS; member of the SD; Deputy Chief of Einsatzgruppe D.

EUGEN STEIMLE — Standartenführer (Colonel) in the SS; member of the SD; Commanding Officer of Sonderkommando 7a of Einsatzgruppe B; Commanding Officer Sonderkommando 4a of Einsatzgruppe C.

ERNST BIBERSTEIN — Obersturmbannführer (Lt. Colonel) in the SS; member of the SD; Commanding Officer of Einsatzkommando 6 of Einsatzgruppe C.

WERNER BRAUNE — Obersturmbannführer (Lt. Colonel) in the SS; member of the SD; member of the Gestapo; Commanding Officer of Sonderkommando 11b of Einsatzgruppe D.

WALTER HAENSCH — Obersturmbannführer (Lt. Colonel) in the SS; member of the SD; Commanding Officer of Sonderkommando 4b of Einsatzgruppe C.

GUSTAV NOSSKE — Obersturmbannführer (Lt. Colonel) in the SS; member of the Gestapo; Commanding Officer of Einsatzkommando 12 of Einsatzgruppe D.

ADOLF OTT — Obersturmbannführer (Lt. Colonel) in the SS; member of the SD; Commanding Officer of Sonderkommando 7b of Einsatzgruppe B.

EDUARD STRAUCH — Obersturmbannführer (Lt. Colonel) in the SS; member of the SD; Commanding Officer of Einsatzkommando 2 of Einsatzgruppe A.

EMIL HAUSSMAN — Sturmbannführer (Major) in the SS; member of the SD; officer of Einsatzkommando 12 of Einsatzgruppe D.

WALDEMAR KLINGELHOEFER — Sturmbannführer (Major) in the SS; member of the SD; member of Sonderkommando 7b of Einsatzgruppe B; Commanding Officer of Vorkommando Moscow.

LOTHAR FENDLER — Sturmbannführer (Major) in the SS; member of the SD; Deputy Chief of Sonderkommando 4b of Einsatzgruppe C.

WALDEMAR VON RADETZKY — Sturmbannführer (Major) in the SS; member of the SD; Deputy Chief of Sonderkommando 4a of Einsatzgruppe C.

FELIX RUEHL — Hauptsturmführer (Captain) in the SS; member of the Gestapo; Officer of Sonderkommando 10b of Einsatzgruppe D.

HEINZ SCHUBERT — Obersturmführer (1st Lieutenant) in the SS; member of the SD; Officer of Einsatzgruppe D.

MATHIAS GRAF — Untersturmführer (2nd Lieutenant) in the SS; member of the SD; Officer of Einsatzkommando 6 of Einsatzgruppe C.

COUNT ONE

CRIMES AGAINST HUMANITY

1. Between May 1941 and July 1943 all of the defendants herein committed Crimes against Humanity, as defined in Article II of 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, persecutions on political, racial and religious grounds, murder, extermination, imprisonment, and other inhumane acts committed against civilian populations including German nationals and nationals of other countries.

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 by murderous extermination.

3. Beginning in May 1941, on the orders of Himmler, special task forces called "Einsatzgruppen" were formed from the personnel of the SS, the SD, the Gestapo, and other police units. The primary purpose of these groups was to accompany the German army into the Eastern territories, and exterminate Jews, Gypsies, Soviet officials, and other elements of the civilian population regarded as racially "inferior" or "politically undesirable."

4. Initially four Einsatzgruppen were formed, each of which supervised the operation of a number of subordinate units called "Einsatzkommandos" or "Sonderkommandos." Some Einsatzgruppen had, in addition, other units for special purposes. Each Einsatzgruppe together with its subordinate units consisted of about 500 to 600 persons. Einsatzgruppe A, operating mainly in the Baltic region, included Sonderkommandos 1a and 1b and Einsatzkommandos 2 and 3. Einsatzgruppe B, operating mainly in the area toward Moscow, included Sonderkommandos 7a and 7b, Einsatzkommandos 8 and 9, and special units named Vorkommando Moscow (also known as Sonderkommando 7c) and Trupp Smolensk. Einsatzgruppe C, operating mainly in the area toward Kiev, included Sonderkommandos 4a and 4b and Einsatzkommandos 5 and 6. Einsatzgruppe D, operating mainly in the area of southern Russia, included Sonderkommandos 10a and 10b and Einsatzkommandos 11a, 11b, and 12.

5. All of the defendants herein, as officers or staff members of one or more Einsatzgruppen or their subordinate units, committed murders, atrocities, and other inhumane acts as more specifically set forth in paragraphs 6 to 9, inclusive of this Count.

6. Einsatzgruppe A and the units under its command committed murders and other crimes which included, but were not limited to, the following:

- (a) During the period 22 June 1941 to 15 October 1941, in Lithuania, Latvia, Esthonia, and White Ruthenia, Einsatzgruppe A murdered 118, 430 Jews and 3,398 Communists.
- (b) On or about 4 July 1941 in the city of Riga, Sonderkommando 1a and Einsatzkommando 2, together with auxiliary police under their command, carried out pogroms in which all synagogues were destroyed, and 400 Jews were murdered.
- (c) During October 1941, in Esthonia, Einsatzkommando 1a, together with Esthonian units under their command, committed murders pursuant to a program for the extermination of all Jewish males over sixteen except doctors and Jewish elders.
- (d) During the period 7 November 1941, to 11 November 1941, in Minsk, Sonderkommando 1b murdered 6,624 Jews.
- (e) During the period 22 June 1941, to 16 January 1942, in its operational areas, Einsatzkommando 2 murdered 33,970 persons.
- (f) On 30 November 1941 in Riga, 20 men of Einsatzkommando 2 participated in the murder of 10,600 Jews.
- (g) During the period 22 June 1941, to 19 September 1941, in Lithuania, Einsatzkommando 3 murdered 46,692 persons.
- (h) During the period 22 June 1941, to 10 August 1941, in the area of Kauen and Riga, Einsatzgruppe A murdered 29,000 persons.
- (i) During the period 2 October 1941, to 10 October 1941, in the vicinity of Krasnowardeisk, Einsatzgruppe A murdered 260 persons.
- (j) During the period 15 October 1941, to 5 November 1941 in the vicinity of Krasnowardeisk, Einsatzgruppe A murdered 156 persons.
- (k) During the period 24 October 1941, to 5 November 1941, in the vicinity of Krasnowardeisk, Einsatzgruppe A murdered 118 persons.
- (l) On 20 November 1941, in the vicinity of Krasnowardeisk, Einsatzgruppe A murdered 855 persons.
- (m) In about December 1941, in the ghetto in Witebsk, units of Einsatzgruppe A murdered 4,090 Jews.
- (n) On 22 December 1941, in Wilna, units of Einsatzgruppe A murdered 402 persons including 385 Jews.
- (o) On 1 February 1942, in Loknia, units of Einsatzgruppe A murdered the 38 gypsies and Jews remaining there.
- (p) On 2 and 3 March 1942, in Minsk units of Einsatzgruppe A murdered 3,412 Jews.
- (q) On 2 and 3 March 1942, in Baranowitschi, units of Einsatzgruppe A murdered 2,007 Jews.
- (r) On 17 March 1942, in Ilja, east of Wilakia, units of Einsatzgruppe A murdered 520 Jews.

(s) On or about 7 April 1942, in Kauen and Olita, Lithuania, units of Einsatzgruppe A murdered 44 persons.

(t) During the period 10 April 1942, to 24 April 1942, in Latvia, units of Einsatzgruppe A murdered 1,272 persons, including 983 Jews, 204 Communists, and 71 Gypsies.

7. Einsatzgruppe B and the units under its command committed murders and other crimes which included, but were not limited to, the following:

(a) In about July 1941, in the city of Minsk, units of Einsatzgruppe B murdered 1,050 Jews and liquidated political officials, "Asiatics", and others.

(b) During the period 22 June 1941 to 14 November 1941, in the vicinity of Minsk and Smolensk, Einsatzgruppe B murdered more than 45,467 persons.

(c) On 15 October 1941, in Mogilew, units of Einsatzgruppe B murdered 83 "Asiatics."

(d) On 19 October 1941 in Mogilew, units of Einsatzgruppe B participated in the murder of 3,726 Jews.

(e) On 23 October 1941 in the vicinity of Mogilew, units of Einsatzgruppe B murdered 279 Jews.

(f) During the period 22 June 1941, to 14 November 1941, in its operational areas, Sonderkommando 7a murdered 1,517 persons.

(g) In September or October 1941, in Sadrudubs, Sonderkommando 7a murdered 272 Jews.

(h) During the period 6 March 1942 to 30 March 1942, in the vicinity of Klinzy, Sonderkommando 7a murdered 1,585 Jews and 45 Gypsies.

(i) During the period 22 June 1941 to 14 November 1941, in its operational areas, Sonderkommando 7b murdered 1,822 persons.

(j) During the period from September to October 1941, in Redschtza, White Ruthenia, Sonderkommando 7b murdered 216 Jews.

(k) During the period 6 March 1942, to 30 March 1942, in the vicinity of Bryansk, Sonderkommando 7b murdered 82 persons, including 27 Jews.

(l) During the period 22 June 1941 to 14 November 1941, in its operational areas, Einsatzkommando 8 murdered 28,219 persons.

(m) In September or October 1941, in the area of Schklow, Einsatzkommando 8 murdered 627 Jews and 812 other persons.

(n) In September or October 1941, in Mogilew, Einsatzkommando 8 participated in the murder of 113 Jews.

(o) In September or October 1941, in Krupka, Einsatzkommando 8 murdered 912 Jews.

(p) In September or October 1941, in Scholopenitsche, Einsatzkommando 8 murdered 822 Jews.

(q) During the period 6 March 1942 to 30 March 1942, in the vicinity of Mogilew, Einsatzkommando 8 murdered 1,609 persons, including 1,551 Jews and 33 Gypsies.

(r) On 8 October 1941, in the ghetto of Witebsk, Einsatzkommando 9 began murdering Jews and by 25 October 1941, 3,000 Jews had been executed.

(s) During the period 6 March 1942 to 30 March 1942, in the vicinity of Witebsk, Einsatzkommando 9 murdered 273 persons, including 170 Jews.

(t) During the period 22 June 1941 to 14 November 1941, in its operational areas, the Group Staff of Einsatzgruppe B, and the Vorkommando Moscow murdered 2,457 persons.

(u) During the period 22 June 1941 to 20 August 1941, in the vicinity of Smolensk, the Group Staff of Einsatzgruppe B and the Vorkommando Moscow murdered 144 persons.

(v) In September or October 1941, in Tatarsk, the Group Staff of Einsatzgruppe B and the Vorkommando Moscow murdered all male Jews.

(w) During the period 6 March to 30 March 1942, in the vicinity of Roslawl, Vorkommando Moscow murdered 52 persons.

(x) During the period 6 March 1942 to 30 March 1942, in the vicinity of Smolensk, Trupp Smolensk murdered 60 persons, including 18 Jews.

8. Einsatzgruppe C and the units under its command committed murders and other crimes which included, but were not limited to, the following:

(a) During the period 22 June 1941 to 3 November 1941, in the vicinity of Shitomir, Novo Ukraina and Kiew, Einsatzgruppe C murdered more than 75,000 Jews.

(b) On 19 September 1941 in Shitomir, Einsatzgruppe C murdered 3,145 Jews and confiscated their clothing and valuables.

(c) During the period 22 June 1941 to 29 July 1941, in the vicinity of Shitomir, Sonderkommando 4a murdered 2,531 persons.

(d) During the period 22 June 1941 to 12 October 1941, in its operational areas, Sonderkommando 4a murdered more than 51,000 persons.

(e) During the period from 27 June to 29 June 1941, in the vicinity of Sokal and Luck, Sonderkommando 4a murdered 300 Jews and 317 Communists.

(f) In July or August 1941 in Fastow, Sonderkommando 4a murdered all the Jews between the ages of 12 and 60.

(g) In September or October 1941, in the vicinity of Wyrna and Dederew, Sonderkommando 4a murdered 32 Gypsies.

(h) On 29 and 30 September 1941 in Kiev, Einsatzkommando 4a, together with the Group Staff and police units, murdered 33,771 Jews and confiscated their clothing and valuables.

(i) On 8 October 1941 in Jagotin, Sonderkommando 4a murdered 125 Jews.

(j) On 23 November 1941 in Poltawa, Sonderkommando 4a murdered 1,538 Jews.

(k) In about July 1941, in Tarnapol, Sonderkommando 4b murdered 180 Jews.

(l) During the period from 13 September to 26 September 1941 in the vicinity of Krementschug, Sonderkommando 4b murdered 125 Jews and 103 political officials.

(m) During the period 4 October 1941 to 10 October 1941, in Poltawa, Sonderkommando 4b murdered 186 persons.

(n) From about 11 October 1941 to 30 October 1941 in the vicinity of Poltawa, Sonderkommando 4b murdered 595 persons.

(o) During the period 14 January 1942 to 12 February 1942, in the vicinity of Kiev, Sonderkommando 4b murdered 861 persons, including 139 Jews and 649 political officials.

(p) During the period from February 1942 to March 1942, in the vicinity of Artemowsk, Sonderkommando 4b murdered 1,317 persons, including 1,224 Jews and 63 "political activists."

(q) During the period from 22 June 1941 to 10 November 1941, in its operational areas, Einsatzkommando 5 murdered 29,644 persons.

(r) During July or August 1941, in Berditschew, Einsatzkommando 5 murdered 74 Jews.

(s) During the period 7 September 1941 to 5 October 1941, in the vicinity of Berditschew, Einsatzkommando 5 murdered 8,800 Jews and 207 political officials.

(t) On 22 and 23 September 1941, in Uman, Einsatzkommando 5 murdered 1,412 Jews.

(u) During the period 20 October 1941 to 26 October 1941, in the vicinity of Kiev, Einsatzkommando 5 murdered 4,372 Jews and 36 political officials.

(v) During the period from 23 November 1941 to 30 November 1941, in the vicinity of Rowne, Einsatzkommando 5 murdered 2,615 Jews and 64 political officials.

(w) During the period from 12 January 1942 to 24 January 1942 in the vicinity of Kiev, Einsatzkommando 5 murdered about 8,000 Jews and 104 political officials.

(x) During the period from 24 November 1941 to 30 November 1941 in the vicinity of Knjeproperowsk, Einsatzkommando 6 murdered 226 Jews and 19 political officials.

(y) From about 10 January 1942 to 6 February 1942, in the vicinity of Stalino, Einsatzkommando 6 murdered about 149 Jews and 173 political officials.

(z) In about February 1942, in the vicinity of Stalino, Einsatzkommando 6 murdered 493 persons, including 80 "political activists" and 369 Jews.

9. Einsatzgruppe D and the units under its command committed murders and other crimes which included, but were not limited to, the following:

(a) During the period from 22 June 1941 to July 1943, Einsatzgruppe D, in the area of Southern Russia, murdered more than 90,000 persons.

(b) On 15 July 1941, in the vicinity of Belzy, Sonderkommando 10a murdered 45 persons, including the Counsel of Jewish Elders.

(c) In July 1941, in the vicinity of Czernowitz, Sonderkommando 10b murdered 16 Communists and 682 Jews.

(d) During the period 22 June 1941 to 7 August 1941, in the vicinity of Kitschinew, Einsatzkommando 11a murdered 551 Jews.

(e) In about July 1941, in Thigina, Einsatzkommando 11b murdered 151 Jews.

(f) In about December 1941, in the vicinity of Simferopol, Einsatzkommando 11b murdered over 700 persons.

(g) During the period from 22 June 1941 to 23 August 1941, in Babschinzy, Einsatzkommando 12 murdered 94 Jews.

(h) During the period 15 July 1941 to 30 July 1941 in the vicinity of Chotin, Einsatzgruppe D murdered 150 Jews and Communists.

(i) During the period 19 August 1941 to 15 September 1941, in the vicinity of Nikolajew, Einsatzgruppe D murdered 8,890 Jews and Communists.

(j) During the period 16 September 1941 to 30 September 1941, in the vicinity of Nikowajew and Cherson, Einsatzgruppe D murdered 22,467 Jews.

(k) During the period 1 October 1941 to 15 October 1941, in the area east of the Dnjepr, Einsatzgruppe D murdered 4,891 Jews and 46 Communists.

(l) During the period 15 January 1942 to 31 January 1942, within its operational areas, Einsatzgruppe D murdered 3,601 persons, including 3,286 Jews and 152 Communists.

(m) During the period 1 February 1942 to 15 February 1942, within its operational areas, Einsatzgruppe D murdered 1,451 persons, including 920 Jews and 468 Communists.

(n) During the period 16 February 1942 to 28 February 1942, within its operational areas, Einsatzgruppe D murdered 1,515 persons, including 729 Jews, 271 Communists and 421 Gypsies and other persons.

(o) During the period 1 March 1942 to 15 March 1942 within its operational areas, Einsatzgruppe D murdered 2,010 persons, including 678 Jews, 359 Communists, and 810 Gypsies and other persons.

(p) During the period 15 March 1942 to 30 March 1942, within its operational areas, Einsatzgruppe D murdered 1,501 persons, including 588 Jews, 405 Communists and 261 Gypsies and other persons.

10. The acts and conduct of the defendants set forth in this Count were committed unlawfully, wilfully, and knowingly, and constitute violations of the law of nations, international conventions, general principles of criminal law as derived from the criminal laws of all civilized nations, the international penal laws of the countries in which such crimes were committed, and Article II of Control Council Law No. 10.

COUNT TWO

WAR CRIMES

11. Between 22 June 1941 and July 1943, all of the defendants herein committed war crimes, as defined in Article II of 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, murder and ill treatment of prisoners of war and civilian populations of countries and territories under the belligerent occupation of, or otherwise controlled by Germany, and wanton destruction and devastation not justified by military necessity. The particulars concerning these crimes are set forth in paragraphs 6 to 9, inclusive, of Count One of this Indictment and are incorporated herein by reference.

12. 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 43 and 46 of the Regulations of the Hague Convention No. IV, 1907, the Prisoner-of-War Convention (Geneva, 1929), the laws and customs of war, the general principles of criminal law as derived from the criminal laws of all civilized nations, the international penal laws of the countries in which such crimes were committed, and Article II of Control Council Law No. 10.

COUNT THREE

MEMBERSHIP IN CRIMINAL ORGANIZATIONS

13. All the defendants herein are charged with membership, subsequent to 1 September 1939, in organizations declared to be criminal by the International Military Tribunal and paragraph 1 (d) of Article II of Control Council Law No. 10.

(a) All the defendants were members of the Schutzstaffeln der Nationalsozialistischen Deutschen Arbeiterpartei (commonly known as the "SS").

(b) The defendants Ohlendorf, Jost, Naumann, Rasch, Six, Blobel, Blume, Sandberger, Seibert, Steimle, Biberstein, Braune, Haensch, Ott, Strauch, Haussman, Klingelhoef, Fendler, Von Radetzky, Schubert, and Graf were members of Aemter III, VI, and VII of the Reichssicherheitshauptamt (RSHA) constituting the Reichssicherheitsdienst des Reichsführers SS (commonly known as the "SD").

(c) The defendants Rasch, Schulz, Blume, Braune, Biberstein, Nosske, and Ruehl were members of Amt IV of the Reichssicherheitshauptamt (RSHA) constituting the Geheime Staatspolizei (commonly known as the "Gestapo").

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.

Acting on Behalf of the United States of America

TELFORD TAYLOR

Brigadier General, U. S. Army
Chief of Counsel for War Crimes

Nurnberg, 25 July 1947