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### Indictment

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# **MILITARY TRIBUNALS**

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CASE No. 6

**THE UNITED STATES OF AMERICA**

— against —

**CARL KRAUCH, HERMANN SCHMITZ, GEORG VON SCHNITZLER, FRITZ GAJEWSKI, HEINRICH HOERLEIN, AUGUST VON KNIERIEM, FRITZ TER MEER, CHRISTIAN SCHNEIDER, OTTO AMBROS, MAX BRUEGGEMANN, ERNST BUERGIN, HEINRICH BUETEFISCH, PAUL HAEFLIGER, MAX ILGNER, FRIEDRICH JAEHNE, HANS KUEHNE, CARL LAUTENSCHLAEGER, WILHELM MANN, HEINRICH OSTER, KARL WURSTER, WALTER DUERRFELD, HEINRICH GATTINEAU, ERICH VON DER HEYDE, and HANS KUGLER, officials of I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT**

Defendants

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OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)  
NURNBERG 1947

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## 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 Peace, War Crimes and Crimes against Humanity, and participated in a common plan or conspiracy to commit said crimes, all as defined in Control Council Law No. 10, duly enacted by the Allied Control Council on 20 December 1945. These crimes included planning, preening, initiating and waging wars of aggression and invasions of other countries, as a result of which incalculable destruction was wrought throughout the world, millions of people were killed and many millions more suffered and are still suffering; deportation to slave labor of members of the civilian population of the invaded countries and the enslavement, mistreatment, terrorization, torture and murder of millions of persons, including German nationals as well as foreign nationals; plunder and spoliation of public and private property in the invaded countries pursuant to deliberate plans and policies, intended not only to strengthen Germany in launching its invasions and waging its aggressive wars and secure the permanent economic domination by Germany of the continent of Europe, but also to expand the private empire of the defendants; and other grave crimes as set forth in this Indictment.

The persons accused as guilty of these crimes and accordingly named as defendants in this case are the following officials of I. G. FARBEN-INDUSTRIE AKTIENGESELLSCHAFT (Hereinafter referred to as "FARBEN" in the English text and "I. G." in the German text):

CARL KRAUCH, Chairman of the Aufsichtsrat (Supervisory Board of Directors) of FARBEN, Generalbevollmaechtigter fuer Sonderfragen der Chemischen Erzeugung (General Plenipotentiary for Special Questions of Chemical Production) on Goering's staff in the Office of the Four Year Plan.

HERMANN SCHMITZ, Chairman of the Vorstand (Managing Board of Directors) of FARBEN; Member of the Reichstag; Director of the Bank of International Settlements.

GEORG VON SCHNITZLER, Member of the Central Committee of the Vorstand of FARBEN; Chief of the Commercial Committee of the Vorstand, which planned and directed FARBEN's domestic and foreign sales and commercial activities; Wehrwirtschaftsfuehrer (Military Economy Leader); Hauptsturmfuehrer (Captain) in the Sturmabteilungen (SA) of the NSDAP.

FRITZ GAJEWSKI, Member of the Central Committee of the Vorstand of FARBEN; Chief of Sparte III (Division III) in charge of pro-

duction of photographic materials and artificial fibres; Manager of "Agfa" plants; Wehrwirtschaftsfuehrer.

HEINRICH HOERLEIN, Member of the Central Committee of the Vorstand of FARBEN; Chief of chemical research and development of vaccines, sera, pharmaceuticals and poison gas; Manager of the Elberfeld plant.

AUGUST VON KNIERIEM, Member of the Central Committee of the Vorstand of FARBEN; Chief Counsel of FARBEN; Chairman, Legal and Patent Committees.

FRITZ TER MEER, Member of the Central Committee of the Vorstand of FARBEN; Chief of the Technical Committee of the Vorstand, which planned and directed all of FARBEN's production; Chief of Sparte II in charge of production of buna, poison gas, dyestuffs, chemicals, metals and pharmaceuticals; Wehrwirtschaftsfuehrer.

CHRISTIAN SCHNEIDER, Member of the Central Committee of the Vorstand of FARBEN; Chief of Sparte I in charge of production of nitrogen, gasoline, diesel and lubricating oils, methanol and organic chemicals; Chief of Central Personnel Department, directing the treatment of labor at FARBEN plants; Wehrwirtschaftsfuehrer; Hauptabwehrbeauftragter (Chief of Intelligence Agents); Hauptbetriebsfuehrer (Chief of Plant Leaders); supporting member of the Schutzstaffeln (SS) of the NSDAP.

OTTO AMBROS, Member of the Vorstand of FARBEN; Chief of Chemical Warfare Committee of the Ministry of Armaments and War Production; Production Chief for buna and poison gas; Manager of Auschwitz, Schkopau, Ludwigshafen, Oppau, Gendorf, Dyhernfurth and Falkenhagen plants; Wehrwirtschaftsfuehrer.

MAX BRUEGGEMANN, Member and Secretary of the Vorstand of FARBEN; Member of the Legal Committee; Deputy Plant Leader of the Leverkusen Plant; Deputy Chief of the Sales Combine Pharmaceuticals; Director of the Legal, Patent and Personnel Departments of the Works Combine Lower Rhine.

ERNST BUERGIN, Member of the Vorstand of FARBEN; Chief of Works Combine Central Germany; Betriebsfuehrer (Plant Leader) at Bitterfeld and Wolfen-Farben plants; Production Chief for light metals, dyestuffs, organic intermediates, plastics and nitrogen at these plants.

HEINRICH BUETEFISCH, Member of the Vorstand of FARBEN; Manager of Leuna Plants; Production Chief for gasoline, methanol, and chlorine electrolysis production at Auschwitz and Moosbierbaum; Wehrwirtschaftsfuehrer; Member of the Himmler Freundes Kreis (Circle of Friends of Himmler); Obersturmbannfuehrer (Lieutenant Colonel) in the SS.

PAUL HAEFLIGER, Member of the Vorstand of FARBEN; Member of the Commercial Committee; Chief, Metals Departments, Sales Combine Chemicals.

MAX ILGNER, Member of the Vorstand of FARBEN; Chief of FARBEN's Berlin N.W. 7 office, directing intelligence, espionage and propaganda activities; Member of the Commercial Committee; Wehrwirtschaftsfuehrer.

FRIEDRICH JAEHNE, Member of the Vorstand of FARBEN; Chief Engineer in charge of construction and physical plant development; Chairman of the Engineering Committee; Deputy Chief, Works Combine Main Valley.

HANS KUEHNE, Member of the Vorstand of FARBEN; Chief of the Works Combine Lower Rhine; Plant Leader at Leverkusen, Elberfeld, Uerdingen and Dormagen plants; Production Chief for inorganics, organic intermediates, dyestuffs and pharmaceuticals at these plants; Chief of the Inorganics Committee.

CARL LAUTENSCHLAEGER, Member of the Vorstand of FARBEN; Chief of Works Combine Main Valley; Plant Leader at Hoechst, Griesheim, Mainkur, Gersthofen, Offenbach, Eystrup, Marburg, Neuhausen Plants; Production Chief for nitrogen, inorganics, organic intermediates, solvents and plastics, dyestuffs and pharmaceuticals at these plants.

WILHELM MANN, Member of the Vorstand of FARBEN; Member of the Commercial Committee; Chief of the Sales Combine Pharmaceuticals; Member of the SA.

HEINRICH OSTER, Member of the Vorstand of FARBEN; Member of the Commercial Committee; Manager of the Nitrogen Syndicate.

KARL WURSTER, Member of the Vorstand of FARBEN; Chief of the Works Combine Upper Rhine; Plant leader at Ludwigshafen and Oppau plants; Production Chief for inorganic chemicals; Wehrwirtschaftsfuehrer.

WALTER DUERRFELD, Director and Construction Manager of the Auschwitz Plant of FARBEN; Director and Construction Manager of the Monowitz Concentration Camp; Chief Engineer at the Leuna Plant.

HEINRICH GATTINEAU, Chief of the Political-Economic Policy Departments, "WIPO", of FARBEN's Berlin N.W. 7 office; Member of Southeast Europe Committee; Director of A. G. Dynamit Nobel, Pressburg, Czechoslovakia.

ERICH VON DER HEYDE, Member of the Political-Economic Policy Department of FARBEN's N.W. 7 office; Deputy to the Chief of Intelligence Agents; Hauptsturmfuehrer (Captain) in the SS; Member of the WI-RUE-AMT (Military Economic and Armaments Office) of the OKW (High Command of the Wehrmacht).

HANS KUGLER, Member of the Commercial Committee of FARBEN; Chief of the Sales Department Dyestuffs for Hungary, Rumania, Yugoslavia, Greece, Bulgaria, Turkey, Czechoslovakia and Austria; Public Commissar for the Falkenau and Aussig plants in Czechoslovakia.

Reference is hereby made to Appendix "A" of this Indictment for a fuller statement of the positions held by each of the defendants.



## COUNT ONE

### PLANNING, PREPARATION, INITIATION and WAGING OF WARS OF AGGRESSION AND INVASIONS OF OTHER COUNTRIES

#### STATEMENT OF THE OFFENSE

1. All of the defendants, acting through the instrumentality of FARBEN and otherwise, with divers other persons during a period of years preceding 8 May 1945, participated in the planning, preparation, initiation and waging of wars of aggression and invasions of other countries, which wars of aggression and invasions were also in violation of international laws and treaties. All of the defendants held high positions in the financial, industrial and economic life of Germany and committed these Crimes against Peace, as defined by 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, including FARBEN, which were connected with, the commission of said crimes.

2. The invasions and wars of aggression referred to in the preceding paragraph were as follows: against Austria, 12 March 1937; against Czechoslovakia, 1 October, 1938, and 15 March, 1939; against Poland, 1 September, 1939; against the United Kingdom and France, 3 September, 1939; against Denmark and Norway, 9 April, 1940; against Belgium, the Netherlands and Luxembourg, 10 May, 1940; against Yugoslavia and Greece, 6 April 1941; against the U.S.S.R., 22 June, 1941; and against the United States of America, 11 December, 1941.

3. In these invasions and wars of aggression, many millions of people were murdered, tortured, starved, enslaved and robbed; millions of homes were left in ruins; tremendous industrial capacity necessary to maintain the standard of living of peoples all over the world was destroyed; agricultural land capable of feeding millions of people was laid in waste; and a large part of the world was left in economic and political chaos. The life and happiness of all peoples of the world were adversely affected as the result of these invasions and wars of aggression.

#### PARTICULARS OF THE DEFENDANTS' PARTICIPATION IN THE PLANNING, PREPARATION, INITIATION AND WAGING OF WARS OF AGGRESSION AND INVASIONS OF OTHER COUNTRIES

##### A. The Alliance of FARBEN with Hitler and the Nazi Party

4. In 1921 Adolf Hitler became the supreme leader or Fuehrer of the National Socialist German Workers party, also known as the Nazi

Party. The main points of the Nazi Party Program, which remained unaltered until the party's dissolution in 1945, were to abrogate and overthrow the Treaties of Versailles and Saint Germain, and reconstitute the Wehrmacht; to acquire territories lost by Germany as the result of World War I; to acquire all other territories in Europe assertedly occupied by so-called "racial Germans"; and to acquire such other territories in the world as might be "needed" by the Germans for "Lebensraum". The Nazis proclaimed that persons of so-called "German blood" were a "master race" and were entitled to subjugate, dominate, and exterminate other "races" and peoples, and that war was a noble and necessary German activity. The Nazis proposed to achieve their ends by any means deemed opportune, including resort to force and aggressive war. The policies and program of the Nazi Party were continually and publicly reiterated and were matters of common knowledge.

5. FARBEN was a power in the world a generation before the Nazis. In 1925 FARBEN was not only the greatest industrial combine ever formed in Germany but one of the greatest in the world. By 1939, its size more than doubled, FARBEN surpassed any single industrial group in Germany in technological and financial influence and in the magnitude of its interests and affiliations. FARBEN's domestic participations comprised some 400 German firms, including manufacturing plants, sales companies, and power installations. FARBEN owned its own railroads, lignite and bituminous coal mines, electric power plants, coke ovens, and magnesite, gypsum and salt mines. FARBEN's foreign participations numbered over 500 firms, and its foreign manufacturing plants and holding companies blanketed Europe. FARBEN's sales companies, research firms, and other agencies were located in every important commercial and industrial center in the world.

6. Hitler, with his program of war, and FARBEN, which could make Germany (with very scanty natural resources essential for war aside from coal) self-sufficient for war, found a basis for close collaboration as early as 1932. The FARBEN leaders and other industrialists saw the Nazi movement growing and saw in it the opportunity to extend their economic dominion.

7. About November, 1932, the defendants BUETEFISCH and GATTINEAU, representing FARBEN, visited Hitler in Munich and discussed the question whether FARBEN could look to him and his party for support in the development of the FARBEN hydrogenation process for producing synthetic gasoline. FARBEN had been contemplating abandonment of its costly synthetic production and research. Hitler informed the FARBEN representatives that he would support them in the development of the hydrogenation process, and assured them that synthetic gasoline fitted into his program.

8. In the Reichstag election of 6 November 1932, the Nazi Party lost two million votes and 34 seats. At this point the Nazi Party was in a critical situation. Large bills were unpaid and the coffers were empty. On 8 December 1932, Joseph Goebbels wrote in his diary: "Severe depression prevails\*\*\* financial troubles make all organized work impossible\*\*\* the danger now exists of the whole party going to pieces." At the crucial moment, many leading industrialists rallied to the assistance of the Nazis.

9. On 4 January 1933, a meeting was held at the Cologne home of the banker, Baron Kurt von Schroeder, for the purpose of forming an alliance between Franz von Papen and Adolf Hitler. As a result of the meeting, von Papen repeatedly discussed with Hindenburg the formation of a cabinet with Hitler as Chancellor and von Papen as Vice Chancellor. On 30 January 1933, Hindenburg appointed Adolf Hitler Chancellor of Germany. The impending Reichstag election of 5 March 1933 presented a crucial test of Hitler's power.

10. On 20 February 1933 the defendant VON SCHNITZLER, representing FARBEN, met Hitler at Goering's Berlin house. He found there Gustav Krupp von Bohlen and Halbach, head of the Krupp armaments combine and President of the Reich Association of German Industry, and other leading representatives of German Industry. Hitler declared his treasonable purpose to seize power by violence if he failed to win it by votes. Among other things he stated that: Private enterprise cannot be maintained in the age of democracy; when the defense of the existing order is left to a majority, it will irretrievably go under; it is the noblest task of a leader to find ideals that are stronger than the factors that pull the people apart; he found them in Nationalism, in the denial of reconciliation between nations, in the strength and power of individual personality; if one rejects pacifism, one must offer a new idea in its place immediately; we must not forget that all the benefits of culture must be introduced more or less with an iron fist, just as once upon a time the farmers were forced to plant potatoes; we must first gain complete power if we want to crush the other side completely; only when one knows that one had reached the pinnacle of power, that there is no further possible upward development, shall one strike; now we stand before the last election, regardless of the outcome there will be no retreat; if the election does not decide, the decision must be brought about even by other means; there are only two possibilities, either to crowd back the opponent on constitutional grounds, and for this purpose once more this election, or a struggle will be conducted with other weapons, which may demand greater sacrifices, the question of restoration of the Wehrmacht will not be decided at Geneva, but in Germany.

11. At the conclusion of the speech, Goering asked for money, saying that, "The sacrifice asked for would be so much easier for industry to bear if it realized that the election of 5 March would surely be the last one for the next ten years, probably even for the next hundred years." Krupp then expressed to Hitler the industrialists' "gratitude for having given us such a clear picture of his ideas."

12. FARBEN answered Hitler's request for aid with a gift of 400,000 Reichsmarks, the largest contribution by a single firm that resulted from the meeting. The financial support thus given to the Nazis prompted Goering to state that in the election "we had the support of all industry."

13. With the knowledge that he could count on the backing and loyalty of FARBEN and other sections of industry, Hitler moved rapidly to dictatorship. Seven days after the meeting at Goering's house, a decree was enacted suspending constitutional guarantees of freedom and giving Hitler power to arrest persons and hold them in "protective custody." In the 5 March election Hitler won 44 percent of the total vote which together with the Huegenberg vote and the forcible exclusion of the Communist deputies, gave Hitler a majority in the Reichstag. When the Reichstag met on 21 March, Hitler introduced the Enabling Act, giving him full legislative powers including the power to deviate from the Constitution. He made it clear that further forceful measures would be taken if the Enabling Act were not passed. It passed.

14. Hitler had yet to consolidate his dictatorial power by destroying the forces of freedom in Germany before he assaulted freedom in the world. Immediately Hitler needed more money for "party" purposes. The special organizations of the party, such as the SS and SA, were heavy burdens on the party treasury. FARBEN made substantial contributions to support and further these activities.

15. Industry organized to support Hitler's political program, including rearmament and territorial aggrandizement. In April 1933, the Reich Association of German Industry, of which FARBEN was a member, submitted to Hitler a plan for the reorganization of German industry according to the Fuehrerprinzip (leadership principle). In transmitting the plan, Gustav Krupp stated that "the turn of political events is in line with the wishes which I, myself, and the Board of Directors have cherished for a long time. In reorganizing the Reich Association of German Industry. I shall be guided by the idea of bringing the new organization into agreement with the political aims of the German government."

16. Hitler now made good to FARBEN the promise he had given in 1932. In December 1933, FARBEN entered into an agreement with the German government for the enlargement of its synthetic gasoline

plants. All the increased production was guaranteed by the government, as to both price and sales. At the same time FARBEN began discussions with the government and its military agencies on synthetic rubber research and began construction of a secret magnesium plant.

17. In 1934 FARBEN began to work even more closely with the Wehrmacht in the rearmament program and conferences with the military "became more and more numerous and urgent". Construction was started on secret stand-by plants for the production of magnesium and explosives. In 1935 FARBEN plants began to prepare detailed plans for war production and mobilization. "War Games" were conducted to determine the effect of bombing of factories on production and speed of replacement. Drastic secrecy measures were imposed at the direction of the Reich War Ministry with respect to all war production in FARBEN plants, including poison gas production.

18. As a result of the basis for collaboration established between Hitler and FARBEN in 1932, FARBEN concentrated its vast resources on the creation and equipment of the German military machine for war, invented new production processes and produced huge quantities of materials of war, including synthetic rubber, synthetic gasoline, explosives, methanol, nitrates and other critical materials. Without them Germany could not have initiated and waged aggressive war. In order to accomplish this gigantic task, there took place between 1933 and 1939 a tremendous expansion of FARBEN's manufacturing facilities far in excess of the needs of a peacetime economy, undertaken with the encouragement and support of the Third Reich and financed primarily by the government. Having played an indispensable role in preparing Germany for aggressive wars, FARBEN then played an indispensable role in the waging of such wars. Throughout the entire period, FARBEN contributed vast amounts annually to the NSDAP, its various organizations, and to numerous special projects of Hitler, Himmler and other Nazi leaders for the purpose of maintaining the NSDAP in power and financing its criminal activities. FARBEN reaped huge profits and benefits as a result of the alliance which it established with Hitler in 1932 and which was broken only by force of arms in May 1945.

#### **B. FARBEN synchronized all of its activities with the military planning of the German High Command**

19. FARBEN cooperated with Hitler in his earliest efforts to build up a vast military machine in violation of the Versailles Treaty. This intimate cooperation made it necessary for FARBEN to work closely with the Wehrmacht. By 2 September 1935, FARBEN's activities fell so exclusively in the military domain that FARBEN's Central Committee of the Vorstand found it essential to establish in Berlin a military liaison agency, the Vermittlungsstelle W, for the sole purpose of

"providing in the establishment of military economy for a systematic cooperation within the I. G. and particularly for a centralized treatment of questions of military policy and military technics." The functions of this agency were to coordinate the work of the existing plants with the general mobilization plan so that in case of war FARBEN could regulate itself without outside interference, to handle all research problems relating to military production, and to discuss with the military agencies experiments in FARBEN laboratories for the development and production of offensive weapons. Such activities had been carried on for some time by the defendant KRAUCH in the production of synthetic gasoline, nitrogen and other products. FARBEN records of 1935 declared the purpose of Vermittlungsstelle W to be "the building up of a tight organization for armament in the I. G. which could be inserted without difficulty into the existing organization of the I. G. and the individual plants. In the case of war, I. G. FARBEN will be treated by the authorities concerned with armament questions as one big plant which in its task for armament, as far as it is possible to do so from the technical point of view, will regulate itself without any organizational influence from outside". The importance of this new organization to FARBEN is shown by the fact that the Vorstand placed at its head FARBEN's top scientist, the defendant CARL KRAUCH.

20. One of the first responsibilities given to the Vermittlungsstelle W by the Wehrmacht was the enforcement of stringent security measures in FARBEN designed to enable Germany to arm for war with as little notice as possible to the outside world. This security was of the most far reaching nature and covered all of FARBEN's operations connected with rearmament, including production, contracts for production, patents, research and experimentation in the military field. This covered poison gas, explosives, and other military items. On 2 January 1936, on instructions from the defendant TER MEER, a department for counterintelligence service, defense against spying, sabotage and betrayal of working secrets was established in the Vermittlungsstelle W which worked in close cooperation with the intelligence service of the Wehrmacht.

21. One purpose of the Vermittlungsstelle W was to assure secrecy, particularly in the field of patents. FARBEN records state: "The Supreme Command of the Army, Military Economic Staff, has frequently pointed out in discussions with respect to the necessity of keeping patent applications of I. G. secret—whether or not these patents resulted from the joint experimental work of the I. G. with the Army officers or from I. G.'s own initiative — that the Army is prepared to indemnify and underwrite any damages arising from this enforced secrecy or arising from the fact that these patents cannot be exploited."

22. By 1934 FARBEN had worked out detailed plans for defending

their plants against air raids. In 1935, the Vermittlungsstelle W supervised Kriegsspiele or "War Games", to determine the effect of bombing on certain factories and the speed of replacement, and to train the Luftwaffe in precision bombing. The Vermittlungsstelle W also acted as intermediary between FARBEN and the government in the preparation of mobilization plans for FARBEN's plants. These plans set forth the production programs which each factory could undertake in the event of war. They were discussed in the Vorstand, and instructions were issued to every FARBEN plant to prepare and deliver production plans of the Vermittlungsstelle W which submitted them to the Ministries of War and Economics. FARBEN's preparations for economic mobilization were so well developed that the military authorities used them as a basis for general war mobilization plans.

23. September, 1939, and the invasion of Poland, found FARBEN long since converted to a wartime footing. The fact that Germany had formally gone to war required no more than a telegram from Vermittlungsstelle W, dated 3 September 1939; "At the order of the Reich Economic Ministry, Dr. Ungewitter just ordered all I. G. plants to switch at once to the production outlined in the mobilization program. The minimum production recently fixed for Ludwigshafen and Oppau also goes into effect immediately with small changes. So far as the reserves of workers presenting themselves at Ludwigshafen and Oppau cannot be utilized effectively in the plant, they are to remain in readiness for employment elsewhere within I. G. Our plants have been notified by telegrams."

24. All of the foregoing activities constituted vital planning and preparation for aggressive war. The defendant VON SCHNITZLER has stated: "\*\*\*with the increased tempo after 1936 the Wehrmacht became the prominent factor in the whole picture. Since 1934 a strong movement for investments in our plants for commodities of decisive military importance became more and more pronounced with the main objective of increasing the military potential of Germany. At first autarchic principles to make Germany independent of importation from abroad was one of the leading objectives. Since 1936, the movement took an entirely military character and military reasons stood in the foreground. Hand in hand with this, the relations between I. G. and the Wehrmacht became more and more intimate and a continuous union between I. G. officials on the one side and the Wehrmacht representatives on the other side was the consequence of it."

**C. FARBEN participated in preparing the Four Year Plan and in directing the economic mobilization of Germany for war**

25. Rearmament and reconstitution of the Wehrmacht were indispensable to Hitler's plans for conquest. In April 1936, just

after German troops entered the demilitarized zone of the Rhineland, Hitler appointed Goering Coordinator for Raw Materials and Foreign Exchange and empowered him to supervise all State and Party activities in these fields. In this capacity Goering on 26 May 1936 addressed a meeting of the Committee of Experts for Raw Materials Questions, his principal advisors. The defendant SCHMITZ attended that meeting together with representatives of the Ministries of War and Air, and other high government officials. Supply questions vital to "A-Fall" (the code name for "Case of War") were discussed. Goering emphasized that, once at war, Germany would be cut off from all oil imports; that since a mechanized army and navy was dependent upon oil, the entire waging of war hinged on the solution of the oil problem. Goering also declared that "rubber is our weakest point" and indicated that considerations of cost were "immaterial". Every subject, including oil and rubber, was discussed at the meeting in the light of military requirements for waging war.

26. Shortly thereafter, Carl Bosch, then president of FARBEN, recommended to Goering that he retain the defendant KRAUCH to advise him in the planning and control of the chemical sector of the rearmament program. KRAUCH was put in charge of research and development in Goering's newly created Office for German Raw Materials and Synthetics.

27. On 8 September 1936, at the Nazi Party rally in Nurnberg, Hitler announced the establishment of the Four Year Plan and the appointment of Goering as the Plenipotentiary in charge. The purpose of the Four Year Plan was to make Germany ready for war in four years. The Office of the Four Year Plan was charged with working out complete programs for the development of plant capacity in all fields vital to war mobilization, including chemicals, rubber, gasoline, and explosives. In a memorandum to Goering explaining the objectives of the Four Year Plan, Hitler stated that the final solution of Germany's problem lay in the acquisition of new territories; that such acquisition was the task of "the political leadership"; that in order for "the political leadership" to exercise its responsibilities, the German economy had to be mobilized for the purpose of making Germany self-sufficient in critical war materials.

28. On 17 December 1936 in Hitler's presence, Goering made a speech in the Preussenhaus in Berlin in which he explained to a large audience of government officials and industrialists the aims of the Four Year Plan. Bosch and the defendants KRAUCH and VON SCHNITZLER were present. Goering made clear the intention and decision of the Nazi government to wage war. He said among other things: "The battle which we are approaching demands a colossal



measure of productive ability. No limit on the rearmament can be visualized. The only alternative in this case is victory or destruction. If we win business will be sufficiently compensated." He ended his speech: "Our whole nation is at stake. We live in a time when the final battle is in sight. We are already on the threshold of mobilization and we are already at war. All that is lacking is the actual shooting." On 22 December 1936 VON SCHNITZLER made a confidential report to the responsible officials of FARBEN on Hitler's and Goering's speeches "regarding the responsibilities of the German economy in the application of the Four Year Plan."

29. The defendant KRAUCH was appointed Chief of the Department for Research and Development in the Office of the Four Year Plan, the department responsible for preparing plans to make Germany selfsufficient for war. KRAUCH participated in numerous conferences devoted to military planning at which Goering and other high officials of the Third Reich were present. These meetings related to all phases of military mobilization and were not limited to the chemical field. For example, on 16 June 1937, a conference was held among government officials and representatives of the Iron and Steel Industry. KRAUCH represented the Office for German Raw Materials. Goering called for huge increases in iron production and reduction in the export of semifinished iron products. He stated that the purpose of the Four Year Plan was to create a foundation upon which preparation for war might be accelerated; that warships, guns, ammunition and munitions were to have first priority on iron; that the export of iron "may easily facilitate the armament of the enemy"; and that accordingly "the shipment of iron to the so-called enemy countries like England, France, Belgium, Russia and Czechoslovakia" was to be prohibited.

30. In the summer of 1938, with the invasion of Czechoslovakia imminent, Goering intensified his economic measures in preparation for aggressive war. FARBEN took the initiative in reorganizing the chemical program outlined by the Four Year Plan in line with the requirements for waging war. Goering took his first measures to speed up the program for chemical warfare and explosives at Karin Hall after the defendant KRAUCH had pointed out to him that the figures being relied on in preparation for war were incorrect and the danger of planning war on an inaccurate basis. On 30 June 1938, KRAUCH and Goering worked out the so-called "Karin Hall Plan", also called the "Krauch Plan", which contained a new program for producing chemical warfare agents (poison gas), explosives, rubber and gasoline production. The administrative basis had been prepared by the defendant AMBROS a few days prior thereto. Thereafter KRAUCH was appointed by Goering as Plenipotentiary General of the Four Year Plan for Special Questions of Chemical Production and was

vested with the identical powers suggested by AMBROS. KRAUCH was also appointed head of the "Reichsammt fuer Wirtschaftsaufbau" (Reich Office for Economic Development). With the assistance of key technical men of FARBEN, KRAUCH prepared special mobilization plans for the chemical industry, including an allocation and priority system for labor and building materials.

31. On 14 October 1938, Goering announced to a conference of important government officials, at which the defendant KRAUCH and other representatives of the Four Year Plan were present, that Hitler had ordered him "to carry out a gigantic program compared to which previous achievements are insignificant." He stated that within the shortest possible time the Air Force must be increased fivefold, the Navy expanded, and large stocks of "offensive weapons, particularly heavy artillery pieces and heavy tanks" procured. Goering especially stressed the need for tremendous military production increases in the fields of fuel, powder and explosives.

32. The defendant KRAUCH in his report of April, 1939, on the Krauch Plan to the General Council of the Four Year Plan, outlining the progress of his production plans in the field of oil, rubber, powder, explosives and chemical warfare agents, stated; "When on 30 June 1938 the objectives of increased production in the spheres of work discussed here, were outlined by the Field Marshal, it seemed that the political leadership could determine independently the timing and extent of the political revolution in Europe and could avoid a rupture with a group of powers under the leadership of Great Britain. Since March of this year (the invasion of Czechoslovakia) there is no longer any doubt that this hypothesis does not exist any more." And at the end of his report: "If action does not follow upon these thoughts with the greatest possible speed, all sacrifices of blood in the next war will not spare us the bitter end which once before we have brought upon ourselves owing to lack of foresight and fixed purpose."

33. Throughout his employment in the Office of the Four Year Plan, the defendant KRAUCH continued as a member of the Vorstand of FARBEN until 1940, when he was appointed Chairman of the Aufsichtsrat. Numerous officials and scientists of FARBEN assisted him in the Office of the Four Year Plan. The defendant BUETEFISCH advised KRAUCH on matters pertaining to synthetic gasoline; the defendant AMBROS, on buna production; the defendant WURSTER, on sulphuric acids; and the defendant SCHNEIDER, on nitrogen. Ninety percent of the employees in KRAUCH's office in the Four Year Plan were FARBEN personnel. In their capacity as government advisors on crucial war materials, FARBEN employees conferred continually with government officials on military plans. KRAUCH

and the other FARBEN technicians and scientists retained their positions with FARBEN and continued to receive their salaries from FARBEN while holding governmental positions.

34. The defendants herein and other FARBEN officials and technicians held key positions in other German government agencies and offices which participated in Germany's mobilization for war. The defendant SCHMITZ was a member of the Reichstag. He was also a member of the Board of Directors of the Reichsbank and president of its Currency Committee. The defendants VON SCHNITZLER, GATTINEAU and MANN were members of the Council for Propaganda of the German Economy. In the Ministry of Armaments and War Production, the defendant AMBROS was in charge of buna production and the Chemical Warfare Committee; the defendant BUETEFISCH headed the hydrogenation committee and the Economic Group for Liquid Fuels; the defendant WURSTER was in charge of sulphur and sulphuric compounds production. FARBEN employees were also employed in the High Command of the Wehrmacht, the Labor Front, the Ministry of Aviation and the Military Economy and Armaments Office of General Thomas. Numerous FARBEN officials abroad held leading positions in the Auslandsorganisation (the Foreign Organization) of the NSDAP and other government and party organizations abroad.

35. From 1934 on, the Reichsgruppe Industrie (Reich Group Industry), representing all of German industry, and the Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry), exercised governmental powers in the planning of German mobilization for war. These Economic Groups, on behalf of the German High Command prepared Germany's industrial mobilization plans in conjunction with the various industries. In the Reich Group Industry, the defendant SCHMITZ was a member of the Engerer Beirat (Advisory Council). The defendants SCHMITZ, VON SCHNITZLER and JAEHNE were members of the Grosser Beirat (Greater Advisory Council). FARBEN was represented on all of the Group's important committees. In the Economic Group Chemical Industry, VON SCHNITZLER was deputy chairman and member of the Engerer Beirat (Advisory Council). The defendant TER MEER was a member of the Praesidium. The Group was subdivided into "Fachgruppen" (Sub-Groups), many of which were directed by FARBEN officials, including the defendants, WURSTER, OSTER, VON SCHNITZLER, AMBROS and others.

36. FARBEN's domination of the chemical sector of the Four Year Plan and its role in the government as a whole was so well known that FARBEN was considered by Albert Speer to have been "promoted to governmental status", and was frequently referred to as "the State within the State."

**D. FARBEN participated in creating and equipping the Nazi military machine for aggressive war.**

37. The major contribution which FARBEN rendered in the rearmament of Germany lay in making her capable of waging war by rendering her self-sufficient in three crucial war materials essential to the waging of aggressive war: nitrates, oil, and rubber. In all three cases Germany had no natural resources and was incapable of planning, preparing, or waging aggressive war without FARBEN's development or processes for manufacturing them synthetically.

38. FARBEN developed the Haber-Bosch process for the fixation of nitrogen from air. Nitrogen is the basic element in nitrates production. FARBEN became the largest nitrates producer in the world. Germany, through the instrumentality of FARBEN, not only became self-sufficient in nitrates but prior to the war replaced Chile as the main source of supply for other countries. FARBEN and its subsidiaries produced 84 percent of Germany's explosives and 70 percent of Germany's gunpowder from its nitrogen production.

39. Germany had practically no natural oil. On 26 May 1936, Goering announced to the defendant SCHMITZ and the other members of the Committee of Experts for Raw Materials Questions, that the oil problem had to be solved to enable Germany to motorize the Wehrmacht and prepare for war. FARBEN developed the hydrogenation process whereby coal could be converted into lubricating oils and gasoline. As a result of the conference between Hitler and the defendants BUETEFISCH and GATTINEAU in 1932 (referred to in paragraph 7), FARBEN continued its developmental work which it had considered abandoning. By spring of 1933 FARBEN's quantity production of synthetic gasoline was well under way. A top technical official of FARBEN has stated: "After six years of efforts, I. G. solved the question of producing synthetic gasoline from brown coal on a large scale in the spring of 1933\*\*\* the experience of I. G. in this field was absolutely necessary for the conduct of a prolonged war." In 1943 FARBEN produced all the lubricating oil manufactured in Germany, and its processes accounted for nearly all German production of synthetic gasoline. The hydrogenation of coal into gasoline by FARBEN enabled the Wehrmacht to plan and prepare for aggressive war based on the rapid movement of tanks and aircraft, notwithstanding Germany's deficiency in natural petroleum.

40. Germany had no natural rubber. FARBEN discovered that synthetic rubber could also be obtained from coal. This discovery together with the production of synthetic gasoline, by a single stroke made possible the mechanization of the Wehrmacht independently of foreign supplies. After Hitler came into power, efforts to produce

synthetic rubber in sufficient quantities for the waging of war were greatly intensified. In 1942 FARBEN controlled 91.1 percent of synthetic rubber production throughout the world. In 1943 FARBEN accounted for 100 percent of Germany's total production of synthetic rubber. A top technical official of FARBEN has stated: "It would not have been possible to carry on the war for several years without I. G.'s buna."

41. After Hitler's seizure of power, FARBEN developed another production program, unrelated to its usual lines of chemical production, which was indispensable to the creation of the Luftwaffe. This was the production of light metals used in the manufacture of aircraft and ordnance, of which magnesium and magnesium alloys were the most important. FARBEN increased its magnesium production between 1930 and 1942 by over 4,000 percent, and its aluminum production by over 1,300 percent.

42. FARBEN performed most of the research for the secret development of poison gas for war. The experiments were carried out by FARBEN employees under the direction of the defendants HOERLEIN, AMBROS, and TER MEER, in close cooperation with the Wehrmacht. In 1943, FARBEN produced 95 percent of the poison gas in Germany.

43. Thus, from 1933 to 1939, FARBEN marshalled for the German High Command the vitals of modern warfare. The defendant VON SCHNITZLER declared: "It is no overstatement to say that modern warfare would be unthinkable without the results which the German chemical industry achieved under the Four Year Plan."

44. FARBEN's expansion after 1933 and the resultant increase in production was far in excess of the needs of a peacetime economy. FARBEN often took the initiative in persuading the Reich authorities of the need for additional facilities and negotiated with them for the construction thereof. Billions of reichsmarks supplied principally by the German government itself, were invested in new plants, mines and power installations. In other cases the expansion program was, for particular purposes, undertaken at the request of representatives of the German military machine. In 1936, the Wehrmacht, which had requested the construction of numerous types of plants, guaranteed the purchase of all production therefrom. Expanded capacity and production meant increased sales. FARBEN's total sales, (not including the sales of its subsidiaries), in 1932, amounted to approximately 900,000,000 reichsmarks. In 1943, they totalled 3,000,000,000 reichsmarks. Book profits rose from approximately 71,000,000 reichsmarks in 1932 to 571,000,000 reichsmarks in 1942. These figures reflect only part of what FARBEN gained from aggressive war.

45. FARBEN was the core of Germany's military mobilization not only by virtue of its own production but by virtue of its strategic

position in the German economy. All other German chemical companies and numerous other German war industries were almost totally dependent upon the products, resources and technological aid of FARBEN. German tanks, artillery and armored vehicles rolled on FARBEN electron metal wheels, were shod with FARBEN buna rubber and propelled by FARBEN synthetic gasoline. Nazi bombers were armored with FARBEN aluminum and magnesium alloys, carried death loads of FARBEN incendiary bombs and explosives, and were fueled by FARBEN high octane aviation gasoline.

**E. FARBEN procured and stockpiled critical war materials for the Nazi offensive**

46. In 1933, FARBEN embarked upon a tremendous program of synthetics' research and plant expansion as an integral part of the program to make Germany self-sufficient in critical war materials in preparation for aggressive war. Since production had to await the perfection of these processes and the construction of the plants, the German government attempted in the interim to import great quantities of critical war materials in the shortest possible time. The government relied on FARBEN to exploit its cartel connections and its foreign exchange resources to obtain these materials during the transition period, since no other firm in Germany had the requisite international connections or the desperately-needed foreign currency. In this program as in all other phases of the Nazi preparation for total war, FARBEN put its entire organization at the disposal of the Wehrmacht.

47. In 1936 the Ministry of Economics approached the defendant KRAUCH on the matter of making Germany "independent as far as possible from oil supplies from abroad." Pending quantity production of synthetic gasoline, FARBEN took steps to secure oil from abroad. FARBEN ordered \$ 20,000,000 of gasoline from the Standard Oil Company of New Jersey, which delivered \$ 14,000,000 worth. In June 1938 with the invasion of Czechoslovakia imminent Germany was still deficient in one of the main essentials of aviation gasoline, tetra-ethyl lead. On Goering's orders, the Air Ministry immediately asked FARBEN to store in Germany 500 tons of tetra-ethyl lead "up to a time when the plant in Germany is able to cover all needs." FARBEN arranged "to borrow" 500 tons of tetra-ethyl lead from the Ethyl Export Corporation of the United States and misrepresented the purpose of the "loan." The borrowed merchandise was to be returned by the end of 1939. The loan of the lead was secured by the deposit of approximately \$ 1,000,000 as collateral by FARBEN. At the expiration date of the loan, 31 December 1939, FARBEN, of course, forfeited the collateral. FARBEN also procured other strategic materials from abroad, including nickel.

48. In addition to stockpiling imports, FARBEN, both on its own initiative and on orders from the Wehrmacht, built up stockpiles of its own war production. Magnesium was stored in incendiary bomb tubes which were packed in cases marked "Textilhuelsen" (Textile Casings); electron metal fabricated by FARBEN from magnesium for use in new types of incendiary bombs and artillery shells were also stockpiled. By 21 December 1936, the Air Ministry informed the director of FARBEN's Bitterfeld magnesium plant that "the present stockpiling would be sufficient at this time for 'A-Fall'." Quantities of chemicals, particularly phosphorus and cyanides essential to the manufacture of poison gas, were stocked. FARBEN was one of the two founders of the Wirtschaftliche Forschungs G.m.b.H. (WIFO) whose main activity was to construct and maintain huge subterranean storage tanks for gasoline and oil for the Wehrmacht.

49. The defendants MANN, VON SCHNITZLER and ILGNER, in consultation with government officials, prepared export programs for all German industry and devised techniques for augmenting Germany's foreign exchange resources. At the request of the Reichsbank and other government agencies, FARBEN used its international credit position to obtain loans of foreign currencies and when the German foreign exchange situation became very desperate, FARBEN sold its products at less than cost.

#### **F. FARBEN participated in weakening Germany's potential enemies.**

50. Germany's foreign economic policy was aimed primarily at weakening the economic strength of countries which the Third Reich regarded as potential obstacles to the carrying out of its aggressive policy. FARBEN played an indispensable and major role in this program. The defendant VON SCHNITZLER has stated: "... the development of I. G. during the last 12 years cannot be separated from the government's foreign policy." The defendant KUGLER stated. "The foremost purpose of the Nazi government and I. G. and all other industrialists was to keep the Wehrmacht all powerful vis-a-vis all other countries including the U. S. A."

51. FARBEN's international affiliations, associations and contracts aggregated in the thousands. Its actual cartel agreements numbered over two thousand and involved industrial concerns throughout the world, including agreements with major industrial concerns, in the United States, Great Britain, France, Norway, Holland, Belgium and Poland. Ordinarily, cartels are associations or combinations of business firms entered into for the purpose of regulating markets and prices in order to maintain prices or to protect plant investments from obsolescence. After the Nazi government came into power, FARBEN used the international cartel as an economic weapon in the preparation for

aggressive war through trade penetration, political propaganda, collection of strategic information about foreign industries, and weakening other countries by crippling production and stifling scientific research. From 1933 on, FARBEN not only obtained critical materials and important scientific information for the German military machine through its cartel connections, but deprived other countries thereof. From 1935 on all cartel agreements, and extensions and modifications thereof, were cleared by FARBEN with the Wehrwirtschaftsstab (Military Economics Staff) of the Wehrmacht.

52. The pressure exerted by FARBEN to restrict industrial development outside Germany was a deliberate and direct phase of military planning for aggressive war. Financial and commercial arrangements between FARBEN and non-German firms were treated by FARBEN in the light of and as part of the German program for war. The result was a tragic retardation of the development of strategic industries in countries which the Nazi government planned to invade and attack.

53. FARBEN's pre-war activities were carefully designed to weaken the United States as an arsenal of democracy. Through its cartel arrangements, FARBEN retarded the production within the United States of certain strategic products, including synthetic rubber, magnesium, synthetic nitrogen, tetrazene, atabrine and sulphur drugs.

54. In the case of magnesium, a cartel arrangement between FARBEN, Aluminum Company of America, and Dow Chemical Company, greatly restricted production within the United States and prohibited exports from the United States to Europe, except to Germany and in negligible amounts, to Great Britain. Thus, Great Britain and the rest of Europe became completely dependent upon Germany for its magnesium. As a result Great Britain was in a desperate situation with respect to magnesium at the outbreak of war. Meanwhile FARBEN expanded its own magnesium production for war as rapidly as possible.

55. When the British Purchasing Mission tried to buy tetrazene primed ammunition in the United States in early 1941, the sale was prevented by a cartel agreement between a subsidiary of Dupont and a subsidiary of FARBEN.

56. When the Japanese captured Java, they captured the bulk of the world's quinine resources. The only substitute to combat malaria was atabrine, a synthetic drug discovered by FARBEN. A single patent, controlled by FARBEN, dictated the terms by which this essential drug could be manufactured in the United States, and prevented its production in the United States prior to Germany's declaration of war against the United States.

57. By means of cartel agreements with Standard Oil Company of New Jersey, FARBEN delayed the development and production of buna



rubber in the United States until 1940, while at the same time producing sufficient buna in Germany to make the German army and German industry independent of rubber imports. During the early part of the period from 1930 to 1940, industrial concerns in the United States undertook research in the field and Standard Oil developed synthetic rubber known as Butyl. Under the terms of an agreement between FARBEN and with full technical information concerning the processes for these products, FARBEN deliberately failed to carry out its obligations under the agreement. Although FARBEN gave repeated assurances to Standard Oil that it would obtain permission from the German government to supply the information about buna rubber to Standard Oil, during the entire time that FARBEN was giving these assurances it had no intention of divulging the process and treated the negotiations as a military matter in consultation with the Wehrmacht and other Nazi government agencies. The result was that on 7 December 1941, the United States found itself at war with no adequate rubber supply and with no adequate program under way for making synthetic rubber. Cut off from its rubber supply in the Far East, only the most drastic steps prevented disaster.

**G. FARBEN carried on propaganda, intelligence and espionage activities.**

58. FARBEN's foreign agents formed the core of Nazi intrigue throughout the world. Financed and protected by FARBEN, and ostensibly acting only as business men, FARBEN officials carried on propaganda, intelligence and espionage activities indispensable to German preparation for and waging of aggressive war. In Germany, FARBEN's Berlin N. W. 7 office was transformed into the economic intelligence arm of the Wehrmacht. The Nazi party relied upon FARBEN as one of its main propaganda machines.

59. It was Hitler's basic thesis that: "After the enemy has been completely demoralized from within we will strike". The weapon chosen for this demoralization was propaganda; the instrumentality, the Auslandsorganisation (Foreign Organization) of the NSDAP. The purpose of the Auslandsorganisation was to solidify German racial unity and regiment German institutions abroad, in accordance with National Socialist racial doctrines; prevent the assimilation of Germans in foreign countries; insure the loyalty of all Germans abroad to the Nazi Party; and carry on Fifth Column activities. Numerous FARBEN officials abroad held important positions in the Auslandsorganisation and were its sole representatives in many areas.

60. The German Foreign Office feared political friction if it were obvious that Germany was establishing agents abroad whose chief function was the furtherance of Nazi propaganda. It became official policy, therefore, to foster "an international economic approach"; to

carry on intelligence work and disseminate propaganda behind the facade of seemingly respectable business. Officials and employees of FARBEN concerns throughout the world became "economic agents" of the Third Reich.

61. In 1933 the defendant ILGNER became a member of the "Circle of Experts of the Propaganda Ministry", and president of the Carl Schurz Association, which was active in disseminating Nazi propaganda. In 1933, FARBEN mailed a report idealizing conditions in the Third Reich to all its representatives abroad and requested them to circulate its contents. In 1933, FARBEN's American public relations expert began to disseminate Nazi and anti-Semitic propaganda, and literature throughout the United States.

62. In 1937 the Commercial Committee of the Vorstand established the following policy: "It is hereby understood that in no case will men be sent to our foreign companies who do not belong to the German Labor Front and who do not possess a positive attitude toward the New Order. The men who are to be sent should make it their special duty to represent National Socialist Germanhood". The Commercial Committee further resolved that all foreign representatives were to be armed with Nazi literature and were to work closely with the Auslandsorganisation. Before any employee of FARBEN departed on a foreign assignment, he had to sign a loyalty declaration to the Nazi Party and the New Order and vow that his primary duty would be to represent "National Socialist Germanhood".

63. In advertising campaigns abroad, FARBEN emphasized Nazi ideology. On 16 February 1933, the Board of Directors of the Pharmaceutical Division of FARBEN (Bayer) resolved that advertising in journals hostile to Germany "shall on all terms be avoided. Commercial and advertising considerations have to be put in the background as compared with the more important political point of view". Millions of reichsmarks worth of books, pamphlets, newspaper clippings and documents glorifying the Master Race and the Nazi State were sent abroad by FARBEN for distribution.

64. An even more direct participation in Germany's preparation for and waging of aggressive war was spy work performed by FARBEN throughout the world. On the basis of reports received from leading officials of FARBEN concerns abroad, and intensive research carried on by its experts in Germany, FARBEN supplied the Wehrmacht and other agencies of the Nazi government with foreign political, economic, and military information. FARBEN's camouflaged firms provided an organization ideal for spying; and government officials and employees going abroad frequently requested FARBEN to make available to them the cloak of one of its foreign subsidiaries so that they could disguise their activities.

65. Through the instrumentality of its leading agents abroad, the "Verbindungsmaenner", one of whom was located in every major country of the world, FARBEN received frequent intelligence reports pertaining to economic, political and military matters. So invaluable were these Verbindungsmaenner that in most cases they were absorbed into the OKW/Abwehr (Military Intelligence Division of the Wehrmacht) and into Nazi Party organizations. In addition, FARBEN placed on its payroll members of the "OKW/Abwehr". Reports received from abroad or compiled by FARBEN were given to the Wehrwirtschaftsstab (Military Economics Staff) of General Thomas, the OKW/Abwehr, and the Auslandsorganisation. These reports were received, analyzed, compiled and forwarded to the Vorstand and to the various interested agencies of the Third Reich through FARBEN's Berlin organization known as the "Berlin N. W. 7" office. The Berlin N. W. 7 office also prepared special reports and maps for the Wehrmacht identifying and locating strategic factories in countries about to become the victims of German aggression. These maps and reports were used by the Luftwaffe in selecting their bombing targets. Employees of the Berlin N. W. 7 office worked for the Military Economic Staff and other sections of the Wehrmacht, although they continued to work for and were paid by FARBEN.

66. FARBEN financed the propaganda, intelligence, and espionage activities described above, supplying large amounts of foreign exchange for this purpose. FARBEN also made contributions in reichsmarks to finance subversive activities in preparation for war. An example is a contribution by FARBEN on 22 September 1938, a week before the Munich Agreement, of 100,000 reichsmarks for the "Sudeten German Aid" and the "Sudeten German Free Corps". The latter was a guerrilla organization which was established for creating frontier incidents and executing sabotage attacks in preparation for the invasion of Czechoslovakia.

**H. With the approach of war and in connection with each new act of aggression, FARBEN intensified its preparation for and participation in the planning and execution of such aggressions and the reaping of spoils therefrom.**

67. In 1936, when the Four Year Plan was announced, the road to aggressive war was already foreshadowed. Thereafter, the inevitability of war as a result of Hitler's aggressive plans and intentions grew increasingly manifest, and the dictatorship of the Third Reich ever more brutal and tyrannical. As the shape of things to come grew clearer and war more imminent, a few prominent supporters of Hitler parted company with the leaders of the Third Reich. Fritz Thyssen, who dominated the great Vereinigte Stahlwerke (United Steel Works), the largest coal and steel trust in Germany, and who had been one of Hitler's earliest supporters, became opposed to certain Hitler policies. When Germany attacked

Poland, Thyssen fled from Germany. Hjalmar Schacht, onetime president of the Reichsbank, Minister of Economics, and Plenipotentiary General for War Economy resigned from the latter two positions in November, 1937. Because of disagreements with Hitler and Goering, particularly over the enormously expensive synthetic program and the promulgations of the Four Year Plan, Schacht became increasingly disaffected and lost influence in the Third Reich.

68. In sharp contrast with Thyssen, Schacht, and others, the close collaboration between FARBEN leaders and the political and military leaders of the Third Reich became even closer as the time for committing aggressive acts and launching aggressive wars grew nearer. FARBEN was the chief protagonist and executor of the synthetic program and profited enormously thereby. FARBEN played a leading role in the Four Year Plan and in directing the economic mobilization of Germany for war. Prior to the invasions and wars, FARBEN took radical measures to cloak and conceal its assets abroad and marshalled its resources in Germany to enable the Wehrmacht to attack at the appointed time. Hard on the heels of the invading German armies. FARBEN officials followed with plans carefully prepared in advance for the exploitation of industry in the occupied countries in accordance with the needs of the German war machine and the ambitious designs of FARBEN to expand its economic empire.

69. From 1937 on, FARBEN embarked upon an intensive program to camouflage and cloak its foreign holdings to protect them from seizure in the coming wars by enemy custodians. These measures not only served the interests of FARBEN, but enabled its foreign empire to carry out the greatly intensified efforts of the Nazi government to strengthen Germany at the expense of other nations. The defendant VON SCHNITZLER stated: "Even without being directly informed that the government intended to wage war, it was impossible for officials of I. G. or any other industrialists to believe that the enormous production of armaments and preparation for war starting from the coming into power of Hitler accelerated in 1936 and reaching unbelievable proportions in 1938 could have any other meaning but that Hitler and the Nazi government intended to wage war come what may. In view of the enormous concentration on military production and of the intensive military preparation, no person of I. G. or any other industrial leader could believe that this was being done for defensive purposes. We of I. G. were well aware of this fact as were all German industrialists and on a commercial side, shortly after the Anschluss in 1938, I. G. FARBEN took measures to protect its foreign assets in France and the British Empire."

70. Immediately prior to the Munich Conference of 29 September 1938, a special procedure was worked out by the officials of the German government, after consultation with FARBEN, authorizing the cloaking

of German foreign assets through transfers to neutral trustees as a protection against wartime seizure.

71. In March of 1939, the Legal Committee of FARBEN, whose chairman was the defendant VON KNIERIEM, concluded that; "\*\*\* the risk of seizure of the sales organizations in the event of war is minimized if the holders of shares or similar interests are neutrals residing in neutral countries. Such a distribution of holdings of shares or other interests has the further advantage of forestalling any conflicts which may trouble the conscience of an enemy national who will inevitably be caught between his patriotic feelings and his loyalty to I. G. A further advantage is that the neutral, in case of war, generally retains his freedom of movement, enemy nationals are frequently called into the service of their country, in various capacities, and therefore, can no longer take care of business matters." FARBEN's Legal Committee then recommended that FARBEN sever all "legal" ties with FARBEN cloaks.

72. Thereafter FARBEN, in anticipation of coming wars of aggression, made the drastic recommendation to the German government that it be permitted to transfer outright hundreds of millions of dollars of foreign assets. On 24 July 1939, a letter was sent to the Reich Ministry of Economics in which FARBEN explained that it was convinced that: "A real protection of our foreign sales companies against the danger of a sequestration in war can only be obtained by our renouncing all legal ties of a direct or indirect nature between the owners of the shares and ourselves \*\*\* and by granting these shares to such neutral quarters as will give the absolute guarantee by virtue of personal relations of long years standing, partly even covering decades, that in spite of their absolute independence and neutrality they will never dispose of these values otherwise than in a way fully considering our interests." The German government approved these measures.

73. Early in 1940, FARBEN began to take active measures in anticipation of possible war with the United States. A plan was adopted for "Americanizing" FARBEN's most important single asset in the United States, the General Aniline and Film Corporation, which FARBEN owned through I. G. Chemie, Switzerland. In a letter dated 15 May 1940, to the Reich Ministry of Economics, FARBEN explained: "Based on the expiration of the World War, we have constantly endeavored since the beginning of the war to protect as far as possible this American company in the event of war entanglements with the U. S. \*\*\*". Thereafter, the High Command of the Wehrmacht was contacted for the purpose of taking up negotiations in connection with the rearrangement of FARBEN's relations with I. G. Chemie.

74. FARBEN not only protected its foreign holdings but prepared and carried out plans whereby it would reap the spoils of each aggressive act, and expand its empire at the expense of each invaded nation. The

German government cooperated with FARBEN in this program of plunder and spoliation designed to build up the German war potential as well as reward FARBEN for its major role in preparing Germany for war.

75. On 9 April 1938, one month after the invasion of Austria, FARBEN was already armed with a plan for a "New Order for the Chemical Industry of Austria", which it submitted to KEPPLER, Hitler's special representative in Vienna. The plan provided for the integration of the major chemical industries of Austria within the framework of the Four Year Plan. FARBEN succeeded in "acquiring" the Austrian chemical industry.

76. Prior to the Munich Pact of 29 September 1938, FARBEN had already prepared plans for the industrial invasion of Czechoslovakia. On 3 May 1938, Hitler signed directive "Green", stating his final decision to destroy Czechoslovakia soon, initiating military preparation all along the line. In July 1938, a report on the chemical industries of Czechoslovakia was prepared for the use of the Commercial Committee of FARBEN and thereafter FARBEN initiated discussions with the interested German authorities and recommended that its representatives be appointed commissars to take over the operation and management of the chemical industries of Czechoslovakia and integrate their production to the Four Year Plan. On September 23, 1938, a week before the Munich Conference, the defendant KUEHNE wrote the defendants TER MEER and VON SCHNITZLER congratulating them on their success in achieving the acceptance of FARBEN nominees. On the previous day FARBEN had made its contribution of 100,000 reichsmarks for financing the creation of frontier incidents and the execution of sabotage attacks against Czechoslovakia.

77. Hitler, at a meeting on 23 May, 1939, with the heads of the armed forces and their staffs, announced his decision to attack Poland, and in the weeks that followed this conference, intensive preparations were made for the attack. In July, 1939, FARBEN officials obtained information from German government officials on the basis of which the defendant knew that Poland would be invaded in September. FARBEN's facilities were then completely mobilized in preparation for the attack. In anticipation of benefits to be derived from this aggression, FARBEN on 28 July, 1939, prepared a comprehensive report entitled: "The Most Important Chemical Factories in Poland", which report formed the basis for future acquisitions in Poland. FARBEN later absorbed the Polish chemical industry.

78. Envisaging the defeat of France, FARBEN's plans for enlarging its empire went beyond preparations for reaping the spoils of each new aggression. FARBEN set its sights more in line with Hitler's aim of world conquest, which now seemed closer to reality.

79. FARBEN began preparing for the Reich government a "New Order" (Neuordnung) for the chemical industry. On 24 June, 1940, the defendant VON SCHNITZLER summoned a meeting of the Commercial Committee to agree upon the principles underlying the New Order. On 3 August, 1940, FARBEN submitted to the Reich Ministry of Economics its detailed plans for the New Order. FARBEN explained that a "major economics sphere" would be shaped in Europe which "will, upon conclusion of the war, have the task of organizing the exchange of goods with other major spheres in competitive markets — a task which includes more particularly the recovery and securing of world respect for the German chemical industry. In the observations and planning to be made in regard thereto, it is necessary to bear in mind especially the shifting and developing trends in the international economic forces which resulted from the last war, such as may be seen more and more in the increased influence of the United States in Latin America, of Japan in the Far East, and of Italy in Southeast Europe and the Near East."

80. The immediate short range objective of the New Order was to integrate European production with the German war machine. The long range objective was the incorporation of the chemical industry of Europe, including Great Britain, within the framework of the Nazi New Order, and the domination of the chemical industry of the world. The New Order of FARBEN proposed the use of its economic weapons, cartels, capital investments and technical know-how so as to combat the last remaining challenge to its supremacy, the United States.

81. Preparation of the New Order was predicated on FARBEN's "claim to leadership" in Europe, which FARBEN alleged had been taken away by the Treaty of Versailles, and which the New Order was to rectify. In developing that "claim" the New Order contained a recital of damages alleged to have been sustained as a direct result of the Treaty and also included a claim for direct and indirect damages sustained in consequence of World War II, for which, FARBEN charged, Great Britain and France were responsible.

82. The New Order document was not hastily prepared at the behest of the government, but was a complete exposition of projects which FARBEN had developed since World War I and hoped to accomplish through German aggrandizement. The New Order document contains thousands of pages of specific programs for the chemical industries of Europe, including Great Britain. These detailed plans outlined the existing structure of the chemical industries of the European countries and set forth their future organization and direction. In many instances FARBEN planned to liquidate completely chemical companies and chemical production in certain countries, making those countries wholly dependent upon the Reich and thereby securing Germany's military supremacy.

83. "It must be remembered", stated the defendant VON SCHNITZLER, "that in preparing the Neuordnung we were following the lines of the so-called Gross-Raum-Politik (expansionist policy) laid down by the government. We were looking to the overwhelming downfall of France and eventual capitulation of England when we prepared the document. It must be remembered that we knew well the aims and policies of the Government and we knew that it was the intention of the Government to improve its strength in relation to the countries outside of the European sphere. This meant, of course, the United States, because outside of Europe the United States was the only strong country with which Germany had to reckon. Therefore, we wrote in the Neuordnung that we intended to keep Germany as strong as possible militaristically in relation to the United States."

**I. FARBEN participated in plunder, spoliation, slavery and mass murder as part of the invasions and wars of aggression**

84. In addition to the acts and conduct of the defendants set forth above, the participation of the defendants in planning, preparation, initiation, and waging of wars of aggression and invasions of other countries included:

a) The acts and conduct set forth in Count Two of this Indictment, relating to plunder and spoliation, which acts and conduct were committed as an integral part of the planning, preparation, initiation, and waging of wars of aggression and invasions of other countries. The allegations made in said Count Two are hereby incorporated in this Count.

b) The acts and conduct set forth in Count Three of this indictment, relating to slavery and mass murder, which acts and conduct were committed as an integral part of the planning, preparation, initiation, and waging of wars of aggression and invasions of other countries. The allegations made in said Count Three are hereby incorporated in this Count.

**VIOLATION OF LAW**

85. The acts and conduct set forth in this count were committed by the defendants unlawfully, willfully and knowingly, and constitute violations of international laws, treaties, agreements and assurances, and of Article II of Control Council Law No. 10.



## **COUNT TWO**

### **PLUNDER AND SPOILIATION**

#### **STATEMENT OF THE OFFENSE**

86. All of the defendants, acting through the instrumentality of FARBEN and otherwise, with divers other persons, during the period from 12 March 1938, to 8 May 1945, committed War Crimes and Crimes against Humanity as defined in Article II of Control Council Law No. 10, in that they participated in the plunder of public and private property, exploitation, spoliation, and other offenses against property in countries and territories which came under the belligerent occupation of Germany in the course of its invasions and aggressive wars. All of the defendants committed these War Crimes and Crimes against Humanity as defined by 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, including FARBEN, which were connected with, the commission of said crimes.

#### **PARTICULARS OF DEFENDANTS' PARTICIPATION IN PLUNDER AND SPOILIATION**

87. The methods employed to exploit the resources of the occupied territories varied from country to country. In some occupied countries, exploitation was carried out within the framework of the existing economic structure. Local industries were placed under German supervision and production and distribution were rigidly controlled. The industries thought to be of value to the German war effort were compelled to continue. The majority of the others were closed. Raw materials and finished products alike were confiscated. A Goering directive of 19 October 1939, with respect to Poland, provided: "The task for the economic treatment of the various administrative regions is different, depending on whether the country involved will be incorporated politically into the German Reich, or whether we will deal with the Government General, which in all probability will not be a part of Germany, in the first mentioned territories, the safeguarding of all their productive facilities and supplies must be aimed at, as well as a complete incorporation into the greater German economic system at the earliest possible time. On the other hand, there must be removed from the territories of the Government General all raw materials, scrap materials, machines, etc. which are of use for the German war economy. Enterprises which are not absolutely necessary for the meager maintenance of

a naked existence of the population must be transferred to Germany unless such transfer shall require an unreasonably long period of time and would make it more practicable to exploit those enterprises by giving them German orders, to be executed at their present location."

88. In organizing the plunder of property in occupied territories and countries, the means adopted varied from outright confiscation which was cloaked by the enactment of various sequestration decrees, to "negotiations" with the owners of such property for its acquisition. This latter technique was particularly used in the West. The German authorities made a pretense of paying for all the property which they seized. This pretense merely disguised the fact that the raw materials, machinery and other goods diverted to Germany were paid for by the occupied countries themselves, either by the device of excessive occupation costs or by forced loans in return for a credit balance in a "clearing account" which was a nominal account only. The means adopted were intended to and did effectuate the plans to strengthen Germany in waging its aggressive wars, insure the subservience of the economy of conquered countries to Germany, and secure the permanent economic domination of the continent of Europe. In the East, the German government organized special corporations as their trustees for the express purpose of exploiting seized industries in such a manner that not only would the German war machine and its economy be strengthened but the local economy laid in ruin.

89. FARBEN marched with the Wehrmacht and played a major role in Germany's program for acquisition by conquest. It used its expert technical knowledge and resources to plunder and exploit the chemical and related industries of Europe, to enrich itself from unlawful acquisitions, to strengthen the German war machine and to assure the subjugation of the conquered countries to the German economy. To that end, it conceived, initiated, and prepared detailed plans for the acquisition by it, with the aid of German military force, of the chemical industries of Austria, Czechoslovakia, Poland, Norway, France, Russia, and other countries.

#### **A. FARBEN in Austria**

90. In Austria one of the two major chemical industrial firms was the PULVERFABRIK SKODAWERKE WETZLER A. G. (SKODA-WETZLER WORKS), controlled by the CREDITANSTALT BANK of Austria. The Rothschilds, a Jewish family, owned a majority interest in this bank. With the invasion of Austria and the introduction of the "aryanization" program, the controlling Rothschild interests in the CREDITANSTALT BANK were confiscated and turned over to the DEUTSCHE BANK. Thereupon FARBEN which had sought unsuccess-

fully to acquire an interest in the SKODA-WETZLER WORKS prior to the invasion, was quick to take advantage of the changed situation. FARBEN proceeded to acquire control of the SKODA-WETZLER WORKS through the DEUTSCHE BANK.

91. These chemical works and the other principal chemical firms of Austria were reorganized by FARBEN and merged into the newly created DONAU CHEMIE A.G. FARBEN expanded the facilities of its newly acquired Austrian chemical industries, increased the production of war material for the German military machine, integrated the entire Austrian chemical industry with its own operations, and participated in the subjugation of the Austria economy to the German economy and the destruction of its former independence.

#### **B. FARBEN in Czechoslovakia**

92. In Czechoslovakia, the largest chemical concern (the fourth largest in Europe), was the VEREIN FUR CHEMISCHE UND METALLURGISCHE PRODUKTION of Prague (PRAGER VEREIN). This concern which had two important plants located in the Sudetenland, one at FALKENAU and the other at AUSSIG, was one of FARBEN's biggest competitors in Southeastern Europe.

93. Prior to the Munich Pact of 29 September 1938, FARBEN made various unsuccessful attempts to acquire an interest in the PRAGER VEREIN. After the annexation of Austria and the accelerated Nazi agitation in the Sudetenland, FARBEN renewed its interest and prepared plans for the acquisition of the PRAGER VEREIN. FARBEN proposed to the Reich government that the defendants WURSTER and KUGLER be appointed commissars to operate the plants. One week prior to the Munich Pact, the Ministry of Economics informed FARBEN that its proposed representatives were acceptable. The Sudeten-German Economic Board advised FARBEN that the "Czech-Jewish management of the plants with one of the Sudeten-German managers who remained with the chemical works. FARBEN reluctantly consented to share the management, but at the same time informed the German authorities that "I.G. would now lay claim to the acquisition of both works." The defendants VON SCHNITZLER, TER MEER, KUEHNE, ILGNER, HAEFLIGER, and WURSTER and others participated in these negotiations.

94. On 29 September 1938, the Munich Pact was signed. The next day the defendant SCHMITZ wired Hitler that he was "profoundly impressed by the return of Sudeten-Germany to the Reich which you, My Fuehrer, have achieved", and that FARBEN "puts an amount of

half a million reichsmarks at your disposal for use in the Sudeten-German territory." On 1 October, German troops entered the Sudetenland. On 3 October, FALKENAU was occupied, and on 9 October, AUSSIG. On 14 October 1938, Goering held a conference in the Office of the Reich Air Ministry at which the defendant KRAUCH was present. Goering stated that in view of the world situation, about which everyone knew from the press, Hitler had ordered him to carry out a gigantic program to procure offensive weapons at a faster rate. He ordered double and triple shifts for labor. He stated that the Sudetenland had to be exploited by all means; that Bohemia and Slovakia would become German dominions and its industry completely assimilated; that everything must be taken out and that searches must be made for oil and ore.

95. After various forms of duress had been applied by German officials, with the approval of FARBEN, to force PRAGER VEREIN to "sell" its plants, a proposal was submitted on 29 October 1938, to the management at Prague by KUGLER as "public commissar" of the AUSSIG and FALKENAU plants, relating to the disposition of the plant to FARBEN and another German firm. To this proposal, the PRAGER VEREIN replied on 1 November 1938, taking strong exception to the view that the commissars were authorized to act on behalf of the management with respect to the disposal of the plants. On 8 November formal "negotiations" started at a meeting in Berlin, at which the defendants SCHMITZ, VON SCHNITZLER, ILGNER, KUEHNE, and KUGLER were present. A series of meetings were thereafter held culminating in a December 8 meeting at which the defendant VON SCHNITZLER presided and addressed the representatives of the PRAGER VEREIN stating that he knew that they were trying to sabotage the deal, that he was, therefore, going to report to the German government that because of the attitude of the PRAGER VEREIN, social peace in the Sudeten area was being menaced and that unrest could be expected at any moment, and that the responsibility therefore would fall upon the PRAGER VEREIN. The representatives of the PRAGER VEREIN thereupon sought advice from the Czechoslovakian government and were advised to do the best they could. The next day the agreement for the sale of the property was signed. The consideration was to be paid, partly in Czechoslovakian currency through the "clearing account", and partly in goods delivered by the Sudeten plants to the remaining plants of the company located in Czechoslovakia.

96. With the "negotiations" thus successfully concluded, the new purchasers, FARBEN and the other German firm organized a new company, the CHEMISCHE WERKE AUSSIG-FALKENAU, G. m. b. H., which expanded its newly acquired Czechoslovakian facilities, increased the production of chemicals essential for the German military machine,

and integrated the Czechoslovakian chemical industry with its own operations, and participated in the subjugation of the Czechoslovakian economy to the German economy and in the destruction of its former independence.

### C. **FARBEN** in Poland

97. In Poland the three major chemical industrial firms were PRZEMYSŁ CHEMICZNY BORUTA, S. A. ZGIERZ (BORUTA), CHEMICZNA FABRYKA WOLA KRZYSZTOPORSKA (WOLA), AND ZAKLADY CHEMICZNE W WINNICY (WINNIC).

98. In anticipation of the invasion of Poland, FARBEN, as early as July, 1939, began preparing plans for absorbing the chemical industry of Poland. Immediately following the invasion of Poland, on 7 September 1939, the defendant VON SCHNITZLER sent a telegram to Krueger, a FARBEN official, requesting him to contact the Reich Ministry of Economics to inform them of the status of the Polish chemical factories. Krueger was specifically instructed to inform the government officials that it was the considered judgment of FARBEN that the "considerable and valuable stocks of raw materials, intermediates, and finished products", of the Polish plants should be utilized by FARBEN experts "in the interests of the German economy." At a subsequent meeting between the defendant VON SCHNITZLER, Krueger, and officials of the Reich Ministry of Economics, on 14 September 1939, FARBEN formally requested that it be appointed "trustee" of the BORUTA, WOLA and WINNICA plants. On 21 September 1939, the Ministry of Economics approved the appointment of FARBEN's representatives as "trustees."

99. Under FARBEN "trustee ship" the fate of the three Polish chemical firms followed closely the pattern set by FARBEN even before the invasion had taken place. BORUTA, the largest of the dyestuffs companies, was "purchased" by FARBEN from the German sequestrator. FARBEN obtained WINNICA through special "negotiations" with the French after the occupation of France. WOLA was closed down after defendant VON SCHNITZLER notified the Ministry of Economics that it was owned by a nonaryan family. What was left of the machinery and equipment after the FARBEN "trustees" stripped the plant, was later sold, FARBEN being one of the purchasers.

100. FARBEN expanded its Polish facilities, increased the production of chemicals and other related products essential to the German military machine, integrated the entire Polish chemical industry with its own operations and participated in the subjugation of the Polish economy to the German economy and in the destruction of its former independence.

#### **D. FARBEN in Norway**

101. In 1940 the most important chemical concern in Norway was the NORSK-HYDRO ELEKTRISK KVAELSTOFAKTIESEL-SKABET (NORSK-HYDRO). This company was particularly important as a producer of nitrogen and nitrogen products. Prior to 1940, French interests controlled about 60% of the corporation. FARBEN's participation was approximately 25%. With the aid and participation of representatives of the German government, FARBEN forced an increase in the capitalization of NORSK-HYDRO, excluding the French stockholders from participation therein, as a result of which the French were ousted from control. FARBEN and the German government obtained the controlling interest.

102. With the acquisition of control by FARBEN and the German government of NORSK-HYDRO, the production of the Norwegian chemical industry was coordinated with the production of the German chemical industry to supply the German military machine. New facilities were constructed to produce light metals for the Luftwaffe. Among the plants owned by NORSK-HYDRO, was an electro-chemical plant at Vemor which had been producing heavy water. It was discovered that heavy water could be used in the manufacture of atom bombs and orders were issued to expand immediately the existing facilities of the electro-chemical plants of NORSK-HYDRO to increase substantially the production of such heavy water.

#### **E. FARBEN in France**

103. Prior to the French-German Armistice of June, 1940, the three principal chemical firms in France were: COMPAGNIE NATIONALE DE MATIERES COLORANTES ET MANUFACTURES DE PRODUITS CHIMIQUES DU NORD REUNIES ETABLISSEMENTS KUHLMANN, Paris (KUHLMANN), the second largest chemical company on the continent; SOCIETE ANONYME DES MATIERES COLORANTES & PRODUITS CHIMIQUES DE SAINT-DENIS, Paris (SAINT DENIS); and, COMPAGNIE FRANCAISE DE PRODUITS CHIMIQUES ET MATIERES COLORANTE DE SAINT-CLAIR-DU-RHONE, Paris (SAINT-CLAIR-DU-RHONE).

104. On 3 August 1940 FARBEN submitted to the Reich Ministry of Economics and to Ambassador HEMMEN, the Head of the German Armistice Commission, its detailed plans for the New Order (to which reference has previously been made in Count One). FARBEN proposed to acquire control of the French chemical industry by merging the principal dyestuff and chemical corporations into one big combine in which it would have a 50 per cent participation. The consideration for this participation was to be payment by FARBEN of a fixed amount to the German government, rather than to the private owners.

105. The New Order was received very favorably by the German authorities. FARBEN requested the German authorities to starve the French chemical industry into submission by withholding necessary raw materials. To this end FARBEN arranged that "no negotiations with the French should take place unless first the French indicated openly that genuine necessity obliged them to recognize the superiority of the German dyestuff industry." On 25 September 1940. FARBEN's Commercial Committee agreed to take a "reserved attitude toward the French partners." The defendant VON SCHNITZLER on 4 October 1940 instructed FARBEN agents to represent to the French that it could not as yet open negotiations. On 12 October 1940 FARBEN's agent in Paris reported to the defendant VON SCHNITZLER on a conference held on 10 October 1940 with Frossard, President of KUHLMANN, at which Mr. Frossard requested a conference with FARBEN stating that: "The chemical industry in France must live, which is in the interest of the European economy. German chemical industry cannot intend that on the French side this branch of the industry should disappear completely. You must help us." Frossard further indicated that the French were prepared to accept a limitation of dyestuffs production, to manufacture preliminary and intermediate products for German industry so far as necessary, and even to sell its products under a German label.

106. On 21 November 1940 representatives of FARBEN and the French Chemical Industry met at Wiesbaden under the auspices of the Armistice Commission. Representing FARBEN were VON SCHNITZLER, TERMEER, KUGLER and TERHAAR. Ambassador Hemmen presided. VON SCHNITZLER read and gave to the French delegation a memorandum setting forth the basis upon which an "agreement" could be affected. FARBEN's "claim to leadership" of the dyestuffs industry in Europe was to be recognized and accepted by the French. Going beyond its claims in the New Order, FARBEN now insisted on an absolute majority in the French chemical industry.

107. In developing its theme of the new German economic sphere, FARBEN stated that it will be a "necessity of business and political economy, that there be a complete accommodation of the French dyestuffs industry to the German dyestuffs industry." The French urged that the cartel agreement of 1927, as amended in 1929, though suspended by the war, was still valid and should constitute the basis for further negotiations. Thereupon the French speaker was interrupted by Ambassador Hemmen, who speaking loudly, with great violence, and pounding the table with his fists, said there could be no further discussion on any such basis; that he could not find words strong enough to express his amazement over such proposals; that the French must recognize the FARBEN "claim to leadership", that French prosperity was only due to the "Diktat" of Versailles; that France was actually

defeated and that they would have to accept the conditions stated or face the prospect of an immediate expropriation of their plants. The defendant VON SCHNITZLER flatly rejected the French proposals as an "imputation and insult" stating that the proposals ignored the "political and economic facts" especially since "France had declared war on Germany."

108. The next day FARBEN insisted that a new company be organized into which the French dyestuffs industry would be incorporated with FARBEN holding a 51 per cent participation. Production and the expansion of facilities were to be controlled, and the export market was to be entirely relinquished by the French.

109. Protesting the harshness of the terms, the management of the French firms sought to shift the negotiation from a private to a governmental basis. FARBEN was adamant. Then the French submitted an alternative plan providing for participation by FARBEN in a newly formed sales organization rather than a production organization. This, too, was rejected. The defendant VON SCHNITZLER addressed the French saying: "If you don't come to terms on the basis suggested by us, we shall impose on your plants the same regime we have applied to MULHOUSE." The plants of the SOCIETE DES MATIERES COLORANTES ET PRODUITS CHIMIQUES DE MULHOUSE, and the KUHLMANN plant at VILLERS ST. PAUL, had already been seized by the Germans. Thereupon an agreement was reached in principle although the French still protested a 51 percent participation by FARBEN.

110. On 18 November 1941, the result of the "negotiations" was finally formalized in the "Francolor Agreement." This agreement embodied the terms which FARBEN had prepared prior to the conference of 20 January 1941. It provided among other things for the creation of a new corporation known as FRANCOLOR to which were transferred the principal asset of KUHLMANN, SAINT DENIS and SAINT CLAIR-DU-RHONE. FARBEN took a 51 percent participation in FRANCOLOR. In exchange for its assets the French received shares of FARBEN stock representing one percent of FARBEN's capitalization. Such shares could not be sold by the French purchasers, except to each other. Having thus acquired control, FARBEN "aryanized" the plants, transferred skilled French workers to Germany, dismantled and shipped special equipment to Germany, and converted these plants for armament production.

111. The German government annexed Alsace-Lorraine, and confiscated the plants located there which belonged to French nationals. Among the plants located in this area were the dyestuffs plant of KUHLMANN's SOCIETE DES MATIERES COLORANTES ET PRODUITS CHIMIQUES DE MULHOUSE, the oxygen plants, the OXYGENE



LIQUIDE STRASSBOURG-SCHILTIGHEIM (Alsace) and the factory of the OXHYDRIQUE FRANCAISE in Diedenhofen (Lorraine). FARBEN acquired these plants from the German government without payment to or consent of the French owners.

112. France had developed a substantial pharmaceutical line of which the SOCIETE DES USINES CHIMIQUES RHONE-POULENC (RHONE-POULENC) was the principal firm. The pharmaceutical branch of FARBEN, the BAYER organization, was also desirous of "negotiating" an agreement in that field. The RHONE-POULENC plants, however, were located in unoccupied France. With the aid and assistance of the German authorities the defendant MANN conducted successful "negotiations" resulting in a formal agreement whereby FARBEN acquired a 51 percent interest in a subsidiary of RHONE-POULENC and whereby that subsidiary was made the joint sales agency for the products of BAYER and RHONE-POULENC. FARBEN paid for its purchase through the "clearing account."

113. By the aforementioned "negotiations", FARBEN acquired control of the French chemical and pharmaceutical industries, integrated its production to its own operations and participated in the subjugation of the French economy to the German economy and in the destruction of its former independence.

#### **F. FARBEN in Russia**

114. On 18 December 1940, Hitler issued a directive stating that by 15 May 1941, "The German armed forces must be prepared to crush Soviet Russia in a quick campaign before the end of the war against England." The code name for this campaign was "Case Barbarossa." A special plan, called the "Oldenburg" plan, to be administered by an Economic General Staff, was set up as an economic counterpart to "Case Barbarossa", to assure the most efficient exploitation of Soviet resources. The German armies were to be fed out of Soviet territory even "if many millions of people will be starved to death." In planning the said aggression and destruction of Soviet resources, the German government openly rejected the restrictions of the Hague Convention of 1907 declaring that its rules "regarding the administration of territories occupied by a belligerent do not apply since the Soviet Union is to be considered dissolved"; the entire Soviet industrial property was marshalled for "National Economy" and belonged to the German State. The plan envisaged a campaign of exploitation designed to subjugate the entire Soviet economy, to strip it of its industrial facilities, and to reduce the Soviet Economy to an agrarian status.

115. Special corporations, called MONOPOLGESELLSCHAFTEN or OSTGESELLSCHAFTEN were organized for the express purpose of

exploiting the specialized industrial fields. These corporations were to be appointed "trustees" to operate Soviet industrial facilities exclusively for the German war economy.

116. To lay a basis for future claim to Soviet industrial plants, FARBEN set out to acquire influence in and control of the special corporations through substantial financial participations, and through placing its personnel in key positions in these corporations, FARBEN secured a financial participation in the KONTINENTALE OEL A.G. which Goering had organized as early as March, 1941, to exploit the oil resources of the East. The defendant BUETEFISCH attended the initial meeting where the organizational details were agreed upon. The defendant KRAUCH was made a member of the Vorstand of KONTINENTALE OEL A. G. and Hermann Abs, of the FARBEN Aufsichtsrat, was made an official of the company. The oil properties and related facilities of the Soviet Union were assigned to the KONTINENTALE OEL A. G. for exploitation. In the CHEMIE OST, G. m. b. H. another special corporation, FARBEN obtained a substantial financial participation. A FARBEN official was made its manager and the defendant VON SCHNITZLER a member of its advisory board. Defendant OSTER was made manager of the STICKSTOFF OST, a corporation organized to exploit nitrogen facilities.

117. FARBEN made available to the German government the service of the defendant AMBROS and other experts to prepare for the exploitation of Soviet industry. On 28 June 1941, one week after the attack of Russia, the defendant AMBROS wrote the defendant KRAUCH offering the services of FARBEN specialists who should "take over the plants there." The following week the defendant ILGNER issued instructions for the submission of plans to reorganize Russian industry under German leadership, using FARBEN's experience in Czechoslovakia as a model. At the same time the defendant AMBROS selected a group of chemists and specialists to go to Russia and on 1 July 1941, informed the Buna Commission that, prior to their departure for Russia, it was necessary that the policies relating to the production of certain types of Buna be fixed in order "to make; as soon as possible, the Russian production subservient to our intentions." In December, 1941, FARBEN proposed to the German Ministry of Economics the formation of a special corporation for exploiting the Russian buna plants, whose stock was to be owned 100 percent by FARBEN.

118. In January, 1942, FARBEN's Berlin N. W. 7 office submitted a secret report on the government agencies participating in the exploitation of the Soviet Union. Its own participations in the exploitation of Russia in special chemical, textile and related fields were listed. FARBEN was informed by this report that the policy

of the government was to give German industry a free hand in Russia and that "the directives provide for ruthless cleaning of the industrial cities of South Russia and for the removal of all usable industrial machinery\*\*\* The East is ultimately to be a 'pure agricultural and raw material territory'. A copy of this report was sent to each member of the Vorstand and of the Commercial Committee at the request of the defendant MANN.

### **VIOLATION OF LAW**

119. The acts and conduct of the defendants set forth in this Count were committed unlawfully, willfully, and knowingly, and constitute violations of the laws and customs of war, of international treaties and conventions, including Articles 46-56, inclusive, of Hague Regulations of 1907, 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**

### **SLAVERY AND MASS MURDER**

#### **STATEMENT OF THE OFFENSE**

120. All of the defendants, acting through the instrumentality of FARBEN and otherwise, with divers other persons, during the period from 1 September 1939 to 8 May 1945, committed War Crimes and Crimes against Humanity as defined by Article II of Control Council Law No. 10, in that they participated in the enslavement and deportation to slave labor on a gigantic scale of members of the civilian population of countries and territories under the belligerent occupation of, or otherwise controlled by Germany; the enslavement of concentration camp inmates, including German nationals; the use of prisoners of war in war operations and work having a direct relation to war operations, including the manufacture and transportation of war material and equipment; and the mistreatment, terrorization, torture and murder of enslaved persons. In the course of these activities, millions of persons were uprooted from their homes, deported, enslaved, ill-treated, terrorized, tortured and murdered. All of the defendants committed these War Crimes and Crimes against Humanity, as defined by 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, including FARBEN, which were connected with, the commission of said crimes.

#### **PARTICULARS OF DEFENDANTS' PARTICIPATION IN SLAVERY AND MASS MURDER**

##### **A. Role of FARBEN in Slave Labor Program**

121. The acts, conduct, plans, and enterprises referred to above were carried out as part of the slave labor program of the Third Reich, in the course of which millions of persons, including women and children were subjected to forced labor under cruel and inhuman conditions which resulted in widespread suffering and millions of deaths. At least five million workers were deported to Germany. Conscription of labor was implemented in most cases by brutal and violent methods, among which were included systematic manhunts in the streets, motion picture theatres, houses of worship and other public places, and frequent invasions of homes during the night. Workers deported for the Reich were sent under armed guard to Germany, often packed in trains without heating, food, clothing, or sanitary facilities, as a result of which many of them

were dead upon arrival, and most of the survivors were seriously ill. Those inhabitants of occupied countries who were not deported to Germany were conscripted and compelled to work in their own countries to assist the German war machine.

122. In the execution of said plans and enterprises the human and material resources of the belligerently occupied countries, completely out of proportion to the needs of the occupying forces, were seized and harnessed to the German war machine. The needs of the respective countries were utterly disregarded and the family honor and rights of the civilian populations involved were ruthlessly despoiled. Prisoners of war were forced to labor at work related directly to war operations including work in factories engaged in production for war. The principle guiding the handling and treatment of the civilian slave laborers and the prisoners of war was the one enunciated in official orders to the effect that they should "be fed, sheltered, and treated in such a way as to exploit them to the greatest possible extent at the lowest conceivable degree of expenditure."

123. The defendant KRAUCH, with the aid and assistance of FARBEN officials and with the knowledge and approval of the Vorstand, prepared and organized the details of the plans of the chemical industry for war mobilization. Such plans included, among other things, provisions for the procurement and exploitation of slave labor to supply the German war machine with materials and equipment with which to wage aggressive war. The defendant KRAUCH, as general Plenipotentiary for Special Questions of Chemical Production in the Four Year Plan, was the highest authority in passing on allocations of labor for the entire chemical industry, including foreign and concentration camp labor and prisoners of war. KRAUCH attended meetings of the Central Planning Board, the top governmental authority responsible for the overall planning and coordination of all matters relating to war production, including labor supply.

124. The exploitation of enslaved workers and of prisoners of war for works directly connected with war operations was standard policy of FARBEN. In 1941 the defendant SCHMITZ, in his business report to the Aufsichtsrat, stated that the respective works of FARBEN must direct their efforts to obtaining necessary workers and that its requirements could in general be covered through foreign workers and prisoners of war.

125. FARBEN established labor recruiting offices which were specifically charged with responsibility for combing the labor field of the chemical industries in the newly conquered countries, or countries and territories otherwise under Nazi control, to the end that skilled workers be forcibly deported to the Reich to work for FARBEN. In furtherance

of such policy, FARBEN with the knowledge and approval of the Vorstand and acting through the defendants AMBROS, SCHNITZLER, TER MEER and others, exerted special pressure on French industrialists and with the aid and assistance of the German occupying forces, recruited by forcible deportation, and by willful misrepresentations, skilled and non-skilled French workers to come to Germany and work in the FARBEN plants where war material and equipment was being produced. French workers who were alleged to have come voluntarily were free to go home if they so chose. Any attempt to exercise freedom of contract by leaving their work was followed by manhunts, and capture resulted in transfers by "special transport" to the nearest labor office where they were returned to their involuntary servitude in FARBEN plants.

126. Concentration camp inmates were utilized by FARBEN as a source and means of procuring slave labor and to make more efficient use of this human commodity FARBEN constructed camps to house them. These camps were enclosed with barbed wire, and the slave laborers housed therein were guarded by SS men. Deportees from Eastern occupied countries were guarded by armed plant guards accompanied by watch dogs. In its plants FARBEN accepted and appointed as its security representatives men designated by the SS and Gestapo and in the administration of its plants adopted the policies and practices of the Gestapo. Although the FARBEN plant manager was responsible for the morale and discipline of its slave workers, it was standard policy to call in the Gestapo to enforce discipline.

127. FARBEN was aggressive in its acquisition of slave laborers and sent its representatives to concentration camps to make selections of those considered most physically fit for servitude in FARBEN plants. This is illustrated by a complaint made by the head of the Personnel Division of FARBEN's Kamerawerke, Munich, to the Commandant of the Dachau Concentration Camp, that a transport which left Ravensbruck with inmates selected by FARBEN engineers contained only 250 Dutch women instead of 260 and that 63 of this number were not selected by them. Another instance is the demand made in January, 1944, by the same office of FARBEN's Kamerawerke, Munich, to the Labor Office, Munich, for the requisition of Polish female prisoners whose term of imprisonment was about to expire. In this case FARBEN specifically requested that the sentences of such prisoners be extended.

128. In all FARBEN plants and works, where slave labor was used, sub-human standards of living were the established order. Inadequate food rations, overcrowded and filthy sleeping quarters, excessive hours of hard physical labor, continued beatings and other cruel disciplinary measures, brought about a high percentage of illness and disease among the inmates. In cases of disease, little or no medical care was furnished, as a result of which many slave laborers died.

129. The extent of FARBEN slave labor activities is shown by the following figures: During the period here involved, the total number of workers reached 200,000 of which approximately 50 per cent were slave labor. Beginning in 1941, with approximately 10,000 slave laborers, FARBEN progressively increased its exploitation of such slave labor to approximately 22,000 in 1942; 58,000 in 1943; 85,000 in 1944 and 100,000 in 1945. These figures represent only the numbers of slave laborers in FARBEN plants at a given time and do not reflect the fact that many died and were replaced and many were "exchanged". FARBEN in its use of slave labor affected the freedom, the well-being, and the lives of many hundreds of thousands of human beings.

130. In FARBEN's internal organization, the Technical Committee passed upon and recommended to the Vorstand the construction of barracks and concentration camps, together with installations and equipment necessary to house the slave labor. The Vorstand, thereupon, gave its approval to the projects so recommended and authorized the necessary expenditures. The welfare of such slave labor, including the administration of the barracks and concentration camps and the type of disciplinary action to be taken against the slave labor, was under the immediate supervision of the plant leaders and plant managers, including the defendants WURSTER, AMBROS, LAUTENSCHLAEGER, BUERGIN and GAJEWSKI. The Vorstand "delegated" its overall responsibility for the welfare of laborers in all its plants to the defendant SCHNEIDER as Hauptbetriebsfuehrer (Chief of Plant Leaders). SCHNEIDER consulted with the plant leaders and plant managers and other members of the Vorstand, including the defendants VON SCHNITZLER, ILGNER, TER MEER and BRUEGGEMANN in formulating policy decisions. The defendant KRAUCH discussed with SCHNEIDER and other members of the Vorstand the requisitioning and handling of slave labor.

**B. Use of Poison Gas and Medical Experimentation upon Enslaved**

**Persons.**

131. Poison gases and various deadly pharmaceuticals manufactured by FARBEN and supplied by FARBEN to officials of the SS were used in experimentation upon and the extermination of enslaved persons in concentration camps throughout Europe. Experiments on human beings (including concentration camp inmates), without their consent, were conducted by FARBEN to determine the effect of deadly gases, vaccines, and related products.

**C. FARBEN at Auschwitz.**

132. The Auschwitz concentration camp was established for the main purpose of exterminating human beings. Life or death of the inmates depended solely upon their fitness for work. All who were considered fit to work were used as slave laborers; all who were not considered fit

to work were exterminated in gas chambers and their bodies burned. When the remainder of dead exceeded the capacity of the specially constructed crematoria, the "overflow" of human beings was burned in huge open bonfires. Here many victims were also burned alive. In Auschwitz alone, three to four million persons were exterminated, and another one-half million died from disease and starvation.

133. The decision between life and death of newly arrived inmates was made pursuant to a screening system which operated as follows: There were two SS doctors on duty to examine the incoming transports of prisoners. The prisoners would be marched by one of the doctors who would make spot decisions as they walked by. Those who appeared fit for work were sent into the camp. Others were sent immediately to the extermination chambers. Children of tender years were usually exterminated, since by reason of their youth, most of them were considered unable to work. Steps were taken to conceal from the victims the fact that they were to be exterminated and it was represented to them that by going through the gas chambers they were only going through a bathing and delousing process. It took from three to fifteen minutes to kill the people in the death chamber, and when their screaming had stopped it was assumed they were dead. About a half hour later, the doors were opened and the bodies removed, whereupon special commandos of the SS took off the rings and extracted the gold from the teeth of the corpses. The bodies were then cremated and after cremation, their ashes were used for fertilizer. In some instances, attempts were made to utilize the fat from the bodies of the victims in the commercial manufacture of soap.

134. At Auschwitz, innumerable inmates were forcibly subjected to cruel and unusual experiments in surgery and tests of various medications. These surgical and medical experiments consisted in the main of castrations, ovarian operations, amputations, complete removal of sexual organs, abortions, sterilization by X-Ray, injection with the virus of certain diseases, and subsequent oral or intra-venal application of various drugs and pharmaceutical products. Many of the pharmaceuticals used were manufactured by and procured from one or more of FARBEN's plants.

135. In or about 1940, the defendant KRAUCH discussed the construction of a new buna plant with the defendant AMBROS. The defendant AMBROS in consultation with the defendant TER MEER proceeded to make a survey of suitable locations and recommended to the FARBEN Vorstand that the buna plant be constructed at Auschwitz. In recommending said location, the defendant AMBROS called specific attention to the available labor supply from the concentration camps in that area. The Vorstand approved the recommendations and authorized the construction of a buna plant at Auschwitz.



136. To insure the cooperation of the SS in the furnishing of concentration camp labor, FARBEN took steps to establish friendly relationships with the SS. In 1941 FARBEN made a contribution to the SS, through the "Circle", of 100,000 marks and thereafter made similar annual contributions to the SS. The defendant BUETEFISCH was a member of the "Keppler Circle" subsequently known as the "Friends of Himmler" and "Freundeskreis" (Circle of Friends). This select group included the leading industrialists in Germany. Regular and frequent meetings were held at which Heinrich Himmler, Reichs-Fuehrer of the SS, presided. Its membership, in addition to leading German industrialists and bankers, included Karl Wolff, Himmler's Adjutant; Oswald Pohl, Chief of all concentration camps; Otto Ohlendorf, a leading official of the SS who testified before the IMT that his SS Commandos had killed 90,000 women, men and children, mostly Jews in Russia; and Wolfram Sievers, who directed the program of criminal medical experimentation on human beings. This "Circle" made regular annual contributions of at least one million marks to Himmler to aid in financing the criminal activities of the SS. These activities consisted of the guarding and administration of concentration camps and the brutal treatment of their inmates; subjecting prisoners of war and concentration camp inmates to a series of experiments, including freezing to death and killing by poisoned bullets; shooting unarmed prisoners of war; extensive participation in the slave labor program; murder and ill-treatment of the civilian population in occupied countries, including massacres such as at Lidice and the destruction of the Warsaw ghetto; and persecution and extermination of millions of Jews and others deemed politically undesirable by the SS. The criminal programs of the SS were so widespread and conducted on such a gigantic scale that they were a matter of common knowledge throughout Germany and throughout the world. In addition to the defendant BUETEFISCH, FARBEN maintained its liaison with the SS through various members of its organization who held high offices in the SS and through the personal friendship between the defendant AMBROS and Himmler. FARBEN was given top priority in the allocation of concentration camp inmates to work at the buna plant at Auschwitz.

137. Early in 1941 FARBEN, having secured priority in the procurement of concentration camp labor from Auschwitz, undertook the construction of the Buna Plant at Auschwitz. Goering issued an order to Himmler, in or about February, 1941, to the effect that Jews in Auschwitz and surrounding areas must be immediately vacated because of the Buna factory to be constructed. The said order further provided that concentration camp inmates be used for the construction of said Buna works, estimating that eight to twelve thousand workers would be needed. Himmler and the defendant KRAUCH were authorized to

prepare and formulate necessary orders to carry the foregoing into effect, and to notify Goering when such orders were formulated. Pursuant to the said directive of February, 1941, from Goering to Himmler, the SS was authorized to make arrangements with FARBEN for the use of concentration camp inmates in the construction of the Buna works. Thereafter, at a meeting held in Berlin, FARBEN agreed with General Wolff of the SS that it would pay the SS one and a half to four marks per day for different classes of labor which were to be furnished by the SS from the concentration camp at Auschwitz. The lowest rate was for the labor of those children of tender years who were considered strong enough physically that they were given the opportunity to work for a short time in lieu of immediate death. None of the inmates ever received any portion of these payments.

138. In order to bring more slave workers closer to the Buna plant, and thus better integrate production with concentration camp facilities in the Auschwitz system, in October, 1942, FARBEN constructed an additional camp at Auschwitz called Monowitz, adjacent to the Buna Plant site. The standard pattern of concentration camp construction was followed. Monowitz, like the others, was surrounded by dense barbed wire fences, charged with high tension electric current. It contained strategically placed guard towers, torture enclosures, and all other standard concentration camp accessories and equipment, including a specially constructed railway spur leading into Monowitz, over which were carried the well-known "transports" of inmates. Monowitz received not only as many inmates as FARBEN could obtain from the Auschwitz concentration camp but received new inmates and was administered in every way like all the other camps. For the construction and equipping of Monowitz, FARBEN, with the specific approval of the Vorstand, expended upwards of 5,000,000 reichsmarks.

139. FARBEN reached an understanding with the SS relating to the administration of Monowitz, and, pursuant to this agreement, assumed responsibility, among other things, for the furnishing of food, quarters, and similar facilities. The policing of the concentration camp was shared between the SS and the "Work Police" which was set up and armed by FARBEN.

140. In the administration of the Monowitz concentration camp FARBEN set up a special punishment division to which were sent workers who did not conform to the murderous requirements of production efficiency imposed by FARBEN. As a result of such action, beatings and other forms of corporal punishment were administered, and in many cases the workers were sent to the extermination chambers at Birkenau, another part of the Auschwitz system, which was notorious for its gas chambers and crematoria.

141. FARBEN, in complete defiance of all decency and human considerations, abused its slave workers by subjecting them, among other things, to excessively long, arduous, and exhausting work, utterly disregarding their health or physical condition. The sole criterion of the right to live or die was the production efficiency of said inmates. By virtue of inadequate rest, inadequate food (which was given to the inmates while in bed at the barracks), and because of the inadequate quarters (which consisted of a bed of polluted straw, shared by from two to four inmates), many died at their work or collapsed from serious illness there contracted. With the first signs of a decline in the production efficiency of any such workers, although caused by illness or exhaustion, such workers would be subjected to the well-known "SELEKTION". "SELEKTION", in its simplest definition meant that if, upon a cursory examination, it appeared that the inmate would not be restored within a few days to full productive capacity, he was considered expendable and was sent to the "Birkenau" camp of Auschwitz for the customary extermination. The meaning of "SELECTION" and "BIRKENAU" were known to everyone at Auschwitz and became a matter of common knowledge.

142. The working conditions at the FARBEN Buna plant were so severe and unendurable that very often inmates were driven to suicide by either dashing through the guards and provoking death by rifle shot or hurling themselves into the high-tension electrically-charged barbed wire fences. As a result of these conditions, the labor turnover in the Buna plant in one year amounted to at least three hundred per cent. Besides those who were exterminated and committed suicide, up to and sometimes over one hundred persons died at their work every day from sheer exhaustion. All depletions occasioned by extermination and other means of death were balanced by replacement with new inmates. Thus, FARBEN secured a continuous supply of fresh inmates in order to maintain full production.

143. FARBEN's conduct at Auschwitz can be best described by a remark of Hitler: "What does it matter to us? Look away if it makes you sick".

### VIOLATION OF LAW

144. The acts and conduct of the defendants set forth in this Count were committed unlawfully, willfully, and knowingly and constitute violations of international conventions, particularly of Articles 3, 4, 5, 6, 7, 14, 18, 23, 43, 46 and 52 of the Hague Regulations, 1907, and of Articles 2, 3, 4, 6, 9—15, 23, 25, 27—34, 46—48, 50, 51, 54, 56, 57, 60, 62,

63, 65—68, and 76 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 FOUR**

##### **MEMBERSHIP IN THE SS**

145. The defendants SCHNEIDER, BUETEFISCH, and VON DER HEYDE are charged with membership, subsequent to 1 September 1939, in Die 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.

## COUNT FIVE

### COMMON PLAN OR CONSPIRACY

146. All the defendants, acting through the instrumentality of FARBEN and otherwise, with divers other persons, during a period of years preceding 8 May 1945, participated as leaders, organizers, instigators and accomplices in the formulation and execution of a common plan or conspiracy to commit, or which involved the commission of Crimes against Peace (including the acts constituting War Crimes and Crimes against Humanity, which were committed as an integral part of such Crimes against Peace) as defined by Control Council Law No. 10, and are individually responsible for their own acts and for all acts committed by any persons in the execution of such common plan or conspiracy.

147. The acts and conduct of the defendants set forth in Counts One, Two and Three of this Indictment formed a part of said common plan or conspiracy and all the allegations made in said Counts are incorporated in this Count.

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

**TELFORD TAYLOR,**

Brigadier General, USA

Chief of Counsel for War Crimes

Acting on Behalf of the United States of America

Nurnberg, 3 May 1947

## APPENDIX A

### Statement of Positions held by each of the Defendants

The following is a list of the high positions held by each of the defendants in the financial, industrial and economic life of Germany and of the high political, civil and military positions held by each of the defendants in Germany. Each of the defendants, by using these positions and his personal influence, participated in the planning, preparation, initiation and waging of wars of aggression and invasions of other countries, and committed Crimes against Peace as set forth in Count One and War Crimes and Crimes against Humanity as set forth in Counts Two and Three, and participated in a common plan or conspiracy to commit said crimes as set forth in Count Five.

#### KRAUCH:

The defendant Carl KRAUCH during the period from 1932 to 1945 was: Member of the Vorstand and of the Zentralausschuss (Central Committee); Chairman, Aufsichtsrat: Chief, Sparte I (Division I); Chief, Vermittlungsstelle W (Liaison Office W) of Farben; Member, NSDAP; Member, NSFK; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); Holder of Ritterkreuz des Kriegsverdienstkreuzes (Knight's Cross of the War Merit Cross); Member, Beirat (Advisory Council), Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Chief, Reichsamt fuer Wirtschaftsausbau (Reich Office for Economic Development); Chief, Abteilung Forschung und Entwicklung, Amt fuer Deutsche Roh- und Werkstoffe, Vierjahresplan (Research and Development Department, Office for German Raw Materials and Synthetics, Four Year Plan); Generalbevollmaechtigter fuer Sonderfragen der Chemischen Erzeugung (General Plenipotentiary for Special Questions of Chemical Production); Member, Deutsche Akademie fuer Luftfahrtforschung (German Academy for Aviation Research); Senator, Kaiser-Wilhelm-Gesellschaft (Kaiser Wilhelm Society); Honorary Member, Verein Deutscher Chemiker (Association of German Chemists); Member, Directorate, Reichsforschungsrat (Reich Research Council); Chairman, Aufsichtsrat, Gesellschaft fuer Landeskultur G. m. b. H., Halle-Saale; Deputy Chairman, Aufsichtsrat, A. G. fuer Stickstoffduenger, Knapsack/Koeln; Member, Aufsichtsrat, Deutsche Gasolin A. G., Berlin; Member, Aufsichtsrat, Braunkohle-Benzin A. G., Berlin; Member, Aufsichtsrat, Braunkohlen-Produkte A. G., Berlin; Member Aufsichtsrat Ford-Werke A. G., Koeln; Member, Aufsichtsrat, Kontinentale Oel A. G., Berlin; Geschaeftsfuehrer (Manager), Ammoniak-

werk Merseburg G. m. b. H., Merseburg; and chairman or board member of other industrial firms, combines, and enterprises, within Germany and the occupied countries.

#### SCHMITZ:

The defendant Hermann SCHMITZ during the period from 1932 to 1945 was: Chairman of the Vorstand and of the Zentralaussschuss (Central Committee) of Farben; Member, Reichstag; Wehrwirtschaftsfuehrer Military Economy Leader); Member, Gutachter-Ausschuss ueber Rohstoff-Fragen (Committee of Experts on Raw Materials Questions) of Goering; Member, Engerer Beirat (Select Advisory Council), Reichsgruppe Industrie (Reich Group Industry); Member, Board of Directors, Bank fuer Internationalen Zahlungsausgleich (Bank of International Settlements), Basle; Chairman, Waehrungsausschuss (Currency Committee), Reichsbank; Member, Akademie fuer Deutsches Recht (Academy for German Law); Member, Ausschuss fuer Aktienrecht (Committee for Corporate Law); Akademie fuer Deutsches Recht; Chairman, Vorstandsrat (Board of Directors), Haus der Deutschen Kunst (House of German Art); Chairman, Aufsichtsrat, Dynamit A. G., vorm. Alfred Nobel and Co., Troisdorf (munitions and explosives combine); Chairman, Aufsichtsrat, Rheinische Stahlwerke A. G., Essen (coal combine); Deputy Chairman, Aufsichtsrat, Vereinigte Stahlwerke A. G., Duesseldorf (steel combine); Chairman, Aufsichtsrat, A. G. fuer Stickstoffduenger, Knapsack/Koeln; Chairman, Aufsichtsrat, Deutsche Celluloid-Fabrik A. G., Eilenburg; Chairman, Aufsichtsrat, A. Riebeck'sche Montanwerke A. G., Halle/Saale; Chairman, Aufsichtsrat, Wolff & Co. K. G. a. A., Walsrode; Member, Aufsichtsrat, Friedrich Krupp A. G., Essen; Member, Aufsichtsrat, Kalle & Co. A. G., Wiesbaden-Biebrich; Member, Aufsichtsrat, Stickstoff-Syndikat G. m. b. H. Berlin; Member, Aufsichtsrat, Metallgesellschaft A. G., Frankfurt; Member, Aufsichtsrat, Norddeutsche Raffinerie, Hamburg; Member, Aufsichtsrat, Rheinische Gummi- und Celluloid-Fabrik, Mannheim; Member, Aufsichtsrat, Allianz-Versicherungs-A. G., Berlin; Chairman, Ammoniakwerk Merseburg G. m. b. H., Merseburg; Chairman, Aufsichtsrat, Deutsche Laenderbank A. G., Berlin; Chairman, Aufsichtsrat, Deutsche Industriebank, Berlin; Member, Aufsichtsrat, Deutsche Bank, Berlin; Member, Aufsichtsrat, Reichskreditgesellschaft A. G. Berlin; Member, Siebener Ausschuss (Committee of Seven), Deutsche Golddiskontbank, Berlin; Chairman, Europaeische Stickstoffkonvention (European Nitrogen Convention); Member, Aufsichtsrat, Norsk Hydro Elektrisk Kvaelsstoffaktieselskabet, Oslo, Norway; Chairman, Verwaltungsrat, Internationale Gesellschaft der Stickstoff-Industrie A. G., Basle, Switzerland; Chairman, Verwaltungsrat, Internationale Gesellschaft fuer Chemische Unternehmungen A. G., Basle, Switzerland; President and Chairman, Board of Directors, American I. G., Chemical Corp.,

New York; and chairman or board member of other industrial firms, combines and enterprises within Germany, and the occupied countries and elsewhere.

#### VON SCHNITZLER:

The defendant Georg August Eduard von SCHNITZLER during the period from 1932 to 1945 was: Member of the Vorstand and of the Zentralausschuss (Central Committee); Chairman Kaufmaennischer Ausschuss (Commercial Committee); Chief, Verkaufsgemeinschaft Farbstoffe (Sales Combine Dyestuffs); Chief Verkaufsgemeinschaft Chemikalien (Sales Combine Chemicals); Chairman, Farben-Ausschuss (Dyestuffs Committee); Chairman, Chemikalien-Ausschuss (Chemicals Committee), of Farben; Member, NSDAP; Hauptsturmfaehrer (Captain) SA; Member, DAF (German Labor Front); Member, NSKK; Wehrwirtschaftsfaehrer (Military Economy Leader); Member, Grosser Beirat (Greater Advisory Council), Reichsgruppe Industrie (Reich Group Industry); Chairman, Staendiger Ausstellungs- und Messe-Ausschuss (Permanent Committee for Exhibitions and Fairs), and Ausschuss fuer Industrielle Wirtschaftswerbung (Committee for Economic Propaganda of Industry), Reichsgruppe Industrie; Member, Aussenhandels-Ausschuss (Committee for Foreign Trade), Reichsgruppe Industrie; Deputy Chairman, Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Chief, Fachgruppe 16, Teerfarben und Teerfarben-Zwischenprodukte (Sub-Group 16, Tar Dyes and Tar Dye Intermediates), Wirtschaftsgruppe Chemische Industrie; Chairman, Werberat der Deutschen Wirtschaft (Council for Propaganda of German Economy), Ministry of Propaganda; Representative of German Group in Vier-Parteien Farbstoff Kartell (Dyestuffs Four-Party Cartel); Chairman, Zwischenstaatliches Deutsch-Belgisches Comité (Interstate German-Belgian Committee); Vice President, Schiedsgerichtshof der Internationalen Handelskammer (Court of Arbitration, International Chamber of Commerce); Vice Chairman, Deutsch-italienische Studienstiftung (German-Italian Studies Foundation); Member, Deutsch-spanische Gesellschaft (German-Spanish Society); Member, Deutsch-franzoesische Gesellschaft (German-French Society); Member Directorate, Deutsche Gruppe der Internationalen Handelskammer (German Group of International Chamber of Commerce); Chairman, Aufsichtsrat, Chemische Werke Dornach G. m. b. H., Muelhausen-Dornach; Chairman, Verwaltungsrat, Gesellschaft fuer Verkaufsforderung (Company for Sales Promotion); Chairman, Frankfurt-Hesse Regional Beirat (Advisory Council), Deutsche Bank; Vice Chairman, Deutscher Soda- und Atznatronverband, Berlin; Member, Aufsichtsrat, Ala-Anzeigen A. G., Berlin; Member, Aufsichtsrat, Kalle & Co. A. G., Wiesbaden-Biebrich; Chairman, Aufsichtsrat, Chemische Werke Aussig-Falkenau G. m. b. H., Aussig, Czechoslovakia; Vice Chairman, Auf-



sichtsrat, Sociedad Electro-Química de Flix, Flix Spain; Member, Aufsichtsrat, A. S. de Matières Colorantes et Produits Chimiques, Francolor, Paris, France; Member, Aufsichtsrat, Aziende Colori Nazionali Affini S. A., Milan, Italy; and chairman or board member of other industrial firms, combines, enterprises within Germany, the occupied countries and elsewhere.

#### GAJEWSKI:

The defendant Fritz GAJEWSKI during the period from 1932 to 1945 was: Member of the Vorstand and of the Zentralausschuss (Central Committee); Chief Sparte III (Division III); Manager of "Agfa" plants; Deputy Chairman, Technischer Ausschuss (Technical Committee) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Member, NS Bund Deutscher Technik (National Socialist Bund of German Technicians); Member, Reichsluftschutzbund (Reich Air Raid Protection Bund); Wehrwirtschaftsfuehrer (Military Economy Leader); Member, Beirat (Advisory Council), Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Member, Beirat, Fachgruppe Chemische Herstellung von Fasern (Sub-group for Chemical Production of Artificial Fibres), Wirtschaftsgruppe Chemische Industrie; Member, Zellwolleausschuss (Artificial Fibres Committee), Wirtschaftsgruppe Textilindustrie; Member, Beirat, Fachgruppe Zellstofferzeugung (Sub-group for Cellulose Production), Wirtschaftsgruppe Papier-, Zellstoff- und Holzstoff-Erzeugung (Economic Group Paper, Card-board, Cellulose and Wood Pulp Production); Member, Beirat Industrie- und Handelskammer (Chamber of Industry and Commerce), Halle/Saale; Member, Beirat, Gauwirtschaftskammer Halle-Merseburg (Gau Economic Chamber Halle-Merseburg), Halle/Saale; Chairman, Pensionskasse der Agfa der Angestellten der I. G. Farben A. G. (Pension Fund of Agfa of Employees of I. G. Farben A. G.), Wolfen-Bitterfeld; Member, Vorstand, I. G. Betriebs-Sparvereinigung (Plant Savings Association), Ludwigshafen; Chief, Section V, Berufsgenossenschaft der Chemischen Industrie (Trade Association of Chemical Industrie), Leipzig; Deputy Member, Beirat, Landesverband Sachsen des Reichsverbandes der gewerblichen Berufsgenossenschaften (Saxony Country Union of the Reich Union of Industrial Trade Associations), Dresden; Member, Kuratorium (Board of Trustees), Mitteleuropaeischer Wirtschaftstag (Central European Economic Diet); Ordentliches Mitglied des Arbeitsausschusses (Full Member of Working Committee), Kunstseide-Verkaufs-Bueros G.m.b.H., Berlin; Deputy Chairman, Aufsichtsrat, Deutsche Celluloid-Fabrik A.G., Eilenburg; Deputy Chairman, Aufsichtsrat, Kalle und Co. A.G., Wiesbaden-Biebrich; Member, Aufsichtsrat Deutsche Grube A.G., Halle/Saale; Member, Aufsichtsrat, AGFA Gemeinnuetzige Altersheim G.m.b.H., Berlin; Member, Aufsichtsrat, Dynamit A. G., vorm. Alfred Nobel und Co., Trois-

dorf; Member, Aufsichtsrat, Gemeinnuetzige Wohnungsbaugesellschaft, Wolfen; Member, Gesellschaftsrat (Company Board), Dr. Alexander Wacker, Gesellschaft fuer Elektro-chemische Industrie G.m.b.H., Munich; Chairman, Verwaltungsrat, Chemische Industrie A.G., Pressburg, Czechoslovakia; Member, Verwaltungsrat, A.G. Dynamit Nobel, Pressburg, Czechoslovakia; and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### HOERLEIN:

The defendant Philipp Heinrich HOERLEIN during the period from 1932 to 1945 was: Member of the Vorstand and of the Zentralausschuss (Central Committee); Member, Technischer Ausschuss (Technical Committee); Manager, Elberfeld Plant, in charge of development of vaccines, sera pharmaceuticals and poison gas; Chairman, Pharmazeutische Hauptkonferenz (Pharmaceuticals Main Committee), of Farben; Member, NSDAP; Member, DAF (German Labor Front); Member, NS Bund Deutscher Technik (National Socialist Bund of German Technicians); Chairman, Justus-Liebig-Gesellschaft (Julius Liebig Society); Treasurer, Kaiser-Wilhelm-Gesellschaft (Kaiser Wilhelm Society); Treasurer, Deutsche Chemische Gesellschaft (German Chemical Association); Chairman, Wuppertal Regional Beirat (Advisory Council), Deutsche Bank; Member, Handelskammer (Chamber of Commerce), Wuppertal; Chairman, Aufsichtsrat, Behringwerke A. G., Marburg, and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### VON KNIERIEM:

The defendant Johann August von KNIERIEM during the period from 1932 to 1945 was: Member of the Vorstand and of the Zentralausschuss (Central Committee); Chairman, Rechtsausschuss (Legal Committee) and Patent-Ausschuss (Patent Committee) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Member, NS Rechtswahrerbund (National Socialist Lawyers Association); Member, Deutsche Adelsgesellschaft (German Society of Nobles); Member, Ausschuss fuer Patent-Muster-Zeichenwesen (Committee for Patents and Trademarks), Reichsgruppe Industrie (Reich Group Industry); Member, Ausschuss fuer Marktordnung und Betriebswirtschaft (Committee for Market Regulation and Business Economics), Reichsgruppe Industrie; Member, Rechtsausschuss (Law Committee), Reichsgruppe Industrie, and of the following special sub-committees; Aktienrecht (Corporation Law), G. m. b. H.-Recht (Law for Limited Companies), and Eigentumsvorbehalt (Law of Con-

ditional Transfer of Property); Member, Praesidialausschuss fuer Kartell- und Steuerpolitik, betriebswirtschaftliche Fragen und Probleme der Marktordnung (Board Committee for Cartel and Tax Policies, Business Economics Questions, and Market Problems), Reichsgruppe Industrie; Member, Akademie fuer Deutsches Recht (Academy for German Law); Chairman, Ausschuss fuer das Recht (Academy for German Law); mitte for the Law of Copyright); Akademie fuer Deutsches Recht; Member, Arbeitsgemeinschaft fuer Deutsche und Ungarische Rechtsbeziehungen (Working Association for German-Hungarian Legal Relations), Akademie fuer Deutsches Recht; Member, Arbeitsgemeinschaft fuer Vierjahresplanfragen im Rahmen des Patentausschusses (Working Association for Four Year Plan Questions within Framework of Patent-Committee); Akademie fuer Deutsches Recht; Member, Patent- und Gebrauchsmusterrechts-Ausschuss (Patents and Trademarks Law Committee); Urheberrechts-Ausschuss (Patent Law Committee), Warenzeichen- und Wettbewerbsausschuss (Trademarks and Competition Committee), Deutsche Arbeitsgemeinschaft fuer Gewerblichen Rechtsschutz und Urheberrecht (German Working Association for Legal Protection of Industry and Patent Law); Ordentliches Mitglied (Full Member); Internationale Rechtskammer (International Chamber of Law); Chairman, Sektion "Gewerblicher Rechtsschutz" (Section "Industrial Legal Protection"), Internationale Rechtskammer; Member, Ausschuss fuer Fragen des gewerblichen Rechtsschutzes (Committee for Questions of Industrial Legal Protection); Internationale Handelskammer (International Chamber of Commerce); Member, Ausschuss fuer Fragen internationaler Kartelle (Committee for Questions of International Cartels); Internationale Handelskammer; Member, Kaiser-Wilhelm-Gesellschaft (Kaiser Wilhelm Society); Member, Aufsichtsrat, Anorgana G. m. b. H., Frankfurt; Member, Verwaltungsrat, Stickstoff Syndicat G. m. b. H., Berlin; Geschaefsfuehrer (Manager), Ammonialwerk Merseburg G. m. b. H., Merseburg; Board Member, International Hydrogenation Patents Co., The Hague, Holland; Board Member, International Hydrogenation Engineering and Chemical Co., The Hague, Holland; and chairman or board member of other Industrial firms, combines and enterprises within Germany and the occupied countries.

#### TER MEER:

The defendant Fritz ter MEER during the period from 1932 to 1945 was: Member of the Vorstand, and of the Zentralausschuss (Central Committee); Chief, Technischer Ausschuss (Technical Committee); Chief Sparte II (Division II) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); Beauftragter (Commissioner) and Ruestungsobmann (Armament Commissioner) of the Generalbeauftragter fuer Italien des Reichsministers

fuer Ruestung und Kriegsproduktion (Commissioner for Italy of the Reich Ministry for Armament and War Production); Vice-Chairman and Member, Praesidium, Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Member, Beirat (Advisory Council), Wirtschaftsgruppe Chemische Industrie; Chief, and Chairman, Produktionsausschuss (Production Committee), Sammelgruppe I, Sonstige Anorganische Erzeugnisse (Sub-group I, Other Inorganic Products), Wirtschaftsgruppe Chemische Industrie; Member, Beirat, Industrie und Handelskammer (Chamber of Industry and Commerce), Rhein-Main Region, Frankfurt; Chairman, Berufsgenossenschaft der Chemischen Industrie (Trade Association of Chemical Industry), Berlin; Member, Beirat, Reichsverband der Gewerblichen Berufsgenossenschaften (Reich Union of Industrial Trade Associations), Berlin-Wilmersdorf; Member, Haus der Technik (House of Technology), Gau Hessen-Nassau; President, Emil Fischer Gesellschaft (Emil Fischer Society); Chairman, Verwaltungsausschuss des Kaiser-Wilhelm-Instituts fuer Chemie (Administrative Committee of the Kaiser Wilhelm Institute for Chemistry); Member, Stipendien-Ausschuss (Scholarship Committee), Justus-Liebig-Gesellschaft (Justus Liebig Society); Treasurer, Chemical Group, NS Bund Deutscher Technik (National Socialist Bund of German Technicians); Chairman, Aufsichtsrat, Chemische Werke Huels G. m. b. H., Huels; Chairman, Aufsichtsrat Versuchswerk fuer Kautschuk-Verarbeitung G. m. b. H., Leverkusen; Chairman, Aufsichtsrat Anorgana G. m. b. H., Frankfurt; Chairman, Aufsichtsrat, Duesseldorfer Waggonfabrik A. G., Duesseldorf; Chairman, Aufsichtsrat, Waggonfabrik Uerdingen A. G., Uerdingen; Deputy Chairman, Aufsichtsrat, Duisburger Kupferhuetten, Duisburg; Member, Aufsichtsrat, A. G. fuer Stickstoffduenger, Knapsack/Koeln; Member, Aufsichtsrat, Chemische Werke Dornach G. m. b. H., Muelhausen-Dornach; Member, Beirat (Advisory Council), Adam Opel A. G., Ruesselsheim; Member, Gesellschaftsrat (Company Board), Dr. Alexander Wacker Gesellschaft fuer Elektrochemische Industrie G. m. b. H., Munich; Geschaeftefuehrer (Manager), Bunawerke G. m. b. H., Schkopau; Member, Verwaltungsrat, S. A. de Matières Colorantes et Produits Chimiques, Francolor, Paris, France; Member, Verwaltungsrat, Aziende Colori Nazionati Affini, A. S., Milan, Italy; Member, Verwaltungsrat, Societa Lombarda Bianchi and Co., Rho, Italy; Member, Verwaltungsrat, Soc. Italiana Carboni Attivi, Milan, Italy; Member, Verwaltungsrat, Fabricacion Nacional de Colorantes y Explosivos S. A., Barcelona, Spain; Member, Aufsichtsrat, Durand and Huguenin, Basle, Switzerland; Member, Board, General Aniline Works, New York; Member, Board, American I. G. Chemical Co., New York; and chairman or board member of other industrial firms, combines and enterprises within Germany, the occupied countries and elsewhere.

#### SCHNEIDER:

The defendant Christian SCHNEIDER during the period from 1932 to 1945 was: Member of the Vorstand and of the Zentralausschuss (Central Committee); Chief, Sparte I (Division I); Chief, Central Personnel Department; Hauptabwehrbeauftragter (Chief Counter-Intelligence Agent), OKW-Abwehr; Hauptbetriebsfuehrer (Chief of Plant leaders) of Farben; Member, NSDAP; Foerderndes Mitglied (Supporting Member) SS; Member, DAF (German Labor Front); Member Beirat, Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Member, Arbeitsausschuss fuer Gesundheitsfuehrung (Committee for Supervision of Health), Reichsgruppe Industrie (Reich Group Industry); Member, Beirat (Advisory Council), Wirtschaftskammer Mittelbe, (Chamber of Economics of the Central Elbe Region); Member, Sachverstaendigenausschuss (Experts Committee), Reichstreuhaender der Arbeit (Reich Trustee of Labor), Wirtschaftsgebiet Mittelbe (Economic Territory Central Elbe), Magdeburg; Member, Beirat, Industrieabteilung der Wirtschaftskammer (Industrial Department of the Chamber of Economics), Magdeburg; Vice-Chairman, Industrie- und Handelskammer (Chamber of Industry and Commerce), Halle/Saale; Member, Ausschuss des Reichsinstituts fuer Berufsausbildung in Handel und Gewerbe (Committee of Reich Institute for Professional Training in Commerce and Industry); Member, Vorstand, Berufsgenossenschaft der Chemischen Industrie (Trade Association of Chemical Industry); Member, Arbeitskammer (Labor Chamber), Halle/Saale; Member, Beirat des Gauleiters des NSDAP (Advisory Council of Gau Leader of NSDAP), Gauleitung Halle-Merseburg (Gau Administration Halle-Merseburg); Member, Arbeitsausschuss der DAF (Working Committee of German Labor Front), Gauleitung Halle-Merseburg; Member, Unternehmerfuehrerkreis (Association of Employers) of the Gauleitung Halle-Merseburg of the NSDAP; Assistent, Gauwirtschaftsberater der NSDAP (Gau Economic Advisory of NSDAP), Gauleitung Halle-Merseburg; Member, Preussischer Provinzialrat (Prussian Provincial Council); Honorary Member, Finanzgericht des Landesfinanzamt (Finance Court of the Country Treasury), Magdeburg; Member, Aufsichtsrat, Deutsche Gasolin, A. G., Berlin; Member, Aufsichtsrat, Deutsche Grube A. G., Halle/Saale; Member, Verwaltungsrat, Stickstoffsyndikat G. m. b. H., Berlin; Geschaeftsfuehrer (Manager), Ammoniakwerk Merseburg G. m. b. H., Merseburg; and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### AMBROS:

The defendant Otto AMBROS during the period from 1932 to 1945 was; Member of the Vorstand; Member, Technischer Ausschuss (Technical Committee); Plant Manager at Auschwitz, Schkopau, Ludwigs-

hafen, Huels, Gendorf, Dyhernfurt, and Falkenhagen; Member, Chemikalien Ausschuss (Chemicals Committee); Chairman, Kommission Kunststoff und Kautschuk (Plastics and Rubber Committee); Chairman, Kommission fuer Waschrohstoffe (Detergent Raw Materials Committee); Chairman, Zwischenprodukte Kommission (Intermediates Committee), of Farben; Member, NSDAP; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); Holder of Ritterkreuz des Kriegsverdienstkreuzes (Knight's Cross of the War Merit Cross); Chief, Sonderausschuss Kunststoffe (Special Committee Plastics); Reich Ministry of Armaments and Munitions; Special Consultant to Chief, Abteilung Forschung und Entwicklung, Vierjahresplan (Research and Development Department, Four Year Plan); Chief, Sonderausschuss "C" (Special Committee C, Chemical Warfare); Hauptausschuss Pulver und Sprengstoff (Main Committee Powder and Explosives), Ruestungslieferungsamt (Armament Supply Office); Chief, Fachabteilung Textilhilfsmittel (Subgroup Textile Auxiliaries), Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Expert for Buna, Wirtschaftsgruppe Chemische Industrie; Chairman, Produktionsausschuss (Production Committee), Fachgruppe Karbidchemie, Methanol und Holzverkohlung (Subgroup Carbide Chemistry, Methanol and Charcoal), Wirtschaftsgruppe Chemische Industrie; Member, Aufsichtsrat, Chemische Werke, Huels G. m. b. H., Huels; Member, Aufsichtsrat, Chemische Fabrik Holten G. m. b. H., Oberhausen-Holten; Member, Aufsichtsrat, Steedener Kalkwerke G. m. b. H., Dehrn-Lahn; Geschaefsfuehrer (Manager), Anorgana G. m. b. H., Frankfurt; Geschaefsfuehrer, Luranil Baugesellschaft m. b. H., Ludwigshafen; Geschaefsfuehrer, Monturon G. m. b. H., Falkenhagen; Deputy Geschaefsfuehrer, Buna Werke G. m. b. H., Schkopau; Member, Arbeitsausschuss (Working Committee); Deutsch-Koloniale Gerbstoff Gesellschaft G. m. b. H., Karlsruhe; Member, Aufsichtsrat, Fuerstengrube G. m. b. H., Kattowitz, Poland; Member, Verwaltungsrat, S. A. de Matieres Colorantes et de Produits Chimiques, Francolor, Paris, France; and chairman or board member of numerous industrial firms, combines and enterprises within Germany and the occupied countries.

#### BRUEGGEMANN:

The defendant Max BRUEGGEMANN during the period from 1932 to 1945 was: Member and Secretary, Vorstand; Deputy General Manager, Leverkusen; Deputy Chief, Verkaufsgemeinschaft Pharmazeutika und Pflanzenschutz (Sales Combine Pharmaceuticals and Plants Protective Agents); Director, Legal, Patent, and Personnel Departments, Betriebsgemeinschaft Niederrhein (Works Combine Lower Rhine) of Farben; Member, NSDAP; Member DAF (German Labor Front); Vice-Chairman, Industrie- und Handelskammer (Chamber of Industry and Commerce),

Solingen; Vice-President, Verwaltungsrat, Vereinigung der Hersteller Chemisch-Pharmazeutischer Praeparate, "Vepha" (Union of the Manufacturers of Chemical-Pharmaceutical Preparations), Berlin; Member, Aufsichtsrat, Fluoritwerke A.G., Berlin; Member, Aufsichtsrat, Chemosan A. G., Troppau; Member, Aufsichtsrat, Injekta A. G., Berlin; Member, Aufsichtsrat, Behringwerke A. G., Marburg; Geschaeftsfuehrer (Manager), Titangesellschaft G. m. b. H., Leverkusen; Member, Aufsichtsrat, Koelner Verlags-Anstalt und Druckerei A. G., Koeln; and chairman or board member of numerous industrial firms, combines and enterprises within Germany and the occupied countries.

#### BUERGIN:

The defendant Ernst BUERGIN during the period from 1932 to 1945 was: Member, Vorstand; Member, Technischer Ausschuss (Technical Committee); Chief, Betriebesgemeinschaft Mitteldeutschland (Works Combine Central Germany); Chief, Bitterfeld Plants; Supervisor, Wolfen Farben Plants; Chairman, Chlor-Unterkommission (Chlorine Sub-Committee) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); Collaborator of Krauch in Four Year Plan; Chairman, Technischer Ausschuss (Technical Committee), Fachgruppe Soda, Aetzalkalien, Chlor, Salzsaeure und verwandte Erzeugnisse (Sub-group Soda, Caustic Alkalines, Chlorine, Hydrochloric Acid and related Products), Wirtschaftsgruppe Chemische Industrie Economic Group Chemical Industry); Member, Aufsichtsrat, Deutsche Grube A. G., Halle/Saale; Member, Aufsichtsrat, Aluminiumwerk G. m. b. H., Bitterfeld; Member, Aufsichtsrat, Deutsche Magnesit A. G., Munich; Chairman, Beirat (Advisory Council), Metallguss G. m. b. H., Leipzig; Member, Beirat, Westfaelische Leichtmetallwerke, G. m. b. H., Nachrodt; Member, Aufsichtsrat, Nordisk Lettmetall A. S., Oslo, Norway; Member, Verwaltungsrat, Kraftwerk Ryburg-Schwoerstadt A. G., Rheinfelden, Switzerland; Member, Aufsichtsrat, Sociedad Electro-Quimica de Flix, Flix, Spain; and Chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### BUETEFISCH:

The defendant Heinrich BUETEFISCH during the period from 1932 to 1945 was: Member, Vorstand; Chief, Leuna Works, Member, Technischer Ausschuss (Technical Committee) of Farben; Wehrwirtschaftsfuehrer (Military Economy Leader); Holder of Ritterkreuz des Kriegsverdienstkreuzes (Knight's Cross of the War Merit Cross); Member, Freundeskreis Himmler (Himmler Circle of Friends); Member, NSDAP; Obersturmbannfuehrer (Lieutenant-Colonel) SS; Member, DAF (German-

Labor Front); Member NSKK; Member, NSFK; Member, NS Bund Deutscher Technik (National Socialist Bund of Technicians); Collaborator of Krauch in Four Year Plan; Chief Committee for Oil, Reich Ministry of Armament and Munitions; Produktionsbeauftragter (Production Commissioner) for Oil, Ruestungsministerium (Ministry of Armaments); Chief, Wirtschaftsgruppe Kraftstoff Industrie (Economic Group Liquid Fuel Industry); Chief, Arbeitsgemeinschaft fuer Hydrierung, Synthese und Schwelung (Working Association for Hydrogenation, Synthesis and Smoldering), (Wirtschaftsgruppe Kraftstoff Industrie; President, Technischer Experten-Ausschuss (Technical Experts Committee), Convention Internationale de l'azote (International Nitrogen Convention); Chairman, Arbeitsgemeinschaft 'Duengung (Working Association Fertilizers); Chairman, Aufsichtsrat, Norddeutsche Hydrierwerke Poelitz A. G., Poelitz, Pomerania; Member, Aufsichtsrat, Kontinentale Oel A. G., Berlin; Member, Aufsichtsrat, Mineraloelbaugesellschaft A. G., Berlin; Member, Aufsichtsrat, Sueddeutsche Kalkstickstoffwerke A. G., Trostberg; Member, Verwaltungsrat, Stickstoff-Syndikat G. m. b. H., Berlin; Member, Vorstand, Braunkohle-Benzin A. G., Berlin, Deputy Geschaefsfuehrer (Manager), Ammoniakwerk Merseburg G. m. b. H., Merseburg; Chief, Technischer Ausschuss (Technical Committee), Stickstoff-Syndikat G. m. b. H., Berlin; Chairman, Aufsichtsrat, Fuerstengrube G. m. b. H., Kattowitz, Poland; Deputy chairman, Aufsichtsrat, Steinberg Naphta A. G., Vienna, Austria; Member, Aufsichtsrat, Stickstoff Ostmark A. G., Linz, Austria; Member, Aufsichtsrat, Gewerkschaft Austrogasco; Vienna, Austria; Member, Aufsichtsrat, Donau-Chemie A. G., Vienna, Austria; Chairman, Verwaltungsrat, Donay Oel, G. m. b. H., Vienna, Austria; Member, Aufsichtsrat, A. G. Dynamit Nobel Pressburg, Czechoslovakia; Member, Aufsichtsrat, Apollo-Mineraloel-Raffinerie A. G., Pressburg, Czechoslovakia; Member, Aufsichtsrat, Stickstoffwerke A. G., Maria Rast, Yugoslavia; Member, Aufsichtsrat, Bosnische Elektrizitaet A. G., Jajce, Yugoslavia; Member, Aufsichtsrat, Nitrammonia S.A.R., Bucharest, Roumania; Member, Aufsichtsrat, Azot S.A.R., Bucharest, Roumania; Member, Aufsichtsrat, A. G. fuer industrielle Sprengstoffe, "Ipari", Budapest, Hungary; and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### HAEFLIGER:

The defendant Paul HAEFLIGER during the period from 1932 to 1945 was: Member, Vorstand; Member, Kaufmaennischer Ausschuss (Commercial Committee); Vice-chairman, Central Management, Verkaufsgemeinschaft Chemikalien (Sales Combine Chemicals); Chief, Metals Section, Verkaufsgemeinschaft Chemikalien; Member, Chemikalienausschuss (Chemicals Committee); Member, Suedosteuropa-Ausschuss



(Southeast Europe Committee); Member, Ostásien-Ausschuss East Asia Committee); Member, Ost-Ausschuss (East Committee); Member, Propaganda Kommission (Propaganda Committee) of Farben; Member, DAF (German Labor Front); Chairman, Aufsichtsrat, Deutsche Edelsteingesellschaft vorm. Hermann Wild A. G., Idar-Oberstein; Deputy Chairman Aufsichtsrat, Deutsche Magnesit A. G., Munich; Member, Verwaltungsrat, Schwefel G. m. b. H., Frankfurt, Member, Verwaltungsrat, Schwefelnatrium G. m. b. H., Frankfurt; Member, Beirat, (Advisory Council), Pyrophor G. m. b. H., Essen; Member, Beirat, Westfaelische Leichtmetallwerke G. m. b. H., Nachrodt; Member, Aufsichtsrat, Chemische Werke Aussig-Falkenau G. m. b. H., Aussig, Czechoslovakia; Deputy Chairman, Aufsichtsrat, Carbidwerk Deutsch-Matrei A. G., Vienna, Austria; Member, Aufsichtsrat, Donau Chemie A. G., Vienna, Austria; Member, Beirat, Elektrochemia Suedosteuropaeische Handelsgesellschaft m. b. H., Vienna, Austria; Member, Beirat, Nordisk Lettmetall A. S., Oslo, Norway; Member, Aufsichtsrat, S. A. Magnesio Italiani Sulcis, Torino, Italy; and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### ILGNER:

The defendant Max ILGNER during the period from 1932 to 1945 was: Member, Vorstand, Chief, Berlin NW 7 Departments, including Wirtschaftspolitische Abteilung, WIPO (Economic Policy Department), Volkswirtschaftliche Abteilung, VOWI (Economic Research Department), and Zentralfinanzverwaltung, ZEFI (Central Finance Administration); Member, Kaufmaennischer Ausschuss (Commercial Committee), of Farben; Member, NSDAP; Member, DAF (German Labor Front); Member, NSKK; Member, NS Reichskriegerbund (National Socialist Reich Soldiers' Bund); Member, Reichsfilmkammer (Reich Film Chamber); Member, Reichskolonialbund (Reich Colonial Bund); Wehrwirtschaftsfuehrer (Military Economy Leader); Member, Circle of Foreign Trade Experts, Ministry of Propaganda; Member, Circle of Foreign Trade Experts for Foreign Economic Questions; President, Vereinigung Carl Schurz (Carl Schurz Association); Vice President Mitteleuropaeischer Wirtschaftstag (Central European Economic Diet); Member, Praesidium, Deutsch-Amerikanischer Wirtschaftsverband (German-American Economic Association); Member, Vorstand, Wirtschaftsverband fuer Mittel- und Suedamerika (Economic Association for Central and South America); Deputy Chairman, Vorstandsrat (Board of Directors), Deutsch-Bulgarische Handelskammer (German-Bulgarian Chamber of Commerce); Member, Praesidium, Deutsch-Norwegische Handelskammer (German-Norwegian Chamber of Commerce); Member, Ausschuss fuer Aussen-

handel und Waehrungsfragen der Internationalen Handelskammer (Committee for Foreign Trade and Currency Questions of the International Chamber of Commerce); Paris; Deputy Member, Kuratorium (Council of Trustees), Institut fuer Konjunkturforschung (Institute for Market Analysis), Berlin; Chairman, Suedostausschuss (South-east Committee), Reichsgruppe Industrie (Reich Group Industry); Chairman, Ungarnausschuss (Hungary Committee), Reichsgruppe Industrie; Chairman, Deutsche Gruppe des Deutsch-Rumaenischen Expertenausschusses fuer Industrie-Finanzierungsfragen (German Group of the German-Roumanian Experts Committee for Questions of Financing Industry), Reichs-Suedostausschuss (Southeast Committee), Wirtschaftsgruppe Chemische Industrie; Member, Arbeitskreis fuer Aussenwirtschaftsfragen (Working Committee for Foreign Trade Questions); Member, miscellaneous German political and public agencies and international propaganda associations; Member, Aufsichtsrat, Deutsche Gasolin A. G., Berlin; Member, Aufsichtsrat, Deutsche Ueberseeische Bank, Berlin; Member, Verwaltungsrat, Stickstoff-Syndikat G. m. b. H., Berlin; Geschaeftsfuehrer (Manager), Bunawerke G. m. b. H., Schkopau; Deputy Manager, Ammoniakwerk Merseburg G. m. b. H., Merseburg; Chairman, Aufsichtsrat, Donau Chemie A. G., Vienna, Austria; Member, Aufsichtsrat, Creditanstalt-Bankverein, Vienna, Austria; Member, Aufsichtsrat, Chemische Werke Aussig-Falkenau, G. m. b. H., Aussig, Czechoslovakia; Second Vice-President, Verwaltungsrat, A. G., Dynamit Nobel, Pressburg, Czechoslovakia; Chairman, Aufsichtsrat, Nordisk Lettmetall A. S., Oslo, Norway; Member, Verwaltungsrat, A. G. fuer industrielle Sprengstoffe, "Ipari", Budapest, Hungary; Member, Verwaltungsrat, Prima Societata Romana de Explosivi S. A. R. Bucharest, Roumania; Member, Verwaltungsrat, Azot S. A. R., Bucharest, Roumania; Vice-President, American I. G. Chemical Corp., New York; and chairman or board member of other industrial firms, combines, enterprises within Germany, the occupied countries, and elsewhere.

#### JAEHNE:

The defendant Friedrich JAEHNE during the period from 1932 to 1945 was: Member, Vorstand; Chairman Technische Kommission (Engineering Committee); Chief, Engineering Department, Hoechst; Deputy Chief, Betriebsgemeinschaft Maingau (Works Combine Main Valley); Member, Technischer Ausschuss (Technical Committee), of Farben; Member, NSDAP; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); Member, Grosser Beirat (Greater Advisory Council), Reichsgruppe Industrie (Reichgroup Industry); Member, Finanzausschuss (Finance Committee), Werkluftschutz-Bereichsvertrauensstelle Hessen (Hesse Regional Trustee Agency for Plant Air Raid Protection), Reichsgruppe Industrie, Frankfurt; Vice-Chairman, and Chief Industrie-

Abteilung (Industrial Department). Gauwirtschaftskammer Hessen (Gau Chamber of Economics, Hesse) Bezirksstelle Hessen (District Office Hesse), Reichsgruppe Industrie; Member, Praesidium, Deutscher Normenausschuss (German Standardizing Committee); Member, Vorstand und Beirat (Advisory Council), Reichsverband der Technischen Ueberwachungsvereine (Reich Union of Technical Supervisory Associations); Vorstand-Beiratsmitglied (Member, Advisory Council, Vorstand), and Chief, Technischer Ausschuss (Technical Committee), Berufsgenossenschaft der Chemischen Industrie (Trade Association of the Chemical Industry); Bezirksbevollmaechtigter fuer Wirtschaftstransporte der Reichsbahndirektion (Regional Plenipotentiary for Business Transport of the Reich Railway Management), Frankfurt; Member, Kuratorium (Board of Trustees, Reichs-Roentgenstelle beim Staatlichen Materialpruefungsamt (Reich X-ray Agency of the Government Office for Testing of Materials), Berlin; Member, Grubenvorstand (Mine Management), Gewerkschaft Auguste-Victoria, Marl-Huels; Member, Aufsichtsrat, Gesellschaft fuer Lindes Eismaschinen A.G., Hoellriegelskreuth; Member, Aufsichtsrat, Alzerke G.m.b.H., Munich; and chairman or board member of numerous industrial firms, combines and enterprises within Germany and the occupied countries.

#### KUEHNE:

The defendant Hans KUEHNE during the period from 1932 to 1945 was: Member, Vorstand; Member, Technischer Ausschuss (Technical Committee); Chief, Anorganische Kommission (Inorganic Committee); Chief, Betriebsgemeinschaft Niederrhein (Works Combine Lower Rhine); Betriebsfuhrer (Plant Leader), Leverkusen Plant, of Farben; Member, NSDAF; Member, DAF (German Labor Front); Member, Beirat (Advisory Council) and Industrie-Abteilung (Industrial Department), Wirtschaftskammer (Chamber of Economics), Duesseldorf; Member, Beirat, Handelskammer (Chamber of Commerce), Munich-Gladbach; Member Bezirksarbeitskammer (District Labor-Chamber), Essen; Geschaeftsfuehrer (Manager), Ostmark Branch Office, Wirtschaftsgruppe Metallwaren und verwandte Industriezweige (Economic Group Metalware and Related Industrial Products); Chairman, Aufsichtsrat, Duisburger Kupferhuette, Duisburg; Deputy Chairman, Aufsichtsrat, A. G. fuer Lithoponefabrikation, Wuensendorf/Elster; Deputy Chairman, Aufsichtsrat, Erzgesellschaft zur Erschliessung von Nichteisenmetallen m.b.H., Berlin; Member, Aufsichtsrat, A.G. fuer Chemische Industrie, Gelsenkirchen-Schalke; Member, Aufsichtsrat Rheinisch-Westfaelisches Elektrizitaets-Werk A.G., Essen; Member, Aufsichtsrat, Rheinische Fluss- und Schwerspatwerke A.G. Frankfurt; Member, Aufsichtsrat, Sachtleben A.G. fuer Bergbau und Chemische Industrie, Koeln; Member, Aufsichtsrat, Chemische Werke Huels G.m.b.H., Huels; Member, Verwaltungsrat, Chemische Fabrik Marienhuette G.m.b.H., Fuerstenwalde/

Spree; Geschaefstfuehrer (Manager), Titangesellschaft m.b.H., Leverkusen; Member, Gesellschaftsrat\* (Company Council), Deutsche Aktivkohle G.m.b.H., Frankfurt; General Director and Chairman, Vorstand, Donau Chemie A.G., Vienna, Austria; Member, Aufsichtsrat, Chemische Werke Aussig-Falkenau G.m.b.H., Aussig, Czechoslovakia; Vice-Chairman, Verwaltungsrat, A.G. Dynamit Nobel, Pressburg, Czechoslovakia; Member, Aufsichtsrat, Societa Italiana del Litopone, Milan, Italy; Member, Aufsichtsrat, Societe Italiana Carboni Attivi, Milan, Italy; Vice-Chairman, Aufsichtsrat, Lack und Oelindustrie, Zagreb, Yugoslavia; Chairman, Verwaltungsrat, Bosnische Elektrizitaets A.G., Jajce, Yugoslavia; Vice-Chairman, Verwaltungsrat, Stickstoffwerke A.G., Maria Rast, Yugoslavia; and chairman or board member of numerous industrial firms, combines and enterprises within Germany and the occupied countries.

#### LAUTENSCHLAEGER:

The defendant Carl Ludwig LAUTENSCHLAEGER during the period from 1932 to 1945 was: Member; Vorstand; Member, Technischer Ausschuss (Technical Committee); Betriebsfuehrer (Plant Leader), Hoechst Plant; Chief, Betriebsgemeinschaft Maingau (Works Combine Main Valley) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); Member, Vorstand, Koch-Institut, Frankfurt; Member, Vorstand, Behring-Institut, Marburg; Member, Forschungsrat (Research Council), Kaiser-Wilhelm-Gesellschaft fuer Psychiatrie (Kaiser Wilhelm Society for Psychiatry), Munich; Deputy Chairman, Aufsichtsrat, A.G. zur Gemeinnuetzigen Beschaffung von Wohnungen, Frankfurt; Member, Aufsichtsrat, Behringwerke A.G., Marburg; and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### MANN:

The defendant Wilhelm Rudolf MANN during the period from 1932 to 1945 was: Member, Vorstand; Member, Kaufmaennischer Ausschuss (Commercial Committee); Member, Ostasien-Ausschuss (East Asia Committee); Chairman, Ostausschuss (East Committee); Member, Pharmazeutische Hauptkonferenz (Pharmaceutical Main Committee); Member, Pharmazeutische Wissenschaftliche und Technische Zentralkonferenz (Pharmaceutical Scientific and Technical Central Committee); Chief Verkaufsgemeinschaft Pharmazeutika und Pflanzenschutz (Sales Combine Pharmaceuticals and Plant Protective Agents) of Farben; Member; NSDAP; Sturmfaehrer (Lieutenant) SA; Member, DAF (German Labor Front); Reichswirtschaftsrichter (Reich Economic Judge); Member, Grosser Beirat (Greater Advisory Council), Reichsgruppe Industrie (Reich Group Industry); Chairman, Kolonialwirtschaftlicher Ausschuss (Colonial Economy Committee), Reichsgruppe Industrie; Member, Werberat der Deutschen

Wirtschaft (Council for Propaganda of German Economy), Ministry of Propaganda; Member, Ausschuss fuer Allgem. Angelegenheiten (Committee for General Affairs) and Ausschuss fuer Auslandswerbung (Committee for Foreign Propaganda), Werberat der Deutschen Wirtschaft; Member, Beirat (Advisory Council), Forschungsinstitut fuer Werbewissenschaft (Research Institute for Science of Propaganda) Berlin; Member, Staendiger Beirat (Permanent Advisory Council), Wirtschaftsstelle des Reichsverbandes der deutschen Zeitungsverleger (Economy Office of the Reich Union of German Newspaper Publishers), Berlin; President, Gesellschaft fuer Konsumforschung (Society for Consumer Research), Berlin; Member, Verwaltungsrat, Institut fuer Wirtschaftsbeobachtung der deutschen Fertigware (Institute for Economic Observation of German Finished Goods), Nuernberg; Deputy Chairman, Aufsichtsrat, Behringwerke A.G., Marburg; Deputy Chairman, Aufsichtsrat, Chemisch-Pharmazeutische A.G. Homburg, Frankfurt; Chairman, Verwaltungsrat, "Degesch", Deutsche Gesellschaft fuer Schaedlingsbekaempfung G. m. b. H., Frankfurt; Chairman, Aufsichtsrat Chemosan Union A.G., Vienna, Austria; Chairman, Aufsichtsrat, Hellco A.G., Troppau, Czechoslovakia; and Chairman or board member of other industrial firms, combines, enterprises within Germany, the occupied countries and elsewhere.

OSTER:

The defendant Heinrich OSTER during the period from 1932 to 1945 was: Member, Vorstand; Member, Kaufmaennischer Ausschuss (Commercial Committee); Member, Ostasien-Ausschuss (East Asia Committee) Chief, Verkauf Stickstoff und Oel (Sales Organization Nitrogen and Oil) of Farben; Member, NSDAP; Foerderndes Mitglied (Supporting member), SS-Reitersturm; Member, DAF (German Labor Front); Chief, Fachabteilung Stickstoff (Sub-department Nitrogen); Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Member, Arbeitskammer (Labor Chamber), Berlin-Brandenburg; Member, Unterausschuss Duengemittel und Sprengstoffe (Sub-Committee Fertilizers and Explosives), Gau Berlin; Member, Hauptausschuss Chemie (Main Committee Chemistry); Gau Greater Berlin; Geschaeftsfuehrer (Manager), Stickstoff-Syndikat G.m.b.H., Berlin; Geschaeftsfuehrer, Stickstoff Ost G.m.b.H., Berlin; Deputy Geschaeftsfuehrer Ammoniakwerk Merseburg G.m.b.H., Merseburg; Member, Aufsichtsrat, Sueddeutsche Kalkstickstoff A.G., Trostberg; Member, Aufsichtsrat, Stickstoffwerke Ostmark A.G., Linz, Austria; Member, Vorstand, Norsk Hydro Elektrisk Kvaelstofaktieselskabet Oslo, Norway; Member, Aufsichtsrat, Stickstoffwerke A.G., Maria Rast, Yugoslavia; and chairman or board member of other industrial firms, combines, enterprises and banks within Germany, the occupied countries and elsewhere.

#### WURSTER:

The defendant Carl WURSTER during the period from 1932 to 1945 was: Member, Vorstand; Member, Technischer Ausschuss (Technical Committee); Chief, Betriebsgemeinschaft Oberrhein (Works Combine Upper Rhine); Betriebsfuehrer Plant Leader, Ludwigshafen-Oppau; Member, Chemikalien-Ausschuss (Chemicals Committee); Chairman, Anorganische Kommission (Inorganic Committee) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Wehrwirtschaftsfuehrer (Military Economy Leader); holder of Ritterkreuz des Kriegsverdienstkreuzes (Knight's Cross of the War Merit Cross); Collaborator of Krauch in Four Year Plan, Amt fuer Deutsche Roh- und Werkstoffe (Office for German Raw Materials and Synthetics); Acting vicechairman and member, Praesidium, Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Chief, and Chairman, Technischer Ausschuss (Technical Committee), Fachgruppe Schwefel und Schwefelverbindungen (Sub-Group for Sulphur and Sulphur Compounds), Wirtschaftsgruppe Chemische Industrie; Member, Beirat (Advisory Council), and Bezirksobmann (District Chairman), Saarpfalz, Wirtschaftsgruppe Chemische Industrie; Member, Beirat, Wirtschaftskammer Westmark (Chamber of Economics Westmark), Saarbruecken; President, Wirtschaftskammer Ludwigshafen (Chamber of Economics, Ludwigshafen); Member, Aufsichtsrat, Sueddeutsche Holzverzuckerungswerke A. G., Regensburg; Member, Aufsichtsrat, Duisburger Kupferhuetten, Duisburg; and chairman or board member of other industrial firms, combines, enterprises within Germany, the occupied countries, and elsewhere.

#### DUERRFELD:

The defendant Walter DUERRFELD during the period from 1932 to 1945 was: Director; Chief Engineer, Leuna Works; Director and Construction Manager, Buna-Auschwitz Plant and Monowitz Concentration Camp of Farben; Member, NSDAP; Member, DAF (German Labor Front); Hauptsturmfuehrer (Captain), NSFK; Bezirksobmann (District Chairman); upper Silesia, Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry).

#### GATTINEAU:

The defendant Heinrich GATTINEAU during the period from 1932 to 1945, was: Director: Chief, Wirtschaftspolitische Abteilung, WIPO (Economic Policy Department); Deputy Liaison Officer of the I. G. Sparten (Divisions) for Austria; Member, Suedosteuropa-Ausschuss (Southeast Europe Committee) of Farben; Member, NSDAP; Standartenfuehrer (Colonel) SA; Member, DAF (German Labor Front); Member, Werberat der Deutschen Wirtschaft (Council for Propaganda of German

Economy), Ministry of Propaganda; Member, Committee for Southeast Europe, Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Member, Vorstand, Donau Chemie A. G., Vienna, Austria; Acting Director, A. G. Dynamit Nobel, Pressburg, Czechoslovakia; Acting Director, Chemische Industrie A. G., Pressburg, Czechoslovakia; Member, Vorstand, Ostslowakische Chemische Fabrik A. G., Kostolany, Czechoslovakia; Member, Verwaltungsrat, Dynamona A. G., Pressburg, Czechoslovakia; Member, Verwaltungsrat, Apollo Naphtahandels A. G., Prague, Czechoslovakia; Member, Verwaltungsrat, Nobel-Bickford A. G., Pressburg, Czechoslovakia; Member, Verwaltungsrat, Apollo Mineraloel Raffinerie A. G., Pressburg, Czechoslovakia; Member, Verwaltungsrat, Stickstoffwerke A. G., Maria Rast, Yugoslavia, Chairman, Verwaltungsrat, Lack- und Oelindustrie A. G., Zagreb, Yugoslavia; Chairman, Verwaltungsrat, A. G., Dynamit Nobel, Belgrade, Yugoslavia; Member, Verwaltungsrat Bosnische Elektrizitaets A. G., Jajce, Yugoslavia; Member, Verwaltungsrat, A. G. fuer Sprengstoff und Chemische Produkte, Zagreb, Yugoslavia; Member, Verwaltungsrat, Azot S. A. R., Euharest, Roumania; Member, Verwaltungsrat, Prima Societata Romana de Explosivi S. A. R., Bucharest, Roumania; Member, Verwaltungsrat, Nitrammonia S. A. R., Bucharest, Roumania; Member, Verwaltungsrat, A. G. fuer industrielle Sprengstoffe, "Ipari", Budapest, Hungary; and chairman or board member of other industrial firms, combines and enterprises within Germany and the occupied countries.

#### VON DER HEYDE:

The defendant Erich von der HEYDE during the period from 1932 to 1945 was: Prokurist; Member, Wirtschaftspolitische Abteilung, WIPO (Economic Policy Department); Chief, Liaison Office, Nitrogen and Gasoline, Berlin NW 7; Deputy to Schneider, Hauptabwehrbeauftragter (Counter-Intelligence Agent), Counter-Intelligence Branch OKW, in charge of defense and counter-intelligence of Berlin NW 7, of Farben; Member, NSDAP; Member, DAF (German Labor Front); Hauptsturmfuehrer (Captain) SS; Member of Wehrwirtschafts-Ruestungsamt (Military Economics and Armament Office) of OKW.

#### KUGLER:

The defendant Hans KUGLER during the period from 1932 to 1945 was: Director; Member, Kaufmaennischer Ausschuss (Commercial Committee); Second Vice-Chairman, Farben-Ausschuss (Dyestuffs Committee); Member, Engerer Farben-Ausschuss (Dyestuffs Steering Committee); Member, Coloristische Kommission (Dyestuffs Application Committee); Chief, Sales Department Dyestuffs for Hungary, Roumania, Yugoslavia, Greece, Bulgaria, Turkey, Czechoslovakia, Austria, the Near East, and

Africa; Member, Suedosteuropa-Ausschuss (Southeast Europe Committee) of Farben; Member, NSDAP; Member, DAF (German Labor Front); Deputy Chief, Fachgruppe 16, Teerfarben und Teerfarben-zwischenprodukte (Sub-Group 16, Tar Dyes and Tar-Dye Intermediates), Wirtschaftsgruppe Chemische Industrie (Economic Group Chemical Industry); Member, Beirat fuer Exportfragen der Pruefungsstelle Chemie (Advisory Council for Export Questions of the Supervisory Office Chemistry); Reich Economic Ministry Commissioner, Aussig Falkenau Factories, Verein fuer Chemische und Metallurgische Produktion, Prague, Czechoslovakia; Acting Manager, Teerfarbenwerke Aussig G. m. b. H., Aussig, Czechoslovakia, Member, Beirat (Advisory Council), Chemische Werke Aussig-Falkenau G. m. b. H., Aussig, Czechoslovakia; Member, Commercial Committee, S. A. de Matieres Colorantes et Produits Chimiques Francolor, Paris, France.

## APPENDIX B

### Historial Listing of the Firms which were Merged in 1926 to Form FARBEN

In 1904, the first Interessengemeinschaft (Combine of Interests or Trust) of the German Dyestuffs Industry was formed consisting of the following firms:

- Badische Anilin & Soda Fabrik, of Ludwigshafen
- Farbenfabriken vorm. Friedr. Bayer & Co., of Leverkusen
- Farbwerke vorm. Meister Lucius & Bruening, of Hoechst am Main
- Aktiengesellschaft fuer Anilinfabrikation, of Berlin
- Leopold Cassella & Co., G. m. b. H., of Frankfurt a. M.
- Kalle & Co., A. G., of Biebrick

These concerns had been formed in the 1860's and individually represented the most powerful chemical firms in Germany. With the 1904 pooling of technological and financial resources, these six firms achieved an almost complete domination of the organic dyestuffs, pharmaceuticals, explosives and synthetic chemical industries of the world.

In 1916 the Chemische Fabriken vorm. Weiler — ter Meer, Uerdingen, and Chemische Fabrik Griesheim — Elektron, Frankfurt a. M., were brought into the combine.



On December 9, 1925, the Badische Anilin- und Soda-Fabrik, the largest of the component firms of the Interessengemeinschaft changed its name to I. G. Farbenindustrie Aktiengesellschaft, and transferred its home office to Frankfurt. Five other firms were merged with Badische:

Farbenfabriken vorm. Friedr. Bayer & Co., of Leverkusen  
Farbwerke vorm. Meister Lucius & Bruening, of Hoechst  
am Main  
Aktiengesellschaft fuer Anilinfabrikation, of Berlin  
Chemische Fabriken vorm. Weiler — ter Meer, Uerdingen  
Chemische Fabrik Griesheim — Elektron, Frankfurt a. M.

The two firms, Leopold Cassella & Co., G. m. b. H. and Kalle & Co., Aktiengesellschaft which had belonged to the 1904 combine were not included in the formal merger since the majority of their shares were already held by the other firms. They were included, however, in the reorganization attending the merger.

In 1926, after the formal incorporation, a number of concerns were brought into the development of the combine. Among these were five of Germany's most important explosives companies:

Dynamit-Aktiengesellschaft vorm. Alfred Nobel & Co., Troisdorf  
Rheinisch-Westfaelische Sprengstoff-A. G., Koeln  
Aktiengesellschaft Siegener Dynamitfabrik, Koeln  
A. Riebeck'sche Montanwerke A. G., Halle  
Koeln-Rottweil A. G., Berlin