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CONCENTRATION CAMPS

Statement of KALTENBUNNER regarding Concentration Camps.

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Concentration Camps (Report on their origin,
persons responsible, motives, judicial status
and their organization in Germany)

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Statement by KALTENBRUNNER.

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"To my knowledge the concentration camps were created by the Prussian Prime Minister, Herman GOERING, in 1933, shortly after the seizure of power by the Nazis. The camps, which at first only served for the temporary internment of political state enemies, were set up and guarded by the different provincial police authorities.

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"When HIMMLER was appointed Chief of the German Police Forces, these camps fell within his jurisdiction. He dissolved the smaller camps of the various provincial governments, and instituted the first big KZ in Dachau, near MUENICH. Thereafter, in the course of years, similar camps were established on the Dachau pattern in other parts of the Reich. In order to give the internees employment, the camps were established in places closely situated to areas which required large numbers of workers, e.g. cultivation of waste land, clay deposits for the manufacture of bricks, quarries, peat, slate quarries, or dam construction for electrical power stations, etc.

"This close contact with raw material deposits was also the reason for HIMMLER subordinating all these camps to the Verwaltungs-und Wirtschafts-Hauptamt (later abbreviated to VuWHA). All these camps, from their inception, were subordinated without interruption to this department, which was operating under HIMMLER. The long-standing Chief of this SS VuWHA service was SS Obergruppenfuehrer FOHL. SS Gruppenfuehrer GLUECKS was put in charge of all KZs and ran his own office within the Hauptamt. All HIMMLER's orders concerning KZs, treatment of internees, as well as orders for execution of internees, had to be sent direct to

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POHL or GLUECKS. As HIMMLER generally was in the habit of giving direct personal orders to the smallest units, Dienststellen, or their chiefs, disregarding all service channels and superior services, and demanded reports from the above-mentioned units behind the backs of the chiefs, it undoubtedly repeatedly occurred, that he passed direct orders to the camp commandants. This habit of HIMMLER's, which naturally led to difficulties between the different services, occurred so often that this fact will be evident in hundreds of cases of interrogation.

"The normal channel for passing orders, and the correct line of command, which was not followed by HIMMLER as described above, was to the KZ commandants under command of SS Gruppenf. GLUECKS, who in turn commanded the Amt fuer KZs under POHL's Hauptamt.

"The KZ commandants had strict instructions, i.e. in writing by HIMMLER, only to obey and execute orders of any description whatever provided that they were issued by HIMMLER or the Chef of the SS VAWHA, POHL and/or his dept. chief, GLUECKS. No Gauleiter, no Chef of a Ministerial Dept., nor the highest Dienststelle in the Wehrmacht, or myself as Chef of the RSMA, could issue orders to any KZ commandant.

"Every prisoner transferred to a KZ was under command, or jurisdiction, exclusively of HIMMLER and his VAWHA, i.e. POHL and GLUECKS, from the very moment of his entry into a KZ and until he left.

"Internment in a KZ was justified by:

- 1) Schutzhaft order of the Gestapo.
- 2) A decree of Vorbeugungshaft (protective custody), by the Kripo.
- 3) A court decree pronouncing Sicherungsverwahrung (internment).
- 4) A direct order of HIMMLER

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Apart from the direct transfer by HIMMLER's order, which mostly concerned exceptional cases, as for example after the HESS incident, three groups or types of KZ arrests could be differentiated. These were as follows:

- 1) Schutzhaft, i.e. political custody
- 2) Vorbeugungshaft, i.e. preventive custody for Criminal convicts.
- 3) Sicherungsverwahrung, i.e. security internment.

"Before I explain these three types of arrest and the reason for their being instituted, at this stage I must talk about the legal basis of the Stapo executive.

"The Nazi Partei came to power after a 10 years' struggle against 30-40 other parties and other groups of interests; i.e. parties within the framework of the existing laws of the, then, democratic constitution. HITLER and his party leaders had gained much experience as to how it was possible for any opposition group to get round, with a certain amount of cunning skill, the existing state laws concerning opposition actions and the damaging of state authority, and in so doing they pretended to make believe that their actions were legal. However, HITLER was determined to enforce, without restriction, his logical and uncompromising conception of state authority, or as he called it "Fuehrerstaat", whereby he already felt himself justified inasmuch as he had obtained the overwhelming majority by democratic ballot.

"Thus, the laws, which at the time were insufficient to impede his seizure of power, has to be supplemented to prevent, for a long period, the danger of being undermined by Right or Left Wing opposition. He, therefore, gladly concurred when GOERING suggested to him the promulgation of a law by which the privileges and powers were to be invested in

the newly created Gestapo, which up to then were unique. I no longer recall the exact name and terminology of this law. It was an emergency law, or frame law, as it was technically called.

"This law authorised the Stapo to take all measures deemed suitable for the protection of the Partei and the safeguarding of the State against any internal enemy. The Gestapo was not bound expressly by this law to respect the existing laws and decrees.

"These vast powers passed, from the Prussian Prime Minister, GOERING, to HIMMLER, as soon as he became chief of the German Police and at the same time chief of the Gestapo. This law became the basis of his power and influence in the State, since the second power-factor, the Waffen SS, was in its infancy and at the beginning of the war consisted of eight regiments, of which half were the so-called SS Totenkopfverbände; these were ordered to guard the KZs and were not therefore available for other duties.

"This exceptional concentration of power was not only the constant cause of envy and mistrust of BORMANN, Chief of the Partei-Chancellery, but often the frequent subject of differences with GOERING, although only of a temporary character. Nevertheless, it is certain that this Emergency Law inspired HIMMLER never to give up the direct and personal command of the Gestapo.

Concentration Camps

"That means - if I may talk about myself at this stage - that it was not only for this reason that I had no influence in the command of the Gestapo, firstly because I did not desire it, and secondly I did not receive this power of command, because HIMMLER did not want to let the personal direction of this Instrument of Power out of his own hands.

"The fact that I turned down the command of the police executive on account of my lack of technical and personal preliminary training and, in this way, justified my refusal to accept this post, has already been mentioned by me in another statement.

"Definition of Schutzhaft.

"Schutzhaft was decreed by the Gestapo. Services which were under command of the Gestapo could not independently order a "Schutzhaft" to take place, and could only propose such type arrest. The Stapostellen could only order an arrest or Schutzhaft over a period of 21 days, but since 1944 were able to extend the term to 28 days. An exception was the transfer of a man to an Arbeitserziehungslager, a "correction camp", which was not identical with a concentration camp. This type of transfer could only be ordered by the Stapostellen for a maximum duration of 56 days, and this type of punishment was in no way connected with the political offences.

"The term Schutzhaft is closely bound up with the above-mentioned Ermächtigungsgesetz, Emergency Decree. The term Schutzhaft means the custodianship of Partei and State interests against the political activity of any person. The activity of the person had to be recognised as "hostile to the State". The term "hostile to the State" was interpreted in the widest sense of the word.

"The question to be posed was, namely this:- Was the existing penal code sufficiently comprehensive to enable the ordinary courts to protect the State and Partei interest on the basis of the existing penal laws? The country's leaders were of a different opinion. They were of the opinion, in the first place, that the old staff of juridical officials

had not sufficiently absorbed the Nazi psychology and studied the new public aim in order to appreciate in a clear concise manner who, and what, might be likely to damage the New State. It transpired, however, that an accused person, who, for example, had been summoned on a charge connected with some political offence, was acquitted, whilst the Stapo nevertheless took him into custody, because they came to the conclusion that the general circumstances of the case indicated that he was an enemy of the State.

"At any rate, the real state of affairs, i.e. "Vorbereitung zum Hochverrat" (preparation for High Treason), had been too narrowly defined in the criminal code. Thanks to the enlarged power, granted to the Stapo, the inadequacy of the existing law was remedied, inasmuch as it was made possible to counter the slightest political opposition.

"In the first place, after the seizure of power, the Left-Wing opposition of all shades and grades had been countered, and this could be seen from statistics, although a rapid decline of the unemployment figures and the constant increase of the economic prosperity, seemed to contradict this fact. I believe that the Left-Wing opposition fell off rapidly, but that nevertheless the arrest figures remained high because the Leftists were very well organised and their complete party registers were found.

"The discovery of the fact that Jews were participating in "red organisations was one of the first motives for their persecution, because the Jews had thus banded together as a team to fight against the seizure of power by the Nazis by giving their votes to the Left in all election Campaigns.

The further circumstances which led to the Jews being almost completely and systematically expelled from Reichs territory were:

- a) That in every case of treason against one's country the Jew played an inspiring leading role.
- b) That he made himself guilty of many economic offences against the national life.
- c) The fact that later, violent racial political propaganda started; and finally, there was HITLER's prophecy at the outbreak of the war, that this war would bring about the downfall of the Jews, as the Jews had provoked it with all possible means.

"Whilst initially, emigration was even supported by the State, later, transfers to concentration camps and deportations to the East were applied, and both led to a high death percentage.

"The Vorbeugungshaft - or preventative custody."

"At the beginning of the war, the leaders of the State policy (Staatsfuehrung) saw themselves confronted with the problem of counter-acting, with all possible means, a repetition of the internal decay of the Reich, as had happened in World War I. On the one hand, it was determined that the entire Partei machinery should be engaged in an intensive drive towards this goal, on the other hand, it was deemed necessary for the whole internal police executive to face this problem with a completely free hand.

"Thus, an order was extended to the Police Executive to neutralise, for the duration of the war, habitual criminals, by transferring them to concentration camps as a preventative measure. By this measure, the Police had been relieved of the very heavy task of exercising continual control over habitual criminals. It was a question of eliminating a high percentage of crime, the Statistics of which are unknown to me.

By way of an estimation, I would say the figure was about 50,000, to which a small contingent could be added every year, since the outbreak of the war.

"This type of arrest was carried out by the Kripo, in conjunction with the registry services of the Justizverwaltung, i.e. the Courts. These convicts were placed in camps, under extremely severe working conditions, which later were classified in three stages of severity - but these severe working conditions were not the only means of judging the different categories of camps.

"Under the term 'habitual criminal', 5/10 previous convictions of a criminal character, or sentences totalling in all about 8 years imprisonment (penitentiary) were understood.

"Die Sicherungsverwahrung - Security Internment.

"This type of punishment was decreed by ordinary courts as an integral part of the verdict. Only in rare cases was it necessary to decree a separate verdict of Sicherungsverwahrung. In order to make this clear, the following is an example:

"A thief, aged 39, had previously been sentenced on 12 occasions, to, in all, 3 years penal servitude and 2 years 8 months hard labour. He again steals three geese from a farm, valued at RM.90, in itself a minor offence. For this offence, the court sentenced him to 2 months' penal servitude - although entitled to sentence him to 1 year's hard labour in regard to the fact that this was a repeated offence - and sentenced him in addition to Sicherungsverwahrung.

"First of all the convict served the legal sentence and was then transferred to a KZ by the Kripo in the same way as occurred in the cases of habitual criminals.

In passing a sentence of Sicherungsverwahrung, it was up to the court to state whether this was to be for a limited, or unlimited period.

"In the case of an unlimited sentence, the duration of the imprisonment was determined by the so-called Haftüberprüfungsstermine (periodical dates on which cases came up for review), i.e. the prisoner was released after 1 year, providing that he had behaved himself properly. In the case of bad behaviour, which was up to the Camp Commandant to judge, the prisoner would have to wait until the next date of revision, which usually took place every 6 months.

"Bad behaviour in a KZ led to disciplinary measures, and to a prolongation of the interment, since severe punishments were prescribed for criminal offences and, in most cases, the death sentence was passed. Thus, for example, stealing from a copriisoner was punishable by death. HIMMLER had already instituted these severe punishments when he created the KZs. In his opinion these measures were indispensable for maintaining the camp discipline, since in some camps there were as many as 20,000 criminal prisoners. On the other hand the camp guards were also under very severe regulations. This applied particularly at the time of SS Gruppenf. u. Gen. der Waffen SS EICKE, who commanded the SS Totenkopf Verbände, until his death near Kharkov.

"Although the SS and Polizei Courts had already been, since their inception in 1936/37, a very severe institution, which sentenced members of the SS and Police with great severity, there were in addition special laws to punish the camp guards. The slightest slip, for instance associating with prisoners, getting washing done by the prisoners, was punishable by several years hard labour or concentration camp. There was a special KZ for offences committed by KZ guards, the so-called SS-Straflager, Danzig - Minskau.

"It cannot be denied that cruelties occurred in individual cases due to the severe atmosphere of a KZ and also on account of human failings. On the other hand, nevertheless, I know of cases where camp guards were severely punished for their actions and in some cases were executed. In one case, I even recall the name, SS-Stafu. KOCH and his co-culprits were concerned.

"If a careful investigation is instituted, it will be evident, in my opinion, that the main reasons for deaths in KZs were attributable to the following factors:

1. Death due to sickness and suicide.
2. Epidemics, typhus, para-typhoid and diphtheria.
3. Malnutrition.
4. HIMMLER's orders for individual and mass execution.
5. Accidents occurring during hard labour.

"This sequence of causes probably gives a fairly accurate picture of the real death rate.

"I am unable to give detailed and authentic information about the conditions in the KZs, as I never inspected any KZ.

"I have not mentioned the importance of the KZs for the German armament potential. This question had been brought to my knowledge by the SD, in connection with the investigation of the German economic and Armament situation, and in addition, through reports about the situation in the Labour Market (Labour Reserves). In other words the economic importance of the KZs was only brought to my knowledge indirectly.

"I was anxious to give evidence to the competent authorities about the deteriorating effects of this Institution, both from a humane and a political point of view. However, this is not a suitable place to write about this problem.
