

The Gas Vans: A Critical Assessment of the Evidence

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1. The Problem, and the State of Subject Research

Among the accusations that are brought against National Socialist Germany we also find the claim that in 1941 and 1942 so-called 'gas vans' were used for killing victims locked into them. This was allegedly done by channeling the exhaust gas into the hermetically sealed body of the vans. 'Gas vans', it is claimed, were used, on the one hand, in euthanasia institutions (homes for mental patients) and, on the other, by the *Einsatzkommandos* behind the Russian front, and particularly in the concentration camp Kulmhof.

'Gas vans' are mentioned in numerous publications among the subject literature, but their existence is never examined critically or even questioned. The state of subject research was outlined most recently by Mathias Beer.¹ We shall refer to this summary on occasion. Unfortunately, space limitations preclude an analysis of the general thesis; we must restrict ourselves to touching on those points which, in our view, require closer examination in the present context, which has as its purpose the critical assessment of the evidence in the issue of the 'gas vans'.

There is no document to indicate that 'gas vans' had ever come up for discussion in the Third Reich. The term dates from post-war times. The documents advanced as evidence for the 'gas vans' mentioned "*Sonderwagen*", "*Sonderfahrzeuge*", "*Spezialwagen*" [uniformly, 'Special Vehicles'; -trans.] or "*S-Wagen*". It was the term 'Special Vehicle' which prompted contemporary historians to speculate that this must have been a special kind of vehicle, one whose nature was probably kept secret. Beer writes:

"The connection with the code word *Sonderbehandlung* [special treatment], i.e., killing [...] is obvious."²

However, it is obvious only to those who conclude the existence of 'gas vans' solely on the basis of the belief that unpopular persons, especially Jews, were murdered *en masse* in the Third Reich. In this way, the fact that is supposed to be proven is already taken for granted beforehand, and presented as factual argument. In fact, the German Wehrmacht had one hundred different kinds of "*Sonder-Kraftfahrzeuge*" [Special Motor Vehicles], which were known as "*Sd. Kfz 1*" to "*Sd. Kfz 250*" and even higher.³ Every vehicle that required specialized equipment for any purpose was a 'Special Motor Vehicle'. These included, for example, the heavy goods vehicle type known as "*Maultier*" (vehicles whose rear wheels had been replaced with sprocket wheels), tractor vehicles for cannons and anti-aircraft guns, but also gas detecting and decontamination vehicles for units that were specialized on gas warfare but which, fortunately, were never needed since no gas grenades were used in the Second World War. Their production and outfitting was no more secret than that of other Wehrmacht vehicles. To automatically connect the term 'Special Motor Vehicle' with the murder of Jews reveals gross ignorance of the facts.

¹ M. Beer, "*Die Entwicklung der Gaswagen beim Mord an den Juden*", *Vierteljahrshefte für Zeitgeschichte* 35(3) (1987) pp. 403-417.

² *Ibid.* p. 403, note 5.

³ Cf. W. Oswald, *Kraftfahrzeuge und Panzer der Reichswehr, Wehrmacht und Bundeswehr*, Motorbuch, Stuttgart 1990, p. 435; W.J.L. Davies, *German Army Handbook*, Arco Publishing, New York 1973; cf. R. Frank, *Lastkraftwagen der Wehrmacht*, Podzun-Pallas, Friedberg 1992.

There was also the description “S-Wagen” [S-Vehicle]. Beer believes that the “S” was “*the abbreviation of *spezial* or *sonder*” (i.e., special) (p. 403), but this is incorrect. The “S” stood for “*Schell-Typ*” and referred to the type of drive:*

“The standard vehicle types were known as S-types, whereas the A-types had all-wheel drive, while being identical in every other respect”⁴

Therefore the ‘S’ is also no identifier of vehicles intended for killing their passengers.

Two documents from the time of the Third Reich are generally cited in support of the ‘gas van’ theory: one of them is a letter dated May 16, 1942, that was submitted as Document PS-501 at the Nuremberg Trial (International Military Tribunal, IMT), and the other is a file from the Federal Archives at Koblenz, numbered R 58/871 – a Note from the RSHA (*Reichssicherheitshauptamt*, the Reich Security Main Office) dated June 5, 1942.

Aside from these documents there are only statements of defendants and witnesses in trials due to National Socialist crimes who claim they saw or heard about the ‘gas vans’, as well as comments made in indictments and verdicts.

To quote Mathias Beer:

“However, it is not acceptable for an historian to make use of court verdicts without examining them critically, since the justice system and the science of history are guided by different objectives. For an historian, eyewitness testimony is of foremost significance because it helps to fill gaps in other sources. But due to its special nature, eyewitness testimony can be accorded a status equal to that of documents, and can be profitably exploited in historical research, only if certain principles are observed. The fundamental prerequisite is to establish, whenever and wherever possible, the connection between testimony and documents which have been critically substantiated as to their source.”⁵

In other words: witness statements ought to be corroborated by documents that have stood up to critical examination. This applies particularly to such eyewitness testimony whose content is already questionable because it contradicts other eyewitness testimony of equal value. And we shall see that what we are in fact dealing with in the case of the ‘gas vans’ are exclusively such questionable witness statements.

To date, no vehicle which clearly could have served as ‘gas van’ has ever been found. Allegations that the Polish town Konin near the former concentration camp Chelmno uses such a gas van as a memorial⁶ were refuted by the town’s officials.⁷ On the author’s inquiry regarding alleged photos of such vehicles, both the Yad Vashem Museum in Jerusalem and the Auschwitz Museum in Auschwitz, Poland, sent the author a copy of the same photograph of unknown origin, showing the front view of a damaged heavy-goods vehicle of the type Magirus-Deutz with no indication that it was modified and subsequently used for sinister purposes.⁸ Aside from this, a Magirus-Deutz lorry was never claimed to have served as a homicidal gas van. Since the license plate was removed from the van, it is not even certain whether this vehicle was really used by German authorities. The Yad

⁴ W. Oswald, *op. cit.* (note 3), p. 177; cf. W.J. Spielberger, *Spezial-Panzer-Fahrzeuge des deutschen Heeres*, Motorbuch, Stuttgart 1977, p. 153f.; *Die Halbkettenfahrzeuge des deutschen Heeres*, 2nd ed., *ibid.*, 1984, p. 170f. (explanation of abbreviations).

⁵ M. Beer, *op. cit.* (note 1), p. 404.

⁶ Letter of M. Beer to P. Marais, November 20, 1987, facsimile in P. Marais, *Les camions à gaz en question*, Polemiques, Paris 1994, pp. 294f.

⁷ Letter of the municipal administration to P. Marais, May 24, 1988, facsimile in P. Marais, *ibid.*, p. 296.

⁸ Reproduced in G. Fleming, *Hitler und die Endlösung*, Limes, Wiesbaden 1982, pictorial section.

Vashem Institute responded to an inquiry by stating that no other photo of a ‘gas van’ is known to exist and that if the author were aware of any other, the Institute would appreciate receiving it.⁹

2. Origins of the ‘Gas Van’ Reports

2.1. ‘Murder Vans’ in the Soviet Union

Beer advances the following theory:

*“The term ‘gas vans’ refers to a special creation of the Third Reich, namely a heavy vehicle on whose chassis an airtight body had been mounted in which people were killed by means of the introduction of exhaust gas.”*¹⁰

This claim is open to dispute. Gas vans, if they even existed, were not a “special creation of the Third Reich”. The Soviet dissident Pjotr Grigorenko speaks of ‘death vans’ in his memoirs. He recounts what a former friend, Vasili Ivanovich Tesslia, had told him. In the late 1930s, this Vasili Ivanovich had been an inmate in the prison of Omsk, and from his cell he observed how a Soviet prison transport, a so-called “Black Raven”, drove into the prison yard. A group of prisoners had to get in and the truck left, to return about a quarter of an hour later.

*“The wardens opened the door: black clouds of smoke rushed out, and dead bodies toppled onto the ground one on top of the other.”*¹¹

The documentary value of this hearsay story may not be very great – even though Nolte rates it as ‘evidence’.¹² The claim itself, however, recently received some astonishing corroboration.¹³ In spring 1993, a four-part television series dealing with the Soviet Union was broadcast in the United States. The title was “*Monster: A Portrait of Stalin in Blood*”. In the second part of this series, subtitled “*Stalin’s Secret Police*”, the former KGB officer Alexander Michailov was quoted as saying that gas vans, or trucks, had already been invented before the war, in Moscow, by one Isai Davidovich Berg, and had been used by the KGB. If this statement is true, then the ‘gas vans’ are a Soviet invention, not a German one. This fits in with the fact that the Soviets were the first to ever make any mention of ‘death vans’ or ‘murder vans’.

The first trial in which ‘murder vans’ were an issue took place during the war, on July 14-17, 1943, in Krasnodar, USSR. From July 15 to 19, the newspaper *Pravda* brought a trial report which was later published in English translation as *The Trial*. Eleven Ukrainians had been charged with treason for their activities assisting German troops. Eight of them were sentenced to death, three received twenty years each in a penal camp.

⁹ The letters of Yad Vashem are reproduced as facsimiles in P. Marais, *op. cit.* (note 6), pp. 209f. The German magazine *Der Spiegel*, no. 27, March 27, 1967, published a rear view of a completely unsuspecting Red Cross lorry, claiming without proof that this was a “NS-gas vehicle”, cf. P. Marais, *ibid.*, p. 195.

¹⁰ M. Beer, *op. cit.* (note 1), p. 403.

¹¹ P. Grigorenko, *Erinnerungen*, Bertelsmann, Munich 1981, pp. 275f.; cf. U. Walendy, “Das verbrecherische System”, *Historische Tatsachen* no. 48, Verlag für Volkstum und Zeitgeschichtsforschung, Vlotho 1991, pp. 35f.; this source also contains the complete quotation. Another interesting report about mass killings by means of gas by the Soviets prior to WWII was published by W. Bobrenjow, W. Rjasanzwe, *Das Geheimlabor des KGB*, edition q, Berlin 1993, pp. 43, 171; I owe thanks to Gerd Selbach for the latter information; W. Strauß recently reported (*Staatsbriefe*, 8(9) (1997), p. 19, online: vho.orgD/Staatsbriefe/Strauss8_9.html) about a Russian publication describing among other unbelievable cruelties soviet experimental gas chambers where prisoners of the GULag were killed: Dantschik Baldajewa, *GULag Zeichnungen*, Zweitausendeins, Frankfurt 1993.

¹² E. Nolte, *Streitpunkte*, Propyläen, Berlin 1993, p. 476, note 31.

¹³ For the following information I wish to thank Fritz Berg, the American contributor to this volume. I also wish to take this opportunity to thank him for the provision of numerous documents which he tracked down for us or to which he, being American, had easier access than we Germans do.

As usual in those days in the Soviet Union, the accused confirmed everything that they were supposed to – among other things, that the *Sonderkommando* 10a of *Einsatzgruppe D*, led by SS-*Sturmbannführer* Kurt Christmann, had been killing Soviet prisoners with Diesel exhaust in ‘murder vans’ since the fall of 1942.¹⁴ Soviet witnesses confirmed the use of ‘murder vans’ to eliminate the mentally ill (pp. 4ff). The claim at the heart of all the testimony was that the highly toxic Diesel exhaust gas had caused the death of those locked into the vans. Since this claim cannot be true (for the carbon monoxide content and hence the toxic, *i.e.*, nontoxic nature of Diesel exhaust, see the chapter by Fritz Berg, this volume), it is only reasonable to question the credibility of the rest of the witness statements as well.

One month later, on August 14, 1943, the Soviet Embassy in Washington published a paper “*On Crimes Committed by the German-Fascist Occupation Troops in the Stavropol Area*”.¹⁵ The contents are crass anti-German atrocity propaganda. Among other things, the testimony of a German prisoner-of-war named Fenichel is quoted, confirming the evidence of ‘murder vans’ and describing the vehicles. The statement gives no information about Fenichel himself or about the circumstances under which his testimony was given. One can therefore accord these claims no factual value whatsoever. They were, however, presented at the Nuremberg Trials as incontrovertible evidence to prove that “[...] *the mass extermination of people in gas vans was ascertained without reasonable doubt*”.¹⁶ In this instance, the name of the German prisoner-of-war was given as “*E. M. Fenichel*”.

Another trial took place in the Soviet Union, this time at Char’kov, from December 15 to 17, 1943. The accused were three German prisoners-of-war and one Ukrainian laborer who had served as driver with the *Sonderkommando* at Char’kov. All four of them were sentenced to death by hanging, and the sentence was carried out on December 18, 1943. The English trial report appeared in the volume *The People’s Verdict*. In this trial as well, the allegation came up that the German troops had used heavy Diesel vehicles to murder the Soviet population. And again, the accused confirmed all the crimes they were charged with.

In his book *Der Yogi und der Kommissar*, the Russian-Jewish author Arthur Koestler wrote:¹⁷

“*The method of gross oversimplification in Soviet domestic propaganda resulted in the tradition that an accused in a political trial had to admit his alleged crimes freely and voluntarily, and once this tradition had become established there was no going back. Hence the strange phenomenon in the 1943 Char’kov trial of German war criminals, where the accused German officers were made to behave like characters out of a story by Dostoyevsky. [...] To a foreign observer, the Char’kov Trial (which was filmed, and screened publicly in London) seemed as surreal as the show trials of Moscow, since the accused gave their statements in pompous phraseology they had obviously memorized, and sometimes digressed into the wrong role, that of prosecutor, before returning to their starting point.*”

Regarding the value and the practice of Soviet trials, Adalbert Rückerl – then Chief Public Prosecutor of the Head Office of the Land [≅State] Administration of Justice at Ludwigsburg – commented, decades later:¹⁸

¹⁴ *The Trial in the Case of the Atrocities Committed by the German Fascist Invaders and their Accomplices in Krasnodar and Krasnodar Territory, July 14 to 17, 1943*, Foreign Languages Publishing House, Moscow 1943, pp. 2f..

¹⁵ *Soviet War Documents, Information Bulletin*, Embassy of the Union of Soviet Socialist Republics, Special Supplement, Washington DC, December 1943, p. 171.

¹⁶ International Military Tribunal, *Trial of the Major War Criminals*, IMT, Nuremberg 1947, (further on as *IMT*), v. VIII, p. 572.

¹⁷ A. Koestler, *Der Yogi und der Kommissar*, Bechtle, Esslingen 1950, pp. 259f.

¹⁸ A. Rückerl, (ed.), *NS-Verbrechen vor Gericht*, C.F. Müller, Heidelberg Heidelberg 1984, pp. 99f (the first edition of 1979 was titled *Die Strafverfolgung von NS-Verbrechen*).

“No reliable information exists about the extent of the criminal trials conducted by Soviet courts against Germans. It may be assumed with certainty, however, that the number of convicted is many times greater than that of all the persons convicted by courts of the western occupation powers put together.

The first trial already took place during the war, on December 15-18, 1943, in Char'kov. In this show trial, a Captain of the German Army, an SS-Untersturmführer of the SD, a Private First Class of the Secret Field Police of the Army, and a Russian laborer working for the SD as driver, were sentenced to death by hanging, and were hung publicly one day later on Red Square in Char'kov.”

With respect to the question of how the confessions were elicited in Soviet military trials, Rückerl proceeds to quote a February 26, 1965, report of the Minister of Justice to the President of the German Bundestag:

“‘Confessions’ were extracted by means of starvation and sometimes also with torture, and these confessions became the basis of proceedings before the Soviet military courts [...].”

That this assessment of Soviet military trials was correct is a well-known fact today, and has been corroborated by testimony given by Russian military officers, and by documents recently discovered in Moscow.¹⁹ After the collapse of the Soviet Union, the Russian law courts consequently began mass rehabilitation of former German soldiers who were convicted for alleged war crimes between 1941 and 1945.²⁰ Thus it would run counter to any logic, to accept the statements made in the Soviet trials of 1943 as legitimate evidence for the existence of ‘gas vans’.

What might have been the reason why it was so important to the Soviets to blame such crimes on the Germans in 1943? In early 1943, German troops had discovered the mass graves in the forest of Katyn and had arranged for an international investigation, which clearly showed the Soviets to be the guilty party. A report about this was published in the summer of 1943,²¹ but it was not made available to the public abroad. The Soviets, who had no way of knowing what the international reaction to their massacre of Polish officers would be, wanted to have an ace up their sleeve, ‘just in case’, in order to be in a position to counter-charge the Germans with atrocities of their own. And so the ‘gas vans’, which may perhaps actually have existed in the service of the NKVD, were imputed to the Germans and, to make the allegation seem more credible, were equipped with Diesel engines, a typical German feature. The inventors of this legend clearly did not realize that their crowning touch in fact defused their weapon, since the mere introduction of the exhaust gases generated by a Diesel engine has no lethal effect on the passengers. (See the chapter by Fritz Berg.)

2.2. ‘Gas Vans’ in the Nuremberg Trials

2.2.1. Soviet-Russian Accusations

In the course of the Nuremberg Trials, the public heard its first mention of ‘gas vans’ – albeit not of the Soviet vans but of the alleged German ones. The Soviets brought their charges (already known) against the German troops, and Chief Prosecutor R. A. Rudenko argued:²²

“[...] the mass extermination of people in gas vans was ascertained without reasonable doubt for the first time in the report of the Extraordinary State Commission on atrocities of the German occupiers in the Stavropol region.”

¹⁹ A.E. Epifanow, Hein Mayer, *Die Tragödie der deutschen Kriegsgefangenen in Stalingrad von 1942 bis 1956 nach russischen Archivunterlagen*, Biblio, Osnabrück 1996, pp. 71-77, 105-129; cf. “*Freisprüche für die Wehrmacht*”, *Focus* 49/1996, p. 25.

²⁰ *Ibid.*, p. 105.

²¹ *Amtliches Material zum Massenmord von Katyn*, Comp. and ed. from documentary evidence, on commission by the Foreign Office, Eher Nachf., Berlin 1943.

²² *IMT*, v. VII, p. 572.

He then quoted the alleged testimony of the “*prisoner-of-war E. M. Fenchel*”. Why him? Why not the statements made during the trials of Krasnodar and Char’kov? Could it be because, due to the published trial reports and the film records, these could have been critically evaluated, whereas the “*prisoner-of-war E. M. Fenchel*” conveniently offered no footholds for verification? Whatever the case may be – repetition of the charge does not make it more credible.

In the collection of materials that were published from the Nuremberg Trial, the trial transcript itself has been published in its entirety, but of the documents that go with it, only a selection has been released. It is reasonable to assume that many of the documents would not have stood up to critical examination by later historians. At any rate, this is the impression one gets when one finds, time and time again, that documents especially in need of examination are conspicuously absent from the collection of materials. Not even the archives in charge (Koblenz Federal Archives, Nuremberg City Archives, National Archives in Washington) can help in such cases. Evidently, anything that was not published in the IMT volumes has disappeared, or in any case is not accessible to the public. All the Russian papers which the Soviets submitted in Nuremberg as evidence for their ‘gas van’ claims also number among these ‘vanished’ documents. The IMT volumes contain no documentary evidence whatsoever for these Soviet allegations.

2.2.2. American Evidence

The Americans presented written evidence. The first is Document PS-501, a collection of papers – one letter and several notes or telexes – of which the letter only was later used as “*evidence for gas vans*”.²³

Second, they submitted an ‘affidavit’ in which the recipient of the letter from Document PS-501 confirmed, on October 19, 1945, that he had received this letter three years previously.²⁴

Third, they presented an ‘affidavit’ by Otto Ohlendorf, dated November 5, 1945, in which Ohlendorf wrote about the use of the ‘Death Vans’.²⁵

And, fourth, there is an ‘affidavit’ by Hans Marsalek, dated April 8, 1946, about the May 22, 1945, testimony of Franz Ziereis, Commandant of the concentration camp Mauthausen.²⁶ In this ‘affidavit’, Marsalek ‘confirms’ that a “*specialty constructed vehicle*” ran between the concentration camps Mauthausen and Gusen, “*in which inmates were gassed to death during the trip.*” (p. 281) From a more recent publication by Hans Marsalek, one can conclude that this ‘affidavit’ was false. In the second edition of his book *Geschichte des Konzentrationslagers Mauthausen* he silently corrects his earlier statements. Regarding the death of Ziereis he writes:²⁷

“*On May 23, 1945, Ziereis was apprehended in his hunting cabin on the Phyrn (upper Austria) by American soldiers, and was injured by two bullets when he attempted to flee. As a result of these injuries Ziereis died on May 25, 1945, in the 131st American Evacuation Hospital, Gusen.*”

He no longer knows anything of his (Marsalek’s) interrogation of Ziereis, which according to his ‘affidavit’ had taken place during the night of May 22-23, in other words, even before Ziereis was discovered by American soldiers. His statement in the preface to the second edition of his book may be considered a tacit correction of his affidavit of April 8, 1946:

“*Further, all statements that cannot be documented [...] have been deleted.*”

²³ *IMT*, v. XXVI, pp. 102-110.

²⁴ PS-2348, *IMT*, v. XXX, pp. 256-258.

²⁵ *IMT*, v. XXXI, pp. 39-41.

²⁶ PS-3870, *IMT*, v. XXXIII, pp. 279-286.

²⁷ H. Marsalek, *Die Geschichte des Konzentrationslagers Mauthausen*, Österreichische Lagergemeinschaft Mauthausen, Vienna 1980, p. 200, note 15.

This is an example of the audacity and unscrupulousness with which confessions of guilt were fabricated.

Regarding the problem of the evidence submitted in the Nuremberg Trial, we wish to remind the reader: in the course of this trial, the accused, the defense counsels and the witnesses found themselves faced with thousands of documents, on which they had to comment immediately. There were only a few cases where the persons in question refused to be intimidated by the Court. The trial judge constantly urged them to answer immediately, ‘yes or no’. The result was that many defendants and witnesses gave up and simply answered in whichever way was easiest, and that, as a rule, was to confirm the correctness of the document shown to them. They generally did not even get to see the evidence.²⁸

The situation was not much different for the witnesses, who were interrogated even before the trial began. Without being expressly told each time, they knew very well that their only choice was between acting as a witness for the prosecution, or as defendant in their own right in a subsequent trial. For those witnesses who were likely to break down under cross-examination by the defense – and this category included most of them – the Allies invented the ‘affidavit’.

An affidavit was the result of an interrogation; it was drawn up by the interrogating officers and given to the witnesses to sign. It perforce contained only half the truth, since – as one defense counsel stressed:²⁹

“An affidavit [...] repeats only what was written down as answer. However, it is the unanswered questions in particular which very often allow for the necessary conclusions regarding the usability of a witness statement.”

At this point we would add that witness statements which did not serve the purpose of the prosecution were not even included in the affidavit. The trial judge to whom the defense counsels had repeatedly pointed out the questionable nature of the affidavits explained succinctly that:³⁰

“The Tribunal is not bound by technical rules of evidence, but shall adopt and apply to the greatest possible extent expeditious and non-technical procedure, and shall admit any evidence which it deems to have probative value.”

By now these facts are all well known. Therefore it can only be described as amateurish when historians still ascribe probative value to IMT documents whose content cannot be confirmed through other sources.

2.3. ‘Gas Vans’ in National Socialist Trials

While there is only little documentary evidence for the existence of ‘gas vans’, we do have numerous statements by defendants and by witnesses in NS trials, confirming that the ‘gas vans’ had indeed existed and that people were killed in them. Especially in the 1960s and 1970s trials took place which dealt with the use of ‘gas vans’, among other things. In the literature on this subject, therefore, arguments are based primarily on this testimony.

In Section 4 we shall take a closer look at the content of these witness statements, but first of all, let us consider the value which such testimony *per se* has as evidence.

The fundamental problem of testimony before a court and its relation to objective truth is nothing new. We have already quoted M. Beer in this respect. He is not alone in doubting that historical

²⁸ W. Maser, *Nürnberg, Tribunal der Sieger*, Droemer Knaur, Munich 1979, chapter “*Das Beweismaterial*”, pp. 106ff.

²⁹ *IMT*, v. II, p. 389 (German edition).

³⁰ *IMT*, v. II, p. 288 (German edition). Cf. Charter of the International Military Tribunal, Article 19.

truth is to be found in court transcripts. The question has repeatedly come up, at least since the Nuremberg trial: can historical insights be gained from court cases? Wilhelm Raimund Beyer writes:³¹

“The ‘truth’ ascertained by the court must not be equated with historical truth. During the Nuremberg Trial of the major war criminals (IMT) and the following trials, and especially in connection with the Justice Case, heated discussions during conversations with defense counsels and especially with press reporters yielded the following maxim: trial truth is not historical truth. [...] An accused person will hardly wish to describe the actual, so-called objective events of the case at issue, even if he were in a position to do so.”

The same, of course, also goes for the statements of witnesses, even if they were made under oath. In this context, Professor Dr. Martin Broszat, former Director of the Institute for Contemporary History in Munich, spoke of

*“[...] incorrect or exaggerating [...] statements of former inmates or witnesses.”*³²

The American Holocaust expert Lucy Dawidowicz corroborates this:³³

“Many thousands of oral histories by survivors recounting their experiences exist in libraries and archives around the world. Their quality and usefulness vary significantly according to the informant’s memory, grasp of events, insights, and of course accuracy. [...] The transcribed testimonies I have examined have been full of errors in dates, names of participants, and places, and there are evident misunderstandings of events themselves.”(emphasis added.)

One need not necessarily assume that the witnesses lied intentionally, or deliberately distorted facts. But what degree of objectivity can one expect where the matters in question are already years in the past and the events testified to took place in situations marked by distress and fear? Is it even reasonable to expect objective, truthful statements in such cases?

By its very nature, eyewitness testimony is based on subjective impressions. In addition to this, it often centers on unverified rumors. In many cases gaps in personal recollections were patched up later through accounts given by third persons or by the media (newspapers, books, radio and television), accounts that the witnesses accepted credulously without examining them critically for their truth.

The credibility of eyewitness testimony is a common and well-known problem in the justice system and does not apply only to National Socialist trials.

The observation we have already made at the start of this study thus holds true: eyewitness testimony and court verdicts must be analyzed and can be credited with probative value only if other evidence confirms their objective correctness.

3. Critical Assessment of Important Documents

3.1. Nuremberg Document PS-501

The most important piece of evidence from Document File PS-501 is a letter dated May 16, 1942, from SS-*Untersturmführer* Dr. August Becker to SS-*Obersturmbannführer* Walther Rauff. Dr. Becker was an accredited chemist with the Forensic Institute of the RSHA [the Reich Security Main Office] in Berlin; Walther Rauff was Chief of Department II D in the RSHA.

The letter reads as follows [transcript of official Nuremberg translation]:

³¹ W.R. Beyer (ed.), *Rückkehr unerwünscht*, dtv, Munich 1980, p. 180.

³² M. Broszat, “Zur Kritik der Publizistik des antisemitischen Rechtsextremismus”, *Aus Politik und Zeitgeschichte*, B19 (1976), p. 5.

³³ L. Dawidowicz, *The Holocaust and the Historians*, Harvard UP, Cambridge, Mass., 1981, pp. 176-177.

“Feldpostnummer 32704

B. Nr 40/42 SECRET

To
 SS Obersturmbannfuehrer R a u f f
 Prinz Albrecht Str. 8
Berlin

The taking over of vehicles by Groups D and C³⁴ is finished. While the vans of the first group can be utilized in not too bad weather, the cars belonging to the second group (SAURER) are absolutely immobilized in rainy weather. For instance, often it has rained for half an hour, these vehicles cannot be used because of skidding. They can only be used in absolutely dry weather. The only question in whether these vehicles can be put into action only on the execution spot.

First, a vehicle must be brought to this place, what is only possible in good weather. The execution spot is generally stationed 10 to 15 kms from main roads and due to such location already of difficult access, but in wet weather absolutely impossible to reach. If those to be executed are driven or conducted to this place, they notice at once what is wrong and become frantic, which is most of all to be avoided. There is only one solution: to gather them on the same spot and then to drive off.

As for the vehicles of Group D, I had them camouflaged as cabin trailers by putting on them little windows, one on every side of the small vans and two on every side of the big ones, like windows which are seen on peasant houses. But the vehicles were so well known that not only the authorities, but also the civilian population, called them ‘Death Vans’. My opinion is that we shall not be able to keep this camouflage secret a very long time.

On the way up from Simferopol to Taganrog, I had brake troubles with the vehicle Saurer, which I was conveying over there. At the S.K. in Mariupol, it was found out that the brake sleeve [“Manchette”] of the combined Oil and Westinghouse brakes, was broken in several places. Through persuasion and bribery I obtained from the H.K.P. (Army Motor Pool) to have a pattern made, after which two brake sleeves have been cast. When I arrived some days later at Stalino and Gorlowka, the drivers of the vehicles there complained of the same trouble. After an interview with the commanding officer of the Commando, I returned to Mariupol to have another brake sleeve made for these vehicles. It has been agreed that two brake sleeves will be cast for these vans; six brake sleeves will stay in reserve in Mariupol for Group D; and six will be sent to SS Untersturmfuehrer E R N S T in Kiew for the vehicles of Group C. With regard to Groups B and A, the brake sleeves could be obtained through Berlin, as the transportation from Mariupol to the north seems to[o] hazardous and would take too long. Small repairs of vehicles will be handled by Commando technicians; that is to say, repairs will be made in their own workshops.

³⁴ Mistranslation in Nuremberg translation; the original German document reads “Die Überholung der Wagen bei der Gruppe D und C [...]”, which means ‘the overhaul of the vehicles with [i.e., at the location of] Groups D and C...’, not “the taking over of the vehicles by Groups D and C [...]”. This is only the first of numerous mistranslations and grammatical and spelling errors which riddle this Nuremberg translation; all peculiarities have been retained in this transcript. -trans.

Due to the uneven terrain of the region and the very bad state of the roads, the joints and rivets become loose within a short time. I was asked if, in such cases, the vehicles must be taken to Berlin. Transportation to Berlin would be too expensive and would require too much gasoline. To save such expenses, I gave the order to solder the small leaky spots, and when this could not be done any more to inform Berlin at once: by radio that the vehicle Pol.N^o... was out of working order.

Furthermore, I ordered, during the gassing, to keep all the men as far away as possible, in order that they could not eventually be injured by gas fumes. On this occasion I wish to draw your attention to the fact that after the gassing several Kommandos let their own men unload the van. I have drawn the attention of the Commanding officers of the concerned S.K. to the atrocious spiritual and physical effect that this kind of work may have on the men, if not just now then in the future. The men complained to me that they got headaches after every van-unloading. Anyhow, this order is not observed, as it is feared that the prisoners chosen for this work will use the opportunity to try an escape. In order to prevent the men from being injured, I should be obliged if orders were given accordingly.

The gassing is not done in the right manner. In order to get over the work as quickly as possible, the driver gives full gas. Through those measures the people to be executed die from suffocation and not as foreseen by being put to sleep. My method has proved that by releasing pressure on the lever at the right time death comes more quickly and the prisoners slip peacefully away. Distorted faces and excretions, which have been previously seen, are not more to be observed.

I am leaving in the course of the day for Group B, where you can forward me further information.

*Sgd: B E C K E R
SS Untersturmfuehrer"*

This paper is problematic in several respects. First of all, this author was not able, despite numerous inquiries with the archives, to obtain a *copy of the original letter*. For this reason she had to rely on inadequate documents which, as it now turns out, gave her a false impression.

After the present volume had been published in German, a book by Pierre Marais was published.³⁵ Pages 210-213 show facsimile reprints of Becker's letter to Rauff; these reprints would appear to have been made from photocopies of the original document.

3.1.1. Origin of Document PS-501

The author has in her possession two letters from the National Archives in Washington DC, USA, each of which attests to a different origin of the Nuremberg Prosecution Document PS-501.

An April 26, 1945, memo from the Headquarters of the 12th US Army states that a unit of the 12th Army had found the documents in the "*RSHA reserve depot in Bad Sulza*". The originals, the memo states, were sent to the document center in Paris.

The docket, which usually accompanied the documents that were presented to the Nuremberg Tribunal, is dated September 7, 1945. This paper states that the place where the document was found, as well as its source, is unknown and that it had been received from the OCC London (the British Prosecution).

³⁵ P. Marais, *op. cit.* (note 6). This book also includes many other facsimiles of important documents.

In view of this it is not impossible that further references to yet another origin for this document may well turn up, whether from Washington, Moscow, or a different archive.

For the moment we can only say that the origin of document PS-501 is unknown and hence dubious. Given this situation, it ought never even to have been admitted as document for the prosecution. According to an affidavit of the Head of the Document Section in the US Chief Prosecutor's Office which was read into evidence at the start of the Nuremberg Trial,³⁶ all materials which could serve to prosecute Germany's leadership were registered accurately, with information as to the place and circumstances of how and where they had been found. A document without such identification, *i.e.*, with the note "*source and origin unknown*", lacks even slightest evidentiary value. If the defense had submitted an equally dubious paper the Court would have rejected it instantly.

3.1.2. External Characteristics of PS-501

3.1.2.1. Rubber Stamps and Handwritten Notations

The letter bears the following markings on the first page.³⁷

Two red *rubber stamps*:

1. "*Geheime Reichssache!*" [Top secret!], top right, below the place and date;
2. Bottom left, at the margin, the Received stamp of the archive, *i.e.*, the registry.

There are also the following *handwritten notes*:

1. Top right, beside the address field, in orange: "*R 29/5 erl. b/R.*"
2. Above that, in red pencil: "*pers. Pradel n.R.*"
3. In the left margin, in indelible pencil: "*Sukkel b. R p16/6.*"

These notes indicate that 'R' processed this on May 29 and initialed it with 'b/R'. The note was written in Latin script.

The meaning of the red entry, 'pers[onal?] Pradel n.R.', is not quite as clear. This note was also written in Latin script. Whether it is the same handwriting as that of the orange entry is not certain.

The note at the left margin, "*Sukkel b.R.*", is initialed "*p [or "P"] 16.6.*" It was written in German cursive (Sütterlin) script. Is it supposed to mean that "*P*" confirmed on June 16 that Sukkel had come to see [*i.e.*, was "*b*"(ei?)] "*R*"?

None of the three notes are clear and unambiguous, because even for the first note it is not known what "*b/R*" is supposed to mean.

One may assume that the initials 'R' and 'P' are supposed to stand for 'Rauff' and 'Pradel', respectively. The RSHA also had a staff member by the name of 'Suckel', but his name was spelled with a 'ck', not with a 'kk' as shown on the document.

Rauff, however, consistently wrote German texts in German cursive (Sütterlin) script, not in Latin script. His initial 'R' had a characteristic appearance³⁸ which was not identical to that of the 'R' on the letter. He cannot have written these notes. What is more, all the handwritten entries are apparently 'adapted' from genuine notes written by Rauff and Pradel, as we shall see in a later chapter, so that it seems reasonable to suspect a deliberate forgery here.³⁹

³⁶ PS-001a, *IMT*, v. XXV, pp. 2-7.

³⁷ The following information about the color of the stamps and the various color pencils are excerpted from the description of the original document as related in *International IMT*, v. XXVI, p. 102.

³⁸ See Rauff's confirmation on PS-2348; cf. P. Marais, *op. cit.* (note 6), pp. 211, and his many confirming initials on the corresponding affidavit, or the other correspondence of RS 58/871; cf. P. Marais, *op. cit.* (note 6), pp. 134, 140, 151.

³⁹ For example, cf. back page of letter from Gaubschat to the RSHA, May 14, 1942 (R 58/871, fol. 13).

3.1.2.2. Three Different Copies But No Original

By now the author has in her possession three different ‘copies’ of the letter from Becker to Rauff, but a copy of the original letter is still not to be had. Evidently no such ‘original copy’ exists.

The three ‘copies’ differ as follows:

Specimen A:⁴⁰

Photocopy of a photo negative (black paper, white text). Three pages. On the upper edge (but clearly visible only on pages 1 and 2) there are two holes made by a hole puncher, obviously for filing – but they are at a location that is unusual for filing holes in German office practice, and they are also an unusual distance apart. On the copy in my possession, only page 3 is numbered at the top: – 3 –

Each page has an archival number stamped at the bottom: A092586-88.

In the left margin of page 1, diagonally: “*Diesen Brief habe ich im Mai 1942 empfangen. 18. October 1945. Rauff*” [I received this letter in May 1942. October 18, 1945. Rauff]

The first line of text is missing at the top of page 2.

According to a memo in the IMT volumes (XXX, p. 258) this is a *photocopy of the original letter* from Becker to Rauff, which had been given to Rauff in Ancona, Italy on October 18, 1945, to authenticate.

Specimen B1:⁴¹

Photocopy of the carbon copy of what was probably the original letter. Three pages. The consistency of the paper is clearly apparent and permits the definite conclusion that it was not a solid piece of paper such as is usually used for original letters and photocopies, but rather a piece of thin carbon copy paper (photocopy machines can’t process thin carbon copy paper).

On the left edge there are two holes made by a hole puncher, for filing in a binder. They are located at the place where Specimen A shows Rauff’s confirmation of receipt. The left margin is torn, or creased, and the punching is reinforced. On the *photograph* (Specimen B2) the reinforcement strip is clearly visible through the thin paper.

Along the upper edge there is a handwritten note: “*Copy of [...]*” (the rest is illegible).

At the bottom are archival numbers: p. 1: A090025; p. 2: A090027; p. 3: A090028. Strangely enough, A090026 is missing – in other words, pages 2f. of the document were numbered incorrectly. This is all the more strange because these numbering machines advance automatically after each depression. Therefore, a different document must have been given the number A090026.

Specimen B2:⁴²

Photograph of page 1 of Specimen B1. The consistency of the paper (thin copy paper) is even more clearly apparent here.

Specimen C:⁴³

A copy written for the IMT, peppered with spelling and typing mistakes – obviously written by an English-speaking person. To this day the staff at the American National Archives in Washington claim that this is a “*copy of the original*”. This copy bears handwritten notes which are very similar to those on specimen A, B1 and B2. Apparently the person who rewrote this letter tried to imitate these notes as well. A closer comparison of these notes reveals that there is a small difference between these documents: Whereas document A bears not angle shaped paragraph marks, document B

⁴⁰ National Archives, rec. no. 238; PS-2348; cf. P. Marais, *op. cit.* (note 6), pp. 211-213.

⁴¹ National Archives, rec. no. 238; PS-501.

⁴² As showed in a showcase of the National Archive in Washington; cf. P. Marais, *op. cit.* (note 6), p. 210.

⁴³ National Archives, Washington, PS-501; cf. P. Marais, *op. cit.* (note 6), pp. 208f.

and C have two ‘└’-shaped marks at the start of the first and at the end of the second paragraph, but only document B has three ‘>’-shaped paragraph mark (end of paragraph 1, and start and end of paragraph 2). Since the writer of document C tried to match the document he was copying as good as possible – especially the handwritten notes and marks –, this proves that the document he was copying showed only the ‘└’-shaped marks, *i.e.*, that he must have copied a different document than document A or B.

3.1.2.3. Congruencies Between Specimens A and B

Astonishingly enough, the stamps as well as the handwritten comments on A and B match – precisely at the same places of the paper, except for the above mentioned paragraph marks which probably were added later.

As already mentioned, A is allegedly a photocopy of the original letter. In this sense it is only to be expected that the copy corresponds precisely to the original, on which these notes were written. It *is* odd, however, in the case of Specimen B, which was described as ‘copy’ and is clearly a carbon copy of the original letter. It is odd in the sense that the notes give the impression that they were added by the recipient, whereas carbon copies of letters are usually retained by the sender. Moreover, even if the copy should actually be in the recipient’s possession, such notes would be written on only one of the two specimens, not on both. And what is entirely impossible is that these notes, which must have been written by at least two different persons on two separate days (May 29 and June 16), could be on the exact same place on both papers, identical to the millimeter.

It is also very unusual that the carbon copy bears the same signature as the original letter. It used to be customary in German offices to sign copies with one’s initials at the most, and usually not at all, since after all these copies were only intended for the files.

The congruence of the handwritten notes on the photocopy of the original letter and on the carbon copy suggests that these notes were added photo-mechanically or in some other way. If this is correct, it would be another proof of forgery.

3.1.3. Content of Document PS-501

It is almost superfluous to comment on the contents of the letter, which are extremely strange and quite hard for common sense to accept. We shall mention only a few points.

First at issue are heavy vehicles from the firm of ‘Saurer’ which can allegedly drive only under ideal weather conditions and on absolutely dry ground. It is both surprising and hard to believe that the Army Motor Pool would send vehicles to the Russian front if they were not at all suitable for the road conditions there. Moreover, even the lighter vehicles from ‘Saurer’ generally had dual wheels in the rear, and the heavier ones were two-axled. Thus one might assume that they could have handled even poor road conditions.

The writer complains that the “*brake sleeves* [“*Manchette*”] *of the combined Oil and Westinghouse brakes was broken in several places.*” According to an information provided by the company Steyr-Daimler-Puch, successor of Saurer Company, the mentioned brake sleeves were rubber-made cup packings of the vacuum power-steering device which broke frequently. The described pattern was not used to cast the sleeves but to vulcanize them.⁴⁴ Consequently, Becker would not have been able to produce his own sleeves, since casting air tight, vacuum proof rubber sleeves in patterns behind the Russian front is nearly impossible, but had to order them in an unvulcanized form from the manufacturer in order to vulcanize them in his self-made patterns (if this was possible at all, has not

⁴⁴ Letter from Steyr-Daimler-Puch Aktiengesellschaft to P. Marais, January 1, 1987, facsimile in P. Marais, *op. cit.* (note 6), p. 310.

yet been checked). Thus, the statement of Becker that “[w]ith regard to Groups B and A, the brake sleeves could be obtained through Berlin” doesn’t make sense, since he had to order them from Berlin or elsewhere in the Reich as well.

Additionally Becker remedied this problem by resorting to ‘bribery’. Even though everyone knows that there are occasionally things that can be obtained only by ignoring regulations, *i.e.*, illegally, and that certain compensation is involved in such transactions, one will certainly not call this ‘bribery’. And most of all, no minor SS-*Untersturmführer* would literally brag about such activities to a higher-ranking officer and his superior.

What the writer claims with regard to the problems encountered during ‘gassing’ must be read in conjunction with Friedrich Berg’s chapter in this volume. For as long as there is no proof that the RSHA’s Saurer vehicles were *not* equipped with Diesel engines, as was normally the case, the gassing tales cannot be given any credence. But apart from this, Beckers description of the alleged influence of the lever position on the *way* the victims die is utter nonsense. Only the dying process can be accelerated by giving full gas, but not the way people die.

3.1.4. Summary

We have found that the origin of the letter from Becker to Rauff which was submitted to the Nuremberg Tribunal as Prosecution Document PS-501 is uncertain, and hence dubious.

The handwritten notes on the first page of the letter appear to be nonsensical and certainly were not written by the persons (Rauff and Pradel) whom the initials ‘R’ and ‘P’ are supposed to suggest. This would indicate a forgery.

The carbon copy bears the same notes at precisely the same places as the original letter. This is not only unusual, but also an impossible feat of handwriting. At least on the carbon copy, the notes can only have been added photo-mechanically. This too would indicate a forgery.

The contents of the letter are not credible, especially in their nature as letter from a subordinate to his superior.

All in all, these points are cause for grave doubts as to the authenticity of the document.

3.2. Affidavits

Regarding the general problem posed by the Nuremberg affidavits, see Section 2.2.2.

3.2.1. Nuremberg Document PS-2348, the Affidavit Rauff

When the German front in Italy collapsed, Walther Rauff was taken into American captivity, and was held in Ascona where, on October 18, 1945, he was presented with a photocopy of a letter which Becker had allegedly sent him on May 16, 1942. He was told to confirm its authenticity. Rauff wrote the requested statement diagonally across the left margin of the letter.

The next day, October 19, 1945, he also swore an affidavit in which he again affirmed that the letter was genuine.⁴⁵ The affidavit was recorded in the manner already described: the American interrogator asked questions and wrote down the answers. The interrogation was conducted in English, and the answers were also given in English since Rauff was familiar with that language. Consequently the documentary volumes of the Nuremberg Trial contain only the original English version.

The affidavit contains numerous factual errors. While Rauff did make some corrections, he let other mistakes stand, for example the spelling ‘Prad!’ instead of ‘Pradel!’ and the assumption that the ‘Saurer Works’ were located in Berlin, whereas they were actually in Vienna. Very obviously he

⁴⁵ PS-2348, *IMT*, v. XXX, pp. 256-258.

provided the affidavit under pressure. Possibly he meant the errors contained in it to hint at his condition.

He did, however, take care to stress that he had no particular connection with the ‘death vans’ and their operation – the usual conduct of all accused who knew that it would have been hopeless to dispute the basic charge (‘genocide’, ‘mass murder’) as a whole and could only speak for themselves.

The affidavit states, “*In so far as I can state these vans were probably operating in 1941.*” According to Kogon,⁴⁶ the plan to construct such ‘gas vans’ was not formulated until autumn 1941, and construction did not begin until 1942. Rauff’s statement thus contradicts this theory.

Further, Rauff claimed that he had referred Becker’s letter to Pradel and that he believed he had instructed Pradel “*to have the technical matters complained of in the letter remedied.*” However, the Becker letter makes no mention of any technical matters that needed to be remedied. Becker did not request any technical measures to be taken; on the contrary, he had everything admirably under control. He had already changed what needed changing, and *that* was not even a technical defect, but rather the “*incorrect*” use of the accelerator pedal – whatever that may mean. (Regarding the absurdity of the claim that the CO content of Diesel exhaust could be regulated by the adjustment of control levers, cf. the chapter by Friedrich Berg, this volume.)

Moreover, Rauff says:

“I was chief of this technical section [at the RSHA, Group II D] from February 1940 to March 1940. From May 1940 to May 1941 I was in the German Navy. September 41 to May 1942 I was in Prague. I then became chief of the section again from May 1942 to June 1942.”

In other words, during his entire time of service at the RSHA he was chief of the technical section twice, each time for only one or two months: from February to March 1940 and from May to June 1942. Therefore he cannot possibly have played the role attributed to him in supplying the ‘gas vans’. According to the literature supporting the Holocaust, Rauff had worked to supply the ‘gas vans’ as of autumn 1941, in other words at a time when he was not even in Berlin.⁴⁷

Regarding the personnel structure of the RSHA, Rauff claims:

“I wish to state that my immediate superior was an individual of ministerial grade by the name of Standarten Führer Siegert. He was chief of Amt II RSHA [...] The immediate superior of Stnd Führer Siegert was Obergruppen Führer Reinhardt Heydrich chief of S.D.”

These claims as well are not in accord with the facts. Like Rauff, Siegert was a *Gruppenführer* in the RSHA and, as such, Rauff’s colleague. As is well known, the chief of the RSHA was Heydrich.

The Americans obviously tried to confirm the authenticity of the letter, because as we have already seen, the document was identified as “*source and origin unknown*”. Rauff simply authenticated what he had been given to authenticate. In any case he did not take care to bring the affidavit into accord with the facts. Shortly afterwards he emigrated to Chile, where he remained until his death on May 14, 1984.

⁴⁶ E. Kogon, H. Langbein, A. Rüdiger (eds.), *NS-Massentötungen mit Giftgas*, Fischer, Frankfurt/Main 1983, p. 82.

⁴⁷ Cf. the detailed account in E. Kogon *et al.*, *ibid.*, pp. 82f., which completely disregards the facts claimed by Rauff. His personnel file (copies in the author’s possession) shows that his initial profession was “*marine officer*”. He left the navy in late 1937 for personal reasons and transferred to the RSHA. In May 1940, however, he returned to the navy and left it one year later as lieutenant commander. From autumn 1941 to May 1942 he was stationed in Prague, just as he claims. As of June 1942 he was on SD duty in north Africa, and later in Italy, at least until May 1944, when the Italian front collapsed. Thus, it is not clear how he could have been involved in design and construction of these vans, the purpose of which is still hidden to us.

The numerous, demonstrable inaccuracies in this affidavit render it devoid of any probative value. This in turn makes Rauff's confirmation of the authenticity of Document PS-501, which is the purpose of the affidavit, no less dubious than the content of that document itself.

3.2.2. Nuremberg Document PS-2620, the Affidavit Ohlendorf

The second affidavit which the American prosecution presented in Nuremberg was that of Otto Ohlendorf, Chief of the SD and leader of *Einsatzgruppe D*. This affidavit as well had obviously been recorded by one of the American interrogators and given to Ohlendorf to sign. In it he confirmed that his *Einsatzgruppe* had been sent 'death vans' from Berlin and that women and children were killed in them by 'turning on' the gas. The affidavit was dated November 5, 1945.⁴⁸

On being questioned as witness during the trial he stated that as of spring 1942 his *Einsatzgruppe* had been assigned a Special Unit led by Dr. Becker, which used 'gas vans' to kill Jewish women and children and Soviet political commissars. Death took ten to fifteen minutes, he said. He claimed not to know any technical details regarding these 'gas vans'.⁴⁹

Ohlendorf was also shown the letter from Becker to Rauff (PS-501) and he supposed it might be "correct" since it "approximated his [Ohlendorf's] experiences."

Two things contradict this account.

1. In the letter the writer (Becker) gives the impression that he was on an inspection tour to the various *Einsatzgruppen*, specifically from the south (Group D) moving northwards (on his way to Group B). But this activity does not agree with that specified by Ohlendorf, according to whom Becker was the Chief of a Special Unit which had been assigned specifically to *Einsatzgruppe D*.
2. In the letter the writer specifically mentions vehicles of the Saurer type, which were equipped exclusively with Diesel engines and for this reason were not suitable for exhaust-gas murders. However, the writer does not find any fault with this – he only criticizes that they were "absolutely immobilized in rainy weather". How such vehicles, which were as unsuitable as could be for killing human beings, could nevertheless be used to murder Jewish women and children, remains a mystery.

Ohlendorf's affidavit and witness testimony contradict the facts in several decisive respects and cannot in any way be considered evidence for actions which are technically impossible.

3.3. The Koblenz Document R 58/871

Similar to the Nuremberg Document PS-501, the file R 58/871 consists of several papers. There are eight documents altogether, which we have grouped into three categories for the sake of clarity:

1. Letter from the RSHA to the Forensic Institute, Berlin, dated March 26, 1942, (R 58/871 fol. 7);
2. Correspondence between the RSHA and the firm of *Gaubschat Fahrzeugwerke GmbH*, Berlin, of April 27, 1942, to September 24, 1942, including Notes and Memos (R 58/871 fol. 4-6, 8-14);
3. Memo of the RSHA (re.: technical modifications) of June 5, 1942 (R 58/871 fol. 1-3).

The letter mentioned in point 1. stands on its own and does not require consideration in our current context.

The correspondence between the RSHA and the firm of *Gaubschat*, grouped under 2., includes six letters and deals with vehicles whose chassis the firm of *Saurer*, Vienna, supplied to *Gaubschat*, Berlin, and which *Gaubschat* was to equip with a body for the RSHA.

The Memo identified in 3. is considered evidence for the existence of 'gas vans'.

⁴⁸ PS-2620, with notes, *IMT*, v. XXXI, p. 41.

⁴⁹ *IMT*, v. IV, pp. 311-355. esp. pp. 322ff., 331f.

3.3.1. Correspondence Between the RSHA and Gaubschat

The following course of events can be reconstructed from the RSHA-Gaubschat correspondence detailed under 2.:

In April 1942, the RSHA considered having ‘special vehicles’, which are not described in any greater detail, equipped with a quick-unloading mechanism. The chassis for these vehicles was supplied by the firm of Saurer, Vienna, to the firm of Gaubschat, where the vehicle body was added. As a rule, the heavy goods vehicles built by Saurer had Diesel engines. The correspondence makes no mention of a possible special model with gasoline engines, so that one must assume that these ‘special vehicles’ also had Diesel engines.

Various consultations took place between the members of the RSHA and the firm of Gaubschat regarding specifics of the quick-unloading mechanism and other construction requests. The results of these consultations were recorded in a letter sent by the RSHA to Gaubschat on June 23, 1942. Specifically, the following work was commissioned:

1. shortening the cube body by 80 cm (31.5");
2. extension of the front and rear wheel casings, so that a continuous base is created for the grating on both interior side walls;
3. shortening the individual gratings to 70 cm (27.5");
4. casing of the door posts, with resultant narrowing of the box interior at the door;
5. open slits in the back wall above the door, instead of the door openings that had been there previously;
6. modification of a drain opening in the floor;
7. reinforced interior light guards.

Gaubschat confirmed the order with two further letters of September 18 and 24, 1942.

This correspondence, running from April 27 to September 24, 1942, forms a logical sequence. All letters from the RSHA bear the same reference number: II D 3 a (9) Nr. 668/42-121. The RSHA letters are written on plain white paper without a printed letterhead, and without any special markings, for example pertaining to secrecy or classification. In each case the text is written on the front and back of a sheet, but only the sheets were paginated, not the pages. Gaubschat used their letterhead paper.

3.3.2. RSHA ‘Note’ of June 5, 1942

This correspondence, which is really of no interest in and of itself, provides the background for the RSHA ‘Note’ of June 5, 1942, which we have listed under point 3 of the contents of file R 58/871. This ‘Note’ is the second document (next to Nuremberg Document PS-501) which is cited as proof of the ‘gas vans’ theory. There are no further Third Reich documents on this matter.

The vehicles at issue in the correspondence between the RSHA and Gaubschat are those allegedly used as ‘gas vans’. However, this interpretation does not follow from the correspondence mentioned. On the contrary, said correspondence shows that whatever the load to be transported by these special vehicles may have been, it was not human beings. We shall return to this point later. The fact that Saurer vehicles always had Diesel engines also contradicts the claim that they were used as ‘gas vans’.

The ‘Note’, however, clearly and unequivocally speaks of ‘gassing’, and for this reason this document has been used to this day as uncontested evidence in support of the ‘gas vans’ theory.

3.3.2.1. Discrepancies in External Form

The ‘Note’ gives the impression that it is part of the sequence of correspondence between the RSHA and Gaubschat. It is dated June 5, 1942, *i.e.*, prior to the RSHA letter of June 23 which itemizes the construction modifications.

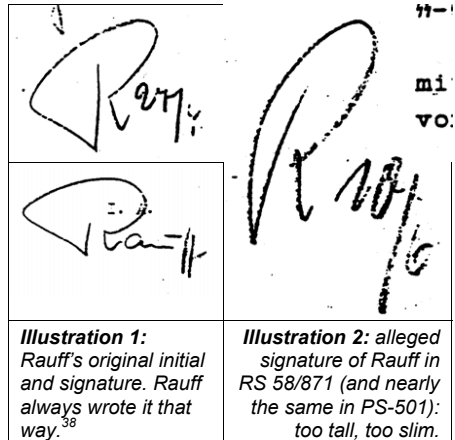
However, there are some notable discrepancies:

1. The reference number on the ‘Note’ is II D 3 a (9) Nr. 214/42 g.Rs. – but that on the other letters was II D 3 a (9) Nr. 668/42-121.
2. The ‘Note’ is rubber-stamped “*Geheime Reichssache*” (Top Secret). None of the other documents were classified as secret.
3. Beneath the date is the remark: “*Einzigste Ausfertigung*” (intended to mean ‘only’ or ‘sole specimen’). It is important to note that the superlative form *einzigste* does not exist in the German language (even though it is, by mistake, more and more used in modern German); ‘*einzig*’ remains ‘*einzig*’ and cannot be rendered comparative or superlative.
4. Interestingly enough, however, this letter, which is allegedly the only, sole specimen in existence, actually exists in at least three different ‘original’ forms, which differ from each other in text underlining and in handwritten additions: one ‘original’ is in the Koblenz Federal Archives.⁵⁰ In this the registration number, the remark “*Einzigste Ausfertigung*” and the word “*eine*” on the last page are underlined. The last page additionally bears vertical marks on the left edge with a signature of “*Ju*” besides it as well as signatures of “*R 10/6*”, “*i.A. Just*” and “*Lu 4/6*”. Furthermore, on top of page one a handwritten note reading “*b – 12 – 14*” is added above the date, perhaps written by an Anglo-Saxon writer, since Germans always write ‘1’ instead of ‘l’ for the digit one.

Another ‘original’ was used by the editors of the book *NS-Massentötungen durch Giftgas* for their facsimile reprint.⁵¹ In this also the date is underlined as well as the first sentence of the letter text itself, the last sentence of page 4/first of page 5 and the Rank and Name of Rauff on the last page. Surprisingly, the vertical marks at the edge of the last page are missing, and the signature of Rauff as well (“*R 10/6*”), to whose attention, according to the letter itself, this document had to be brought.

A third ‘original’ was reprinted in facsimile by Rückerl.⁵² Regarding the underlining it is the same as the one from the Bundesarchiv, but here, too, the vertical marks and the signature of Rauff on the last page are missing. Additionally, a different handwritten note on top of page one, written by a different person on a different location, can be found, reading “*b – 2 – 14*”.

This author’s correspondence with the Federal Archives also failed to shed light on the matter, as the archives insist that theirs is the only original in existence. The official in charge at the archives was much amazed when this author pointed out the differences to him.



⁵⁰ Cf. P. Marais, *op. cit.* (note 6), pp. 156-160.

⁵¹ *Op. cit.* (note 46), pp. 333-337; cf. P. Marais, *op. cit.* (note 6), pp. 232-236.

⁵² A. Rückerl (ed.), *NS-Prozesse*, C.F. Müller, Karlsruhe 1972, pp. 209-213; cf. P. Marais, *op. cit.* (note 6), pp. 237-241.

5. The RSHA's letters and notes were consistently written on the front and back of the sheets of paper, but only the sheets were paginated, not each page. The Note of June 5, 1942, was also written on both front and back, but every page was individually paginated. At the very least this indicates a different typist.
6. Rauff's initial on the alleged original document from the Bundesarchiv is very similar to that on PS-501, but decisively different to Rauff's signature and initial on other documents.³⁸ Apparently both documents were signed by the same person, which was *not* Rauff. Is this the reason that Rauff's initial was deleted from the versions published in facsimile in widespread German literature?^{46,52}

3.3.2.2. Contents of the 'Note', and Comparison With the RSHA Letter of June 23, 1942

The 're.:'-line states: "*Technical modifications to the Special Vehicles ["Spezialwagen"] used in the operations and to those currently in manufacture.*" This 're.:'-line already distinguishes the Note from the other letters in this matter. The other correspondence makes no mention of any modifications to be made by Gaubschat on vehicles already in service. Also, the term meaning 'special vehicles' which RSHA used to describe the vehicles was not '*Spezialwagen*', but rather '*Sonderfahrzeuge*', which was the usual term.

Linguistically speaking, the opening text of this Note is downright ridiculous. It begins:

"Since December 1941, for example, 97,000 were processed with the use of 3 vehicles, without any defects in the vehicles becoming apparent."

It makes no sense to begin a letter with 'for example'. The term 'for example' has meaning only when something was described or claimed in the foregoing, for which an example then follows. In this particular case, 'for example' cannot even refer to the 're.:'-line; the 're.:'-line speaks of technical modifications which are necessary, but the text immediately states that no defects have occurred in the vehicles. And that is not exactly an example to demonstrate the necessity for technical modifications!

The text does not indicate what the "97,000" that were "*processed*" might be.

A closer examination of the Note of June 5 and a comparison with the RSHA letter of June 23, 1942, shows that the Note is a sort of plagiarism of the letter of June 23. Both items are subdivided into 7 points pertaining to the RSHA's requested changes. The Note interprets these requests in a way that would point to exhaust-gas murders of human beings.

We submit that the 'Note' of June 5 is a fabrication. Its authors wrote it after the letter of June 23 was written, and predated it. The various points were rewritten, and supplemented with additional remarks in such a way that murderous intentions are made apparent. One proof for this fabrication is the fact that the 'Note' of June 5, in point 2, refers to a consultation between the RSHA and Gaubschat which the letter of June 23 shows not to have taken place until June 16, fully 11 days after (!) the alleged writing of the 'Note' of June 5!

To further substantiate our claim, we have compared and contrasted the corresponding points from the letter of June 23 and the Note of June 5 in the following table. All those remarks in the Note which indicate 'gassing', *i.e.*, the loading of the vehicles with humans, and which do not occur in the letter of June 23, are indicated by this author with bold print.

The letter of June 23 contained seven points. The Note of June 5 is also organized into seven points, but not all of them correspond even partly to the content of one of the points of the letter. Evidently some of the RSHA's June 23 requests for modification did not lend themselves well to the gassing theory and so they were left out. Instead, two supplements were added.

For example, point 3 in the Note of June 5 reads:

LETTER OF JUNE 23, 1942	'NOTE' OF JUNE 5, 1942
<p>"1. The cube body is to be reduced in length by 800 mm [31.5"]. [...] We herewith acknowledge the objections raised, that such a shortening would cause a disadvantageous distribution of weight. [The preceding text shows that this objection was raised by Gaubschat on the occasion of a verbal discussion on June 16, 1942.] Any disadvantages resulting herefrom will not be complained of to the firm of Gaubschat."</p>	<p>"2. It would seem necessary to decrease the load area. This will be achieved by shortening the body by approximately 1 m [39"]. The above problem cannot be solved, as has been attempted, by reducing the number of objects per load. This is because a reduction in the number necessitates a longer operation time, since the empty space also must be filled with CO. [...]</p> <p><i>In a discussion with the manufacturer it was pointed out by the latter that a shortening of the cube body would result in a disadvantageous weight displacement. In fact, however, an involuntary balancing in weight distribution occurs because during operation the load strives towards the back door and always largely ends up there."</i></p>
<p>"5. The slide-covered openings in the rear doors are to be omitted, and replaced with open slits of 100 × 10 mm [4" × 0.4"] in the upper back wall (not door). They are to be covered on the outside with easily movable, hinged metal flaps."</p>	<p>"1. To allow for the rapid inflow of the CO while preventing excessive pressure, two open slits of 10 × 1 cm [4" × 0.4"] are to be located in the upper back wall. These are to be covered on the outside with easily movable, hinged metal flaps to allow for self-regulation of any potential excess pressure."</p>
<p>"6. The closeable drain opening in the right front part of the cube floor is to be omitted. Instead, a drain opening of about 200 mm [9"] in diameter is to be cut into the cube floor. This opening is to have a strong, tight-fitting, hinged lid that can be closed and safely opened from outside."</p>	<p>"4. To allow for easy cleaning of the vehicle [this expression builds on the implied allegation that the gassed people were covered with excrement and filth and had dirtied the vehicle accordingly], a tightly closeable drain opening is to be located in the center of the floor. The drain cover, about 200 to 300 mm [8" to 12"] in diameter, is to be equipped with a U-trap so that thin fluid can also drain out during operation." [This too is a reference to excretions from the dying people.]</p>
<p>"7. The interior lights are to be protected with a domed wire guard that is stronger than that used to date."</p>	<p>"6. The lighting appliances are to be more strongly protected from destruction than they have been so far. The iron grid guard over the lamps is to be domed enough to render damage to the lamp glass no longer possible. From practical experience it was suggested that the lamps should be omitted altogether, since allegedly they are never needed. It was found, however, that when the back door is closed, i.e., when the interior becomes dark, the load urgently strives towards the door. This is because, at the onset of darkness, the load strives towards the light. [Utter nonsense. Once the door was closed, it would have been no lighter there than in the rest of the cube body.] Further, it was found that a commotion, probably due to the eerie nature of darkness, always breaks out at the point where the doors are closed. For this reason it would be expedient to turn the lights on before and during the first minutes of operation."</p>
<p>"The connecting hoses between the exhaust and the vehicle frequently rust through because they are corroded on the inside by fluids. To prevent this, the filler pipe is henceforth to be mounted in such a way that input proceeds from above downward. This will prevent fluids from entering."</p>	

Connecting hoses for exhaust gas are added to the text here, whereas there was no mention of such a thing in the original letter.

Another supplementation is to be found in point 7 of the Note, where the need for a removable grate is mentioned. The text states that since

“[...] *the firm commissioned with this work [...] considers this design [...] to be impracticable at this time*”,

the design should be submitted “*to a different firm*”. This is entirely new to anyone familiar with these matters, and contradicts the urgency of the commission which is repeatedly expressed in other letters. Besides, internal notes jotted by members of the RSHA onto the back of Gaubschat’s letter of May 14, 1942, confirm that the RSHA decided to dispense with the removable grate and agreed to “*production as to date*”. There is no mention of a different firm to be consulted.

3.3.2.3. ‘Special Vehicles’ for Passenger Transports?

The correspondence does not allow for any inference of what the RSHA intended to use these ‘special vehicles’ for. On the other hand, it is possible to say with complete certainty what these vehicles could *not* be used for, namely for any kind of transports of human beings.

From the correspondence and the related memos of the RSHA some conclusions can be drawn regarding the nature of the cube body of these ‘special vehicles’.

The RSHA memo of April 27, 1942, investigates the various options for a quick-unloading mechanism: a) a tipping mechanism for the cube body; b) making the floor grate tippable; c) a removable and re-insertable grate.

The interior height of the cube body is given as 170 cm (67"). The planned elevation of the grate onto the wheel casings reduces this height by 7.5 cm (3"), leaving only 162.5 cm (64"). This is entirely inadequate for transports of standing people.

Under b), making the floor grate tippable, the hoped-for result is specified as a sort of “*smooth sliding*” of the load, which required an angling of the floor by 30 to 35 degrees. However, it is stated, the load required at least *one meter* (3’ 4") of clearance between the floor and the ceiling because otherwise it would be crushed. This clearance requirement allowed for only a 10° angle of gradient, which did not suffice for “*smooth sliding*” of the load. This too shows that the ‘load’ could not have been people, since in such a case one meter’s clearance would not have sufficed.

“*So that the load does not fall over the last grate towards the back of the driver’s cabin*”, an “*angled gridwork*” of 30 to 40 cm (approximately 12 to 16") in height was to be affixed to the grate. Such a grid would not have been nearly high enough to keep people, standing closely crowded together, from falling against the back of the driver’s cabin.

The RSHA’s construction suggestions are concerned with the speedy unloading of the ‘special vehicles’. But – according to Kogon *et al.*, *NS-Massentötungen durch Giftgas* – this was no problem at all for the ‘gas van’ murderers. A few quotations from that work shall demonstrate this point.

For example, it is claimed that 50 to 80 persons were crowded into the ‘gas vans’ (pp. 84, 89, 91, 96, 104 and 196).

“*The victims were packed into the vehicle*” (p. 105).

“*We shoved them forcibly into the gassing vehicles [...], which [...] were entirely filled with people*” (p. 91).

The vehicles were always

“*[...] fully loaded, so that when the door was opened the bodies would fall out right away*” (p. 90).

Regarding the number of 50 to 80 people it ought to be borne in mind that, for a maximum payload of 4.5 tons, no more than 60 people could have been loaded at a time.

“*Then the van was opened. Some dead bodies fell out, the others were unloaded by the prisoners*” (p. 84).

“The doors were opened and the bodies thrown into the pit” (p. 105).

“The back door of the van was opened and the bodies [...] brought out by other Jews, if they had not already tumbled out when the door was opened” (p. 93).

“When the doors were opened, dense smoke came out first, followed by a tangle of cramped-up people” (p. 93).

But evidently there also already were ‘gas vans’ with tipping mechanisms:

“Then the gas van backed up to the edge of the mass grave, the back door was opened, and the van body was tipped up and back. Thus the victims fell into the grave” (p. 106).

One thing becomes perfectly clear from these witness statements: the ‘gas vans’ cannot be the same contraptions as the RSHA’s ‘special vehicles’. The latter would have lent themselves neither to passenger transports (their load room was not high enough) nor to murdering the occupants with exhaust gas (they had Diesel engines).

3.3.2.4. A Few Remarks about Handwritten Notes on the Documents of RS 58/871

The back side of the documents R 58/871 fol. 13, a letter from Gaubschat dated May 16, 1942, a completely unsuspecting document, bears a lot of handwritten remarks by Rauff and others. Regarding their content, these notes are similar to those which can be found on document PS-501. It seems to have been usual that handwritten notes were written on the backside of received documents. Anyway, the handwritings here are remarkably different from those that can be found on Becker’s letter dated May 16, 1942, *i.e.*, the central document of the PS-501 folder.

4. Eyewitness Testimony

The critical assessment of the two main incriminating documents in support of the ‘gas vans’ has turned up very little in the line of substantiating their credibility. All we have left now are the statements of eyewitnesses; perhaps an examination of these may yet provide some convincing information.

We shall dispense with a repetition of the general reservations that must be kept in mind where eyewitness testimony is concerned, and refer the reader instead to the cautions set out in Section 2.3. But in our particular case there is an additional serious problem. As a rule, eyewitness testimony is part of trial or pretrial proceedings, and in Germany transcripts of these are not made available for free historical research. Therefore the statements are not accessible to us in their original form, *i.e.*, in the context of the witnesses’ overall testimony. We have access only to those short excerpts that have been quoted elsewhere. It is obvious that this can lead to misinterpretations. Every author is interested only in the topic that s/he is working on at the time, and will select sources accordingly. Therefore we can only quote eyewitness testimony that has already been selected by other authors, and we have no way of determining the contexts. For this reason we shall restrict ourselves largely to descriptions of factual matters.

The large number of eyewitness statements dealing with ‘gas vans’ could potentially, in and of itself, be taken as evidence for the actual existence of these vans, and prompts us to examine all such statements especially carefully.

4.1. Russian ‘Murder Vans’

The Russian ‘murder vans’ came to our attention through the conformist testimony in the trials of Krasnodar and Char’kov.⁵³

The defendants and the witnesses described the ‘murder vans’ almost identically, as follows:

- dark gray, box-shaped heavy-goods vehicle
- a large, two-axled heavy-goods vehicle
- 5 or 7 tons
- Diesel engine
- six-cylinder engine
- interior lined with galvanized iron
- at the back, double doors that sealed hermetically
- rubber lining on the doors
- on the floor, a (wooden) grate
- underneath, one or more tube/s connected to the exhaust pipe
- looked like a normal prison or delivery van
- vehicle holds about 60 – 70 people
- it was called ‘murder van’, ‘death van’, ‘Black Raven’

The almost identical nature of the descriptions, which in one respect could be taken as an indication of the correctness of the statements, may in this case actually be the result of Soviet interrogation methods, and thus of no evidential value. This, in any case, is indicated by the Diesel engines, which were emphatically confirmed by all witnesses and which render the alleged murder method impossible.

It is virtually impossible to check the witnesses’ claims. Nevertheless, some of these accounts have even been factored into German court verdicts!

4.2. ‘Gas Vans’ in Trials of National Socialist Crimes

4.2.1. Various Types of ‘Gas Vans’

According to the account contained on pages 81ff. of the documentary volume *NS-Massentötungen mit Giftgas*,⁴⁶ the vehicles used as ‘gas vans’ were those special vehicles of the RSHA which the firm of Gaubchat was supposed to equip with specially modified bodies. We have already shown that this claim is untenable.

Witnesses, however, do not speak only of Saurer ‘gas vans’, and even with respect to these they mention not only a single model, but other ‘gas van’ types as well.

Regardless of the fact that the Saurer ‘gas van’ is consistently described as a 5-ton vehicle, it must have existed in two different sizes – one size with a capacity of 50 persons,⁵⁴ and another with a capacity of 80.⁵⁵ In fact, the Saurer heavy goods vehicles had a maximum capacity of 4.5 tons and, as we have already seen in Section 3.3.2.3., could not have held more than 60 people.

⁵³ *The People’s Verdict*, Hutchinson & Co., London 1944, pp. 8f., 49, 50, 65, 69, 77f., 85, 89f.; cf. also note 11, and the report in the *Moscow News* no. 7, July 1990, quoted in U. Walendy, *op. cit.* (note 11), p. 21; also J.C. Ball, *Air Photo Evidence. Auschwitz, Treblinka, Majdanek, Sobibor, Bergen Belsen, Belzec, Babi Yar, Katyn Forest. World War II photos of alleged mass murder camps*, Ball Resource Services Ltd., Delta/BC, Canada, 1992, pp. 9 and 13, who mentions the “Black Ravens” used by the Soviets in Katyn.

⁵⁴ E. Kogon *et al.* (eds.), *op. cit.* (note 46), p. 84.

⁵⁵ *Ibid.*, p. 98.

Another ‘gas van’ type is said to have been an American truck manufactured by the firm of Diamond – a 3-ton model which also occurred in two different sizes: one with a capacity of 25 to 30 people⁵⁶ and one large enough for 50 people.⁵⁷

Other vehicle types that were identified as ‘gas vans’ were: a “*Renault of medium weight*”,⁵⁸ a Magirus-Deutz,⁵⁹ and an Opel-Blitz.⁶⁰ One witness claims she saw a “*gigantic car*” with standing room for 100 persons.⁶¹

And then there was also a “*sort of moving van*” bearing the logo “*Kaisers Kaffee-Geschäft*” on either side.⁶² However, two other witnesses who claim they saw the same vehicle did not notice this logo.⁶³ The appearance of these special vehicles is also described differently from case to case. Once it was a “*large, metal-plated, windowless vehicle with a large iron door at the back. [...] A container was attached underneath the vehicle, and pipes led from it into the interior*”.⁶⁴ A different witness, on the other hand, claims that it was an “*institutional tractor with a large, hermetically sealed steel trailer*”.⁶⁵

4.2.2. Description of the ‘Gas Vans’

As if the differing descriptions of the van types and sizes were not enough, the details given regarding their outfitting and appearance are even more grossly contradictory. Kogon’s book in particular presents a wild conglomeration of conflicting claims:

The van bodies were “*windowless*”,⁶⁶ they had a “*peephole or pane*” through which the persons outside could look in,⁶⁷ they had a window or peephole from which one “*could look from the cab into the van*”,⁶⁸ or they had “*painted-on, fake windows*”.⁶⁹

Regarding the door/s of the ‘gas vans’ there are the following witness statements: There was a large door at the back of the vans,⁷⁰ there were two doors or a double door.⁷¹ This door “*could be hermetically sealed*”,⁷² it was “*latched shut*”,⁷³ “*bolted*”,⁷⁴ locked with a padlock, the key to which hung in the driver’s cab,⁷⁵ it was screwed shut with “*three screws, at the top, in the middle and at the bottom*”.⁷⁶

Considering that the ‘gas van’ bodies were supposed to be a standard model, these widely divergent features are astonishing. What is more, the contradictory claims often refer to one and the same specific vehicle which different witnesses claim to have seen.

⁵⁶ *Ibid.*, p. 84.

⁵⁷ *Ibid.*, p. 98.

⁵⁸ *Ibid.*, p. 114.

⁵⁹ G. Fleming, *op. cit.* (note 8), pictorial section.

⁶⁰ M. Beer, *op. cit.* (note 1), p. 414.

⁶¹ E. Kogon *et al.* (eds.), *op. cit.* (note 46), p. 108.

⁶² *Ibid.*, p. 63.

⁶³ E. Klee, “*Euthanasie*” im NS-Staat, Fischer, Frankfurt/Main 1983, p. 107.

⁶⁴ E. Kogon *et al.* (eds.), *op. cit.* (note 46), p. 64.

⁶⁵ E. Klee, *op. cit.* (note 63), p. 107.

⁶⁶ E. Kogon *et al.* (eds.), *op. cit.* (note 46), pp. 64, 96.

⁶⁷ *Ibid.*, p. 84.

⁶⁸ *Ibid.*, p. 115.

⁶⁹ *Ibid.*, p. 102.

⁷⁰ *Ibid.*, pp. 64, 85, 95, 96, 104.

⁷¹ *Ibid.*, pp. 88, 91, 93, 99, 102, 105, 114, 125, 126.

⁷² *Ibid.*, pp. 63, 88, 91, 105.

⁷³ *Ibid.*, p. 85.

⁷⁴ *Ibid.*, p. 95.

⁷⁵ *Ibid.*, pp. 126, 127.

⁷⁶ E. Klee, *op. cit.* (note 63), p. 107.

One thing, however, has gone entirely unmentioned by almost all witnesses: the device or set-up by means of which the inmates were to have been gassed. This typical feature of the ‘gas vans’ – the crux of the matter we are concerned with – is entirely absent from the witnesses’ testimony.

One special sub-aspect of this topic are the claims that the ‘gas vans’ were also used to kill the mentally ill (euthanasia), as well as in the camp of Kulmhof/Chelmo. There is no written, documentary evidence for these accusations – only eyewitness testimony. It is beyond the scope of this work to discuss these claims here, and it shall suffice to say that they are no more credible than the others we have examined.

So, in the end, we know no more than at the start. The witness statements have also failed to provide conclusive proof of the existence and use of ‘gas vans’ for the purpose of murdering their passengers.

4.3. The Real Problem is the Eyewitness Testimony

Several years ago this author visited the Yad Vashem Institute in Jerusalem to learn details about the extermination camp Treblinka. To her surprise, the Israeli official in charge there told her, on July 10/11, 1985:

“We have known for a long time that there was never any such thing as an ‘extermination camp Treblinka’. Israeli scientists, historians and geologists have repeatedly examined the sites described by the witnesses, and their detailed investigations have not turned up a single shred of evidence for the existence of an extermination camp. Such a camp, and the events there, would have to have left traces behind, which could be found. But there are no such traces. The real problem with Treblinka is the eyewitness testimony.”

This assessment also applies to the ‘gas vans’. However, it would be unrealistic to assume that all those people who claim to have seen ‘gas vans’ deliberately and knowingly lied, *i.e.*, perjured themselves. They must have seen vans or trucks of some sort which, for whatever reasons, struck them as unusual or dangerous.

The most simple explanation may be that people were taken by truck or van from one place to another. The witnesses saw people getting into a vehicle and not returning. The idea to connect that fact with ‘gas vans’ may not even have occurred to them until after the war.

As we have already seen, the term ‘gas vans’ – as a description of murder vans – did not exist in the Third Reich. But there *were* various special vehicles which were called ‘gas vans’, ‘gassing vans’, or ‘gas generator vans’. F. P. Berg has discussed these latter vehicles in detail in his chapter (this volume).

We believe that what so agitated the imagination of the witnesses was first and foremost a different kind of ‘special vehicle’. Particularly in Polish and Russian areas behind the front, the German troops saw themselves faced with the problem of typhus. This same problem also existed in the concentration camps and ghettos. Combating this danger was one of their most pressing tasks. The extensive contemporaneous literature shows this clearly.⁷⁷ Gassing vans, also called gas vans for

⁷⁷ Cf. e.g.: L. Gassner, “*Verkehrshygiene und Schädlingsbekämpfung*”, *Gesundheits-Ingenieur* 66(15) (1943) pp. 174ff.; H. Kayser, “*Ärztliche Erfahrungen bei der Planung, dem Bau und Betrieb von Durchgangslagern für ausländische Arbeitskräfte*”, *Arbeitseinsatz und Arbeitslosenhilfe* 24(21) (1943) pp. 127ff.; F. Konrich, “*Über die Sanierungsanstalten der deutschen Kriegsgefangenenlager*”, *Gesundheits-Ingenieur* 64(29) (1941) pp. 399-404; J. Mrugowsky, “*Die Seuchenlage im europäischen Teil der UdSSR*”, *Zeitschrift für Seuchenabwehr, Wohnungshygiene und Schädlingsbekämpfung* 34(12) (1942) p. 115; E. Pappenheim, “*Fehler beim Bau von Entlausungsanstalten*”, *Gesundheits-Ingenieur* 66(16) (1943) pp. 183f.; G. Peters, *Die hochwirksamen Gase und Dämpfe in der Schädlingsbekämpfung*, F. Enke, Stuttgart 1942; G. Peters, W. Rasch, “*Die Blausäure als Entlausungsmittel in Begasungskammern*”, *Der praktische Desinfektor* 33(9) (1941) pp. 93-96; F. Puntigam, “*Hygienische Gesichtspunkte bei der Auswahl des Platzes für ein zu errichtendes Durchgangslager mit Entlausungseinrichtungen für ausländische Ar-*

short, were often used as mobile decontamination stations. The term ‘gassing vans’ was a result of the procedure used: the lice, which were the main carrier of the typhus pathogens, were destroyed (gassed) with hydrogen cyanide. There were other decontamination procedures as well, but fumigation with HCN was recommended as the most expedient. The decontamination stations for the clothing were supplemented with disinfection stations for the people. As a stopgap, makeshift measure, moving vans were sometimes renovated and used for this purpose,⁷⁸ and some of the witnesses do after all claim to have seen these, and considered them to be ‘gas vans’.

In this context it is interesting to note that some of the witnesses spoke of “*painted-on fake windows*”. This is reminiscent of the “*windows*” mentioned in Nuremberg Document PS-501. In fact, there were ‘window shutters’ on the “*Bekleidungs-Entgiftungs-Kraftwagen*” [Clothing Detoxification Vans], Sd. Kfz. 93,⁷⁹ which were normally at the disposal of the *Nebeltruppen* (operators of fog throwers to produce smoke screens as an air defense measure). These detoxification vans also were not a device for ‘gassing’ humans, but rather for neutralizing clothing that had been contaminated with chemicals spread by chemical weapons or used by the fog throwers.⁸⁰

It is also not impossible that the RSHA’s special vehicles were used for disinfection purposes. In any case, an SS-*Obergruppenführer* confirmed in April 1942 that the RSHA had supplied him with a ‘delousing van’.⁸¹

Together with rumors (which are well known to run rampant in closed-off areas such as ghettos and camps), such vehicles may very well have been the foundation for speculations. The post-war stories which filled in the gaps in the witnesses’ knowledge with uncontrolled reports and tales probably did the rest.

We are no more able to offer a solution to the problem of the eyewitness testimony than was the official in charge at the Yad Vashem Institute. To bring light into this darkness would be the responsibility of free and unfettered historical research.

beitskräfte”, *Arbeitseinsatz und Arbeitslosenhilfe* 6(3) (1942) pp. 27f.; F. Puntigam, H. Breymesser, E. Bernfus, *Blausäuregaskammern zur Fleckfieberabwehr*, Sonderveröffentlichung des Reichsarbeitsblattes, Berlin 1943; F. Puntigam, H. Pichler, “*Raumlösungen von Entlausungsanstalten*”, *Gesundheits-Ingenieur* 67(6) (1944) pp. 139-145; J. Rupper, “*Die Seucheninsel Polen*”, in Jost Walbaum (ed.), *Kampf den Seuchen! Deutscher Ärzte-Einsatz im Osten*, Deutscher Osten, Krakow 1941; H. Weidner, “*Die Organisation der Läusebekämpfung im Hauptkommissariat Baranowitsch, Weißruhenien*”, *Der praktische Desinfektor* 34(4) (1942) p. 35; R. Wohlrab, “*Flecktyphusbekämpfung im Generalgouvernement*”, *Münchener Medizinische Wochenschrift* 89 (1942) pp. 483-488; E. Wüstinger, “*Vermehrter Einsatz von Blausäure-Entlausungsgaskammern*”, *Gesundheits-Ingenieur* 67(7) (1944) pp. 179f.

⁷⁸ G. Peters, W. Rasch, *op. cit.* (note 77), p. 94: “*We note the attempt to use moving vans for delousing purposes in places where it was necessary to come up with makeshift fumigation facilities on short order.*”

⁷⁹ W. Oswald, *op. cit.* (note 3), p. 210; cf. John Milsom, *German Military Transport of World War Two*, Arms & Armour Press, London/Hippocrene Books, New York 1975, p. 145, Ill. 261: “*Henschel 33G 1, clothing decontamination truck, Kfz 93.*”; R. Frank, *op. cit.* (note 3), p. 93.

⁸⁰ The fog throwers were machines that could turn concentrated sulfuric acid (called ‘oleum’ due to its high viscosity) or sulfuric acid anhydride (SO₃) into an extremely fine spray and blow it straight up into the air. These hazardous substances combine with the moisture in the air, and real fog is formed as a result. The extremely aggressive sulfuric acid used was also a danger to the personnel; for this reason, Special Vehicles 93 always had to be on stand-by, so that the operators of the fog throwers could promptly clean themselves up with the warm water and neutralizing solutions (such as sodium hydrogen carbonate, NaHCO₃) that were kept at the ready there. Since the Allies soon learned to drop bombs accurately even despite such fogging, the procedure was abandoned in the course of the war. I owe this information to O.W. Grussendorf. Besides that, another task of these Special vehicles clearly was the defense against attacks with chemical weapons, cf. Oberkommando des Heeres (ed.), *Die Nebeltruppe*, Waffenhefte des Heeres, Deutscher Volksverlag, Munich 1941, p. 24; Adolf Röpnack, *Die Geschichte der Raketenantillerie von den Chinesen bis zu den Deutschen über ignis volans bis zur V-2*, pub. by author, Bad Aibling 1960, p. 129.

⁸¹ E. Kogon et al. (eds.), *op. cit.* (note 46), p. 107.

5. Conclusion

Our critical assessment of the evidence in the case of the ‘gas vans’ has determined the following:

According to Soviet officers, ‘murder vans’ in which the passengers were poisoned with the exhaust gas already turned up in the Soviet Union in the 1930s. In 1943 the Soviets claimed that German troops had used such ‘murder vans’ to kill thousands of innocent Soviet citizens. The vehicles mentioned in these allegations were exclusively heavy-goods vehicles which had Diesel engines, whose exhaust gas demonstrably does not contain enough carbon monoxide to have a lethal effect. On the basis of these accusations, Ukrainians as well as German prisoners-of-war were unlawfully executed.

In the Nuremberg Trials, the Soviets repeated their accusations, in which they were supported by the American prosecutors, who presented written documents: affidavits, and Document PS-501 – one of two documents on which the ‘gas vans’ theory rests to this day. We have shown that neither the affidavits nor PS-501 are probative documents. In the 1970s another document, R 58/871, suddenly surfaced from the Koblenz Federal Archives, to also allegedly substantiate the existence of ‘gas vans’. We have clearly shown this item to be a fabrication.

The 1960s and 1970s saw many NS-trials, in the course of which the ‘gas vans’ theory was supposed to be corroborated – by internally inconsistent and at times nonsensical eyewitness testimony. In this context we have demonstrated the problem of the eyewitness testimony by means of neutral assessments, and have come to the conclusion that in order to be credible, eyewitness testimony must be authenticated by provable facts or by documents that have stood up to close critical examination. In the case of the ‘gas vans’ this has not been possible in so much as one single instance.

On the whole, the evidence submitted for the ‘gas vans’ cannot be accorded any evidential value, and the claim that Germans had murdered thousands of human beings in ‘gas vans’ must be regarded strictly as rumor.