

Q What were you able to observe any time following their arrival or what were you able to observe then concerning lice and other vermin?

A My attention had been called and I observed myself that when the Russians had returned into the camp that their pockets were filled with garbage and that they ate this garbage without cleaning it first, that they ate quite a quantity of it while they were outside the camp and ate quite some quantity in the camp, that their pockets were literally filled with this garbage. I made them empty their pockets and told them that they not only made themselves sick by eating this stuff but also endangered the health of the entire camp. Daily checks were made whether they were vermin infested or not. When the vermin conditions weren't too bad their clothes were sent to the disinfection installation. There was an installation provided solely for the disinfection and delousing of clothes.

Q Under conditions you describe here it would not have been surprising if the living barracks would have been disinfected and deloused from time to time; under orders of the administration did such disinfections or delousings take place now and then?

A Yes, I can remember that it happened several times. I believe the first time it took place in the summer of 1941 when we were plagued by an immense number of fleas. At the time not only the inmates' camp but also the SS barracks and the industry yards were disinfected. The entire camp was done over because the plague was so bad that one only had to walk

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on the street and be beset with fleas.

PRESIDENT: Tell him to give the date. At what time.

A That was in the summer of 1941.

Q And later, after 1941?

A I know that barracks were gassed in 1942 and also in 1943, but not the entire camp but individual barracks which were full of flies.

Q So you do not know anything of the gassing of the persons who lived in Block No. 16--the Russian PW's?

A No.

Q Was it usual procedure that at the time of delousing personnel charged with the operation entered the barracks wearing gas masks?

A I did not have occasion to observe how it was done.

PRESIDENT: The court will take a recess until 1:30.

(Whereupon the court recessed at 1200 hours.)

AFTERNOON SESSION

(Whereupon the court reconvened at 1330 hours.)

PRESIDENT: Court will come to order.

PROSECUTION: Let the record show that all members of the court, prosecution, defense, accused, court interpreter and court reporter that were present at the previous sessions are present now.

OSKAR TANDLER, an accused, voluntarily took the stand in his own behalf and continued to make the following sworn statement through an interpreter as follows:

DIRECT EXAMINATION (continued)

QUESTIONS BY DR. KLUGE:

Q Mr. Tandler, in order to conclude this incident about the gassed Russians, under oath do you still stick to your statement that you never heard and never participated in any act involving the gassing of 156 Russians?

A Yes, I did not participate and during my tenure of duty I didn't hear anything about it from SS men or any other people.

Q What do you have to say about the incident about which witnesses have testified here in court, an incident in which a Russian was first beaten by Seidler, Zierris, etc. and then afterwards drowned?

A I followed the testimony of the prosecution witness. He testified that Seidler, Zierris and I had beaten this young Russian who allegedly tried to escape, that we put him on the wooden horse, beat him there, took him off the wooden horse, threw him on the ground, kicked him and then, according to the statement he made once, I was supposed to have killed this young Russian by putting him under water three times in a barrel of water, and according to another statement he made

I got together with Ziereis the order to bring this young Russian, who was already half dead at this time, to the crematory in order that he might be shot there. If this incident should have really happened during the time about which these two witnesses have testified here, namely during roll call, then not only these two witnesses who accused me here in court should have seen this incident but also all other prisoners who were present during roll call. I have to make the statement not only in relation to this one incident but to all other points, that during all of my five years on duty I never beat any men until they bled, I never mistreated any men and I never killed anybody.

Q Do you remember which day of the week was given in the testimony of the two witnesses about this incident?

A Yes, supposedly it happened on a Sunday at noontime.

Q Do you have anything especially to add in view of this particular time of the day and the week?

A One of them stressed especially the point that this incident happened during the summer of 1944. At that time I worked in the work detail Lungitz airplane manufacturing detail as a detail leader.

Q Weren't all the prisoners in camp on such a Sunday?

A I said already that allegedly it happened on a Sunday during the noon roll call and on a Sunday all prisoners are in camp.

Q Do you still remember in which work detail the incident supposedly occurred?

A I do not recall that a particular work detail was mentioned in the testimony. I remember only that it was said that Commander Ziereis, Camp Commander Seidler and I committed this crime.

Q Wasn't Szulc who testified here as a prosecution witness also a member of your work detail?

A Yes, but Szulc was with my work detail at Lungitz.

Q During your activity in camp did you ever beat prisoners for reasons which you thought were justifiable reasons?

A Yes.

Q Could you mention occasions when this happened?

A That happened only in criminal incidents.

Q For instance?

A When the Russians beat each other on the work spot until they bled, and I underline the point until they bled, or when they committed burglaries or thefts from their comrades. In other cases I never did any beating.

Q Weren't the incidents of this kind which you have just mentioned quite generally known among the prisoners and especially the Russian prisoners?

A Pardon me, I didn't hear the first word.

Q Weren't incidents of this kind, I mean that they beat each other and that they committed thefts from their comrades, quite generally known among the Russian prisoners in Germany?

A Yes, that is true as far as prisoners of war are concerned but what I told you before was referred especially to the young Russians. As far as the Russian prisoners of war are concerned I didn't touch them at all.

Q And if I understand you right, you really had nothing to do with the real Russian PWs?

A Only as interpreter I had anything to do with them but not as work detail leader.

FR. KLUGE: Cross examination.

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CROSS EXAMINATION

QUESTIONS BY PROSECUTION:

Q When did the Russian PWs first arrive in Gusen I?

A The Russian PWs came to Gusen I the end of September or beginning of October.

Q What year?

A In the year 1941.

Q And when did you first become a block leader?

A How should I understand the question, Russian Camp or other?

Q When were you first a block leader of any block?

A I was transferred to the camp to headquarters staff at the beginning or middle of June, 1941.

Q And when did you first become a block leader?

A I became a block leader for the first time around July, 1942.

Q You weren't a block leader before July of 1942?

A No, only detail leader.

Q Weren't you a block leader from the end of 1941?

A No.

Q Were you interrogated about matters in Gusen I before this trial?

A Oh, yes.

Q Were you interrogated by a Major?

A I don't know the rank.

Q When did that interrogation take place?

A That must have been during the winter of 1947.

Q Could it have been in December, 1946?

A I can't state this definitely any more.

Q Do you recall this question and this answer? Question: "When were you a block leader?" Answer: "From the end of 1941 until November, 1943. Then I was sick and until March, 1944 I was off duty."

A This question was asked me in general. I was asked: "In what capacity were you transferred to headquarters staff?" As far as I can remember I answered then, "As a block leader, an interpreter and a detail leader."

PROSECUTION: May I ask the court to request this witness to be responsive to the question. I asked him, if I remember, if he recalled that question and that answer. He could have answered with a "yes" or a "no".

DEFENSE COUNSEL: If the court please, I believe he answered the question, and very pointedly.

PRESIDENT: Direct the witness to answer the questions that are put to him, and that the court is not interested in other matters.

(Whereupon the interpreter did as directed.)

ACCUSED TANDLER: Yes.

QUESTIONS BY PROSECUTION:

Q Do you recall this question and this answer? "When were you a commando leader?" Answer: "At first for four months in the year 1941, later from March, 1945 until the end in the out-commando Lungitz."

A Please, will you repeat the question.

(Whereupon the interpreter did as requested.)

ACCUSED TANDLER: No, not in this manner.

QUESTIONS BY PROSECUTION:

Q But you can recall the question: "When were you a block leader?" and the answer: "From the end of 1941 until November,

1943." Can you remember that question and answer?

A That has to be understood in this way, that one could be used at all times as block leader as well as an interpreter or as a detail leader.

Q What were your duties in the end of 1941 and the beginning of 1942 after the Russian PWs arrived?

A At that time I worked in general as an interpreter in Cusen I and my main duty was in the Russian PW Camp as an interpreter.

Q Do you recall this question and this answer? Question: "What were your duties as block leader?" Answer: "I had to look after the welfare of the inmates, to see that there was cleanliness and discipline in the blocks over which I had charge, that the inmates got their food distributed in the right manner and that there was discipline among them."

A Yes.

Q Do you recall that that question was asked right after your answer that you were block leader from the end of 1941 until November, 1943?

A Yes, I remember this question but only in the meaning that I was supposed to give information about the general duties of the block leader.

Q Do you recall the next question and answer that you were asked? Question: "As a block leader were you in charge over the inmates?" Answer: "Yes, in the block which I was in charge of there were only Russian inmates. They were under my orders and I had to take care of their food supply and see that they were clean."

A Not in this sense.

Q Do you recall that question and answer being given right after the previous questions and answers that I have read?

A No.

Q What happened to these Russian PWs?

A The Russian PWs first were in quarantine for four to six weeks. They they were sent out to work details. That was approximately around the beginning of December. Part of these PWs was used in the stone quarry Gusen for work, the balance of them was used as stone cutters. I mentioned already this forenoon that the Russians when they move in out of camp always picked up some of the garbage lying in front of the kitchen, old potatoe peels, old carrots, and so forth, and put it in their pockets and ate it later on. For this reason around the middle of December we had a very bad epidemic of typhoid fever and on account of this disease quite a number of inmates died. The worst happened then in January of 1942. We had a pretty hard winter at that time. In general the Russian PWs were quite undernourished. No consideration was given to the fact, whether they were weak or strong or healthy, everybody had to go out and work. Of course, due to the great cold the weak and undernourished bodies couldn't take it and during the month of January a few hundred of them were brought back from the stone quarry frozen to death or nearly frozen to death. For this reason out of my own initiative several times I went to the Camp Commander Chmielewski. He told me: "That is none of your business. Take care of your own affairs." I like to mention here especially that in the work details of Gusen I I never was a work detail leader and that I never gave any orders about the manner how the prisoners should be taken away and

loaded on cars, and so forth. I didn't even see whether at all and where and when they were loaded. When it was really too late around the end of January and the number of people frozen to death increased more and more, finally the work was stopped. That is the incident about the freezing of the Russians and that is how it happened.