

## ZYGMUNT WARMAN

The fourteenth day of the hearing, 24 January 1947

**Presiding judge:** Please summon the witnesses.

Witnesses Warman, Gitler, Maciejak, Hirszfeld (absent), and Gutmacher (absent).

The witnesses will be sworn in.

**Witness Warman:** I request to be sworn in under the oath for non-believers.

**Witness Gitler:** I also request to be sworn in under the oath for non-believers.

**Presiding judge:** Is witness Maciejak of Jewish faith?

**Witness Maciejak:** That is correct.

(Witnesses Warman and Gitler are sworn in under the oath for non-believers, and witness Maciejak is sworn in under the oath for Jewish faith).

---

**Witness Zygmunt Warman, 42 years of age, resident of Łódź, Daszyńskiego Street 20, lawyer, no relationship to the parties.**

---

**Presiding judge:** Please tell the Tribunal what you know concerning the case.

**Witness:** In the first place, I would like to mention the first anti-Jewish decree of the German authorities which I came across. It was the end of September 1939 and I was still serving with the Warsaw Civil Guard. After the capitulation on 29 September, the terms of surrender stipulated that the Civil Guard would be still discharging its duties during the transition period. However, there was one clear caveat: the ranks of the Civil Guard were to

be purged of all Jews and persons of Jewish origins. On 2 October, pursuant to this decree, I was dismissed from the Guard, being given a taste of what the future held in store for the Jewish population.

The Jewish citizens began to be gradually marginalized, excluded from the law, abused, harassed, and despoiled. Immediately – still before Warsaw had been taken over by the head of the civilian administration of the incoming German army – another decree was issued, which banned any payments above the sum of 500 zlotys on behalf of the Jews, prohibited being in possession of more than 2,000 zlotys, and stated that all transactions and transfers of assets shall be retroactively invalidated, starting 1 September. It also prohibited making any payments. At the same time, they started pillaging, under the pretext of carrying out a search, or even without this pretext; flats were raided, and these gentlemen took whatever they pleased, including small items, clothes, working tools, equipment, books. Finally, they started to steal furniture.

In the meantime, they began to round up people for labor, torturing and abusing them in the process. Regular round-ups began, as people were assigned to forced labor, such as removing snow, but in most cases it was not really about the job but about an opportunity to harass the Jewish population. Then, the following period and what it brought is well-known to everybody. I would only like to describe the stages of the extermination of the Jews. The German authorities set about issuing a series of special regulations. If Your Honors would like me to list particular regulations, I should ask for permission to consult my notes because it would be difficult for me to list them all in the chronological order.

**Presiding judge:** Very well.

**Witness:** I have already mentioned the first two decrees of the head of the civilian administration of the incoming German army. Next, the following decrees were issued, in a more or less chronological order: General Governor's decree of 20 October 1939 on compulsory work for the Jewish population in the General Government, clearly specifying that, unlike in the case of the Polish population, which was under an obligation to work, it was about compulsion and its apparently educational value. In accordance with this decree, executive orders were issued, which set compulsory work for all those aged between 12 and 60, prohibited changing place of residence and selling working tools, required the Jews to be recorded, and introduced a curfew between 9.00 p.m. and 5.00 a.m., indicating that the

authorities may decide to enforce even tougher restrictive measures. These were indeed introduced, because in Warsaw the curfew began at 8.00 p.m., and initially at 7.00 p.m. On the same day, a decree was issued by the General Government banning ritual slaughter, which was very significant for the religious population.

Next, it was the decree of 23 November 1939 revoking all tax exemptions and privileges for the Jewish Council, a social institution which enjoyed a number of tax exemptions under the Polish government, and now these exemptions were revoked.

Next, it was decree number 4, for the Currency Department at the General Government, dated 29 November 1939, pertaining to transfers of assets, possession of monetary resources, and withdrawals from bank accounts.

Next, it was the decree on establishing the Judenrat [Jewish Council], dated 28 November 1939, which created the Jewish representation whose duty was to take orders from the German authorities. Under this decree, the Judenrat was supposed to be elected, but the make-up of the Judenrat in Warsaw was never decided in elections. In September 1939, mayor Stefan Starzyński appointed the remaining members of the former Jewish Community Council, including chairman Adam Czerniaków, delegating them to the Judenrat. Starzyński's decree was issued in mid-September 1939.

Toward the beginning of October, the German authorities showed up at the offices of the Judenrat at Grzybowska Street 26. They were mostly *Sicherheitspolizei* members. The reason behind the visit was harassment and abuse. All monetary resources were taken and orders were issued.

The first document was of an unspecified character, being neither an appointment nor a certificate: it allowed unrestricted movement around the city and was issued by *Sicherheitspolizei*, *Einsatzgruppe IV* to Czerniaków, instructing him, in his capacity as an appointed Judenrat member, to continue discharging his duties on Grzybowska Street. This certificate was signed by the head of *Einsatzgruppe IV*, defendant Meisinger.

These details concerning the establishment and structuring of the Jewish ghetto are known to me not only because I was a Judenrat official, but also because in 1942 training courses were organized for administrative workers and I was asked to give lectures on the formation and operation of the district's authorities, and consequently, I consulted the original documents which were in chairman Czerniaków's custody.

The original formation of the Judenrat was at the beginning of October, and when the General Government issued a decree which established the Judenrat, the Council of Elders was deemed to be the Judenrat. There were never any elections, the ghetto authorities made appointments instead.

On 30 November 1939, the press released governor Fischer's decree concerning the obligation to tag the Jews. It was only later that we learned that on 23 November the General Government issued a decree which concerned – on a larger scale – the entire General Government. I do not need to speak about the nature of this decree nor how it was executed because this issue is well-known and has been discussed at length.

Next, with regard to the alienation of the Jewish population, there was another decree of the General Government issued on 23 November, on tagging their shops with the Star of David.

At the same time, there was a local decree issued in the "Verordnungsblatt" concerning the obligation to place the Star of David on the establishments of Jewish lawyers, dentists, or doctors. This decree identified places which the passing Germans, whether soldiers or civilians, could immediately locate; it made it easier for them to commit acts of looting, seize property, and target more refined individuals.

On 9 December 1939, a general decree was issued on the temporary revocation of the pension security institution benefits. This decree deprived the Jews of the pension rights they had acquired. Particularly unsettling was the case of the sorely missed Leon Berenson, an attorney who, as a former Polish Republic diplomat, was a state pensioner and had a guaranteed pension. As soon as the situation had stabilized and the people had made their first attempts to more or less sort things out at their end, the pension security institution commenced its activities. As usual, attorney Berenson received his modest pension via mail. After this decree was issued, the pensions security institution, acting on German orders, was forced to demand the return of these payments, and attorney Berenson, whose material conditions were very hard, had to return the few-months-worth of his pension.

The decree of the General Government on providing financial aid for the unemployed, dated 16 November 1939, also excluded the Jews from the group of beneficiaries, as did the decree of the General Government on financial aid for persons receiving the war pension and for their surviving family, dated 10 December 1939.

Very symptomatic is the decree of the General Government on the requisitioning of private property in the territory of the General Government, dated 24 January 1940: during its execution, a detailed recording of Jewish property was conducted. This decree was obviously the basis for the requisition of real estate and Jewish enterprises.

Freedom of movement was revoked by the decree on using the railways by the Jews, dated 26 January 1940, which was then extended to other means of transport under the decree of 20 February 1940. Additionally, local authorities issued a number of decrees impeding the movement of the Jews around the city. In Warsaw, a decree was issued which prohibited crossing Ujazdowskie Avenue, renamed Siegesallee, and Saski Square, renamed Hitler Square. There was a decree which obliged the Jews to step off the sidewalk to give way to the Germans, and a decree which banned the Jews from using trams; at the end of 1939 and at the beginning of 1940, a few cars for the Jews were in operation, where the line number was against the yellow background, not against the white. However, this service was discontinued in spring 1940.

Following a decree issued at the turn of 1939/1940, the Jews and persons of Jewish origins were removed from any public offices and local governments, and then also from enterprises.

The Chamber of Physicians issued a decree which banned the Jews from treating Aryans and the other way round, and the other doctors were not allowed to treat Jewish citizens. In that context, there were many symptomatic occurrences because the Germans would often turn to Jewish dentists, ordering them to conduct a medical procedure. Terrorized, these doctors had to provide medical assistance, obviously for free and facing the consequences for helping the Germans, which was illegal under applicable law.

The second decree on social insurance in the General Government, dated 7 March 1940, banned the insurance institution from assisting the Jews with respect to hospital treatment. The decree of the general governor on the definition of the term "Jew" in the General Government, dated 24 July 1944, introduced race-based criteria.

The decree of the general governor on Jewish education in the General Government, dated 31 August 1940, stipulated that the Judenrat was obliged to maintain schools and that the Jews were only allowed to attend the schools run by the Judenrat. It seems that this

decree was only issued to keep up appearances, because no schooling was allowed. The only permissible form of education was artisan courses. Apparently, it was decided that training professional craftsmen would be to the benefit of the occupying authorities. Finally, this unique legislation also included a raft of minor decrees concerning the ban on hiring females in households, a raft of minor local decrees.

I would like to refer to the moment which I have already mentioned and explain how the process of establishing the ghetto was a manifestation of the complete isolation of the Warsaw Jews.

**Presiding judge:** Were you in the country for the entire occupation?

**Witness:** Yes, for the entire occupation. Even after the uprising I was not in captivity and I was still in the country.

Already in fall 1939, there was talk about setting up a Jewish ghetto in Warsaw. No official decree, either announced or placed on posters, was issued concerning this matter, only instructions were given to the Judenrat so that it would be executed in the form of the Judenrat's guidelines. It was so advanced that chairman Czerniaków was given a list of streets which were to become part of the ghetto. As far as I know, chairman Czerniaków refused to give such instructions to the Jewish citizens himself, and there was no official decree at that time. Still, everything indicated that the plan had not been scrapped. In fall 1939 and at the beginning of 1940, the Judenrat was told to place signage which read "Achtung! Seuchengefahr" ["Caution! Danger of epidemic"] or "Seuchensperrgebiet" ["Off-limits due to epidemic"] (such a sign was placed, among other locations, at the exit of Długa Street and Nalewki Street) at the exits of some of the streets in that district, which before the war was mostly occupied by the Jewish population. Having been placed at the exits of the streets, these signs demarcated the Jewish district, which was yet to be walled.

In spring 1940, an order was issued to erect the walls. At first, these were retaining walls, that is at the exits of streets. They even reached well into the City Center because I remember that the borderline of the *Seuchengefahrenggebiet* [epidemic risk area] was Chmielna Street, and such a wall was erected at the exit of Złota Street toward Marszałkowska Street. At the same time, many such exits were not walled and the transit in and out the city could progress unimpeded. Of course, it was more difficult because you had to navigate around the walled exits.

In the first days of June 1940, a decree was issued, which was signed by defendant Leist, who at the time was the district head's emissary for Warsaw, concerning the issue of the Jews' residence registration in Warsaw. Under this decree, the Jews – either coming from outside Warsaw or changing their place of residence within the city – could be only registered residents of flats located within the limits of the district allegedly threatened with epidemic. I believe that this was the first decree of the authorities which clearly instructed that the Jewish population be concentrated within this district.

**Presiding judge:** Was there an epidemic in that district at that time?

**Witness:** At that time, there was absolutely no epidemic, not only in that district but also in the entire Warsaw. Even after the ghetto was locked down there was no epidemic. It broke out only later, as a result of internal conditions. At the same time, parallel to the issuing of the decree which set the future boundaries of the district and ordered displacements into that area, I could observe the activity of an institution set up to execute these orders. It was the *Abteilung Umsiedlung* [relocation department] at the office of the district head, whose orders in that respect were implemented. I also experienced the execution of one such order firsthand, as one morning in spring 1940 an official showed up at my door on Koszykowa Street with an *Abteilung Umsiedlung* form and posted a note which read, "Requisitioned together with all moveable assets." I was to get out of there. Requisitioning furniture was just a formality, because regardless of any official decrees hardly a day went by when I was not visited by representatives of civilian or military authorities, and especially SS men in uniforms, who personally picked out whatever items from among my furniture or book collection they liked.

**Presiding judge:** Meaning they did not act on the orders from the authorities?

**Witness:** They had no orders, they acted at their own discretion. Some of the raids were supposed to be official searches. But it was impossible to distinguish an official search from spontaneous pillaging.

The first official decree with respect to the establishment of the Jewish district was the decree also signed by *Stadthauptmann* Leist and printed in the "Journal of Acts," dated, I believe, 2 October 1940, which ordered that the Jewish citizens not yet there be relocated into the area, and that the other citizens be relocated outside the walls. This decree, which

was announced over the loudspeakers, set the boundaries of the future district, but during its execution the chaos was escalated in that the district boundaries were altered, as the list of the streets which were supposed to be part of it was changed. As a result, in the final few days of October, I had to change my place of residence three times.

Toward the end of October, a decree was issued which extended the deadline for voluntary relocation by 15 days; the new, non-negotiable deadline was set for 15 November 1940. This deadline was met and in the morning we concluded that the district had been locked down. The lockdown was complete, meaning that civilians had no possibility to legally leave the district and see to their business in town. Only a very small group of Jewish militiamen were issued special passes so they could report to the authorities if ordered.

**Judge Grudziński:** When did you become an official of the Judenrat?

**Witness:** At the request of my friend Rosenblat, I joined the Judenrat at the beginning of February 1940.

**Judge:** And you had since served in this capacity and are in possession of the relevant documents, is that right?

**Witness:** As a legal clerk, I saw that official decrees would be put on file.

That way, a sealed Jewish district was established in Warsaw.

With regard the organizational set-up, the district was at that time subordinated to the city mayor, but on appointed dates the chairman was obliged to report at Szucha Avenue, at the *Sicherheitspolizei*, probably at the Department for Jewish Affairs.

The change in this set-up took place in April 1941, when the general governor issued a decree, printed in the "*Verodnugsblatt*," which established a Jewish district in Warsaw and invested the chairman of the municipal council with the same powers as those of the mayor of the Polish district.

**Prosecutor Siewierski:** Who issued this decree?

**Witness:** It was signed by General Governor Frank. Under its provisions, the governor of the Warsaw district Fischer issued the order, printed in the "*Amtsblatt*" [official gazette] of the Warsaw district, appointing Dr. Auerswald the commissar of the Jewish district. This



organizational set-up continued up until the beginning of the liquidation of the ghetto.

After the ghetto had been locked down, a unique way of life started to develop there. Initially, the ghetto was inhabited by approximately 300,000 Jewish citizens of Warsaw. Then, this number increased with the arrival of people displaced from the surrounding towns and municipalities. Additionally, Warsaw received selected transports of displaced Jews from Hungary, Austria, and other countries. The displacement took place in terrible conditions, as the refugees were despoiled of all their possessions, and with disregard for basic hygiene requirements, the people being forced to dwell in primitive living conditions in that district. One third of the Warsaw residents had to find space in the area which made up one twentieth of the urban area. There were no green plots in the district as its borders were delineated in such a way that it only had bare walls.

With the area packed so tightly with so many Jews, who were deprived of their livelihood, having lost their properties, companies, also workshops, as well as the opportunities to do their jobs, conditions were in place which, coupled with a difficult food situation, inevitably led to emaciation, hunger, and epidemic.

A very characteristic symptom of that situation was the mortality rate. The German authorities very conscientiously saw to it that monthly, and later even weekly reports were filed concerning the mortality rate and funerals. Even if immediately after the ghetto's lockdown the mortality rate was only marginally higher than before the war, standing at between 1 and 1.5 percent of the Jewish population, it started to increase sharply in 1941. The death toll reached thousands, and following an outbreak of typhus it sat at 5,000, peaking at 6,000 in February 1942.

This number should be adjusted as it covers the people who were buried officially, and it needs to be remembered that scores of orthodox citizens avoided official funerals and tried to arrange secret burials so that the bodies would not be buried in mass graves or drowned in lime.

The Jewish cemetery on Okopowa Street was becoming too tightly packed. A request had to be filed for assigning proper grounds, and, acting on the orders of the German municipal authorities, the Warsaw city hall set aside part of the ground of the Skra sports club, which was adjacent to the cemetery, to be used by the Jewish citizens. In the cemetery and at this sports ground, Jews were buried in huge mass graves, a few hundred bodies in each.

The Jewish cemetery was a place of interest for the Germans. Hardly a day went by when numerous groups of soldiers did not come to observe it, and it was a macabre view – arriving every day were the corpses of people who died of starvation or from the epidemic; of people so emaciated that you can well describe them as skin and bones, or alternatively the corpses were swollen in a characteristic way. These corpses lay in a terrible tangle, until the cemetery authorities threw them into one collective pit. The sight of people dying in the streets is impossible to forget. I lived close to my office, and every morning, as I walked the short distance between Krochmalna Street and Grzybowska Street, I came across corpses, all naked, thrown out by the families or the people at whose place they had lived; they were thrown out so as to avoid either the costs or repressive measures. Alternatively, they were the bodies of those in the throes of death.

**Presiding judge:** Who would bury the corpses lying in the street?

**Witness:** Burying corpses was the responsibility of the Judenrat, acting through its officials and newly-founded funeral houses.

**Presiding judge:** Did people who zealously observed religious practices dispose of their deceased relatives in the same way?

**Witness:** I have already mentioned that the orthodox Jews tried to bury their deceased relatives in secret, and for that reason these deaths could not be registered.

Meeting emaciated children and seeing people dying and already dead, day in, day out, could blunt your sensitivity. Once, I spoke to a psychiatrist in the ghetto and asked him how it was possible to just walk past all this. He explained to me that it was a standard symptom, and that seeing these things every day means it was impossible to react the way a normal person would.

I have already mentioned that the living conditions were very bad. Contacts with parts of the city officially located outside the wall was impossible. Officially, the ghetto received food through an office established specifically for that purpose, the *Transferstelle*, a public-law institution which was responsible for offsetting the Jewish district's output with incoming commodities. The district started to produce, the workshops were operating, and certain food items were assigned based on the output. The quantity was marginal and did not even correspond to the caloric value assigned.

**Presiding judge:** Speaking to the doctors, did you have an opportunity to find out what the caloric value of the food was?

**Witness:** The caloric value was minimal, it stood at a few hundred calories, while the norm is a few thousand. Food coupons only got you bread, if you can even call it bread – it had the consistency of clay and was barely palatable.

**Presiding judge:** Was it different than what the other citizens would get?

**Witness:** It was different. It was made of leftovers, potato peels and similar materials. The monthly issue of this bread was 6 kilos per person. That was the only food rationed. The statistics indicated that a very large percentage of deaths was caused by exhaustion and tuberculosis.

Another aspect of life in the ghetto was compulsory labor, which was enforced in a two-pronged fashion, both officially and unofficially. Unofficially, both before the ghetto was locked down and after, the staff of various German military institutions would spontaneously round up people in their flats, in the streets, and often they would come to the offices and take the people they needed.

It was mostly backbreaking labor. Particularly infamous were such labor sites as the Falenty SS estate near Warsaw, the Sejm, where the gendarmerie was billeted, car shops at the barracks on Rakowiecka Street. At these labor sites, the work was very hard and the tortures were such that often many people did not return or they returned injured. I remember one report filed by a working battalion leader – which was obviously confidential – which noted that the working unit assigned to Łazienki Park and Belweder Palace was not fed at all, not even with soup, so that after a few days at work the laborers ate grass, and the German civilian supervisors told these wretched people to swallow frogs alive, and they had to do so. The official working sector was established at the Labor Department of the Judenrat and run by the main *Arbeitsamt – Nebenstelle Juden*.

This is where official requests for the workforce were filed. These requests intensified in 1941, especially in spring, when thousands of workers were requested mostly for the purposes of various camps and labor sites all over the country. The news from these camps was tragic. Regulating the river flow or road construction was very hard, but it was not the work itself that was terrible but the way it was done and how the people were handled, the

abuse, torturing the laborers to such an extent that the health of people at such camps quickly worsened, and at the first signs of weakening and disease these people were killed on the spot. Once, I saw such people arriving from one such camp near Warsaw (I do not remember which): they were in tatters, human rags so beaten up they could not walk themselves. It was part of a standard procedure. I will not expand on that because these matters are rather well-known. But I feel I cannot omit it completely.

At the beginning of 1942, special acts of terror were on the rise. The killings in the district became casual, perpetrated for fun. Passing through the district, usually at fixed hours, were vans with SS men, who were on the staff of the Pawiak prison, which was located in the ghetto. This passage through the ghetto was always a horror, involving shooting at people for no reason and beating them up. Often, the Germans amused themselves shooting at people; this was mostly practiced by German policemen at the outposts located at the ghetto exits. They shot at anybody who recklessly approached the wires and the wall, probably suspecting that smuggling or unauthorized crossing were in progress. I also remember that shots were fired from outside the ghetto. Once, on Zielna Street, a few uniformed Germans took up positions on a rooftop and fired in the direction of some children on Śliska Street. There were casualties. In general, during the 20 months when the ghetto existed there was not a single day without someone being killed or wounded by gunfire. A few corpses a day was nothing out of the ordinary, and these were not isolated incidents.

**Presiding judge:** I am ordering a short recess.

(After the recess).

**Witness:** I will exclude from the picture of the ghetto I have so far sketched in broad strokes two very important aspects of life and administration: healthcare issues and welfare, because I can see the names of Prof. Hirszfeld and director Günter on the witnesses list, and they were closer to these issues and will surely be able to provide Your Honors with more detailed information.

I would also like to make mention of one more aspect – maybe an insignificant one in the context of all the suffering – of the attitude of the authorities to the Judenrat. The Judenrat received orders from different authorities, institutions, and individual Germans to deliver various items. These were official or political orders. Various services were rendered on behalf

of institutions, to mention just the construction of luxurious offices for the *Transferstelle*, the renovation and comprehensive fitting of the *SS-Polizeiführer* palace at the junction of Ujazdowskie Avenue and Róż Avenue, the construction of various rooms on Narbutta Street, and, most importantly, the construction of the walls surrounding the district. All the costs were charged to the Judenrat.

Aside from these official commissions, every representative of the authorities who had any contacts with the Jewish district had his own private requests. These included various things: from small items and household amenities, to lengths of cloth, groceries, especially coffee and tea, which were in particular demand back then, to furniture. To illustrate my point, let me mention two particular requests. There was an order for a luxurious chest and briefcase, reportedly for General Governor Frank himself. In 1941, district director and administrator, Dr. Auerswald, was about to become a father. Of course, a complete layette for the baby had to be prepared. The most painful, though minor, were the orders for leather whips, placed mostly by the Gestapo non-commissioned officers and officers. Everybody knew that these whips would be used against people – and indeed they were.

I would also like to mention the most significant acts of terror perpetrated against the Jewish population. The first one was the execution by shooting of 53 hostages, residents of a tenement on Nalewki Street, in October 1939. These people were taken hostage because a wanted criminal was hiding in that house, who had allegedly wounded or killed a Blue policeman. The next day, these 53 people were arrested and told that they would be released if a particular tribute was paid. A timely payment was made at Szucha Avenue, but the hostages were not released. Nobody has seen them ever since.

Chronologically, the second act of terror perpetrated against the Jewish population, and especially against the intelligentsia, was the so-called Kot case. In January 1940, a radio transmitter was reportedly discovered on Kot, a member of the underground organization, who – as it turned out – was allegedly of Jewish origins. This was a cue for arresting around 200 persons from among the Jewish intelligentsia only: lawyers, dentists, accountants, and teachers. These people disappeared without a trace.

Random people were taken. These were not some individual instances of repressive measures. I myself was in a situation whereby they came for me when I was not at home. I did not, however, flee from my place because I knew they would persecute the other

household members. It so happened that the Gestapo never returned. These people disappeared without a trace and the Gestapo refused to provide any information about their fortunes. It was only a few months later that Chairman Czerniaków was instructed to submit the list compiled by the Judenrat and then they told him which of these people were dead and which of them were supposedly in concentration camps.

Aside from the cases of killings and murders in the district which I have already mentioned, toward the end of 1941, a new strategy of murdering people was launched, based on a recent decree issued for the ghetto. In October, I think, the decree was put on posters, signed by Commissar Auerswald, amending the regulations with respect to the penalties incurred by the Jews leaving the ghetto. While previously it was prison time and a fine with no upper limit, and misdemeanors of that kind were in the jurisdiction of special courts, now the decree stipulated that any Jew found outside the ghetto was under the sentence of death. Scores of the impoverished, and especially children, who tried to cross the walls to scrounge a piece of bread, were now lawfully killed by any German who was on guard duty, or arrested and remanded to the prison set up specifically for that purpose on Gęsia Street. There, ordered by Gestapo officers who arrived to hold the so-called police court-martials, executions were carried out. Once this decree was issued, the terror started to intensify.

At the beginning of 1941, there were more and more cases of people being snatched from their flats and killed in the streets and in courtyards. A major operation of that kind was launched on the night between 17 and 18 April 1941, whereby a couple dozen people were taken from their flats and executed in the street. At that time, the Jewish district was stunned by a new, strange operation. A team of filmmakers arrived at the ghetto, made up exclusively of uniformed persons, who captured scenes from ghetto life. At first, these were scenes from the street: tragic scenes in the streets, groups, beggars, the flow of the ghetto. Then, these were stage-managed scenes. I was told about directing scenes of orgy, feasting, and then I myself, in the office of the chairman of the Judenrat, witnessed the staging of a meeting of the elders, whereby, in the blinding blaze of spotlights, the chairman was forced to pose surrounded by the Jews picked up from the street who had characteristic looks and wore beards. This is how the final moments of the ghetto were captured. These moments were fast approaching, and compared to these, the minor torments, doffing a hat, beatings, and the likes were to pale into insignificance.

On 21 July 1942, arrests were made in the district. A lot of members of the Judenrat were arrested, as were some of the high-ranking municipality officials and numerous members of the intelligentsia. These arrests had all the characteristics of taking hostages, and indeed, that is what they were, as it later turned out. That day, we could not quite get why all this was happening. Soon, it became clear. A day came which I will never forget: Wednesday, 22 July 1942.

From a window of the room where I worked, I first spotted a cavalcade of vans with uniformed officers. I advised the chairman, who braced himself – as he had done on many previous occasions – to receive the guests.

SS officers and non-commissioned officers in uniforms whom we did not know by sight came to our offices. Among them was a man we knew, head of the Department of Jewish Affairs, *Untersturmführer* Brandt. The soldiers cordoned off the building and did not let anyone in or out.

The chairman was instructed to call a meeting of the Judenrat. Many council members could not attend because, as I said, they were detained at the Pawiak prisons, while some of them worked out of other hovels located in other parts of the district. However, some members of the Judenrat did assemble. It was also demanded that Lejkin, head of the *Ordnungsdienst*, report, too. Other officials included myself, as the secretary of the Judenrat, and another one, who was supposed to take the minutes. This was around 10.00 a.m.

When everybody had assembled, the leader of this team, serving in the rank of *Sturmbannführer*, whose name, as I later found out, was Höfle, told us to sit at the table and addressed us with the following words: "So, gentlemen, the time has come to displace the Jews from Warsaw. Please record the following order." He started to dictate a pre-prepared order, whose wording was more or less this: "The unproductive residents of the Jewish district are to be relocated to the east. The following persons may remain in the district: employees of procurement units, employees of workshops operating on behalf of the German army, members of the *Ordnungsdienst*, and indispensable officials of the Judenrat with their families. Everybody else is subject to displacement. Note that the evictees may take a displacement package not exceeding 15 kilos. It is allowed to carry valuables and money." This is broadly what the order stipulated.

The chairman of the Judenrat, in an attempt to rescue the maximum number of people who would qualify for the aforementioned groups, explained that there was a number

of social institutions in the district, which were indispensable and employed a number of people. These were the welfare institutions (The Jewish Society of Welfare, the so-called JHK, that is *Jüdisches Hilfskomitee*), institutions of economy, procurement units, cooperative bank for disbursement operations, garbage disposal institution, and a number of affiliated institutions. The chairman requested that the employees of all these institutions be considered employees of the Judenrat. In his magnanimity, Maj. Höfle agreed. Later, the wording of the order placed on the posters could be altered so as to accommodate one's own interpretation of who should qualify as a professionally active person exempt from displacement.

After dictating this official order, signed by – as they told us – an anonymous *Beauftragte für die Umsiedlung* [relocation officer], whose name was obviously not mentioned, oral orders followed.

And so, in order to facilitate the process of loading, the Judenrat was supposed to prepare jetties for the displaced citizens. The Judenrat should remember that persons who would die during the operation were to be buried. We sensed how ominous the situation was when we heard this instruction. One more order, maybe the last one: we were supposed to prepare chests or reinforced crates, 150 by 70 cm, for storing necessary items. It was a strange order. It was not until much later that we understood that these chests were used for collecting valuables in Treblinka: gold teeth and other valuable items which had been stolen and had not ended up in the perpetrators' pockets.

Mr. Höfle looked at his watch. It was almost 11.00 a.m. "So, gentlemen, the displacement operation shall begin at 11.00 a.m., that is in a moment. I am hereby appointing head of the *Ordnungsdienst* the person responsible for executing the operation." It was specified that the quota of 6,000 persons was to be delivered by the end of the day and then the meeting room was vacated.

We left the meeting room to carry out the order of the director of the *Ordnungsdienst*. A few Judenrat members had remained with Chairman Czerniaków. We went to his office adapt to the situation and analyze the orders between ourselves. In the chairman's office, after all the outsiders had left, someone said, "We need to proceed to execute the order," because it had already started to dawn on us what the displacement meant. We had news concerning the displacement operation in Lublin in March. While we still tried to believe otherwise, we



realized that refusing to carry out the order was not just a matter of sacrificing the lives of the dozen of the Judenrat members. It was a sabotage which could lead to the deaths of a significant number of the residents of the district. But we still refused to believe that this was extermination, instead thinking that it was partial displacement, and that those whom the occupying authorities needed would maybe survive. But these words did not go unnoticed.

After a short discussion, it was decided that if a batch was to be delivered immediately, then it should be mostly those people who are convicted anyway, that is, those few hundred people who were in jails and the wretched people who were dying a slow death in first-aid stations care facilities.

This final meeting did not last long. Eng. Adam Czerniaków, chairman of the Judenrat, who had been discharging his duties in face of so many adversities, but at the same time with such dignity that he impressed the Germans with his personal ambition, offered the following conclusions: after the meeting ended, smiling, he came up to a cabinet in his office, took out a key, and showed us a little jar of cyanide: a hefty portion of over 100 grams. He made use of it the following day. The next day, on 24 July, when I was leaving the office around 5.00 p.m., the chairman was still working. Around three hours later, they sent someone over to my place to tell me that the chairman had committed suicide. When I got to his office, I only found the corpse sitting at the desk. He left two small pages from his notepad, jotted with green ink, in his illegible, small handwriting. One note was addressed to his wife and was his farewell: the chairman asked his wife to kiss his beloved son Jaś upon his return, because he was not in the district. The other note was very formal and addressed to the Judenrat. In the afternoon, Borthof (?) came with his comrades, they were members of this SS team. I knew his name because he was in charge of the displacement operation in Kielce in March. Borthof (?) and the others demanded a batch of 12,000 Jews to be delivered the following day. Just a signature, and that was it. Late in the evening, we started to gather the members of the Judenrat, which was not easy because the curfew had long been in place. An all-night meeting commenced, the foremost item on the agenda being the appointment of a new *Obmann* [chairman].

There were not many members in attendance. The person we appointed chairman was suited for the job because of his previously held position: it was Eng. Marek Lichtenbaum,

a former vice-chairman, who accepted his appointment being fully aware of what his new role would mean. Mr. Stolzman and attorney Wielikowski were appointed vice-chairmen.

The displacement operation progressed as scheduled. The displacement command demanded that a luxurious flat be prepared for them in probably the only modern house, at Żelazna Street 103: it had furniture, house service, food, and drink – they would not have it any other way. This command indeed came from Lublin because they used a seal with the German eagle and the sign *Der Kommandeur Sicherheitspolizei, Lublin, Einsatz Einheit*. Operating under this name was the infamous *Vernichtungskommando* [destruction unit].

People designated for deportation were delivered by the *Ordnungsdienst* only for the first couple of days.

**Prosecutor Sawicki:** As regards the history of the ghetto, experts have been appointed who are in possession of more extensive evidence. Unless Your Honors decide otherwise, the prosecution will not be looking for any further testimony.

**Presiding judge:** Maybe we will move on to questions now.

**Witness:** I will not talk about how the operation progressed. I would like to mention two personal experiences of mine.

A few days into the operation, when the evacuation of the so-called small ghetto was ordered, I took time to go to my flat to pick up some small items for myself and my son. I went there at night and in the morning I was at the flat. The displacement was carried out by means of the usual German accessories, accompanied by salvos. Everybody was stood in a column. In the meantime, they were checking if anybody had stayed behind. An orderly reported to a non-commissioned officer and showed him my ID of a Judenrat official. The German generously let me go. When I returned to the courtyard and to the staircase of my house, I saw a horror show. Those who were not coming downstairs quickly enough when ordered were killed on the spot. In one flat, there were several corpses after such an operation, not to mention the fact that all the flats had been – to use a popular expression – looted, pillaged.

There was one more moment which has left an indelible mark on me. After the small ghetto had been emptied, toward the end of August, Prof. Bałaban was granted permission to remove a book collection from his flat. I went with him to Sienna Street, where he lived. It

was already two weeks after this district was emptied. In the courtyard, I saw the corpse of a woman, already black, in a state of complete decay. Next to that decomposing body, I saw two little children, alive. I will never forget the sight of these two children, maybe three-year-olds, nestling with their mother's odorous corpse.

The displacement continued as planned, with a short interval at the end of August, when the *Vernichtungskommando* was making a guest appearance in Otwock. Its final act was the so-called *kocioł*, between 6 and 8 August, when all the people from the blocks was brought to one spot, so-called Gęsiówka. A selection was performed and *Sturmbannführer* Höfle himself was in attendance. The operation, about which the German authorities had to briefed daily, resulted in 300,000 deaths, not including hundreds of people killed during the action every day. These corpses had no funeral, but they were instead loaded into all available means of transport, onto carts, etc. Scores of corpses were transported to the cemetery to execute the Judenrat's decree on the obligation of removing the bodies of the persons who died in the course of the displacement operation.

The command had officially agreed to leave approximately 30,000 people in the district, that is people recognized as the employees of Jewish enterprises. Since these facts are well-known, I will not discuss them. Let me just say that I survived one selection, on 17 January 1943. It was carried out among a group of the Judenrat officials and employees. The selection was personally carried out by *Untersturmführer* Brandt, who played the following joke: Brandt spotted an old caretaker employed at the Judenrat, whom he knew, and said, "This one is free to go." Then, a woman with a couple of children appeared and Brandt ordered her to join the group designated for displacement. The woman said, "I am the caretaker's wife, please don't separate us." Then, the German called out the caretaker, who was with the released, and told him, "Go with your family."

I remember that once he designated one official for displacement, and when this man dallied, thinking that the fact he was an official would save him, the German officer started to furiously beat him across the head with the hard hilt of his whip.

These are just bits and pieces. I will not discuss them anymore so as not to take up any more time, because I could talk about these atrocities forever. I managed to leave the ghetto carrying a one-year-old baby, thanks to the efforts of my friends, in February 1943, and then my links to the ghetto were severed.

**Presiding judge:** In connection with the Kot case – do you know with whom Chairman Czerniaków spoke at the Gestapo?

**Witness:** I do not know whom exactly he spoke to.

**Presiding judge:** The chairman did not talk about this?

**Witness:** No, not to me personally, anyway.

**Presiding judge:** Who actually decided who would be deported and who would be executed?

**Witness:** He did not tell me this.

**Presiding judge:** Was this Brandt part of the Lublin group?

**Witness:** No, he was head of the Department of Jewish Affairs and the chairman had to report to him twice a week.

**Judge Grudziński:** You said that the *Einsatzgruppe* dealt with the Jewish affairs. How long?

**Witness:** Until the permanent administration was in place, that is during fall 1939. Later, these authorities acted in the name of the *Sicherheitspolizei* commandant.

**Judge:** At that time, were the documents issued by the *Einsatzgruppe* signed by defendant Meisinger?

**Witness:** I saw his signature on a document dated 7 October 1939.

**Judge:** Around that time, did Eng. Czerniaków maybe say that he was in touch with defendant Meisinger, that he visited his office or made requests?

**Witness:** Yes, he did say that.

**Judge:** The reason I am asking is that I would like you to specify the context in which Meisinger's name was mentioned during that period.

**Witness:** It is difficult for me to address this issue at length because I was not really involved in the chairman's activities in that department. I only ran the office and worked as a legal clerk. I only know that he mentioned this name in connection with the orders he received at the Gestapo command on Szucha Avenue. In the context of the orders that he would

get there, he mentioned Brandt, then *Oberscharführer* Münde [?] also gave orders at that department, and Meisinger's name was also mentioned.

**Judge:** Was Meisinger's name mentioned in connection with the execution of the 53 Jews on Nalewki Street?

**Witness:** At that time, I did not work for the Judenrat yet and I had no direct contacts with the chairman, and I only know of this event from second-hand accounts, and not from any direct contacts.

**Judge:** And did these accounts make mention of Meisinger's name?

**Witness:** I cannot tell.

**Judge:** And what were the circumstances under which you or the Judenrat had contacts with defendant Leist during this entire period? I am particularly interested in the period when the borders of the Jewish district were being altered. Were the relevant orders given to the Judenrat, were they printed, and did Leist himself issue them?

**Witness:** The first order, dated October 1940, was signed by Leist. That month saw the alteration of the district's borders, also ordered by Leist. But the borders were actually changed all the time. All the time, some blocks or streets were excluded, or the planned way of sealing the district off would change, the idea now being to surround it with a continuous wall rather than wall up the street exits. Issues connected with raising the walls and setting the borders were dealt with in an office supervised by Leist. These were instructions issued precisely by the offices of the *Stadthauptmann*, until the commissariat of the Jewish district was formed under the April 1941 decree. From that date onward, the decrees concerning the alteration of the district's borders were issued by commissar Auerswald.

**Prosecutor Sawicki:** To corroborate the witness's statements, I hereby submit two original decrees: the *Anordnung* of 7 August 1940, signed by *Der Beauftragte der Stadt Warschau Leist SA Oberführer*, and the other one, where the ghetto is downsized: "The Jewish district is delimited by the streets specified in the attachment." It was signed by *Der Beauftragte der Stadt Warschau Leist SA Oberführer* and dated 14 January 1941.

**Witness:** As regards jurisdiction, it was only in August 1942, I believe (I remember this date because I already worked on Zamenhoffa Street, after the Judenrat was expelled

from Grzybowska Street), that we received the "Journal of Acts" (*Verordnungsblatt*), which included a decree concerning the attribution of competence in the General Government between the civil administration and the head of *Sicherheitspolizei* and the SS. One item now falling directly in the purview of the head of *Sicherheitspolizei* and the SS, listed toward the end, was *Jüdische Angelegenheit* [Jewish affairs]. It was in summer 1942.

**Judge Grudziński:** Do you remember what decrees were issued during the period when the Judenrat still got orders from Leist? How did Leist treat the ghetto?

**Witness:** From the first days, it was the issue of posting the warning signs: "Achtung! Seuchengebiet" [warning, epidemic area], "Seuchengefahr" [danger of epidemic], etc.

**Judge:** Were they orders in writing, which the Judenrat received?

**Witness:** Correct.

**Judge:** Signed by Leist?

**Witness:** Not yet in 1939, because Leist only took office at the beginning of 1940. He was then appointed *Beauftragte* for Warsaw. From the beginning of 1940 onwards, the construction of walls and all administrative matters of the Judenrat were in his purview. I remember that even with regard to minor budgetary issues the chairman of the Judenrat had to consult the *Stadthauptmann's* office, Department II for Finances, and Department IV for Construction, which handled the walls. These decrees and decisions were issued by the *Stadthauptmann's* office.

**Judge:** Could you discuss the attribution of competence between the German authorities in that period? What was in Leist's purview?

**Witness:** It would be difficult for me to answer this question because the German administration system was confusing and chaotic. Strict delimitation of areas of competence is difficult. Any German in a uniform was the authority.

**Judge:** What kind of decrees signed by Leist did the Judenrat receive?

**Witness:** They were of administrative character.

**Judge:** What about the decrees on registering? Were they issued by Leist, too?

**Witness:** Yes.

**Judge:** What other decrees did he issue?

**Witness:** The decree concerning registration. There was a series of registration procedures in connection with the compulsion to work, which I have discussed.

**Judge:** And what about apportioning food rations?

**Witness:** At first, once the Jewish district was established, this was in the *Stadthauptmann's* purview, too.

**Judge:** When this issue was in Leist's purview, did he handle it personally, or did the institutions subordinated to him do it?

**Witness:** That depends on the issue. Some issues were dealt with at Department II [?] for Alimentation, and others in Department IV for Construction.

**Judge:** Was the chairman of the Judenrat in contact with Leist?

**Witness:** I have no way to tell.

**Prosecutor Siewierski:** Would you please explain the following: I am now interested not in the attribution of competence between the governor and the *Stadthauptmann*, but between the police and civil administration.

**The second question:** were the policies of the police authorities and the administration diverse, were they consistent, and what was included in all these decrees addressed to the Judenrat?

**Witness:** The diversity was significant because the district authority was at all times the office of the representative, or later the city mayor and *Abteilung Umsiedlung* [department of relocations]. These areas of competence were not separated, anyway, and the chairman of the Judenrat received orders concerning the same matters from different institutions. With regard to issues of vital interest to the Germans, such as health, morbidity rate, hospital operations, and, first and foremost, mortality rate, the relevant reports and statistics were demanded by all types of authorities: both the civilian administration and the Gestapo.

**Prosecutor:** My question is whether these different channels of issuing orders were consistent with respect to the general policy, namely, that of persecuting the Jewish population, or, say, whether the civilian administration stood up for the Jews and it was only the police that persecuted them.

**Witness:** The administration did not stand up for the Jews. What I mean by administrative confusion is that it was not possible to anticipate what kind of repressive orders would be issued and by whom. The orders always intended to harass these citizens, only sometimes they came in the guises of purely administrative orders, e.g. concerning rations or minor office issues.

**Presiding judge:** Does the defense have any questions?

**Defense attorney Śliwowski:** You said that the Judenrat received from defendant Leist an order concerning the ban on registering the local or migrating Jews outside the area of the so-called *Seuchensperrgebiet* [epidemic area].

**Witness:** That is correct.

**Defense attorney:** When was it?

**Witness:** It was in July 1940. The order was printed in the *Mitteilungsblatt*, which has been included in the files. I believe it was also printed in the "Nowy Kurier Warszawski" newspaper.

**Defense attorney:** Was the area covered by the *Seuchensperrgebiet* specified?

**Witness:** No, it was just said that they can be registered only in the *Seuchensperrgebiet*.

**Defense attorney:** Was it signed by defendant Leist in his capacity as the *Stadthauptmann*?

**Witness:** I do not remember.

**Defense attorney:** Aside from these two orders, that is, aside from the first order on the general delineation of the ghetto borders, and the second order, are you familiar with any further orders signed by the *Stadthauptmann*?

**Witness:** With regard to the orders printed in the Official Gazette of the municipal board, only these two were printed with Leist's signature.



**Judge Grudziński:** The order concerning the trams was the third one, is that correct?

**Witness:** Yes, but it was not printed in the *Mitteilungsblatt* but in "Nowy Kurier Warszawski." But it would be a mistake to only consider as orders those which appeared in writing. A lot of orders were issued orally.

**Defense attorney Śliwowski:** I am interested in the order concerning the alteration of the ghetto borders. The first general order was dated 7 August and concerned the establishment of the ghetto, and the second concerned the alteration of its borders. Other than that, were there any other orders signed by the *Stadthauptmann*?

**Witness:** Let me reiterate that a number of changes to the ghetto borders were effected following oral instructions.

**Defense attorney:** Who gave them?

**Witness:** The *Stadthauptmann's* office.

**Defense attorney:** In what form?

**Witness:** The chairman was ordered to report to one of the officials with the Constructions Department, on Daniłowiczowska Street, and they would say, "This wall needs to be moved over there. This block is excluded from the district." Characteristically, all construction works were done by one company, and the costs were charged to the Judenrat. It was a tremendous strain for the Judenrat's budget.

**Defense attorney:** Were these orders issued by the Finance Department at the *Stadthauptmann's* office, or by the Constructions Department?

**Witness:** Mostly by the Constructions Department.

**Defense attorney:** Do you know what officials were heads of these departments, that is, the Finance Department and Constructions Department?

**Witness:** It is hard to remember. I do not know right now.

**Defense attorney:** Did you have any personal contacts with defendant Leist?

**Witness:** No, I had no contacts whatsoever with the German authorities.

**Defense attorney:** Did you speak to the chairman of the Judenrat about defendant Leist's attitude toward the Jewish population?

**Witness:** I did not.

**Defense attorney:** I have no further questions.

**Defense attorney Wagner:** Sir, do you know when Meisinger left Warsaw and who replaced him?

**Witness:** No, we were not apprised of the changes of the directors of particular departments, nor was it made public.

**Defense attorney:** And you were not informed about that through informal channels?

**Witness:** I knew from informal communications that he had left the office, but I do not know when.

**Defense attorney:** Did you speak to the late Eng. Czerniaków about Meisinger?

**Witness:** No.

**Defense attorney:** Do you know of any instances whereby Eng. Czerniaków had direct contacts with Meisinger, and if he did, what was the nature of these contacts and their outcome?

**Witness:** It is difficult to answer this question. Let me emphasize that the nature of my role at the Judenrat was completely different. I was tasked with a different job and I had no access to the information pertaining to the chairman's contacts with the authorities, nor did he confide in me. I only know about the general issues.

**Defense attorney Śliwowski:** When did your friend receive a list of deportees?

**Witness:** At the beginning of 1942.

**Defense attorney:** Did your friend come across the name of Col. Bałaban?

**Witness:** I do not remember this name because the correspondence passing through my office was the correspondence with the civilian authorities.

**Defense attorney:** And what about Col. Daume?

**Witness:** This was a well-known name, but not in connection with my job.

**Judge Grudziński:** And after April 1942?

**Witness:** There were orders issued by the head of the Justice Department, and we also had contacts with the head of the Welfare Department. All divisions had contacts with proper departments at the Government's office. Healthcare issues were handled by German doctors. The head of sanitation was Dr. Richter, and the Judenrat sanitation office was in touch with him.

**Presiding judge:** Are you familiar with the issue of the delivery of a certain number of fur coats in 1942?

**Witness:** The order concerning the obligation to deliver fur coats was issued by Mr. Auerswald in December 1941. Chairman Czerniaków is known to have been promised the lives of a few hundred convicts for delivering a few hundred fur coats.

**Judge Rybczyński:** Who issued this demand and promised the release of the convicts in exchange for the coats? Was governor Fischer maybe mentioned in that context?

**Witness:** I do not recall that.

**Judge Grudziński:** Did anyone from the Judenrat speak personally to governor Fischer?

**Witness:** No, impossible.

**Presiding judge:** Are there any further questions?

**Defense attorney Chmurski:** Sir, did the Judenrat file any requests or complaints with the Government in Kraków?

**Witness:** I do not recall any such case. It was impossible due to protocols. The Judenrat only had contacts with the *Stadthauptmann*.

**Defendant Meisinger:** I am asking for permission to ask the witness if he maybe recalls if the passes mentioned by the defense included two letters: "I.A."

**Witness:** There were no such letters on chairman Czerniaków's pass.

**Defendant:** I need to make a short statement: I was never head of the *Einsatzgruppe IV* task force.

**Presiding judge:** This statement is already on record.

**Defendant:** I would like to say once more that around that time I signed thousands of passes, which I would have never done if I had been head of this taskforce because it was not the responsibility of the head of this unit. Apparently, whoever produced this document forgot to write the "I.A." letters.

**Defense attorney Węgliński:** Sir, would you please tell us if the name Daume was known to you and in what context.

**Witness:** I knew it and I associated it with a police officer, but I cannot recall the circumstances in which I first heard it.