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CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2006

e/EUR

| DISPATCH | CLASSIFICATION | PROCESSING ACTION | |
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| | S E C R E T | | MARKED FOR INDEXING |
| TO | Chief, EUR | X | NO INDEXING REQUIRED |
| INFO. | Chief of Station, Germany | | ONLY QUALIFIED DESK CAN JUDGE INDEXING |
| FROM | Chief of Base, Hamburg <i>ARMS</i> | | MICROFILM |
| SUBJECT | Operational/CALL CAINFER-1 | | |
| ACTION REQUIRED - REFERENCES | | | |
| <p>References: A. EGGA-3936, May 1967 B. DIRECTOR 03805, May 1967 C. BONN 8715, May 1967 D. EGGW-1246, May 1967 E. EGGA-9016, August 1967 F. EGNA-34966, August 1967 G. EGGW-1264, August 1967 H. EGGA-84855, August 1967</p> | | | |
| Action Required: See Paragraphs 14 and 25. | | | |
| <u>SYNOPSIS</u> | | | |
| <p>This dispatch reports on the second meeting with Subject, which took place on 7 September 1967. Details concerning the two court cases in which Subject was involved are reported herein, and some documentary material concerning these cases is being forwarded under separate cover. Based on what we now know, it appears improbable, though not impossible, that CAINFER-1 will be subjected to further investigation, court action, or unfavorable publicity. An assessment of Subject's personality, motivation, political thinking, and of his potential as an NPD penetration asset is also included.</p> | | | |
| <p>Separate Cover Attachment 1. Documentary Material 2. Identities <i>See also EGGA-4030</i> <i>Dated: 6 OCT 1967</i></p> | | | |
| <p>Distribution: 3 - C/EUR, w/atts u/s/c 2 - COS, Germany, w/atts u/s/c</p> | | | |
| <i>5 ATT'S</i> | | CS COPY | |
| CROSS REFERENCE TO | DISPATCH SYMBOL AND NUMBER | DATE | |
| | EGGA-4030 | 21 Sept. 1967 <i>RPS</i> | |
| | CLASSIFICATION | HQS FILE NUMBER | |
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| <p>1. The second meeting with Subject was held in Subject's hometown on 7 September 1967. Our main objectives of this meeting were:</p> <ul style="list-style-type: none"> a. To determine what war crimes Subject has been or may still be charged with, and to learn the status of his cases in courts; b. To gain a deeper assessment of his personality, his motivation, his present political thinking, and his sincerity of intention; and c. To assess his potential as a penetration asset. <p>2. Subject furnished us with some documentary material in connection with two past court actions against him. He claims that, other than these two cases, which will be reported in more detail below, there are no court actions pending against him, nor is there anything in his past other than these two incidences which could result in further court action. We hope to be able to establish through SGSWIRL examination in the near future whether or not Subject has told us the complete truth.</p> <p>3. ^{VENLO} The Identity-1 Affair: Forwarded as Attachment "A" of the Separate Cover Attachment is a copy of a May 1965 summons for Subject to appear for questioning in connection with his role in the Identity 1 Affair. Attachment "B" is the copy of a notice from the district attorney of Subject's home town, dated August 1966, informing him that the investigation against him in the Identity 1 Affair has been discontinued. Attachment "B" gives no reason for discontinuation of the case.</p> <p>4. Subject told the case officer that he was in charge of an SS detail in the Identity 1 affair which involved the kidnapping of two British agents and resulted in the mortal wounding of Identity 2. Subject stated that the district attorney suspended further action because it was impossible to prove that Identity 2 was mortally wounded by Subject. According to Subject, Identity 2 fired the first shot once he realized that he had walked into a trap. Subject was able to satisfy the D.A. that he and his SS-unit fired back in self-defense, and with no intention to kill, since Identity 2 would have been worth more alive than dead to German authorities. Furthermore, since several men - perhaps as many as 12 - fired at Identity 2, it was impossible to determine whose bullet wounded Identity 2. Finally, Identity 2 lived for several days after being wounded, and it was impossible to determine whether he died from the bullet wound or from inadequate medical attention. As a result the D.A. took no further action in this case, and Subject was told by his lawyer that the D.A.'s decision closes the case forever.</p> <p>5. ^{BURNING of BLACK FRONT RADIO STATION, 1935} The Identity 3 Affair: This incident took place some 33 years ago and hence cannot be classified as a war crime. Subject was involved in this case with Identity 4, who died in early 1966. Identity 4 was charged with the murder of Identity 5 and arson, while Subject was charged with arson. Since Identity 4 died before the case came to trial, and since Subject lives in another city, the court claimed that it has no jurisdiction to hear Subject's case. It clearly separated the crime with which Subject was charged from the charges against Identity 4.</p> | | |
| FORM 10-57 53a (40) | USE PREVIOUS EDITION. REPLACES FORMS 51-28, 51-28A AND 51-29 WHICH ARE OBSOLETE. | CLASSIFICATION S E C R E T |
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Lt. F. H. KLOP

MURKIN FORMS

Alfred NAUTON

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| <p>6. While the statute of limitations on the crime of arson, under current West German law, is 15 years, Subject explained that the period is automatically extended by that many years when a court action is initiated before the statute of limitations expires. The 15-year period was established by law in 1949. However, the charges against Subject were first brought in the early 1950's. The case at that time never came to court because of lack of evidence and witnesses. The case came up again about five years ago when Subject came under a lengthy investigation together with Identity 4. The investigation was broken off through Identity 4's death and resulted in the court's claim that it has no jurisdiction to hear Subject's case, and that Subject's case could just as easily be heard by another court, specifically the court in Subject's home town. Attachment "C" is a copy of the court's decision. Attachment "D" consists of press releases announcing Subject's acquittal of any responsibility for the death of Identity 5. (One of the press releases also refers to Subject as a "small fish" who did not commit any serious crimes during the Hitler era.)</p> <p>7. Subject stated that he has been advised by his lawyer that the above-cited court decision in effect closes the case. His lawyer does not believe that any other court would hear such "relatively minor" charges which are based on an action which took place more than thirty years ago and does not come into the category of war crimes or crimes against humanity. It would be virtually impossible for the prosecution to present evidence, let alone witnesses, after so many years, and the court calendars are full with scheduled trials for crimes of "more recent vintage".</p> <p>8. Nevertheless, Subject pointed out that [his joining the NPD may cause just enough attention to prompt the local D.A. to reopen the case against Subject, if for no other purpose than harrassment of, and unfavorable publicity for, the NPD. Subject claims that he had this, and only this, in mind when he asked during our first meeting whether we would be able to back him up or intervene on his behalf. He emphasized that he did not ask the question in the hope that we would be able to influence the outcome of any possible trial, but rather in order to call our attention to the possibility that such publicity might have an unfavorable effect on our clandestine relationship with him.</p> <p>9. Subject was told again that intervention with the courts or D.A. on his behalf was impossible, and that we would not engage in any clandestine relationship with him until the facts concerning his case have been fully evaluated, and until we are fairly certain that there will be no further court action against him.</p> <p>10. Comment: The one factor which remains to be established conclusively is whether Subject has told us the complete truth about events of his past which are apt to subject him to court action. The facts which he has given us, supported by documentary evidence, argue against the probability of further court action. Subject states there is nothing else in his past, and his interrogation report and BDC check seem to confirm this. A SGSWIRL examination should help to clarify the situation. On the basis of what we now know, we consider it unlikely that there will be further court action against Subject, but we must reckon with the possibility that there</p> | | | | |
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how late*

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| <p>may be something in Subject's past which is not reflected in available records, and which he himself may not - or no longer - be aware of, which may still be raised by the press or by a D.A. before the general statute of limitations on war crimes expires in 1969.</p> <p>11. In this connection we questioned him on charges of involuntary manslaughter which according to BDC records were brought against him in January 1936, and for which he received a suspended prison sentence of six months. Subject stated this involved a collision between his motorcycle and a policecar, as a result of which a policeman was killed. Subject stated he was found guilty of causing a death by operating a vehicle which was not properly lit after dark. He added that the accident was not entirely his fault, since the policecar was on the wrong side of the road. He admitted that the accident could have been avoided if the motorcycle, an SS vehicle, had been in proper technical condition.</p> <p>12. We also questioned Subject about disciplinary measures for disobedience taken against him by the SS in the early 1930's. (This also was reflected in his BDC check.) Subject explained that he was demoted for refusing to serve coffee and cake to the wife of a high-ranking SS officer (Heydrich). He considered this beneath the dignity of an SS man.</p> <p>13. Contact with Identity 6: ^{otto SKORZENY} As reported previously, Subject visited Identity 6 in 1966. He stated that this was his first contact with him since the end of World War II. Subject happened to be in Madrid on a vacation trip in 1966 and found that Identity 6 is listed in the Madrid phone book. The two men spent a long evening together reminiscing about the past, and discussing the present and future. According to Subject, Identity 6 is strongly pro-American, based largely on the treatment he received during imprisonment after World War II. According to Subject, Identity 6 stated that he was offered a job by the Americans after the war, but Subject knew no further details. Subject stated that his contact with Identity 6 in 1966 has been the only one since 1945, and that he has not corresponded with him since his Madrid encounter.</p> <p>14. We would appreciate being informed by Headquarters whether there is any substance to Identity 6's alleged claim. <i>None</i></p> <p><u>GENERAL ASSESSMENT OF SUBJECT:</u></p> <p>15. The interrogation report on Subject, dated 24 July 1945, which was forwarded under Reference D, described Subject as intelligent but "temperamentally unstable". The same report also states that his reliability is questionable, and that he is religious, highly emotional, and a believer in Free-Masonry, mysticism, and fortune-telling. We kept this 1945 evaluation of Subject very much in mind during our two meetings with him so far. At the same time it must also be borne in mind that some 22 years have elapsed since, and that much of what undoubtedly bothered Subject in 1945 has since been resolved, rationalized or suppressed in his own mind. A psychiatric examination, or perhaps even a <u>JBMINIMUM</u> test, may reveal some deeply-rooted, still unresolved problems. But on the surface Subject gives every appearance of being an intelligent, calm, stable individual who has made peace</p> | | | | |
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| <p>with himself and with the world. We have noticed no indications of temperamental instability or uncontrolled emotion. To the contrary, Subject so far has handled himself extremely well in answering our probing questions, many of which undoubtedly recalled unpleasant memories and could easily have evoked strongly emotional reactions. If any concrete statement can be made about his way of handling himself, we would describe him as an old professional intelligence officer whose entire bearing still very much portrays his past calling. He does display a keen interest in Free Masonry and in the three major religions and apparently has done a lot of reading on these subjects. On the other hand, we have noted no indications that he believes in mysticism and fortune-telling, though this may still be the case.</p> <p>16. As for his questionable reliability, as it was described in 1945, we can state only that as of now his statements have been substantiated by documentary evidence. We will subject him to a SGSWIRL examination in the near future.</p> <p>17. <u>Past and Present Political Thinking:</u> Subject is the first one to admit that it is difficult to understand how a man of his past background would now offer his services to penetrate a right-radical element on our behalf. His explanation is that he, like many young men in the early '30's, joined the SS for love of adventure and excitement, not for love of the NSDAP. Party membership was, of course, a pre-requisite, but Subject claims that many SS members considered the party a necessary evil and were disturbed and annoyed by the many hours they had to devote to party indoctrination and theory. He added that the real party adherents joined the SA, not the SS.</p> <p>18. Subject views his service in the SS as service to his country, rather than as service to the party, and he refuses to acknowledge that in those days the two were the same thing, even though he recognizes that Germany's policy was dictated and executed by the party in the very same way it is happening in East Germany today. He points out that the Iron Cross which he was awarded personally by Adolf Hitler for his role in the Identity 1 incident, was for a paramilitary action, not for service to the party.</p> <p>19. Subject maintains that he became totally disillusioned with National Socialism when he learned from fellow-SS officers what was going on in concentration camps, and he states that he no longer could combine these events with his strong religious beliefs. For this reason, mainly, he established contact with resistance elements in Austria.</p> <p>20. Subject was asked how we should view his statement (see paragraph 8, Reference E) that he considers the July 1944 attempted coup against Hitler an act of treason and crime against Germany, notwithstanding the fact that Subject himself was disillusioned and had taken up contact with resistance elements. His reply: Perhaps he had expressed himself incorrectly the first time. He does not condemn the attempt per se, but rather the manner in which it was executed, and the people involved. He stated that in his opinion:</p> <p>a. The coup was organized by people who acted on selfish principles and wanted to save themselves once they saw the handwriting on the wall;</p> | | |
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| <p>b. There was a lot of back-stabbing and in-fighting within the 20 July group, and it was poorly organized; and</p> <p>c. The coup could and should have been attempted much sooner and in such a way as not to endanger other human lives.</p> | | |
| <p>21. Subject maintains that, once he had seen the light, he recognized that National Socialism, like any other form of extreme radicalism, spoils the character of those attracted to it, and it also attracts the least desirable elements of society. Translating these feelings into present-day views, he still considers himself a political conservative, nor does he deny that National Socialism did anything good for Germany. (He particularly pointed to economic progress before World War II as a positive aspect of the Hitler era.) However, much as the Social Democrats on the left side of the political spectrum have barely anything in common with the radical left elements, so does Subject, in his view, no longer have anything in common with the extreme right wing. He feels that a resurgence of any form of right radicalism would spell the eternal doom of Germany, and he, as a proud German nationalist, does not want to see this happen. He feels that the NPD is the one organized group in West Germany today which attracts right radicals and, though still insignificant today, the party could serve as a tool for these elements to organize in strength. For this reason Subject offered his services to us, and only to us, because he feels that the West Germans are too unconcerned and indifferent about events in the NPD.</p> | | |
| <p>22. <u>Subject's Potential As A Penetration Asset:</u> If Subject has told us the whole truth, and if our assessment of him is correct, he will most likely be able to perform a valuable service for us in a target which is still marginal but may become of increasing interest and concern. His background certainly would make him attractive for the NPD or any other right radical grouping. Identity 7 has asked Subject several times in the past whether he would like to join the party. Subject allegedly stalled by telling Identity 7 that he would first like to clear himself in the courts completely.</p> <p style="text-align: right;"><i>Klaus Justner NPD Chairman Karl's Ploeh.</i></p> | | |
| <p>23. Subject knows only Identity 7 and two members who have no function in the party. However, he feels that once he is in the party, it would not be a problem for him to establish contact with the leading functionaries of the party and thus pave his way into the inner-circles of the leadership. His background, he believes, would be enough of a drawing card for NPD officials.</p> | | |
| <p>24. We believe that Subject, an old intelligence hand himself, would present no handling difficulties once his bona fides have been fully established, and once he is a party member. We also believe that he is intelligent and alert enough to furnish the kind of intelligence we would expect, i.e., information pertaining to party policy, leadership, changes in party policy and leadership, and contacts of the party in Germany as well as in other countries.</p> | | |
| <p>25. The next meeting with Subject is scheduled for 6 December 1967. (He will be on an extended health cure during October and November.) Addressee comments on the developments to date in this case would be appreciated.</p> | | |
| <p>FORM 10-57 53a (40)</p> | <p>USE PREVIOUS EDITION. REPLACES FORMS 51-28, 51-28A AND 51-29 WHICH ARE OBSOLETE.</p> <p>CLASSIFICATION S E C R E T</p> | <p>PAGE NO. 6</p> <p><input checked="" type="checkbox"/> CONTINUED</p> <p style="text-align: right;"><i>RPS</i></p> |

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| <p>as [26. For the record: The undersigned is known to Subject]</p> <p>[]</p> | | | |
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Land Police of Schleswig Holstein
Land Criminal Police Office
- SK/NS -
23 Kiel
Mühlenweg 166, House 11

S/C ATT # 1 to EGGA 4030
201 817051

Kiel, 4 May 1965

To: Mr. Werner Göttsch
23 Kiel
Alte Lübecker Ch. 28

Summons

Hamburg

In the criminal proceedings of the Hamburg Public Prosecutor's Office -
Az. 141 Js 181/65 - you are summoned for your interrogation as the
defendant on a charge of murder by the investigating magistrate in Kiel. I
therefore request that you appear on Tuesday, 11 May 1965 at 0930 hours
in 23 Kiel, Mühlenweg 166, Eichhof-Haus 11, ground-floor, room 36, under
presentation of this summons.

Please, bring along:

Personal identification papers.

1 copy of each given
to CIAA - 1 Dec 67. }

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"B"

Public Prosecutor's Office
at the Land Court in Kiel
2 Js 430/65

S/C ATT # 2 to EGGA 4030
201 817051

Kiel, 17 August 1966
Schützenwall 31-35
Tel. 6 20 20

To the Commercial Employee

Werner Göttsch

Kiel

Alte Lübecker Chaussee 28.

Re: Your police interrogation of 11 May 1965.

The investigation ~~case~~ against you on suspicion of participation
in National Socialist crimes of violence (Venlo incident) has been
closed.

By order:

(sig.) Wolfram
Justice employee
~~Law Officer~~

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S/C ATT # 3 to ^{HC}EGGA 4030
201 817051

(32) 12/67

Land Court Hamburg

Criminal Court 2

Decision.

In the Criminal Proceedings

against

Werner Theodor GÖTTSCHE,

born 23 October 1912 in Kiel,

the Land Court in Hamburg, Criminal Court 2, decided on 17 March 1967

by the following judges

1. Land Court Counsellor Dr. Jensen
2. Land Court Counsellor Kunde
3. Court Assessor Roscher:

*The Criminal Court refuses to open the trial, because it
The indictment is dismissed as the Criminal Court does not
that it has local jurisdiction in this case.*

consider ~~the local competence as given~~

Reasons:

As a decision about the local ~~competence~~ ^{jurisdiction} was not made during the preliminary investigation, the Criminal Court has to examine this ^{jurisdiction} ~~competence~~ in an official capacity prior to the indictment. In this respect it must be considered that the preliminary investigation against the accused was opened on 19 September 1966 on suspicion of arson. This ^{charge} ~~report~~ was not the subject of the preliminary investigation against Naujocks, who died on 4 April 1966. The Criminal Court is also unable to recognize any concomitance between the ^{charge} ~~report~~ of homicide raised and the arson, and the recent preliminary investigation therefore related

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to a new criminal ~~proceeding~~^{charge} after the decease of Naujocks against the accused Göttsch, who still resides in Kiel. A connection with Naujocks can therefore not be perceived either on personal or factual grounds. Moreover, the case is no longer conducted as against Naujocks et al, which would presuppose according to the distribution of business the ~~competence~~^{jurisdiction} of another Criminal Court of the Land Court. Reasons of expediency also do not require in this case an adherence to the former ~~competence of the Court~~^{legal status}, for in view of the now remaining simple factual circumstances, another Court can decide the proceedings in the same time.

Dr. Jessen

Kunde

Roscher

Executed

(signature)

Law Assistant.
Clerk of the Court

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Government
~~Free~~ Press Office Hamburg
No. 6

S/C ATT # 4 to ~~EGGA~~ 4030
201 817051

"D"

10 February 1967

Wochendienst

A selection of last week's information, published by
the ~~Free~~ ^{Government} Press Office of the Free and Hanse City of
Hamburg, Hamburg 1, Rathaus, Telephone 36 11 21,
Information: Extension 269).

Justice and the Execution of Sentences

Charge against the former SS-Obersturmbannführer (SS Lieutenant
Colonel) Werner Göttsch.

Charges
~~presented~~ presented

The Judiciary Press Office report^{ed} on 3 February:

The directing Chief Public Prosecutor at the Land Court in
Hamburg has brought charges against the 54-year-old commercial employee
and former SS-Obersturmbannführer Werner Göttsch of Kiel at ~~the~~ Criminal
Court 2 of the Land Court in Hamburg with regard to attempted joint
arson, endangering human lives. (Art. 306 of the penal code). Göttsch is
accused of having ignited an incendiary composition,
as a member of the Security Service on ~~the~~
order of the Secret State Police Office, in a hotel near Prague on
23 January 1935, together with the former SS-Führer (SS Officer) ^{Alfred} Naujocks,
who has died in the meantime. With the aid of this incendiary composition,
a clandestine ~~transmitter~~ transmitter was to be destroyed, which at that time emitted the
broadcasts of the so-called 'Black Front' against the regime then in power.

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During the execution of this assignment, a scuffle took place between Naujocks and the manager of the ~~wireless~~ ^{clandestine} transmitter, the ~~engineer~~ engineer Rudolf Formis, who had emigrated from Germany, in the course of which Formis was killed by two pistol shots.

The proceedings brought against Naujocks were settled by his death. The accused Göttsch, who was covering Naujock's activity in accordance with previous arrangements against the attacks by third persons, could not be ^{proved} ~~proven~~ guilty of participation in the homicide of ~~Formis~~ Engineer Formis, in spite of extensive investigations.

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Hamburger Morgenpost

4 February 1967

The Broadcasting Chief Lay Dead in the Hotel

Before Rudolf Formis had to leave Germany for racial reasons *in 1933* and helped to establish the propaganda transmitter in Czechoslovakia, *broadcasting* he was ~~director of transmissions~~ *radio* at the then Stuttgart ~~broadcasting~~ station. (Our photograph shows him in the transmission room of the station).

Hamburg, 4 February (our own report)

Thirty-two years ago, a hotel room of the Zahari Hotel near Prague burned out. *A clandestine* ~~transmitter~~ transmitter was silenced. Rudolf Formis, the *broadcasting* former ~~director of transmissions~~ *radio* of the Stuttgart ~~broadcasting~~ station, was shot dead and left in the room. Now the directing Chief Public Prosecutor at the Land Court in Hamburg has brought charges against one of the perpetrators.

He is the commercial employee of Kiel and former SS-Obersturmbannführer Werner Göttsch (55). He is accused of having imperiled human lives by attempted *premeditated* ~~deliberate~~ arson. According to Art. 306/11 of the Penal Code, the deed is punishable by imprisonment *at* ~~with~~ hard labor.

Göttsch is only a "small fish" and not one of the big NS criminals of Germany's brown past. Next to him in the dock should properly sit Alfred Naujocks, the "man who started the war."

However, Naujocks, who *had* ¹⁹³⁹ staged the *at* "incident" ~~at~~ the Gleiwitz broadcasting station and thus gave Hitler the pretext for the attack on Poland, died of a heart infarct on 4 April 1966 in Hamburg.

The Morgenpost already had published detailed reports about Naujocks

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and Göttsch on 3 March 1966.

Rudolf Formis left Germany for racial reasons in 1933. From Dobris he transmitted the "Voice" of Otto Strasser's "Black Front" against Hitler-Germany. When protests ~~with~~^{to} the Czechs were of no avail, Naujocks and Göttsch were sent out from Berlin.

Under their cover names of "Hans Müller" and "Gerd Schubert" they approached Formis and went up to the latter's room on 23 January 1935. Formis surprised them, several shots were fired during a scuffle, Naujocks was wounded and Formis killed. The transmitter was destroyed by an incendiary composition.

The Public Prosecutor's Office stated yesterday: "There is no clue ~~of~~^{to} Göttsch's complicity in the death of Formis."

-- Walter Krug

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RPK

S E C R E T

Separate Cover Attachment #2

to EGGA-4030

Identities:

1. The Venlo Affair of 9 November 1939 (described in some detail in William L. Shirer's book, "The Rise and Fall of the Third Reich")
2. Lieutenant fnu KLOP
3. Destruction of Otto STRASSER's Black Front Radio Station in January 1935 in Czechoslovakia.
4. Former SS Obersturmbannfuehrer Alfred NAUJOCKS
5. Rudolf FORMIS, manager of the Black Front Radio Station
6. Otto SKORZENY ()
7. Klaus-Dieter JUETTNER, NPD chairman of Kreis Ploen, Schleswig-Holstein, Nephew of the late SS-Obergruppenfuehrer fnu JUETTNER.

S/C ATT # 5 TO EGGA 4030

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