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20 October 1950

**MEMORANDUM FOR: Director of Central Intelligence**  
**VIA: Deputy Director (Plans)**  
**SUBJECT: The Herben Affair**

1. This memorandum is for the information of the DCI.
2. Attached is a description of the Herben affair which is forwarded in response to the DCI's request.

**GEORGE H. STEWART**  
**Chief, Eastern European Division**

**Attachment:**  
**The Herben Affair**

**cc: IDCI**

**DIP:C/EE:GHS:hd**

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20 October 1960

The Marten Affair

The 23 September 1960 issue of Der Spiegel presented in sensational fashion the story of Berlin attorney and alleged war criminal Dr. Max Marten's civil action against Dr. Karl Marbach, also a Berlin attorney. This article precipitated a political crisis in Greece which is only now simmering down.

Background. Both Marten and Marbach had been military administration officials during the German occupation in Greece.

Marten had entered Greece in 1957 to present a civil restitution claim on behalf of a German client. He was arrested, tried and sentenced to 25 years in prison for alleged atrocities committed against Jews in Greece. His indictment and trial appear to have been a part of an attempt by the Greek government to bring about increased reparations from West Germany. In 1959, following the successful negotiation of a 200 million DM loan to Greece, a special bill was passed in the Greek parliament exonerating Marten, who thereupon returned to West Germany and proceeded to bring suit against Marbach. Marten charged in his suit that Marbach, his predecessor in Greece, withheld evidence which could have exonerated him in his (Marten's) 1957 Greek war crimes trial. According to the Spiegel article, Marten felt that he had been tried for actions of his predecessor, Marbach, and resented the hostility of Marbach and the indifference of the West German government during his trial in Greece.

The Greek Side of the Story. The Greek Government's concern stemmed from the reporting by the domestic opposition press of the Spiegel article, particularly the concluding portion thereof which quoted some damaging allegations by Marten which had also appeared in the SPD-controlled Frankfurter Echo. The Frankfurter Echo story contained statements by Marten which linked Greek Prime Minister Karamanlis and Greek Minister of the Interior Makris to Marten's war-time secretary (now Makris' wife) as being involved in the expropriation of Jewish property as well as being informants of the German occupation authorities. The Echo had reported that Marten claimed to be

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In possession of a photograph (thus far withheld, if it exists) showing Karamalis, Makris, the present Mrs. Makris and Marten which was taken in 1943 in Greece. The Athens press took up the story and debated it in a series of frantic attacks and counter-attacks, adding, however, nothing to the facts.

The Greek Government sent a trusted person to Germany to secure information which would enable the pro-government press to rebut the opposition press. It also sent its Chief of Intelligence to discuss the case with his German counterpart, Minister of the Interior Makris and Under Minister of Defense Theodoris, who had been the governor of Marten's war-time district, brought civil suits for slander in the Greek courts.

The West German government made an official apology to the Greek government and expressed displeasure to the editors of both the Spiegel and the Echo.

As the government crisis developed, [redacted] offered the Agency's good offices to the Greek prime minister who accepted gratefully. [redacted] had also dispatched a senior Greek-speaking operations officer to accompany the aforementioned Greek mission. With the full cooperation of German Station elements, Frankfurt, Bonn, Hamburg and Munich, the [redacted] operations officer received precise information on the German background of the case, indications of West German governmental views, information on the activities and contacts of numerous Greek opposition reporters in Germany and an evaluation of the material passed by General Gabis to his Greek counterpart. As a result of this assistance in Germany the pro-government Greek press was able to buttress the government's position and effectively rebut the opposition reporting. The information also provided insights into German groups and individuals backing Marten's suit. German Station sources and contacts produced information which indicated that the chief motivation behind the expense in Germany was Marten's desire for revenge and rehabilitation and that the suit was not initiated by the West German opposition, the Greek opposition or East Germany. Hans Glawatz provided the most valuable report on this subject.

On 10 October 1960 the Greek parliament was convened (four days ahead of schedule) to debate the Marten issue but adjourned

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debate because the opposition feared that outraged public sentiment resulting from Berton's charges would negate any political advantage to be gained. The expected passing of a vote of confidence did not materialize. It was at this stage that the careful work of the German Station paid off in an important respect. Having established beyond reasonable doubt that the Socialist Party was not involved in the attack against the Greek Government, we were in a position to prevent the Greek Government from making such charges and thereby stirring up a honest's past in Germany. [redacted] made the strongest representations to Berton's end, during the debate in Parliament, Foreign Minister Averoff stated that the German Socialists had acted correctly throughout, thus averting further political repercussions in West Germany.

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Currently Berton is suing Mrs. Kefris for slander; Kefris and Thessalis are suing Berton for slander; a former Greek opposition deputy is suing Berton on behalf of the "honor" of the people of Greece. Initially the Greek opposition press gave maximum coverage to the affair, but this has subsided. During sensational new evidence, the affair will be overtaken by other events and should subside to the inside pages of even the Greek opposition papers.

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