The following main points emerged in private conversations January 30 with Hessian Attorney General Fritz BAUER (SPD) who has been pushing allegations of complicity in Nazi War crimes against State Secretary Dr. GLOBKE, and who has recently visited Israel on several occasions in connection with the forthcoming trial of EICHMANN, in whose apprehension by Israeli agents in Argentina last year he played a decisive, though still obscure role, and with whom he talked in Israel in early January:

1) That Bauer and the SPD would continue to the maximum juridically feasible and politically profitable point to push allegations of complicity in Nazi war crimes against Globke.

2) That the Israeli government was going slowly with the Eichmann trial in general, and was going particularly slowly with damaging allegations against prominent West German officials during the trial, for political and diplomatic reasons which Bauer himself accepted as "validly valid;"

3) That Eichmann had revelations to make which could be somewhat damaging to Globke, though it was doubtful that he would in fact make them;

4) That it was even more doubtful that Eichmann would make significant revelations against others in Bonn, though this was not known in Bonn, where uncomeliness prevailed.

Copies sent to:
- AmEmbassy, Bonn (4)
- AmConsGen Bremen, Dusseldorf, Hamburg, Munich, Stuttgart
- U.S. Mission Berlin
- USFOLAD Heidelberg
- AmEmbassy Tel Aviv

EXEMPTIONS Section:
(2)(A) Privacy
(2)(B) Methods/ Sources
(2)(G) Foreign Relations

ACTION COPY – DEPARTMENT OF STATE

The action office must return this permanent record copy to SR/MR files with an endorsement of action taken.

NAZI WAR CRIMES DISCLOSURE ACT
2000

DIA HAS NO OBJECTION TO DECLASSIFICATION AND RELEASE OF THIS DOCUMENT AS SANITIZED

DECLASSIFIED
Authority NND36822
By NARA Date 2/7/05
3. That Eichmann's defense attorney GRIMALDI was playing an uncertain role, possibly as an agent for the Israeli government but possibly using his knowledge of the case to enrich himself.

4. That Bauer would continue to be the bitter and effective opponent of the Nazi regime, and particularly of those accused of war crimes, and that in all this he had the full and loyal support of the NSDAP, the Reichsführer-SS, and the backing of the SPD.

Bauer in the conversation revealed that he had exact and undeniable information that, as of December 1939, Martin BORMANN was still alive. He indicated that this information had come from Eichmann, but he would not elucidate further. There was nothing about Bormann's alleged location.

The report, officer on January 99 had a lengthy private dinner conversation with the Hessing Attorney General, Dr. Fritz Bauer (SPD). In addition to the prominence the latter has achieved through his relentless searching-out, investigation, and prosecution of Nazi war criminals still at large in Germany, (the most recent case being that of Richard Less, last Auschwitz Camp Commandant, see Conen, "H-History of Nazi Germany") Bauer has now become, probably the most controversial political personality in Hessing, as well as having been an influential prominent, public figure in the German national political stage, because of his current controversial judicial role in the case of Erich GLOBKE.

In an official communication which he addressed over the Hessing Justice Ministry, in hesed against the Federal Ministry of Justice in Bonn, Bauer declared his exclusive and unopened investigation of the role Globke had allegedly played in connection with the deportation of Jews to the extermination centers during World War II. Bauer alleged that Globke should be brought to justice for charges of serious wrongdoing against Jews.

Furthermore, through the testimony of a former Waffen-SS Administrator in occupied Northern Greece, BOROWIT, Bauer has prosecuted against former SS officers, IGNATZ and EPPY.

Bauer's reputation against Globke reportedly provoked the fury of the Chancellor and took on a sensational character in Hessing when the SPD Land Chairman, Dr. Wilhelm FAY, presumably on orders of the Federal CDU, started to attack Bauer in violent public statements designed to place in question Bauer's propriety and competence in his function. Fay alleged that Bauer had moved improperly in a field in which he had doubtful jurisdiction, and solely for political motives.

Dr. Harting, a Berlin lawyer and former (during World War II) Waffen-SS commandant administrator in occupied Northern Greece, went through a celebrated trial in Athens some years ago which led to his conviction, imprisonment and early pardon. He is now undergoing pre-trial investigation in West Berlin under judicial action initiated against him by the Federal Republic on charges identical to those originally laid by the Greek government.
FRITZ BAUER, who spent most of the Third Reich years in exile in Copenhagen, 
and who remains anti-Nazi to the core, and who is one of the few prominent 
anti-Nazi officials in West Germany who is partly, if not wholly, of Jewish origin, 
played a still somewhat obscure role in connection with the apprehension of Adolph 
Eichmann by the Israelis in Argentina some months ago. Since the arrival of 
Eichmann in Israel, Bauer has been traveling back and forth to Tel Aviv, and is 
perhaps one of the most knowledgeable personalities on the Eichmann case outside 
Germany.

Bauer made no mention of the fact that his accusations against Globke were, as 
suspected by the press, in fact connected with the Eichmann trial. He indicated that 
Globke had, indeed, played a role in the process ultimately leading to the deport-
ation and extermination of the Jews in the Greek Jews. According to Bauer, Eichmann could 
be called a caretaker of Morten’s allegation that he, Morten, had visited Eichmann in the latter’s 
office in the Jewish Affairs Department of the SS in Berlin in 1943 to secure 
Eichmann’s support of a scheme to deliver the Jews of Northern Greece to ships of 
the Red Cross in Salonika harbor in exchange for Red Cross medicines and supplies.

The “deal” had apparently been engineered by the former League of Nations 
representative in Berlin, GREGGARD, from his office in the Geneva headquarters of 
The Red Cross. Eichmann had at first characterized the scheme as ridiculous, but 
had ultimately been persuaded by Morten — according to the latter — and had 
finally, in Morten’s presence, called Globke on the phone in the Jewish Department 
of the Interior Ministry, to obtain the latter’s concurrence. Globke had reportedly 
immediately turned down the suggestion, tactfully asking Eichmann to keep in line with 
standing orders for the “final solution” of the Jewish problem. Reportedly, accord-
ing to Morten (via Bauer), Globke had turned to Morten after this conversation 
and characterized Eichmann as “one of the others in the Interior Ministry as the real 
architect of the final solution.”

While the letter speaks only of Globke as the one who should be held 
complicit, Bauer himself is more certain that Eichmann could corroborate this version of 
the events at this trial, he promptly went on to indicate his feeling that Globke could 
have legitimately thought of Eichmann’s call as a trap on the part of the SS, and 
would have had every good reason — as a correctly behaved high-ranking German 
official — to turn down Eichmann’s suggestion. Accordingly, Bauer felt that Globke 
had a good ready defense, and really did not have very much to worry about, but the 
noting the SS’s orders behind the “final solution”.

2/ This letter, dated February 26, 1969,-addressed a letter to the Office of the 
Assistant Legal Advisor, EU, transmitting the substance of an informal query made 
a few days earlier by Bauer to the reporting officer, as to the capability and willing-
ness of the United States, to offer diplomatic help to its friends (in this case 
West Germany), in securing the extradition of proven former Nazi war criminals from 
unspecified third countries. Since Bauer’s query had been couched in very general 
terms, it naturally had to remain unanswered. As the reporting officer became aware 
shortly after the apprehension of Eichmann last year, and as Bauer has now admitted 
to him, Bauer had known about this forthcoming event and had addressed his query with 
Eichmann in mind.
point was that this was precisely what Bormann and Globke did not know, nor did they
know that else and how much Rommel might have "against them" at the trial.

In fact however, there was little reason for anyone in Bonn to "play safe" in


courts" worrying about the Bormann trial, as the press was speculating. No one in
the Israeli government, least of all REICH GERMANY himself, Bauer went on, wanted to
complicate or in any way exacerbate German-Israeli relations. These were, on the
whole, viewed as developing favorably by the Israelis. No one in Israel wanted to
place in jeopardy, the gratefully acknowledged reparations payment of the German
government, nor the possibility of further improving relations in the future.

Bauer did hint, however, that this might not necessarily disfavor Israel from con-
templating use of the Reichss wheat trials as a sort of lever, with which to exerce a
given amount of pressure on Bonn, were such pressure to become required on unspecified
future occasions.

Bauer did not think that Israel would in any sort of a hurry with the
Bormann trial, on the contrary; nor did he think the trial would be particularly
sensational. He seemed to feel all parties involved would "behave wisely" and that
Bormann's main aim would be to secure "historical light" for internal educational
pursposes within Israel. ("And Gurien thinks the new generation in Israel is as
unbelieving of Jewish passivity in the face of mass murder as the new generation in
Germany is unbelieving of mass German guilt," Bauer said.)

Bauer indicated that he was uncertain as to the true role being played in the
Case by Cologne attorney Robert Servatius, who has undertaken Bormann's defense.

Without saying so directly, Bauer hinted some feeling on his part that Servatius
might be in the employ of the Bonn government, to keep the latter closely informed
on the trial and to ensure the silence of Bormann on a number of matters that might
prove embarrassing to Bonn. On the other hand, Bauer also speculated on the possibility
that Servatius was "in the case purely for his own personal advantage and might even be
holding up Bonn on the Israelis" (presumably for money)

Bauer made clear throughout the conversation his animosity toward Globke, and
said that it was in effect a dirty shame that Globke continued to hold on to his key
job as principal adviser to the Chancellor. A man who had, by his own admission,
written the memorandums of the Nuremberg racial decrees, who had been responsible
for the infamy of the "Jewish first names" and who had, from the beginning of the
Third Reich to the very bitter end, remained in the very office which -- of all
things -- had had charge of Jewish Affairs in the Reich Ministry of Interior, should
not, as "simple matter of principle and justice," occupy a position such as Globke
had held in Bonn since 1933 -- even if he had, as Globke alleged, helped some Jews.
On this question, Bauer's comments would give him no rest. It was simply

A Third Reich decree under which all Jews were to adopt Jewish or Hebrew first
or second names.

CONFIDENTIAL

DECLASSIFIED

Authority MND56822
By CNARA Date 2-7-05
Coincidence that his convictions in this regard tallied with those of his party, and that he was in a position to help the latter with a juicy kernel of campaign propaganda. He would accept even the devil as an ally in this cause. (An obvious reference to the documentation help Euer has recently obtained from the Bureau in building the legal case against Goebbels.)

During the conversation, Euer clamped-up completely on questions regarding the method of Dietmann's apprehension and his part in it (beyond admitting the latter), which he called "irrelevant historical questions." Otherwise he was extremely cooperative and it was clear to the reporting officer that, besides getting along harmoniously with the latter (the dinner lasted nearly four hours), Euer seemed very desirous to take an American official into his confidence. He requested that his statements be kept in confidence, though he naturally expected them to be transmitted "in State Department channels."

Comment.

The reporting officer supposes, though he can in no way document his supposition, that Euer may well be connected in some high-ranking capacity with the Israeli Intelligence Service in West Germany.

Wayland Clinton

Wayland B. Waters
American Consul