



Министерство иностранных дел  
Российской Федерации

14.02.2004 00:36

№ 291-13-02-2004

## **INVOLVEMENT OF THE ESTONIAN SS LEGION IN WAR CRIMES IN 1941-1945 AND THE ATTEMPTS TO REVISE THE VERDICT OF THE NUREMBERG TRIBUNAL IN ESTONIA**

### **Involvement of the Estonian SS Legion in War Crimes in 1941-1945 and the Attempts to Revise the Verdict of the Nuremberg Tribunal in Estonia**

The history of the Estonian SS formations during the World War II is a logical evolution of the history of the Estonian nationalism and collaborationalism.

Since the early 1930s the native fascist movement - Vabadussodolane liits (VAPS) that had been originally established as a union of the Liberation War (1918-1920) veterans (the VAPS movement was modeled on the Lappo fascist movement in Finland) began to rapidly broaden its influence. The VAPS members advocated the abolishment of all the political, economic and cultural rights of national minorities and followed the Nazis Germany. In October 1933 the VAPS-proposed new draft Constitution of Estonia, which was authoritarian in nature and gained 56% of votes at the referendum. Moreover, the movement won the municipal elections in January 1934 (52% of voters in Tallin supported the VAPS). On March 12, 1934 the Government headed by K. Pats imposed a state of emergency and dissolved the Parliament, as well as all the political parties to prevent the VAPS victory in the forthcoming presidential elections. Later the Patriotic Union Party and the "Kaitseliit" (militarized organization "The Defense Union") became the main advocates of the nationalist right-wing ideology in Estonia.

When in autumn of 1939 the Soviet military bases were established in Estonia under the Treaty with the USSR, the activists of these organizations and the VAPS supporters created an illegal Salvation Committee to spy upon the Red Army units for Germany.

When Estonia joined the USSR the German intelligence service strengthened

its contacts with them to provoke an armed riot by the time of Germany's attack against the USSR. The USSR public security bodies defeated those plans.

The aggression of Germany against the Soviet Union immediately invigorated the "Kaitseliit" supporters. With the Abwehr and SD assistance the "self-defense units" ("Omakaitse"), which attacked small groups of the Red Army soldiers, killed the Communist Party and Soviet activists and guarded army prisoners, began to be established on the basis of this organization. By November 1, 1941 they carried out 5033 raids, arrested 41 135 persons, 7357 of whom were executed on-site "due to the exercised resistance" (И.Пыхалов. Как поработали Прибалтику // Спецназ России № 07 (69) июль 2002 г.). The "Omakaitse" activities were generally coordinated by M. Sandberger, commander of the "Einsatzgruppen 1A", SS-Sturmbannführer who was charged with the execution of Jews, communists and Soviet middle and high ranking officials. The "Einsatzgruppen 1A" consisted of approximately one hundred SS, SD and police officers and M. Sandberger noted that without help of Estonian "self-defense units" he would have been unable to accomplish his tasks (Enzyklopädie des Holocaust, band 1, 1992, s.420.). After the war M. Sandberger was condemned by the United States authorities as a war criminal, found guilty of killing tens of thousands of civilians.

Having occupied the territory of the ESSR, the German Military Command declared it the property of "the Great Germany" and mandated it to the "Ostland" Reichskommissariat. K. Litzmann was appointed the General Commissioner for Estonia.

Moreover, to demonstrate the so called independence of Estonia the Germans established the "Estonian self-government" controlled by H. Мде, the VAPS leader.

The report of W. Stahlecker, SS-Brigadenführer (the Head of the "Ostland's" SS and Political Police), of 31 January 1942 stressed that "Мде was escorted to Estonia and engaged by the very consent of the Reich Main Security Office (Reichsiherheisthauptamt)" (Мартинсон Э. Слуги свастики. Таллин, 1962., с.13.).

Immediately after Germany occupied the Estonia's territory mass murders of civilians, especially Russians and Jews began. On October 25, 1941 W. Stahecker, SS-Brigadenführer, reported to R. Heydrich, Head of the RMSO, as follows: "Owing to a comparatively small number of Jews in Estonia it seemed impossible to provoke pogroms... Many Jews of 4 500 ones, who had lived in Estonia in the

beginning of the offensive in the East had ran away together with the receding units of the Red Army. About 2 000 of them remained. In Tallin alone about 1 000 Jews lived. Practically, all the male Jews over 16 years were arrested. All of them were executed by the self-defense units controlled by the "Einsatzgruppen 1A" (Мартинсон Э. Слуги свастики. Таллин, 1962., с.74.).

On September 26-29, 1941 the Estonian "self-defense forces" executed 440 detained Jews (474 - according to other data) Hilberg R. Tater, Opfer, Zuschauer. Die Vernichtung der Juden 1933-145. Frankfurt/Main. 1992. s. 115.. The Germans partially transferred the property of those executed to the "self-defense forces".

Besides Jews, the Estonian Police and "the self-defense forces" were executing the supporters of the Soviet system (often believed to include any Russian in some towns and villages), Estonians, who were members of the left-wing organizations (including social democrats), and those peasants, who were granted land as a result of the agrarian reform in Estonia in the 1920-s and in 1940 (the so-called new land owners). In summer and autumn of 1941 after the Wehrmacht occupied Tartu, in the antitank ditch near that city (Lemmatsi village) over 12 thousand civilians and Soviet prisoners of war were killed by the "Omakaitse" squads.

After the Nazis troops occupied Tallin by December 19, 1941 the Estonian Political Police have arrested 4 365 people only in the capital of Estonia alone and its suburbs. The inmates of the Tallin prison were shot according to the lists approved by E. Viks, Chief of the Political Police, nicknamed "Estonian Eichmann" (before 1940 he served as the Commissioner of the Estonian Political Police in Kuressaare). Thus, for example, a 74-year-old Estonian Mijna Kuusik was shot in December 1941 on the following charge: "an Estonian Mijna Kuusik supported the Soviet state system and believed that, if only she were younger, she would have been readily cooperating with the Soviet Union".

In October 1942, 243 Roma imprisoned in the Harku concentration camp were shot, in accordance with a list, as an "inferior racial element". E. Viks was proud to report to M. Sandberger that only on 16 April, 1942, 67 persons left the central Tallin prison to be executed.

In January 1942, after the so-called "Wannsee Conference" in Berlin which decided to execute all Jews in Europe, within the Estonian Political Police a special B-IV Gestapo-modelled Department was established headed by J. Ennok to implement the "final solution of the Jewish question". As a result, Walter

Stahlecker reported to Berlin on the full implementation of the task as early as February 1942.

Having solved "the Jewish question" in Estonia, the Estonian police units took part in execution of the Jews deported to Estonia over Europe, mainly from Czechia. For example, on 5 September, 1942, a train with 1000 Jews from the Theresienstadt ghetto arrived to the town of Kaasiku. As the Berlin Jews a week after all of them were shot by the Estonian Political Police.

The materials of the Estonian International Commission for the Investigation of Crimes against Humanity note that the Estonian police officers participated directly in escorting Jews deported from Vilnius to the concentration camps in Estonia, guarding the similar camps located in Vaivare, Tartu, Jõgala, Tallin, camps for the Soviet prisoners-of-war where numerous executions of prisoners were carried out and in guarding the transit camp for Jews in Izbica (Poland) where a lot of Jews were murdered, as well as the Jewish ghettos in Lodz, Przemysl, Rzeszov and Tarnopol.

In 1943-1944, several thousand Jews from the ghettos in Kaunas and Vilnius, from the concentration camp of Salaspils in Latvia and from Transylvania were deported to the concentration camp of Klooga (guarded by the 287th Estonian police battalion) and later engaged in peat harvesting. According to the report of the Estonian International Commission for the Investigation of Crimes against Humanity, in September 1944, the Estonian police officers participated directly in shooting of 2000 prisoners, when the Wehrmacht was caught unawares by the Red Army units which had advanced to the immediate vicinity of the camp. Virtually some days before the liberation of Tallinn, about thousand of prisoners of the Central Prison were shot by the order of E. Viks.

As for the Estonian regular units to fight alongside the Hitler Germany, they began to be established on 25 August, 1941 when under the order of General-Field Marshall von Leeb, Commander of the "North" Army Group, the Baltic citizens were permitted to be recruited to the Wehrmacht service and grouped into special units and volunteer battalions to fight against partisans (Hoffmann J. Die Ostlegionen 1941-1943. Freiburg, 1976, s.18-19). In this context, Colonel General von K̄chler, Commander of the 18th Army, formed 6 Estonian volunteer guard units (numbered 181-186) on the basis of the scattered "Omakaitse" squads (with its members contracted for one year). By the end of the same year, all the 6 units were restructured into 3 Eastern battalions (the 645th, 659th, 660th) and one

Eastern company (the 657th).

Since September 1941, the German Command has started to establish the Estonian Auxiliary Police Battalions ("schum") in addition to the aforementioned units to perform the guard duties and to fight against partisans in the rear of the "North" Army Group. During the war, 26 "schum" battalions were formed in Estonia in all numbered from 29th to the 45th, the 50th and from the 286th to 293th. Unlike the similar units deployed in Ukraine and Belarus, and controlled by the Germans the Estonian Police Battalions were made up of national staff and included only one German monitoring officer. Moreover, as a sign of special trust, the Wehrmacht ranking system was introduced in the Estonian Police Battalions. As of 1 October, 1942, the police forces of Estonia comprised 10.4 thousand men in all with 591 Germans attached thereto.

The police and the Eastern battalions were mostly engaged in carrying out punitive actions against civilian population, fighting against the partisan movement and guarding the concentration camps. Thus, the 36th Estonian Police Battalion took part in mass shooting of Jews in a Byelorussian town of Novogrudki on 7 August, 1942, as corroborated by evidence collected by the Simon Wiesenthal Center (Зуроф: эстонцы участвовали в казнях евреев // BNS/Interfax, 2002 г.), 7 августа. and by the relevant findings of the Estonian International Commission for the Investigation of Crimes against Humanity (Зурофф рекомендует Пихлю уйти в отставку // BNS// Interfax, 2002 г.), 25 июля., as well as in guarding the camps for the prisoners-of-war who were working at coal mines of Stalino and Makeyevka. The 37th and 40th battalions were fighting against the partisan movement in the Pskov region, as was the 38th battalion in the Luga-Pskov-Gdov region. The 286th battalion carried out punitive actions in the Eastern Prussia and Belarus. The 288th battalion was engaged in the suppression of the so-called "Ronson's Partisan Republic" (Eesti vabadusvoitlejad Teises maailmasjas // Koostja A.Jurs - Tallinn, 1997. p. 146-155 (Эстонские борцы за свободу во Второй мировой войне) // сост. А.Юрс). The 658th Eastern battalion under the command of A. Rebane conducted punitive operations against civilians near the town of Kingisepp and the village of Kerstovo (the Leningrad region), committed brutal murders and burnt down the whole villages (Babino, Habalovo, Cigirinka, etc.) to intimidate the partisans. As evidenced by the witnesses and participants in these punitive operations, A. Rebane's unit caught five or six Soviet partisans in the village of Cigirinka in November 1942. In the course of this operation the village

was burnt to the ground and three villagers died (РГВА. Ф.451п. Оп.5 Д.149. Л.144-145).

The "Ostland" special battalion established in October 1941 also carried out punitive duties (РГВА. Ф.451п. Оп.5. Д.149.Л. 144-145.) According to a researcher R. Michaelis who is referring to the SS Chief Administration's document No. 8699/42, in 1941-42 this unit resided in the Ukrainian SSR and took part in the executions of Jews. As reported on May, 1942, a thousand Jews were executed in Minsk; as reported on July 15, 1942 another thousand Jews were executed in the same place; as reported on June 27, 1942 four thousand Jews were executed near the town of Slonim; as reported on July 28, 1942 six thousand Jews were executed in Minsk (Michaelis R. Eestlased Wafeen-SS-is 20 (1 Eesti) - SS relvagrenaderidiviis. Tallinn: Olion, 2001. p. 32). In November 1942 the "Ostland" battalion together with three German Police battalions and an artillery regiment under the command of general Haltermann, took part in a joint anti-partisan operation near Ovruc with over 50 villages burnt down and over 1500 locals executed. In a village 40 locals were burnt alive in revenge for the killing of the SS lieutenant Tyrn (ЦА ФСБ. Ф.25. Щп. 5 Д.149. Л.249-258.)

Although today Estonia's leaders claim that the Estonian Police and the "Omakaitse" brigades were only engaged in "countering Bolshevism", we know that in July 1943 the chiefs of the Estonian Political Police issued an order on the struggle against "Anglophiles". It said in particular: "Along with the Bolsheviks there are some people who in terms of their inclinations and lifestyle pose no less a danger than the former ones. And now, in the wartime, when the whole nation must do its best for its victory, these people are especially dangerous. Those dangerous people, first of al, include the Anglophiles, namely persons who up to 1940 had held to the so-called English orientation..." The Order of June 25, 1942 prescribes the Police to toughen their struggle against paratroopers "whoever sent them: the Russians, the British or somebody else." In January 1943 French POWs in Estonia, who "have often been showing their defiance" were placed in the regime of stronger security. In March 1943, according to a secret order of the Political Police, citizens of the USA, living in Estonia, were put under a strict control (Мартинсон Э. Слуги свастики. Таллин, 1962 г.).

Over 25 death camps were set up on the territory of Estonia. During the occupation over 61 thousand citizens (including foreigners) and 64 thousand Soviet POWs were killed (Великая Отечественная война 1941-1945. Энциклопедия.

M. 1985, c.820.)

As for the creation of the Estonian national SS Unit, the initiative here belongs to H. Мде, head of the "Estonian autonomy", who in his speech on August 26, 1942 called for the creation of the Estonian SS legion. In a few days K. Litzman, General Commissar of Estonia, publicized A. Hitler's decree on the creation of the "Voluntary Estonian SS legion" belonging to the German SS troops, subordinate to SS Reichsführer H.Himmler (ПГБА. Ф 451, Оп.7 Д.123. Л.299).

However the formation of the Legion only started on February 8, 1943 and before that the German authorities and local collaborationists conducted the preparations. Meanwhile, a "Society of the Estonian SS Legion's friends" was established to recruit and give primary training to the volunteers.

All arrangements, recruiting and supply were placed under the jurisdiction of a special created "General inspection of the SS Estonian legion" headed by Gruppenführer J. Soodla. German occupational authorities suggested that the 15% base of the Legion should consist of manpower of the Estonian East Police battalions (Thomas N. Partisan Warfare 1941-1945. Osprey Publ. Ltd. London, 1983, p.19.)

According to the SS Statute, the Estonian SS legion was manned on a voluntary basis, and the volunteers had to meet the SS requirements for health and ideology. Enlisted personnel who already had their officer and petty officers ranks received the corresponding SS ranks after a probation period. The enlisted men were directed to the Debica training center (Poland), where after a 3-month training took an oath to the Nazi Germany. By March 31, 1943, the Legion had 37 officers, 175 noncoms and 62 privates of the "Ostland" special battalion.

The legionnaires trained at Debica formed 3 battalions, later merged into the first Estonian volunteer grenadier SS regiment. In March 1943 after the oath the 1st battalion of the regiment was sent to the front line near Kursk and incorporated into the 5th panzer-grenadier SS division "Viking" under the name of the Estonian volunteer battalion "Narva" (up to the summer 1944) (Панкратов И.А. БИТЫЕ ЛЮБИМЦЫ фюрера // Военно-исторический журнал. 2003. №4, с.34.)

Given that, following the Stalingrad defeat of fascists in the winter of 1942/1943, the inflow of volunteers to the Estonian SS legion drastically decreased, late March 1943 saw the mobilization of all the former Estonian officers, November 3-10, 1943 saw the mobilization of all those liable for military service born in 1925. As a result of the mobilization activities, by May 1943, the Estonian

SS legion had been significantly reinforced, thus allowing to deploy a regiment to the 3rd Estonian volunteer brigade under the command of Standartenführer F. Ausberger. Its formation completed by October 23, 1943, it first operated against partisans in the territory of the BSSR (Thomas N. Partisan Warfare 1941-1945. Osprey Publ. Ltd. London, 1983, p. 21-229), and was subsequently sent to the front, to the region of Nevel and Sebezh.

German command's archive records of the period reveal that the 3rd Estonian volunteer SS brigade, along with other subunits of the German army, was conducting Heinrich and Fritz punitive operations to wipe out the Soviet partisans in the region of Polotsk-Nevel-Idriza-Sebezh in October-December 1943 (ЦГА Литовской ССР, ф. Р-1399, оп. 1, ед.х.61, личное дело №1950). According to the very same archive, police battalions 288, 286, 313 and other Estonian police battalions, which belonged to the Estonian SS brigade, also took part in the Fritz punitive expedition. They took part in the fight against partisans, shootings of civilians, looting, destruction of the whole villages in Belarus and mass deportation of civilians to Germany (Там же, ф.240, оп. 1 д.7, личное дело 52-55)<sup>1</sup>. Punitive raids of the 3rd Estonian SS brigade continued until late December 1943<sup>22</sup> (ЦА ФСБ Ф.25 Оп. 1. Д. 152. Л.2582).

In early 1944, it was decided to strengthen the Estonian SS troops by incorporating the Wehrmacht battalions and most battle-worthy police units, which would have made it possible to set up a full-fledged division. Ultimately, the two regiments of the Estonian brigade (№№ 45 and 46 grenadier voluntary SS regiments) were joined by a third one (№47), formed on the basis of 658, 659 and 660 Estonian voluntary Wehrmacht battalions. On 24 January 1944, the newly-formed division was named the 20th Estonian voluntary SS division (since May 26, 1944, the 20th grenadier division of the SS troops is the Estonian № 1). In April, the Narva battalion, renamed 20th fusilier SS battalion, was incorporated into it. Additionally, the unit included an artillery regiment and a field engineer battalion, as well as an anti-aircraft company, an anti-tank company and a communications one. The aggregate strength of the division totaled 15 thousand soldiers and officers.

In August 1944, the 20th Estonian SS division was reinforced by the Estonians who previously fled from German mobilization to Finland and formed a separate 200th regiment in the Finish army (1.7 thousand men), which fought against the Soviet troops on the Mannerheim line. Following Finland's withdrawal



from the war against the USSR, the regiment was sent to Estonia and disbanded, its military personnel distributed among the units and sub-units of the division. Estonians also served in the 11th Nordland motorized SS division along with volunteers from the Scandinavian countries.

In September 1944, the 20th SS division took part in the fight against the Red Army units, including the Estonian rifle corps in the region of Rakvere, where it suffered heavy casualties. In September 1944, its remains were sent to the training camp in the German town of Neuhammer, where, in October 1944, the 20th Estonian SS division, consisting of three Estland grenadier SS regiments, was formed anew from the isolated units of the defeated brigade, members of the 13 Estonian police battalions and "Omakaitse" detachments. Until January 1945, units of the division took part in the fighting in the Eastern Prussia. On 13 January 1945, the whole of the division was sent to the front, to the region of the German town of Vittenberg, where, along with other fascist units, it was surrounded by the Red Army units. F. Augsberger, commander of the division, was killed in action, and it was headed by lieutenant colonel A. Rebane.

Fighting its way out, the division broke out from the encirclement and retreated to the territory of Czechoslovakia, where it stayed until the utter crushing defeat of the German fascist troops. On May 11, 1945, near the town of Melnik, not far away from Prague, the bulk of the military personnel was taken prisoner by the Red Army units (Ready J. Lee. *The Forgotten Axis. Germany's Partners and Foreign Volunteers in World War II*. Jefferson, North Carolina and London, 1987. p. 491), though some of the Estonian soldiers and officers (including 3 thousand men from the training and reserve regiment of the division) retreated to the West and surrendered to the English-American troops.

The criminality of the SS organization as a whole was recognized by the Nuremberg International Military Tribunal, which ruled that "the SS was used for the purposes that, according to the Charter, are criminal and include persecution and extermination of Jews, atrocities and killings in the concentration camps, excessive acts, committed during the administration of the occupied territories, implementation of the program of using slave trade, maltreatment of prisoners of war and their killings. Considering the SS issue, the Tribunal includes here all the persons officially admitted to the SS, including members of the "general troops", SS troops (Waffen-SS), Totenkopf SS units and members of any branch of police services who were SS members"... "The Tribunal declares criminal, according to

the definition of the Charter, the group consisting of persons who were officially admitted to the SS, were members of the organization and remained its members, being aware that this organization was used to commit actions defined by the article of the Charter as criminal. The criminal activities were widely known to the members of the organization to justify the recognition of the SS as a criminal organization". Furthermore, the Tribunal determined that "it follows from Article 10 of the Charter that the decision to recognize the criminal nature of the accused organization is final and cannot be contested at any of the subsequent trials of individual members of the organization".

It is clear from the verdict, that the Estonian SS legion was also declared criminal as the Tribunal included Waffen SS and any police service officers into the SS and stressed that "it is impossible to single out any SS unit that took no part in such a criminal activity." Further on, the Court "noted" SS divisions' actions, stressing that the SS divisions were responsible for numerous murders and atrocities perpetrated in the occupied territories..."<sup>224</sup> Нюрнбергский процесс. Сборник документов в 8 томах. Т.8, Москва, Юридическая литература, 1997 г., стр. 652 (Nuremberg Trial Proceedings. Compilation, 8 Volumes, Vol. 8, Moscow, Yuridicheskaya Literatura, 1997, p. 652)

It is also of interest that under Article 10 of the Charter of the Tribunal "in cases where a group or organization is declared criminal by the Tribunal, the competent national authority of any Signatory shall have the right to bring individual to trial for membership therein... in any such case the criminal nature of the group or organization is considered to be established..."

After the secession of Estonia from the USSR, with a view to justifying the collaborationism of Estonian nationalists with the Hitler Germany Estonian authorities accused the German and Soviet "totalitarian regimes" of "involving a certain number of Estonian citizens into criminal activities during the occupation." In this context, on 18 June 2002, the Riigikogu, the Estonian Parliament, adopted the Declaration on Crimes of the Occupation Regimes which attempted to bracket Estonia's incorporation into the USSR with the occupation by Fascist Germany and to accuse the USSR of aggression, genocide, crimes against humanity and war crimes.

At the same time, Estonian authorities assert that the Estonian SS legion was engaged only in the combat operations at the front to defend Estonia's independence and has nothing to do with punitive operations in the territories

occupied by the Nazi Germany.

In this regard, Estonian officials actively support awareness-raising measures taken by the "Estonia Freedom Fighters Union", "Estonia's Eastern Squadron Fighters Club", which are formed by men serving in the SS units during World War II. This is particularly striking when Estonia's executive and legislative authorities assist former SS officers to take awareness-raising measures. For example, the Government appropriated some 400 thousand kroons from its reserve funds to rebury the bones of A. Rebane, a former commander of the 658th Eastern Squadron and then of the 20th Estonian SS Division. Moreover, the ceremony held on 26 July 1999 in the Metsakamistu cemetery, Tallin, where Estonia's distinguished public figures and politicians are buried, was attended by Lieutenant-General Y. Kert, Defense Forces Commander, other top officials of the Ministry of Defense and representatives of the Estonian Parliament (Riigikogu).

When Tallinn was officially invited to join the EU and NATO, reserve displayed by Estonian officials when showing their special respect for former legionnaires gave place to the strong determination to officially achieve the set goal of making SS officers into "resistance heroes" and "fighters for Estonia's freedom". The legionnaires were granted that "status" following the opening of the monument to the "fighters for Estonia's freedom during World War II in Parnu on 23 November 2003. The ceremony was attended by the town officials and several lawmakers, including representatives of the ruling coalition. At first, sponsors of that event planned to build a monument featuring a man wearing an SS uniform and holding an assault rifle pointing eastward. Yielding to the domestic and international public protests, they had to alter the project trying to conceal their intentions.

Estonia have been seeking to heroize the Nazi criminals since mid 1990s, thus officially trying to write the outcomes of World War II anew. "Combat and patriotic" experience gained by the Estonian SS legion, other Estonian combat units under the command of the army of Hitlerite Germany is used to educate younger generation in schools and the Estonian Army, particularly in the Kaitseliit organization reestablished as a militia unit. This is also the case of the Erna Raid, a military and sports event held on a regular basis under the aegis of the Tallinn authorities to glorify "feats" of the Erna subversive group operating in the rear of the Soviet Army in 1941.

The issue of integration of the Estonian society has an important historical

aspect as well. In essence, the official propaganda of the activities of nazi accomplices far from encouraging integration processes aggravates differences in the Estonian society.

---



<https://www.mid.ru/ru/maps/ee/1665284/>