

J. Damon, Germanist / 1600 Northwood Road, Austin TX 78703
Email < Jdamon@Austintx.net > / Tel 512 472 3959

TRANSLATION OF STUTTGART VERDICT

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Reference Number: 17 KLs 83/94
Public Prosecutor of Stuttgart 4 Js 34417/93

Germar Scheerer, Doc. 1 transl.
A-#: 78660016, August 31, 2001

District Court of Stuttgart
In the name of the people: Judgment

In the Criminal Case of

Germar S c h e e r e r née Rudolf,
born on Oct. 29, 1964, in Limburg/Lahn,
residing at 71144 Steinenbronn,
Meisenweg 18

For Incitement of the People and other offenses.

The 17th Superior Penal Chamber of the District Court Stuttgart, in the trial lasting from
Nov. 22, 1994, to June 23, 1995, in which the following persons participated:

Presiding Judge Dr. Mayer, Chairman;

Judge at District Court Helwerth and
Judge at District Court [DC] Heitmann, Consulting

- As Assisting Judges -,

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Karin Kiefer and Dr. Volker Krimmel as lay assessors ;

Public Prosecutor Arndt and
Senior Public Prosecutor Christ, as officials of the Public Prosecutor's Office;

Attorneys Dr. Herzogenrath-Amelung and Thomas Mende as defense lawyers;

Juridical Senior Secretary Scheerer;
Juridical Secretary Zimmerer;
Juridical Secretary Knittel;

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Juridical Secretary Huber; and
Juridical Secretary Späth as Certifying Officer,

on 23 June 1995

has decided and decreed:

The accused is sentenced for incitement of the people in conjunction with denigration of the memory of the dead, libel and incitement to racial hatred to:

Fourteen (14) months imprisonment.

The two seized copies of the "Expert Report on the Formation and Detectability of Cyanide Compounds in the Alleged Gas Chambers of Auschwitz", Third Enlarged and Corrected Edition, of November 1992, published under the name of Remer, as well as the impounded personal computer including monitor, keyboard, connecting cables, mouse and printer are confiscated.

The accused shall pay the costs of this trial.

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Applied laws:

Section 130, Numbers 1 and 3, 131 Paragraph. 1 No. 1, 185, 189, 194 Para. 1 and 2, 25 Para. 2, 52, 74 and 74 d of the German Penal Code.

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J u s t i f i c a t i o n :

I. Personal details of the accused

The 30 year old accused grew up with his two siblings in his parental home. His father is a social education worker, his mother has a master’s degree in Home Economics. At first the Family lived in Bad Hersfeld, where the accused attended primary school and grammar school. After 1980 they lived in Remscheid, where the accused attended high school. In 1983 he began a course of study of chemistry at Bonn University, which he completed in 1989 with grade average “A” (Summa cum laude). Following graduation he served a compulsory year with the German Air Force. After discharge from active duty he began work on his dissertation for the PhD degree at the Max-Planck-Institute in Stuttgart, where he received a scholarship. During this time the accused was an employee of the Max Planck Institute, earning 1.350 to 1.450 DM per month. His employment with Max Planck was

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terminated without notice on June 7, 1993 as a result of the events which led to this trial. After the accused sued Max Planck, the cancellation was changed to annulment by mutual agreement. The accused applied for his final doctoral examination but his application was postponed because of this trial. After leaving Max Planck he was unemployed, receiving compensation of 800 DM per month. Since October 1,1994, he has been employed as a clerk by the company of the witness Dill.

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The accused, whose last name was formerly Rudolf, has been married since May 1994. At the time of his marriage he assumed the last name of his wife, Scheerer. The marriage has produced a child who is now nine months old. Mr. Scheerer has no criminal record.

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II. Findings

A) Summarization:

The accused is author of a publication titled "Expert Report on the Formation and Detectability of Cyanide Compounds in the 'Gas Chambers' of Auschwitz," subsequently Called "Expert Report" including all previous versions. The Expert Report concludes that no mass gassings with hydrogen cyanide took place in the National Socialist concentration camp Auschwitz. The publication evolved in the years 1991 to 1993 in conjunction with the right-wing extremist views of the accused, who is unwilling to accept the negative consequences of the National Socialist regime. At the beginning of April 1993, at least 1,000 copies of this publication, together with polemic comments in a preface and an epilogue, were sent by the accused and other right wing extremists to leading German personalities in the areas of justice, politics, industry, and science, among them all professors of Inorganic Chemistry.

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Inspired by the work of the American Fred Leuchter (the so-called Leuchter Report), the accused supports the thesis that, accepting as basis for investigation the testimonies of witnesses to mass killings with hydrogen cyanide (Zyklon B), residues of this gas would have to be present in any and all buildings of the camp which were exposed to it. Since such residues are found nowhere except in the delousing chambers, where the gas was unquestionably used, mass gassings could not have taken place as testified.

The preface to the Expert Report,, written by Otto-Ernst Remer, suggests that the accounts of a Holocaust were lies intended to blackmail the German people. Remer calls them an "incredibly satanic historical distortion," to which politicians and media have contributed for decades to the detriment of the German people. The epilogue to the work, written by E. Haller, trivializes the conditions at Auschwitz. It was taken from the October, 1992 issue of "Remer Depesche" and written in the form of a report of the Remer trial for incitement which took place in Schweinfurt. Among other things, the epilogue denies that

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Auschwitz was an extermination camp. It claims that accounts of the Holocaust were fabrications designed to justify the "slaughter and plundering" of the German people by the Allies after World War II and to provide Jews with a group identity.

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The "Expert Report" with Preface and Epilogue comprise a unity which denies persecution of the victims of National-Socialism, and hence violates their dignity associated with their fate. In addition, the work denigrates the memory of those who died as a result of National Socialist persecution. Finally, the work claims that the Holocaust was an invention of special interest circles for the purpose of pushing through economic and political goals. Building on anti-Semitic convictions, it indirectly claims that foreign and German Jews have jointly, wittingly and falsely accused the German people of horrendous crimes for selfish reasons. By so doing, the work alleges that Jews in general are dishonest. In this way, it incites calculated hatred against Jews.

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The mailings of April and May 1993 were carried out under the name of the witness Otto-Ernst Remer, a retired Major-General of the Wehrmacht. Gen Remer is admired in rightwing circles for his role in suppressing the July 20, 1944 revolt against Hitler and for his radical writings. In the Preface, Gen. Remer claims that the accused had nothing to do with the mailings. Quite the contrary, he claims: the accused "very specifically" forbade him to publish the Expert Report, which was produced for his trial in Schweinfurt. If Remer published it nevertheless, it was an act of "emergency defense." The Schweinfurt Court refused to accept the Expert Report, thus denying him opportunity to introduce evidence that there were no mass gassings in Auschwitz. The suggestion is that, once Remer had been sentenced to 22 months imprisonment without probation for having made similar statements regarding the Holocaust, he was now defending himself by publishing the Expert Report.

In reality, the publication of the annotated Expert Report was just a journalistic trick of the accused. It was designed to publish the report with a great deal of publicity while avoiding legal consequences for the career of the accused. The publication was part of an intensive campaign in which the accused and persons in his circle, such as the witnesses Annemarie and Otto-Ernst Remer

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as well as Karl Philipp, would publish Holocaust denials. This had occurred in early 1993 on several levels. The deniers hoped to gain public resonance, which they had been attempting without success for a long time.

Specifically, the Remer version served primarily to prepare the way for the publication of the "authorized" version of the Expert Report, which was released in July 1993 by Cromwell Press in England. In order to have an impact outside of nationalistic circles, the intention of the accused was to have the Expert Report released by a publishing house which was not associated with the political Right. He did not succeed in this, however. In the fall of 1992, he decided to publish the Expert Report himself, with the support of like minded persons. The accused and his accomplices developed a plan to fake "self-defense" on the part of a third person in order to avoid legal consequences for themselves. It was meant to create the impression that the accused had been forced to

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replace the polemically slanted and outdated Remer version of the Expert Report with a purified and updated version, suggesting purely scientific intentions. Another purpose of the mailings was to maximize publicity for his official version. This would result from the spectacular

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legal defense of Remer, who is known even outside of the right wing radical milieu. Additionally, it was intended to increase distribution of the work among leading circles of Germany. Finally, the mailing to all professors of Inorganic Chemistry, from whom the accused did not expect reactions, was supposed to prepare the base for later pseudo-arguments that no professional mistakes were found in the Expert Report.

As part of this plan, the accused deceitfully denied that he had anything to do with the publication of the Remer version of the Expert Report, or with any other such publication, as well as with Remer himself. He took countermeasures and disguised his participation in the Remer action so as to make his denial appear plausible. By so doing, he committed many manipulations; i.a., by faking letter exchanges und writing letters with false content..

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B) General remarks about the motivation and strategy of the accused.

In addition to his professional activities, at least since the end of the 1980s, the accused pursued an intense interest in the political, social and cultural consequences of the Second World War and collapse of National Socialism in Germany. In his view, the postwar development of Germany was determined by Allied perceptions of the Hitler regime, in particular allegations of systematic annihilation of Jews in extermination camps. The self image and the world image of the Germans were determined by the same perceptions. Since the accused is not prepared to accept the consequences of these perceptions, as he sees them, he decided to work to change the perceptions, at least by creating doubt about the National Socialist mass murders.

Against this background, toward the end of the 1980s, he joined the Republican Party, becoming an official member in 1991. However, he soon became convinced that his radical goals could not be achieved within the confines of a political party.

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Therefore he decided, by the middle of the 1990s at the latest, to influence public opinion by means of publications in which the crimes of the National Socialists would be played down, or at least placed in question. In order to achieve this end the accused, who is receptive to national socialist thought, especially racial theories, was prepared to contribute to inflaming emotions by means of deceptions and insinuations. Specifically, he attempted to create the impression in the public that depictions of the Holocaust are an



invention of the victorious powers of World War II along with Jewish circles. They have the goal of pressuring Germany, manipulating its national development, and keeping Germany susceptible to political and economic extortion,

With this viewpoint the accused found himself largely in agreement with a group of persons who represent themselves as historical revisionists and have set themselves the goal of rewriting German history during National Socialism. The principal aim of this group, particularly of its radical revisionist wing, is to gain publicity. Underlying their aim is the assumption that public discussion of unexplained details of National Socialist crimes against humanity would create doubts in the minds of some people, which in the long run could achieve political relevance.

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In the summer of 1990 at the latest, the accused developed intensive personal and literary contacts with numerous members of the revisionist scene, who are internationally connected through correspondence, conventions and publications. From the outset the accused sought to play a leading role within this group, gathering kindred spirits for his journalistic projects and refining revisionist strategy with the intention of transplanting revisionist conviction outside the nationalist camp.

At the end of 1990 the accused composed a strategy paper in connection with a planned translation of R. Lenski's "The Holocaust on Trial", which dealt with the trial of the neo-Nazi revisionist Ernst Zündel in Canada. His strategy paper includes the following passages:

"Most people react like Pavlovian dogs to attacks on gas chamber mythology ... It must be our goal to demolish the nucleus of this superstition. Our strategy must be to proceed in a way that does not set Pavlov's dog to barking. As for tactics, we must capture the opponent's position without doubting that the dogmas are pedagogically and not

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attacking this, yes we should even agree with it. We should avoid showing a partisan attitude. We should emphasize only the right to entertain doubts, in view of the contradictory evidence. Following the salami principle, we shall take away one piece of the Auschwitz Cathedral after another, until the whole edifice collapses. ...It is essential to address the largest target group possible outside the nationalist circles, which are easier to persuade. In other words, we have to bring a Trojan Horse into their fortress. ...Thus if we are to be successful, it is absolutely necessary that the report appear as objective and neutral as possible. By objective and neutral I mean within the bounds of social consensus. In other words, equipped with the nomenclature and judgmental norms of conventional public opinion (the Trojan Horse.)"

The accused went on to say that insufficient sensitivity for conventional norms of reaction would include the danger of insufficient consideration, and that could bring lead

to catastrophe. If I followed my heart's desire, he continued, the book would be much more drastic things. However, this would serve nothing but my heart's desire. Therefore, I suggest a totally neutral version for the German market, even though it goes against our inclinations.

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In accordance with these principles the accused fashioned the rest of his journalistic strategy. He distinguished between publications that would be effective only within the right wing radical scene and those which would be effective outside the scene as well. While the latter would appear to be completely objective, the former could contain strong polemics, which would be camouflaged with an appeal to professedly scientific writings, It could appeal to nationalistic and racist prejudices as well.

The aim of this double strategy was to inflame emotions with inciting pamphlets and thus enlist circles which were inclined to be nationalistic or receptive to polemical argument. It also aimed to increase revisionist readership with writings which seemed to be objective. At the same time, the appearance of objectivity would make it possible for certain writings to claim protection offered by freedom of research, which is guaranteed under our constitution. These writings would then have been protected from suppression by government officials. In this indirect manner they would have received official immunity from censorship.

The accused saw himself as working in the background. His role would have been primarily that of a publisher of basic writings which could have claimed scientific

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inviolability. He left the polemics and political commentary to others, especially those grouped around Remer. This was particularly true of anti-Semitic commentary. Anonymously or under pseudonyms, members of the Remer group contributed numerous periodicals, brochures and flyers, some with a strong tendency the incite the masses. In a generalizing manner, they would always refer to his Expert Report. The accused, who was in agreement with such use of his works, assisted in the production of these pamphlets. His assistance included making available data and documents; correcting, designing and rewriting texts; and providing computer graphics.

In addition to these things the accused published, anonymously or under numerous pseudonyms, articles and flyers which were partly polemical and partly objective in appearance. Among other things he created the appearance of lively discussions about his Expert Report and other revisionist subjects. To do this he repeatedly quoted himself under various names. In addition he added professional titles, including that of doctor, to the pseudonyms. He did this to create the impression that a discussion was taking place among scientists. Some of the names he used were Dr. Ernst Gauss, Diploma Chemist; Dr. Werner Kretschmer, Jurist;

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Dr. Christian Konrad, Historian and Journalist; and Dr. Dr. Rainer Scholz, Diploma Chemist and pharmacologist.

In order to protect his cherished function as the intellectual figurehead of Revisionism, with the appearance of a high degree of credibility, the accused considered it important to avoid appearing to be personally involved with polemics. In deference to this double strategy he kept his distance from radical right wing circles and did everything possible to maintain the appearance of objectivity and political disinterestedness. When he openly addressed revisionist matters, he emphasized that he had a purely scientific interest in questions regarding the Holocaust. He pretended to be politically unaffiliated, thus not responsible for the manner in which the nationalist camp might use his scientific writings. He presented his relationship to the Jews as unproblematic, characterized by a desire to reach an understanding. This is the sense in which he described himself in his appearance as a lecturer on the Holocaust before student organizations, also in the brochure "The Rudolf Case," which appeared in the preliminary stages of this trial in 1994.

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The same is true for certain of his pseudonyms. Particularly with the name Dr. Ernst Gauss, the accused created an objective, scientific artificial persons with whose help the impression should have been created that several serious persons agreed completely with his theses.

The Remer action also followed the double strategy plan. As far as his expert testimony (written in the form of scientific treatise) was concerned, the accused operated openly. For polemic commentary and publication of the entire work, he preferred to use other names.

In his personal circle, with few exceptions, the accused consistently maintained this attitude of objective researcher and cautious contemporary observer. To his friends and relatives he remained silent concerning his contacts to radical revisionists as well as much of his journalistic activities. He represented his political standpoint as Social Christian. According to this he was a member of a Christian student organization. He also emphasized that he was a practicing Catholic.

From the beginning, the accused was wary of possible reactions of the state to his journalistic activities.

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He carefully considered the extent to which his activities might have significance as incriminating evidence in the future. In conjunction with this he also faked facts so that he would be able to refer to them in his defense at some future time. Thus he fabricated numerous documents in order to divert anticipated legal proceedings in a false direction

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and be able to refer to them as exonerating evidence. He methodically constructed his writings in such a way that his true intents and concepts, as well as his real attitudes were apparent only insofar as it seemed helpful to him. In his private correspondence he wrote in a veiled manner, even when the contents were known to the addressee.

In spite of all his manipulations, it was clear to the accused from the beginning that his journalistic activities could have negative consequences for his professional career and could entail official repression. However, his political goal was so important to him that he accepted the possibility of prosecution in case his deceptive maneuvers should fail.

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C) Principal Writings of the Accused

The accused adhered to the above mentioned strategy (of pretended objectivity) in all of his fundamental writings. These are characterized by a scholarly style, with references to his authority as a professionally trained chemist. In form and tone they are presented as though they dealt exclusively with the subject matter. In addition, his intensive discussions of details, tables and graphs as well as voluminous references to scientific literature give the impression of open-minded scholarship. This is particularly true of the three major publications which he produced after his conversion to the revisionist camp.

1.) "Expert Report"

The accused followed the strategy of scientific objectivity very closely in his Expert Report, which he began around the end of 1990. This work, which forms the basis of all of his journalistic activities, is written in a scholarly style. It addresses a specific subject of chemistry (the problems connected with hydrogen cyanide) and avoids general political conclusions.

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In keeping with general revisionist strategy, however, its real intent is to present a specific point, then imply and suggest general conclusions. It is a fact that revisionist literature (including literature which the accused wrote, influenced, or in which he collaborated) repeatedly refers to the Expert Report as proof that the overall Holocaust did not take place. Thus, an article about the Expert Report which the defendant wrote in August 1993 bears the title: "Young German Chemist Proves Irrefutably That There Were No Gas Chambers at Auschwitz: Gassing of Jews a Propaganda Lie of Victorious Powers of World War II."

For the sake of feigned credibility (and also because he hoped to make a name for himself) and because he insisted on freedom of scientific research, he admitted from the start that he was the author of this work.

2.) Vorlesungen über Zeitgeschichte (Lectures on Contemporary History)

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By and large, the accused maintained the strategy of objectivity in his 340 page book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History.) In it he presents the arguments of the radical revisionist wing in dialogue form, allegedly with the intention of promoting understanding between nations.

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This book deals with arguments which are constantly repeated in the pamphlets of the Remer Circle, and the author has worked the results of the Expert Report into it. It was published (simultaneously with the Remer-Version of the Expert Report) at the beginning of April 1993 by the Grabert Publishing House of Tübingen, as part of the revisionist publication campaign planned by the accused and others. The author's name is given as Dr. Ernst Gauss.

Under this same pseudonym, the same firm published an article in the May 1993 issue of the journal "Deutschland in Geschichte und Gegenwart" (Germany Past and Present), in which the accused presented the content of the Expert Report in abbreviated form, again in an objective style.

3.) Grundlagen zur Zeitgeschichte (Dissecting the Holocaust)

At least since middle of 1991, the accused was also working on a comprehensive anthology covering various aspects of the Holocaust. This book, comprising more than 400 pages in large format, appeared at the end of 1994 under the title "Grundlagen zur Zeitgeschichte" (English Title: Dissecting the Holocaust) and was likewise published by Grabert in Tübingen.

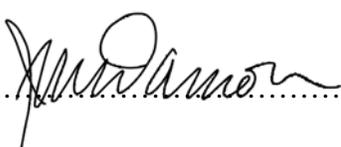
By publishing an anthology, the accused was following a strategy of denying

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the Holocaust, a strategy which he originally intended to use in the Expert Report as well. Considering that the public prosecutors would have more difficulties in dealing with a group of Holocaust deniers rather than just one, his strategy was to include as many revisionists as possible.

Regarding the Expert Report, this strategy was ultimately not realized. For one thing, compilation of the anthology was delayed and the accused became impatient for publication. In addition, he began to see himself as a great historical enlightener and he did not want to share the glory which he expected to gain from his world-changing work. Finally the accused believed that he had found a way to evade criminal prosecution, namely by feigning the Remer-Action.

The accused worked out the overall concept of "Grundlagen," which again disguised itself with objectivity. He put together a team of leading revisionists, who wrote the

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individual contributions, and he coordinated them. He too contributed several articles, one of which was a presentation of the results of his Expert Report.

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In an introductory essay which he wrote under the pseudonym Ernst Gauss, he tried to make the reader believe that he and his co-authors, with their research on the Holocaust, intended to contribute to the normalization of German relations with Jews and to bring about a revival of an earlier "German-Jewish Symbiosis."

Most of the articles are signed with the real names of the authors. The articles of the defendant are signed with his old name, with Manfred Köhler and with Ernst Gauss. One of his contributions is signed "Germar Rudolf and Ernst Gauss." Since the publisher hoped to have a promotional advantage by using the name Ernst Gauss due to the success of "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History), this name was used as the editor's name as well. Originally, the accused intended to use his own name here.

D) Contacts of the accused to revisionist and rightwing extremist circles

The accused's investigation of the question of remnants of cyanic acid in the remains of buildings in Auschwitz, a question which was first raised by Leuchter, led to numerous contacts in revisionist circles. The accused sought out these contacts both to inform himself

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and to establish himself in these circles. Since from the beginning he dedicated his writing to political (particularly nationalistic and racist) purposes, he sought contact primarily with rightwing extremist circles. In order to develop these contacts he sent preliminary versions of his writings to well known rightwing radicals, directing their attention to this writings' potential for political agitation. Thus, in one of the earliest mailings, on 26th March 1991, he sent a preliminary study of the Expert Report, a concept of the subject "Long Term Stability of Cyanide Compounds" to several revisionists.

1.) Ernst Zündel

Thus the accused informed the neo nazi German-Canadian Ernst Zündel of his earliest intention to investigate the chemical aspects of the Leuchter Report. Responding to a letter which he sent to Toronto, Zündel answered in a letter dated 29 August 1990: "You can not imagine how happy I am to receive your letter! Finally, a German expert in this field is

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taking an interest in this important matter. Thank God! For years I have been hoping for someone like you!" No copies of the defendant's letter were found among his papers, however. During the following years the accused remained in contact with Zündel. Among other places, he met with Zündel on the 4th of November 1991 at a revisionist meeting sponsored by the witness Dill, at which Fred Leuchter was also present. In addition, at Zündel's request, he offered his services as expert witness in a trial before the Munich District Court. on the 5th of November 1991. In this case, Zündel was accused of incitement for denying that the National Socialists committed mass murder at Auschwitz. The accused traveled to Munich but was not allowed to testify.

The defendant and Zündel also exchanged revisionist literature. Among other things, Zündel sent the defendant a monograph by the American J. C. Ball in December 1992, concerning Allied evaluations of air photos of National Socialist extermination camps. Shortly thereafter, Ball became a co-author of the book "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust.) Zündel also received, i.a., preliminary versions of the Expert Report which he (Zündel) then had translated into English, without his consent, and distributed among persons interested in revisionism. On the 4th of September 1992 the accused denied Zündel permission to distribute his writings, because the defendant wanted to determine the time, place and conditions of publication.

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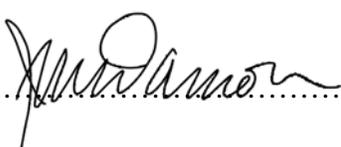
It was Zündel's idea to arrange the misuse of a court Expert Opinion in order to distribute the Gutachten. He had made a similar proposal to the accused as early as Fall 1991 in conjunction with his own trial before the Munich District Court, which however did not come about (see page 103.)

2.) David Irving.

The accused entered into written contact with the rightwing extremist English revisionist David Irving early in 1991. In a mailing dated 29th April 1991 he sent Irving a treatment of the subject "Long-term Stability of Prussian Blue" as well as additional supporting documents, with the suggestion that these be included in the new edition of the Leuchter Report, or other revisionist writings. On the 24th of July 1991 he sent Irving an updated version of his treatment and offered it to him for publication in English. In addition he requested Irving to arrange contacts with Zündel and Leuchter. Regarding his treatment, the defendant wrote to Irving: "Communications with Zündel and Leuchter on this subject have so far not succeeded. Could you use your influence to expedite this?" In a letter dated 18th August 1991 the accused denies Irving permission to publish his treatment, one of the reasons

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being that it is not yet adequately documented. The letter states "By publishing a (qualitatively/quantitatively) half finished work, I run the risk of not being allowed to continue my dissertation. The first difficulties with my Ph. D. advisor have already

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occurred. Therefore, I would like to take all precautions possible... You would also have to agree that to shoot and miss or merely wound your target is considerably more dangerous than not to shoot at all. In dealing with targets which are potentially dangerous, the first shot should be only one necessary." In a later message (3rd May 1992) he asked Irving to send him the sources for an article which the court witness Dr. Bartling had written concerning the "Influence of British Hate Propaganda for the Decision of the United States to Enter the Wars in Europe."

3.) Günther Deckert

The accused had sent the first results of his researches on the subject of long-term stability of Prussian Blue

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to the head of the National Party of Germany, Günter Deckert (26th March 1991.) In the following period the accused remained in contact with Deckert. In the middle of 1993, under the pseudonyms "Dr. Dr. Rainer Scholz" and "Dr. Christian Konrad" he took part in composing two articles for the NPD (German Nationalist Party) newspaper "Voice of Germany," which dealt with revisionist views of the Holocaust and the Expert Report. In it, he wrote, with a view to the political consequences of the "Gutachten": "With the exception of the NPD, until now not even the right wing parties have dared to deal with their most essential subject." At the same time he wrote this promotional ad for the Cromwell version of the Expert Report: "You too should order this icebreaker of our frozen German historiography and politics." This article, found in the computer of the accused, was never published, because the computer was confiscated during the search of his domicile on 30th of September 1993.

4.) Hans Joachim Dill

The accused has been in close contact with court witness Dill since the spring of 1991. This relationship likewise began with the accused sending his work on the long-term stability

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of Prussian Blue, in a mailing of 26th March 1991. Dill, a former officer of the Wehrmacht who openly acknowledges his allegiance to National Socialism, played a leading role in a circle of around 80 persons having revisionist convictions, in which Auschwitz was "Subject Number 1." He coordinated information within the group by means of circular letters, most of which the accused also received. Together with others, he also organized events in which leading revisionists such as Zündel, Leuchter and Irving participated. The accused participated in several of these events, including the convention of 4th November 1991, which has already been mentioned.



In addition Dill helped with composing, financing and distributing writings having extreme rightwing radical content. In particular he expedited distribution of the "Remer-Depesche, (Remer Dispatches," rightwing radical flyers designed to incite the masses. He bought these in large numbers (up to 1000 copies) from Remer, with whom he maintained contact, delivered them to his circle for further distribution. On the 25th of February 1994 Dill was sentenced by the Jury Court of Stuttgart to a prison sentence of ten months, primarily for distributing the "Remer Dispatches." The sentence was probated.

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From the beginning, Dill played a large part in the revisionist activities of the accused, and he also helped distribute his works. He exchanged revisionist literature with the accused and he facilitated contacts with other revisionists. For example, he placed his fax machine at the disposal of the accused, who did not have one, so that the defendant could correspond with Zündel in Canada. In letters of the 7th and 21st of July 1991, the accused requested assistance in putting together a team of experts for "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust) and Dill solicited assistance within his circle.

In the fall of 1992, Dill circulated a letter of the accused dated 17th September 1992, addressed to Prof. Benz, the head of the Center for Anti-Semitic Research at the Technical Institute of Berlin. The defendant had requested help in distributing the letter. Before Dill forwarded the letter, which dealt with mostly non-revisionist literature on Auschwitz and contained nearly the entire final chapter of the Expert Report, he wrote to the accused on the 29th of September, 1992: "I am very thankful to you for sending me this letter...

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I do not hesitate to forward this letter to others and recommend that they also pass it on, but I suggest that you reconsider this in order to avoid endangering the publication of your book. Thus, two dozen persons are receiving your work with the request that they exercise prudence. If you disagree, you need only to make a telephone call, and then eighty friends who share our convictions will receive it. You yourself have of course thought of Zündel, but what about Faurisson and Irving, as well as the lawyers involved in the revisionist trials? I would like to avoid making duplicate deliveries."

Dill played an important role in the publication of the Expert Report. After attempts to have the Expert Report published by a leading publisher failed, he helped arrange for publication within the revisionist camp. Around the end of August 1992 he organized a meeting in the rooms of a company in Echterdingen near Stuttgart at which details of the publication of the Expert Report (particularly its financing) were discussed. Several persons who were expected to help with financing participated in the meeting, in addition to the defendant and Philipp. This included someone named Klaus Christian Marloh from Seevetal. In addition he collected money in his circle for financing the Expert Report.

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Dill also made a significant contribution to financing the book "Lectures On Contemporary History" by the accused by making payments to the Grabert Publishing House.

Dill also showed great interest in the personal life of the accused. In his letter of 19th October 1992 accompanying the letter from the defendant to Prof. Benz, which he sent to revisionist colleagues, he explained his concern: "Before even completing his dissertation, the young man is risking his own career, which has not even begun yet. Let us say, without resorting to pathos, that he is doing it for Germany. Despite my admonition that this letter could hurt him, he has permitted me to duplicate as many copies as I wish." In a letter dated 18th December 1992, when Dill learned that the defendant was under indictment for incitement of the masses, he inquired about his financial situation and offered him monetary assistance. In the same letter he forwarded "...200 Danish Kroner, which a lady from the far North sent to me with instructions to contribute it to a colleague who has served our common cause."

Furthermore Dill considered it very important that the accused should finish his doctoral dissertation as quickly as possible. When the defendant answered in detail a question of Dr. Manfred Dreher of the Dill circle concerning

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the bitter almond odor of hydrogen cyanide, Dill wrote: "You have done something which deserves great acknowledgement... I am passing on your work to the originator of my inquiry with a request to consider this little debate terminated. Now, your dissertation absolutely must take priority."

Since 1 October 1994, the accused has been employed in the paper factory belonging to the witness.

5.) Klaus Ewald

The court witness Ewald, who calls himself a "fatherly friend" of the accused, was also a member of Dill's inner circle. He is the translator of "The Holocaust on Trial," the book about the Zündel trial. As early as 1990 the accused had such a trusting relationship to Ewald that he showed him the uncut version of his theories concerning revisionist strategy, which he normally kept secretive. Ewald also collaborated as translator of "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust.) He was also involved in preparations for publication of the Expert Report. In this capacity he participated in the discussion with Dill at the end of August 1992 in Echterdingen.

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6.) Harald Reich

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The witness Reich was also quite prominent in the Dill circle. Since he was an engineer with diploma, the defendant commissioned him to proofread the technical and engineering portions of the Expert Report and expressed his thanks at the end of the report. At the beginning of September 1992, Reich sent Dill 100 DM toward financing the Expert Report. Reich is the author of the inciting brochure "25 Proofs That There Were Neither Gas Chambers nor Exterminations of Jews in the Third Reich." The accused had this literature in his possession.

7.) The Attorney Hajo Herrmann

The accused has been in contact with the witness Attorney Herrmann since May of 1991. This former officer of the World War II Luftwaffe, a symbolic figure in the right wing camp, is strongly revisionist and has frequently appeared in trials of Holocaust deniers. The defendant's connection with him came about through court witness Philipp, who sent Herrmann his research on the long-term stability of Prussian Blue in the Spring of 1991. Herrmann was deeply involved in publication of the Expert Report.

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He carried on a voluminous correspondence with the accused, having to do with both form and content of the Expert Report as well as numerous details of the Holocaust. Herrmann used the Expert Report as an independent and objective expert report in Holocaust denial trials, including that of court witness Remer. Attorney Herrmann's arguments in the trial against Remer were included in the "Trial Report," which is included in Remer's version of the Expert Report.

In collaboration with court witness Hermann, the accused produced a flyer entitled "An die Schlaumeier der reiferen Jugend" ("A letter to the clever dicks of the mature youth") in the summer of 1993. Here, the defendant's theses are directed at high school students by means of an ironic question and answer game. It also promotes the brochure "Wissenschaftlicher Erdrutsch durch das Rudolf-Gutachten" (Scientific Landslide Caused by the Rudolf Expert Report.) Among other things, the brochure understates conditions in the Auschwitz camp (see pages 39 and 85.)

8.) Attorney Dr. Herbert Schaller

The Austrian attorney Dr. Herbert Schaller also participated in revisionist trials,

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and he was a member of the defense in the Remer trial in Schweinfurt. In the appendix to the Remer version of the Expert Report he is quoted on account of his radical revisionist remarks. The severity of conditions in the Auschwitz camp is understated, as in the above mentioned "Schlaumeier" flyer. He too was in constant contact with the accused. He was supposed to write juridical contributions for "Grundlagen zur Zeitgeschichte" (Dissecting

the Holocaust) but never completed them. The article on witch trials, which was supposed to appear under the names of attorneys Schaller and Herrmann, was written by the accused (see pages 96 and 182.)

9.) Dr. Dieter Bartling

Dr. Bartling also belonged to the close advisors of the accused. A chemist interested in revisionism, he occupied a leading position in a major pharmaceutical company. He and the defendant became acquainted when court witness Philipp asked him (the defendant) to answer the "chemical side" of a questionnaire concerning the Leuchter Report which Bartling had sent on 27th November 1991 to a cover address of Remer's in Denmark (see page 51.) Following this, a lively contact developed between the defendant

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and the witness, who was interested in the professional advancement of the accused as well as the Expert Report. Among other things, he helped the defendant with promotional support and attempted to get him a position with his former firm. In addition he attempted to broker between the accused and his dissertation adviser in Spring of 1992, when tensions developed between them on account of the defendant's revisionist activities.

Bartling believed that it was of paramount importance for the accused to adhere to the strategy of objectivity. For this reason he wrote an introduction to the Expert Report on 12th July 1992 which was emphatically serious (see pages 92 and 212.) He also attempted to find a serious publishing house for the Expert Report. To this end he established contacts with the publishers "Chemie," "Koehler und Hase," and "Ullstein Langen Müller," and he participated in the negotiations with these firms (see page 99.) He was not involved in the contacts of the accused with radical revisionist circles.

After the collapse of attempts to find a "serious" publisher, the defendant lost interest in this witness. Since the accused assumed that the witness would not carry through with the double strategy, he was not involved in subsequent

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publication activities of the Expert Report, particularly the intrigues of the Remer actions. The defendant led Bartling to believe that after he had received his degree, the Expert Report would be published along with Bartling's introduction. To this end they completed an author's contract in December of 1992. The defendant no longer intended to use Bartling's introduction, however. He misled Bartling, whose introduction was not used when Cromwell Press published the Expert Report

In February 1993, the intense personal and literary contact with the witness was discontinued. It was not resumed until August of 1993, at Bartling's initiative (he had to track down the accused, who had in the meantime changed addresses. It was at this time that the defendant informed Bartling concerning Remer's supposedly unauthorized action.

He did not inform Bartling that he himself had in the meantime published the Expert Report in an authorized version. The latter learned of this only during the major part of the trial.

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10.) Jürgen Graf

The Swiss citizen Jürgen Graf is the author of the books "The Holocaust Swindle" and "The Holocaust on the Testing Stand" which appeared in Spring 1993 in his own publishing house in Basel and was circulated by Remer and others. The accused has been in contact with him since at least December 1992.

11.) Achmed Rahmi

Achmed Rahmi is a Moroccan who lives in Sweden. He is a member of the Remer Circle and is extremely anti-Semitic in his views. In July of 1993 a brochure appeared in the Remer Circle which contained an extremely aggressive interview with Remer. Rahmi is said to have written this for the Arabian newspaper "Alshaab" (See page 57.) The defendant, who has been familiar with the views of Rahmi and his connection to Remer since at least 1991 (see page 48, Munich advertising campaign), wrote a rough draft for an article on his Expert Report for this same magazine, in August 1993. This draft likewise contains extremely anti-Semitic remarks (see page 79.)

12.) Collaborators on the book "Grundlagen zur Zeitgeschichte" ("Dissecting the Holocaust") Robert Faurisson, Arnulf Neumaier, Willy Wallwey

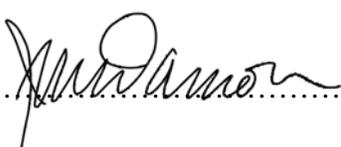
For the book "Grundlagen zur Zeitgeschichte" ("Dissecting the Holocaust,") the defendant assembled a group of revisionist authors to whom

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he referred as "Staff." To this group belonged the French professor of literature Faurisson, who in corresponding circles enjoyed the reputation of the "Nestor of revisionism." The accused visited Faurisson in France and has continued an intensive correspondence since the middle of 1991. In tribute to his reputation, the defendant entrusted the foreword of their common book to him.

Another member of the group of authors was the strongly anti-Semitic court witness Neumaier, who wanted to discontinue collaboration on the book because court witness Weckert, who likewise contributed an article, was collaborating on other projects with Wolffsohn, a Jewish professor at the Army University in Munich.

Court witness Wallwey originally worked with the attorneys Herrmann and Dr. Schaller and was supposed to collaborate on articles about technical aspects of cremation. His relationship with the accused began early in 1993. In a letter dated 1 January 1993, he

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introduced himself to his colleagues with the following words: "In my spare time I am active as amateur historian. Until now my area of special interest has been my old military unit, the Waffen SS..." After describing his work load as a self employed architect, he continued, "... On the other hand,

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It is clear to me that the clock shows five minutes before midnight and time is running out for most persons of my persuasion."

On April 3rd/4th, a meeting of the authors to this book took place at the house of the witness Wallwey in Ottobrunn.

13) The Accused's Connections to the Remer circle

a) General remarks concerning the Remer Circle

The former major general of the Wehrmacht, Otto Ernst Remer, is the standard bearer of a group having especially radical and aggressive revisionist opinions. The members of this group incline to national socialism and extreme anti-Semitism. Early in the nineties, they published numerous hate pamphlets which insinuated that the Jews invented the Holocaust in order to extort money from the German people. One of the leaders in this circle is court witness Philipp with whom the accused stayed in close contact beginning in the middle of 1991. Philipp, who personally seldom appeared to the outside of the circle, is one of the few persons to whom the accused expressed his true opinions.

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In the beginning, the Remer circle's most important instruments for agitation were the J. G. Burg Foundation and the Remer-Heipke Publishing House.

The J. G. Burg-Gesellschaft, as whose chairman Remer appeared, used a Jewish journalist of the same name as evidence that persons of Jewish derivation also had doubts concerning national socialist atrocities. Flyers were produced and meetings held in the name of the Burg foundation. In mid 1991 the Remer dispatches were published as "an organ of the J. G. Burg Foundation," which continued to appear up to seven times per year until early in 1994. The Remer dispatches, which were circulated in very large numbers, appealed in a polemical fashion to racist, nationalistic, xenophobic and anti-Semitic prejudices.

The Remer-Heipke publishing firm was managed by Anneliese Remer, the wife of the witness Remer, out of the couple's home in Bad Kissingen. Primarily it published Remer's books. It also distributed revisionist works of other publishers, including books by Jürgen Graf and the defendant's "Lectures on Modern History."

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Following Spring of 1993, the group around Remer moved many of its activities to England, where it operated primarily under the name of Cromwell Press. The materials published by Cromwell, including the authorized version of the Expert Report, could be ordered through the Remer-Heipke.

The Remer group had access to printing resources whose location is unknown, and thus was able to print a large volume. The products of their press show numerous identifying characteristics (See pages 75 and 195.)

b) The relationship of the accused to Remer and Philipp

As nearly as we can tell, the accused had little personal contact with Remer. He became acquainted with Remer in February 1991 at the latest, when, while attending a seminar of young Sudeten academicians, he visited him at his home in Bad Kissingen. Subsequent contact occurred indirectly through court witness Philipp, whose relationship with the accused began sometime before May 1991. In a very short time there developed a kind of symbiotic relationship between Philipp and the accused, in which the accused

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soon became aware of the anti-Semitic and aggressive nature of the activities of Philipp and his milieu.

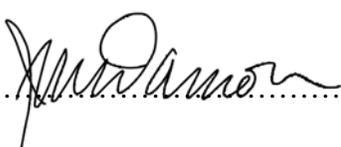
Details of the development of the relationship are as follows:

The first verified contact between the two was a letter from Philipp to the accused, written 8 May 1991, in which he included an advertisement of the J. G. Burg Foundation concerning the Holocaust, as well as an interview with Achmed Rahmi in the Munich advertiser "trabant anzeiger." These published notices were celebrated in the Remer circle as a breakthrough because, for the first time since 1945, it had been possible to present a somewhat detailed revisionist depiction of the "gas chamber" subject in the "established" press.

Since the topic of these materials which Philipp forwarded to the accused was that German chemists were writing dissertations on the "Hydrocyanide Problem," the defendant assumed he was the chemist meant. In a letter dated 13 May 1991 he pointed out to Remer that he was indeed researching the subject, but not yet officially writing a dissertation. He requested the addresses of other chemists who might be writing dissertations on this subject.

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Philipp, who in the meantime had received the defendant's findings on the subject of long-term stability of Prussian Blue, again wrote to the accused on the 16th of May 1991. The letter begins with the sentence: "Many thanks for your excellent work on the subject

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of Prussian Blue." Referring to the article in the "Münchner Anzeiger" of 30th April 1991, which he again sent along, Philipp remarked: "Galinski is in a state of shock." In addition Philipp remarked in his letter that the "next action" was already in motion. At the end of the letter he expressed a desire to meet the accused.

In a letter of 20th May 1991, the accused thanked him for the materials and expressed reciprocal interest in meeting personally. He finished the letter by wishing Philipp "Good luck in all your actions."

This personal meeting between the accused and Philipp took place on 29th June 1991 at the latest, on the occasion of a convention of the J. G. Burg Foundation in Nuremberg. In conjunction with the success of the above mentioned advertisements, a closed meeting of revisionists took place here with the aim of discussing how to proceed in future. The invitation promoted itself with the headline: "Prof. R. Faurisson and Attorney Dr. Schaller are coming." In addition to these two, the well known rightwing extremist Meinolf

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Schönborn and court witness Philipp would give addresses, the latter on the subject "Breakthrough in Munich / Situational Analysis." The welcoming remarks were reserved for Remer. The immediate result of these Munich announcements and the convention was the publication of the "Remer Dispatches" which began appearing after July 1991.

On the 8th of July 1991 the accused enquired of the J. G. Burg Foundation as to what chemistry institutes and faculties had responded and supplied information to the notices in the "Münchner Anzeiger" of 30th April 1991. He asked for help in his search for colleagues who expressed interest in the chemical aspects of the subject. On 21st July 1991, as he had received no responses, the defendant asked Philipp to respond to his inquiry.

In the meantime, the accused and Philipp had established their common interests and decided to work closely together with regard to the Expert Report. In the middle of 1991 they drove in Philipp's car to Auschwitz in order to get samples for analysis. At this time Philipp also took photographs which were later reproduced in the Expert Report.

On the way back from Auschwitz they both stopped in Bad Kissingen and paid a visit to Remer. On the 23rd of August 1991 they personally delivered the

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samples for analysis to the Fresenius Institute, a renowned chemical firm in Taunusstein near Frankfurt, which was not familiar with the background to their request. In addition they both personally participated in the analysis of the samples.

Subsequently Philipp gave advice to the defendant concerning all questions of composing and publishing the Expert Report. He took an active part in the manipulations connected with the Remer Action as well as the Cromwell version of the Expert Report. Among other names, he participated under the name "Rüdiger Kammerer" as publisher and owner of the copyright of the Cromwell version, as well as publisher of the promotional brochure "Scientific Landslide Caused by the Rudolf Expert Report." As early as February 1992, this name was anticipated as the publisher's name for the planned book version of the Expert Report. Around the end of August 1992, Philipp also participated in the discussions about publication of the Expert Report, at the home of the witness Dill. He oversaw journalistic exploitation of the Expert Report in rightwing radical pamphlets, including the Remer Dispatches, and he worked very closely with the accused in other ways as well. Even though he was not directly involved with the book "Dissecting the Holocaust" he took part in the meetings of collaborators in this book, which took place on the 3rd and 4th of April 1993 in Ottobrunn. In addition he kept and preserved safe copies of the defendant's diskettes

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and participated in maneuvers to hide the fact that the accused was strongly anchored in the rightwing extremist milieu. Again, the defendant participated in activities of the Remer circle.

Thus on the 13th of December 1991 he answered a letter from the witness Bartling which had been written on the 27th November 1991 to the North Wind Publishing House in Kollund, Denmark, a cover address for the Remer Circle. This letter, in which Bartling had expressed interest in the Leuchter Report, was answered under the name A. Hornherr on a letterhead of the J. G. Burg Foundations. Sending copies of the Bartling and Kornherr letters, Philipp also asked the defendant to respond to the "chemical page" of the letter. Along with his answer, the defendant then sent the latest version of his Expert Report and offered to exchange more information in future.

Among the defendant's confiscated documents was found another letter from the J. G. Burg Foundation, signed with the name A. Kornherr. This was the response to a letter from Dr. Ekkehard Zimmermann written on 8th December 1991 to the "Münchner Anzeiger", where the J. G. Burg Foundation on 3rd December 1991 had released another revisionist advertisement. Zimmermann wanted to know if the "Münchner Anzeiger" had had angry responses to its political ad. This advertisement, of which

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a copy was found among the defendant's belongings, presents the rightist extremist views of the Remer Circle in an aggressive manner. The defendant's Expert Report, described as "the expert German investigation of 1991 accomplished in conjunction with the renowned Fresenius Institute," questions the Holocaust. The political ad is signed by 522 persons, including the witnesses Reich and Dill as well as Ahmed Rahmi and Klaus Christian Marloh (see pages 100 and 203.) In response to the letter of Zimmermann, the

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Burg Foundation send a shortened version of "several expert reports which contradict the alleged gas chambers in Auschwitz." Editing remarks show that Philipp took part in writing the letter.

The accused participated primarily under pseudonyms, or else by providing data to the radical journalistic activities of the Remer circle.

E) The Accused and the Agitational Activities of the Remer circle

Following the ads in the Munich advertising newspapers in Spring of 1991, the Remer Circle concentrated on the Remer Dispatches, in addition to ads and flyers. Subsequent to October 1992, a series of brochures were also

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published, in whose production the accused was extensively involved.

1) The "Zeit" Newspaper Is Lying!

The first confiscated brochure was published October of 1992 by the Remer-Heipke Publishing House under the title "Die Zeit lügt! (The Newspaper 'Time' Is Lying!) It an answer to two critical articles concerning the Leuchter Report which appeared in the September 1992 in the weekly magazine "Die Zeit." The brochures follow the Remer Circle's favorite strategy of attaching itself to a well known person or "serious" organization which responds to revisionist activities (the "barnacle effect.") To this end the logo of the "Zeit" magazine was displayed prominently on the front page of the brochure.

Remer is named as the publisher of the brochure, which is called a "Special Issue of the Remer Dispatches" As authors are given the pseudonyms H. K. Westphal, Diploma Engineer; Dr. W. Kretschmer, Jurist; Dr. Ch. Konrad, Historian; and Dr. Rainer Scholz, Chemist and Pharmacologist.

Contextually the brochures follow the arguments common to other

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Remer publications. It features a table containing differing reports by different authors and institutions concerning the number of victims of the extermination camp Auschwitz, which plays a central role in the arguments of the Remer Circle. It is found, with variations, in the Remer Dispatches of November and December 1992 and in the epilogue of the Remer version of the Expert Report. Similar wording and graphics are found in the defendant's book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History.) In addition the brochure contains photographs of the Pope and monuments in Auschwitz which are found frequently in publications of the Remer Circle. The brochure is characterized in part by anti-Jewish polemics. Under a picture of the United Nations

Security Council, it states that that this is an instrument of Jewish organizations and of Israel; and it implies that Jewish organizations have lied about gas chambers and used the lie against Germany during the War.

The defendant participated extensively in production of this 32 page brochure. The last ten pages correspond word for word with the final chapter of the published version of the Expert Report. In addition it contains a graphic illustration and two tables which were produced by the accused. The defendant used the names Dr. W. Kretschmer and Dr. Ch. Konrad for other writings as well (see pages 164 and 185.)

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2) Scientific Landslide Caused by Rudolf's Expert Report

In July of 1993, in conjunction with the Cromwell version of the Expert Report and in the same format, Cromwell Press released a brochure entitled "Wissenschaftlicher Erdrutsch durch das Rudolf Gutachten" (Scientific Landslide Caused By the Rudolf Report) As in the Cromwell version of the Expert Report, the names of the publishers are given as Rüdiger Kammerer and Armin Solms. This brochure, which the defendant produced in collaboration with the witness Philipp, attempts to arouse general doubt about the Holocaust. Going beyond the Expert Report, it deals with questions first treated in the book "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust) such as the concentration camp at Treblinka and the shootings at Babi Jar.

Various printer's proofs for preliminary drafts were found among the belongings of the accused and in addition the complete text of a second edition, dated August 1993, was found in his computer. The latter is a copy of a Winword data file which was written on a program licensed to witness Philipp.

Adhering to the strategy of the "Barnacle Effect," the following is written on the inside of the envelope concerning the Expert Report:

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"Neither the Max Planck Institute nor the entire professorial staff for Inorganic Chemistry were able to find scientific errors!" On the reverse side are quotations from a conversation between the defendant and the business director of Max Planck in Stuttgart on 3 May 1993, as well as statement by a collegiate assembly of that institute which took place 7 June 1993.

In addition, he produced a promotional flyer entitled "Max Planck Institute for Scientific Investigation Press Release." Inside are quotations from the press release of Max Planck Institute of 25 May 1993. It also states: "No scientific objections were raised against the Rudolf Expert Report, either by the Max Planck Institute (as the selection from the above named press release shows) or by the entire German professorial staff (306) for inorganic chemistry. The fact that the alleged gas chambers of Auschwitz were never exposed to



Zyklon B, as some witnesses have charged, is thus proven by the laws of nature.... The German nation, in Israel's conception, should be kept defenseless and forced to pay reparations. For this reason, foreign critics and the foreign controlled media are continuing to lie on instructions of the Jewish leader Bubis." Then follows a subscription form which is essentially identical with a form found in the Remer Dispatches of July 1993 (see Page 70.)

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A printer's proof for this flyer was found among items confiscated from the defendant.

In promotion of the brochures the flyer "An die Schlaumeier der reiferen Jugend" was written (A letter to the clever dicks of the mature youth) (see Page 85.)

In the bibliography of the brochure, the publications "The 'Zeit' is Lying," "Lectures on Contemporary History," and "The Holocaust Swindle" by J. Graf are listed as works which offer an "Introductory Summary of the Latest Developments." Promotion for "Lectures on Contemporary History" is found even in the text, as the sentence: "Whoever is not convinced, refer to E. Gauss Lectures on Contemporary History where everything is explained in detail."

3) The Remer Interview with Alshaab

In the summer of 1993, the brochure "The Remer Interview with Alshaab." appeared, ostensibly published by the "Dyr Yassin Publishing House" with no mention of a place of publication, According to the imprint it was distributed by Cromwell Press. The brochure contains an ostensible interview of Remer by Achmed Rahmis for the Arab newspaper "Alshaab," which was concerned especially with the role of Judaism in the world and with the Arab-Israeli conflict. Its text

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is extremely anti-Semitic. Among other things it states: "With the falsified histories they propagate, the Jewish organizations are enslaving the souls of non Jews." It also alleges a worldwide Jewish conspiracy.

Inside the back cover is a half page promotion of "The Scientific Report Which Will Change the World", "The Rudolf Report" (Price 35 DM, orders outside Germany 46 DM from Cromwell Press.) It reads: "the former scientist of the Max-Planck-Institute in Stuttgart, Diploma Chemist Germar Rudolf has proven in an irrefutable and precise work of scientific research that the alleged homicidal gas chambers never came in contact with Zyklon B." In keeping with the Barnacle Effect, it goes on to state that the Expert Report has been reviewed by the Max Planck Institute, the number one scientific institute of the world, and not a single scientific error could be found. It claims that Max Planck has stated its position regarding the Expert Report in a press release in which it repeated the



results of the Expert Report. It goes on to say "The German Nation has been blackmailed and held in bondage by lies about gas chambers."

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The accused had a printer's proof of the brochure in his possession.

4) "Auch Holocaust Lügen haben kurze Beine" [Holocaust Lies Too Have Short Legs (meaning Holocaust Lies too Get Caught)]

In January 1994 the brochure "Even Holocaust Lies Have Short Legs" was released by Cromwell Press, under the pseudonym Manfred Köhler. It refutes the book "Points of Contention" by the distinguished historian Prof. Nolte, who rejects radical revisionism. This brochure, designed to promote the revisionist point of view by highlighting the name of Prof. Nolte along with his picture on the front page, was at least in part written by the defendant. Portrait photographs of the defendant and numerous other leading revisionists are included in the brochure, including Zündel, Leuchter, Irving, Herrmann, Graf and Faurisson. The defendant had been corresponding with Prof. Nolte since the beginning of 1992 and had unsuccessfully tried to convert him to his point of view. The defendant used the pseudonym Manfred Köhler for other writings as well.

5.) "Der Fall Rudolf"(The Rudolf Case)

Finally, in the fall of 1994, the brochure "The Rudolf Case " was published by Cromwell Press. It deals with the

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Expert Report against the background of the defendant's criminal investigation, in the form of an interview with a non-existing person named "Wilhelm Schlesinger." This brochure, written by the defendant himself, is an attempt to mislead the public and the prosecution concerning his views and intentions. In keeping with his strategy, he pretends to be an ordinary person with moderate political opinions. Following are some extracts:

"Schlesinger: Mr. Rudolf, a good deal has recently been written and reported about you as the expert investigator of Auschwitz." Some people have charged you with every kind of extremism conceivable and suspected you as the chief ideologue of the political right. However, nobody has produced any proof for these suspicions. In view of all that has been reported, I would like to know what kind of person you are. What would you say influenced you more than anything else in your youth, now that you are 29?

Rudolf: More than anything else, my liberal-conservative Catholic upbringing, with the religious faith and morality associated with it. In my childhood as well as during my study of chemistry I always sought the intimacy of the Catholic church, whether in Catholic youth activities or my Catholic

Translated by J. M. Damon 

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student organization at the university, to which by the way, Kardinal Joseph Höffner also belonged.

Schlesinger: Were you politically active during this period?

Rudolf: Yes indeed, specifically in the context of Christian political activities. This was hardly in the sense of participation in party politics, however. After I had been in the Young People's Union a short time, my sympathy for a nationwide CSU came to an end, and I concluded that the CDU would never allow another nationwide party...

Schlesinger: Where do you see yourself politically today?

Rudolf: In No Man's Land. Today I am trying to solve a scientific problem by purely objective means, and to avoid all politics. But the whole world is trying to politicize this question in every way, which hurts not only me and my work, but absolutely everyone who play politics with it. Furthermore I have arrived at the realization with my research that there is nothing in the world more harmful than sacred dogmas and ideologies when they are placed above the realities of the world. To put it plainly: I am disgusted by the dirty business of politics.

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...

Schlesinger: What is your relationship to Jews?

Rudolf: I must confess that I do not know a single one. So, I really have no relationship to them at all. But if I knew one, I would feel that I had a relationship to a specific person, not a race. I can not imagine designating one person as representative of all Jews. So I find your question a bit inappropriate. You might just as easily ask: what is my relationship to Muslims? In my case the answer would be the same, none at all. That would be the right answer.

Schlesinger: But surely you have a concept of Jews.

Rudolf: That is determined by the concept I got in religion class in school, that is to say, old testament-like. The picture of modern Judaism is determined primarily by the Israeli media as well as the interventions of the Jewish Central Committee in German politics. The subject really has no further significance in my intellectual interactions."

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6) "Deutschland -Report" (Report from Germany)

Translated by J. M. Damon



Beginning in August 1993 , the Cromwell Press began publishing the monthly magazine "Report from Germany." It had the same format as the Remer Dispatches and it surpassed them in aggressiveness and anti-Semitic polemics.

The accused maintained close contact with the publishers and helped with distribution of the publication. Thus he was in possession of the proofs of the edition of 1993 and felt authorized to express his opinion on basic questions of format. The defendant's companion, Andrea Scheerer, who is now his wife, proofread this as well as others of his publications. Noting that the name "Scheerer" was being used for the chief editor, she wrote: "P.S. Can you still change the name of the chief editor?" The defendant in turn remarked next to the words "Wolfgang Scherer, Chief Editor" at the end of an article introducing the new magazine, "Can you still change this?"

Since he wrote no other remarks on the galley proof, he obviously did not object to the fact that the galley proof

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shared a polemic relationship with the Expert Report.

In the introductory article mentioned above, it was stated that the Report on Germany would be published in a foreign country because it was not possible to print the truth in Germany on account of "Jewish-neo-Bolshevik" domination of the media. As proof of this assertion he observed that the Rudolf Expert Report, which proved that the alleged gas chambers of Auschwitz never came into contact with Zyklon B, went uncontested by the entire professorial staff of the Max Planck Institute and yet was repressed by all the German media.

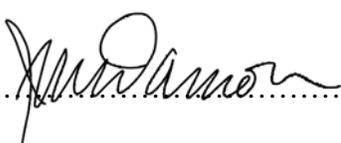
It was also uncontested that, of ten subjects announced for the first edition of the magazine, three were anti Turkish and six were anti Jewish (such as "Are the Turks going to slaughter us as the did the Armenians?" and "Is the Treuhand liquidating our national assets in order to bail out the Jewish American banking system?")

Finally, because of the polemics of the "Report from Germany" the accused became concerned that the journalistic image which he was trying to present could be endangered by the fact that the Expert Report and Report from Germany were produced by the same publishers. In September of 1993 he and Philipp attempted to create the impression that

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he was dissatisfied with the style of the "Report from Germany" and the fact that it was produced by the same publisher as the "Expert Report." To this end he and Philipp composed, for purposes of appearance, the following letter on the 27th of September 1993, addressed to Rüdiger Kammerer in London, in care of the Cromwell Press.

"Dear Mr. Kammerer:

Translated by J. M. Damon 

Yesterday I was received a copy of the 'Report from Germany' which was sent to me by an acquaintance. I gather from the flyer that it was produced by the same publishing house which you have chosen to publish my Expert Report. Under the terms of our agreement, while I granted you permission to publish my Expert Report, we explicitly agreed that the Expert Report would be released in an environment which would correspond to its purely scientific character and would not damage its reputation.

I must now acknowledge that the very choice of publishers for the Report from Germany places my Expert Report in an unfavorable light. Therefore I must request that you either arrange for the Expert Report to appear in a publishing house which does not also release publications like the Report from Germany, or else see to it that

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Cromwell Press no longer releases publications such as 'Report from Germany.'

Since it is also in your interest that the Expert Report appear in an entirely serious publishing environment, I trust that you will immediately take the necessary steps to relieve this unfortunate situation. Otherwise, I must consider our above mentioned agreement as null and void.

This letter was written on a computer using the Winword program which was licensed to the witness Philipp. A copy of this data was found in the computer of the accused in which the first draft is dated "27th September 1993."

The date 27th September 1993 is also the date of an ostensible answer to the defendant's letter which was written by Rüdiger Kammerer, sent from London on 30th September 1993, and found in the search of the defendant's quarters on 18th August 1994. This letter reads:

"Dear Mr. Rudolf,

unfortunately very few publishers are willing to publish your Expert Report 'On the Formation and Detectability

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of Cyanide Compounds in the 'Gas Chambers' of Auschwitz.'

Cromwell Press is an avant-garde publishing house which not only dares to deal with taboo subjects, but specializes in them. It is really beyond my control if the 'Report from Germany' appears there.

You yourself have experienced that no publishing house in Germany dared release your Expert Report. Today when publications appear which displease the Establishment, they

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are branded with terms such as "not serious, right wing extremist, fascistic, and so forth. There is no defense against such attacks. This is true of the 'Report from Germany' and it is also true of your Expert Report. Consider the incident of the "Wiesbadener Kurier" regarding your work.

The important thing is that your work be made accessible to the public. If Cromwell Press published nothing but books on poultry production, your Expert Report would still be violently attacked. Such is always the case when the truth displeases those who exercise power."

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7) The Remer Dispatches

a) Exploitation of the journalistic activities of the accused

Until Spring of 1993, the Remer Circle referred to the Expert Report as "Report of German Expertise" without naming the author. In the following period however, the Remer Dispatches paid a great deal of attention to the accused and his writings.

aa) The first full-page review of the Expert Report is found together with the Table of Death Numbers which was circulating in the Remer circle (see page 111 and 181) on the first page of the edition of December 1992 (No. 7.) This issue also includes a photograph of the accused, seen from the rear. It is one of Philipp's photographs taken during their joint visit to Auschwitz, and is also found in the Expert Report.

bb) In the edition of January 1993 (No. 1) the Expert Report is mentioned in an edition which is extremely anti-Semitic, in the section on commentary from other publications.

cc) The edition of March 1993 (No. 2) promotes the brochure "The Times is Lying!" The "Announcements" section states that the publication is directed towards Jewish organizations which are hostile to Germany. To counter this,

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scientific facts should function like fragmentation bombs on the "sand castle of Auschwitz," which was created by the victorious powers of WWII. This edition is extremely anti-Semitic.

dd) The edition of May 1993 is dedicated almost entirely to the Expert Report. On Page 1 is Remer's report, the so-called "Self Defense Action". On Page 4 is an announcement of the Rudolf Expert Report stating that an English group of scientists have supplemented and published the Expert Report, which can be ordered from Remer for 35 DM (46 DM if ordered from abroad.) The mailings are done from England.

In this issue. the name of the accused is mentioned in connection with the Expert Report for the first time, On Page 2 is also the defendant's photograph, taken from the Expert Report. In keeping with the strategy of associating well known names with the Expert Report, the Fresenius Institute is mentioned as guarantee of the accuracy of the Scientific Report, and a photo of the firm's headquarters is printed on the front page. It is emphasized that the German professors of inorganic chemistry found no scientific fault with the Expert Report.

In keeping with the "Barnacle Effect," the only reaction of the Establishment Press toward the Remer Action is minutely

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covered. This was an article in the "Wiesbadener Kurier" dated 8th May 1993 in which the misuse of the name of the Fresenius Institute is extensively covered. Three letters which accrued in this connection, between Remer and Fresenius, are published in whole or in part. The same is true of the correspondence between the Hoechst firm, Remer and the witnesses Neumaier, exchanged in connection with mailings of the Expert Report during the Remer Action.

The defendant knew about this correspondence and exploited it for propaganda purposes. Of six published letters, four were found in his possession. One was an original Fax (Notation on Fax: 10 May 1993, 19:50 hours) along with a letter from Remer to Fresenius on this date. The defendant had placed this Fax among the Remer letters in his records, which were filed according to his correspondence partners. Another was a letter from the Hoechst firm dated 22 April 1993, addressed to Remer, with whom this firm objected to the sending of the Expert Report. There was also a letter from witness Neumaier dated 5 May 1993, addressed to Hoechst, demanding "words of explanation." Finally there was the response of the Hoechst firm to Neumaier, dated 14 May 1993, in which the firm rejects being forced into correspondence.

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On 19th May 1993, the defendant wrote a letter to the Hoechst Firm in hopes of provoking additional reaction which could be exploited journalistically; He was not successful.

On the 10th of May 1993, he wrote a letter to the "Wiesbaden Kurier" with the same intent, again unsuccessfully demanding a reply.

ee) The July edition (No. 4) mentions the Expert Report on pages 1, 3 and 4. Page 4 is dedicated primarily to promoting the defendant's writings. It discusses the Expert Report, the book "Lectures on Contemporary History," the brochures "Scientific Landslide Caused by the Rudolf Expert Report," "The Zeit is Lying!" and two books by Jürgen Graf. Forms are provided for ordering these works from Remer and Heipke. On the same page is a quotation from the magazine "Le Monde" entitled "The Arguments of the Deniers" and subtitled "We are forcing debate."



The order form for the brochures "Scientific Landslide" is practically identical with the order form which appeared in a promotional flyer of Cromwell Press in July 1993. There is complete

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concurrence, apart from small changes in word choice, punctuation and graphics. The titles and the discount tables for wholesale orders are identical. The only difference is that the order address in one case is the Remer-Heipke publishing house, the other Cromwell Press. The promotional sheet was found in the defendant's possession.

35 copies of the July 1993 edition were found in his possession.

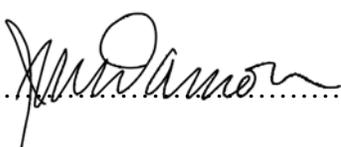
ff) The edition of August 1993 (No. 5) contains, under the title "Former Attorney General Alexander von Stahl: 'I am not responsible' a presumed interview with von Stahl, in which is printed a private letter from von Stahl to the defendant dated 12 February 1992. The defendant had written a letter to von Stahl on 29th January 1992 in his capacity as member of the Cartell Association, a grouping of catholic student organizations, to which both belonged. He had requested a personal interview "between Cartell brothers," to discuss the revisionist theses at Auschwitz, as well as introductions to exclusive circles. In a short letter to the accused, von Stahl declined to support the defendant stating that he was not officially concerned with this problem and that he had no doubts concerning genocide against Jews by responsible persons in the Third Reich

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The publication in the Remer Dispatches of this private letter more than a year later, a letter which was with regard to revisionism uninteresting, merely served the purpose of dropping a famous name, Von Stahl's name was in the headlines on account of his removal from the office of Attorney General in July of 1993.

gg) The issue of October 1993 (No. 6) mentions the Expert Report on pages 1 and 4. In addition, the Expert Report and Lectures on Contemporary History are mentioned twice more, once in an article with the heading "Tuisco, Founding Father of the Ancient Germans" (see Pages 75 and 193.) Here it is insinuated that the media are repressing discussion of Auschwitz, despite knowledge of these the defendant's repressed works (see page 73.) The other is an unsigned article on the subject of Prof. Nolte's "Streitpunkte" (Points of Controversy) which bemoans the fact that Prof. Nolte may have read the Rudolf Expert Report, but not other revisionist writings, including "Lectures on Contemporary History."

hh) The Issue of November 1993 deals on the first page solely with the Expert Report and the defendant's criminal prosecution, which had just been made known. The defendant's portrait photograph

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is inserted on the first page, and is also found in the brochure (Auch Holocaust-Lügen haben kurze Beine (Holocaust Lies too Get Caught)

b) Collaboration of the accused in Remer-Dispatch Articles

aa) The accused was involved in at least a part of the article which appeared in the Remer Dispatches, "Tuisco Stammvater der Germanen" (Tuisco, Founding Father of the Ancient Germans.) This pseudonym is derived from the name of the student organization "Tuisconia" in Bonn, of which the accused was a member. In August 1993 it is stated in a similar article that Holocaust believers would "defend the Auschwitz Lie with rat-like fury." This formulation "rat-like fury" appears in the same context in preliminary draft which the defendant wrote for an article in the newspaper Alshaab, which appeared at about the same time (see page 80.)

In the issue of October 1993 it is reported in the "Tuisco" article, that an acquaintance of the author when a taxi driver in Frankfurt, had overheard a conversation between the journalists Joachim Fest and Georg Reißmüller of the Frankfurt Allgemeinen Zeitung, concerning the Expert Report. Concerning the content of this conversation, the defendant reported to the witness Dr. Bartling in a letter dated 25th September 1993, using similar words

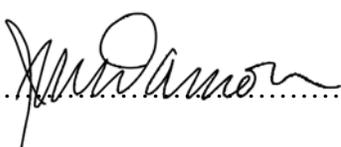
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Which are very similar to those used in the "Tuisco" article. This conversation is likewise mentioned in a conceptual draft of the article for the National Party newspaper "Voice of Germany" (see page 164.)

bb) At the least, the defendant provided dates for the lead article of the issue October 1993, which is concerned with the alleged Alshaab Interview with Remers. The article exhibits characteristics which are similar to the defendant's conceptual draft for the Alshaab article (see page 79.) Thus in both articles a quotation from Prof. Wolfsohn from the Frankfurter Allgemeine Zeitung dated 15th April 1993 is introduced, in which Judaism is discussed as a "substitute religion." At the end of the Remer Dispatches is stated: "The second European colonial expedition into Palestine will collapse just as did the first, in the days of the crusader knights." In the rough draft for the Alshaab it stated: "Europe's second attempt, after the medieval crusades, to create a permanent European enclave in Palestine against the will of the Arabs, will collapse."

c) Other evidence of connections between the accused and the Remer Dispatches

On Page 2 of the issue October 1993 (No. 6) is found the minutes form memory of an interview with the leader of the Tracing Center of the International Red Cross

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in Arolsen, Dr. Biedermann, concerning the death books of Auschwitz. In the Remer Dispatches, the names of the interview partners are given as Stephan Heinze and Werner Schumacher. A copy of this original version was found in the possession of the accused. From this copy it is evident that the interview was actually conducted by Philipp and the revisionist Kempkens, and that Philipp used the name "Denzel" during the interview.

The accompanying commentary includes the defendant's table showing the ages of the registered dead at Auschwitz. This table first appeared in the defendant's letter to Bartling dated 19th August 1992. In addition to these the table also appears in the brochure "Die Zeit lügt!" (Zeit Magazine is Lying!) as well as the book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History.)

8) Common Elements Shared by Writings of the Remer Circle

The writings of the Remer Circle share the following elements:

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The brochure "The Zeit is Lying!" which appeared in the Remer Heipke Publishing House and the four Cromwell brochures all have a common format. They are both printed on glossy paper and they have similar bindings. The Remer and Cromwell versions of the Expert Report have comparable paper and formats, and they share the same type of bindings as well.

A Barcelona firm called "Euro-Publications" is given as typesetters and printers of "The Zeit Magazine is Lying!" and for all Cromwell Brochures, as well as the Expert Report and the Report from Germany. Subsequent to Fall of 1992, a Barcelona firm called "Euro Prints" is given for the Remer Dispatches and the Remer Flyers,.

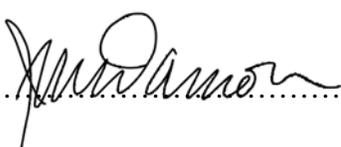
Beginning in March 1993, the Remer Dispatches were published by Media Concept, 20 Madeira Place, Brighton. The same address is given in the brochure "The Rudolf Case" for the publisher Cromwell Press.

As recently as March 1994, the defendant planned to use Cromwell Press as publisher and Euro Prints as printer for his anti-Pressac book (see page 187.)

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F) Other Suggestions of the defendant's Right Wing and Anti-Semitic Orientation

In his correspondence, the defendant consistently maintained the tactical attitude of the scientist interested in nothing except the scientific matter at hand. His real opinions were made clear in the following documents, however.

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a) His attitude toward Jewish fellow citizens is made clear in his letter to Philipp dated 1 March 1993, in which he writes:

"Dear Karl,

Thank you very much for the article from Newsweek. In this respect, America is indeed a land of freedom. We (Germany) on the other hand, have landed in the madhouse, as evidenced by the suggestion of our President Wheatbag [play on words on the presidents last name, transl.] to elect the major crime boss Bubis (Frankfurt construction scandal, HR kickback scandal, black marketeering and drug dealing), as President of the Federal Republic. As far as I am concerned, since the 28th February 1993, the day that I heard of von Weizensack's glorious idea, this country has been the

JRD (Jewish Republic of Germany.)

..."

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b) And in a letter to attorney Herzogenrath-Amelung concerning Juden and Auschwitz, the accused does not express himself in a roundabout way. In October 1992, the attorney had sent him an article by journalist and law professor G. Werle, which had appeared in the periodical "Neue Juristische Wochenschrift" ("New Juridical Weekly Magazine."). The defendant, who had already received the article from Philipp, responded with a very emotional letter dated 31 October 1992. Regarding the Frankfurt Auschwitz trial of 1963, he states that in the Frankfurt trial the prosecution had consisted entirely of "Jewish bloodhounds." In addition his letter speaks of an "infinitely powerful lobby" which is "built upon the Holocaust fiction." He writes that the accused might have accepted a wrongful conviction and lesser penalty rather than attack the Holocaust in general. At the end the defendant writes: "Now I don't know what you wanted to achieve with this article: If it is your opinion that this gentleman has powerful arguments against my convictions, then I can only say again: This person is so severely infected with the scourge of Holocaust hysteria, that I see no hope for him."

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c) The accused was completely candid in drafting an article for Achmed Rhami. Rhami suggested the article, which was found in the defendant's computer and never published on account of confiscation of the computer. Rhami met the defendant by coincidence at Philipp's home in Frankfurt and asked for suggestions for an article on the Expert Report. The article was supposed to appear in "Alshaab" under Rhami's name. Rhami jotted down four pages of notes in French of ideas which he wanted to include in his article. Among these were the main political conclusions which in his opinion could be derived from the Expert Report. The accused formulated key words and phrases under the heading "Political Consequences" as follows:

"The Jewish history professor M. Wolfsohn wrote on 15th April 1993 in the renowned daily newspaper FAZ (Frankfurter Allgemeine Zeitung:) '...This de-Judeaizing of Jewish



culture through religious emptying has had the effect that Jewish history, and no longer Jewish religion, now comprises Jewish identity.

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If the Holocaust is seen as a unique collection of lies, then the sole pillar supporting international Judaism's legitimacy will collapse. The idol of substitute religion will disintegrate. The possibility of extorting more billions from Germany on account of its alleged obligation will likewise collapse. The possibility of obligating America to eternally rescue the Jews from new Holocausts through endless donations of money will likewise collapse. World sympathy for the greatest liars and swindlers in the history of mankind will likewise collapse. Europe's second attempt to establish a lasting enclave in Palestine against the will of the Arabs, similar to the crusades, will likewise collapse. And finally, the future Arabia, which will be unified and self ruling without Jewish, American or European occupiers and colonial powers, will develop irresistibly. This explains why the Jews and Jewish dominated media and politicians everywhere defend these (Holocaust) lies and repress the prophets of truth by all means possible."

d) In addition, data for an anonymous flyer was found in the defendant's computer in which, under the title "The Double Floor," he ridicules eyewitness testimony in trials of National Socialists.

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The file was created in Fall 1992 and contains the following:

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THE DOUBLE FLOOR

IN NATURAL SCIENCES AND TECHNOLOGY

In the age of dissolution of all norms, do technology and the natural sciences still enjoy the benefit of a solid foundation? Is it still true that in the scientific domain, only those things which can be counted, measured and weighed have validity? The emissaries of science still believe this to be true. Well, they must wake up to the fact that the Laws of Nature are now conditioned by the political and historical environment in which they operate. The proofs of this lie before us.

What high minded naiveté emanates from that observation, written in 1924, of the great historian of antiquity Eduard Meyer (1844-1930): "The validity of true History depends upon the simple presupposition that everything in the life of nature and of man is governed by law. Therefore, any report which contradicts this presupposition can never be historical; that is, it can never be the an account of an actual event, no matter how fervently it is sworn (Kleine Schriften, Halle, 1924, p. 35.)

You are outdated, Mr. Meyer! We are now obliged to learn exceptions to this rule. The President of the Austrian Society of Engineers was not supported by the representatives of technology and the natural sciences when he tried to uphold the time honored Meyer

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Theses in the year 1992. Walter Lüftl was forced to resign as President of the Engineers (Süddeutsche Zeitung, 13th and 14th March 1992.) He tried to place familiar historical facts about the mass murder of European Jews under the microscope of technology and the natural sciences, that is to say Meyer's microscope. As every knowledgeable person knows, this was bound to lead him to false conclusions. The reported circumstances of mass murder of Jews contradicted the laws of nature, he concluded. This is where he erred; and this is where the new natural laws begin to take effect.

We have progressed to the point that a new floor or ground (new set of assumptions) has been placed under the natural sciences; or more specifically a second ground. The foundation for this new floor developed out of the war atrocity trials for mass murder of Jews at Auschwitz, Sobibor, Treblinka etc. Unfortunately, scientists have not yet taken all this into consideration; they have not drawn the necessary conclusions; and so it was possible for breakdowns to occur, such as occurred in Vienna.

Let us begin drawing the necessary conclusions here and now. We'll examine several scientific observations from the above mentioned court trials. Let us first discuss the identification and distinguishability of our unique "German Physics" and "German Chemistry." In anticipation of more precise recognition of the phenomenon in future, our description should be considered provisional. Bear in mind it has nothing to do with German Physics as described by Philipp Lenard.

The Laws of "German Physics" and Chemistry

1) THE GERMAN FOURTH PRINCIPLE OF THERMODYNAMICS IS: "THE AUTHENTICITY OF THE FIRST THREE PRINCIPLES OF HEAT THEORY CAN BE MODIFIED, UNDER CERTAIN HISTORICAL CONDITIONS,."

One result of the new principle is: Within certain political force fields, bodies burn like dried wood, and the addition of water facilitates combustion.

Examples for practical use:

The witness Eliahu Rosenbeg in the Demjanjuk trial in Jerusalem: "Since the Germans had found out that women and children burn better than men, we had to throw the men into the fire last"(Münchner Abendzeitung Newspaper, 27 February 1987). Observation: The human body consists of 60% - 70% water. The larger percentage corresponds to children, which burn better, according to the witness.

The witness Szyia Warzawsky: "...when the bodies caught fire, they continued burning by themselves." (From the Main Protocol of proceedings for the investigation of Nazi war crimes in Poland.)

Sworn statement of the French Jewish physician Dr. C. S. Bendel dated 2 March 1946, before an Allied military court in Hamburg (U. Walendy, Auschwitz im I. G. Farben-Prozeß. Vlotho 1981, p. 58): "It actually happened that 1000 bodies thrown into such a pit disappeared in one hour, they became ashes."

2) THE GERMAN PRINCIPLE OF COMPACT STORAGE, OR THE COMPROMISING OF MATERIAL IN THE ABSENCE OF PRESSURE.

As applied to optimal fillings of gas chambers with victims.

The witness Dr. Bendel (see above reference, page 55:) "One thousand people were placed in a room which measured 10x4x1.6 meters (64 cubic meters)... This could be



done only by using the German method." Note: The body of a normal human adult has a cubic volume of 40 centimeters on a side.)

3) THE GERMAN LAW OF GAS DIFFUSION (SPONTANEOUS DIFFUSION IN A STRONGLY NONHOMOGENOUS HOLLOW SPACE.)

As affirmed by presiding judge Melder in the Munich Zündel trial (November 1991): In a tightly packed gas chamber, the slowly evaporating poison gas immediately fills the entire space, with no decrease of concentration.

4) THE GERMAN LAW OF COMPLETE DESTRUCTION OF MATTER

Proof: In Treblinka, around 800,000 murder victims vanished without a trace.

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5) THE GERMAN PRINCIPLE OF OXIDATION: COMBUSTION WITH DIMINISHED OXYGEN, OR WITH NO OXYGEN AT ALL.

Used to dispose of evidence during and after mass murders of Jews in Poland.

The culprit Rudolf Höß: "For the most part, the victims of gassings were cremated behind Crematorium IV." "The pits burned continuously, day and night." (M. Broszat, Commandant of Auschwitz, Munich, 1981, pp. 161 and 165.)

Witness Szlama Dragon, who witnessed the burning of bodies in Auschwitz (11th May 1945:) "... there were two pits thirty meters long, seven meters wide and three meters deep. "The walls of the pits were blackened by the smoke..." (Kogon and others, NS-Massentötungen durch Giftgas, Frankfurt, 1983, p. 211.)

Remark: According to eyewitnesses, this German method of combustion took place in Auschwitz in the complete absence of oxygen, namely under water. In the vicinity of the camp complex, the ground water level is very near the surface (see the picture in the Süddeutsche Zeitung of 6th December 1991.) There is a pond next to Crematorium IV, which was also there during the War. The cremation pits were full of water!

6) THE GERMAN LAW OF RACIAL DETERMINATION OF CYANIC ACID SENSITIVITY (THE SELECTIVE EFFECT OF HCN ON HOMO SAPIENS HEBRAEICUS.)

Proof: The gas chambers in Auschwitz lay in the immediate vicinity of the other camp facilities, including the SS hospital. Constant ventilation of the gas chambers in the vicinity of the camp guards did not affect them – this had to be determined by genetics. It is truly amazing that the Jewish work detachments were also immunized by an unknown German method. Without gas masks, protective clothing or gloves, they immediately removed bodies from the gas chambers (Broszat, *op. cit.*, p. 130.)

7) THE GERMAN GAS CHAMBER EFFECT: WITHIN THE FORCE FIELD OF NATIONAL SOCIALIST GAS CHAMBERS, CHANGES IN THE WAVE LENGTH OF LIGHT ALSO TOOK PLACE, CAUSING THE INVISIBLE TO BECOME VISIBLE.

Witness R. Böck, Member of the SS Guards, reported in the Frankfurt Auschwitz trial (1964 – 66,) that he observed cleanup detachments working in the blue haze of "Blue Acid" (Hydrogen Cyanide.)

Note: Hydrogen Cyanide is normally colorless, that is, invisible.

8) THE GERMAN PRINCIPLE OF PRODUCING CARBON MONOXIDE WITH DIESEL ENGINES



Proof from Treblinka: "In an adjoining room stood a diesel motor which produced poisonous carbon monoxide." (Kogon and others, *op. cit.*, p. 163)

Proof from Belzec: "This motor... ran on diesel fuel," (K. Gerstein, Kogon and others, *op. cit.*, p. 173)

Note: The Germans had easy access to an ideal source of poison gas in the form of wood gas generators. The fuel gas produced therein contained 32% carbon monoxide by volume, a very high percentage of highly toxic carbon monoxide (See Meyer's encyclopedia Lexicon, Band 12, Page 207, 1974.) Apparently, wartime emergency conditions made it necessary to restrict the use of wood gas generators to support transportation on the home front.). Apparently, the political conditions during the National Socialist dictatorship allowed diesel motors to emit a much higher concentration of carbon monoxide. At any rate, they were obliged to sacrifice scarce diesel fuel – the gas generators, on the other hand, ran on wood chips.

These selected physical, chemical, and medical anomalies, which prevailed during the National Socialist dictatorship, and bountifully presented in literature of the period, provide ready incentive for a radical reevaluation of the basic foundations of natural sciences. The present age, which is of course called of the age of science and technology, has an obligation to expand its own doubled foundations. Without doubt, Nobel Prizes are waiting to be won.

Legally responsible: Georg Christoph Lichtenberg Association, Darmstadt, August 1993

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e) An anonymous flyer with the title " An die Schlaumeier der reiferen Jugend (A letter to the clever dicks of the mature youth) which was found in the computer of the accused, likewise exhibits great cynicism. This data file, which was created in the summer of 1993 in collaboration with the lawyer Herrmann, contained the following content:

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To the Clever Dicks of the Mature Youth

Or

How to Freak Out Your Teacher

The Advice of a New Graduate to the Sad Seniors Left Behind

Iron rusts slowly but surely. Why? Because it combines with oxygen in the air, provided a little moisture is present.

Translated by J. M. Damon



What is the result? Something that is reddish brown – old fashioned rust, whose chemical symbol is Fe_2O_3 (or FeOOH , usually a colorful mixture.) Are there any objections? No? Well, you are more advanced than I thought!

When does iron not rust? Dumb question: when no oxygen or moisture reaches it. For example, when it is in a container which has been pumped empty of air.

So, if you should see gray colored iron in a glass housing along with your date of birth, what would be your brilliant observation?

Right you are! The container must have been pumped empty around 1975 or thereabouts and the vacuum maintained, or else kept completely dry. Very good!

And when does iron turn blue? Don't you know? You really should know that. It has to do with the blue color of cars and pictures in magazines. When iron comes in contact with blue (cyanic) acid, HCN , a poison, it turns blue (hence the name of the acid, which is not blue.) Cyanic acid is very corrosive, a thousand times more so than oxygen. It replaces oxygen in the rust (more precisely, the oxide ion.)

Now let's carry out an experiment with something containing rust. We'll take a little plaster from a wall. Wall plaster normally contains between 2 and 4 percent rust. We'll place this piece of plaster in a glass container and expose it to cyanic acid in gaseous form.

This gaseous cyanic acid is so corrosive that it penetrates the plaster and in time, combines with the iron compounds and turns them into blue iron cyanide (better known as "Prussian blue") whose formula is $(\text{Fe}_4[\text{Fe}(\text{CN})_6]_3)$.

Since plaster lasts longer than a car or a illustrated magazine, the blue which it contains also lasts hundreds of times as long.

And so if you see a bottle with a piece of blue wall plaster in it, you know right away that that plaster was exposed to cyanic acid.

At the risk of boring you let me add: what do you conclude if you see a bottle with a piece of wall plaster in it, that is still its natural color? That piece of plaster has not been exposed to cyanic acid. Right! Give the winner ten rubber points!

The same experiment in a larger or smaller bottle always yields the same results, everything stays in the same proportion.

Now let's change the names of the objects in our experiment. We'll take two bottles and call them "chambers," with plaster walls. We'll put cyanic acid in one chamber and fresh air in the other.



I know this is horribly boring. But we have to do it. We are witnessing a great event and you can say that you were there.

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Let's change the names again slightly. We'll call the chambers which we are exposing to different gases, "gas chambers."

Now we have landed in Auschwitz. Bad place. But don't panic! Just stay cool and continue the experiment. One of the gas chambers, we are told, is the one in which in which day after day, year after year, millions of people were murdered by exposure to cyanic acid, which was sold under the name of Zyklon B. We call this a "Homicidal Gas Chamber."

But, at Auschwitz there were other gas chambers as well. In these gas chambers, the clothing and personal belongings of the prisoners were regularly fumigated with cyanic acid. It is universally accepted and admitted that humans were not put into these gas chambers. We call this type of gas chamber a "Fumigation Chambers"

Now comes the sixty-four dollar question: Which of these two types of gas chamber has blue walls?

- 1 None 2 Both 3 Only one, namely a) the fumigation chamber
 b) the homicidal chamber

The correct answer is: 3.a)

Are you surprised? Confused? Unsure about which conclusions to draw from all this? I was too. On my vacation I went to investigate the matter and consulted an expert.

He went to Auschwitz and got several plaster samples from the walls of both types of gas chamber as well as other buildings, took them home and analyzed them in his laboratory. Lo and behold: in the samples from the fumigation chamber he found huge amounts of iron cyanide, but in the samples from the homicidal chamber, none at all.

Now tell your teacher: We have visited the gas chambers of Auschwitz. They were never exposed to cyanic acid. But these are called "Homicidal Gas Chambers," and we are told that our grandfathers killed four million Jews here with cyanic acid, on orders from the top. What do you say, teacher?

If this is a free country, do we really have to keep our mouths shut on this subject? Will they really lock us up if the talk about it? Please do not say anything about it to the Director. After all, we want our diplomas.

Be careful my friends, be careful. In our country you are not allowed to say things just because they are true. Be careful! Don't let anybody hear what you are saying!

Do not mention the choirs, ballet groups, theatres, football games, swimming pools and x-ray facilities they had at Auschwitz, or the two postcards per month they were allowed. Do not mention that the prisoners resisted being transferred to other camps. All that was part of the Auschwitz scene. But I advise you to keep quiet.

Whenever you have the urge to talk, you had better keep your trap shut.

But if you absolutely can not resist talking about it, and if you simply must learn more, then I recommend the brochure "Scientific Landslide Caused by the Rudolf Expert Report." You can get it from Cromwell Press, 27 Old Gloucester Street, London WC1N 3 E. It costs five marks paid in advance.

It contains nothing but recent technical and scientific research. But read it only at home, by yourself. Showing it in public can get you into big trouble. Take my advice!

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The accused referred to the computer drive which contained his collected works as "Adolf."

G) The development of the Expert Report

The accused came upon the idea of the Expert Report in 1989 after reading the revisionist book "The Nose Ring" by Armin Mohler. This contained a description of the Leuchter Report, which among other things dealt with the question of how much residue of cyanic acid the gas chambers of Auschwitz would have to contain. The accused recognized the possibilities which this subject offered for revisionist argumentation. Since Leuchter is not a professional chemist and so could not present the subject with the necessary authority, he made up his mind to rework the subject so that he could present it publicly with claims of scientific validity.

He first considered a reworking of the subject in the summer of 1990, at the latest. Next he researched the literature on the long-term stability of cyanide compounds, in particular Iron Blue or Berlin Blue. While doing this he came across an article in the periodical

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"Chemical Abstracts," which takes note of the stability of Berlin Blue over long periods and thus could be used for revisionist argumentation. The accused completed the final draft of his research of literature in July of 1991. He sent this study to various persons

After his trip to Auschwitz in the middle of August 1991, and the evaluation of his samples by the Fresenius Institute, the accused began working on the first draft of his Expert Report, which is around 90 pages long (Draft A, Descriptions of the Drafts of the Chamber.) This version was written on a computer, printed, and supplied with a title page

and loose perforated binding. This version contains a forward which is dated 27th October 1991. In it, the accused defends revisionism.

As early as 28th October 1991 the accused notified several of his collaborators in the book " Grundlagen zur Zeitgeschichte" (Engl.: Dissecting the Holocaust) including the witnesses Reich and Neumaier, that the rough draft of the book was completed and publication near. On November 11 he sent the manuscript to several of his collaborators with a request for constructive criticism.

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Following this, the accused compiled further drafts of his work by editing the according files, during which time two basic variants developed. One variant was designed for publication as a book and was designated as "Blue Book" or "Rudolf Expert Report." It contains a foreword by a third person, as well as acknowledgements at the end. Following version "D", he anticipated a publisher. The second variant was in the form of a legal Expert Report and was intended to be used in trials of those who deny national socialist mass murders. No publisher is anticipated for these versions. They contain no acknowledgements. However, they include motions to introduce evidence, in which the assertion is made that no mass murders with cyanic acid took place at Auschwitz. These "court versions" evolved in collaboration with the attorney Herrmann.

Version "A" was followed by a printed and bound version accompanied by title page and the notice "The Blue Book" dated 24th November 1991 (Version "B.") In the corrected version ("B1") is a handwritten notice: "Looking for a competent serious person to write a non-political foreword." An additional version ("B2") contains a foreword which is almost entirely identical with that of Version A. However it has been converted from the first person to the third person.

As

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author an assumed friend is mentioned whose name is not yet given ("NN, locus, the x.y. 1991.")

In mid December 1991 the accused again visited the former concentration camp at Auschwitz in order to investigate structural details of the buildings there. These results of these investigations are included in subsequent editions of the work.

On 23 December 1991 he completed the first draft in the form of an expert report for the court, which contained 78 pages ("C1".) The accused later referred to this version as the "first edition." The text itself does not make this claim.

Beginning in the middle of January 1992 the accused sent Version C1 in hand bound copies to various public figures, including the Federal Ministers of Justice, Science and Research; to the chairman of German Central Jewish Committee Galinski, to various

professors, including Prof. Ernst Nolte; to various right wing lawyers, and to diverse revisionists including David Irving. In the accompanying letter he announced the publication of a "Scientific White Book" on the same subject.

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On the 9th of February appeared a corrected version of the Expert Report which was also 78 pages long (Version "C2.") It differed from Version C primarily in the correction of computational errors. The accused later referred to this version as the "Second Edition." The text itself does not contain this claim, as was the case in Version C1. The accused sent copies of Version C2 to Attorney Herrmann and others. The latter included it among the exhibits in the Remer trial on the 22nd of October 1992 in Schweinfurt District Court after the court disallowed the motion to allow the defendant to testify as expert witness.

The accused dated an additional version of the "Blue Book" (with 194 pages) as 22nd February 1992 (Version D.) This is the first version which includes room for the photographs which Philipp made in Auschwitz. The introduction, which is derived from the introductions of Versions A and B, is presented in the name of "Diploma Engineer Herbert Strack" of Frankfurt, who probably does not exist. As editor the dust cover lists "Rüdiger Kammerer," who does not exist.

The insertion of an editor was a journalistic trick intended to obscure responsibility for the release of the book. Here

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we have the original form of the "Veil strategy" which in a more sophisticated form was used in the actual publication in 1993. The reason for this was the fear of the accused that the publication of his work might cause legal and professional problems for him. With "Rüdiger Kammerer" he was referring to Philipp, who occasionally pretended to be editor or publisher and who had developed the "Veil Strategy" together with the accused.

An additional version of the work, likewise intended for publication as a book, is entitled "The Rudolf Expert Report" and bears the date 25th July 1992 (Version E.) It is 257 pages long and is introduced by Bartling's seemingly serious introduction of 12th July 1992. The name "Rüdiger Kammerer" again appears as editor. For the first time, Philipp's hand glued photographs of Auschwitz are included in this version, taken in August 1991.

An additional version of the work, containing 114 pages and dated 2 November 1992, constitutes a third expanded and corrected version of the Expert Report (Version F.) The defendant alludes to "C1" and "C2" under the caption "Third Expanded and Corrected Edition", which henceforth are known as preliminary editions. Like the

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two versions of "C" it contains no introduction by a third person, ostensibly for legal reasons. For the same reason, no publisher is given. Actually this version was intended for publication as a book, as part of the Remer Action. The only reason why there is no introduction or publisher is because the defendant and his cohorts had decided, for the sake of a less risky publication, to feign misuse of the Expert Report by a third party (Remer.) In keeping with the defendant's intention to publish this version, he deleted the motion to present evidence and added an acknowledgement of appreciation at the end, as well as notice of copyright.

Prof. Faurisson's name is not mentioned among the expressions of gratitude in Version "F." This is because both Version F and the following authorized Version G underwent the same technical preparation for printing. It was intended that in Version G, Faurisson, in keeping with his ranking among revisionists, would be thanked on the inside of the cover; this is the reason why he was not at the end of the work.

Two versions of draft "F" exist. These came about because the accused made small additions and a change in the table of contents on the original version

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"F1" in December 1992, without changing the date or edition number. The amended version "F2" was completed by Christmas 1992 at earliest. It is the prototype for the Remer outline (F3.)

Whereas all previous versions of the work had been duplicated by hand (photocopying computer printouts,) "F3" was printed by the offset method. Here the pages of Draft F2The pages of Version " F2" were used photomechanically unchanged. The illustrations are likewise printed, which in Drafts F1 and F2 were still pasted in photographs.

The accused sent copies of both "F1" and "F2" to several persons; however, Herrmann did not receive "F2."

The accused dated a fourth reworked edition as 14th March 1993. Like Draft F, this version has 114 pages and is the core of the work, which in July 1993 appeared under the heading "The Rudolf Expert Report" in the publishing house Cromwell Press in Britain ("G"), without mentioning an edition. Compared to Draft F2, it has only insignificant editorial changes. As editor

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are now listed "Rüdiger Kammerer and Armin Solms," with the former also listed as owner of the copyright.

During the printing of Version "G," the same printer films of pages containing pictures are used, as were used in Draft F3.

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This time, acknowledgements of appreciation are included. On one hand, these occur at the end of the text, as in all of the planned book versions. The defendant used the complete data of Draft "F", except for one change (deletion of Prof. Nolte, who had expressed criticism) On the other hand, there are "Special Word of Thanks from the Publisher" to the defendant, attorney Herrmann, Faurisson and Remer printed on the inside of the front cover. It is emphasized that the defendant stood by the results of his research even at the cost of "great professional disadvantages." In the acknowledgement to Remer, which is three time as long as the others combined, and which expresses "tremendous respect" for the latter's revisionist efforts, it is not mentioned that Remer caused "disadvantages" to the accused by his unauthorized publication of the Expert Report.

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Furthermore, the acknowledgement reiterates that the Expert Report "has been submitted to the entire professorial staff (306) of the inorganic chemistry department," as had also been the case in the version of the Remer Action. A copy of a preliminary draft of this page (the imprint page still has no date of publication) was found among the defendant's belongings.

In the appendix to "G" is found an essay written by the accused under the pseudonym Dr. jur. Werner Kretschmer, on the subject "The Medieval Witch Trial and Its Parallels in Our Time." Here the trials of national socialist crimes injustice, as well as denials of these, are compared with medieval witch trials. This essay also appeared under the same pseudonym in the May 1993 issue of the periodical "Germany Past and Present" published by Grabert.

H) Final Conclusions of the Expert Report

The Expert Report produced the following conclusions:

“Final Conclusions

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A: "The investigation of the formation and stability of traces of cyanide in masonry, as well as interpretation of analytic results of samples of building material from structures in Auschwitz, produces the following conclusions:

1. Cyanide, reacting in masonry to produce Prussian Blue, is stable over a period of many centuries. It disintegrates at the same rate as the masonry itself. Therefore, traces of cyanide should be present today in undiminished concentrations, regardless of the effects of weather. Proof of this is found in the outer walls of the delousing chambers BW 5a/b in Birkenau, which are deep blue and contain high concentrations of cyanide.

2. Under the conditions required for mass homicidal gassings with Prussic acid, traces of cyanide would have to be found in approximately the same concentration in the rooms designated as "gas chambers" as in the delousing chambers, and the same blue discoloration should likewise be present.

3. In the alleged 'gas chambers,' however, the concentrations of cyanide residue are no higher than in any other room or building.

Conclusion to A:

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A. The eyewitness claims of mass gassings with Prussic acid in the alleged homicidal gas chambers could not have taken place, because the natural laws of physics and chemistry rule them out.

B: The investigation of gassings in the rooms designated by witnesses, from a technical and practical standpoint, including physical-chemical analysis, demonstrates:

1. The alleged main homicidal gas chambers of Auschwitz, that is, the former morgue hall and cellars of Crematories II and III, did not have any means for the introduction of poison gas. The holes in the roofs which are visible today were made after the war.
2. The release of lethal quantities of Prussic acid from the Zyklon B pellets would have required several hours, that is, many multiples of the time testified by witnesses.
3. The necessary ventilation for the alleged 'gas chambers' of crematories II and III, given one change of air every 15 minutes, would have taken at least 2 hours, which is contrary to witness testimony.
4. It was not possible to provide an effective ventilation of the alleged 'gas chambers' of Crematories IV or V or of the Bunker II and II.

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The corpses could not have been removed from the rooms and carried away by the Sonderkommando without protective clothing and gas masks with special filters.

Conclusions Relating to B:

The mass homicidal gassings in any buildings of Auschwitz, as sworn to in official testimony of court witnesses, are incompatible with the laws of natural science. The same is true of those events described in the above quoted verdict, and the events as described in scientific and literary publications."

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Plans to publish the Expert Report

From the beginning, the accused intended to publish the Expert Report under his own name. In order to achieve a greater effect, he planned to release the report through a publishing house outside the right wing spectrum. In Spring of 1992, he made contact through Dr. Bartling with the publishing houses Koehler and Hase in Mainz as well as Ullstein-Langen-Müller in Munich. These publishers declined, on the 7th of April and 22nd of June 1992 respectively. Since no possibilities presented themselves among the preferred neutral publishers,

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the defendant and Philipp began seeking to publish the work within the revisionist camp after the summer of 1992. In this they were supported primarily by witness Dill.

Around the end of August 1992 a meeting took place at the home of Dill in Echterdingen, in which financing and technical details of publication were discussed. At this meeting, Philipp emerged as both publisher and printer of the Expert Report. At least two others took part in this meeting, witnesses Ewald and Klaus Christoph Marloh.

A disagreement developed between Philipp and Marloh over technical details. The latter was concerned that unprofessional handling of technical details such as a lacking ISBN number and failure to include the name of the printer on the imprint page, would damage the credibility of the Expert Report. In the following correspondence which was found among the defendant's effects, Philipp, who was angry, wrote the following to Marloh:

"Of course the book will contain a notice of the publisher. It will be printed with an ISBN number and everything that goes with it. And of course the book will also

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And of course the book will appear without your loan, which is suddenly tied to conditions."

It appears the question of financing the Expert Report was largely solved at this meeting. As early as the 14th September 1992 Dill told Reich, who had offered to donate another 100 DM, that financing of the first edition of the "little chemistry book" was assured. Dill informed Reich that he was using Reich's 100 DM to purchase more Remer Dispatches.

Since the accused was concerned about the great personal and professional consequences of publication, especially after a conversation with his Ph. D. adviser, he was looking for a way to avoid these consequences, while going ahead with publication. In a letter of 8th September 1992 the defendant informed Bartling of the solution which he hoped to achieve:

"The course I will follow for publication (after graduation) goes like this:

- A foreign publisher (inexpensive post office box company in Ireland), on account of lessened judicial and material exposure of the printer and publisher;

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- Printing and warehousing in Germany so as to lessen costs of transport and avoid customs difficulties;

- Complete legal responsibility of the book with its notorious Expert Report is shifted to the publisher, which appears under a pseudonym.

In addition, there are still other measures regarding the statute of limitations of press crimes (1/2 year) and the legal protection of myself, which I would prefer not to disclose for security considerations, either in writing or by telephone."

The defendant went on to write that such information was not for possible spies, and that is the reason why he did not explain over the telephone.

He sent similar message to Jürgen Graf. In a letter dated 2 December 1992 he responds to a question from Graf (no copy of this letter was found among the papers of the accused): "to 2) 'R. Kammerer (Hg.), "Das Blaubuch" (The Blue Book), Expert Report on the Alleged Gas Chambers of Auschwitz, 1993. For legal and security reasons, I unfortunately can not tell you the name of the publisher. Because of the danger of state intervention, this will be a publisher in a safe foreign country."

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No later than the sentencing of Remer on the 22nd of October 1992, the accused and Philipp developed the plan of a publication in two acts. According to this, a pretended independent publication by Remer should precede the real publication. Behind this was the consideration that Remer, who had already been sentenced to a 22 month prison term, had nothing to lose and thus could be sacrificed on behalf of the strategy; furthermore, Remer was in complete agreement. Plus the fact that Remer had fled to Spain whence he so far has not returned.

In this Remer Action, the defendant and Philipp resorted to an idea of Zündels which he had developed in conjunction with his trial for incitement of the masses in the district court of Munich in the fall of 1991. Zündel had expressed similar thoughts in a letter to the accused dated 14th October 1991 which he faxed to Dill. The letter says:

"Mr. Neumaier just informed me of your readiness to make a statement insofar as you are invited by the court to do so. This is not going to happen – and you remove from the court, the (illegible) right concerning the results of your research in Auschwitz. In this way, our cause might

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perhaps be denied the results of your investigation for years. This must be avoided.

My compromise suggestion is as follows. You produce an expert report concerning your discoveries at Auschwitz, either in conjunction with the Leuchter Report or the expert report from Jahn Sehn Institute. Then you have this document notarized in Stuttgart, by an official notary or even by a judge, to attest to its accuracy. Submit in at least three copies, all impressively decorated with large official seals, stamps, signatures, etc.

In other words, I suggest that you produce a Germar Rudolf Expert Report a la Leuchter Expert Report for presentation to the court in Munich. In case you personally are not allowed to do this, then Rieger can submit it as an exhibit for the defense, or at least try.

Now comes the critical point!... Regardless of what is allowed or not allowed in the Munich court, or what is rejected, etc., we proceed, as always in Zündel trials, on several tracks at the same time. The struggle will be led by Attorney Rieger inside the courthouse to have motions, witnesses and documents admitted. You as an expert in chemistry, Neumaier as

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engineer, etc. Outside, in front of the courthouse door, one or more press conferences will be held, in which the people from the press will be given copies of the Leuchter Report, my model of Auschwitz, and photocopies of your expertise in a "Press Information Packet." Then, the judge can forbid as much as he likes, the cat will be out of the bag! The information will have broken out of the "intellectual bridgehead" and we will have released it by means of targeted post and fax mailings, which will spread through the press like water escaping from a broken dam...

In order to protect you, by building a sort of safety zone around you, I suggest that you be given a sophisticated judicial letter by Attorney Rieger, which contains a request for expertise or expert report. Something with which you can beat every journalist, lawyer, prosecutor or judge over the head. After all, you have the duty of a citizen to exert yourself in such a way that in the courtroom, everything proceeds in a scientific, apolitical, and ethical fashion."

For unknown reasons, Zündel's proposed solution was not followed. The Expert Report, which still existed only in Version A, was not distributed in Munich. Zündel's letter did, however, inspire the defendant to strategic considerations

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regarding publication of the Expert Report. Two days after receiving this letter he wrote to Attorney Herrmann, with whom he was in constant contact on account of the submission of a court expert report: "Would it not seem official if you would officially

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commission me to produce an expert report? The appropriate letter exchange would have to be backdated."

The defendant and Philipp now further developed Zündel's idea for misusing a scientific report prepared for court purposes by someone involved in a trial. They did this by separating chronologically the "expert report" activities of the accused in the trial and the publication. For this it was of primary importance that he complete all the requirements for his doctoral degree before publication and, as he had indicated in the letter to Bartling of 8th September 1992, deceive the court officials by predating the publication beyond the beginning of the six month statute of limitations specified in the press censorship laws. Since the Remer action was supposed to appear as a reaction to his conviction and thus the chronological connection with the Schweinfurt trial supposed to be created, the defendant and Philipp decided to carry out the Remer action in Spring of 1993.

Corresponding to this schedule the accused continued work on the Expert Report in addition to working on his dissertation. In this way

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the Version "F1" was completed on 3rd November 1992 and expanded by the middle of December. The Fourth Edition is dated 14th March 1993.

In the end, the anticipated schedule for the defendant's completion of his doctorate could not be kept. On the 21st of January 1993, the defendant notified Bartling about problems with his dissertation. He was working in the specialty area of his adviser, who for this reason was particularly critical. As he had feared, the defendant was unable to complete all degree requirements before the Remer Action. He was not able to submit his dissertation until July of 1993.

Nevertheless he decided to put the Remer Action into effect as planned. The principal reason for this was that he had striven in vain for a year to have his Expert Report published and he did not want to put off enjoying the fruits of his labor any longer. In addition, he assumed that the deceptive maneuver of the Remer Action would not be discovered and therefore his graduation was not seriously threatened.

Furthermore, it was important for his decision that the Remer Action could not be put off indefinitely without losing the chronological coincidence with the trial in

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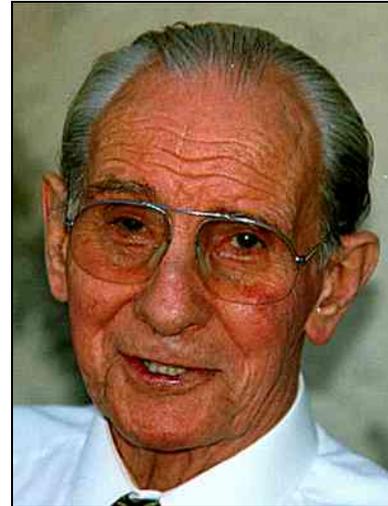
Schweinfurt, which was important for reasons of plausibility. Finally, the defendant did not want to abandon the extensive publication campaign or forfeit the desired effect by splitting it.

K) Execution of the Remer Action

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1.) Production and Distribution

The Remer version of the Expert Report (F3) was created in the winter of 1992/93, using technical facilities available to the Remer circle at an unknown location. Unknown persons from the Remer circle undertook packaging and addressing. A computer was used to create an address file which contained the addresses of members of parliament, professors of inorganic chemistry, contemporary history and economic organizations. Printouts on adhesive labels were found among the defendant's effects. The mailing took place from Bad Kissingen after March of 1993 using the phony return addresses "Society for Chemical Research" and "University Society for Contemporary History."



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The following persons, among others, received the Expert Report: The presidents of the district courts in Frankfurt/Main and Dresden; the circuit courts in Erfurt, Potsdam and Gera, the prosecutors of Braunschweig, Koblenz, Bamberg, Naunburg, Dresden, Zweibrücken and Nuremberg, the Grün/GAL Coalition Office in Hamburg, the PDS (German Socialist Party) in the parliament of Brandenburg province; Members of Parliament Brigitte Lang of Marburg and Herta Däubler-Gmelin of Tübingen in addition to other members of parliament; the Chemistry Faculty of the University of Essen and numerous professors of inorganic chemistry, including the defendant's PhD supervisor at the Max-Planck-Institute in Stuttgart.

2) Commentary from the Remer version of the "Expert Report".

The following text was included as preface to the Expert Report on the inside of the cover. It had been the epilogue to the Remer Dispatch issue of November 1992:

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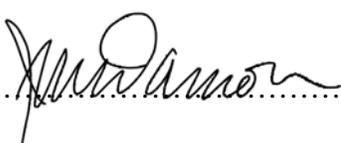
Otto Ernst Remer, General-major, retired,

Winkelser Str. 11E, 8730 Bad Kissingen, Tel: 0971-63741, Fax: 69634

To all friends, countrymen and people who love the truth: I am in distress!

On the 22nd October 1992 the Land Court of Schweinfurt, Judge Siebenbürger presiding, sentenced me to 22 months prison without possibility of parole. This is the equivalent of a death sentence for me.

The trial against me was not a real trial. The main session of the trial ended in a deadlock. The sentence was equivalent to the destruction of an 80-year old man. I was not permitted

Translated by J. M. Damon 

to defend myself against charges consisting of lies, harassment and attacks on my honor. The court denied me the possibility of defense by means of sec. 186 of the Penal Code. It refused to put my assertions to the test of examination.

My defense attorney had asked the expert witness Rudolf to appear. This expert witness was in the courtroom, his expert report already submitted along with other official records. However, the expert witness was not allowed to speak and the expert report was not allowed to be read. The expert report and irrefutable scientific facts were denied by presiding judge Siebenbürger.

Earlier, Diploma Chemist Rudolf had been assigned by my defense attorney, retired Colonel Hajo Herrmann, as expert witness to investigate testimony concerning alleged homicidal gassings at Auschwitz. Rudolf used modern, scientific, precise measurement techniques to establish the presence of cyanic residue.

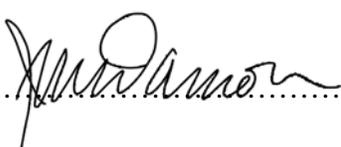
No physical evidence has ever been presented in court to support claims of homicidal gassings: no document, no photo, and no orders from military or civil authorities. Can you imagine that a group of people as large as the population of Munich could be annihilated without leaving any traces of the crime? The only proofs of mass homicidal gassings are absurd witness statements. In the great Frankfurt Auschwitz trial (50/4 Ks 2/63) the court "proved" the existence of homicidal gas chambers with the testimony of a single eye-witness, named Böck, who reported having seen thousands of Jews killed with Zyklon B. He testified that he "saw with my own eyes" how the prisoners' commando worked without any protective gear in the midst of this Zyklon B gas, still hovering in blue clouds over the corpses, without suffering ill effects. What is the difference between Böck's testimony and that of eye-witnesses who confirmed under oath that they saw witches riding brooms on their way to the Blocksberg?

In a powerful and irrefutable scientific work, my expert witness made a shattering discovery. The buildings in Auschwitz which are pointed out to tourists as homicidal gas chambers, in which millions of Jews were allegedly killed, never came in contact with Zyklon B. The analyses were carried out by no less an organization than the renowned Fresenius Institute. Notable historians agree that this research will revise world history.

This expert report has been in the hands of the Federal Chancellor, the Central Council of Jews in Germany, the Federal Attorney General, the Ministry of Justice and notable scientists and personalities for more than a year. Every one of them remained as quiet as a mouse.

The condition under which my expert witness agreed to testify was that his report should be presented only to the court. He specifically forbade me to make his report available to the public. However, since the Auschwitz Lie has become an instrument which threatens the existence of all Germans, I can no longer allow myself to be bound by this condition.

I myself shall die in prison for publishing scientific facts. By means of an unbelievably satanic twisting of history our people will be held defenseless and "subject to extortion",

Translated by J. M. Damon 

as the Association of German Veterans wrote in its journal *Soldat im Volk* nr. 7/8 in 1992. In this condition of eternal abject surrender we shall be destroyed by means of a horrifying "multiculturalism." This has forced me to a desperate defensive measure, which takes the form of unauthorized publication of Rudolf's Expert Report on the alleged gas chambers of Auschwitz.

Since 1945, generations of German politicians have not only acquiesced in these ghastly lies against the German nation, they have participated in manufacturing them. The same applies to the mass media. These elements are doing everything they can to propagate the most vicious lies in the history of mankind through the German criminal justice system. When the truth comes to light, these corrupt and venal politicians know that they will be scorned by the public. The media brotherhood know they will be reviled as liars and driven from their posh editorial offices.

This whole pack of liars should be scorned and despised, deprived of position and driven from their robber castles for what they have done to our people. I would like to contribute to this.

You too can help distribute this Expert Report. In the first phase of this action I myself will send copies to 1000 leading Germans. Among them will be leaders of the military, business, scientific, and university communities, in particular members of chemistry and history faculties. I shall send a copy to every Representative in Parliament as well as media personages.

In the second and third phases, I shall send another 1000 copies of this scientific report. No person of prominence will be able to say that he did not know the truth.

These operations will be very expensive since postage alone costs 4 Marks per copy. Therefore I need your support. By ordering a copy of the Expert Report you will be helping help me to distribute this irrefutable scientific document. Additional contributions will enable additional distribution. I am counting on your help.

Faithfully yours, Otto Ernst Remer

25th October 1992

I have added Sections I-V of the report of my trial in Schweinfurt. After reading this report, you will understand the desperation of my defense effort.

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Justice in Germany 1992:

Death Sentence for General Remer

This trial report by E. Haller is taken from REMER DEPESCHE Nr. 6/1992

Translated by J. M. Damon 

<p>Kahlenbergendorf (Austria), the 2.6.1988,</p> <p>Source: Honsik, <i>Freispruch für Hitler?</i></p> <p>As a Roman Catholic priest I say to you ... question the existence of gas-chambers in the Third Reich. It is the right of those who seek the truth to be allowed to doubt, investigate and evaluate. Wherever this doubting and evaluating is forbidden, wherever someone demands that he must be believed, an arrogance arises that is a blasphemy to God. This is why. If those whom you doubt have the truth on their side, they will accept any questions gracefully and answer them patiently. They will no longer hide their proofs and their records. If these are lying, they will cry for the judge. That is how you will recognize them. The truth is always graceful, while lies cry out for earthly judges.</p> <p>Respectfully, with best regards, /s/ <i>Pastor Viktor Robert Knirsch</i></p>	<p>Schweinfurt (EH) - On the 22nd October 1992, the First Great Criminal Chamber of the Land Court of Schweinfurt, Judge Siebenbürger presiding, sentenced General Remer for publication of a scientific expert report. The main point of the expert report Remer had published was: there were no mass killings in Auschwitz with Zyklon B. The court called this publication "incitement to race hatred", and Siebenbürger imposed on General Remer a sentence of imprisonment for 22 months without possibility of parole. State Attorney Baumann demanded a 30-month prison term and moved for the immediate arrest of the 80-year old accused in the courtroom. Observers of the trial began to suspect that the sentence had been decided before the trial began. At 9:00 hours on 20th October 1992, the day the trial opened, BAYERN 1 had announced: "This time it will cost Remer. ... this time the punishment will be harder." How did the announcer from B1 know that General Remer would be punished more severely than in previous trials? Why was an acquittal not conceivable?</p> <p>This document is one of many that were presented to the court as evidence.</p> <p>Answer: "Denied on grounds of common knowledge."</p> <p>FOREIGN OFFICE 214-E-Stuparek Bonn , 8th Jan. 1979 Honorable Herr Stuparek! Federal Minister Genscher has asked me to respond to your letter of 21st December 1978. As far as I know, there were no gas-chambers in Lager Auschwitz ... Best regards, For the Federal Minister, /s/ Dr. Scheel</p>
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What had Remer done? As editor of the REMER DEPESCHE the highly-decorated front-line officer had published the results of a number of scientific expert reports. One of them was the Leuchter expert report, which former Minister of Justice Engelhard described as "scientific research". Fred Leuchter is a builder of execution gas-chambers that use

Prussic acid in the USA. Later the Director of the Auschwitz Museum, Dr. F. Piper assigned the Jan Sehn Institut in Cracow to make a similar expert report. A technical expert report in German in conjunction with the renowned Institute Fresenius followed in February 1992. The discussion that the General had opened up with his publications was desired even by the Federal President. A letter from the Presidential Office on 23rd October 1989 states that von Weizsäcker "will follow the discussion [on the Leuchter expert report] closely". Had the Federal President lured General Remer into a trap with this letter? Remer naturally felt that ex-Minister of Justice Engelhard and the Federal President had encouraged him to publish his facts.

Homicidal gas chambers that never came in contact with gas

All three expert reports came to the same conclusion: The gas-chambers of Auschwitz and Birkenau testified to by witnesses never came in contact with Zyklon B. In legal terms: the weapon was not loaded. For better understanding: When Prussic acid (Zyklon B) comes into contact with concrete or stone it forms permanent compounds with traces of iron in such building material. The compound that develops is blue (hence the name Prussian blue, although the gas itself is colorless) and occurs on the surface and within the walls exposed to gas. Today one can easily see a massive blue dyeing on both inner and outer walls in the delousing buildings. There is no such dyeing in the alleged homicidal gas chambers. Chemical analyses of samples from the delousing buildings show very high concentrations of cyanide, while no traces can be found in samples from the alleged gas chambers. Scientific expert reports were never produced for any of the numerous National Socialist trials. No physical proof was ever offered.

In Nuremberg the propaganda lies of the victors were given reference numbers. Since then they have become "facts"

All courts have continually prevented all gas chamber skeptics from use of any evidence for their scientific investigations. The courts have taken the point of view that the homicidal gas chambers should be regarded as a commonly known "facts". "Commonly known" means that the existence of homicidal gas chambers is as certain a fact as that the day has 24-hours. The Nuremberg Military Tribunal introduced the use of "common knowledge" into judicial practice. Pure war-horror propaganda items from the 2nd World War were turned into "facts" (IMT-Statutes 19 and 21), that had to be accepted without question by the accused. Defense

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attorneys who attempted to prove the opposite were threatened with the death penalty. The Stalinist massacre at Katyn was one of the charges, as well as homicidal gassings in the former concentration camp Dachau (IMT Document 2430-PS). In Document 3311-PS the Polish government "put the victors' tribunal on notice" that hundreds of thousands of Jews had been "steamed" at Treblinka. Note: "steamed", not "gassed". Today the Holocausters look down shamefully when they are confronted with this nonsense. In the great National Socialist trial before the Land- and Chamber Court of Berlin (Az. PKs 3-50) it was determined: "In Konzentrationslager Majdanek there were no gas-chamber structures". But in Schweinfurt General Remer was sentenced to imprisonment because

he had published in his *DEPESCHEN* the court's determination on the absence of gas-chambers in Majdanek.

Herr Judge Siebenbürger, Herr State Attorney Baumann, please tell me which of the following figures is "common knowledge". Why have you not told the General during the trial which number he should believe in? For which number should Remer now die in prison?	
Comparison of official figures on the number of those killed in the gas chambers of Auschwitz:	
26. 7. 1990: ALLGEMEINE JÜDISCHE WOCHENZEITUNG 4,000,000	11. 6. 1992: ALLGEMEINE JÜDISCHE WOCHENZEITUNG 1,500,000
20. 4. 1978: French newspaper LE MONDE 5,000,000	1. 9. 1989: French newspaper LE MONDE 1,472,000
1945: International Military Tribunal in Nuremberg 4,000,000	1985: Raul Hilberg: <i>Die Vernichtung der europäischen Juden</i> 1,250,000
1979: The Pope during his visit to Auschwitz 4,000,000	July 1990: The left-wing TAZ and other newspapers 960,000
April 1990: Chief State Attorney Majorowsky/Wuppertal 4,000,000	1974: G. Reitlinger: <i>Die Endlösung</i> 850,000
1945: French War Crimes Investigations Office 8,000,000	1989: USSR releases death-books. Total deaths 66,000
1989: Eugen Kogon: <i>Der SS-Staat</i> 4,500,000	1965: Auschwitz decision 50/4 Ks 2/63. including claimed gassing deaths 45,510
1989: Lie-memorial tablet/Birkenau removed, with number 4,000,000	1965: Auschwitz decision 50/4 Ks 2/63, without claimed gassing deaths 619

To destroy the German people, only these words are necessary: "Common Knowledge"

Concerning the alleged gas chambers, no one can speak of the kind of common knowledge such as that which underlies the fact that the day has 24 hours. Only such assertions, as that the day has 24 hours, require no proof. In all other cases there must be proof.

Remer's proofs are new and far superior

The defense attorneys, Hajo Herrmann and Dr. Herbert Schaller, had prepared comprehensive evidence. They prepared their evidence to conform with a decision of the Upper Land Court of Düsseldorf. In a "gas chamber denial" case, this court held that evidence must be admitted when it was superior to the "proofs" in the former National Socialist trials. New, superior evidence trumps "common knowledge", according to the

Düsseldorf court. The evidence submitted by the defense is new and far superior to that from the National Socialist trials, since there was no physical evidence presented there.

Auschwitz: "Annihilation camp" with a brothel, legal advice, sauna and soccer ...

Before the examination of the evidence that had been submitted, attorney Herrmann addressed the State Attorney and judge: "It must be proven, whether there were gas-chambers or not, before there can be a decision on common knowledge. The court must determine facts." Attorney Herrmann then presented evidence taken from anti-fascist literature and from court documents that showed that Auschwitz was no annihilation camp. The attorney read how there had been a brothel for prisoners in Lager Auschwitz, that there had been weekly soccer games between SS-staff and camp inmates, that there was a central sauna, that legal advice was available to the inmates, that in case of non-natural death the camp administration had to notify the appropriate State Attorney over 30 signatures, that prisoners could be released, that SS-men were not allowed to hit prisoners, that 4800 sick were under medical care (although in the usual version they landed in the "gas chambers" right away), and that when the camp was abandoned the prisoners preferred evacuation by the SS over Soviet "liberation" ...

The State Attorney roars

This piece of evidence made the State Attorney roar. "This piece of evidence is an insult to the victims", he cried into the courtroom with a red face. Hermann replied, "Then your victims were insulted by the decision in the Auschwitz trial in Frankfurt, Herr State Attorney. Most of what I have just read are observations of the court in the great Auschwitz trial in Frankfurt. You can read them in the decision." At this the State Attorney was speechless. It is peculiar, how a State Attorney can free himself from most any difficulty with only the magical words "common knowledge". He knew nothing about the decision in the National Socialist trials and he knew next to nothing about historical connections

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or physical facts. All a State Attorney needs in such a case is to be able to pronounce the words, "denied on account of common knowledge."

The court refused to accept this evidence. That is, it refused to accept whole passages from the decision in the Auschwitz trial in Frankfurt as well as passages from the writings of "survivors" such as Langbein. Naturally, on account of "common knowledge".

The English crown: no gassings

As part of the evidence he submitted, Dr. Schaller presented the book of Jewish Princeton Professor Arno J. Mayer. In his book Mayer concludes that the majority of Auschwitz prisoners died of natural causes and that there was no "Hitler order" for the "gassing" of the Jews. Mayer confirms that "proofs" for the gas-chambers are "rare and unreliable". As evidence against the "common knowledge of gas-chambers", the attorney submitted a book by British history professor F. H. Hinsley. Hinsley is the official historian of the English crown. His book BRITISH INTELLIGENCE IN THE SECOND WORLD WAR can be obtained from the royal stationer's office. There was a new edition in 1989. On

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page 673 Hinsley states that from 1942 the English were able to break the coded messages from the concentration camps. The English found that the main cause of death in the camps was illness. Hinsley reports that there were also shootings and hangings. The official historical scientist of the English royal house states, "There was no mention of gassings in the decoded messages."

The State Attorney moved that this evidence, too, be refused on account of "common knowledge". One more time, the court agreed with the State Attorney. At this point the trial was suspended; it resumed on 22nd October 1992. Every time General Remer reentered the courtroom after a pause in the proceedings the public stood respectfully. Many remained sitting when the court entered, however.

An expert witness is kept out

The defense waited on a physically present means of proof, the technical expert Diplom Chemist G. Rudolf. By the court's rules of procedure, evidence that is physically present can not be refused, even on account of "common knowledge". The technical expert sat in the courtroom. He had researched the alleged gas chambers in Auschwitz from a physico-chemical point of view. He had taken samples of mortar and had them analyzed by the Institute Fresenius. Also he had conducted his own laboratory experiments in which he had gassed masonry with Prussic acid. The expert witness could present scientific proof that the alleged gas chambers never came in contact with Zyklon B. The expert report prepared by the expert witness was submitted to the court with the rest of the evidence. The expert witness could also prove that prisoner commandos could not have "gone into blue clouds of Zyklon B still hovering over the corpses", without having been killed themselves. This nonsensical testimony on work in the midst of clouds of Zyklon B had been given by Richard Böck, the principal witness in the Auschwitz trial in Frankfurt. Thus Böck was certifying that the commando had been immune to Zyklon B. Yet the judge in the Auschwitz trial in Frankfurt believed that he had proven the existence of gas-chambers in Auschwitz with Böck's statement. Böck had witnessed the gassings in two farm-houses which never existed, according to a technical report of HANSA LUFTBILD, which analyzed allied air-reconnaissance photos. The expert witness could also prove that Prussic acid is a colorless poison. The expert witness was sitting in the courtroom. He could provide clarification. What did the State Attorney have to say about that?

"I move that the expert witness be refused, since the gas-chambers are common knowledge fact", was State Attorney's monotonous refrain. He demanded that the expert witness be refused without his technical qualifications having been examined. The court agreed with the motion of the State Attorney and refused the expert witness, without having heard a word he had to say, as "completely irrelevant" evidence. In addition, the court refused to read the expert report, because of "common knowledge."

No one can see the Auschwitz death-books

Attorney Herrmann next submitted a large number of the official death-books from Auschwitz. In 1989 these death-books had been released by the Soviet Union. These official papers documented 66,000 cases of death in minute detail. All of them are under seal at the special effects office in Arolsen. No one is allowed to look at them. A ten-country commission, including Israel, prevents any inspection of these documents. Recently, the journalist W. Kempkens succeeded in photocopying these documents in the Moscow archive. Hermann submitted a representative sample to the court. The defense



attorney moved that Kempkens be allowed to testify. The Holocausters keep talking about how the old and unfit-for-work Jews were "sorted out" on the ramp and "gassed" immediately, so they could not have been entered in the lager register. The death-books prove the opposite. Most of the entries were elderly men and most were Jews. The State Attorney moved that the documents should not be admitted as evidence, since the gas-chambers are "common knowledge" fact. The court agreed with the motion of the State Attorney.

The State Attorney's pleading

At that point the taking of evidence was ended and the State Attorney began his pleading. He did not need any evidence, since for him the "gas-chambers" are "common knowledge." He described Remer as Mephisto (the devil) for "denying" what is "common knowledge." For such a "devil", he argued, the absolute minimum sentence should be imprisonment for two years six months. He moved that the imprisonment begin immediately.

Constitutional attorney Herrmann's pleading

The attorney protested, "We have submitted evidence in many areas, but the court has never undertaken to examine whether the accused had a valid claim." Once more Herrmann discussed the denial of evidence in connection with the "confession" of the former camp commander of Auschwitz, Rudolf Höß. The court had refused to allow the reading of Höß' torture with the comment that it had not been proven that Höß had made a false confession because of torture. "But Höß' confession is false", thundered the retired colonel, a former inspector of the night rangers, in the courtroom. "Höß confessed 3 million murdered Jews. Today Holocaust historians

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say the number killed is 1.5 million", he flung at the State Attorney and judge. Then Herrmann read the record of the capture of Höß. It is described there how the former commandant was thrown on a butcher bench and how for hours his face was smashed. The Jewish sergeant shoved a guide-lamp staff deep in his throat and dumped a whole bottle of whiskey into his victim. His handcuffs were left on for three weeks. "That's what you don't want to hear, Herr State Attorney", the defense attorney's words rang out. Then Herrmann read relevant paragraphs from the transfer treaty of the occupying powers. In these paragraphs Germany was forced to recognize forever the historical "facts" that were the basis of the Nuremberg trials. And so German courts still say "common knowledge" to the four million Auschwitz lie, to the lie about gassings in Dachau and the lie about "mass steamings" in Treblinka. Nonsense and oppression know no limit.

"I claim", said the attorney, "that the accused was denied his right. Not only the State Attorney is bound politically... The question is, how can the obligation imposed on the state by the transfer treaty of the victorious powers be applied in this court of law."

Then he continued, "I have never before seen the public stand when an accused enters the courtroom. The general is not a liar, yet that is what you are accusing him of." Herrmann pinpointed the State Attorney's error: "The State Attorney refuses to accept as evidence the decision of the Auschwitz trial in Frankfurt, which counted 45,510 dead." Herrmann hammered on the conscience of the State Attorney, which does not exist. Then he

continued, "But, according to the State Attorney, the accused must know that 6 million Jews were gassed." Herrmann turned to the judge's bench and cried, "The court will prove the proposition with the reason 'common knowledge.'"

The public knew that this great man had lived through times where just dealing, dignity, honor and decency were still common. A trial like the present was a very difficult for him. Once again Herrmann counted the denied pieces of evidence and asked, "Who in this courtroom was not well served by the defense?" Then he confronted the State Attorney and said, "The State Attorney will try to convince the accused that he knew that what he said was not true... Herr State Attorney, you do not sit in the back of the accused's head."

Judge Siebenbürger and State Attorney Baumann justified themselves with this kind of witness when they yell,

"Evidence denied on account of common knowledge."

Holon, Israel 2.5-1991

I once had an uncle in Karlsruhe B/Baden that was gast in Dchau. I can get some damajes frm this?? Much thank in advans!

[misspellings in source]

This text is taken from a letter that was mailed 2.5.1991 in Holon/Israel to a German acquaintance with the request for help with application for compensation. The letter writer's uncle was "gast" in Dachau and he wanted "damajes". For Judge Siebenbürger and State Attorney Baumann this served to prove that the gas-chambers are "common knowledge".

Response of the City of Dachau:

City of

DACHAU (coat of arms) **District capital**

Our Ref.: 4.2/Ra/Sa **Artists' town for 1200 years** Date: 14.11.88

Dear Herr Geller!

With reference to your question, I must inform you that there were no gassings in the former Konzentrationslager Dachau ...

Best regards - Rahm; Director of Administration

Then the attorney said what he thought was behind the court's - in many people's opinion - scandalous handling of the trial: "I believe that there is another power that hangs over our legal order that gives you your orders. I know that if you were to acquit there would be a great howling - not just here, but mostly in other countries. If you fear this, you should decline to conduct the trial. How can you designate even one piece of evidence as superfluous when the issue is life or death, as it is here? You should recollect that the chief prosecutor at Nuremberg described the victorious powers' tribunal as a continuation

Translated by J. M. Damon



of the war against Germany. One cannot so totally destroy and plunder a civilized people such as the Germans without an ostensible reason or pretext. Auschwitz was that pretext... If 'common knowledge' does not endure forever, at what limit of common knowledge do we find ourselves now? Yes, this 'common knowledge' will collapse, but will the accused die in his prison cell beforehand?" With that, Attorney Herrmann ended his pleading.

Dr. Schaller's pleading

"This is a political trial of a very peculiar nature", the courageous Viennese attorney threw at the judge and State Attorney. "For the reason that it deals with a crime of opinion, where there was no violence. The defenders of Democracy sit on the accuser's bench... When a democratic state takes upon itself

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the power to determine what the truth is, it is no longer a democracy", the attorney admonished the State Attorney and court.

Dr. Schaller told of a case in Frankfurt of an African drug dealer with a criminal history who stuck a 17 centimeter long knife into the abdomen of a young German because the latter did not want to buy drugs. The attorney quoted the Frankfurter Allgemeine Zeitung newspaper, as to how the judge in this case would not regard the assault as attempted murder or even as attempted manslaughter. She regarded it as a case of the African's merely wanting to "teach the German a lesson." This example of justice in modern day Germany that Dr. Schaller so graphically portrayed is reminiscent of the case of two Turks who stabbed an 18-year old German in Berlin because the latter had blond hair. Both Turks had already been convicted of manslaughter, yet they received probation. For the 80-year old General Remer who published scientific papers, the State Attorney wants the "death sentence". In the waiting room people passed around articles from large German newspapers relating how foreign murderers, robbers and mankillers are set free because indictments cannot be prepared in time due to "shortage of staff". Every spectator was outraged that there was no shortage of judges to handle the prosecution and indictment of an acknowledged national hero because of his publication of the truth. Dr. Schaller said further: "To prosecute assertions of fact in the same way that murderers should be - but today no longer are - prosecuted will lead to social collapse."

"The state should take care that arguments are expressed in words. The truth does not need criminal justice. The truth it will prevail of its own power", the attorney scolded the State Attorney. The attorney further said: "Doesn't the State Attorney's demand for a two and a half year sentence for the publication of scientific knowledge smell of DDR justice? And such a thing for an 80-year old man? Is this Bautzen?" demanded Dr. Schaller. "This defense team has introduced a plethora of evidence that supports the claims of the accused. A plethora of proofs and expert reports that has never been presented to any court of the victorious wartime allies. And yet the allies' magic words from Nuremberg, "common knowledge" should still apply here?" Facing the State Attorney, Schaller asked, "Suppose that we had a new government in Germany and this government were to examine the manner in which you servants of the state are proceeding, keeping in mind paragraphs 56 and 62 through 65 of the Basic Law. Do you think you would escape harm from the hands of the German people?" Then, facing the

Translated by J. M. Damon 

public: "Suppose the State Attorney had to justify his charges against the General. Suppose a judge should ask him, what proof do you have of the existence of homicidal gas chambers? He would have nothing to show. But as of today, no State Attorney needs to produce evidence. We have not arrived at that point yet."

Next he quoted the Jewish revisionist, Rabbi Immanuel Jakobovits, who says: "Today there is a whole spectrum of business relating to the Holocaust Industry, with authors, researchers, museum curators and politicians." To the judges' bench Dr. Schaller cried, "The real threat to public order begins when one demands of the German people, that they should assume guilt for gas-chamber murders."

"These are dangerous perversions which construe publication of scientific investigation of alleged gas chambers as defamation and racial persecution. How does the State Attorney dispute this scientific evidence which the accused has published? He merely tells us that we Germans should and must remain guilty as charged at the Nuremberg trials following World War II. That is all."

"On the other hand, defense counsel have an expert witness here in the chamber who has produced an expert report that leaves no question unanswered. The expert witness has come to the indisputable scientific conclusion that the so-called gas chambers never came in contact with Zyklon B gas. Never!"

Schaller continued, "There sits the technical expert, who is not allowed to say a word. A scientist from the world renowned Max Planck Institute is not allowed to testify in a German court! And you want to send General Remer to prison? Are you willing to accept responsibility for that?"

Then, raising his voice: "The accused has the right to expect that the court will fulfill its duty. that is, to inquire into the innocence of the accused. This kowtowing to the victorious allies of World War II cannot go on forever!" With the following words tears came to his eyes: "Why should a man be put to the sword to keep alive this mythology of wartime propaganda? Mr. State Attorney, you should not continue believe novels that become ever more lurid with the passage of time. It cannot go on like this, to leave one's own people standing out in the cold. Allow the hearing of scientific evidence" Thus the attorney closed his pleading.

The general's closing words

"To this kangaroo court, that has denied me the introduction of scientific evidence, I have only one thing to say." General Remer pointed at the state attorney and the judge. "Germany will one day hold you responsible for what you have done in this courtroom."

Resume

General Remer seems to be dangerous to the former victorious powers because he has brought about a discussion of Auschwitz with his scientific publications. If Remer can prove his case, the allies will lose their justification for having butchered and looted the German people. The Jews will lose, as Prof. Wolffsohn says, "their only remaining identity-forming myth." For these reasons, General Remer is condemned to die in jail.

Translated by J. M. Damon



This death sentence is reminiscent of other cases of unsolved deaths such as those of Franz Josef Strauß and his wife Marianne. First Marianne died of unexplained causes in a traffic accident, then the fit, healthy former Minister-president of Bavaria passed away under unusual circumstances which are not medically explainable.

The Allgemeing Jüdische Wochenzeitung (General Jewish Weekly Newspaper) of 29th October 1992 recalled Strauß' goals: "The declaration of Franz J. Strauß on 1st February 1987, that the Federal Republic should come out from under the shadow of the Nazi past and begin a new chapter in the book of history..."

The transfer treaty of the victorious powers forbids Germany to "come out from under the shadow of the Nazi past and begin a new chapter in the book of history". The allies would lose forever their justification for the horrendous crimes and ethnic cleansing which they committed against Germany and the Jews would lose their identity-forming principle. This might endanger the existence of the state of Israel. Are there parallels between Remer's "death sentence" and the death of Marianne and F. J. Strauß?

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Although Remer's preface and epilogue do not expressively accuse the Jews of having invented the accounts on the Holocaust particularly to gain political and material advantages, in the eyes of this court the purpose of the Remer-Version of the "Expert Report" is nevertheless to suggest this and hence to stir up hostile emotions against the Jews. Provided that the claims of the "Expert Report" are correct, this arises from the fact that the reader, due, among other things, to tendentious statements and attitude, was forced to the conclusion that the surviving Jews as the most important witnesses of the event, the bereaved as those who are directly affected, and the Jewish scholars must have consciously forged the accounts on the Holocaust. That this conclusion was intended, is demonstrated by the quoted publications of the Remer-Circle and the accused, in which the Jews are again and again accused of a gigantic lie regarding the Holocaust.

3.) Announcement of the Remer-Action and reactions to it

Before the Expert Report mailing action, a flyer was released bearing Remer's name and predated 25 October 1992, in which the mailing action was announced. It bears the title "The Expert Report Which Is Going to

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Change the World" and contains on the front page a condensed version of the results of the Expert Report as well as its table of contents. At the bottom margin is written: "Not until the truth reaches the masses of our people can we be free. The great majority of politicians in Bonn are willing agents of our enemies. It is they who propagate the lies about our nation!"

On the back page is a condensed version of the foreword of the Remer version of the Expert Report, with the same graphics and heading. With the same formulation as the Remer version, it is specifies that publication of the Expert Report is taking place against

the will of the accused. Underneath the text is an order form which states: "The mailings will commence on the 29th of March 1993, from a foreign country!"

This flyer was mailed on 16 March 1993, primarily to members of the revisionist camp. Witnesses Dill and Dr. Knödler received it, as did Attorney Dr. Herzogenrath-Amelung and Wilhelm Stäglich, and others.

Among the defendant's documents are found three immediate reactions to this flyer, all dated 17th March 1993.

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Dill wrote to Remer: "My first order is accompanied with the request to send me 80 flyers, which I would like to distribute among my large circle of acquaintances..." This message was found among Dill's papers during the investigation and criminal charges filed against him.

Attorney Dr. Herzogenrath-Amelung, with whom the defendant maintained contact regarding revisionist questions since early 1992, wrote to the defendant concerning the flyer mailings: " I gather that your new work will be sent by Mr. Remer on the 29th of March 1993. Since I must be in Münster to defend Mr. Kemper on account of related matters on 31st March, it would be very helpful for me to have your new Expert Report in advance. Could you see to it that two copies are sent to me?" The defendant then had two copies of Version "F2" sent to him.

Wilhelm Stäglich, with whom the defendant likewise maintained correspondence, and whom he planned to have as coauthor for "Dissecting the Holocaust," wrote to him, apparently in ignorance of his relationship with the Remer Circle: "I am shocked. In case you are not aware of the independent action of this man

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who certainly is highly deserving but clearly distraught as result of his prison sentence, I am sending the flyer directly to you in hopes you might be able to do something about it. The mailing from abroad is supposed to not take place before the 29th of March. In my opinion, this "unauthorized release" (in Remer's own words) of your Expert Report could have serious consequences, not only for your projected book but for you personally. Furthermore I do not understand why you yourself apparently placed your manuscript at Mr. Remer's disposal since you emphatically informed me in your letter of 25 February 1993, that 'discretion is the express order.' That was not necessary in my case." Stäglich went on to state that Remer's "impulsive act" could easily destroy all the revisionist efforts. No answer to this letter was found among the effects of the accused.

4) Written evidence of the defendant's concealment of his participation in the Remer Action

Translated by J. M. Damon 

In connection with the Remer Action, the following written evidence was found among the defendant's effects which served to conceal participation in the Remer Action:

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a) A registered letter dated 27th March 1993, addressed to witness Remer, with following contents:

Illegal distribution of my Expert Report

Dear Mr. Remer,

I have learned through an acquaintance of your unauthorized action on publishing my Expert Report, which I prepared for the use of your attorney.

Surely you are aware that my Report is protected by copyright, as is clearly stated on the cover as well as the first page. You must know that I have not given permission for your undertaking and that I have no intention of doing so in future.

Furthermore I must emphatically inform you that I shall be compelled to take legal action against you if you continue this illegal distribution of my intellectual property.

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Therefore I assume that you will immediately desist from your undertakings.

b) The defendant sent a registered letter to Attorney Herrmann dated 29 March 1993, in essentially the same tone, with the demand that he exert influence on Remer to stop distributing the Expert Report.

c) The defendant sent a letter to Herrmann dated 7th April 1993 in reference to the letter of 29 March, which included the following:

"...Since you so far have not responded to my letter, please inform me as to whether, to your knowledge, Mr. Remer intends to discontinue his project.

If Mr. Remer goes ahead with his project I shall be forced to file a complaint against him and oppose the distribution of my Expert Report with all legal means (such as a restraining order.)

In addition, I wish to know your attitude toward Remer's project. In case you are not in a position to represent my interests in this case, I shall

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be obliged to seek legal counsel elsewhere.

Translated by J. M. Damon 

I trust that I shall hear from you regarding this extremely important subject in the very near future...."

d) A letter from Herrmann to the defendant, dated 8th April 1993, contains the following:

"Dear Mr. Rudolf,

I am writing in response to your letters of 25 March and 7 April 1993. Please excuse my failure to answer your letters immediately. I have been very busy researching a revisionist argument which demanded a great deal of my time.

The legal content of your phrase "illegal distribution of my Expert Report" does not clarify all the circumstances surrounding the case. I assume that you are referring to the Expert Report which is the basis for the testimony which you intended to give and submit in the Remer trial in Schweinfurt, and which you placed at my disposal on two occasions.

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I am not familiar with your and Mr. Remer's arrangement in this matter. A special conference with Mr. Remer is not necessary, since I have placed all my significant trial documents at his disposal. This trial is not the first occasion on which I have had to caution Mr. Remer that he is liable for any use of these documents outside the courtroom.

I shall immediately inform Mr. Remer of your emphatic instructions, that your Expert Report not be used outside the court. However, I can not represent you against Mr. Remer in this matter. It is too closely connected with my mandate to litigate. I can not even initiate a civil motion to desist.

The only thing I can do to terminate the matter is to notify Mr. Remer in writing and send him a copy of this letter."

e) A letter from Herrmann to Remer dated 8th April 1993, which was attached to his letter of the same date to the defendant, read as follows:

"Dear Mr. Remer,

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In a matter related to your trial, the diploma chemist Rudolf has written me the enclosed letter dated 7th April 1993. I have answered him with the following letter, which I attach.

It contains everything which I have to say in this matter. I hope the matter can be resolved."

f) A letter from the defendant to Attorney Dr. Herzogenrath-Amelung dated 10th April 1993, in which he confirms having received his letter of 17th March 1993 and informs

him that he has advised Remer to stop circulating the Expert Report. The defendant went on to ask whether Herzogenrath-Amelung can advise him in this matter, which he declined to do on 19th April 1993.

g) A letter from the defendant to Attorney Herrmann dated 19th April 1993, in which he states:

"If your client Mr. Remer does not assure me forthwith that he will atop distributing my Expert Report, I will be obliged to request an immediate court order compelling him to cease distribution under penalty of a heavy fine."

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Since Mr. Remer refuses to respond to my letters, I must rely on you exclusively and I trust that you will do everything possible to obtain this assurance from Mr. Remer."

h) A signed statement from Remer, dated 2nd May 1993, reads as follows:

"Promise and Affirmation:

1. I hereby inform Mr. Germar Rudolf that the Expert Report which he prepared for my trial bears no relationship to the Max-Planck Institute. Mr. Rudolf was personally solicited to prepare the Expert Report by my lawyer, Mr. Hajo Herrmann of Düsseldorf. Mr. Rudolf made it clear to me and my attorney from the outset, that his activities as expert witness had nothing to do with his employer, and he received no remuneration for his work.

2. The mailing service which I have used, "'Forschungsgemeinschaft Chemie" (Association for Chemical Research) has nothing to do with "Deutsche Forschungsgemeinschaft" (German Association for Research.)

3. An account of my trial was printed in the appendix of the unauthorized version of Mr. Rudolf's Expert Report.

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In that version, Dr. Schaller of Traiskirchen near Vienna is quoted as having named the Max Planck Institute in his pleading. Dr. Schaller was not authorized to name the Max-Planck Institute in conjunction with the Expert Report.

4. I hereby assure Mr. Rudolf that, in future, I will distance myself from distribution of his Expert Report, since he has obviously experienced difficulties on account of my unauthorized actions. I have no control over the copies which are still in circulation. I promise to pay Mr. Rudolf, as compensation for damages, the amount of 100,000 German marks. At the same time I must point out that I will be able to pay this amount at some unknown time, when it might become available to me. I must point out that my

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pension has been revoked and that part of my retirement against which I can borrow has already been mortgaged.

Bad Kissingen, 2nd May 1993."

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4) Additional written publications and activities connected to the Remer actions.

a) Labor dispute with the Max Planck Institute

The Remer version of the Expert Report caused profound unrest at the defendant's employer, the Max Planck Institute of Stuttgart, when his mailings reached there on the 16th of April 1993. The fact that the accused was described in the trial report which accompanied the Remer version as a "scientist of the Max Planck Institute" and that he used their letterhead for Expert Report correspondence with the Fresenius Institute and others, led to considerations about ending the defendant's employment. In this regard, several conversations took place between the defendant and responsible persons of the Max Planck Institute as well as their company adviser, in which the defendant presented the above referenced letter in an effort to acquit himself. In addition, he pointed to his fruitless attempt to have Attorney Breitenbach impose a restraining order upon Remer.

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In this connection the defendant wrote the following letter to Prof. Simon, the business director of Max Planck, on 3rd May 1993:

"Concerning distrust caused by assumed lack of success of publication of Expert Report:

Dear Prof. Dr. A. Simon,

During our conversation this morning you stated that I should not blame the Institute consultant for not trusting me, particularly in light of the fact that for over a year, I seem to have attempted unsuccessfully to have my Expert Report published. You say that this led to the suspicion that I resorted to this means of having it published.

I would like to describe the situation a bit more accurately for you. After the discussion with Prof. Von Schnering I have reversed my activities connected with the Expert Report. Specifically, this means:

1. I immediately saw to it that the Expert Report submitted to the Chemistry Publishing House was withdrawn. My witness to this is Dr. D. Bartling of Darmstadt, as well as the head of the corresponding department,

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Mr. Lüttig who is with VCH (the name is unfamiliar to me, he was contacted by Dr. Bartling.)

2. The only trial in which I have appeared as expert witness is that of O. E. Remer; I have declined to appear in any other trials. My witness is Attorney Hajo Herrmann of Düsseldorf, who was very disappointed by my refusal to appear in the Irving trial of this year.

3. I have declined every other opportunity to publish my Expert Report as such. I successfully hindered the attempt of a Canadian to translate my Expert Report; our correspondence is available to you.

4. Acting on the advice of a professor of history, I have requested a well known doctor of chemistry to include the findings of my Expert Report into a larger more comprehensive work. He has agreed to assist me in this way since it was impossible for me, on account of the work load connected with completing my Ph. D. degree. I have authorized him to use my material in this project provided he keeps me informed of his progress and shares authorship with me. The result of this is attached. The "Lectures on Contemporary History" appeared in April, immediately after

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I was informed of Remer's actions and immediately before he carried out his threat. Otherwise I have had nothing to do with the book. Therefore, it is nonsensical to suspect an illicit secondary activity here.

I hereby affirm the following:

1. I succeeded in suppressing earlier attempts to distribute my Expert Report.
2. The Expert Report had already been released, essentially, along with other new research, before Remer mailed out his pirated copy.

And finally: if I had chosen the path of covert release, do you really believe I would have been so dumb as to let my Expert Report fall flat in its effect, on account of the abjectly stupid commentary of someone like Remer? I assure you I would have chosen a better, more intelligent way, something with style! This method of distributing my Expert Report is the action of a military blockhead."

In addition, the accused related various records in which conversations with representatives of Max Planck Institute are contained.

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In view of the public attention which the Remer action produced, the Max Planck Society held a press conference in May 1993 in which the promotion of the Remer circle for the

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Expert Report (in keeping with the sticker effect) was repeatedly mentioned (see Page 56, Promotional Flyer, and Page 57, the Alshaab Interview.)

b) Legal Strife with the Fresenius Institute

In view of the fact that the name of the Fresenius Institute had been highlighted in the text of the Expert Report as well as the foreword and appendix of the Remer version, towards the end of April 1993 the Institute demanded that the accused desist from using its name.

In this connection the defendant sent the following message to the legal representative of the Fresenius Institute early in May 1993 rejecting the demand of the Institute. The message reads: "I turned over the finished Expert Report to Mr. Remer and his two defense lawyers. This is the how the Expert Report made its way into the court documents in the Remer case." The original concept for this letter had been prepared by Attorney Herrmann, who faxed it to the defendant on the 6th of May 1993. The latter wrote it using his letterhead and also corrected it.

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On the 6th May 1993 he also faxed a copy of the legal document to Attorney Herzogenrath-Amelung.

c) Additional activities of the accused in connection with the Remer action

On the advice of Attorney Herzogenrath-Amelung, who recommended he seek a "neutral" attorney, the defendant approached on 23 April 1993 the Stuttgart specialist on copyright, court witness Breitenbach, and pretended that he wanted to initiate a lawsuit against Remer. Breitenbach finally declined to represent the defendant on account of the subject of the proceeding.

The defendant, who made no additional attempt at finding a lawyer, had no intention of taking serious steps against Remer. The only purpose for the visit to Attorney Breitenbach was to establish an ostensible reason for telling Max Planck and others that he had done everything he could to discourage Remer from distributing the Expert Report.

In all of his correspondence and in his personal circle of acquaintances, the defendant consistently claimed that Remer had acted independently

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L) Publication of the Cromwell Version

In keeping with the intention of Philipp and the defendant to publish an authorized version of the Expert Report in the wake of the Remer action, the Cromwell version was

supposed to follow quickly after the Remer action. The defendant had prepared the manuscript as early as 14 March 1993. Since it was hardly distinguishable from Version F, he could use it with regard to the technical aspects as well. The basic elements (photographs and printing plates or roll assemblies) for the illustrations were used unchanged.

The defendant had announced his intention to quickly follow the Remer version with an authorized version as early as Easter 1993. In a conversation with his sister, court witness Martina Rudolf, to whom he also pretended that Remer had acted independently, he remarked that Remer had spiked the Expert Report with racist commentary and that he wanted to correct it by publishing it in its original form.

Around the end of April the accused was assuming that the sanitized version would be released in May. In a letter dated 27th April 1993 to the *Süddeutschen Rundfunk* (South German Broadcasting Company) he announced that a new edition could be expected in May.

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On 22nd May 1993 he wrote to Mark E. Weber that the Expert Report would appear in a few weeks, in a corrected and modified edition.

A delay in publication release date was caused by the defendant's preoccupation in early summer, with finishing work for his doctoral degree and thus he was unable to give his full attention to the Expert Report. In addition to this, on 17th June 1993 he received from the witness Dr. Knödler numerous suggestions for corrections, which he worked into the Cromwell version. Dr. Knödler had carefully inspected the Remer version, which he ordered in response to Remer's announcement, for mistakes at his own initiative and submitted his suggestions to the defendant by way of Philipp. For this reason the defendant notified the South German Broadcasting Company on 1st July 1993 that delivery of the Expert Report would be delayed – that it would come in the following weeks and could be purchased either by book dealers or directly from the Cromwell Press. On the 22nd July 1993 he wrote to the Belgian revisionist publisher Siegfried Verbeke in Antwerp that the Expert Report would appear in a few weeks. The Expert Report was finally released at the end of July 1993.

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M) The Revisionist Publication Campaign of Spring and Summer 1993.

In order to maximize the effect of the Expert Report, the defendant and members of the Remer circle imbedded the Expert Report in an extensive publication campaign. In this way they hoped to present revisionist opinion, especially the Expert Report, in a variety of different forms, and bring about public debate. In keeping with the "double strategy," argumentation was sometimes objective and sometimes polemical.

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The forerunner of this initiative had appeared in October 1992, in the brochure "The 'Time' Magazine is Lying." This was promoted in the first half of 1993, in the July 1993 Remer Dispatches among other places, along with the works of the defendant and Jürgen Graf. The book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History) appeared in the Grabert Publishing House, Tübingen, at the same time as the Remer version of the Expert Report. In addition, the defendant published two articles under pseudonyms in the May edition of the magazine "Deutschland in Geschichte und Gegenwart" (Germany Past and Present) which is also published by Grabert. The article "Chemische Wissenschaft zur Gaskammerfrage" (The Science of Chemistry on the Question of Gas Chambers) contained a summary of the results of the Expert Report. In addition,

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the article on witch trials, which is included in the appendix of the Cromwell Version of the Scientific Report. was printed under the name of Werner Kretschmer. The Remer Dispatches were again busy aggrandizing the defendant and the Expert Report. The Cromwell version of the Expert Report as well as the brochure "Der wissenschaftliche Erdrutsch durch das Rudolf Gutachten" ("Rudolf Landslide") were planned for May 1993. However, their publication was delayed for technical reasons until July of 1993 (see page 133.)

Several other flyers and articles were planned to appear simultaneously, such as the flyer "An die Schlaumeier der reiferen Jugend," (A letter to the clever dicks of the mature youth), which was supposed to promote the brochure "Der Wissenschaftliche Erdrutsch durch das Rudolf Gutachten," (Rudolf's Landslide) the flyer "Der doppelte Boden" (The Double Floor) (page 82), and an incomplete article entitled "Es gab keine Gaskammern in Auschwitz" (There Were No Gas Chambers at Auschwitz) (page 24).

Two articles for the party newspaper of the NPD (National Party of Germany) should be included in the list of this publications offensive as well: "Deutsche Stimme" (Voice of Germany) with the titles "Streitpunkt Holocaust" (Holocaust Controversy) and "Das Rudolf-Gutachten über Auschwitz" (The Rudolf Expert Report on Auschwitz) (page 79) as well as the title "Es gab keine Gaskammern in Auschwitz" (There Were No Gas Chambers at Auschwitz) (page 79) and the brochure "The Remer-Interview with Alshaab", which

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again promoted the Expert Report. These publications were prepared in the summer of 1993.

In addition the books "Der Holocaust-Schwindel" (The Holocaust Swindle) and "Der Holocaust auf dem Prüfstand" (Holocaust on the Testing Stand) by Jürgen Graf, belong to this campaign which appeared in Spring of 1993 and promoted the Remer Dispatches in July 1993 along with the works of the accused.

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In addition, and on his own initiative, the defendant produced an unusual kind of promotion for both himself and revisionism, in a disinformative style which was peculiar to himself. Around the beginning of July 1993 he wrote, under the pseudonym Jakob Sprenger, an article with the title "Geschichtlicher Revisionismus behindert sich selbst" (Historical Revisionism Is Hindering Itself), which appeared in September 1993 in slightly changed form in the periodical "Junge Freiheit" (Young Freedom.) In this article he accused leading revisionists, including Zündel, Leuchter and Irving, as well as close associates and benefactors such as Faurisson, Remer, Stäglich and Dill, in a generalized flailing out, of Nazi or Neonazi undertakings, especially personal enrichment or limelighting,

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which were damaging the cause of revisionism. He exalted his own productions as "objectively cool, serious work" (the Expert Report) and "the single point of light" (Lectures on Contemporary History). Regarding the latter he remarked that it is encouraging that "In the revisionist camp, in addition to nazis and fools, there are also sensible people." The mission of this article was the personal profiling of the author.

He was distancing himself from both old and new nazis for purely strategic reasons and referring repeatedly to the Expert Report as the central element of the revisionist publication campaign. The campaign was planned as a single event and could not have occurred in this form without the Expert Report. The object of publication of the Expert Report in Spring 1993 was to launch the long awaited general discussion of revisionist themes on various levels.

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III Evaluation of Evidence

A) General Remarks Concerning the Evidence and Its Introduction into the Main Trial

The findings of the Court under Part I and Part II rest upon the testimony of the accused insofar as these could be followed; upon confiscated writings and data; upon publications which the district criminal court of Baden-Württemberg gathered from other sources, in particular writings which were found in the course of the investigation of of the witness Dill (Amtsgericht Stuttgart B 3 Ls 1534/93,) and upon the testimonies of interrogated witnesses insofar as these could be followed.

The defendant's lodgings were searched on 30 September 1993 on the basis of a judge's search order as the investigating officer of the district criminal court, witness Hübner, testified, whereby a large amount of evidentiary material was seized. This material deals with writings and research material used in preparation of the Expert Report, including a large amount of revisionist and other literature dealing with the Holocaust and

Auschwitz; also several Leitz files of correspondence covering mainly the period 1990 until September 1993.

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They were filed alphabetically from the defendant to sender, as well as chronologically.

The various versions of the Expert Report were also seized, with exception of Version C1, brochures of the Remer Circle in the original as well as in the form of typesetters proofs, flyers, lecture materials and numerous other printed material. In addition, the defendant's computer was seized, on which he had written all his work using the word processing application Winword, as well as diskettes on which were found revisionist writings by the defendant and others. Also found were data on diskettes as well as data in the defendant's computer which had been created with a Winword Program licensed to witness Philipp.

On 18 August 1994 still another search of the defendant's lodgings took place, according to testimony by Hübner, as part of still another investigation by the Stuttgart prosecutor on charges of inciting the masses. At this time evidence was found that the defendant had been using a different apartment as cover address, and the search of this apartment led to confiscation of still more documents. At this time a second computer (laptop) was confiscated. The laptop was confiscated and relevant data visually introduced into the corpus of evidence, by reading.

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Among this was found in three versions, a 15 page "Position Toward Indictment of the Stuttgart Prosecutor,) which was created in Summer of 1994 (called hereinafter "Defendant's Position.) In this, the defendant states his position regarding numerous details from the investigative documents.

The relevant data from both computers were printed out and introduced into the documentary evidence, partly combined with visually gathered evidence, in the main trial. Additional information was also introduced into evidence, including internal data concerning first and final dates of data storage as well as the licensed owner of the programs; also the names of the authors of data by means of holding them in front of the accused , who acknowledged them.

The Court introduced the following writings into evidence by the procedure of self-reading, according to Page 249 Section 2 of Penal Procedure:

- the Remer version of the Expert Report (F3);
- the brochure "The Newspaper 'Zeit' Is Lying;"
- "Scientific Landslide Caused By the Rudolf Expert Report;"
- "The Remer Interview in Alshaab,"
- and "The Rudolf Case;"



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The flyers "The Double Floor" and " A letter to the clever dicks of the mature youth;"
the "Protocol of An Interview with the Director of the Tracing Center of the International
Committee of the Red Cross, Dr. Biedermann;"
the "Commentary on the Heretical Letters of 29th February 1992;"
incomplete data for a lecture on the subject "Eduard von Simson, a German Life;"
an article "Science and Ethical Responsibility" (Ethic.doc);
an article "The Controversy on Jewish Annihilation" from the book "Dissecting the
Holocaust;"
as well as statement of his position in all three versions.

The other documents, along with evaluations, were introduced into evidence primarily by
reading complete or extracted portions. Documents which are reproduced in their entirety
or read in lengthy quotations were at least to this extent sorted out. Relevant contents of
other writings and diskettes, introduced by being held in front of the accused or
witnesses, were likewise sorted.

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B) The Testimony of the Accused

In the beginning, the defendant testified that Remer had published the Expert Report
against his will and without his knowledge. He stated that he had originally intended to
publish the Expert Report as a book and had unsuccessfully approached several
publishers. In the Summer of 1992 it had become clear to him, during a conversation with
his graduate adviser, that publication of the Expert Report would cause serious problems
for his graduation, and for this reason he had decided to refrain from publishing it. He
had, however, worked the contents of the Expert Report into the book "Lectures on
Contemporary History." He had continued work on the Expert Report, intending to print
just a few individual copies in preparation for a possible appearance in court as expert
witness. He had decided to publish the Expert Report through the Cromwell Publishing
House following Remer's unauthorized publication, in order to make public a version
which would be purged of Remer's unscientific remarks.

The defendant stated that the Expert Report had come about in this way and that he had
prepared two basic versions.

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He said that, in the beginning, he had become interested in this material for purely
scientific reasons. He said that in May of 1991 Attorney Herrmann had asked him to
appear as an expert witness in trials of Holocaust deniers, and to prepare a version of the
Expert Report which could be used in court.

Translated by J. M. Damon 

He stated further that he had had written and personal contact with numerous persons from revisionist and rightwing milieus, including those named under II, D and E above. He claimed that he did not share the views of the radical revisionists. He stated that he had not collaborated with the extremists, but rather had resisted joining them. For example, he had refused Ernst Zündel permission to publish the Expert Report in English which Zündel had already translated. He claimed he had expressed his true opinion of the revisionists Zündel, Irving, Leuchter, Remer, Stäglich and Dill in his article listed under the pseudonym Springer in "Young Freedom" in September 1993 (See page 196.)

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He said that he had no relationship with Remer. He said he had seen him only a few times and had avoided him because of his obvious adherence to the world of national socialist thought. He said that, with the exception of the brochure "Newspaper 'Time' is Lying" he had not been involved with publications of the Remer Circle. Furthermore he had demanded that Remer stop sending him the Dispatches, which he had been sending unsolicited.

He maintained that he had not a lot to do with witness Dill. He said he had participated in revisionist presentations of three times at most, and then briefly. Also, he had asked Dill to strike his name as distributor for his circular letters. He specifically stated that he had participated in no meeting with Dill at which the subject of publishing the Expert Report had been discussed. He said he had been amazed to learn, during the main part of the trial, that Dill had been soliciting money for publication of the Expert Report.

He claimed his own political position, and the background of his involvement with the Holocaust subject, was as depicted in the brochure "The Rudolf Case" (see page 59.)

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As for the question of how Remer came in possession of Version "F2" of the Expert Report, the defendant claimed Remer had received it from Attorney Herrmann. He said he had sent this version to several persons around the end of December 1992, including Attorney Herrmann. The latter had then sent it to Remer as part of the his lawyer-client relationship.

As for Remer's intention to publish the Expert Report, he said he had learned of that from the announcement sent to him by Attorney Herzogenrath-Amelung on 17th March 1993. His response had been to oppose the action as described on page 119. However, Remer could not be dissuaded. He said he had visited Remer on 1st May 1993 along with Philipp in Bad Kissingen and then received the explanation of 2 May.

The accused admitted that he had been author or coauthor of the work "Lectures on Contemporary History" and "Dissecting the Holocaust."

Translated by J. M. Damon 

Essentially, the defendant's argument denying participation in the Remer action is that he wanted to avoid endangering the completion of his Doctor's degree,

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However, this is exactly what happened on account of the Remer action. The defendant also maintains that he did not want to diminish the effect of his oft repeated maxims, that the Auschwitz subject should be treated objectively and free from rightwing extremist overtones, not through the tie in with Remer and the polemical commentary of the Remer version. Sure enough, he says, the Expert Report was discredited by the Remer action and had no effect on public opinion. Finally, he says, there was no need for a publication of the Expert Report after he had already released his findings in the book "Lectures on Contemporary History."

C) General Remarks on the Credibility of the defendant's Testimony

The Court gave little credibility to the testimony of the accused. His statements to persuade the court are a studied mixture of factual presentations, half truths and untruths determined by a tactical point of view and the course of the trial.

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aa) This was apparent in the way the defendant attempted to veil his real political opinions. Thus he said at the end of his personal testimony on the first day of the main trial that he was a member of the catholic student organization "Cartel Union" and emphasized that he was not a member of the National Party or the DVU (Deutsche Volks-Union, German People's Union). Under further questioning he professed to be a Christian Liberal and said he wanted to have nothing to do with people like Remer and Zündel. He kept quiet about the fact that for years he had been a member of the Republican Party. This became clear with the testimony of witness Stratemann on the 12th day of the trial.

bb) Furthermore the accused obviously attempted to play down his contacts with Remer. Thus, during his first testimony in the main proceeding, he claimed that he had met with Remer just two times. He said the first meeting had been in connection with convention of young Sudeten academics in February of 1991. He said that, for his part, he had not gone to Remer's house on his own initiative, but rather on suggestion of a fellow who wanted to show him a "living political fossil." He said the second meeting took place on the initiative of Philipp, who on the return trip from Auschwitz in August 1991 wanted to drop in briefly on Remer. He stated emphatically

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that this was the last time he had seen Remer. Furthermore he emphasized that he found this contact to Remer extremely unpleasant.

In this statement the defendant deliberately kept quiet about the fact that on three additional occasions he had personal contact with Remer, in addition to correspondence.

At one of these he participated in a closed revisionist meeting called by Remer on 29th June 1991, at which Remer gave the official greeting (page 49). This is proven by a copy of a registration form that he had filled out, which was found in his possession. The defendant did not deny this.

Furthermore he admitted, when confronted with his letter to Attorney Herrmann describing three visits with Remer, written 20th December 1992, that on the evening of 22nd October 1992, following the Remer trial in Schweinfurt, he had eaten supper with him.

In addition he finally admitted that he had visited Remer on 2nd May 1993 in Bad Kissingen in company with Philipp, in connection with completion of the declaration of obligation (page 124). At first, the defendant attempted to conceal this contact. During his initial testimony in the

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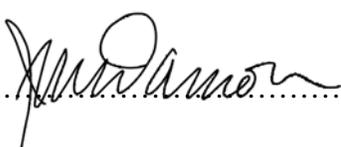
main part of the trial he explained how this came about: that he had communicated Remer, when the latter did not react to his written warnings, "by means of a middleman." He said the middleman and Remer had worked out the text of the explanation and then given it to him. Asked why he needed a middleman, he replied that he wanted to avoid further contact with Remer.

The defendant attempted to conceal his dealings with Remer in other ways as well. This is evident in such things as the above mentioned letter of the accused to Attorney Herrmann dated 20th December 1992. This letter, which concerns the initiation of his investigation, discusses the grounds for the complaint against Remer of inciting the masses. It begins with the sentence: "enclosed is a concise version of my position toward the accusation, which I of course allow only you to see." He also describes the ostensible three meetings with Remer. Describing the impression of his first meeting, he writes: "Scurrilous, otherworldly old Nazi with Nazi symbols in the house, had an alienating effect upon me, to put it mildly." Concerning both the other meetings, he says that he had no other close contacts with Remer. Specifically he stated that, with exception of a short exchange of pleasantries, he had

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no other exchange with Remer, either during the trial in Schweinfurt or at the concluding dinner in Remer's house,

This allegedly distant attitude stands in irreconcilable contrast with the fact that the defendant participated in the revisionist meeting called by Remer on 29th June 1991. By his own testimony he had sought contact with Remer by way of Philipp in hopes of a

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prompt publication by Remer's publishing house of the brochure "Die Zeit lügt!" (The Magazine 'Time' is Lying,) which had been declined by other publishers. This suggests that his stated aversion to Remer is not credible. It is also significant that his letter to Herrmann, by omitting both these events, describes his relationship to Remer very incompletely. For these reasons the court believes that it does not reflect the true relationship and the real opinion of the accused concerning Remer, but that it was composed exclusively for the purpose of parrying the investigation. Additional evidence of this is the fact that the letter was sent to Attorney Herrmann, who was defense counsel for Remer.

That the accused played down his relationship to Remer to outsiders, is also shown by his letter to his godmother dated 30th April 1994 in which it is said concerning Remer: "I have no personal contact with him and also no correspondence.

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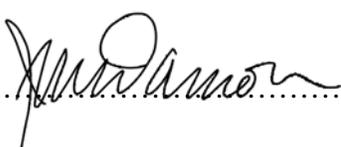
On the contrary: I avoid him as the devil avoids holy water, since I do not want to be placed in the vicinity of his views which are absolute anathema to me."

cc) The defendant's device of at first attempting to hide his relationship to Philipp, who stood near Remer, matches the strategy of playing down the Remer contacts. Thus, initially he made not only studiedly unclear remarks about the origins of the declaration of obligation of 2 May 1993, but also about the origin of the address labels found in his possession. Here again, he initially stated simply that he had gotten them through a middleman from Remer. Even in the defense statement he still maintained that he had received the sticker labels from an acquaintance who probably got them from Remer. In the further course of gathering evidence the proximity of Philipp to Remer, which the defendant had tried to hide, became known. When that happened, he admitted that this middleman had been Philipp. As in the course of gathering evidence further connection became evident between the defendant, Philipp, Remer and the publications of the Remer circle, the accused admitted ever more details about his relationship to Philipp. Thus he admitted that he had placed numerous documents from his private correspondence at Philipp's disposal,

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which explains how these came partially in the publications of the Remer circle. The same is true of the letter of former Federal Attorney von Stahl (page 71) and quotations from conversations with responsible persons of the Max Planck Institute. To be sure he said that he did not agree with release to the Remer publications; he said that Philipp acted alone in passing the material on.

In addition he admitted toward the end of the main trial that he had given Philipp backup copies of all his diskettes in order to protect them from the government. At the conclusion he maintained, apparently with the intent of distancing himself from the compromising writings of the Cromwell Publishing House, that he had given Philipp a free hand with

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the publication of the authorized version of the "Expert Report" ("G".) He said that Philipp had organized publication all by himself, and not confided the details to him. His testimony in the defense position shows hat he intended to again leave Philipp unnamed. There he states: "I had nothing to do with the profit making business efforts of the "Expert Report" in the Spring and Summer 1993 in Cromwell Publishing House. My activity ended with the sale of the copyright of the "Expert Report" to R. Kammerer." Philipp is not mentioned.

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ee) It is characteristic of the defendant's conduct during testimony that he continued protecting mistaken positions when they could no longer be credibly represented because of the overwhelming burden of evidence.

Thus despite indisputable proof he stubbornly refused to admit that he was the publisher of the book "Lectures on Contemporary History," which he had published under the name of Ernst Gauss. He did not admit the truth until the questioning of the publisher Grabert, who was not prepared to protect the accused, as he obviously knew.

In just the same way, he attempted to create the impression that he had had nothing to do with the publication of the brochure "The Times periodical is Lying" In this connection, his remarks in his defense positioning are characteristic. There, he wrote with regard to similarities between writings among his and under the name of the ostensible author of dhis brochure: "With all four gentlemen, I have been in intensive contact since the end of 1991, as far as exchange of data and material is concerned." Therefore it is not surprising if passages of my work are copied by these gentlemen, which has not occurred to me however." Not until confronted with this during the main trial, the accused did admit that the last ten pages of the brochure

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correspond word for word with the final chapter of the "Expert Report" (Version "F"), that he had participated in the creation of the brochure, and finally also thereto that he had sought contact with Remer to expedite their publication.

These examples already show that the defendant's assurances of veracity must be treated with great skepticism.

C) Evidence of participation of the Accused in the Remer Action

As a result of the taking of evidence the court is convinced that the accused participated in the publication of the "Expert Report", as established. This conviction of the court rests upon the overall consideration of a multitude of evidence which proves that the accused participated in the publication by the Remer side

1) General Circumstantial Evidence

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To the general circumstantial evidence belongs the fact that the accused, despite his testimony, shares rightwing extremist opinions and is deeply involved in the milieu of rightwing extremism. Insofar as he pretended to entertain moderate political

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views, this was done for exclusively tactical reasons.

a) the defendant's occupation with the subject of Auschwitz is in a comprehensive sense politically motivated. He wants to free the German people from the disgrace of national socialist atrocities in order to provide room for political maneuvering especially for the right wing.

The political conception of the accused, and the role which Auschwitz plays for him, is clearly expressed in the introductory sentences of the strategy paper for the translation of the book "The Holocaust on Trial" (page 16) which reads: "It is not difficult to identify the belief in Holocaust or gas chambers as the central point of collective German and international politics. All the dogmas of postwar politics are derived from it (liberalism, tolerance, parliamentary democracy, the equality of man, multiculturalism, etc.). When used in conjunction with this dogma, the antifascist club becomes a deadly weapon. All the great problems are declared taboo and placed beyond discussion (democracy, national identity, culture, women's rights, foreign immigrants and domestic security.) Whoever destroys the Auschwitz myth destroys the world order (at least in the minds of the people.) Few people realize this fact, and even fewer favor

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destroying the Auschwitz myth, even when they consider such destruction justified (according to Golo Mann: Auschwitz serves a pedagogical purpose.)"

the defendant's political motivation is evident also in the introduction to the book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History), where he writes: "The Auschwitz myth is without doubt the Mark of Cain in German historiography. It is the principal obstacle for every German and every policy seeking to advance German interests."

The extent of the defendant's political interests is evident in his "Kommentare zu den Ketzlerbriefen vom 29. Februar 1992" (Commentary on the Heretic Letters of 29 Feb 1992) in which he discusses the questions of international relations and boundaries in the eastern part of central Europe.

b) The accused is close to national socialist thoughts, especially its racial ideology.

aa) This is clearly shown in the defendant's conception for an article in the periodical "Alshaab" (page 79.) The Court was not convinced by his attempt during the main part of

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the trial, to relativize the unmistakably anti-Semitic formulations with testimony that he was merely

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formulating Rahmi's opinions. In the view of the court, his willingness to compose an article for a third person with sentences such as "Jews are the greatest liars and deceivers in the history of mankind," indicates inner concepts close to the racial ideology of national socialism.

Besides, the accused was aware that Rahmi belonged to the Remer circle and was familiar with their extreme views. In May of 1991 he received from Philipp the interview with Rahmi whose placing in the "Trabantanzeiger" (name of periodical) was hailed by the Remer circle as a great breakthrough for revisionism (page 48.)

Before the defendant agreed to write the article for "Alshaab" he had Rahmi's extremely anti-Semitic brochure "Das Remer-Interview mit Alshaab" (Rehmer's Interview with Alshaab) in hand. The printer's proof of the brochure, which appeared in July of 1993, was found in the defendant's possession. As documented by his computer, the defendant began the article in August of 1993. The fact that the accused was willing to write an article with such contents for such an extremist and anti-Semitic author suggests far ranging agreement with that author's views.

bb) The defendant's letter to Philipp, dated 1 March 1993, shows an unmistakable anti-Semitic stance.

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(Page 77.) The defendant's assertion that he merely wanted to express the idea that simply belonging to a minority is not sufficient grounds for candidature for the office of President of the Federal Republic does not account for the overdrawn polemics of the letter and does not convince the Court.

cc) The same is true of the letter from the defendant to Attorney Herzogenrath-Amelung of 31 October 1992 (page 78.)

dd) Furthermore the accused named the hard drive of his computer "Adolf." He admitted that he meant Adolf Hitler by this. His explanation that he was merely joking does not convince the Court since he must be aware of the seriousness of this matter.

ee) Also, his extremely cynical treatment of the Auschwitz subject in the flyers "Der doppelte Boden" (The Double Floor) and "An die Schlaumeier der reiferen Jugend" (A letter to the clever dicks of the mature youth) (page 82) exhibits an anti-Semitic point of view. His testimony that he did not write these flyers is not credible.

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The accused states that he did not write "Der doppelte Boden" (The Doubled Floor) but he does not say who wrote it and how it got in his computer. As for the flyer "An die Schlaumeier der reiferen Jugend" (A letter to the clever dicks of the mature youth), he claims Attorney Herrmann wrote that. The reason it was in his computer is because he was creating graphics for Herrmann. None of these explanations satisfied the Court.

Witness Neumaier, whom the accused had named as proof that he was not the author of the flyer "Der doppelte Boden" (The Double Floor), was visibly surprised at being named a witness. He stated convincingly that he was not familiar with the flyer and could say nothing about it. There is no doubt that witness Herrmann had something to do with the flyer "An die Schlaumeier der reiferen Jugend (A letter to the clever dicks of the mature youth). This is evident from the defendant's letter dated 1 July 1993 which he sent to Attorney Herrmann along with the flyer. The Court was unable to establish specifically what Herrmann's connection was, since the witness invoked his right to refuse to testify during the main proceedings.

The court's certainty that the accused is the author of both flyers is based on the fact that for one thing, the corresponding data were found

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in his computer. Furthermore they both exhibited the accused's tendency to ironic, journalistic padding, which do not stop from even the most serious subject matter (consider the authorship designation "Ernst Gauss und Germar Rudolf" for the article on the gas chambers of Auschwitz in "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust.)) Also, the flyer "An die Schlaumeier der reiferen Jugend' (A letter to the clever dicks of the mature youth) served to promote the brochure "Wissenschaftlicher Erdrutsch durch das Rudolf-Gutachten" which again in its turn was the principal promotion for the "Expert Report". It is clear that the accused took a great interest in this flyer.

c) The accused belonged to the milieu of the extreme right

aa) It is characteristic of the manner in which the defendant brought together his topic of the "Expert Report" and rightwing radicals, that, even before beginning work on the "Expert Report", he consulted the Holocaust Denier Ernst Zündel. Even for defendant, Zündel belongs to the right wing extremist camp. When the contact with Zündel and Leuchter did not produce the results which he had hoped for, the defendant requested his fellow rightwing extremist historian David Irving, in a letter dated 24 July 1991, for help with the Zündel contact. The ensuing confidential correspondence with Zündel,

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as well as the fact that he met with Zündel at Dill's home and was prepared to appear as expert witness in his trial, shows that his statement that he wanted to have nothing to do with people like Zündel does not correspond to fact.

This opinion of the Court does not contradict the fact that the defendant refused to give Zündel permission to translate his "Expert Report" in the fall of 1992. In the opinion of the Court this was merely a matter of the defendant's being unwilling to give Zündel the initiative in distributing the "Expert Report".

Zündel's evaluation of the defendant's role within the rightwing milieu is shown by Zündel's suggestion in a letter dated 14 October 1991, to arrange for the misuse of a trial expert report (page 103) in order to facilitate publication of the "Expert Report". The very fact that Zündel approached the accused with such a suggestion, and thereby his planned manipulations completely unprotected set down on paper, illustrates, that he considered the accused a reliable member of the rightwing extremist camp. The court was unable to find out why the plan was not carried out in Munich. However there is no basis for assuming that the accused spurned the idea as presumptuous.

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Rather, their correspondence continued in a trusting fashion.

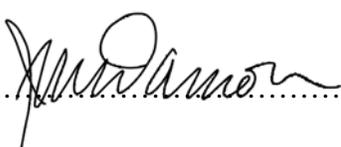
bb) Furthermore the defendant already sent his first version on the subject of long-term stability of Prussian Blue to numerous persons of the extreme right, including the chairman of the National Party, Günther Deckert.

Regarding this, the accused claimed that he had sent the study to Deckert on suggestion of witness Ewald without knowing who Deckert was. The court did not believe this testimony. In the first place, witness Ewald denied during the main proceeding that the defendant had given him Deckert's address. In the second place, considering the affiliation of the accused with the rightwing extremist and revisionist scene, and in view of his membership in the party of the Republicans, the assertion that he had not known the chairman of the rival National Party, is unbelievable.

Furthermore the accused still had subsequent contact with Deckert and the National Party. Thus Dill wrote to the defendant, "...you know Günther Deckert, who has told me about you" in a letter dated 6 August 1991. On 6 August 1991, Dill also sent Deckert the defendant's request to inform him of persons who might be able to collaborate on the book

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"Dissecting the Holocaust." A copy of Dill's letter was among the effects of the accused. In September 1993, the accused was furthermore deeply involved in writing two articles for the NPD (National Party) magazine "Deutsche Stimme" (Voice of Germany.) The complete layouts for these articles, with file entries dated 6th and 29th September 1993,

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were found in the defendant's computer. The Court did not believe the defendant's assertions given in his preliminary defense and main trial, that the articles were written by persons named Konrad or Scholz. The Court is convinced that the defendant, possibly in collaboration with others, is the author of these writings.

This conviction is based for one thing on the fact that there is no evidence, either in the defendant's documents or anywhere else, of the existence of persons with this name or persons who use this name (see page 185 for pseudonyms which also appear in the brochure "Die Zeit Lügt" (The Newspaper Time is Lying)).

For another thing, these articles were stored in a file named HCN_KOR/MEDIEN/FREUND, in which were found articles and letters exclusively written by the defendant and directed to friendly persons or media, including the Alshaab and Sprenger articles (as

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opposed to the file HCN_KOR/MEDIEN/FEIND, where letters to the Frankfurter Allgemeine Zeitung (newspaper) or Süddeutschen Rundfunk (South German Broadcasters) were stored.)

Furthermore the articles contain passages and formulations which occur in other texts of the accused. Example: A large part of the article filed under "Scholz" in the defendant's computer is contained word for word in an unsigned and incomplete article having the title "Es gab keine Gaskammern in Auschwitz" (There Were No Gas Chambers in Auschwitz) (see page 24), which the computer saved on 25th August 1993. In an article filed under "Konrad" is found description of conversation between the journalist Joachim Fest and Georg Reißmüller of the Frankfurter Allgemeinen Zeitung" (Frankfurt newspaper), on the subject of the "Expert Report" in similar formulation as in a letter of the defendant to the witness Bartling dated 25 September 1993 as well as in the "Tuisco" article printed in Remer Dispatches of October 1993. In all three of these writers names, the conversation is that conversations of "my friend" are being overheard. The fact that in the Scholz article is found heavy promotion for the "Expert Report" (see page 32) also suggests that the defendant was the author.

Again, it is striking the depiction of the defendant concerning his relationship to Deckert in the letter to his godmother: "I do not cultivate acquaintances of NPD members,

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I do not know Deckert, I know their views only superficially, I do not share them." Insofar as the accused in his defensive argumentation continued to maintain that he "after intensive conversations" with these persons, had hindered publication of both articles, because he was opposed to the "political party instrumentalization" of the subject (to prove which he called Deckert as witness), the Court can lend him no credibility. After meticulous layout preparation in the computer the articles were ready for printing, and the

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Konrad article had been amended as late as the 29th of September 1993. The Court is convinced that the only reason the articles were not published is because the defendant's computer was confiscated the next day. The accused decided against publication of his backup copies because he would not have been able to deny his authorship after confiscation of his computer.

cc) Among those to whom the defendant sent his study on the long-term stability of Prussian Blue was David Irving, whom the defendant challenged, to use it to further the Leuchter Report, which is a "standard work" of the rightwing scene. The defendant's opinion of Irving can be seen in his Sprenger article

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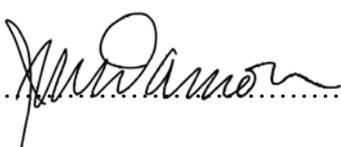
for "Junge Freiheit" (weekly newspaper Young Freedom) for Summer 1993. In this article he writes: "The international stars of revisionism can not be called distinguished scientists. D. Irving, who at DVU (Deutsche Volks-Union, German People's Union, German right wing party) meetings promotes European hegemony for Germany with the borders of Sept. 1, 1939, prophesizes the renaming of German streets after National Socialist leaders, and openly collaborates with the neo-Nazi E. E. Althans..." He has similar things to say in a letter to his godmother dated 30th April 1994: "I avoid Irving, because I dislike his propagandistic methods and some of his views."

dd) The remaining contacts of the accused also illustrate his integration into the rightwing extremist milieu. The witness Harald Reich, to whom the accused admitted giving a copy of the "Expert Report" to review, is author of a polemical tract for whose distribution Dill was punished, and which were found in the defendant's possession. The witness Ewald is, as he stated, translator of a book on the Zündel trial in Canada, which in the opinion of the accused must be toned down for the German reader (p. 16 and 37). The witness Wallwey dealt with his old outfit, the Waffen SS and was concerned that time for National Socialist rehabilitation was running out (page 44.) The witness Neumeier is so anti-Semitic that he, as witness Weckert testified,

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ceased collaborating on the book "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust) because witness Weckert, another collaborator, was collaborating with a Jew on a different project. Concerning Prof. Faurisson, the defendant stated in his article in Sprenger, likewise under his lead statement that the "stars" of revisionism are not competent scientists -- he said Faurisson believed he could "identify a Jew by his physiognomy."

In the Sprenger article the defendant characterized the Dill group, to which Reich and Ewald belonged, as "old distinguished circle" which philosophizes about the "power of the Jewish international world conspiracy." That this circle was right extremist oriented is shown by writings of Dill and others, found in possession of the defendant, which were read in the main proceedings. Dill himself is an adherent of National Socialism, as his

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criminal record shows, from which the Court read from correspondence and flyers. He admired Remer, whose Remer Dispatches he bought and distributed in large numbers. In addition he participated, as he admitted, in the financing of radical revisionist activities and publications. Among other things he directed, as the witness Eva Maria Dill, his wife, testified, 1000 marks for the

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procurement of copies of the Death Books of Auschwitz, which in the writings of the Remer Circle and of the accused, are constantly presented, i.a., as alleged evidence that no one was killed for being unable to work in Auschwitz (see page 75).

Dill also contributed a considerable sum for the financing of the book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History.) This is evident from his letter to a Dr. Hippler dated 10th May 1993, in which he states that he substantially helped the Grabert Publishing House finance the book by Gauss. His attempt to deny this in the main proceeding is not credible. The attempt was, like the entire testimony of the witness, who evinced a remarkably selective memory, clearly characterized by the attempt, to help the accused.

It is characteristic that the accused in the summer of 1991 inquired of Dill, at the time he was seeking collaborators for the book "Grundlagen zur Zeitgeschichte" (Dissecting the Holocaust); and that he asked Dill to distribute his letter to Prof. Benz (page 34.) All this is evident from the defendant's correspondence with Dill which was found in computer.

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All of this shows that the defendant's statement that he had little to do with Dill, does not correspond with the facts. The attempt by the accused to distance himself from Dill, also had to do with the fact, that he was attempting to hide his employment by the firm belonging to Dill. In his personal testimony he evasively stated that he was employed as a field representative. More specific questions could not clarify the nature of his activity, because the accused its did not want to discuss object in detail, from fear of making possible conclusions concerning his employer.

d) Evaluation of contradictions in statements of witnesses

The Court's conviction that the accused harbors rightwing extreme opinions, does not conflict with various of his witnesses in the main trial, such as Philipp, Wallwey, Weckert, Neumeier, Herrmann, Stratemann, and the Sternberg couple, as well as his mother, sister and brother, who testified that they had never heard him express anti-Semitic and rightwing extremist viewpoints. The Court believes their testimony does not represent the defendant's real views. These testimonies were either knowingly false, because the witnesses were personally obligated to the accused and/or shared his views and strategy,

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as is doubtlessly true of Philipp, who furthermore is intimately familiar with the defendant's position; or else they were the result of successful deception by the accused. In addition to this, some testimony sounded as if they had been previously agreed upon. The witness Martina Rudolf, sister of the accused, for example, stressed, on the question of political position of the accused, as well as he himself, he tended to the CDU (Christian Democratic Union) or CSU (Christina Socialist Union), never toward NPD (National Democratic Party of Germany) or DVU (German People's Union). She failed to mention, as did the defendant, his membership in the Republican Party, which came to light at a later point in the main trial. The witness Ursula Rudolf, his mother, appeared with sheet of paper, reading a prepared statement about his allegedly moderate political position as well as his allegedly neutral attitude toward Jews. And this even though, according to her own assertion, she had no knowledge of the specific subject for which she had been subpoenaed to testify and therefore could not have prepared herself specifically. In addition a second computer was found, as the accused in the main trial mentioned, during a search of his apartment which took place on the 27th May 1995 which in the course of an investigation by the prosecuting attorney of Tübingen regarding "Grundlagen zur Zeitgeschichte," (Dissecting the Holocaust.) This computer contained an catalog of answers to Dill's interrogation by the Court.

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That the defendant publicly deliberately tried to create the false impression that he held moderate views and maintained a neutral position toward Jews, is evident from the brochure "Der Fall Rudolf" (The Case of Rudolf.) The following selection from a letter to his godmother dated 30th April 1994 is representative of this false impression he communicated to relatives:

"You write that you detest the views of those with whom I surround myself.

... Deckert, head of the NPD (Nationalist Party) ... I have no contact with members of the NPD, I do not know Deckert, I know their views only superficially, I do not share them.

The British historian Irving at a CDU (Christian Democratic Union) convention in Pforzheim. I avoid Irving because I dislike his propagandistic methods and some of his views. I do have contacts with members of the CDU, which is neither illegal nor reprehensible.

...

-Ernst Gauss, an industrial chemist who is active in the CDU and mistakenly identified with me. I have frequent contacts with him and others like him, since I share their views.

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-O. E. Remer, former general in the Wehrmacht and philosophically close to National Socialist ideology. I have no personal contact with him and do not correspond with him. On the contrary: I avoid him like the devil avoids holy water, since I do not want to be associated with his views, which are absolutely contrary to my own. I did have indirect contact with him since I am involved in his trial as expert witness. It is completely normal to serve as expert witness in any trial under the rule of law, and it is monstrous that some people project the views of the accused onto an expert witness..."

In view of these self descriptions the Court assumes that the defendant did not express anti-Semitic or extremist positions to his other witnesses, either. The Court is convinced that the defendant, with few exceptions, consistently applied the strategy of appearing to be as objective and open as possible in his dealings with those near him.

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2.) Special indications

Among the specific circumstantial evidence which point to participation of the accused in the Remer action are the following:

a) Close relations with the Remer circle

aa) The defendant had contact with the Remer circle at the beginning of his "revisionist" activities. Although the anti-Semitic direction of activities of the Remer circle, especially in connection with the Munich advertisement campaign was known to him from the beginning (see Philipps remark "Galinski is in a state of shock" in the letter of 15 May 1991, page 49), he wished Philipp luck in additional actions, in his letter dated 20th May 1991. At that time he also expressed interest in a personal acquaintance. Shortly thereafter the defendant participated in a function of the Remer circle featuring such figures as Prof. Faurisson and Dr. Schaller. After this he participated in correspondence of the Remer circle.

These contacts show that the defendant's professed alienation over Remer's National Socialist orientation was a pretense.

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bb) This becomes still plainer with the defendant's close association with Philipp, whom the Court considers a major background figure of the Remer circle. This is shown by his letters to the defendant from 1991, with which he informed him of the J. G. Burg Company's Munich advertisement campaign; and in addition, the fact that he handled the Burg company's correspondence (page 51) and lectured on their behalf (Page 50.) It is also significant that the defendant demanded a response to his letter to the Burg Company of 8 July 1991 from Philipp. Insofar as Philipp in his first court interrogation testified that he had had nothing to do with the Burg company, and was unfamiliar with both the

Remer Dispatches and the Report from Germany, this is clearly disproved by these documents. The witness knowingly gave false testimony on this and other points.

The fact that the "Expert Report" (which the defendant considered his most important writing) was created and published with extensive help from Philipps, illustrates the defendant's nearness to the Remer Circle better than anything else. As the defendant testified, Philipp accompanied him to Auschwitz in August 1991 and visited Remer on their return; together they delivered the samples for analysis to the Fresenius Institute and participated in that analysis.

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In addition, during the meeting with Dill at the end of August 1992, Philipp represented himself as the publisher (see Page 100.) He also assumed the function of the editor. The Court is convinced that Philipp is the person behind the pseudonym "Rüdiger Kammerer." This is shown primarily by the sources given for the illustrations in the book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History), which reads "with friendly permission of R. Kammerer, Frankfurt/Main," referring to Philipp's pictures of Auschwitz, which are used in the "Expert Report" as well. When confronted with this, Philipp, who did live in Frankfurt, reluctantly admitted that it referred to him. Also, the defendant admitted that editor's acknowledgments found inside the cover of the Cromwell edition of the "Expert Report" originated with Philipp. The conclusion that a person named Kammerer does not exist is evident also from the fact that, in all the files of the accused only one – obviously fabricated – document in the name of Kammerer was found (see Page 190); no other document was found referring directly to this name or to anyone who would have used the name, except Philipp. In particular, there are no documents concerning the alleged sale of copyright for the "Expert Report" to Kammerer.

cc) The Remer Dispatches dedicated lengthy stretches to the defendant's writings, and promoted them.

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There is no visible evidence to support the contention that the defendant ever expressed his displeasure to responsible members of the Remer Circle.

dd) The Remer Dispatches published von Stahl's letter (Page 71), which was taken from the defendant's private correspondence, and also included details from the defendant's letter to Dr. Bartling (overheard conversation of the editor of FAZ, page 73.)

On the other hand, the accused possessed documents which played a role in the Remer Dispatches. The original version of interview with Dr. Brandstifter (Page 74) were found, in addition to copies of correspondence of Remer and Neumaier with the Fresenius Institute as well as the firm of Hoechst AG, which were published in the Remer Dispatches of May 1993. The defendant received directly the letter dated 10 May 1993

which in connection was written in the name of Remer, directly from Remer or his associates. In the opinion of the Court this is evident from the fact that the defendant in possession of the original Fax of the letter with Fax date of 10 May 1993, which he filed under the name of Remer in his correspondence.

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ee) The accused participated with publications of the Remer Circle

aaa) After initially refusing to testify, the accused finally admitted participating in the brochure "Die Zeit Lügt" (The Times is Lying), under overwhelming evidence introduced in the main trial (among the defendant's belongings, printer proofs, a corrected draft for a second edition, a diskette with data for complete text and numerous copies of brochures, i.a., had been found). However, at the end he stated that he had offered to assist the authors with advice and had provided them with data. He stated also that, acting through Philipp, he had urged that Remer/Heipke publish the brochure. This publishing house was at the time the only one in a position to publish quickly; on account of current interest, time was of the essence. He said the publishing house Remer/Heipke added polemical elements on its own volition, particularly the anti-Semitic captions under the picture of the UN Security Council. Since the brochures had already been produced when he noticed it, he could do nothing about it. He stated that because of his experience with this brochure, he decided not to publish with Remer in future.

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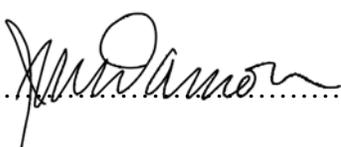
The Court believes, however, that the defendant was fully involved in the production of the brochure. This is because, as the defendant reluctantly conceded, he undoubtedly contributed a third of the text as well as an illustration and two graphs; in addition he corrected a copy for a second edition and used three of the pseudonyms elsewhere.

The Court did not believe the depiction of the accused, because he presented several different versions of the genesis of the brochure and his part in it.

He wrote in his statement of defense that the diskettes and printer proofs found in his possession came as a result of a promise he made to the authors' collective in fall of 1992, to read over the manuscript and suggest changes for a second edition. But he had decided the brochures could not be used on account of their polemics and therefore, with few exceptions, had made no corrections. Nothing was mentioned about the fact that he contributed data and arranged for publication by the Remer/Heipke publishing house. As has already been mentioned, he stated in connection with the alleged authors of the brochures that it might indeed be possible that they had copied these passages

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from his writings, but this had not occurred to him beforehand.

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In the main trial, which took place on 10th January 1995, the defendant refused to make statement concerning the brochure, then made an approximate statement that he had nothing to do with releasing the brochures. However, he did make corrections for the second edition.

In the request for evidence of 17th March 1995 it is said that the defendant provided data for the authors and arranged contact with publishers Remer/Heipke. After receiving the galley proofs he demanded partial changes because of polemics, but this was no longer possible because the printing was finished. However, Philipp had told him that he could make changes in the second edition, and for this reason had given him necessary data from the first edition.

In his position in main trial, 18th May 1995, he states as described above, that the actual text of the brochure had not been polemical. However, Remer/Heipke, on their own volition, added several comments, illustrations and a letter to the editor. While these would have been less disruptive, the false and anti-Semitic caption under

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the picture of UN Security Council were unacceptable. He did not receive the printer's proofs until New Year 1992/93, two months after release of the document, and passed them on the authors, who in Summer 1993 requested return to them so as to make suggestions for a second edition. He did not get around to doing this because his knowledge of the material increased so much that it was impossible to rework what had been written.

Philipp offered other versions. In his first interrogation he created the impression that he and the defendant had nothing to do with printing the brochure. To the question of what he knew about the brochure, he answered that he had received them from several sources. At his second interrogation he said that at request of the defendant had made contact with Remer/Heipke Publishing House and in connection with this, taken and returned documents. He said the defendant had not asked for changes to the first edition but later had gotten upset about the polemics.

Witness Annemarie Remer refused to make a statement concerning the brochure and its development, saying this had nothing to do with the matter of this trial.

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In addition, the defendant's contention that he disapproved of the polemics and considered it for outdated, is not credible. This is clear from the way he defends the style of the brochure in his book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History.) Concerning this, he writes: "I do not want to discuss the details of this timeless publication here. The reason for this is that the German revisionists, who unlike the American revisionists are forced for legal reasons to work from a background of anonymity, have delivered an excellent answer to this series in the "Zeit" newspaper

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entitled "The 'Zeit' is Lying!" which after all in the first article of 'Zeit' is expressed by 'Zeit' itself. If you are interested in this debate, ladies and gentlemen, I suggest you read these brochures. Its contain the complete texts of both the articles from 'Zeit' along with a very detailed and well documented response. Don't be irritated by their sometimes sharp rhetoric. Please bear in mind: People who are convinced that mass murders took place are allowed to indulge in unlimited polemic, rhetoric, exaggerations and falsehoods. Such methods of procedure has supposedly not harmed anyone,

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nor have the authors of such tales of mass murders been criticized. Woe to him, however, who has a different opinion, and dares to pursue that opinion with the same stylistic means (excepting exaggeration and falsification.) If we are going to apply the same standards to both sides, then the use of rhetoric should not be grounds for censure."

This is confirmed by the defendant's preparations for a second edition of the brochure. The handwritten corrections which he, as admitted, prepared for a second edition, leave the polemics unchanged. Thus the defendant did not alter the caption under the UN picture, but rather applied himself with typographical errors and the death tables of Auschwitz, which are typical of Remer productions. Of the total eight changes which the defendant indicated for a second edition, four are directed toward the death tables alone. Not only do these allow the formulations which the defendant noted as polemical, to remain unchanged, they sharpen the tenor of the table by addition of two new death estimates.

The testimony of the accused regarding the style of the brochure becomes clear in the following regard: the differing versions of the death tables are distinguishable in one

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Detail, which was apparently significant for the accused. Whereas in the table from the Remer Dispatch for November/December 1992 and in the appendix of the Remer version of the "Expert Report" (see Page 111), in the title line and right underneath covers the topic "alleged Gas Chamber, or Victims of Gas," in the table which is contained in the brochure "The Time Newspaper is Lying", the more polemical formulation "invented gas chamber and victims." In his lectures to student organizations, the defendant projected this table on a screen. The corresponding transparency containing a typographical error which occurs only in this brochure (French investigation) was found among the lecture aids of the accused. That the defendant considered this formulation polemical is shown by the fact that he erased the word "invented" at all three places where it appears in the transparency, leaving a blank spot. In the defendant's corrected version for the second edition of the brochure, this formulation remained uncorrected.

In addition we are concerned with the pseudonyms under which the brochures appeared and names which the accused used elsewhere.

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the defendant used the name Dr. Werner Kretschmer also for the article "Medieval witch trials and

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their parallels in our time," which appeared in the May 1993 issue of the magazine "Deutschland in Geschichte und Gegenwart (Germany in past and present) and as an appendix to the Cromwell Version of the "expert report".

Proof that this article originated with the defendant derives, i.a., from the circumstance that the diskette with correction data and the printer's proofs were found among his effects. This is confirmed by correspondence in connection with this text or its use in other places. Thus the defendant sent a different version of this essay on 1st July 1993 to Attorney Herrmann with offer, to publish it after reworking under his, Herrman's name in the book "Dissecting the Holocaust." This version of the article which contains entire passages from the articles mentioned above, was found on the hard drive of the defendant's computer (date on which it was last saved is 1 July 1993.) In this version Attorney Herrmann is named as author, but in a different version which was also found in the defendant's computer (date last saved 3 August 1993), the attorneys Herrmann and Dr. Schaller are listed as authors. On the 7th of September 1993 the defendant notified Attorney Herrmann that this contribution would appear in the second edition of the book "Lectures on Contemporary History" and for this reason it could appear only in completely reworked form in "Dissecting the Holocaust." In the correction and expanded remarks

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for the second edition of "Lectures on Contemporary History" found among the defendant's effects, the "Herrmann version" of the article is included whereby Kretschmer appears as author and who Gauss refers to as his friend.

There is similar evidence for the name "Dr. Christian Konrad." Under this name appeared the article "Polish Historians Are Investigating Alleged Extermination Camp" dealing with the Demjanjuk trial in Jerusalem, in the July 1993 edition of the periodical "Germany Past and Present." Among the defendant's effects were found a printed preliminary version of the text along with a diskette with text data of the article, which was stored in the subdirectory with the name "DGG." In his preliminary defense statement the defendant maintained that an important addition to the article was missing which he at Konrad's request had wanted to procure. Since he had not received it he had stored the article.

On the same diskette is text data with article on "England's War Aims in the Second World War." In addition, a printout of the article with complete layout on which the name of the author is written by hand with "Ch. Konrad." In his defense statement the defendant said that the article was written by a different acquaintance.



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As for signing the article with the name Konrad, the defendant stated that he had intended to offer the article to Konrad since he had no use for it. For that reason he had written "Konrad" on it even though it was written by someone else.

In addition the text data for both articles for the NPD (National Party) newspaper was found on the hard drive, signed with the names Dr. Christian Konrad and Dr. Dr. Rainer Scholz (see Page 163.)

After considering these circumstances in their entirety, the Court is convinced that the defendant is hiding behind these pseudonyms. The dishonesty of the accused, who obviously thinks that mere assertions can replace the truth, is evident above all in the proven false depiction in his defense statement, the article "Polish Historians Investigating Alleged Extermination Camp," that they have been cancelled. As the author, the defendant knew that this article had appeared in the periodical "Germany Past and Present" in July 1993. A copy of this edition, which also contained an article by Dr. Bartling, was also found among his effects.

Indicative for the relationship of the accused to the brochure is finally his letter of 19th February 1993, addressed to

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Witness Wallwey, in which he writes: "Mr. Philipp informed me that you made two hundred copies of the brochure 'The Time is Lying' and distributed them... You recently assured me that you would be glad to help me along, since I am still a student. Now assume hypothetically that I am the author of this brochure and would receive 2 DM for every copy sold. Every copy which is not sold, but pirated, would cost me this amount. In your case, this would come to 400 DM. Please keep these lines strictly confidential."

Rudols's testimony that he had written the letter on behalf of the authors of the brochure because he had contact with Wallwey, is not convincing. It does not explain why he depicts himself as the injured party and why his testimony would be treated confidentially. The defendant chose these deceptive formulations only for the purpose of avoiding evidence of his authorship.

bbb) The Court is convinced that the participation of the accused in the brochure "Scientific Landslide..." results from the documents which were found in possession of the accused, and from the brochure.

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ccc) With regards to the brochure, "Remer's Interview with Alshaab," no collaboration of the accused can be proven. However the defendant had a galley proof of the writing and

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thus was familiar with its contents. In addition, this document promotes the "Expert Report".

ddd) The Court is convinced that the defendant had a sizeable part in producing "Auch Holocaust-Lügen haben kurze Beine" (Holocaust Lies too Get Caught) due the fact it was written under the name of Manfred Köhler, another of the defendant's pseudonyms.

In the defendant's Laptop was found, hidden in the seventh subtitle of the desktop publishing program "Aldus", the text of a collective work against a new book by the French holocaust researcher Pressac, which was supposed to be published under the name of Manfred Köhler. The proposed name of the publisher is derived from the file "Aldus\Deutsch\Addition\Vorlagen\Xaldaten\Tage\Werktag\Titel" which contains the entire technical portion of the planned anti-Pressac book (Title, Imprint, Index, etc.) Köhler is identified as publisher, co-author, and person responsible for the cover. That the defendant is meant by the name Köhler, is evident from

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letter which the defendant wrote to Prof. Nolte dated 5 August 1994, in which he mentions that he is going to publish a collective work as a response to Pressac. This is evidenced by the data of the introductory contribution for the book with the title "Pressac and the German Public." This article is present in duplicate, once in the file "Aldus\Deutsch\Addition\Vorlagen\Kaldaten\Tage\Werktag\Köhler" as text for the anti-Pressac book; the other time in the data "Germar\pressdgg" as pre-published article taken from the anti-Pressac book (apparently for the magazine "Germany Past and Present.") The latter contains this note at the end: "Provided with friendly greetings by German Rudolf."

In the file "Aldus\Deutsch\Addition\Vorlagen\Kaldaten\Tage\Werktag\Köhler" there is the introduction to the anti Pressac book, in footnote #1 the remark about Köhler, that we are dealing with the pseudonym of a scientist who does not want to have his life ruined by inquisitorial media and justice. Additional revisionist publications to be named: "Auch Holocaust Lügen haben kurze Beine" and the publication in printing "Der Wert von Aussagen und Geständnissen zum Holocaust" in "Licht in die Vegangenheit," (Light into the Past) edited by Germar Rudolf. The latter work is,

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as the defendant testified in the main trial, the working title of the book "Dissecting the Holocaust," where the work appeared under the name of Köhler. This work was also found in the defendant's Laptop (Aldus\Deutsch\Addition\Vorlagen\Kaldaten\Tage\Feiertag\Zeugwert). In addition, the defendant conducted correspondence with Prof. Nolte and tried in vain to convince him of his theses.

eee) the defendant's participation in the work "The Rudolf Case" is evident from its contents. The Court believes that the dialog form is fake, as previously in the book "Lectures on Contemporary History," and that the defendant completed it possibly in collaboration with others. In support of this is his interest in the work with which he hoped to exert influence on the investigation which was being conducted.

fff) That the defendant had personal contact with the publishers of the Deutschland Report (Germany Report) and assume he had some influence on basic stylistic questions, is evident from his hand written observations on the reading sample of July 1993.

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In as far as the defendant in his letter to Rüdiger Kammerer, dated 10 September 1993, attempted to create the impression that he had nothing to do with the Report from Germany or its publishers, the court believes that this is just another deceptive maneuver.

The letter of 10 September 1993 is false, if only because the defendant attempts to create the impression that he learned "just yesterday" of the existence of the Deutschland Report and the fact that it is published by Cromwell Press, as and "Expert Report" was. As the confiscated sample reader of the Report from Germany shows, the defendant already possessed the first sampler of the planned periodical for July 1993. In it, Cromwell Press was listed as the publisher.

In addition, the date of 10 September 1993 has been manipulated. According to file information in the defendant's computer, where a copy of the data was found, the letter had been written with the word processor registered to Philipp. The date of first data entry is given as 27 September 1993. The defendant's explanation of this date is not convincing. It is significant that the defendant had no explanation when it was pointed out to him that there was a discrepancy between the file date and the date listed on the letter. Not until the date of next day of the main trial did he

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present a written explanation. According to this the date of the letter, 10th September 1993, shows that the accused completed a draft of the letter on this day. Together with Philipp, he reworked the letter on the 27th September using Philipp's computer. Because of this, some parts of his letter, including the date, which was incorporated in new file, thereby acquiring the creation data of 27th September 1993.

The Court believes that the letter was not written until 27th September. The defendant's statement does not explain how the file which was allegedly newly created at Philipp's place, following an exercise of the accused, contains the date 10th September. The date 10th September could, in view of the letter date only by explained by assuming that by copying the draft text, the date of 10th Sep. was mistakenly transferred. However, the entry of the date in the heading presupposes a deliberate choice. An understandable reason for the fact that the date 10th September as file name was chosen, although it was

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in reality created on 27th Sep., is not feasible. Therefore, the Court is convinced that the date entry was chosen as 10th Sep, because the letter was backdated. This was done so that the date of the alleged reply from England, which was likewise dated 27th Sep, would appear as plausible.

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Also, the court is not convinced by the defendant's attempt to declare the date of the letter of reply as 27 Sep 93 by saying that either "Kammerer" mistakenly used the wrong date or else Philipp faxed the letter to England and Kammerer was thus able to answer still on the same date. The reason the Court is not convinced is because, as explained above, the date of the letter which Kammerer was replying to was fabricated; and furthermore, because the answer came from England by post. If Kammerer had a fax machine, then there is no reason why he would not fax back is answering letter. Apart from that, the Court is convinced that Kammerer is Philipp himself (see Page 176,) so that the cooperative preparation of a letter to him makes no sense.

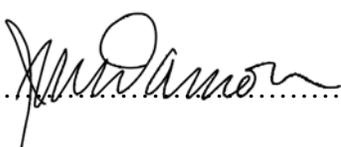
After all this, the Court believes that the only reason the alleged Kammerer letter was sent from the defendant and Philipp to England and back again by post, was so that the defendant could invoke as proof for the apparent seriousness of his attempts to distance himself from the Deutschland Report and its publishers, and so that the existence of a person named "Kammerer" could later be invoked for the envelope of a letter from England. This explains, why the letter of reply, which was confiscated during the search on the 18th August 1994, was still in its envelope, after almost a year.

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Furthermore the defendant only pretended to be concerned that a negative image of the Cromwell Publishing House could damage his works. This is shown by the fact that he intended to have the anti-Pressac book (which he planned to publish in collaboration with Faurisson in 1994) published by this very firm (cf. p. 76).

ggg) The court is convinced that the accused collaborated in authoring at least several articles for the Remer Dispatches. This is evident due to several textual concurrences (see Page 73.) This is particularly clear in the uncommon formulation "rat-like fury" which appears in similar contexts both in a "Tuisco" article of one Remer Dispatches and in the conceptual draft of an article for the newspaper Alshaab; also in the comparison with the crusades which appeared both in an "Tuisco" article and in the Alshaab article. According to the defendant the Alshaab article never came out of his computer, and so the Remer Dispatches could not have been taken from it. In view of other parallel items (such as Tuisco - Tuisconia, the FAZ editors in the letter to Dr. Bartling and in the NPD article,) the court can rule out the possibility that the defendant could have copied the Remer Dispatches.

In the opinion of the Court, this evidence of collaboration between the defendant and Remer's groups illustrate

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that the defendant's assertion (that the co-incidences between Remer's writings and his stem from Philipp's independently supplying documents to Remer) does not conform to the facts. The relations between the defendant and the Remer group and their publications are so manifold that it can not be explained by a simple forwarding of individual writings by Philipp. Also, the defendant and Philipp worked together so intimately and confidentially that the Court rules out the possibility that Philipp could have operated massively behind the defendant's back. This is contradicted especially by the fact that the collaboration between the two apparently was not interrupted by the publications in the Remer Dispatches.

ff) Die above mentioned writings are all to be credited to the Remer Circle. The Court believes that the Cromwell Press was one of the new foreign instrument of the Remer group. The publishing firm was founded for the publication of the Cromwell version of the "Expert Report". This is shown by the fact that this version has the ISBN number 000. After this the publishing firm was used to publish additional writings of the Remer group.

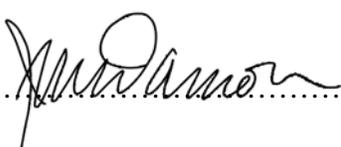
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The unity of the Remer group and the Cromwell Press is especially illustrated by their having a common address in Brighton. After March of 1993, the Remer Dispatches were published there. The same address is later given for Cromwell Press, such as in the brochure "The Rudolf Case."

Additional circumstantial evidence are the external congruences of the productions of the Cromwell Press and the publications which appeared under Remer's name (Format, paper, printer -- see Page 75); further the promotion of the publisher Remer/Heipke for works of the Cromwell Press as well their distribution, such as in the case of the Cromwell version of the "Expert Report" and the brochure "Wissenschaftlicher Erdrutsch durch das Rudolf Gutachten" (Scientific Landslide caused by the Rudolf Report.) For the latter, order forms were included in the Remer dispatches of July 1993 and in a promotional page from Cromwell Press, which evidently consisted of the same data set (page 56.) Cromwell Press for its part, distributed "The Remer Interview with Alshaab" which again was promoted in the Remer Dispatches. Promotion of the Remer Dispatches of May 1993 for the Cromwell version of the "Expert Report" appeared two months before their release and corresponded in text and style to the promotion which is found in the brochure promoted by Cromwell, "Das Remer Interview in Alshaab" from the middle of 1993 (Page 57.)

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Furthermore, the use of the same printing basics for the Remer and Cromwell version of the "Expert Report" (see page 207) and the common features of the Remer dispatches

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with the Cromwell brochure "Auch Holocaust Lügen haben kurze Beine" suggest the unity of the Remer group and Cromwell Press. A preview announcement of this brochure, which also contained depiction of its results, is already found in the Remer Dispatches of November 1993, that is two months before it appeared at Cromwell Press. Furthermore, in both writings the same portrait of the defendant is printed, even though in different contexts.

gg) Evaluation of the Sprenger article

All this convinces the Court that in the Sprenger article (pages 143 and 166) the defendant did not distance himself from leading revisionists because he declined their rightwing extremism, but rather because, by "poisoning history with political goals" they conducted themselves in undisciplined manner, according to his strategy. That this article brought about no real disdain on the part of the defendant for the rightwing onus of the "international stars of revisionism", underlines the fact that the accused at the same time

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collaborated with those personality extremely closely; furthermore, that he himself composed articles having rightwing extremist content. In addition, criticizing other revisionists helped the defendant to promote himself at their expense.

The dishonesty of the article is also shown therein that the defendant here, once again, was conducting a false ferry. According to the article, misuse of the "Expert Report" by Remer for rightwing extremist purposes has brought the defendant to the point where he will "never again raise a finger to help revisionism." In reality and parallel to writing the Sprenger, which was saved in his computer on 8th July 1993 for the last time, the defendant was busily preparing, among other things, the publication of the Cromwell version of the "Expert Report" as well as the book "Dissecting the Holocaust." Furthermore, he promotes himself in the article where he mentions "the diploma chemist G. Rudolf, employed by the Max Planck Institute." Outwardly, however, he insisted that the Max Planck Institute not be named in connection with the "Expert Report" -- as in the obligation declaration of Remer dated 2 May 1993 (see Page 124.) Besides, he had already been discharged without notice, on 7th June 1993.

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At any rate, the defendant later renounced the article, under the pseudonym Bernd Reichert, on account of angry reactions by readers. In an article for "Junge Freiheit" (Young Freedom) under the title: "Auch Nörgler können den Zug nicht bremsen - Historisierung läßt sich nicht aufhalten" (Not even Pedants can stop the Train -- Process of Historization cannot be Stopped) he accused himself of "deficient style," "wholesale, partly personal attacks" and inadequate knowledge of the latest revisionist publications. He also defended "revisionism's culture of scientific challenge" by saying that "today's leaders of opinion act more shamefully toward revisionism, than it would be possible for the most idealistic revisionist to do." Thanks to the "determination (not stubbornness) and



the high quality work of revisionism" it appeared that after 45 years, the discussion of the Holocaust was finally getting underway." Both articles are good examples of the defendant's ambiguity and disinformative method of procedure.

b) The "Expert Report" in the version "F2" did not reach Remer by way of Attorney Herrmann.

The defendant had attested that he had sent this version in December 1992 to Attorney Herrmann, who had

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passed it on. He said it had arrived by post at the end of 1992, when Philipp was present.

In this regard it was disclosed during evidentiary hearing that attorney Herrmann never, or at least most certainly not in 1992 or the first quarter of 1993, possessed Version "F2," and that he did not mail it to Remer. In the main trial Herrmann presented Version "F1" as the most recent version of the "Expert Report" to which he had access, and he could not say when he came in possession of the version. Furthermore he testified that he had had no further contact with Remer concerning the "Expert Report" after the main trial in Schweinfurt, which was 22nd October 1992. He said that he could not recall having sent a copy of the "Expert Report" to Remer in December.

This testimony is corroborated by the correspondence between the defendant and Attorney Herrmann, in connection with the Remer Action. Thus Herrmann is making the assumption, in his letter of 8 April 1993 to the defendant, that the "Expert Report" which Remer was intending to distribute illegally, would be the version which he, Herrmann, had been given by the defendant on the trial date of 22 October, in Schweinfurt.

In this connection we are dealing with the last completed court versions of the "Expert Report" (C2) and not one of the F versions, as the defendant admitted in the main trial,

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since nothing else is possible in view of the date of "F1," 3 November 1992, and the completion of "F2" in December 1992. The possibility that Remer might distribute a later version of the "Expert Report", did not occur to Herrmann at beginning of April 1993. From this the Court concludes that he had no motive to do this. However he would have had such motive if he had sent Remer a newer version in December 1992.

In May of 1993, Attorney Herrmann was still operating under the assumption (at least he created that impression) that Remer was distributing an "Expert Report" which he, Herrmann, had received from the defendant, in connection with the main trial in Schweinfurt. This is evident from a draft for a letter of the accused, directed to the attorneys of the Fresenius Institute (see page 130) dated 6 May 1993, in which in connection with the Remer Action only an "Expert Report" is mentioned which had been

introduced into the files of the criminal case of Remer. Only version "C2" had been added to those court files, as the witness testified.

The defendant too disseminated the false impression that the mailed versions of "Expert Report" distributed through the Remer action were copies of the one

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which had been submitted to the Court. This is shown by the fact that the defendant himself composed the first draft of the above mentioned document on his own letterhead, in order to forward it on the same day to Dr. Herzogenrath-Amelung for his approval. In doing this he left unchanged the above mentioned passage, in contrast to others, which he corrected. That the defendant was deliberately putting down false tracks, is evident from the fact that he at this moment, according to his own testimony, had already known for some time, that Remer was not distributing the version which had been presented in Schweinfurt. According to his testimony he first saw the Remer version of the Expert Report on 16th April 1993, in the hands of his graduate adviser (see Page 126.)

The belief of the Court, that Attorney Herrmann in December 1992 did not receive version "F2" and thus did not forward it to Remer, is not affected by the testimony of witnesses Philipp and Annemarie Remer to the effect that Version "F2" had arrived at the end of December 1992 in the presence of Philipp, who just happened to be present, en route from Attorney Herrmann in Bad Kissingen. The Court believes that the witnesses here, as in other points, deliberately gave false testimony.

The fact that the defendant deliberately distributed a false version in the Remer action

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is a specific indication that he was participating in the Remer action. It shows that it was important to him to have it appear that Remer had misused a version of the Expert Report which he had received in the course of his trial. the defendant's interest in disseminating such false conceptions is understandable because he was compelled to make a deceptive action plausible, namely the deception that Remer had come into possession of the Expert Report through no fault of the defendant's.

c) Among the defendant's effects was found a letter from Zündel containing the basic ideas behind the Remer action.

In a letter dated 14th October 1991, Zündel had proposed the fabricated misuse of a court expert report, in order to disseminate the defendant's Expert Report without risk to himself (see Page 103.) the defendant received the letter, which sounds like a preliminary script for the Remer Action, by way of Dill, along with the commentary "this man must be helped." The fact that the defendant, two days after receipt of the letter, proposed to Attorney Herrmann that he officially commission him, through back dated letters, to draw

up the Expert Report, shows that the defendant was considering the possibility of such a procedure.

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The letter shows that, in the circles in which the defendant moved, a covert action for publishing the Expert Report was being considered.

d) In Fall of 1992 the defendant and Philipp organized the release of the Expert Report. At this time they decided upon manipulations to protect the defendant.

This is shown by the fact that at the end of August 1992, a meeting took place at Dill's home, at which were discussed questions of publication of the Expert Report and its financing. The Court is convinced that this meeting took place, particularly that Philipp was present, and that an argument arose over technical details of the publication. This, and the purpose of this meeting, is evident from subsequent correspondence between the defendant and Klaus Christian Marloh, found among the effects of the accused. This was substantiated by the witness Ewald.

At the meeting, Philipp spoke as the publisher. This is evident from the approach which Philipp used in his correspondence with the anticipated financier Marloh (page 100) and also from a letter which Dill wrote to Dr. Dreher on 10th September 1992, which was found among the defendant's effects. In this letter he writes: "Meantime I have made the acquaintance of

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a doctoral candidate who in brief, is publishing a book which arouses strong interest in our circles, a continuation of the Leuchter Report, strictly scientific. I have had a discussion with the author and with a publisher, in which we discussed financing and other things. It will not be published before the man has his doctor's hat on his head."

The Court could not determine whether the defendant had been present at the meeting. He was certainly informed about the meeting, as is shown by the fact that the correspondence between Marloh and Dr. Dreher was found among his effects.

The defendant's assertion that he did not know that Dill was collecting money to finance publication of the Expert Report, is not credible. Witness Reich who donated 100 DM, verified that Dill collected money within his group. From Dill's letter to Reich, dated 14th September 1992, we know that by then, enough money had been collected for the first edition. The Court believes that the "Chemiebüchlein" (Chemistry Booklet) mentioned refers to the Expert Report, not the book "Vorlesungen über Zeitgeschichte" (Lecture on Contemporary History.) It concludes this from the fact that the Expert Report is declared as a chemical scientific expert report, while the "Lectures" deal with many other questions of the Holocaust as well. Considering

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that Philipp had taken part in the negotiations and the defendant was in close contact with Reich as well as Ewald, it is incredible that he would not be informed of Dill's efforts to obtain financing for the Expert Report.

This is proven by the defendant's correspondence, that around the end of August 1992, decisions about the publication of the Expert Report and manipulations to protect the defendant had been made

Thus it is evident, from the defendant's letter to Dr. Bartling dated 8th September 1992, that the Expert Report is to be published through a "Post Office Box company" in a "secure foreign country" and that, to protect the defendant, various secret measures were planned, including a measure with a view toward the statute of limitations of censorship laws. In his letter to Jürgen Graf dated 2 December 1992 the defendant states that, on account of the danger of state intervention, the Expert Report will be published in a secure foreign country; also that for reasons of legality and security, secrecy is necessary. In a letter to the Belgian revisionist publisher Verbeke dated 16th January 1993, the defendant explains that he can not publish the Expert Report at present, for legal reasons.

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The Court believes that he is referring to the statute of limitations for press censorship .

That these plans concerned publication of a book version of the Expert Report, which was supposed to come out in 1993, is shown by a passage of the defendant's letter to Graf dated 2 December 1992. It deals with the planned publication of " R. Kammerer (ed.), Das Blaubuch (The Bluebook,) Expert Report on the Alleged Gas Chambers of Auschwitz, 1993". The title "Blaubuch" was used only for the book version, as the defendant himself stated, and as is attested by the various versions of the Expert Report mentioned earlier. The intention to publish a book version is documented by the above mentioned letter from Dill to Dr. Dreher dated 10th September 1992 ("...who is publishing a book shortly") and the defendant's remark in a letter to Dr. Dreher dated 2 December 1993: "Enclosed find the promised new edition, which in large part corresponds to the pending book. As for method of procedure, please observe what was done regarding the old Expert Report."

Herewith is proven to the Court's satisfaction, that the defendant's assertion that he had given up his plans

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for a personal publication because of problems with his dissertation in the summer of 1992, does not correspond to the facts.

e) The publication of the Remer and Cromwell versions of the Expert Report, was in fact a single act in two phases.

The court believes that this develops from the following circumstances:

aa) For the printing of the Remer and Cromwell version of the Expert Report, the same printing paraphernalia were used in part.

Matt, who has expert knowledge of printing, has demonstrated convincingly that printing plates, films or montage mountings of the picture pages of the Remer version were re-used for the Cromwell version. In both versions, there are shadows from edge trimming, which can only have come from use of the same printing elements. The accused did not deny this.

bb) That the technical aspects of versions "F" and "G" were prepared conjointly is also shown by the fact that version "F", which allegedly was produced for the Court, contains elements which belong exclusively to a book version. Like Version "G," it contains

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acknowledgments at the end and no introductory motion to present evidence. The Court believes that this similarity shows that version "F" is also the basic version of "G." This is proven by the fact that in the acknowledgments at the end of Version F, the group of revisionists does not include Prof. Faurisson. This is explained by the circumstance that a special note of gratitude was planned on the inside of the cover of Version G for Faurisson, whom the defendant wanted to give especial thanks. Since the two versions were prepared jointly, Faurisson was not mentioned in Version F.

cc) The Remer Dispatches were used to promote the Cromwell Version as early as May 1993.

The designation "Rudolf Expert Report" which appeared only in the versions "E" and "G" on page 4, shows this is the commercial Cromwell version; which is to say, "E" and "G" were intended for independent publication. The Remer version on the other hand, continuing the fiction of a misappropriated Expert Report prepared for the court, is titled "Gutachten über die Bildung und Nachweisbarkeit von Cyanidverbindungen in den Gaskammern von Auschwitz" (Expert Report on the Formation and Detectability of Cyanide Compounds in the Gas Chambers of Auschwitz), a designation was used solely for the court version of the Expert Report.

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In addition, the announcement mentions that a staff of English scientists has supplemented and printed the Expert Report. This indicates that another printing was envisioned. Furthermore the mention of a staff of English scientists points toward the Cromwell version. It is significant that the staff of English scientists is mentioned neither

on Page 1 of the same edition of the Remer Dispatches, where the Remer action is described, nor in the announcement (page 115) of a supplementary printing in England.

In addition we consider that the promotion in the Remer Dispatches of May 1993 correspond in content and graphics (same title, similar configuration of the title and Expert Report as well as same prices) extensively correspond with the promotion for the Cromwell Version in the brochure "The Remer Interview with Alshaab" for July 1993.

The fact that the first reference to the version of the Expert Report which was allegedly cleaned of Remer addenda, again appeared in the Remer Dispatches and announced the Cromwell version a short time after the Remer Action and more than two months before it appeared is a clear indication that both versions represent only two sequential phases of a single publication plan.

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dd) Furthermore the defendant's sister testified that he had mentioned his intention to have an authorized version follow the Remer version as early as Easter 1993. The reason he gave for this was that Remer had salted the Expert Report with racist remarks. According to his own statements, the defendant first saw the Remer version on 16th April 1993 at the home of his PhD supervisor; this was his first knowledge of the Remer addenda. The fact that he had mentioned Remer's "racist remarks" before this is an additional indication that the defendant already knew of them before the Remer action and before he conceived the idea of publishing the Cromwell version.

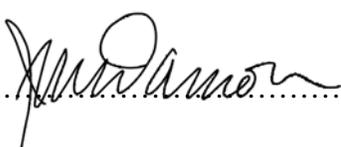
f) Prints of the address stickers with which the Expert Report had been mailed were found in the defendant's possession.

The defendant explained his possessing them as follows: Dr. Bartling asked him in writing, in September 1993, to tell him to whom the Expert Report had been sent. He said Dr. Bartling's reason was that he wanted to get in touch with the recipients in order to explain how the version of the Expert Report with Remer commentaries came about. He stated that in doing this, he

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was trying to rescue whatever could be rescued from the Remer action. the defendant gave a similar formulation in his statement of defense, stating that Bartling was attempting to ascertain "who received the Expert Report and whether anything could still be rescued."

The Court is not convinced by this explanation. Among the defendant's belongings were found around 650 adhesive stickers with the addresses of all the professors of inorganic chemistry and contemporary history in Germany; half of the members of parliament, and representatives of various trade organizations. The defendant has admitted that the

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addresses had the same source as the data used by the Remer Action. Furthermore the same typographical mistakes occur in both.

In contrast to the defendant's testimony, Dr. Bartling wrote in his letter of 21 September 1993 simply: "I would like to know to whom Remer sent the Expert Report. Is there a list of recipients? Has there been any sort of reaction?" Thus, regarding the intentions of Dr. Bartling, this letter not support the defendant's testimony that Bartling was trying to rescue the situation.

It also does not explain why the defendant collected the roughly 650 addresses in such a complicated

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procedure (he claims to have driven to Frankfurt to meet with Philipp). The defendant's rationale behind this pretext is the assumption that Dr. Bartling would be interested in hundreds of individual addresses. However, Bartling's letter gave no grounds for such an assumption; his letter contains no indication that he needed or wanted such a detailed list. Bartling intimated that he would be satisfied with an estimate rather than a multitude of addresses; the details in which he was interested had to do with the reactions of respondents. Therefore the Court is not convinced that the defendant retrieved the addresses solely for the purpose of responding to the Bartling letter.

As he testified in the main trial, Dr. Bartling wanted merely to ask several professors with whom he was acquainted, mostly in Darmstadt, about their opinion of the Expert Report.

g) The witness Dr. Bartling was exploited

The Court believes, that the interruption of contact between the defendant

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and Dr. Bartling, which lasted almost six months, arose from the defendant's desire to publish the Expert Report, which constituted a breach of his arrangements with Dr. Bartling and the Remer Circle. The Court makes this conclusion from the circumstance that the defendant did not use Dr. Bartling's "serious" introduction in the Cromwell edition, as he had contracted to do in December 1992. He did not notify Bartling of the Cromwell or any other version of the Expert Report. The reason for this is that the defendant did not want Bartling to learn of his contacts with the right wing radical milieu because he assumed Bartling would disapprove of his political maneuverings. Thus the defendant's conduct is an indication of plans for "dubious" activities.

The defendant's explanation for the interruption of correspondence with Dr. Bartling that he withdraws during stressful periods is not convincing. During this period, the defendant was involved in a large number of activities but he did not limit his contacts with other people. Furthermore he had good cause to maintain contact with Dr. Bartling, since he needed a job and the latter took special interest in him.

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h) A Remer flyer announced the "pirated" edition."

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The fact that the Remer Action was publicized contradicts the defendant's assertion that Remer published the Expert Report against his will. If Remer had acted without the defendant's knowledge he would have almost provoked intervention, collapse of his Action and loss of a large expenditures (printing costs etc.). Therefore the Court interprets the public announcement as a clear indication that the defendant was privy to the Remer Action. The Court is even more convinced because there is no evident reason why the Remer Action, if it had taken place against the defendant's will, would have had to be announced so early, unless it were to allow the defendant time to prepare countermeasures.

The reactions to the flyer announcing the Action are significant. Stäglich, who apparently was ignorant of the confidential relationship of the defendant to Remer, evaluated the situation correctly and warned the defendant about the consequences for himself and his Expert Report. On the other hand the letter from Attorney Dr. Herzogenrath-Amelung dated 17th March 1993, indicates that he was not surprised at the defendant's participation. Nothing else explains why he asked the defendant for

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two copies of the Expert Report which was supposedly published against his will, rather than pointing out the risk of negative consequences, as did Stäglich. It is also significant that no response to Stäglich was found among the defendant's documents.

Dill's reaction is especially telling. Instead of warning the defendant, as did Stäglich, he jumped on the bandwagon. This reaction would have made sense only if he had been conspiring with Remer behind the defendant's back. In view of his protective attitude toward the defendant, which is evident in his letters, the Court rules out such a conspiracy. Rather, the Court evaluates his reaction as further evidence that he expected the Action and assumed that the defendant had a part in it. This is even more convincing since Dill was familiar with Zündel's letter to the defendant dated 14 October 1991 outlining such an action (see Page 103.)

Dill's assertion that he did not realize the real import of the flyer, is not credible. The witness was so intensively preoccupied with the

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“right” timing and ways of publishing the “Expert Report” that he recognized exactly the significance which the Remer Action had not least for the defendant’s PhD, which was important to him.

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It is significant that Remer's flyer announcing the Action was not found among the defendant's documents, although it had been sent to him by Stäglich and Herzogenrath-Amelung. During the main trial as well, the defendant and his attorney created the initial impression that they did not know where the flyer could be. In addition, the defendant attempted to create the impression, by keeping quiet about Stäglich's mailing, that he had received the flyer only from Herzogenrath-Amelung. The defendant's attorney produced the flyer not until witness Hübner pointed out that a copy of the flyer was among the documents, which were seized from witness Dill, as was Dill's letter to Remer dated 17 March 1993. In view of

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the recorded mailing date of the Expert Report (29th March 1993), prompt and thorough action on the defendant's part was called for, as Stäglich pointed out. However, the defendant chose to communicate with Remer and Herrmann by means of the post. His registry receipt, bears the date of 26th March.

It does not bolster the defendant's argument that he sent version "F2" to Attorney Herzogenrath-Ameling in response to his letter of 17 March 1993. The Court believes the defendant did this in order to avoid providing evidence against himself. The sequence was in keeping with his consistently avoiding every appearance of having contact with the Remer version. Thus, not a single copy of the Remer version was found among his effects, not even a copy of the introduction and appendix. In a letter to Dr. Bartling dated 20 August 1993, responding to the question of commentary in the Remer version, the defendant wrote that he would have to procure a copy. He said that he had seen it only once, when his graduate adviser showed it to him. This would have been on 16th April 1993, as has been shown.

In view of the significance which these documents had for his career as well the cause of revisionism, such exaggerated distancing of himself

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is another indication of his participation in the Remer Action. If he had not been involved, nothing would have been more important to him than getting hold of the document which was causing him such grave problems and was in a position to block his carefully cultivated political conceptions. The fact that he did not have it in his possession points to the likelihood that he was intimately familiar with it.

i) the defendant's reaction to the announcement of the Remer Action is indecisive and inappropriate to the situation.

As the defendant frequently indicated, he started with the supposition, that success depended on the proper presentation of his theories. Furthermore, it was clear to him that reckless public presentation of the Expert Report imperiled his professional fate as well.



With this in mind it is incomprehensible that the defendant reacted merely with letters in the decisive first weeks after the appearance of the flyer announcing the Remer action, and that he let such long intervals pass between letters that it was impossible to oppose Remer's actions.

Thus, already the defendant's first letters followed the flyer with amazing tardiness.

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Since the defendant did not mail these letters until the 26th March 1993, and Remer and Herrmann received them between the 27th and 29th, the defendant could hardly expect legal actions against Remer, which would have had to be initiated before the 29th March 1993. The defendant's second letter to Attorney Herrmann was not mailed until 7th April, when the Remer Action, according to Remer's announcement, could no longer be stopped. Finally, Remer's compliance letter was dated 2 May 1993, when the Action was more or less completed.

Even the content of these letters contradicts their seriousness. Thus, the defendant stressed in his letter to Remer dated 25th March, that he was acting against his will, a circumstance which Remer had already stressed in his announcement flyer. The fact that the defendant redundantly stressed this point is an indication that he was interested in nothing except producing a paper which would document his resistance to the Remer Action.

Even assuming that Remer was acting independently, a letter sent by mail would not have been the appropriate medium for discouraging him. If the content had been as the defendant described it

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the mailing of the Expert Report would have been imminent at the time the flyer was introduced. It would have been assumed that Remer already had made a great financial and organizational effort, which the flyer also emphasizes.

Dies aber hätte, neben der "dramatischen" Begründung, Remers Entschlossenheit gezeigt, sein Vorhaben auch zu verwirklichen.

Apart from the "dramatic" reasons given, this would have shown Remer's determination to carry out his undertaking and, under these circumstances, a mere letter would have produced no effect. The fact that the defendant chose this means anyway, is another indication that he did not really want to impede the Action.

It is significant that the defendant maintains he was trying to avoid direct contact to Remer.

In view of this, the defendant's explanation for his conduct after learning of the flyer, is not credible.

Since the defendant claimed that his first written reaction did not occur until 25th or 26th March 1993, because he had asked Philipp by telephone to explain to Remer what he intended to do, but had heard nothing from him for several days, the Court does not believe him. In view of the haste which would have been necessary due to the imminent

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mailing deadline, it is not comprehensible that Philipp would have left the defendant hanging in this matter which was so critical for them both, or that the defendant would have let critically import time pass unutilized, and then react by mail, which was an inappropriate manner.

The defendant's further explanation for his indecisive conduct that he was not really sure until 16th April 1993, when the Remer version reached his PhD supervisor, whether Remer had gone into action is not convincing because Remer already had gone public and was already soliciting orders for the Expert Report.

Likewise unconvincing is the defendant's explanation about why he did not contact Remer by telephone, in order to clearly establish what Remer's intentions. The defendant's explanation was that he wanted to avoid direct contact with Remer. For this reason he says that he later, when he wanted to carry through with statement of obligation by Remer, waited for Philipp to return from a business trip which lasted several weeks. It was Philipp who worked out Remer's statement of intent. This alleged hesitation is likewise incomprehensible in regard

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to the importance this issue had for the defendant. In addition it is unconvincing because the defendant's aversion to Remer is supposed to have been based on his opinions and there is no apparent reason why these opinions would interfere with the defendant's exercising his legal rights. Besides, such reluctance contrasts with the defendant's otherwise brash conduct toward persons of whatever rank and name, up to and including the Chancellor.

Finally, the defendant testified that he had sought but not received legal assistance; from attorneys Herrmann (on 8th April), Herzogenrath-Amelung (19th April) and Breitenbach (23rd April). Again, this does not convince the Court. It is clear from his correspondence that the defendant did not attempt to obtain legal help until the Remer Action, according to the flyer announcing the Action, could no longer be stopped. The defendant vaguely expressed the possibility of wanting legal assistance to Attorney Herrmann in his letter of 7th April 1993, for the first time. Upon Herrmann's prompt and expected refusal, the defendant turned to Attorney Herzogenrath- Amelung, for whose definitive refusal he waited until 19th April. It was not until 23rd April 1993 that he went to Attorney Breitenbach, who likewise refused to take over the mandate. After this he made no further attempts.

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The Court believes that the defendant deliberately delayed contacting attorneys because he did not seriously intend to obtain assistance. This is shown primarily by his hesitant method of procedure. In addition, this is shown by the fact that he initially contacted attorneys from whom he could expect no help. Attorneys Herrmann and Dr. Herzogenrath-Amelung could hardly be expected to coerce Remer because of their own revisionist interests; additionally Herrmann could not help because he would have been caught in a conflict of interest since he was Remer's defense counsel, as the defendant well knew. In addition, the fact that the defendant made no further attempt to contact additional lawyers after the Breitenbach's refusal, suggests that these attempts were made only to fool outsiders.

In view of all this the Court is convinced that the defendant's enumerated activities were nothing more than deceptive maneuvers. The defendant carried them out exclusively for the purpose of showing ostensible evidence of resistance to Remer Action in case of subsequent investigations, as well as his dealings with Max Planck Institute. This is also evidenced by the fact that the defendant did not carry out

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the actions which he announced in his letter to Attorney Herrmann dated 7 April 1993 (complaint and possible enforcement.)

k) the defendant's sympathy for the Remer Action

Although the Remer Action, according to the defendant's testimony, meant a great constriction of his professional career plans as well as his presumed revisionist publication maxims, the Cromwell Version of the Expert Report contains on the inside of the dust cover, an expansive "Special Thanks to the Publisher" directed to Remer. The text of the Cromwell version which expresses boundless thanks to Remer for his revisionist activities, does not even mention the Remer Action. This contradicts the disgust which he claims to have experienced as a result of the Remer Action.

According to this attitude, the defendant spared Remer and took no legal measures against him following the mailing of the Remer version of the Expert Report. In a letter to Dr. Bartling dated 20 August 1993, the defendant wrote that in Remer's trial, "all the media for proving his innocence had been denied by the Court.... in human terms his action, which he declared to be emergency self defense, is understandable, but hardly comforting to me."

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Concerning the evolving of the acknowledgement in the Cromwell version, the defendant testified that he and Philipp developed two different versions of the inside of the dust cover. As an acknowledged friend of Remer, Philipp wanted to express thanks to him.

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The defendant explained that he was afraid that if he refused to agree, it could lead to a disagreement with Philipp, which in turn could cause the collapse of the whole project. Since time was of the essence, he and Philipp reached the compromise agreement of a shortened acknowledgement. The Court does not believe the defendant's testimony. It is entirely unbelievable that he could have felt himself to be dependent on Philipp. Philipp was at least as intent on publishing the Expert Report as was the defendant.

E) The Defendant's General Arguments Against the Remer Action

1.) Jeopardizing his PhD Graduation

According to the defendant's contention and the documents read in the main trial, it is clear that for him, graduation had priority over publication of the Expert Report; yet the Court sees no compelling conflict with the object of the Remer Action.

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In Fall of 1992 the defendant made the assumption that he would complete his dissertation at the end of the year and his defense of dissertation soon thereafter. This is evidenced by his letter to Dr. Bartling dated 19th August 1992 in which he writes that he hopes to have completed the first draft of his dissertation by September. On 5th December 1992 he wrote to Dr. Bartling that he expected that he would be able to submit his dissertation before Christmas, or early January at the latest. In the letter to Jürgen Graf which is mentioned on page 205 he writes: "The study will be published as soon as my graduation is behind me, most probably in the first quarter of next year."

This convinces the Court that the plan of publishing the Remer version in the spring of 1993 did not conflict with his expectation of graduating before publication. The reason this plan was not realized is because his graduation was unexpectedly delayed. As for his revisionist publication campaign, the defendant decided not to wait for graduation. To speed things up and avoid weakening his motive for publication of the Remer version, that is, loss of the timely connection with the Remer trial, the defendant decided against waiting for graduation. This was made easier by hopes that the

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deceptive maneuver of the Remer Action would not be discovered.

The defendant's letter to Mark E. Weber of the Institute for Historical Review, dated 22 May 1993, shows that he did not consider the risk to his graduation as very great. In this letter he declines an invitation to a lecture with the reason that he had to keep absolutely quiet about revisionist matters, on account of his PhD degree, which he hoped to finish by August 1993. He also wrote that the Expert Report would appear in a few weeks in a corrected and modified edition. From this it is clear that publication of the Expert Report was not included in "keeping quiet about revisionist matters." The defendant obviously assumed that his graduation was not endangered by the manipulations connected with the

Remer Action. That the defendant, when he felt protected by manipulations, was everything but quiet where revisionist matters were concerned, is shown by the fact that in the period which was critical for completion of his degree, he was preparing numerous publications under pseudonyms.

Apart from this, for the sake of Revisionism, the defendant was prepared to take personal risks. His mother testified in the main trial that he had told her,

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when cautioned that his activities could harm him professionally, that he had to take risks and was prepared to sacrifice his future.

2.) The Effect of the Expert Report was dissipated

The Court was not convinced by the defendant's argument that the Remer Action had no effect because it violated his publication maxim, which is to always treat the subject of Auschwitz objectively and free of rightwing undertones.

As the defendant's quoted polemics show, he followed a double strategy in his publications. In the opinion of the Court, the reason he adopted this double strategy is because he wanted to reach the rightwing extremist camp as well as the bourgeois camp. This double strategy was supposed to be applied to publication of the Expert Report also. This is shown by the Remer version itself and also by the promotional flyer for the brochure "Der wissenschaftliche Erdrutsch durch das Rudolf-Gutachten" (The Scientific Landslide Caused by the Rudolf Expert Report, see Page 56). With a few exceptions such as the formulation "Professional Holocauster," the brochure follows the strategy of objectivity. It quotes from the Expert Report and other

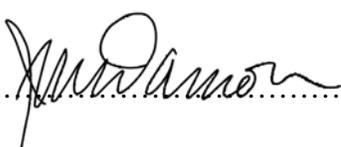
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revisionist writings and draws rather moderate conclusions. The promotional flyer, however, appeals unashamedly to racist prejudice. The reason for this is that the brochures were supposed to be a pipeline for distributing the defendant's ideas among the entire population. It is evident that this was his intent from this excerpt from the promotional flyer: "Every City Employee, Chairman of organization, Teacher, Member of Parliament, etc. should receive a summarization of the Rudolf Expert Report."

The fact that the results of the Remer Action ultimately did not meet his expectations in publicizing the Expert Report does not prove that the defendant did not participate in the Remer Action. It is much more probable that he simply miscalculated.

3.) The Content of the Expert Report had already been published

The defendant's argument that there was no further need for additional publication of the Expert Report following the publication of the "results" of the "Expert Report" in his

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book "Vorlesungen über Zeitgeschichte" (Lectures on Contemporary History), likewise did not convince the Court. In the opinion of the Court, the "Expert Report" was the basic element in a revisionist

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publication campaign in which the subject of Auschwitz was supposed to be discussed on several levels, in order to force a public debate (see Page 70.)

F) Evaluation of the Testimony of Witnesses Annemarie Remer and Philipp

Insofar as Annemarie Remer maintains that she and her husband published the Remer version of the Expert Report against the will and without knowledge of the accused, the Court believes that Mrs. Remer gave false testimony. The reason the court does not believe her is based on her assertion that at the end of 1992 they received from Attorney Herrmann the version "F2" of the Expert Report which, as has been shown, does not correspond to the facts. Furthermore the witness knowingly and falsely stated that she is not familiar with the publishing house "Cromwell Press" and the printing company "Euro Prints." Proof of this is the fact that the Remer Heipke publishing house, which she directed, offers works of the Cromwell Press for sale (see Page 47.) Furthermore the printers "Euro Prints" was also used for Remer publications, such as the Remer Dispatches and various flyers (see Page 76.) In addition, Cromwell Press served as distributor of

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the brochure "Das Remer Interview in Alshaab" (The Remer Interview in Alshaab) which likewise was printed by Euro Prints. Mrs. Remer also stated, as did the defendant, that she had not seen him since the trial in Schweinfurt. With great reluctance she finally admitted that she had seen the defendant on 2nd May 1993 in connection with the affidavit of compliance in Bad Kissingen. It is significant that she refused to give testimony on certain subjects, such as the brochures "Die Zeit lügt!" (The Time Newspaper Is Lying) and "Das Remer Interview in Alshaab" (The Remer Interview in Alshaab.)

The same is true for Philipp's testimony, according to which he just happened to be present in the Remer home at the time version "F2" was delivered. In the case of Philipp, evidence of false testimony was so frequent that the Court believed nothing he said. This is particularly true of his assertion that he arranged for publication of the Expert Report by Cromwell Press through the Belgian publisher Verbecke, who had been working with Kammerer. The correspondence between the defendant and Verbeke shows that the latter had nothing to do with Cromwell Press Publishing House. The defendant did not inform him that the Expert Report was appearing with Cromwell Press until 22nd July 1993. At that time the defendant asked him, by giving the exact address of Cromwell Press,

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to ask for permission to publish the “Expert Report” in Dutch. There would have been no need for such a statement if Verbeke would have been involved in the publication of the “Expert Report”.

G) Auxiliary request for evidence

In his closing, the defendant's attorney requested supplementary evidence with the following statement:

"The ‘Final Determinations’ included in the incriminated publication ‘Expert Report...’ of the accused, especially the ‘Conclusion to A’ as well as ‘Conclusion to B’, to which reference is made here for the sake of avoiding repetitions, are correct. Evidence: Obtaining expert reports from specialists."

Ultimately, this auxiliary request for evidence would result in denial of the mass murder of the Jews, which was committed primarily in the gas chambers of the concentration camp Auschwitz. Even the fact that the “Expert Report” superficially deals only with the nature of some individual buildings of the camps, does not change this. The comments in preface and epilogue of the Remer-Version of the “Expert Report” as well as

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other revisionist literature for which the accused is responsible, show that the Expert Report aims at a general denial of the mass murder of the Jews. Since the judiciary decided long ago that mass murder of the Jews is a self-evident historical fact, especially in Auschwitz, no evidence is needed (§ 244 para. 3 sentence 2 StPO (German Code of Criminal Procedures)).

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IV.) Court Assessment

A) Statutory Offenses

Hence, the accused is guilty of – in each case together with others (§25 para. 2 Penal Code) – incitement of the masses acc. to §130 no. 1 and 3 Penal Code, acc. to §52 Penal Code in coincidence with, denigration of the memory of the dead according to §§189, 194 para. 2 Penal Code, of libel according to §§185, 194 para. 1 Penal Code, and to incitement to racial hatred according to §131 para. 1 no. 1.

1.) Incitement of the Masses

For political considerations and because of hatred against the Jews, the entirety of the Remer-Version claims that reports about the systematic murders of Jews under National-Socialism, primarily in the concentration camp Auschwitz, were pure inventions for the sake of gagging and exploiting Germany. This alleges that presentations regarding the

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Holocaust would untruthfully be invented and perpetuated by, among others, the Jewish population in- and outside of Germany for the sake of their political and

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material advantage. This false charge slanders the Jewish population and exposes it to contempt. Since this is intended to stir up hostile emotions of the population against the Jews, it also incites hatred against the Jewish population. With this, the right to live as equal citizens among equals is denied to the Jews, hence their human dignity is violated.

2.) Denigration of the memory of the dead

At the same time, the denial of the systematic murder of Jews denigrates the memory of those Jews who were murdered in the concentration camps. The acknowledgment of the distinctive circumstances of their deaths belongs to the protected dignity of these deceased, especially the fact that they suffered a terrible death without being guilty of any crime, solely because they belonged to a certain group.

3.) Libel

Denying the systematic murder of the Jews and trivializing the conditions, under which the Jews lived and died in the concentration camp Auschwitz (p. II

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of the epilogue, here p. 111) additionally violates the dignity of the Jews alive today. It belongs to the dignity of every Jew that he belongs to a group which suffered an extraordinary fate of persecution.

4.) Incitement to racial hatred

With calculated insinuations and innuendos, especially the epilogue of the Remer-Version of the "Expert Report" wants to give the impression that the Holocaust is used by Jews to exploit Germany. This is especially true for the reproduction of the alleged letter of a Jew of May 2, 1991 (p. IV of the epilogue, here p. 113). In connection with the claim that the Holocaust was an invention of the Jews, this incites racial hatred against the Jews in a calculated way.

B) Freedom of Science

This work is neither protected by the constitutional guaranty for freedom of speech nor for freedom of science. Freedom of speech is in this case restricted by the quoted penal laws. The freedom of science, which is unrestricted, is not affected. The Remer-Version of the "Expert Report",

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which, along with the preface and the epilogue constitutes one homogeneous work, is in its entirety not a scholarly work. This is evident from the polemic character of preface and epilogue. Considering the fact that the Remer version as a whole is not a scholarly work, this court was not under the obligation to verify, if parts of this work are of scholarly character (which is unlikely when considering the political goals of the accused and the above described ways in which he deals with facts). The accused and his accomplices used a seemingly scholarly main part of this work in order to commit the crime, primarily by means of preface and epilogue of the said work.

C) Statutory period of Limitation

According to §24 Section 3 LpressG (State Press Act), the Statute of Limitations was interrupted on the 28th April 1993 by the ruling of Rudolf's examination and by making known that an official investigation was underway. It was interrupted further by search warrants of Stuttgart and Böblingen courts on 14th May 1993 and 11th August 1993, by confirmation of confiscation by the warrants of the Böblingen Court on 21st October 1993 and 6th April 1994, the raising of charges on 20th April 1994 and the opening of main trial on 7th October 1994.

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V.) Sentence

The Court has taken as a base the range of punishment provided by §130 Penal Code, which allows for a prison sentence from three months to five years.

In favor of the accused, the court has mainly taken into consideration that he has no criminal record; apart from this the fact that his social and family situation makes him very sensitive to punishment, especially because he has to provide for a family with one small child. To his favor, it was furthermore not ignored that he did not commit the crime alone, but with the help of others.

Disadvantageous for the accused had to be considered his high criminal energy, with which he committed the offense. The accused acted on the base of a sophisticated and particularly ingenious and concealedly executed strategy, which was chosen with great intention, included many deceptions and manipulations, and was very difficult to penetrate. It was also his intention to maximize the violation of the laws quoted and to render the victim's defence

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as difficult as possible. This way, he carried out his massive attacks on social peace under the cover of civic values relative to fundamental achievements such as freedom of speech and scientific research. To realize his political goals, he risked even the most sensitive areas of personal and social life. Aggravating his offense is the fact that his actions were supposed to be the base of a large number of similar offenses to be committed by persons who would refer to his "Expert Report". His intention was specifically to cause

disturbance even among parts of the population which have no contact with racist or nationalist views.

Considering all the points in favor and against the accused, in the eyes of the Court a sentence of a prison term of one year and two months appeared appropriate for the crime and the guilt.

The execution of the prison term acc. to § 56 Penal Code could not be suspended.

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This could not been taken into consideration if only because no positive social prognosis can be made for the accused (§56 para. 1. Penal Code). He is categorized as a fanatical, politically motivated criminal. During and in spite of the current trial, the accused published or prepared additional revisionist works, which provide further evidence of his views. These also use the strategy of apparent objectivity to deny the Holocaust. For example, in the fall of 1994, the book "Grundlagen zur Zeitgeschichte" (Foundations for Contemporary History / Dissecting the Holocaust) appeared and the book against Pressac was prepared for publication. The Court has therefore no doubt that, in regard of the laws mentioned, the accused is not willing to abide by the law.

For the sake of the defence of the legal system, the prison term has to be executed (§56 para. 3 Penal Code). Both in respect to the crime as well as to the way it was committed, a suspension of the prison term would destroy public confidence in the steadfastness of the legal system. It is the conviction of the Court that the accused is a dangerous demagogue and well-poisoner who does not deserve a suspended prison term, which would be incompatible with general understanding of the law.

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Apart from that, and having assessed the crime and the personality of the accused in its entirety, there are also no special circumstances in offense and person which according to §56 para. 2 Penal Code would make the crime understandable. Circumstances which render mass murder "understandable" or put it in a milder light, do not exist. To the contrary, the crime is to be considered as particularly grave because of the calculatedly ingenious and concealed way in which it was committed. Furthermore, the Court cannot recognize any special circumstances in the person or situation of the accused.

VI). Costs and Confiscation

The confiscation follows §§74 and 74 d Penal Code. The items mentioned were a part of the crime or were used to commit it. Their confiscation was considered to be appropriate by the court.

The decision regarding costs follows §465 Penal Code.

sgnd. Dr. Mayer
Pres. Judge at DC

Helwerth
Judge at DC

sgnd. Heitmann
Judge at DC

Judge at DC Helwerth is
currently on vacation
and therefore unable to
sign.

sgnd. Dr. Mayer
Pres. Judge at DC

issued
Stuttgart, Oct. 06., 1995
legal assistant of the office of the District Court

Scheerer
Juridical Senior Secretary

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TRANSLATOR'S AFFIDAVIT:

I CERTIFY THAT I POSSESS EXPERT COMPREHENSION OF BOTH THE
ENGLISH AND GERMAN LANGUAGES AND THAT THE ABOVE IS A TRUE
AND ACCURATE TRANSLATION.



J. M. Damon, MA, The University of Texas at Austin
25 August 2001