



POLISH PLOTTERS *on* TRIAL

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OF THE POLISH DIVERSIONISTS
IN MOSCOW - - - JUNE, 1945

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POLISH PLOTTERS ON TRIAL

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INTRODUCTION

THE trial of sixteen Polish plotters in Moscow on June 18 this year did more to throw light on the sinister activities of the Polish emigres in London than anything that has happened previously. The fact that this trial coincided with a meeting in Moscow of representatives of the Warsaw Government with other democratic Poles from London and from inside Poland, was taken by many to be a bad omen for the success of the negotiations. Actually, the very reverse proved to be true.

The revelations of the manner in which the London emigres had abused the hospitality of the British Government, and used the radio facilities allowed them in this country for keeping in communication with anti-Soviet underground forces in the Red Army's rear, and the fact that these latter organised and carried through acts of assassination against Red Army men and other deeds of violence made it abundantly clear that Arciszewski and his gang had to go.

Some people have complained that the trial put Britain in a bad light, as the country which harboured its ally's enemies. That is unfortunate. But the Soviet Government cannot be blamed for protecting itself against crimes which, carried out in the rear of any occupying force anywhere in the world, would be punishable with the utmost severity.

In a letter to the *Manchester Guardian*, Mr. Arthur J. Cummings, the well-known publicist, reminded the editorial writer of that paper that "most of the prisoners had openly confessed to crimes for which, if committed in the Anglo-American war zones, they would undoubtedly have been shot."

It is more than unfortunate that Mr. Eden should have been so ready to accept the word of the emigre officials in London that the prisoners were men ideally suitable to be in the new Polish Government, and that he should have broken off negotiations on Poland with the U.S.S.R. because the sixteen had been arrested.

The trial is over and sentence—remarkably light in most instances—has been passed. In this volume will be found a full semi-verbatim report of the proceedings. The conclusion of the trial coincided almost exactly with the emergence of a new Government for Poland, the most truly representative that country has ever had. The road is now open with the Polish question no longer a vital issue, for relations between the U.S.S.R. and her Western Allies to be put on a sounder basis than ever before. Said Generalissimo Stalin recently to the Dean of Canterbury, "We want to keep firm the union of our countries, not only in words but deeds . . . if your politicians will, we will do it."

R.B.

Polish Plotters on Trial

ON June 18, at 11.10 hours, in the October Hall of the House of the Unions in Moscow, in an open Court session, the Military Collegium of the Supreme Court of the U.S.S.R. began the trial in the case of Okulicki, Jankowski, Bien, Jasiukowicz and others, 16 in all, accused of being organisers, leaders and participants in subversive underground activity in the rear of the Red Army on the territory of the Western Regions of Byelorussia and the Ukraine, Lithuania and Poland, where they acted against Soviet troops on instructions from the so-called Polish emigre "Government" in London.

All the accused were present with the exception of Anton Pajdak who, owing to illness, was unable to appear in Court. The Court recognised as valid the reason for his absence.

The presiding judge is Col.-Gen. of Justice Ulrich, Chairman of the Collegium of the Supreme Court of the U.S.S.R.

He announced that the accusation against Okulicki and the others is supported by the Chief Procurator of the Red Army, Maj.-Gen. of Justice Afanassyev, and State Councillor of Justice Rudenko.

The accused are defended by the prominent lawyers Braude, Mikhalsky, Milovidov, Kaznacheyev, Markewich, Otsep and Plevako.

The Court trying the case of Okulicki and the others is composed of: President of the Court—President of the Military Collegium of the Supreme Court of the U.S.S.R. Col.-Gen. of Justice Ulrich; and Members of the Court—members of the Military Collegium of the Supreme Court of the U.S.S.R. Maj.-Gen. of Justice Dmitriyev, Colonel of Justice Detistov and Reserve Member of the Court Colonel of Justice Syuldin.

Accused Okulicki requested the summoning of additional witnesses. The Court ruled that this question be decided in the course of the Court proceedings. Then the Indictment was read.

THE INDICTMENT

INDICTMENT: accusing Leopold Blazewicz Okulicki, Jan Stanislaw Josifowicz Jankowski, Adam Valentiewicz Bien, Stanislaw Ignatiewicz Jasiukowicz

—with being the organisers and leaders of the Polish underground in the rear of the Red Army on the territory of the Western Regions of Byelorussia, the Ukraine, in Lithuania and Poland;

with carrying out, according to the instructions of the so-called

Polish emigre "Government" in London, direct subversive work against the Red Army and the Soviet Union :

with carrying out terrorist acts against officers and men of the Red Army ;

with organising diversions and attacks by underground armed detachments ;

with carrying on propaganda inimical to the Soviet Union and the Red Army ;

defendant Okulicki being also accused of carrying out intelligence and espionage work in the rear of the Red Army ;

and Anton Juzefowicz Pajdak, Kazimierz Woicechowicz Puzak, Alexander Kazimierowicz Zwerzinski, Kazimierz Stanislawowicz Baginski, Stanislaw Francewicz Mierzwa, Zbignew Francewicz Stypulkowski, Ewgeni Stanislawicz Czarnowski, Josif Antonowicz Hacinski, Franc Andrejewicz Urbanski, Stanislaw Francewicz Mihalowski, Kazimierz Samuilowicz Kobylanski and Josif Henrichowicz Stemler-Dombski with participating in subversive work of the Polish underground organisations on the territory of Poland in the rear of the Red Army, and being cognisant of non-fulfilment by the leaders of the underground of the orders of the Soviet Military Command concerning surrender of wireless transmitters, typographical equipment, arms and ammunition, and of their use for criminal purposes.

1. ON THE ORGANISATION OF UNDERGROUND ARMED DETACHMENTS OF THE "ARMIA KRAJOWA" (HOME ARMY) IN THE REAR OF THE RED ARMY

DURING the period of German occupation, on the territory of Poland and Lithuania and in the Western Regions of the Ukraine and Byelorussia, the Polish emigre Government created an underground military organisation called the "Home Army" ("Armia Krajowa"—"A.K.") which, until September, 1944, was headed by General of the Polish Army, Bor-Komarowski, and after his surrender to the Germans, from October, 1944, by his Deputy, Brig.-Gen. Okulicki.

Together with the accused Okulicki, Jan Stanislaw Josifowicz Jankowski, who called himself the President of the Underground "Council of Ministers" of Poland, and his "Ministers" Adam Valentiewicz Bien and Stanislaw Ignatiewicz Jasiukowicz, directed the work of this illegal organisation "A.K."

At the same time the underground so-called "Rada Jednosci Narodowej" (Council of People's Unity), headed by the General Secretary of the P.P.S. Kazimierz Woicechowicz Puzak, was set up and operated on Polish territory.

The accused Okulicki and the underground "government" had at their disposal armed detachments, stores of arms and ammunition, radio transmitting and radio receiving stations, underground typographical equipment and conspiratorial premises.

The liberation from the German invaders of the Western Regions of the Ukraine and Byelorussia and also of Lithuania and Poland by the Red Army, was slanderously called a "Soviet occupation" by the accused Okulicki and the underground "government."

Having preserved the underground status of their armed forces and organisations on the instructions of the Polish emigre "government," they directed their activities against the Soviet Union and carried out active subversive work in the rear of the Soviet armies operating in the field. This was expressed in sabotage of Red Army communications, in terrorist acts against Soviet officers and men, and in propaganda inimical to the Soviet Union among the Polish population.

At the same time, using wireless transmitters for communicating with the Polish emigre "government" in London, the accused transmitted malicious, slanderous information about the Red Army. With the aim of stricter secrecy of the underground activity, in December, 1944, the accused Okulicki, on the instructions of the emigre Polish "government" and with the participation of members of the underground "Council of Ministers" and the Rada Jednosci Naradowoi (Council of People's Unity) published an order for the disbandment of the "Armia Krajowa," and, simultaneously, Okulicki gave the District Commandants of the "A.K." secret instructions to preserve the illegal status for the main part of the cadres of officers and men of the "Armia Krajowa," to form carefully camouflaged H.Q.s in the districts, to preserve and hide arms and ammunition and to conceal wireless transmitters. (Volume 1, pages 40 to 42 and 58 to 60.)

The accused Okulicki testified that in December, 1944, General Kopanski transmitted to him by radio a decision of the Polish London "Government," the gist of which was that after the Red Army's entry to the territory of Poland clandestine organisations of the "Armia Krajowa" should be used for setting up a carefully concealed machinery with military and political functions. Further, the accused Okulicki testified:

"The order of General Kopanski on the preservation in Poland of concealed H.Q. of the 'Armia Krajowa' was issued for the purpose of preserving the leadership and commanding personnel of the 'Armia Krajowa,' also arms, ammunition and money, for armed struggle against the Provisional Polish Government and the Red Army. . . ." (Volume 1, page 42.)

"Political Manoeuvre"

The testimony of the accused Okulicki on the formation of clandestine H.Q. in the rear of the Red Army in the field was con-

firmed also by the accused Jankowski, Bien, Jasiukowicz and Pajdak. On this point the accused Jankowski testified: "Okulicki informed me and the Ministers of the Polish underground government that the 'Armia Krajowa' had been disbanded formally, and that its participants preserved arms, ammunition and operating wireless transmitters. . . ." (Volume 2, pages 42 and 43.)

The accused Bien testified: "... In December, 1944, at a meeting of the Council of Ministers in Piotrkow attended by Jan Stanislaw Jankowski, Stanislaw Jasiukowicz, Anton Pajdak and myself, Okulicki informed us that he had received an order from London on the disbandment of the 'Armia Krajowa.' Okulicki told us that the order of the London 'government' on disbandment of the 'Armia Krajowa' was a political manoeuvre intended to create a pretence of the liquidation of the underground armed forces, while in reality he, Okulicki, was starting to build a new clandestine military organisation.

"In the latter half of February, 1945, at a meeting of the Council of Ministers of the underground Polish government held in the township of Milianowek, attended besides myself by Jankowski, Stanislaw Jasiukowicz and Anton Pajdak, Okulicki informed us of an order issued to the 'Armia Krajowa' providing for the setting up of a secret underground military formation in Poland. Okulicki said that the creation of the military underground was a strictly secret measure, that he preserved in the underground cadres of officers, H.Q. of the 'Armia Krajowa' units, stores of arms and wireless transmitters. . . ." (Volume 3, page 87.)

The accused Pajdak testified that Okulicki told him that he had issued an order on the disbandment of the "Armia Krajowa" and that the members of the "A.K." were obliged carefully to hide arms, ammunition, radio stations and print shops. Simultaneously, the accused Okulicki informed him of instructions he had given to preserve the existing H.Q. of the "Armia Krajowa." (Volume 5, pages 106, 107.)

Similar testimony on this subject was given by leaders of the underground: President of the "Stronnictwo Narodowe" and Vice-President of the "Rada Jednosci Narodowej" Zwerzinski, member of this "Rada" and President of the Board of the Association of Democratic Organisations "Union of Democrats" Czarnowski, Secretary of the "Rada Jednosci Narodowej" Urbanski, member of the Central Committee of the "Stronnictwo Ludowe" Party Mierzwa and Kobylanski (volume 7, page 171), (volume 9, page 70), (volume 10, pages 78-80), (volume 13, page 94), (volume 15, page 22).

Radiograms from London

The fact that the accused Okulicki received from London radiograms with instructions to preserve the H.Q., arms, ammunition and radio equipment of the "Armia Krajowa," is confirmed by

deciphered radiograms of the Polish emigre "Government" and of the leadership of the "Armia Krajowa," available in files.

One of these radiograms (No. 11869 of December 8, 1944) contains the full text of a decision of the emigre "Government" of October 14, 1944. This decision points to the necessity of conducting extensive clandestine work in Poland, and instructs that the following measures be taken: camouflaging of the "Armia Krajowa," careful concealment of arms, organisation of underground leading organs and liaison and preservation of personnel. In conclusion the radiogram says: "Persons who divulge this decision will be severely punished. The present decision has really been issued by the 'Warta' government. The accused Okulicki admitted that the word 'Warta' is a code designation of the General Staff of the Polish troops in London (volume 1, page 132).

2. SETTING UP OF UNDERGROUND MILITARY-POLITICAL ORGANISATION "NIEPODLEGLOSC" ("NIE")

IN pursuance of the above instructions of the London emigre "Government," the accused Okulicki, in an effort to deceive the Red Army Command, by issuing an order on the disbandment of the "Armia Krajowa," actually preserved the main cadres of this army, and camouflaged them, as well as radio stations, arms and ammunition. This underground organisation was named by Okulicki "Niepodleglosc" ("Independence"), in abbreviation, "NIE." The "NIE" organisation was headed by the accused Okulicki (aliases: "Niedzwiadek," "Termit").

At a meeting of the underground "Council of Ministers" in the township of Milanówek (near Warsaw) in February, 1945, the accused Okulicki suggested that a "political centre" be formed to direct this organisation out of representatives of the Parties "Stronnictwo Ludowe," "Stronnictwo Narodowe," P.P.S. (Polish Socialist Party) and "Union of Democrats." The "Council of Ministers" approved this suggestion, and instructed the accused Jankowski to start negotiations with representatives of the above-mentioned parties for formation of a political centre of the organisation.

On the subject of the organisation of underground armed detachments for struggle against the Red Army, the accused Okulicki testified: "... In March, 1944, when before flying to Poland I was received by General Sosnkowski, he said that in the near future one should expect the Red Army offensive, which would result in routing the Germans in Poland. In that case, Sosnkowski said, the Red Army would occupy Poland and would not permit the existence of the 'Armia Krajowa' on Polish territory as a military organisation subordinated to the London Polish government. The Soviet Military Command would insist on disarmament of the 'Armia Krajowa' or its complete subordination and merging with Berling's Polish Army.

" Sosnkowski pointed out that this situation was intolerable, and that the ' Armia Krajowa ' must be preserved at any cost. In accordance with the instruction Sosnkowski gave me, after the Red Army's entry into Poland certain formations of the ' Armia Krajowa,' headed by their Command, were to establish contact with the Soviet Military Command, remaining simultaneously subordinated to the London Polish government and to the Chief Command of Polish troops, while the main forces of the ' Armia Krajowa ' were to remain underground to fight for Poland's independence, threatened according to Sosnkowski by the Soviet Union, in the event that the Red Army Command would disarm those units of the ' Armia Krajowa ' which came out into the open.

" Sosnkowski suggested that reserve district H.Q. of the ' Armia Krajowa ' be set up in the event of the Command of the ' Armia Krajowa ' being interned or arrested by the Soviet military authorities for insubordination to the orders of the Red Army Command. Sosnkowski stated that these reserve H.Q. would have to direct the struggle of the ' Armia Krajowa ' against the Red Army. Sosnkowski asked that these instructions be conveyed to the commander of the ' Armia Krajowa ' in Poland, General ' Bor '-Komarowski, which I did during my first meeting with ' Bor '-Kamarowski."

The accused Okulicki testified that in July, 1944, " Bor "-Komarowski informed him that in accordance with Sosnkowski's instructions he had been ordered to set up and head the military-political organisation called " NIE," which means " independence." (Volume 1, pages 145-147.)

Investigation has established that the underground organisation " NIE " had the following tasks: (1) To build up cadres of the organisation, to preserve arms for underground activities and for preparation of an uprising against the U.S.S.R.; (2) To create armed combat detachments, of not more than 60 men in each; (3) To create terrorist, so-called liquidation groups, and to carry out terrorist acts against enemies of the " A.K." and against representatives of the Soviet Military Command; (4) To prepare cadres of saboteurs to carry out sabotage acts only with the approach of the uprising; (5) To engage in military intelligence and counter-espionage in the Red Army's rear; (6) To preserve radio stations and to maintain radio communication with the Chief Command of the " A.K." through London; (7) To conduct printed and oral propaganda against the U.S.S.R. (Volume 20, pages 15-16.)

" With Special Caution "

In the first stage the " Niepodleglosc " organisation was to be of a military-political nature, and subsequently it was to act as a purely military organisation, to which effect a special order was to be issued by the Chief Command of the " Armia Krajowa." At a confrontation with the accused Okulicki, the former Commandant of Lvov District Janson testified:

" . . . I must say that in Warsaw I also received special instructions to the effect that terrorist acts against officers and men of the Red Army, also against representatives of the Soviet authorities, should be carried out with special caution and these assassinations should be laid at the door of the Ukrainian Nationalists." (Volume 1, page 212.) Asked whether he knew about these instructions, the accused Okulicki confirmed that he did know about them. (Volume 1, pages 212 and 213.)

On the subject of his participation in the underground organisation "NIE," the accused Jankowski testified: ". . . Okulicki informed me and the Ministers of the underground Polish government that the 'Armia Krajowa' had been disbanded formally and that its members had preserved arms, ammunition and operating wireless transmitters . . . This was done in order to set up a new, well concealed military-political organisation in the rear of the Red Army in the field . . .

" This question was discussed in January, 1945, at a conference in Cracow attended by Okulicki, my assistant Jasiukowicz, Colonel Nil of the 'Armia Krajowa' and myself. Okulicki informed us that he had received from the Commander-in-Chief of the Polish Army or from the London Polish government (I do not remember exactly which) a directive instructing him, in view of the changed political situation in Poland after the Red Army's arrival, to start building a new, well concealed organisation with military-political functions on the basis of the 'Armia Krajowa.'

" The task of this organisation was to fight for the independence of Poland, which, in our opinion, was threatened by the Soviet Union. Okulicki asked me, as President of the underground Council of Ministers, to assume temporarily the political leadership of the organisation pending creation of a leading centre . . .

" For a second time this question was discussed after my return from Cracow at the meeting of the underground Council of Ministers in the latter half of February, 1945. The meeting of the Council of Ministers took note of Okulicki's information on the setting up of the new organisation. Simultaneously, Okulicki suggested that representatives of the underground political parties belonging to the 'Rada Jednosci Narodowej' be invited to take part in the leadership of the organisation . . .

" Considering the possibility of liquidation of the underground Polish government which I headed, it was suggested that I meet representatives of the underground political parties and discuss with them the appointment of their responsible representatives to the political centre of this organisation . . ." (Volume 2, pages 42, 43, 44, 45.)

The accused Jasiukowicz testified: "The setting up of this organisation had a two-fold purpose. Firstly, it was necessary to have a skeleton on the basis of which, in case of need, larger military

forces could have been swiftly deployed, and secondly, to have in this organisation an organ capable of replacing the underground institute of delegates at a moment's notice. . . .

"Okulicki carried out the reorganisation of the 'Armia Krajowa' and started building on its basis the new clandestine military organisation which, in his opinion, was to have been assigned political functions as well, so that this organisation could become the main underground centre of the Polish London government in the country In this connection Okulicki suggested that the leading political centre composed of representatives of the underground political 'parties' be formed under him right then."

"For Struggle Against Soviet Union"

Further, Jasiukowicz stated: ". . . Having formally announced the disbandment of the 'Armia Krajowa,' we actually preserved it, having camouflaged it, and tried to conceal this fact from the Soviet Union. This army was destined for struggle against the Soviet Union and actually conducted diversionist and terrorist activities in the Red Army's rear. Measures of the Soviet Military command in the zone of hostilities were sabotaged. Our press and radio stations engaged in slanderous propaganda. The Polish people were being incited against the Russians." (Volume 4, pages 34, 40 and 85.)

The accused Bien testified: "The new clandestine military organisation which Okulicki was building was to carry on subversive work in the rear of the Red Army in the field Okulicki carried out consolidation of the underground armed forces in order, when the time came, on the instructions of Racziewicz and Arciszewski, to organise an armed uprising against the Red Army in Poland." . . . "The Council of Ministers decided that the leadership of the new underground should consist of representatives of the Polish underground parties: P.P.S., 'Stronnictwo Ludowe,' 'Stronnictwo Narodowe' and 'Party of Labour.'" (Volume 3, pages 88, 89.)

Similar testimony was given by the accused Pajdak, Czarnowski and Zwerzinski (Volume 5, pages 107, 108), (Volume 9, pages 71-75), (Volume 7, page 173).

3. TERRORIST, DIVERSIONIST AND ESPIONAGE ACTIVITIES OF UNDERGROUND ARMED DETACHMENTS OF "ARMIA KRAJOWA" AND "NIE"

INVESTIGATION has revealed that in the course of 1944 and early in 1945 underground armed detachments of the "Armia Krajowa" on the territory of the Western regions of the Ukraine and Byelorussia, in Lithuania and Poland, and in the rear of the Red Army in the field, systematically committed terrorist acts against officers and men of the Red Army, sabotage of Red Army communication lines and armed raids on Soviet military and civil institutions.

Along with this, members of the "Armia Krajowa" also gathered intelligence about the Red Army. Diversionist groups and detach-

ments of the "Armia Krajowa" acted not only in the regions of the Western Ukraine and Byelorussia, which the Polish underground regarded as "seized" from Poland by the Soviet Union, but also in the Red Army's rear throughout the territory of Poland.

According to incomplete data, within the period from July 28 to December 31, 1944, alone, as a result of the terrorist activities of "Armia Krajowa" detachments, 277 Red Army officers and men were killed and 94 wounded. This number included 77 killed or wounded officers, 87 sergeants and 207 Red Army men. From January 1 to May 30, 1945, 317 Red Army officers and men were killed and 125 wounded (see list of names, Volume 25, pages 1-84.)

Here are some details of the subversive activities of "A.K." detachments in the Red Army's rear.

1. Until recently diversionist "A.K." detachments—of the "Ragner," "Krys," "Sibiryak," "Herman" and other detachments—were active in the territory of Baranovichi and Grodno Regions. "Ragner's" detachment was about 300 strong, and committed numerous terrorist and diversionist acts in the Red Army's rear, plundered the local population, engaged in arson, explosions, etc. :

(A) On September 10, 1944, in the area of the village of Vorniszki, of the Opolje Rural Soviet in Lida District, Grodno Region of the Byelorussian Republic, part of this detachment under Sergei Wacław Stepanowicz Pawłowski (alias "Zaweja") openly engaged a Red Army unit. Arrested on January 22, 1945, Pawłowski testified that, being a member of the "Armia Krajowa," he directed combat operations against Red Army units on assignments of the Command of the "A.K.," and for this was decorated and promoted by the latter. This is confirmed by an order to the detachment "YUG" of "Ragner's," No. 50 of September 15, 1944, which said: "I thank Senior Sergeant 'Zaweja,' Commander of the 311th Detachment, and the men of the 311th Detachment for the initiative displayed in the routing of a Soviet round-up party. Simultaneously, I announce that Senior Sergeant 'Zaweja' has been commended for decoration by the 'Krzysztof Walecznyh,' and for promotion." (Volume 30, pages 141, 142, 143.)

Killing, Hanging, Robbing

(B) In October and November, 1944, in the village of Lyubary, "Ragner's" detachment killed Red Army Lieutenant Kruglyak, and opened fire at a car driving along a highway, killing two Red Army servicemen. One Soviet citizen was hanged in the village of Ditriki, Lida District, and another was shot in the village of Klyukowicz.

(C) In October, 1944, "Ragner's" detachment robbed Svirid, resident of the village of Maruliny, and in September shot Urbanowicz and Kostiuszin, residents of the village of Kotłowa.

(D) The detachment blew up and set on fire the pumping station at Bastuny station of the Białystok railway, and committed a number

of other crimes. This has been confirmed by members of the detachments Urbanowicz, Newerowski and Szumski, and by a number of documents. (Volume 21, pages 37, 38, 42, 43, 94, 95, 170 and 171.)

2. The Commander of the "A.K." detachment "Sibiryak," alias Lubikowski, had a special school for diversionists on the "Ditriki" Estate in Zeludowo District, in which some 200 diversionists were trained under his guidance and subsequently distributed to detachments of the "Ragner," "Krys," "Sibiryak," and other detachments. (Volume 31, pages 13, 17, 39-47.) Lubikowski urged all diversionists to commit sabotage acts on railway transport on the anniversary of the incorporation of the Western Regions of Byelorussia and the Ukraine into the Soviet Union.

Derailing Trains

On this subject Lubikowski himself testified: "On September 3, 1944, I wrote an order to the Commanders of the 'Ragner,' 'Krys,' and 'Orkan' detachments, instructing them to carry out diversionary acts on the night of September 17 to 18, 1944, in the way of a demonstration of protest against the Red Army's entry into Polish territory." (Volume 31, page 46.)

And further: "... I received a written report on the execution of my order ... from 'Ragner,' who informed me that he had carried out 12 sabotage acts: derailed two trains, blown up two bridges and damaged the railway track in eight places." (Volume 31, page 46.)

Describing in detail the subversive activity of Lubikowski's detachment, members of the detachment Kolendo and Lukaszewicz stated: (Kolendo) "... On the night of September 17 to 18, 1944, on the order of the detachment commander Jagelski, for purposes of protest—as he explained—against the Red Army's entry on that date in 1939 to the territory of Western Byelorussia, I, together with a group of members of our detachment, blew up the railway track between the stations Nieman and Nowo-Yelnya." (Volume 31, page 10.)

Lukaszewicz stated: "... As a member of the 'Sibiryak' detachment I participated twice in blowing up freight trains on the Lida-Wilno section." (Volume 31, page 32.)

In the course of the liquidation of the detachment and Lubikowski's arrest there were discovered two stores of mines, explosives and other accessories for subversive acts. (Volume 31, pages 59-61.)

3. An order almost identical to that given by Lubikowski was issued also by the Commandant of the Nowogorodek sector of the "A.K.," nicknamed "Trud," on September 9, 1944, in which he instructed his subordinates to carry out a series of sabotage acts in all districts on September 17. The order said: "The operation must be universal—blowing up military trains, trucks and the railway track, burning of bridges, destruction of stores and village Soviets. It must be carried out in secret." (Volume 31, pages 11, 1179-120.)

Confiscated Documents

4. On the territory of the Lvov, Stanislaw, Drohobycz and Tarnopol Regions armed detachments acted under the Commandant of the Lvov District, Lt.-Col. of the Polish Army Janson (alias "Carmen" and "Raigras"), which also committed a number of assassinations and sabotage acts in the course of 1944-1945. (Volume 20, pages 17-20.)

One of Janson's subordinates, former Commander of "A.K." detachments in the Stanislaw District Herman (alias "Globus" and "Kudak"), having given a detailed account of the subversive activities of his detachments in the Red Army's rear, states that he had up to 3,000 men with corresponding armament under his command. The detachments were divided into groups of approximately 65, each of various designations, including terrorist liquidation detachments specially for assassination of representatives of the Soviet Military Command. During Herman's arrest there were found on him, and confiscated, documents—plans of diversionist acts against Soviet institutions and orders on the organisation of the activity of underground detachments. (Volume 33, pages 187-198.)

5. On the territory of the Lithuanian Soviet Socialist Republic in the Red Army's rear the underground organisation of the Polish emigre Government "Delegatura Rzodu" was active and carried on subversive work. During the liquidation of this organisation at the close of 1944, and early in 1945, the Soviet Military Command confiscated at more than 30 secret rendezvous, files, correspondence and a card index of the security department of the "Delegatura Rzodu," stores of arms and ammunition, two operating radio transmitting stations and ten reserve radio stations, a store of radio equipment and a large quantity of literature hostile to the Soviet Union.

Co-ordinated Actions

Investigation of the case of this organisation has revealed that to co-ordinate the actions of the "Delegatura Rzodu" and the "Armia Krajowa" there was formed a so-called "Komitet Powstanczy," composed of: delegate of the "Rzodu" Fedorowicz, the Commandant of the "Armia Krajowa" Kulczicki (alias "Wilk"), and officer of the "A.K." H. G. Kokocinski (alias "Julian.") (Volume 34, pages 148-186.)

6. The diversionist detachment "Grom," which acted in the area of Vilnius, at the close of 1944, committed numerous assassinations of Soviet officers and men of the Red Army, and plundered collective farms. Detailed testimony on the actions of this detachment was given by the former Aide of the Commander of "Grom," Pawilun, who was detained when the detachment was being routed by Red Army units. (Volume 20, pages 167-170, 203-205.)

7. In September, 1944, a detachment under Stankiewicz shot the Chairman of the Malya Soleshnia Rural Soviet, Vassilevsky, his wife, and daughter of 18, the Chairman of the Bolshaya Soleshnia Rural Soviet, Novak, and Secretary Loik; in January, 1945, it shot the Secretary of the Rural Soviet in the village of Kalitantsy. In January, 1945, the detachment under Stankiewicz twice joined action against Red Army units and killed more than 50 Soviet servicemen. In February, Stankiewicz's detachment captured seven Red Army men and shot them. Simultaneously, the detachment shot two employees of the Podvarany Rural Soviet (See Stankiewicz's testimony, Volume 20, pages 245-266).

Questioned during investigation about diversionist and terroristic acts committed on Polish territory against Red Army officers and men, the accused Okulicki stated in his testimony of May 31 and June 4: "Having acquainted myself with documents which have been presented to me relating to subversive activities of the 'Armia Krajowa' in the Red Army's rear, I recognise my responsibility for the diversionist and terrorist acts committed by members of the 'Armia Krajowa.'" (Volume 1, page 171.) "As Commander of the 'Armia Krajowa,' I recognise my full responsibility for terrorist acts against Red Army officers and men committed by members of the 'Armia Krajowa' both on the territory of the Soviet Union, i.e., in the Western Regions of the Ukraine and Byelorussia, and on Polish territory . . . I can say the same about the gathering of espionage information against the Red Army." (Volume 1, pages 192, 193.)

Similar testimony was given by the accused Jankowski, Jasiukowicz and Bien.

Jankowski testified: ". . . I did not issue orders for diversionary and terrorist acts in the Red Army's rear. This was done on the orders of 'Bor'-Komarowski and then of Okulicki, as they acted independently of the government; but as the latter's leader, I repeat, I am responsible for the actions of the 'Armia Krajowa' and 'Niepodleglosc' . . ." (Volume 2, page 152.)

Bien testified: "As Minister of the underground Polish government I am responsible for the activities of the 'Armia Krajowa,' including its terrorist and diversionist struggle on Polish territory against the Red Army." (Volume 3, page 181.)

The accused Jasiukowicz admitted: "I too, am responsible for terrorist and diversionist acts of the 'Armia Krajowa' against the Red Army of which I was accused at the investigation." (Volume 4, page 108.)

Pajdak, Zwerzinski and Czarnowski also admitted their responsibility for diversionist and terrorist work of the "Armia Krajowa" in the Red Army's rear (Volume 5, page 160), (Volume 7, pages 259, 260), (Volume 9, page 112).

At the interrogation on June 13 the accused Okulicki fully confirmed that he was guilty of gathering intelligence against the Red Army. The investigation revealed that on assignments of the Polish emigre

"Government," members of local organisations of the "Armia Krajowa" also gathered intelligence in the Red Army's rear. This is confirmed by a directive of the Polish emigre Government addressed to Okulicki and District Commandants of the "A.K." dated November 11, 1944, No. 7201-1-177. Here follow some excerpts from this directive :

"... After the liquidation of the Warsaw Centre, the Intelligence Service stopped sending exhaustive photographic monthly intelligence reports. Since knowledge of the military intentions and possibilities . . . of the Soviets in the East is of basic importance for foreseeing and planning further developments in Poland, you must . . . fill the gap by transmitting intelligence reports in accordance with the instructions of the Intelligence Department of H.Q." This is followed by detailed instructions concerning the nature of the intelligence to be gathered about military units, supply-trains, fortifications, aerodromes, armaments, the situation on the front, war industry, etc. (Volume 32, pages 31a-34a.)

Questioned about this document on June 13, the accused Okulicki admitted that he did receive this directive from the Polish "Government" in London and proceeded to carry it out. Espionage activities conducted in the Red Army's rear by members of the "A.K." were also confirmed during investigation by a number of other persons. Thus, formulating the tasks of the "Delegatura Rzeczypospolitej" on territory liberated by the Red Army from the German invaders, one of its leaders, Fedorowicz, stated :

"... I preserved the underground organisation—the 'Delegatura'—after the liberation of Vilnius by the Red Army in order to inform the emigre Government through the Warsaw Centre about the situation in Vilnius City and Vilnius District after the ejection of the Germans and the restoration of Soviet Power. For this purpose, I directed people who gathered information on various branches of the economic, political and military activities of Soviet organs." (Volume 34, page 194.)

The arrested member of the "A.K.," Sub-Lt. Swieczkowski (alias Klewenhagen), stated : "... After the liberation of Lvov from the German invaders by the Red Army, in assignments of the Chief Command of the 'A.K.,' in which I worked under the alias of 'Shtukas,' I engaged in espionage and gathered intelligence in the Red Army's rear . . ." Swieczkowski's testimony has been confirmed by written material on 71 sheets containing espionage data found on him during arrest. (Volume 32, pages 4, 5 and 10.)

On November 20, 1944, at Volkovyssk railway station, there was detained a member of the "Armia Krajowa," Franc Szancilo, on whom there was found and confiscated a package with espionage information. At the interrogation on January 19, 1945, Szancilo stated : "... I am a member of a clandestine anti-Soviet Polish organisation acting on directives of the Polish 'Government' in London. . . . I was enlisted into this organisation in March, 1944,

by Boltrukiewicz. . . . On November 20, 1944, I was detained at Volkovyssk station by Serg. Safarov just when I was receiving a package from chief train-guard Dionis Begdanowicz. . . . This package contained espionage information on the condition of railway transport. On the instructions of the leader of the organisation in Volkovyssk, Boltrukiewicz, I used to bring packages with espionage materials to Bialystok, where I delivered them to members of the organisation . . . according to agreed passwords." (Volume 32, pages 104, 109, 110, 111.)

For transmission of intelligence the Polish underground organisations of the "A.K." used radio stations at their disposal. Here are some intercepted and deciphered radiograms :

(1) Radiogram of Rzeszow District of the "A.K." of October 11, 1944, addressed to Cracow District of the "A.K.": ". . . . From Przecza-Dukiolska Psianka the front passes along the Polish-Slovak and Hungarian frontiers. On the Slovak frontier, in the Jaswinska area, the enemy has insignificant territorial success. The Soviets are preparing evacuation in a southward direction from the Rzeszow." (Vol. 19, pp. 120-124.)

(2) Radiograms Nos. 621-2 from Cracow addressed to the Chief Command stated that in the latter half of March an average of 20 trains with troops and munitions (artillery, American tanks and infantry including one-third women) were passing daily in a western direction. About 13 trains with coal, and one with machinery which is being carried away from Poland, passed in an eastern direction. An order on urgent call-up of the 1895-1925 age classes has been posted up in Cracow. A ceremony of commissioning of 800 officers brought from the East took place in Cracow with participation of General Zymierski. The majority of the newly commissioned officers have elementary education. (Volume 32, pages 35a-36a.)

4. WORK OF CLANDESTINE RECEIVING AND TRANSMITTING RADIO STATIONS OF "ARMIA KRAJOWA" AND OF UNDERGROUND POLISH "GOVERNMENT" IN REAR OF RED ARMY.

AS revealed by investigation, the "Armia Krajowa" and other Polish underground organisations active in the rear of the Red Army possessed a widely ramified network of clandestine radio stations. Violating the orders of the Soviet Military Command on the surrender of receiving and transmitting radio equipment, the regional and lower underground organisation of the "Armia Krajowa" preserved it and used their radio stations to transmit to the Polish emigre Government and to the Chief Command of the "A.K." reports on the fulfilment by them of orders and instructions, espionage information about the Red Army, slanderous and provocative fabrications concerning the Red Army's actions on the territory of Poland liberated from the German invaders.

The Polish "underground" "government" used the radio transmitters for sending tendentious and slanderous information to the Polish emigre "Government" concerning the political situation in Poland. The accused Okulicki, Jankowski, Bien, Pajdak, Jasiukowicz, Puzak, Zwerzinski, Czarnowski, Baginski, Hacinski, Uraanski and Mihalowski confirmed this at the investigation.

During the period from August, 1944, to May, 1945, Soviet military authorities confiscated 25 clandestine radio transmitters, including 15 in Poland (in Warsaw, Cracow, Lublin, Kielce, Piotrkow, Siedlce, Bialystok, Chelm, Rzeszow, Tarnow, Minsk, Mazowiecki and Biala Podlaska); ten in the Western Regions of the Ukraine and Byelorussia and in Lithuania (in Lvov, Lida, Vilnius and other cities).

Radio operators, technicians and men in charge of the underground radio stations, in particular Switalski, Kujawinski, Oszmianski and Grolinska, were arrested during the confiscation of radio stations. All the above persons, on being called to account, gave detailed testimony about the organisation and use of the radio stations in the rear of the Red Army. (Volume 17, pages 9-23, 86-104, 218-231.) There follow more detailed data about some clandestine radio stations.

1. On September 8, 1944, clandestine radio station No. 20 of the "Armia Krajowa" was confiscated in Zaleski hamlet (18 kms. north-west of the town of Lida, Byelorussian Soviet Socialist Republic). During the liquidation of this radio station there were confiscated: a portable receiving and transmitting radio station; a wireless set; and spare-parts for them; two notebooks containing texts of transmitted and received coded radiograms and wireless codes. Orehowy-Rylski, Director of Communications of the Nowogrodek-Lida District of the "Armia Krajowa," who worked at this radio station stated at interrogation:

"As a member of the 'Armia Krajowa' I worked at first at the radio station of the H.Q. of the Nowogrodek District in direct subordination to the Chief of Staff of 'Warta' . . . After the disarmament of the 'Armia Krajowa,' upon 'Warta's' instructions I went into hiding, having an assignment to organise and establish a clandestine radio station in the rear of the Red Army." (Volume 17, page 238.)

2. On October 15, 1944, clandestine radio station No. 41 of the "Armia Krajowa," which maintained contact with the London Polish emigre "Government," was confiscated in the town of Rzeszow (Poland). Then and there two operations registers were also confiscated, containing records of communications (call signals, wavelengths, audibility) and of the number of dispatches received and transmitted every day.

3. On February 19, 1945, clandestine radio station No. 55 of the "Armia Krajowa," which maintained contact with the Polish emigre "Government," was discovered and confiscated in the town of Piaseczno (Warsaw area).

4. On March 9, 1945, clandestine radio station No. 54 of the "Armia Krajowa," which maintained contact with the Polish emigre "Government," was discovered and confiscated in the town of Piotrkow (Poland), as well as two portable receiving and transmitting radio stations, two registers of coded radiograms and a radio code.

The Commander of the Lvov District of the "Armia Krajowa," Lt.-Col. Felix Alexandrowicz Janson, alias "Carmen," who was arrested in April, 1945, in Lvov, testified concerning the use of clandestine radio communications by him: "From the time of the Red Army's arrival in Lvov until my arrest, I transmitted one dispatch nearly every day through the radio station of Lvov District or of the Rzeszow Sub-District to the Chief Command of the 'Armia Krajowa.'

"In these dispatches I reported about the general situation in the Western Ukraine and about political sentiments, about the Poles' attitude towards the Polish Provisional Government, towards the Polish Government in London, towards the Soviet authorities, and about the treatment of Poles by the Soviet authorities; I also reported about the general organisational state of the 'A.K.' and the number of its members in one or another period." (Volume 20, page 50.)

As Commander of the Lvov District Janson maintained personal contact over the radio with Okulicki, Commander of the "Armia Krajowa." (Volume 20, pages 49-50.)

5. PLAN FOR PREPARATIONS OF MILITARY ACTION IN A BLOC WITH GERMANY AGAINST U.S.S.R.

IN organising the underground, preserving cadres and H.Q., arms and ammunition, the Command of the "Armia Krajowa" and the underground "Government" drew up plans for the preparation of military action in a bloc with Germany against the U.S.S.R. A directive dated March 22, 1945, addressed to the Commandant of the Western District of the "Armia Krajowa," Colonel "Slavbor," by the Commander of the "Armia Krajowa" Okulicki, and confiscated from Okulicki during search, reads:

"In the event of victory of the U.S.S.R. over Germany, this will not only endanger Britain's interests in Europe, but the whole of Europe will be scared. . . . Considering their own interests in Europe, the British will have to proceed to mobilisation of the forces of Europe against the U.S.S.R. It is clear that we shall take a place in the front ranks of this European anti-Soviet bloc, it is also impossible to visualise this bloc without the participation of Germany, which will be controlled by the British." (Volume 33, pages 35-36.)

This "directive" also says that subsequently the Polish underground would be included "in the anti-Soviet bloc organised by the British." "And meanwhile," the directive continues, "we must make full use of their material aid." (Volume 33, page 36.)

Having acknowledged that this directive was issued by him as Commander of the "Armia Krajowa," Okulicki testified that the idea of the possibility of the creation of a Polish-German bloc against the U.S.S.R. after the war had occurred to him during the Warsaw uprising. "... At the close of September, 1944, the Commander of the 'Armia Krajowa,' General 'Bor'-Komarowski negotiated surrender with the Commander of the German troops in Warsaw—S.S. Obergruppenfuehrer von den Bach. 'Bor'-Komarowski appointed the Deputy Chief of the Second Intelligence Department of H.Q., Col. Boguslawski, to conduct negotiations as representative of the Chief H.Q. of 'Armia Krajowa.'

"Reporting to 'Bor'-Komarowski in my presence on the terms of surrender advanced by the Germans, Boguslawski said that von den Bach thought it necessary for the Poles to cease armed struggle against the Germans because it was the Soviet Union that was the common enemy of Poland and Germany. On meeting 'Bor'-Komarowski on the day of surrender, I told him that von den Bach was possibly right, and 'Bor'-Komarowski agreed with my opinion." (From the testimony of Okulicki, Volume 1, pages 94-95.)

Okulicki's orientation on building up a military bloc of Poland and Germany against the Soviet State has been confirmed also by Herman, former Commandant of the Stanislaw District of the "Armia Krajowa," arrested on another charge. He testified: "The last time I met Janson, between December, 1944, and early February of 1945, he told me that he had received information from the Commander-in-Chief of the 'A.K.' (I do not know his name or nickname) who told Janson that both Germany and Poland regarded the U.S.S.R. as their enemy. Germany will strive for revenge on the U.S.S.R., and Poland will strive to restore the territories which she does not recognise as belonging to the Soviet Union. Poland and Germany having common interests, may become allies in the coming war against the U.S.S.R." (Volume 20, pages 69-70.)

The Command of the "A.K." and the underground "Government," in their directives and in leaflets, circulated among the population slanderous fabrications in regard to the Soviet Union and the Red Army. The accused Okulicki testified: "In my directives to District Commandants of the 'Armia Krajowa' I pointed out that the Red Army is an army of occupationists which came to replace the Germans. The Polish underground government conducted similar subversive work against the Red Army . . ." (Volume 1, page 96.)

The accused Urbanski testified on this subject: "... At the beginning of the liberation of Polish territory by the Red Army . . . the clandestine organisations through their press conducted active propaganda among the Polish population to the effect that the Red Army is an army of occupation . . . particularly active in spreading this propaganda was the press of the Polish Socialist Party, in particular the newspaper 'Robotnik,' also the press of the

underground government, the newspaper 'Rzecz Pospolita.''' (Volume 10, page 56.)

This was also confirmed by Pajdak, Mierzwa, Czarnowski, Mihalowski and Stemler-Dombski. "... The underground press of the Information Department, especially the newspaper 'Rzecz Pospolita Polska,' conducted hostile propaganda against the Red Army and the Soviet Union. The substance of this propaganda was that we represented the Soviet Union as an annexationist State: the Red Army was represented by the press as an army of occupation coming to replace the German occupation." (From the testimony of Stemler-Dombski.) (Volume 16, page 28.)

Similar testimony on propaganda hostile to the Soviet Union conducted in the rear of the Red Army, was given by Jankowski, Pajdak, Czarnowski, Mihalowski, Zwerzinski, Bien and Jasiukowicz. Investigation produced vast documentary material irrefutably confirming that the calumnious fabrications of the Polish underground, under the leadership of persons prosecuted in the present case, were used by the latter also for the purpose of calling for sabotage of measures of the Soviet Military Command and of supplying London with deliberately false information so that, using it, the Polish emigre "Government" could misinform the British Government concerning the real situation in Poland.

In recognising this, the accused Jasiukowicz testified: "In order to misinform the British Government, in the hope that it would render more active support to the London Polish "Government," we supplied London with tendencious and slanderous information. We held that if we ourselves did not strive for international intervention in the Polish problem, its solution would be delayed. An impetus was required. We considered that our information formed such an impetus, as I mentioned earlier." (Volume 4, pages 85, 86.)

The Polish underground newspaper "Warszawski Glos Narodowy," in its issue No. 3—131, of February 21, 1945, wrote: "The results of the Conference (the Crimea), as regarded from the viewpoint of Poland's interests, can cause pessimism indeed. The general situation is as follows: The whole of Poland is in the hands of the Soviets, there are no signs on earth or above it which would foreshadow any concessions or even the ejection of the Bolsheviks from the territory of the Rzecz Pospolita. Lastly, the 'leaders of the three Allied Governments' have decided that the Eastern frontier of Poland should pass along the 'Curzon' Line (with a small deviation from the 'Curzon' Line in certain districts, of three to five miles in favour of Poland).

"Thus an end to deception and an end to Poland! But where is the word of the Allies? And where is the predicted conflict between the Anglo-Saxons and the Russians? We have presented the actual situation as it looks to-day, and now let us turn to the prospects. The Anglo-Saxons have already led us astray several times. We have long known that their attitude towards Russia is a brilliant game which we watch with bated breath. Every

conference is a new deception. Churchill's every speech is a new and even greater deception. The Crimea Conference is the greatest deception of all. When will this enervating, terrible game at last come to an end? When will the Allies at last seize Russia by the throat?" (Volume 33, pages 81-98.)

Zwerzinski, Vice-President of the underground "Rada Jednosci Narodowej" and concurrently President of the National Democratic Party "Stronnictwo Narodowe," confirmed that the above newspaper was published by the underground of which he was also a leader. As regards its issue of February 21 this year, it was confiscated from Zwerzinski as belonging to him at his secret residence. (Volume 7, pages 311, 312.)

FORMULATION OF CHARGES

THE investigating authorities consider it established that:

1. As accused in the present case, Okulicki, Jankowski, Bien and Jasiukowicz, after the liberation of the territory of the Western Regions of the Ukraine and Byelorussia, as well as Lithuania and Poland, were organisers and leaders of Polish underground organisations on that territory and conducted active subversive work in the rear of the Red Army.

2. The accused Okulicki, with the complicity of the accused Jankowski, Bien and Jasiukowicz, acting on the instructions of the Polish emigre "Government," falsely informed the Soviet Military Command about dissolution of the "Armia Krajowa," while in reality they preserved its H.Q. and officer cadres and built up on this basis a new clandestine military-political organisation under the name of "NIE"—"Niepodleglosc" ("Independence")—with a view to continuing subversive work in the rear of the Red Army and preparing military action in a bloc with Germany against the U.S.S.R.

3. They guided the subversive activities of the underground organisations they had created, directed them towards perpetration of terrorist acts against soldiers and officers of the Red Army and diversionary acts on communications of the Red Army, thus bearing the whole moral and political responsibility for diversions and terrorist acts committed in the rear of the Red Army;

4. Contrary to the order of the Soviet Military Command on compulsory surrender of receiving and transmitting radio stations, arms and ammunition, they hid and utilised these for subversive work against the Red Army in the field;

5. The accused Okulicki engaged in intelligence-espionage work in the rear of the Red Army;

6. The accused Pajdak, Puzak, Zwerzinski, Baginski, Mierzwa, Stypulkowski, Czarnowski, Hacinski, Urbanski, Mihalowski, Kobylanski and Stemler-Dombski took part in subversive activities of the Polish underground on Polish territory in the rear of the Red Army in the field, and were aware of the failure of the leaders of the underground to comply with the orders of the Soviet Military

Command on the surrender of receiving and transmitting radio stations, arms and ammunition, utilising these for criminal aims.

The accused Okulicki, Jankowski, Jasiukowicz, Bien, Pajdak, Zwerzinski, Czarnowski, Kobylanski, Mierzwa, Urbanski, Mihalowski and Stemler-Dombski have fully pleaded guilty to the charges made and are convicted by documents available in the file, material evidence and the testimony of witnesses.

The accused Puzak, Hacinski and Baginski have pleaded guilty in part—Puzak and Hacinski to being aware of the existence of a clandestine radio station of the underground "Government" and of using it to communicate with the emigre "Government" in London; Baginski to negotiating with Okulicki and Jankowski on taking part in the underground organisation "NIE," and of failing to fulfil the orders of the Soviet Command on surrender of wireless transmitters and arms at the disposal of the underground "Council of Ministers."

The accused Stypulkowski pleaded not guilty.

However, all stand convicted by documents available in the file, material evidence, and the testimony of witnesses and of other accused. On the basis of the above the following persons are accused:

1. Okulicki—Leopold Blazewicz, born 1898, native of the village of Okulice, Cracow Province, Pole, Polish citizen, Brigadier-General of the Polish Army who graduated at the Academy of the Polish General Staff in 1925, appointed in 1943 by the London Polish "Government" as Deputy Commandant of the "Armia Krajowa" for operational work, Commander of the "Armia Krajowa" in Poland after the suppression by the Germans of the Warsaw action and the surrender of "Bor"-Komarowski to the Germans, who had an illegal status before arrest,

of being the leader of the Polish underground which carried out subversive work in the rear of the Red Army, having committed the crimes listed in paragraphs one to five of the formulation of the charge, i.e., crimes covered by Articles 58-6, 58-8, 58-9, 58-11 of the Criminal Code of the R.S.F.S.R.

2. Jankowski—Jan Stanislaw Josifowicz, born 1882, native of Wysokomazoweck District (Poland), Pole, Polish citizen, university education, who graduated at the Agricultural Department of Cracow University, engineer—agronomist by speciality, Deputy Prime Minister of the Polish London "Government" since April, 1943, who stayed in Poland and headed the underground Polish "Government," who had an illegal status in Poland before arrest.

3. Bien—Adam Walentiewicz, born 1899, native of the village of Assalja, Sandomir District, Pole, Polish citizen, university education, lawyer, member of the Presidium of the Peasant Party "Stronnictwo Ludowe," who was Vice-President of the underground "Council of Ministers" since January, 1944, who had an illegal status in Poland before arrest,

4. Jasiukowicz—Stanislaw Ignatiewicz, born 1882, native of Leningrad, Pole, Polish citizen, university education graduate of Munich University, Doctor of Political Economy, member of the Presidium of the Party of National Democrats "Stronnictwo Narodowe," who was a Minister of the Polish underground "Government" since 1943, who had an illegal status in Poland before arrest, of being leaders of the aforesaid underground which carried on subversive work in the rear of the Red Army, committing the crimes listed in paragraphs one to four of the formulation of the charge, i.e., crimes covered by Articles 58-8, 58-9, 58-11 of the Criminal Code of the R.S.F.S.R.

5. Pajdak—Anton Juzefowicz, born 1894, native of the village of Biiskupica, Cracow Province, Pole, Polish citizen, university education, lawyer, member of the Cracow District Committee of the Polish Socialist Party, who was a Minister in the Polish underground "Government" since 1943, and who had an illegal status in Poland before arrest.

6. Puzak—Kazimierz Woicechowicz, born 1883, native of Tarnopol, university education, who graduated at the Law Department of Lodz University, who was General Secretary of the Polish Socialist Party since 1921 and President of the underground parliament "Rada Jednosci Narodowoi" since January, 1944.

7. Zwerzinski—Alexander Kazimierzowicz, born 1880, native of the township of Tszyn, Lodz Province, Pole, Polish citizen, higher education, lawyer, journalist by profession, President of the Party of National Democrats "Stronnictwo Narodowe" and Vice-President of the "Rada Jednosci Narodowoi."

8. Baginski—Kazimierz Stanislawowicz, born 1890, native of Warsaw, Pole, Polish citizen, university education, journalist, Deputy Chairman of the Presidium of the Peasant Party "Stronnictwo Ludowe" and Vice-President of the underground parliament "Rada Jednosci Narodowoi,"

9. Mierzwa—Stanislaw Francewicz, born 1905, native of the village of Biiskupica, Cracow Province, Pole, Polish citizen, university education, lawyer, member of the Central Committee and Secretary of the Cracow organisation of the Peasant Party "Stronnictwo Ludowe,"

10. Stypulkowski—Zbignew Francewicz, born 1904, native of Warsaw, Pole, Polish citizen, member of the Presidium of the "Stronnictwo Narodowe" Party,

11. Czarnowski—Ewgeni Stanislawowicz, born 1904, native of Lodz, Pole, Polish citizen, university education, economist, President of the Board of the Association of Democratic Organisations "Union of Democrats" and member of the underground parliament "Rada Jednosci Narodowoi,"

12. Hacinski—Josif Antonowicz, born 1889, native of Warsaw, Pole, Polish citizen, university education, lawyer, who was President of the "Labour Party" ("Stronnictwo Pracy") since 1937,

13. Urbanski—Franc Andrekjewicz, born 1891, native of Kutno District, Warsaw Province, Pole, Polish citizen, Responsible Secretary of the "Labour Party" and Secretary of the Chief Commission of the "Rada Jednosci Narodowoi,"

14. Mihalowski—Stanislaw Francewicz, born 1903, native of the township of Kurni, Poznan Province, Pole, Polish citizen, university education, lawyer, Vice-President of the Association of Democratic Organisations "Union of Democrats,"

15. Kobylanski—Kazimierz Samuilowicz, born 1892, native of Warsaw, Pole, Polish citizen, member of the Party of National Democrats "Stronnictwo Narodowe,"

16. Stemler-Dombski—Josif Henrichowicz, born 1888, native of Dalin, Lvov Province, Pole, Polish citizen, university education, Vice-Director of the Information Department of the Polish underground "Government" and Director of the book-publishing section of the same department.

of being participants of the Polish underground which carried on subversive work in the rear of the Red Army, having committed the crimes listed in Paragraph 6 of the formulation of the charge, i.e., crimes covered by Articles 17- 58-8, 58-9, 58-11 of the Criminal Code of the R.S.F.S.R.

In view of the above, in accordance with Paragraph 7 of the Agreement concluded on July 26, 1944, between the Government of the Union of Soviet Socialist Republics and the Polish Committee of National Liberation "On Relations Between the Soviet Commander-in-Chief and the Polish Administration after the Entry of Soviet Troops into the Territory of Poland," subsequently confirmed by the Provisional Government of the Polish Republic, all the accused enumerated above, falling under the jurisdiction of the Soviet Military authorities, are to be tried by the Military Collegium of the Supreme Court of the U.S.S.R.

Drawn up in Moscow, June 14, 1945.

(Signed)

Chief Military Procurator of the Red Army,
Maj.-Gen. of Justice AFANASSYEV.

THE VERDICT

At 4.30 a.m. on June 21 the Chairman of the Military Collegium of the Supreme Court of the U.S.S.R., Col.-Gen. of Justice Ulrich, announced the verdict of the Military Collegium of the Supreme Court of the U.S.S.R. in the trial of 16 Polish diversionists :—

IN the name of the Union of Soviet Socialist Republics, the Military Collegium of the Supreme Court of the U.S.S.R., consisting of :
Presiding Judge—Col.-Gen. of Justice Ulrich, President of the Military Collegium of the Supreme Court of the U.S.S.R. ; Members of the Military Collegium of the Supreme Court of the U.S.S.R.—

Maj.-Gen. of Justice Dmitriyev, Col. of Justice Detistov ; Secretaries—Col. of Justice Batner and Lt.-Col. of Justice Kudriavtsev ; with participation of representatives of the State Prosecution—Chief Military Prosecutor of the Red Army, Maj.-Gen. of Justice Afanassyev, and State Councillor of Justice of the Second Class, Rudenko, and representatives of the Moscow Collegium of Advocates, Braude, Mikhalsky, Milovidov, Kaznacheyev, Markewich, Otsep and Plevako ;

in open Court session in the City of Moscow on June 18 to 21, 1945, heard the case against :

1. Okulicki—Leopold Blazewicz, born 1898, in Cracow Province, Pole, Polish citizen, Brigadier-Gen. of the Polish Army, graduate of the Military Academy of the Polish General Staff,
on a charge of having committed crimes covered by Articles 58-6, 58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R. ;
2. Jankowski—Jan Stanislaw Josifowicz, born 1882, in Wysokomazowieck District, Pole, Polish citizen, university education, Deputy Prime Minister of the Polish London "government" and leader of the underground Polish "government," who stayed in Poland.
3. Bien—Adam Walentiewicz, born 1899, in Sandomierz District, Pole, Polish citizen, university education, member of the Presidium of the "Stronnictwo Ludowe," minister of the underground Polish "government,"
4. Jasiukowicz—Stanislaw Ignatiewicz, born 1882, in the City of Leningrad, Pole, Polish citizen, university education, member of the Presidium of the "Stronnictwo Narodowe," minister of the Polish underground "government,"
all three charged with having committed crimes covered by Articles 58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R. ;
5. Puzak—Kazimierz Woicchowicz, born 1883, in the town of Tarnopol, Pole, Polish citizen, university education, General Secretary of the Polish Socialist Party, President of the underground "Rada Jednosci Narodowoi,"
6. Zwerzinski—Alexander Kazimierzowicz, born 1880, in Lodz Province, Pole, Polish citizen, university education, President of the "Stronnictwo Narodowe" and Vice-President of the "Rada Jednosci Narodowoi,"
7. Baginski—Kazimierz Stanislawowicz, born 1890, in the city of Warsaw, Pole, Polish citizen, university education, Vice-President of the Presidium of the "Stronnictwo Ludowe," Vice-President of the "Rada Jednosci Narodowoi,"
8. Mierzwa—Stanislaw Franciewicz, born 1905, in Cracow Province, Pole, Polish citizen, university education, member of the Central Committee and Secretary of the Cracow organisation of the "Stronnictwo Ludowe,"

9. Stypulkowski—Zbigniew Francewicz, born 1904, in the city of Warsaw, Pole, Polish citizen, member of the Presidium of the "Stronnictwo Narodowe,"

10. Czarnowski—Ewgeni Stanislawowicz, born 1904, in the city of Lodz, Pole, Polish citizen, university education, President of the Board of the Association of Democratic Organisations "Union of Democrats," member of the "Rada Jednosci Narodowoi,"

11. Hacinski—Josif Antonowicz, born 1889, in the city of Warsaw, Pole, Polish citizen, university education, President of the "Stronnictwo Pracy,"

12. Urbanski—Franc Andrejewicz, born 1891, in Warsaw Province, Pole, Polish citizen, responsible Secretary of the "Stronnictwo Pracy," Secretary of the Chief Commission of the "Rada Jednosci Narodowoi,"

13. Mihalowski—Stanislaw Francewicz, born 1903, in Poznan Province, Pole, Polish citizen, university education, Vice-President of the Board of the Association of Democratic Organisations "Union of Democrats,"

14. Kobylanski—Kazimierz Samuilowicz born 1892, in the city of Warsaw, Pole, Polish citizen, university education, member of the "Stronnictwo Narodowe,"

15. Stemler-Dombski—Josif Henrichowicz, born 1888, in Lvov Region, Pole, Polish citizen, university education, Vice-Director of the Department of Information of the Polish underground "government" and Director of the Book-publishing Section of this Department, all eleven charged with having committed crimes covered by Articles 17-58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R.

The preliminary and Court investigations have established :

The Polish emigre "government" set up on the territory of Poland, the Lithuanian Soviet Socialist Republic and the Western Regions of the Ukrainian and Byelorussian Soviet Socialist Republics temporarily occupied by the German-Fascist invaders, a clandestine military organisation, "Armia Krajowa" ("A.K.").

Up to September, 1944, it was headed by General of the Polish Army "Bor"—Komarowski, and from October, 1944, after his surrender to the Germans, by his assistant, Brig.-Gen. Leopold Okulicki. The activities of the "Armia Krajowa" were also directed by the President of the underground Polish "Council of Ministers" Jan Stanislaw Jankowski, and his closest assistants, Stanislaw Jasiukowicz and Adam Bien.

After the liberation of the Western Regions of the Ukraine and Byelorussia, also of Lithuania and Poland, by Soviet troops, the accused Okulicki, Jankowski, Bien and Jasiukowicz became organisers and leaders of the Polish underground, which engaged in active hostile work in the rear of the Soviet Union's troops in the field. The commander of the "Armia Krajowa," Brig.-Gen. Okulicki, received ciphered radiograms from the emigre "government" in London

demanding that the armed forces of the "A.K." be preserved. In a radiogram of December 8, 1944, Okulicki was given the full text of the decision of the emigre "government," with instructions to place the "Armia Krajowa" and its manpower and material resources on a conspiratorial footing.

Fulfilling these instructions, General Okulicki, in order to deceive the command of the Soviet armies in the field, issued an order in December, 1944, for fictitious disbandment of the "Armia Krajowa," but preserved and put on a conspiratorial footing the main cadres of the "A.K.," and carefully concealed arms, ammunition and operating radio stations. Having carried out this "manoeuvre" of lies and deception, Okulicki, Jankowski, Bien and Jasiukowicz used armed detachments and the organisation of the "Armia Krajowa," which were transferred to a clandestine status, for active hostile acts against the Soviet Union in the rear of the Red Army in the field, which had liberated Poland from the German invaders.

In February, 1945, at a meeting of the underground "Council of Ministers" in Poland, the accused Okulicki suggested that a "political centre" consisting of representatives of the "Stronnictwo Ludowe," "Stronnictwo Narodowe," PPS, and "Union of Democrats," be formed for direction of the underground military-political organisation "Niepodleglosc" ("Independence," abbreviated as "NIE"), which they had created out of the main cadres of the "Armia Krajowa."

The "Council of Ministers" in the person of the accused Jankowski, Bien and Jasiukowicz approved Okulicki's suggestion and instructed Jankowski to begin negotiations on this question with representatives of the above parties.

The main tasks of the "Niepodleglosc" organisation consisted of mustering cadres and preserving arms and material means for preparation of an uprising against the Soviet Union, the formation of combat detachments and terrorist groups for assassination of opponents of the "A.K." and of Soviet servicemen, committing acts of diversion and the gathering of intelligence in the Red Army's rear, and also of conducting hostile propaganda against the Soviet Union.

Systematically in 1944 and early in 1945 terrorist and diversionist groups of the "Armia Krajowa" committed terrorist acts against Red Army officers and men in the rear of the Soviet armies in the field on the territory of the Western Regions of the Ukraine and Byelorussia, in Lithuania and Poland, and diversionary acts on communications of the Red Army in the field. "A.K." detachments also made armed raids on military and civil institutions.

According to incomplete data, in the period between July 28 and December 31, 1944, alone, "A.K." detachments assassinated 277 Red Army officers and men and wounded 94. Along with terrorist and diversionist activities, local "A.K." organisations, under the direct leadership of Okulicki, fulfilling directives of the Polish emigre

"government" in London, collected intelligence in the rear of the Soviet armies in the field and transmitted this information in ciphered radio messages.

The underground "government" in Poland and the organisation of the "Armia Krajowa," possessing a ramified network of radio transmitting stations which were concealed from the Soviet Army Command, used these to transmit to the Polish "government" in London and to the Chief Command of the "A.K." information about the execution by them of orders and directives, intelligence about Soviet troops, openly provocative inventions about acts of servicemen of the Soviet armies on the territory of Poland liberated from the German invaders, and tendentious and slanderous information about the political situation in liberated Poland.

By disseminating their provocative inventions, the leaders of the underground in Poland, the accused Okulicki, Jankowski, Bien and Jasiukowicz, tried to thwart measures of the Soviet Military Command. They systematically "supplied" the Polish emigre "government" with false, tendentious, slanderous information for the purpose of giving this "government" the opportunity to misinform the British Government, by means of such "information," about the actual situation in Poland liberated from the German invaders by troops of the Soviet Union.

Conducting their activities, hostile to the Soviet Union, the leadership of the underground "government" in Poland and of the "Armia Krajowa" intended, after the termination of the war in Europe, to form a Polish-German military bloc directed against the Soviet Union. Early in 1945, Okulicki in his "directives" instructed local "A.K." organisations to prepare hostilities in a bloc with Germany against the Soviet Union, believing that Germany would strive for revenge against the U.S.S.R. which would be desirable for the Polish emigre "government."

On the basis of the aforesaid, the Military Collegium of the Supreme Court of the U.S.S.R. has established the guilt of Okulicki, Jankowski, Bien and Jasiukowicz of crimes covered by Articles 58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R., and of Okulicki, in addition, of crimes covered by Article 58-6 of the Criminal Code of the R.S.F.S.R.

Concerning the accused Kazimierz Puzak, Alexander Zwerzinski, Kazimierz Baginski, Stanislaw Mierzwa, Zbigniew Stypulkowski, Ewgeni Czarnowski, Josif Hacinski and Franc Urbanski, it has been established that all of them, knowing about the non-fulfilment by the leaders of the Polish underground of the orders of the Soviet Military Command concerning surrender of arms, ammunition and radio stations destined for hostile activities against the Soviet Union in the rear of the Red Army in the field, concealed this fact from the organs of the Soviet Military Command, thus committing crimes covered by Article 58-12 of the Criminal Code of the R.S.F.S.R. The charges against them of having committed crimes covered by

Articles 17-58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R. are dismissed in view of insufficient evidence.

The guilt of Stanislaw Mihalowski, Kazimierz Kobylanski and Josif Stemler-Dombski, accessories of Okulicki, and other leaders of the Polish underground of crimes covered by Articles 17-58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R. was not sufficiently confirmed at the Court investigation.

In determining the penalty for the accused, the Military Collegium of the Supreme Court of the U.S.S.R., taking into consideration all the circumstances of the present case, also proceeds from the fact of the victorious termination of the great Patriotic War by the Soviet Union. Considering that under the conditions of transition to peaceful construction the application of stern penalties up to shooting provided for in the Articles of the Criminal Code preferred against the accused is not necessary, the Military Collegium of the Supreme Court of the U.S.S.R. sentences:

(1) Okulicki—Leopold Blazewicz; Jankowski—Jan Stanislaw Josifowicz; Bien—Adam Walentiewicz; and Jasiukowicz—Stanislaw Ignatiewicz; on the basis of the provisions of Article 58-2 of the Criminal Code of the R.S.F.S.R., to imprisonment: Okulicki for a term of ten years, Jankowski for a term of eight years, Bien and Jasiukowicz for a term of five years each.

(2) Puzak—Kazimierz Woitechowicz; Baginski—Kazimierz Stanislawowicz; Zwerzinski—Alexander Kazimierzowicz; Czarnowski—Ewgeni Stanislawowicz; Mierzwa—Stanislaw Francewicz; Stypulkowski—Zbigniew Francewicz; Hacinski—Josif Antonowicz; and Urbanski—Franc Andrejewicz, are acquitted by the Court of charges covered by Articles 17-58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R.; while on the basis of the provisions of Article 58-12 of the Criminal Code of the R.S.F.S.R., and in addition, Article 51 of the same Code applying to Mierzwa, Stypulkowski, Hacinski and Urbanski, to imprisonment; Puzak for a term of 18 months, Baginski for a term of one year, Zwerzinski for a term of eight months, Czarnowski for a term of six months, and Mierzwa, Stypulkowski, Hacinski and Urbanski for a term of four months imprisonment each. The terms of imprisonment for all 12 of the convicted men shall be counted from the day of arrest of each in the present case.

(3) Mihalowski—Stanislaw Francewicz; Kobylanski—Kazimierz Samuilowicz; and Stemler-Dombski—Josif Henrichowicz, are acquitted by the Court.

All material evidence in the present case—documents—shall be kept in files, and the various radio equipment shall be confiscated.

This verdict is final and not subject to appeal in order of cassation.

Presiding Judge—President of the Military Collegium of the Supreme Court of the U.S.S.R., Col.-Gen. of Justice ULRICH;

Members of the Court—Members of the Military Collegium of the Supreme Court of the U.S.S.R., Maj.-Gen. of Justice DMITRIYEV, Colonel of Justice DETISTOV.

EXAMINATION OF ACCUSED

AFTER the reading of the indictment, the Presiding Judge asked each of the accused whether he pleaded guilty of the charges brought against him. The accused Bien, Jasiukowicz, Jankowski, Zwerzinski, Mierzwa, Kobylanski and Stemler-Dombski pleaded guilty to all charges. The accused Czarnowski, Okulicki, Puzak, Urbanski, Baginski, Hacinski and Mihalowski pleaded guilty in part. The accused Stypulkowski pleaded not guilty.

The Court proceeded to the examination of the accused. The examination was conducted by the Chief Military Prosecutor of the Red Army, Maj.-Gen. of Justice Afanassyev.

The accused Jasiukowicz was examined first. In reply to the Prosecutor's question as to who sanctioned, and when was sanctioned, the armed struggle of the "A.K." against the Red Army, the accused Jasiukowicz testified that armed struggle against the Red Army was sanctioned by the Command of the "Armia Krajowa," the so-called underground "government," in the spring of 1944, when the question arose that detachments of the "Armia Krajowa" which were in the Eastern part of Poland might be disarmed by the Soviet forces.

Immediately, these detachments were instructed not to lay down arms but to fight their way to the West. Jasiukowicz testified that he received information on this subject in conformity with instructions from London, sent to Poland by General "Bor" Komarowski.

PROSECUTOR: When did the necessity of disbanding the "Armia Krajowa" arise?

JASIUKOWICZ: In December, 1944.

PROSECUTOR: In connection with the demands of the Soviet Military Command?

JASIUKOWICZ: No, in connection with instructions from London.

Jasiukowicz then testified that Okulicki informed them about instructions received from London which demanded that the "Armia Krajowa" should be formally dissolved, but that a new strictly conspiratorial military-political organisation should be created on its basis, for which purpose they were to preserve the H.Q., arms, transport and ammunition of the "Armia Krajowa."

PROSECUTOR: What for?

JASIUKOWICZ: For struggle against the Soviet Union, against the Red Army.

According to the accused Jasiukowicz's testimony, at a meeting of the Polish "government" early in January, 1945, General Okulicki stated that he intended to create a new underground organisation. In principle the underground "government" agreed to the creation of a political leading centre. Political leadership was in the hands of Jankowski.

The underground organisation "Niepodleglosc" ("NIE"), Jasiukowicz said, was to exercise political and critical "supervision," as the accused put it, over the new Government which was to be formed on the basis of the decisions of the Crimea Conference, and counteract the latter in pursuing a policy undesirable to the underground.

The accused further stated that at that time he did not know anything about active subversive work of "NIE" against the Red Army.

PROSECUTOR: And yet were you interested to know what the "Armia Krajowa" was doing, being illegal and hiding in the woods with arms?

JASIUKOWICZ: At first I was certain that it was really being disbanded.

PROSECUTOR: Where and when was it decided to deceive the Soviet Military Command by a statement about disbandment of the "Armia Krajowa"?

JASIUKOWICZ: This was an official decision of the London Polish Government.

The accused Jasiukowicz admitted, as he had done at the preliminary investigation, that the information of the Polish underground was slanderous and tendentious. The Prosecutor quoted one of the slanderous radiograms sent by Jasiukowicz from Cracow to London on January 27, 1945, and asked: For what purpose was this done?

JASIUKOWICZ: So that the London Polish "government" should mis-inform the British Government concerning the situation in Poland.

PROSECUTOR: Why was it necessary?

JASIUKOWICZ: We believed that the intervention of the British Government in Polish affairs required an impetus. Our slanderous information which we supplied to the London Polish "government" served as such an impetus.

Further the accused confirmed that on coming from Cracow he handed over to Jankowski copies of radiograms which he had sent to London. According to Jasiukowicz, Jankowski accepted copies of these reports but did not express his opinion concerning them.

Jasiukowicz pleaded fully guilty of having been one of the leaders of the Polish underground in the rear of the Red Army, but he denied that the organisation "NIE" was created for the purpose of preparing military action in a bloc with Germany against the Soviet Union. However, in reply to the Prosecutor's further questions, Jasiukowicz had to admit that the organisation "NIE" was formed for a diversionist and terrorist fight against the Red Army, and that he knew from Okulicki that the "NIE" organisation had set itself the aim of establishing connections with Germany for struggle against the Red Army.

Replying to a question whether Okulicki was closely connected with the underground "government," Jasiukowicz testified that Okulicki appeared in Poland in 1944 and, at the end of the same year, took up a leading position. He took part in meetings of the underground "government" as Commander-in-Chief of the "Armia Krajowa."

Further, the accused gave evidence about his conversation with "Bor"-Komarowski concerning the latter's negotiations with S.S. Obergruppenfuehrer von den Bach during the German occupation. Von den Bach received the first delegation sent by "Bor"-Komarowski to negotiate the surrender, and said that the common enemy of Germany and Poland was the Soviet Union.

Jasiukowicz then went on to give evidence concerning the relations between the underground "government" and the "Rada Jednosci Narodowoi." The "government" was accountable to it. Jankowski, as chief delegate of the London Polish "government," delivered reports at meetings of the "Rada," and informed it of the most important instructions sent from London by the Polish emigre "government."

The accused Jasiukowicz testified that he learned of his appointment as a Minister of the underground "government" from a radiogram received from the London "government."

"I will express my final conviction," said Jasiukowicz, "at which I began to arrive before the arrest and at which I have finally arrived now in detention, when I have had the opportunity to think and study certain documents, namely that the policy which we pursued until recently in regard to the U.S.S.R. was erroneous, that members of the underground Polish government took the wrong path and in some respects a criminal path. I believe that everything must be done to abandon this wrong path as quickly as possible and to achieve Poland's participation in the life of renovated Europe as early as possible."

THE ACCUSED BIEN

Next to be examined was the accused Bien, Vice-President of the underground "Council of Ministers." After confirming his testimony at the preliminary investigation, Bien testified that the "Armia Krajowa" was directly subordinated to the London emigre "government," and that the new underground organisation "NIE" was created by "Bor"-Komarowski as far back as July, 1944. In February, 1945, the underground Polish "government" took note of Okulicki's statement that "NIE" existed, preserved the "A.K." H.Q. and arms and maintained radio communication with the London "government."

The purpose of the organisation of "NIE" was struggle against the U.S.S.R. "I admit," the accused Bien said, "that as a Minister of the underground Polish 'government' I bear full moral and political responsibility for all the activities of that government."

The Prosecutor reminded the accused of his testimony of May 12: that the "Armia Krajowa" acted on the territory of Poland upon directives of the Polish "government" in London, with which the Commanders "Bor"-

Komarowski and, later, Okulicki maintained radio communication over their wireless transmitters.

"I know that the Command of the 'Armia Krajowa' conducted political and terrorist activities."

Secret courts which existed in connection with the "Armia Krajowa" passed death sentences, and, under the guise of struggle against alleged traitors, took reprisals against Polish patriots. Bien admitted that he knew that the underground organisation widely used the method of political assassinations.

Dealing with the uprising in Warsaw, Bien declared that this uprising was described in "Stronictwo Ludowe" political circles as a political gamble. The accused confirmed that after the suppression of the Warsaw uprising by the Germans, when "Bor"-Komarowski surrendered, his successor Okulicki began to organise subversive work in the Red Army's rear.

In reply to a question of Counsel for the Defence Braude as to the accused Bien's present estimation of the activities of the underground "government" in which he participated, the accused Bien stated that he believed it to be a mistake that members of the underground Polish "government" followed the instructions of Arciszewski's "government" and remained underground to fight against the Red Army.

THE ACCUSED JANKOWSKI

The Court proceeded to the examination of the President of the underground "Council of Ministers," Jankowski, who confirmed in the main the charges against him. The accused took an active part in negotiations with the German General von den Bach, during which it was suggested that Poland together with Germany should come out against the U.S.S.R.

PROSECUTOR: While admitting your criminal activities in accordance with the charges preferred against you, tell the Court on whose instructions you conducted these activities.

JANKOWSKI: Chiefly on the instructions of the London emigre "government."

Replying to the Prosecutor's further questions, Jankowski spoke of his relations with the "Armia Krajowa," admitting that his instructions to the command of this army concerning general policy were binding. Jankowski asserted that in other respects the "Armia Krajowa" was directly subordinated to the Commander-in-Chief in London.

In reply to a question of the Presiding Judge as to the disposal of the arms of the "A.K." units which took part in the Warsaw gamble, the accused said that all arms were surrendered to the Germans in accordance with the capitulation agreement.

The examination of the accused Jankowski closed the morning session of the Court. At the evening session the Court examined the witnesses Herman, Janson, Kuzminski, Swieczkowski (Klewenhagen), Grolinska and Stankiewicz. The witnesses' testimony convicts the organisers, leaders and participants in the Polish underground of having conducted subversive work in the Red Army rear, and of having committed terrorist and diversionary acts against the Red Army. The witnesses' testimony also confirms that the leaders of the underground sabotaged the orders of the Soviet Military Command concerning surrender of radio stations, print-shops, arms and ammunition, and preserved them for an armed fight against the Red Army.

A recess was announced until 11 a.m., June 19.

THE WITNESS HERMAN

At the evening session on June 18 the Court commenced interrogation of witnesses. The first to give evidence was Herman, Major of the Polish Army and Professor of Lvov Polytechnical and Veterinary Institute.

Giving evidence in the case of Okulicki and the others, Herman said that since February, 1943, he had been Commandant, i.e., Commander of the Stanislaw Military District of the "A.K." At the moment of the liberation of Lvov by the Red Army he was in the town of Stryj, which was in the Stanislaw District of the "A.K."

In June, 1944, said witness Herman, he participated in the conference con-

vened by the Commandant of the Lvov District of the "A.K." General Fillipowski, which took place at a secret rendezvous in the the Lvov District of the "A.K." in Konoplicki Street, Lvov. At this conference General Fillipowski expounded the tasks of the "A.K." in the event of the Red Army reaching the district.

"A.K." had to sham active struggle against the Germans in order subsequently, after the Red Army's arrival and during possible negotiations with the Soviet Military Command, to act as master of the situation in the district and to pose as a military force which waged active struggle against the German troops. Fillipowski also gave an order to avoid losses if possible, to preserve man-power, arms and underground equipment.

To the Prosecutor's question on what considerations had Fillipowski given such instructions, the witness Herman said that cadres, arms and equipment were preserved for preparing an armed uprising or war against the Soviet Union.

PROSECUTOR: Who laid down such a policy?

HERMAN: This was the general policy of the Chief Command of the "A.K." which General Fillipowski conveyed to us at the conference.

PROSECUTOR: Did you receive an order about disbandment of the "Armia Krajowa"?

HERMAN: The order was issued by General Fillipowski towards the end of July or in early August, 1944. At that time I was not in Lvov, and I personally did not receive this order, but learned of it somewhat later, from Lt.-Col. Janson, General Fillipowski's successor as District Commandant. Janson told me that a new underground organisation "NIE" would be set up instead of the "A.K.," its task being the organisation of an armed uprising in the Red Army's rear.

PROSECUTOR: Was this Janson's policy?

HERMAN: No, Janson showed me the statutes of the new organisation "NIE," which he had already received in Warsaw in May, 1944, during the visit of the Chief Command of the "Armia Krajowa."

Herman added that, in conformity with the statutes of "NIE," this organisation was to engage in organisational work for the creation of cadres for the future insurgent army, to bolster up intelligence activities and, for this purpose, to penetrate all sections of the Soviet organs in the Stanislaw District.

PROSECUTOR: Did you conduct subversive work?

HERMAN: Yes, I did. It was required by the statutes of "NIE." The subversive and terrorist work was aimed against members of the Military Command of the Red Army, Soviet leaders and, in general, against persons especially dangerous to the "A.K." On Janson's instructions we had to disguise carefully diversionist and terrorist activities, to avoid exposure, to make it appear that on certain occasions assassinations were committed not by members of the "A.K." but by other anti-Soviet non-Polish organisations, for instance "OUN."

Replying to the Prosecutor's question, Herman gave specific instances of terror. Thus, in January, 1945, in the town of Stryj, the Commandant of the Stryj Inspectorate of the "A.K." organised the assassination of two Soviet officers. As revealed by Herman's subsequent testimony, on territory of the Stanislaw Military District of the "A.K.," which included the Stanislaw and Drohobycze Regions, there were some 3,000 members of the "A.K." who possessed arms and ammunition. The diversionists prepared to blow up a bridge across the Dniester and planned to commit more diversionary acts on the railways. Herman testified that members of the "A.K." circulated leaflets urging the Ukraine population to struggle against the Soviet Union and to commit terrorist acts against the leaders of the Communist Party and the Soviet Government.

PRESIDING JUDGE: In December, 1944, as you previously testified, you received special instructions concerning intensification of the terrorist activities of your organisation?

HERMAN: Yes, I did.

PRESIDING JUDGE: From whom?

HERMAN: From Janson, Commander of the Lvov District of the "A.K." Those instructions authorised the Commandants of Districts, areas and inspectorates to pass decisions concerning terrorist and diversionary acts.

Replying to questions put by members of the Court, Herman stated that during the German occupation of Poland members of the "A.K." including Herman

himself, conducted negotiations with representatives of the military command of Germany's ally, Hungary. The Hungarian Command asked the "A.K." to assign people to conduct intelligence in the Red Army's rear in Hungary's interest.

PRESIDING JUDGE: Thus the situation can be summed up as follows:—In February, 1945, a Polish underground military organisation numbering some 3,000 members functioned on the territory of the Stanislaw and Drohobycze Regions of the Ukrainian Republic?

HERMAN: Yes.

PRESIDING JUDGE: This organisation set itself the task of preparing an armed uprising against the Red Army?

HERMAN: Yes, it did.

PRESIDING JUDGE: And was your organisation connected with the superior organisations?

HERMAN: Yes, it was. My organisation was subordinated to the Commandant of the Lvov District, Janson, and the latter was subordinated to the Chief Command of the "A.K." which was in Warsaw.

PRESIDING JUDGE: And to whom was subordinated the Chief Command of the "A.K." in Warsaw?

HERMAN: To the Polish emigre "government" in London.

THE WITNESS JANSON

The Court then proceeded to the interrogation of witness Janson, who served in the Polish Army from 1929 in the rank of Major and then as Colonel. Lately he was Commandant of the Lvov District of the "A.K."

Janson stated that in May or June, 1944, he visited the Chief Command of the "A.K." in Warsaw, from whom he received oral directives and written statutes of the organisation "NIE."

PROSECUTOR: Whom did you meet in Warsaw?

JANSON: On the first day I met the Commander-in-Chief of the "A.K.," General "Bor"—Komarowski, his Deputy known as "Nedzwjadek" or, as I have learnt here, Mr. Okulicki, and the Chief of Staff of the "A.K.," Pedczinski.

PROSECUTOR: Tell the Court specifically—what tasks faced the "NIE" organisation?

JANSON: Those tasks were as follows: to preserve the H.Q. and their departments, to preserve and train cadres so that in case of necessity they could start an uprising.

PROSECUTOR: Thus the final aim was organisation of an armed uprising?

JANSON: Yes, an armed uprising.

PROSECUTOR: Against whom?

JANSON: An armed uprising against the Soviet Union.

PROSECUTOR: Did you receive directives concerning organisation of armed combat detachments?

JANSON: There was such a directive: it was necessary to have independent combat detachments and liquidation groups to commit terrorist acts against the enemies of the "A.K.," representatives of the Soviet Military Command.

Then Janson testified that the order on disbandment of the "A.K." was issued formally, whereas in reality the "A.K." went into hiding, preserving its H.Q., arms and ammunition. Members of the "A.K.," acting in secrecy, conducted intelligence and sent espionage information to the Chief Command of the "A.K."

Answering the Prosecutor's question, Janson stated that the Commander of the "A.K." who replaced "Bor"—Komarowski was "Nedzwjadek" (Okulicki).

PROSECUTOR: Did you address information to him personally?

JANSON: This information could not fall in anyone's hands and escape "Nedzwjadek."

Janson added that he had sent a trusted person to London to report to the War Ministry of the Polish emigre "government" on the situation in the Lvov District.

Janson's testimony reveals that the whole subversive work against the Red Army was financed by the Chief Command of the "A.K."

During the interrogation of witness Janson he was brought face to face with the previously examined witness Herman. As a result of the confrontation of witnesses, it was ascertained that members of the "A.K.," guided by directives of the Chief Command of the "A.K.," regarded war between Poland and the

U.S.S.R. as inevitable. Witness Herman stated that when Janson and he met and discussed the future war between Poland and the U.S.S.R., they mentioned Germany as a possible ally of Poland in the struggle against the U.S.S.R.

PROSECUTOR (addressing Herman): Did Janson tell you from whom he had received these directives?

HERMAN: He told me that he had received them from the Chief Command of the "A.K."

THE WITNESS KUZMINSKI

The Court then proceeded to interrogate the witness Kuzminski, who gave his evidence in the Polish language. Replying to the Prosecutor's question, Kuzminski testified that he joined the "A.K." in 1943, at first as Commandant of an area and later as inspector of the Stryj Inspectorate, and had 1,200 men under him, 300 of them being armed.

PROSECUTOR: What were your orders and directives, and what was the substance of your subversive work in the Red Army's rear?

KUZMINSKI: The first thing was to transfer the "A.K." underground, then, to conceal and hide arms and, besides, to form armed detachments and terrorist groups.

PROSECUTOR: For what purpose?

KUZMINSKI: To come out at an opportune moment against the Red Army.

PROSECUTOR: Was intelligence work planned?

KUZMINSKI: Intelligence work was conducted, too.

The Prosecutor then asked Kuzminski what acts of diversion were committed by the people at his disposal.

KUZMINSKI: They actually had no time to develop their activities, except for the assassination of two Red Army officers in the town of Stryj, which was committed at the close of December, 1944, or early in January, 1945.

Kuzminski's subsequent testimony revealed that he had also engaged in espionage: from September, 1944, till January, 1945, Kuzminski regularly supplied the Commandant of the Stanislaw "A.K." District, Herman, with information as to the location of Red Army troops, their strength and armaments, and the work of military Commissariats.

THE WITNESS SWIECZKOWSKI

Then the witness Swieczkowski faced the Court. He stated that his real name was Klewenhagen. Swieczkowski said that he had served in the Polish Army as an airman with the rank of Junior Lieutenant. Swieczkowski testified that his immediate superior was a Major known as "Riszar," who headed the intelligence service in the eastern part of Poland. Subsequently, Swieczkowski was connected with an officer of the intelligence Service of the "A.K." known as "Boleslaw," for whom he systematically gathered intelligence about the Red Army through his chain of 20 or 30 informers.

PROSECUTOR: Did you receive remuneration for your work?

SWIECZKOSKI: I did.

THE WITNESS GROLINSKA

The Court proceeded to the interrogation of witness Grolinska, who testified that she had been a member of the "Armia Krajowa" from the spring of 1942 as a wireless operator working at radio station No. 36.

Grolinska testified that after the liberation of Lvov by Soviet troops she worked at radio station No. 36 and regularly maintained two-way radio communication with the Polish emigre "government" in London. Grolinska had five secret rendezvous equipped with wireless transmitters through which she transmitted 20 radiograms to London, to radio stations Nos. 35 and 94, and received 13 radiograms from London.

Further, Grolinska testified that in September, 1944, she was arrested, together with a number of other members of the "A.K.," by the Soviet military authorities, and set free after she had promised to cease subversive work. Grolinska admitted that she failed to keep her promise and resumed her subversive work in the "A.K." against the Red Army. She stated that for her work she received monthly 2,500 roubles from the "A.K."

THE WITNESS STANKIEWICZ

The next witness to be interrogated was Stankiewicz. Stankiewicz, known as "Komar," Commander of an armed "A.K." detachment, testified that he had formed his detachment, numbering one hundred armed members of the "A.K.," on the instructions of an "A.K." Major known as "Krys," and that, on the latter's oral or written orders, he committed terrorist acts in the rear of the Red Army.

Answering the Prosecutor's question, Stankiewicz stated that on the order of Major "Krys" he organised the assassination of the President of Malya Soleshnia Rural Soviet, Vassilevsky, and his wife and daughter, of the President of the Bolshaya Soleshnia Rural Soviet, Novak, and Secretary Loik.

Stankiewicz also testified that on January 6, 1945, in Puszcza Rudinska, his detachment attacked a group of Soviet servicemen, killing 50 Red Army men and officers.

Further testimony of Stankiewicz revealed that in the village of Boczi his detachment shot seven Soviet servicemen and assassinated the Secretary of the Rural Soviet in the village of Kalitantsy.

PROSECUTOR: You committed all these things and terrorist acts without orders, on your own initiative?

STANKIEWICZ: No, I did everything on orders from my superiors, from the Commander of the northern group of detachments of the Vilnius area of the "A.K."

PROSECUTOR: Does this mean that all the terrorist activity was directed by orders from the "A.K." area?

STANKIEWICZ: Yes.

PROSECUTOR: Consequently these were not unauthorised acts by your detachment?

STANKIEWICZ: No, these were actions of the "Armia Krajowa."

The evening session ended with the interrogation of witness Stankiewicz.

THE WITNESS DZIALYNSKI

At the morning session on June 19 the Court continued interrogation of witnesses, who gave specific facts of diversionist and terrorist activity by the "Armia Krajowa" detachments, which acted on direct assignments of the London Polish "government" and of the Chief Command of the "Armia Krajowa" in Warsaw.

Agents of the Polish emigre "government" and of the Polish underground "government" in the Red Army's rear, published provocative handbills in which they incited the population against the Red Army and Soviet officials.

Witness Stanislaw Dzialynski (alias Dziarmaga), Commandant of the 2nd Area of the "A.K." in Vilnius, who was simultaneously in charge of the department of propaganda and information under the delegate of Rzodu, of the Vilnius area, stated:

"In our work we were at first guided by the instructions of the Rzodu delegate, and during the last period by instructions received directly from the Polish underground "government" in Warsaw. We were advised to sham a good and friendly attitude towards the Soviet troops while in reality organising hostile acts. Such instructions also emanated from the 'Rada Jednosci Narodowoi'."

"We were in permanent contact," the witness said, "with the Rzodu delegate in Vilnius."

PROSECUTOR (addressing the accused Jankowski): Who was the Rzodu delegate in Vilnius?

JANKOWSKI: Fedorowicz.

Further, by cross-examining Jankowski and another of the accused Ministers of the underground "government," Jasiukowicz, the Prosecutor established that this "government" continuously maintained communication with its representatives in the provinces.

The witness Dzialynski stated in conclusion: "In conducting subversive work in the Red Army's rear we were executing the orders of the Polish emigre "government" in London and of the underground "government" in Warsaw."

THE WITNESSES LOTARIEWICZ, KOLENDO, URBANOWICZ, NIEWEROWSKI

After Dzialynski, the Court interrogated the participants in diversionary and terrorist acts Lotariewicz, Kolendo, Urbanowicz and Niewerowski, summoned as witnesses in the case. Being members of the "Armia Krajowa" they acted, arms in hand, on rear communications of the Red Army, which at that time was heroically fighting the Germans.

Before starting his terrorist career in the Red Army's rear, Lotariewicz served in a special "A.K." training squad which trained saboteurs. Lotariewicz testified that his detachment had shot at a Soviet army truck loaded with arms. The driver was killed and the cargo carried away by the detachment. On another occasion they stalked, ambushed and killed four Soviet officials and seriously wounded a fifth.

"Before enlisting in the 'Armia Krajowa,'" witness Kolendo testified, "I worked as a salesman in a Nowogrodek store. In May, 1944, I was handed a summons to report at the H.Q. of an 'A.K.' element stationed in a neighbouring village. The summons said that failure to report would be punished by shooting. I reported to the H.Q. and was sent to a school which trained saboteurs in the Red Army's rear. For 20 days we were taught methods of mining and blowing up railway track, roads and bridges."

PROSECUTOR: What were you supposed to do?

KOLENDO: Our programme included organising explosions and wrecking trains in the Red Army rear. I took part in one such act. That was on the night of September 17 to 18, 1944. The date was fixed by special order.

PROSECUTOR: Why that date?

KOLENDO: That was a kind of demonstration of protest against the Red Army's entry on that date in 1939 into the territory of Poland.

On the Prosecutor's request the Court made public a secret order to the Polish underground, contained in the Court files, to organise on September 17 explosions of military trains and trucks, sabotage acts on the railways, and the firing of stores in the Red Army rear.

PROSECUTOR: Did this harm the Red Army, which was fighting the Germans?

KOLENDO: Yes, it harmed the cause of the United Nations.

Witness Urbanowicz, interrogated after Kolendo, belonged to one of "Ragner's" detachments which committed numerous terrorist and diversionary acts against the Red Army, plundered the local population, engaged in arson, etc.

PROSECUTOR: What did your detachment do during the German occupation?

URBANOWICZ: We fought against the Soviet partisans who at that time were repulsing the onslaught of German troops. On one occasion gendarmes of "Ragner's" detachment arrested 12 or 15 persons suspected of connections with the Soviet partisans. The day following their arrest they were all shot. When the Germans were thrown back by the Red Army, "Ragner's" detachment started subversive work in the rear of the Soviet troops. This was accompanied by plunder of the local population.

"On November 27, 1944, while staying in a certain village, we learned that a Red Army lieutenant had put up there for the night. We took him in bed, brought him to our H.Q. and shot him there," said Urbanowicz.

"Early in November, 1944," Urbanowicz testified further, "a Soviet citizen whom I did not know was brought to 'Ragner's' H.Q. I myself saw him shot near the H.Q. by a platoon commander known as 'Djewica.' I also know about the hanging by our detachment of another Soviet civilian. In November, 1944, an 'A.K.' squad under 'Browko' and headed by platoon commander 'Kjewica' made a foraging sortie to a village, during which a Soviet civilian was seized and hanged. Together with two 'A.K.' men I guarded the execution site."

"Thus," the Prosecutor summed up, "during the German occupation your detachment fought together with the Germans against Soviet troops, and when the Red Army came, the detachment conducted subversive work in its rear and murdered Soviet civilians?"

"Yes," Urbanowicz admitted.

The Court proceeded to interrogation of witness Niewerowski. The "A.K." detachment to which he belonged was commanded by Witold Gladkin.

PROSECUTOR: Did you kill the Soviet partisan Kostiuszin?

NIEWEROWSKI: Yes. He was seized in a village. I killed him with two bullets through the head. Kostiuszin's body was buried right there, on the spot.

In another instance, the detachment to which Niewerowski belonged shot a certain Urbanowicz, resident in the village of Kotlowa, in September, 1944.

PROSECUTOR: Was he also a Soviet citizen?

NIEWEROWSKI: Yes.

PROSECUTOR: From whom did your detachment take its orders?

NIEWEROWSKI: From the underground Polish "government."

This ended the interrogation of witnesses.

THE ACCUSED OKULICKI

The Court proceeded to the interrogation of the accused Okulicki. The accused confirmed his testimony given at the preliminary interrogation concerning subversive activities in the Red Army rear, the creation of the illegal military-political organisation "NIE" for armed struggle against the Red Army, and also that he, Okulicki, together with the underground "Council of Ministers," conducted propaganda hostile to the U.S.S.R.

The Presiding Judge read the following excerpt from Okulicki's testimony: "I also do not deny the fact that subversive work in the rear of the Red Army in the field was directed to the detriment of the struggle of the United Nations against Hitlerite Germany."

PRESIDING JUDGE: Is it true?

OKULICKI: Yes, it is.

Further, Okulicki testified in what circumstances and for what purpose he arrived in Poland. He stated to the Court that on May 25, 1944, he was dropped by parachute from a British Liberator plane over the territory of Poland. Okulicki was brought from Italy, where before this he had commanded the 7th Infantry Division of General Anders' troops.

Okulicki arrived in Poland as Assistant Commander of the "Armia Krajowa," of General "Bor"-Komarowski.

PROSECUTOR: When and by whom were you appointed to this post?

OKULICKI: I was appointed by General Sosnkowski in March, 1944, in London.

PROSECUTOR: Were you called to London?

OKULICKI: I was summoned to London by General Sosnkowski.

The accused testified that on October 1, 1944, after "Bor"-Komarowski had decided to surrender to the Germans, he appointed Okulicki as his successor to the command of the "Armia Krajowa."

PROSECUTOR: What kind of instructions were given to you before you went to Poland?

OKULICKI: Before I went to Poland General Sosnkowski told me that an offensive operation of the Red Army might result in the rout of the German army and seizure by the Red Army of the entire territory of Poland, and this would threaten Poland's independence and that proper measures should be taken against this.

Sosnkowski then instructed Okulicki to create an underground, essentially conspiratorial, military organisation.

On arrival in Poland Okulicki informed "Bor"-Komarowski of the directive he had received from the Polish emigre "government" in London. "Bor"-Komarowski stated that he had had similar instructions and that a new underground organisation called "NIE" was being formed.

Several days before the Warsaw uprising, Okulicki was appointed leader of the underground organisation "NIE."

The accused confirms that the organisation he headed subsequently also acted on the directives of the Polish emigre "government."

The Prosecutor, reminding accused Okulicki that in the period when he was commander of the "Armia Krajowa" his subordinates committed assassinations of Soviet servicemen, asked: Who answers for these assassinations?

OKULICKI: I do.

Okulicki admitted that the terror against Soviet servicemen was conducted on an especially wide scale in the western Regions of Byelorussia, the Ukraine and the Lithuanian Republic. Okulicki knew of this from a report of Colonel Fildorf, head of the diversion department of the staff of the Chief Command of the "Armia Krajowa." Fildorf reported on instructions he gave to leaders of underground organisations in these districts:

1. To create in the military areas armed detachments of 50 to 60 men;
2. To hide arms and ammunition;
3. To apply arms for self-defence, meaning offering armed resistance to the Soviet authorities in the event of exposure of the organisation "NIE," and for committing terrorist acts against representatives of the Soviet military authorities on the territory of the U.S.S.R. as well as against officers and men of the Red Army.

Okulicki admitted that he did not annul these instructions, but explained that this was allegedly due to "lack of communications" with the eastern areas of the "Armia Krajowa." He also admitted that in December, 1944, he learned of Fildorf's directive to conduct terror, but alleged that cases of terror were isolated ones. Okulicki stated that his orders spoke of the necessity of self-defence.

The Presiding Judge asked Okulicki to decipher what "self-defence" meant in his language. Okulicki defined more precisely that this meant "to destroy the enemies of the 'Armia Krajowa.'"

The Prosecutor recalled to the accused that at his interrogation the latter testified as follows: "Self-defence must consist of organisation of intelligence work and of armed resistance to the organs of Soviet power, the Provisional Government and the Soviet armed forces, in the event of exposure of various links of the organisation 'NIE.'"

The Prosecutor asked the accused whether the Command of the "Armia Krajowa" engaged in intelligence work.

OKULICKI: Yes, it did.

Next at the Court Session there was read aloud the text of a cipher radiogram received by Okulicki from London, from the central staff of the Polish emigre "government." This radiogram, instructing that extensive work be developed in gathering intelligence about the Red Army, was addressed to the Commandants of five areas of the "Armia Krajowa" in addition to Okulicki. This document contains a detailed list of data which were to be regularly gathered through the intelligence network of the Chief Command of the "Armia Krajowa" and through the Commandants of areas of the "Armia Krajowa."

PROSECUTOR: Were all these areas subordinated to you?

OKULICKI: Yes.

PROSECUTOR: In that case there was also intelligence work carried on under your direction?

OKULICKI: I do not deny that.

PROSECUTOR: You say that you did not fulfil the order of the Soviet Military Command on disbandment of the "Armia Krajowa?" You preserved the "Armia Krajowa" underground? You have hidden ammunition, arms, and radio stations which should have been surrendered, and you have kept all these in the underground?

OKULICKI: Yes.

PROSECUTOR: How do you qualify this?

OKULICKI: I qualify this as non-fulfilment of the order of the Red Army Command.

PROSECUTOR: Only as non-fulfilment? For what purpose then?

OKULICKI: For the purpose of preserving them for the future.

PROSECUTOR: Against whom?

OKULICKI: Against those who would have threatened us.

PROSECUTOR: Name the State which you believed would have threatened.

OKULICKI: The Soviet Union.

In this connection, Prosecutor Rudenko, citing an extract from the testimony

of the accused given at the preliminary investigation, asked: Towards whom were you orientating?

OKULICKI: Towards a bloc of states against the U.S.S.R.

PROSECUTOR: Of what states was this bloc to consist, in your opinion—Poland and what other States?

OKULICKI: England . . .

PROSECUTOR: Who else?

OKULICKI: And the Germans.

PROSECUTOR: Consequently, a bloc with the Germans, the enemies of all the freedom-loving nations, the Germans who are universally hated for their brutality, their barbarism and extermination of peaceful populations?

To general derision in the Court, Okulicki stated: Not with the Germans, but with Europe.

Answering the Prosecutor's further questions, Okulicki told of his relations with the underground "Council of Ministers." The accused worked in contact with Jankowski. They were both informed of each other's activities. Close relations also existed between Okulicki and the "Rada Jednosci Narodowoi."

PROSECUTOR: And so, you preserved arms in the underground, organised terrorist and diversionary acts against the Red Army at a time when it was fighting against the Germans. Did this help or hinder the struggle against the Germans?

OKULICKI: It hindered.

PROSECUTOR: Whom did this activity help?

OKULICKI: Certainly the Germans.

Okulicki was arrested on March 27, 1945.

PRESIDING JUDGE: And did your subversive actions against the U.S.S.R. end with this?

OKULICKI: Exactly.

THE ACCUSED ZWERZINSKI

The Court proceeded to the interrogation of the accused Zwerzinski, President of the "Stronnictwo Narodowe" Party and Vice-President of the "Rada Jednosci Narodowoi."

PROSECUTOR: What do you know about instructions issued by the Polish emigre "government" in London?

ZWERZINSKI: One of the instructions which came to my knowledge at the end of January, 1945, was an instruction on preserving the conspiracy.

PROSECUTOR: How were these instructions carried out in practice in your underground?

ZWERZINSKI: These instructions were carried out in the sense that all the underground remained with a conspiratorial status.

Zwerzinski further declared: "Jasiukowicz informed me that the possibility of establishing a new body of four as a substitute organ for the underground 'Council of Ministers' was discussed with Jankowski in Cracow. This organ was to consist of representatives of the four main parties, namely the 'Stronnictwo Ludowe,' 'Stronnictwo Narodowe,' 'Partia Pracy' and 'P.P.S.'"

Speaking of these four, Zwerzinski stated that they were supposed to present a list of members of the underground "government" to Britain, America and the U.S.S.R., pretending thus that this "government" allegedly had legal status, but at the same time it was decided to preserve the four as a so-called political centre for further conspiratorial work.

PROSECUTOR: Tell us, did you hear a report or information by Okulicki at a meeting of the "Rada Jednosci Narodowoi?"

ZWERZINSKI: Yes, we did. That was in the middle of February.

PROSECUTOR: What did Okulicki report?

ZWERZINSKI: He read an appeal to soldiers and officers, reported on the formal disbandment of the "Armia Krajowa," and informed us that the H.Q. remained with an underground status.

PROSECUTOR: What do you know about the practical subversive activities in the Red Army rear?

ZWERZINSKI: I know of the fact of concentration of "A.K." forces in the Lublin District, and about their struggle. I also know about the explosion

near Lublin, and activity of the detachment which acted in the Bialystok area. Then again, about the destruction of a bridge on the Tarnow—Lvov railway, of the struggle carried on by two or three detachments which acted in the Lublin District . . .

After the interrogation of Zwerzinski, the Court proceeded to interrogate the accused Urbanski who was a member of the Presidium and Secretary of the underground "Partia Pracy." Urbanski confirmed the testimony he had given at the preliminary investigations.

The morning session ended with interrogation of Urbanski.

THE ACCUSED CZARNOWSKI AND BAGINSKI

ON June 19, at the evening session, the Court continued the examination of the leaders of the Polish underground who engaged in criminal subversive activities.

Czarnowski was President of the so-called "Union of Democrats." Okulicki suggested that he join the newly-formed underground leading political centre, and explained that this new underground centre would direct the struggle against the Red Army including terrorist activities. Czarnowski agreed to join this new underground political centre.

The "second conspiracy" was the name Okulicki and Janowski gave to their criminal underground activities directed against the interests of the Red Army and the Allied Nations. The atmosphere was thick with slander. Czarnowski said; it bred terrorist acts and hostile actions against the Red Army. It was Czarnowski himself and the rest of the leaders and participants in the criminal underground work who created this atmosphere.

"In the long run the subversive activities of the Polish underground harmed the common cause of the United Nations"—this is how Czarnowski himself described the significance of his crimes.

The Court proceeded to the interrogation of the accused Baginski, who was Vice-President of the "Stronnictwo Ludowe."

"Did your party fulfil the order of the Command of the Red Army on disbandment of armed forces and on surrender of arms?"—the Prosecutor asked.

Baginski evaded a direct answer. "We did not consider it necessary to issue such instructions," he said. "It did not occur to us that this was necessary."

"But did the members of your armed detachments surrender arms?"

"I do not know about this. We did not issue such an order."

"So you did not fulfil the order of the Red Army Command on disbandment of armed detachments and surrender of arms?" the Prosecutor insisted. Baginski agreed.

He told the court about the negotiations he conducted with Jankowski and Okulicki on the "Stronnictwo Ludowe" Party joining the "NIE" underground organisation. The command of the "A.K." Baginski testified, largely consisted of former Sanacja elements. Before 1939 these elements, which belonged to the old Polish political leadership, conducted an emphatic anti-Soviet policy.

Baginski also spoke about pro-German circles in the leadership of the "A.K." and the Polish underground. However, Baginski and other leaders of the "Stronnictwo Ludowe" underground organisation worked shoulder to shoulder with the "A.K." participated in the underground "government" and in the so-called parliament "Rada Jednosci Narodowej," and in all the criminal activities of the Polish underground.

Baginski was unable to refute this. He tried to absolve himself of responsibility by declaring: "I wanted to quit the underground organisation, but had no chance." However, he could not explain what had prevented him and his organisation from breaking with the criminal underground.

"Until at last the Red Army helped you to withdraw from the underground organisation by arresting you?" the Presiding Judge asked.

"Exactly so," confirmed Baginski.

The accused Mierzwa, member of the Central Committee of the underground "Stronnictwo Ludowe" organisation, supplemented Baginski's evidence. He confirmed the facts of the participation of this organisation in underground subversive activities. The "Stronnictwo Ludowe" organisation collaborated

with elements of the "Sanacja," "National Democrats" and all other groups of the reactionary Polish underground.

The accused Haciniski, President of the "Stronnictwo Pracy" (Party of Labour), testified that at a conference held in Cracow in February, 1945, the Secretary of the "Stronnictwo Pracy," the accused Urbanski, announced Okulicki's statement that the "A.K." actually had not been disbanded and that its cadres and arms had been preserved for underground struggle against the Red Army.

Interrogation of the accused Kobylanski, Stemler-Dombski, Mihalowski, Stypulkowski and Puzak supplied additional material describing the criminal activity of the Polish underground in the Red Army's rear. The accused Stemler-Dombski published a clandestine bulletin filled with provocative and slanderous fabrications about the Soviet Union and the Red Army. The accused Mihalowski—one of the leaders of the so-called "Union of Democrats"—distributed slanderous information about the Red Army to district delegates of his "Union."

"For what purpose was this done?" the Prosecutor asked the accused. Mihalowski answered: "Slander was one of the forms of our struggle against the Red Army."

The accused Stypulkowski persistently denied his guilt. However, he could not deny the fact that, while being political adviser and member of the Presidium of the "Stronnictwo Narodowe," he actively participated in subversive activities of the Polish underground.

The Court proceeded to interrogation of Puzak, one of the leaders of the Polish underground organisation. From 1921 Puzak had held the post of General Secretary of the P.P.S. From 1944 to the day of his arrest he had been President of the "Rada Jednosci Narodowoi," the so-called parliament for the underground "Council of Ministers."

Puzak tried in every way to whitewash himself, denying his participation in the struggle against the Red Army. He tried to conceal the fact that he had received instructions from the Polish emigre "government" in London on the formal disbandment of the "Armia Krajowa" and on the preservation of its cadres and arms for the organisation of subversive activities against the Red Army. In the course of interrogation the accused Puzak became entangled in his own testimony.

CONCLUSION OF EXAMINATION

Interrogation of the accused then came to an end. Chief Military Prosecutor Afanassyev announced on behalf of the State Prosecution that, the case being clear, the Prosecution waived the interrogation of the previously summoned eleven witnesses. The Counsel for the Defence stated that the case was clear for the defence as well, and that there was no need to interrogate the rest of the witnesses. The Court ruled that the rest of the witnesses were not to be examined.

The Presiding Judge announced further the ruling of the Military Collegium of the Supreme Court of the U.S.S.R. on the accused Okulicki's request for the summoning of a number of additional witnesses. According to this ruling, three witnesses named by the accused Okulicki would be summoned. The Court refused to summon the rest of the witnesses since two of those named by Okulicki had not been located on the territory of the Soviet Union, and the third was on his way to a camp and could not be summoned.

This was the end of the evening session of the Court.

SPEECH OF CHIEF PROSECUTOR

At the morning session of June 20 the Court heard the pleading. First to speak was the representative of the State Prosecution, Chief Military Prosecutor of the Red Army, Maj.-Gen. of Justice Afanassyev. "With the full thoroughness and impartiality which have always distinguished the Soviet Court, you comrades Judges, have studied the evidence and proofs produced by the State Prosecution against the men sitting here who are charged with the gravest crimes against the Red Army and the Soviet Union," said Afanassyev, beginning his speech for the prosecution.

"The present trial," he continued, "is held at a time of the epoch-making victory scored by the Soviet Union and its Allies over Hitlerite Germany. This is the first distinguishing feature of this trial.

"The criminal activities of the accused were directed against the Red Army, which liberated the Polish people from the German yoke and, at the cost of supreme sacrifices, saved all the peoples of Europe from Hitlerite tyranny. Such is the second distinguishing feature of the trial.

"It sums up the criminal activities of the Polish reactionaries who fought for many years against the U.S.S.R. to the detriment of the interests of Poland and all freedom-loving nations as well. This is the third distinguishing feature of the trial.

"The Soviet State played a decisive role in liberating the world from Hitlerite tyranny. It was on the Soviet-German Front that the main armed forces of Germany were destroyed. It was here that she suffered grave defeats which, with the help of the armed forces of our Allies, the United States and Great Britain, brought about the final rout of Germany. It was against the heroic Red Army, liberator of Poland and of the peoples of Europe, that the criminals sitting here directed their villainous actions and designs.

"These puppets from the underground who styled themselves 'ministers' and 'political leaders' raised their dirty hands to stab the Red Army in the back. The blind moles from the Polish underground mistook our generosity for weakness, and believed that they would be able to get away with their foul crimes unpunished. But they miscalculated.

"As revealed by all the materials of the preliminary and Court investigations, these men were united in their hatred of the Soviet Union, of the great Soviet people, of the heroic Red Army. The activities of all the accused were coordinated and directed by the Polish emigre "government" in London. It pushed the accused on to a path of crimes against the Red Army and the Soviet Union.

"As far back as 1940, Okulicki was sent by Sosnkowski to the Lvov area to organise subversive work against the Soviet Union. The Polish emigre "government" in London invariably played into the hands of Fascist Germany, sought to bring about a split among the United Nations, and did everything to prejudice the cause of the struggle of the United Nations against Germany.

"A leading part in this criminal emigre clique has been played by Fascist 'Sanacja' elements, who bore the brunt of the responsibility for the disaster which befell Poland in 1939. In their policy they have been guided only by the interests of a handful of feudal magnates and war-lords of old Poland.

"This reactionary clique did everything possible to drive a wedge between Poland and her historic Ally the great Soviet Union. By their intrigues this criminal emigre clique in London seek to achieve one single aim: to make the new post-war Poland a second edition of the old pre-war Poland. Therefore the criminal Polish emigre clique in London urged the Polish people not to fight the Germans, because that would help the Soviet Union."

Quoting documents which emanated from the Polish emigre clique in London, the Prosecutor demonstrated how Sosnkowski, Raczkiewicz, Arciszewski and company persistently tried to hinder the liberation struggle of the Red Army against Hitlerite Germany. "But the Red Army dealt the Germans blow after blow and, as it kept approaching Poland, the reactionary Polish clique launched new manoeuvres. Hypocritically calling for co-operation with the Red Army, the Raczkiewicz, Sosnkowski and company issued instructions urging intensification of subversive work against the Soviet Union and the Red Army."

Afanassyev quoted articles from various publications of Sosnkowski and Arciszewski, in particular their statement that the main task of the Polish underground should be an anti-Russian and not an anti-German uprising.

"Contrary to all criminal intrigues of the emigre clique in London, the Polish people heroically fought its age-old enemies the Germans. The Soviet people extended to the Polish people a fraternal helping hand. The Red Army, jointly with Polish troops routed the German-Fascist hordes—these sworn enemies of the Slavs—and liberated Poland. The flags of the Polish Republic

again rose over Warsaw, Cracow, and other Polish cities. The Polish people breathed freely.

"And Arciszewski's criminal clique tried to shake this fraternity and friendship cemented with the blood of the Polish and Soviet peoples. The accused pursued their criminal activities on directives and instructions of this 'government.'

"On these directives was based the organisation of the entire subversive work of Okulicki, Jankowski and the other accused, against the Red Army and the Soviet Union. On the basis of these directives the accused pretended to have disbanded the 'A.K.', but actually preserved all its cadres and arms, and set up a new underground terrorist organisation and engaged in terrorism and sabotage. And on the strength of radiogram No. 7201, received from the emigre 'government' in London, the accused engaged in espionage in the rear of the Red Army.

"All underground activities were aimed at the preparation and conduct of armed struggle against the Soviet Union. All that the Polish emigre clique in London demanded of the accused, all that they were doing, was directed at the creation of a bloc with Germany against the U.S.S.R. Documents and evidence presented in Court have definitely established this most important fact.

"The exposure of the criminal activities of the reactionary emigre Polish clique in London and the Polish underground is of tremendous use to the cause of the creation of the new Poland. The Soviet Court helps the Polish people in its struggle for the creation of an independent, democratic, free Poland. Thus Poland has firmly taken the path of friendship with her great Eastern neighbour, of alliance and mutual aid between Poland and the U.S.S.R., and no machinations of the emigre reactionary clique can shake the will of the peoples of Poland and the Soviet Union, or weaken the friendship of the two States that grows stronger with every day."

The Prosecutor proceeded to concrete analysis of the crimes committed by the accused. He dwelt on the part played by the accused Okulicki as organiser and leader of underground subversive activities.

"Having been brought to Poland in May, 1944, in a British plane from the British naval base in Brindisi, Okulicki was at first Deputy to "Bor"-Komarowski, in command of the "A.K."; then, after Komarowski surrendered to the Germans, he became commander of the underground 'Armia Krajowa.' Along with Okulicki, direction of underground activities was effected by Jankowski, chief delegate of the emigre 'government' in London and President of the so-called underground 'Council of Ministers.' With them acted Jankowski's 'ministers,' Bien and Jasiukowicz.

"On direct instructions of the Polish emigre 'government' in London, they conducted vigorous subversive work, organised sabotage on the Red Army's communication lines and terrorist acts, disseminated propaganda hostile to the Soviet Union, and transmitted deliberately slanderous information abroad. And to cover up their crimes, they made public false, hypocritical orders on the pretended disbandment of the 'A.K.'"

Afanassyev dwelt on the hypocritical and perfidious order issued by Okulicki on January 19, 1945. "This order," he said, "was issued by Okulicki two days after the liberation of Warsaw. This order was issued on the very day that the gallant troops of Marshal Koniev liberated the ancient capital of Poland, Cracow. And on that day Okulicki, under cover of the nickname 'Nedzwiadek,' issued a directive—to preserve the H.Q. and cadres of the underground army, to preserve arms and stores of ammunition, and to intensify the struggle against the Red Army.

"On the basis of all materials that have passed before the Court, the Prosecutor regards it as proved that in Okulicki's person the Polish reactionaries found a worthy successor to 'Bor'-Komarowski—they are birds of a feather."

Afanassyev then analysed in detail the activities of the new underground organisation and the part played by Okulicki and Jankowski as founders and leaders of this organisation. Its aim was to prepare an uprising against the U.S.S.R., to form groups for terrorist acts, and to engage in sabotage, espionage and propaganda against the U.S.S.R.

"This has been positively proved in Court, just as was another very important

fact: the terrorist organisation was meant to exist also after the formation of a Provisional Polish Government in conformity with the decisions of the Crimea Conference. Okulicki, Jankowski and the rest of the accused, while hypocritically professing their agreement with the decisions of the Crimea Conference, actually sabotaged them and prepared to frustrate them.

"By their activities they paved the way for eventual establishment of a military dictatorship—they concentrated thousands of cut-throats armed with Tommy-guns, machine-guns and even artillery. This is irrefutable also because the fuhrer of the Polish Fascists, Sosnkowski, was directly connected with the formation of the new terrorist organisation."

Afanassyev then proceeded to analyse in detail the terrorist activities of the accused. From July, 1944, to May 25, 1945, 95 Red Army officers, 134 sergeants and 364 Red Army men were killed by Okulicki's and Jankowski's terrorists in the Red Army rear, and 219 military personnel were wounded.

Okulicki's terrorists killed Red Army soldiers following brutal torture. Bandits from the 'A.K.' differ but little from the Hitlerite fiends.

"The accused Okulicki, Jankowski, Jasiukowicz and Bien are guilty in that this terrorism was organised and conducted upon their directives and instructions. Janson, Herman, Kuzminski, Stankiewicz, Okulicki, Jankowski—all are links in one infernal chain which connects the band of Polish political gangsters in London, through the leadership of the 'A.K.' and the whole Polish underground, with the direct executors of terrorist acts."

Analysing the material of the preliminary and Court investigations, Afanassyev said he regarded it as proved that Okulicki engaged in espionage on instructions of the emigre Polish "government" in London, as well as in propaganda hostile to the Soviet Union and the gathering and transmission abroad of malicious, slanderous information about the situation in Poland.

Afanassyev regarded it as definitely established that the accused, as leaders of the Polish underground, followed a plan of preparation for action jointly with Germany against the Soviet Union, acting thus on instructions of the Polish emigre "government" in London. "This has been confirmed by Okulicki's directive to the Commandant of the Western District of the 'A.K.' Col. Slavgor, dated March 25, 1945, which was made public in Court, the negotiations in 1943-1944 with the Hungarian and German Command concerning joint actions against the Red Army, and also by the joint struggle with the Germans against Soviet partisans."

On the basis of all materials that have passed before the Court, Afanassyev regarded it as proved that the band of criminals who camouflaged themselves with the titles of political leaders and ministers committed the gravest crimes against the Red Army and the Soviet Union. Afanassyev believed that all five paragraphs of the definition of the charge against the accused Okulicki, Jankowski, Bien and Jasiukowicz, as formulated in the Indictment, had been proved.

"All four accused, headed by Okulicki, are guilty of the gravest crimes, crimes which cost the lives of many Soviet people. They poisoned world public opinion with slander against the Soviet Union. They directed terrorist acts and sabotage, they committed crimes punishable under Soviet Law by the supreme penalty—death by shooting."

"Nevertheless, I believe it possible," the Prosecutor said, "not to insist on the supreme penalty for the accused Okulicki, Jankowski, Bien and Jasiukowicz. I believe it possible not because now, though belatedly, they repent of their crimes, and not only because they acted on directives issued by the criminal emigre clique in London. I believe it possible to confine the penalty for these accused to deprivation of freedom chiefly because our country and our people now live in joyful days of the major, historic victory of the Red Army and the armies of our Allies over the worst enemy of mankind—Fascist Germany."

"Now that the most righteous of all righteous wars, the war against a deadly enemy who has been thrown into the dust, has ended in victory, these people no longer represent that danger as would require such a penalty as shooting."

Afanassyev's Speech was followed by that of the second representative of the State Prosecution, State Counsellor of Justice of the Second Class, Rudenko.

Rudenko believed that the charges against the accused Puzak, Baginski and Swerzinski, as accomplices in the criminal activities of the Polish under-

ground, had been fully proved. Rudenko also supported the Prosecution in regard to the accused Mierzwa, Czarnowski, Stypulkowski, Urbanski and Haciniski, who were aware of the crimes of the leaders of the Polish underground and who themselves took part in these crimes.

"As regards the accused Mihalowski, Kobylianski and Stemler-Dombski, the prosecution does not insist on their conviction in view of insufficiency of collected proofs."

In conclusion, Rudenko said: "With the exception of the last three accused, the other eight accused must answer in accordance with Articles 17, 58-8, 58-9 and 58-11 of the Criminal Code of the R.S.F.S.R. For the same reasons as cited by Prosecutor Afanassyev, I raise the question of the possibility of restricting the punishment of these accused to deprivation of freedom for short terms."

SPEECHES FOR THE DEFENCE

THE Court proceeded to hear speakers for the Defence.

The accused Okulicki spoke in his own defence. He said in his speech that this trial meant condemnation of the activities of the Polish underground which were directed against the Red Army and menaced the interests of the Soviet Union and the cause of the United Nations in the struggle against Germany. "However," the accused asserted, "the Polish underground has much to its credit in its struggle against Germany."

Admitting his moral and political responsibility for the facts of subversive activities against the Red Army, Okulicki disputed the accusation of organised terror and sabotage against the Red Army. He asserted that, as Commander-in-Chief of the "Armia Krajowa," he lost all communication with the eastern districts in which terrorist and sabotage activities of the "A.K." took place. In the western districts, in which he exercised leadership, Okulicki maintained that there were no sabotage and terrorist activities against the Red Army.

Okulicki acknowledged that the accusation had shed a revealing light on the facts of the terrorism of the "Armia Krajowa." He said that these were "shocking facts presenting a most ghastly picture of the activities of the 'Armia Krajowa.'" Okulicki asserted that the tension and many misunderstandings in the relations between Poland and the Soviet Union were rooted in history, since for many decades Poland was under the oppression of Tsarist Russia.

"We did not know," Okulicki stated, "what changes had taken place in your national policy, what kind of internal change and reconstruction of the State had taken place with you."

Objecting to the Prosecutor's speech, Okulicki said that if from the political viewpoint the Warsaw uprising could be appraised as a gamble, from the soldier's viewpoint such an estimation was wrong. Okulicki pleaded guilty of disobeying the orders of the Soviet Command. He considered himself guilty of the fact that the "Armia Krajowa" did not surrender arms and ammunition and that, on the contrary, he had ordered arms and ammunition to be hidden. He considered himself guilty of the fact that on his order underground H.Q. and radio stations had been preserved, that through them clandestine radio communication was maintained with London, that he had created the new secret organisation "NIE" and conducted hostile propaganda against the Red Army and the Soviet Union.

"Mistrust of the Soviet Union is my greatest mistake. And this mistake determined everything, including confidence in my Government," Okulicki stated.

Okulicki said further that he was deeply convinced of the necessity of Polish-Soviet friendship, and that only by the existence of such friendship and the independence of Poland could Poland make progress.

COUNSEL FOR THE DEFENCE BRAUDE

Next to speak was the lawyer Braude, who defended the accused "ministers" of the underground "government" Bien and Jasiukowicz. While pleading guilty, he said, Bien and Jasiukowicz objected to the accusation that they intended to wage war against the U.S.S.R. in a bloc with Germany. They both emphatically denied every suggestion of their having been aware of the concrete facts of sabotage and subversive activities.

Fully acknowledging other charges presented against them, Bien and Jasiukowicz assumed moral and political responsibility for all activities of the underground "government." At the same time, in Court they resolutely and firmly condemned all their past activities, condemned the activities of their underground "government" and the activities of the London emigre "government," which actually directed them.

Both Bien and Jasiukowicz had proved by their statements that they did not share General Okulicki's viewpoint and would not share it. Both the accused stated that they sincerely repented, that they were wrong, that they regarded their past as a political error as well as an error of those who directed their activities from London. Braude asked the Court to come to a mild, lenient verdict in their case.

The morning session ended with the lawyer Braude's Speech.

At the evening session the Court continued the hearing of speeches for the Defence. The lawyer Pevako, who defended Stemler-Dombski, stated that he agreed with the Prosecutor, who refused to support the accusation against Stemler-Dombski.

Next to speak was the lawyer Milovidov, who defended the accused Kobylanski, member of the Party of National Democrats "Stronnictwo Narodowe," and Czarnowski, ex-member of the underground parliament "Rada Jednosci Narodowej." Speaking in defence of Kobylanski, Milovidov said: "The testimony and materials of the preliminary investigation indicate that Kobylanski did not hold any official position and had not yet taken part in the so-called underground 'parliament.' He was a reserve member of this 'parliament' in case another dropped out of it." Milovidov asked for acquittal of the accused Kobylanski.

Speaking of his other client, Milovidov asked the Court to take into consideration the fact that Czarnowski admitted the charges levelled against him. He had told the Court: "Now I fully realise not only that I acted in a criminal and wrong way, but that such actions harmed the cause of the United Nations and Poland." Counsel for the Defence asked the Court to come to a lenient verdict in the case of accused Czarnowski.

The lawyer Markevich defended the accused Baginski and Mierzwa. Pointing out that his client Mierzwa did not take part in terrorist activities against the Red Army, Counsel for the Defence asked the Court to waive the accusation against Mierzwa.

Speaking of the accused Baginski, Vice-President of the "Rada Jednosci Narodowej," the lawyer recalled the Prosecutor's expression, "a high-sounding name but little substance," and asked for maximum leniency for the accused Baginski.

LAWYER MIKHALSKY

The lawyer Mikhalsky defended the accused Urbanski and Mihalowski. "I fully share," he said, "the viewpoint of the State Prosecutor, who has asked the Military Collegium, in considering Mihalowski's fate, to take into account the insufficiency of proof available in his case. I ask the Court to acquit this client of mine."

Going on to defend the accused Urbanski, Mikhalsky said: "Urbanski pleaded guilty. His role and significance in the present case are secondary. He was under the great and strong influence of other persons. He has admitted the error of his actions and views. I ask the Court to take account of all these circumstances in regard to Urbanski and to show maximum leniency in coming to its verdict."

The lawyer Otsep, who defended the accused Zwerzinski, described his client as one of those people who failed to understand the international political situation, failed to understand the policy of the Soviet Union which strove to have a strong, democratic and independent Poland as its neighbour.

"All the criminal activities of Zwerzinski," Otsep went on, "are not those of an instigator or accomplice but those of a conniver." Holding that the accused had admitted his errors and crimes, had thought over and understood many things, the lawyer addressed the Court with a request to apply in this case Article 8 of the criminal code of the R.S.F.S.R., permeated with a humane legal conception.

Next to speak was the lawyer Kaznachyev, who defended the accused Hacinski

and Puzak. He asked the Court to acquit Hacinski and, as regards Puzak, taking into consideration his confession, to apply a penalty which did not call for a long term of deprivation of freedom.

The Presiding Judge then gave hearing to the accused Jankowski, who desired to speak in his own defence. He admitted that he bore political responsibility for the organisation "NIE," as he was informed of its activities. The accused Jankowski also admitted that instructions sent to Delegaturas resulted in the exacerbation of relations with the Soviet Union. He stated that he had not known previously about the terrorism and sabotage by members of the "A.K." in the Red Army's rear, and that he considered those acts erroneous.

ACCUSED STYPULKOWSKI

Next to speak was the accused Stypulkowski, who also desired to speak in his own defence. Stypulkowski said that, although he was legal and political adviser of the "Stronnictwo Narodowe" Party until March, 1945, he was not informed about the terrorist and sabotage activities against the Red Army.

Stypulkowski said: "I would have condemned active work against the Red Army during its struggle with the Germans as folly and a crime against Polish interests." In conclusion, the accused stated that he fought against the Germans, and hoped that in coming to its verdict the Court would take into consideration his desire to serve the cause of strengthening Polish-Soviet relations. Stypulkowski asked the Court to acquit him.

After a recess, the Court heard the final pleas of the accused. First to speak was the accused Okulicki.

"I admit," he said, "that we attempted to cause great harm to the Soviet Union, that we committed grave errors. They resulted from our mistrust of the Soviet Union. And this mistrust was the result of propaganda which emanated from the Polish 'government' in London, regarded by us as our lawful government.

"The reaction of the Soviet authorities to our activities and our presence here in the dock are quite understandable—there are sufficient grounds for this. I wish to emphasise the kind attitude of the Soviet authorities to me as a criminal, as one in detention.

"I will accept your verdict, gentlemen Judges, calmly and in the assurance that your decision will be correct. I think that I am guilty, but I acted as a soldier."

The accused Stemler-Dombski said: "In my last plea I wanted to speak of my convictions and hopes, but I shall restrict myself to a few words: I ask you to acquit me."

The accused Jankowski said: "I will call this trial a tragic trial. I will call it so because it takes place in Moscow, in the capital of the Soviet Union, in the capital of the country whose Army ejected the Germans from Poland and liberated her. I will call this process tragic because it takes place in the capital of the Soviet Union, where a Treaty of Friendship between the U.S.S.R. and Poland was recently signed.

"We were apprehensive that the Soviet Union would threaten Poland's independence. Fortunately, such apprehension has proved unjustified.

"IMPASSE"

"Of great importance in the abnormal relations which arose between the U.S.S.R. and Poland was the erroneous policy pursued by the Polish 'government' in London. It did not recognise the decisions of the Crimea Conference, and asserted that the Soviet Union menaced Poland's independence. And this brought us to an impasse.

"As chief delegate in Poland of the London Polish 'government,' I am responsible for everything that took place on the territory of Poland, and I do not intend to shirk this responsibility. I maintain that between Poland and the Soviet Union there should exist friendly relations based on the recognition of Poland's independence and mutual trust."

The accused Kobylanski stated that he regarded his final plea as unnecessary, and asked the Court to acquit him.

"It is with full confidence," said the accused Bien, "that I have placed my personal fate in the hands of the exalted Court. We committed grave blunders in our policy. As a lawyer, I recognise that our activities were criminal.

"What was the source of our mistakes? Their source was the wrong policy of the London Polish 'government' which we, being in the underground, received without criticism. Mr. Prosecutor said here to-day that Poland has only two roads open to her: either towards the Soviet Union or towards the Germans. This is perfectly correct.

"No co-operation is possible with the Germans. Therefore, the only road is that of close, friendly co-operation with the Soviet Union. And Polish policy should be taken into the hands of leaders who have not pursued an erroneous policy like that which is pursued to this day by the Polish 'government' in London.

"These people are to be replaced by people with a democratic outlook, who will be able to ensure good relations with the Soviet Union. And then the friendship between the U.S.S.R. and Poland will assert itself, not for 20 years, as laid down in the Treaty, but for ever."

The accused Mihalowski asked the Court not to punish him and thus enable him the sooner to return to Poland in order to commence honest work for the good of the Polish people in the interests of strengthening Soviet-Polish friendship.

"I understand," the accused Jasiukowicz said in his final plea, "that the underground Polish 'government,' including myself, took a wrong political course. The switch was in the wrong way; we did not put on the brakes in time and ran up a blind alley. I permit myself to welcome the Prosecutor's statement to the effect that there is no force in the world which could disrupt the Soviet-Polish Treaty of Friendship.

"I should like to take part in work for the good of my country. I do not know whether I shall have the chance, but that is a matter of secondary importance."

"I AM GUILTY"

The accused Puzak stated that as President of the "Rada Jednosci Narodowoi," he was ready to bear responsibility for all its activities. He admitted his responsibility for the use of clandestine wireless transmitters, and called the attention of the Supreme Court to the fact that in February, 1945, the "Rada Jednosci Narodowoi" passed a resolution approving the decisions of the Crimea Conference.

The accused Hacinski admitted his responsibility for knowing about the existence of clandestine wireless transmitters and about sabotage acts committed by detachments of the "Armia Krajowa." "The Law is the Law," he said. "I am guilty of its violation and I calmly await the verdict of the exalted Court."

"I do not intend to take up the time of the Supreme Court," said the accused Zwerzinski. "I only request that in deciding the verdict all my statements and the arguments presented here by my honourable Counsel for the Defence be taken into consideration. I trust that every condition will be created for good-neighbourly and friendly relations between the U.S.S.R. and Poland."

The accused Czarnowski said finally that he pleaded guilty of participation in underground activities. "The Polish underground," he stated, "in which I took an active part, made many mistakes in regard to the U.S.S.R. These mistakes were the result of wrong interpretation of the situation."

The accused Baginski stated that he did not bear responsibility for terrorist and sabotage activities of the "Armia Krajowa." He spoke in detail of differences and conflicts in the Polish underground.

The accused Urbanski, Mierzwa and Stypulkowski requested the Supreme Court to acquit them.

After the final pleas of the accused, the Court left for the Conference Room to consider its verdict.

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