

Despatch from Sir Owen O'Malley, 11 February 1944

No. 25

(15/90/44)

BRITISH EMBASSY TO POLAND,

45 LOWNDES SQUARE, S.W.1

11 February, 1944.

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Sir,

On January 24th the Soviet Government issued the report of a special commission appointed for "ascertaining and investigating the circumstances of the shooting of Polish Officer Prisoners by the German-Fascist invaders in the Katyn Forest." This report appears in full in the "Soviet War News" of January 27, 28 and 31 and February 1, runs to some 20,000 words, and finishes with the conclusions which are enclosed herein. Having dealt with the German account of this affair at some length in my despatch No. 51 of May 24, 1943, I ought perhaps now to deal with the question of what new light, if any, is thrown upon it by our Allies who, having regained possession of Smolensk, have been able to revisit the scene of the massacre and make an enquiry on the spot.

2. There was a difference between the methods employed by the German Government on the one hand and the Soviet Government on the other for convincing the world of the truth of the accusations which each has levelled against each. The Germans relied primarily upon the findings of an international commission of fourteen pathologists and criminologists of whom two came from Germany, eleven from satellite or occupied states, and one from Switzerland. Basing itself on the findings of this body, the German Government told its story to the world through every available publicity agency, and they reinforced their case by bringing to Katyn a purely Polish delegation composed of wellknown Poles from many different professions and classes of society, a delegation from the

Polish/

The Right Honourable
Anthony Eden, M.C., M.P.,
etc., etc., etc.



Polish Red Cross Society, and delegations from Lodz and Poznan. The Russian Government on the other hand relied mainly upon the report of a purely Russian commission composed of eight Government officials who had the assistance of a medico-legal sub-commission composed of five Russian scientists. The Russian Government and the German Government, however, acted alike in this, that they both invited foreign journalists to visit the scene of the crime, and both did their best to make the visit a pleasant one. The most up-to-date sleeping-cars were provided by the Russians and aeroplanes by the Germans for their guests; and in both cases, after a busy day among the corpses, these were served with smoked salmon, caviare, champagne and other delicacies. In both cases a religious ceremony terminated the proceedings.

3. No definite conclusions can, I think, be drawn from the differences between German and Russian procedure, except perhaps that we shall be slightly more inclined to credit the opinion of the international experts brought to the spot by the Germans than the opinion of a scientific sub-commission composed exclusively of Russians; for since it would clearly have strengthened their case if the Soviet Government had invited British and American scientists to participate in the investigation, one can only suppose that a guilty conscience prevented them from doing so. This inclination is strengthened by the facts, first, that Polish visitors to the graves (including members of the Underground Movement) who hate Germans and Russians equally were in no doubt that the latter had carried out the massacre; and secondly, that the journalists who accompanied the Russian investigators from Moscow were, with the exception of Miss Kate Harriman, not favourably impressed by the Russian evidence or the means by which it was elicited.



4. Both Germans and Russians relied, among other things, upon two classes of testimony: first, verbal testimony given at first or second hand by individuals who might be supposed to have personal knowledge of what occurred at Katyn in April and May 1940 (according to the German story) or in the last four months of 1941 (according to the Russian story); and secondly, the findings of experts who examined the corpses. It would, I think, be futile to try to appraise the trustworthiness of the testimony of witnesses examined by either the German Government or the Russian Government. Both were in a position to intimidate the soldiers, servants, peasants and other local residents who were called upon to give evidence, and both are notoriously prone to use intimidation. Both allege that material witnesses had been murdered by the other side. The Germans, for instance, say that the Soviet Government itself gave orders for the destruction of the executioners employed by them; while the Russians affirm that the Gestapo liquidated no less than 500 Russian prisoners who had been ordered to open the graves at Katyn and assist with the examination of the corpses. It was for this reason that my despatch No. 51 made no reference to any part of the verbal evidence given to the German investigators; and for the same reason I do not propose to discuss similar evidence given to the Russian investigators although it occupies not less than nine tenths of their report.

5. Since I enclosed in my despatch No. 51 the findings of the German (international) Scientific Sub-commission, it is only fair that I should annexe to the present despatch the findings of the Russian Scientific Sub-commission (see enclosure No.2). The following are the most important discrepancies between the two. The German Sub-commission claims to have

exhumed/



exhumed 982 bodies: the Russian 925. The Germans say that "a considerable number of bodies were dissected": the Russians say "no external examination of the bodies and no medico-legal examination of the bodies had been effected previously". The Germans say that "there were varying degrees of decomposition of the bodies; that a large number of skulls were examined" for certain changes which only occur three years after death, and that "this change was observed to a marked degree on skull No. 526": the Russians say that "there are absolutely no bodies in a condition of decay or disintegration", that "the bodies had not remained in the earth for long" and that "the shooting dates back to between September and December 1941." The Germans say the latest document found on any corpse was dated April 22, 1940: the Russians say that numerous documents were found with dates between September 12, 1940, and June 20, 1941. It would be rash to draw any conclusions from these discrepancies; but it would be very interesting if His Majesty's Minister in Berne could get an opinion on the whole matter from Dr. Naville, Professor of Forensic Medicine at Geneva, who was a member of the German Sub-commission, and is apparently the only neutral and accessible expert from either side.

6. Dismissing as more or less unreliable the verbal accounts of supposed eye witnesses and the findings of the scientific commissions on both sides, let us summarize the Russian story and see whether it affords reason for doubting the conclusion tentatively reached in my former despatch on the subject, namely that it was by order of the Soviet Government that the Polish officers were massacred.

7. The Russian report may be summarised as follows:-

Before/

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we should
not do
this.
OK*

I agree

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Before the capture of Smolensk by the Germans, Polish prisoners were quartered in three camps 25 to 45 kilometres west of Smolensk. After the outbreak of hostilities the camps could not be evacuated in time, and all the Polish war prisoners as well as some members of the guard were taken prisoner by the Germans. Polish prisoners were seen working on the roads round Smolensk in August and September 1941 but not later. German soldiers frequently combed the neighbouring villages for escaped Polish prisoners. Access to the localities where the executions took place was strictly barred, but lorry-loads of Polish prisoners were often seen being driven thither and many shots were heard. The report then passes on to the spring of 1943 when the Germans were alleged to have been preparing the ground for the announcements made on their broadcast system on April 12th of that year, and states that witnesses were tortured by the Germans into giving false evidence of Russian culpability; that 500 Russian prisoners, subsequently murdered, had been employed in March 1943 by the Germans to dig up the corpses and to introduce forged documents into their pockets, and that lorry-loads of corpses were brought to Katyn in March 1943. In short, the Russian case amounts to this:- that the occupants of the camps at Kozielsk, Strobielsk, and Ostashkov were moved in April and May 1940 to three Russian labour camps near Smolensk, captured by the advancing German armies in July 1941, and shot at various dates during the subsequent four months.

8. If the evidence of the Soviet Government's witnesses and experts could be trusted, it would be just possible to believe in the truth of the Russian story; but it would nevertheless be very difficult to do so because it makes at least/



least one essential assumption which is incredible, and because it leaves altogether unexplained at least one indisputable set of facts which urgently requires explanation before we can accept the Soviet Government's account of events.

9. The Russian story assumes that about 10,000 Polish officers and men, employed on forced labour, lived in the district of Smolensk from April 1940 till July 1941 and passed into German captivity when the Germans captured it in July 1941 without a single one of them having escaped and fallen again into Russian hands or reported to a Polish consul in Russia or to the Polish Underground Movement in Poland. This is quite incredible: and not only is it incredible to anyone who knows anything about prisoner-of-war labour camps in Russia, or who pictures to himself the disorganization and confusion which must have attended the Russian exit and German entry into Smolensk, but the assumption which I have described as essential to the Russian case is actually destroyed by the words of the Russian investigating commission itself. The commission asserts that many Polish prisoners did in fact escape after the district of Smolensk had been overrun by the Germans, and describes the frequent "round-ups" of escaped prisoners which the Germans organized. The Russian story gives no explanation of why in these circumstances not a single one of the Poles who were allegedly transferred from Kozielsk, Starobielsk and Ostashkov to the labour camps Nos. 1 O.N., 2 O.N., and 3 O.N. has ever been seen or heard of alive again.

10. So much for the assumption essential to the credibility of the Russian story. The unexplained set of facts is the same set of facts which has dominated this controversy throughout, namely that from April 1940 onwards no single letter or message was ever received by anybody from the

Poles/



Poles who were until then at Kozielsk, Starobielsk and Ostashkov (excepting the 400 to 500 sent to Griazovetz); that no single enquiry about these men out of some 500 actually addressed by the Polish Red Cross Society to the Soviet authorities was ever answered, and that no enquiries by representatives of the Polish Government elicited any definite or consistent information about them from the Soviet Government. If they had, as the Soviet Government now allege, been transferred from Kozielsk, Starobielsk and Ostashkov to camps Nos. 1, 2 and 3 O.N., why did not the Soviet Government say so long ago?

11. To all this I am afraid I can only reply, as I did in my previous despatch on the same subject, that, while "we do not know for certain who murdered the Polish officers buried at Katyn . . . the cumulative effect of the evidence "is to throw serious doubts on Russian disclaimers of "responsibility". The defective nature of the report now issued by the Russian commission of enquiry makes these doubts even stronger than they were before. Stronger anyhow in the view of well informed persons in the United Kingdom, for having made enquiries through appropriate channels, I am satisfied that the ^{great} ~~most~~ majority of responsible British journalists have during the last nine months come round to the same opinions as I have ^{held} ~~had~~ myself throughout. Consistently with this, the Russian report was coldly received by the British press.

12. Let us think of these things always and speak of them never. To speak of them never is the advice which I have been giving to the Polish Government, but it has been unnecessary. They have received the Russian report in silence. Affliction and residence in this country seem to be teaching

them/



them how much better it is in political life to leave unsaid
those things about which one feels most passionately.

I have the honour to be, with the highest respect,

Sir,

Your most obedient

humble Servant,

James O. Malley