

Vernehmung des Dr. Johannes SONTIS,
Rechtsanwalt vor dem griechischen
Reichsgericht, Privatdozent an der
Universitaet Athen, Ausserordentlicher
Professor fuer politische Wissenschaften
an der Akademie Athen, Professor des
Internationalen Rechtswesens vor dem
Haager Gerichtshof.

1. F. Wie heissen Sie?
2. F. Wann sind Sie geboren?
3. F. Wo sind Sie geboren?
4. F. Was ist Ihre Staatsangehoerigkeit?
5. F. Was sind Sie von Beruf?
6. F. Wo befanden Sie sich zwischen 1939 und 1945?
7. F. Wann wurde Griechenland von Deutschland
angegriffen?
8. F. Was haben Sie in Athen waehrend der Besatzungs-
zeit gemacht?
9. F. Wer war damals der deutsche Oberbefehlshaber
in Griechenland?
10. F. Von welchem Zeitpunkt sprechen Sie?
11. F. Wann hat sich diese Situation geaendert?
12. F. Durch wen wurde dieser Oberbefehlshaber
abgeloeset?

13. F. Wann wurden Sie als Verteidiger fuer griechische Angeklagte von den deutschen Gerichten zugelassen?
14. F. Wer war der Oberste Gerichtsherr?
15. F. An wen mussten Gnadengesuche eingereicht werden?
16. F. Hatte er selbst das Recht, diese Gnadengesuche zu bewilligen oder abzulehnen?
17. F. Was waren typische Faelle, die vor diesem Gericht zur Anklage kamen?
18. F. Hatten alle Angeklagten griechische Verteidiger?
19. F. Wie viel Tage hatten Sie sich fuer Ihre Verteidigung vorzubereiten?
20. F. Was war die Durchschnittsdauer eines Prozesses?
21. F. Was war die Durchschnittszeit zwischen Verkuendigung des Urteils und der Vollstreckung?
22. F. Im Falle, dass die Angeklagten fuer unschuldig befunden wurden, wurden sie dann auf freien Fuss gesetzt?
23. F. Warum nicht?

24. F. Wem unterstand die Geheime Feldpolizei?
25. F. Gab es zu dieser Zeit SS oder SD in Griechenland?
26. F. Wann kam die erste SS oder SD nach Griechenland?
27. F. Waren die Truppen in Griechenland, die im Zusammenhang mit den Prozessen eingesetzt wurden, Angehörige der deutschen Wehrmacht?
28. F. Wem unterstanden die Truppen disziplinaer?
29. F. An wen haben Sie sich gewendet im Falle einer Beschwerde ueber die Truppen?
30. F. Wer war der Stadtkommandant von Athen?
31. F. Kennen Sie General SPEIDEL persoendlich?
32. F. Kennen Sie General LIST persoendlich?
33. F. Hat es ausser diesem Gericht noch andere Gerichte gegeben, die sich mit griechischen Faellen befasst haben?
34. F. Wer war der Ic des General SPEIDEL?
35. F. Kannten Sie ihn persoendlich?
36. F. Wie viel Richter gab es in dem Gericht?

37. F. Waren diese Richter alle Angehörige der Wehrmacht?
38. F. Waren diese Richter von Beruf Juristen?
39. F. Schildern Sie uns eine typische Verhandlung.

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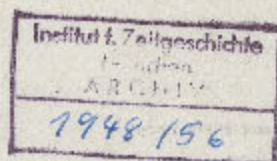
Name : Dr. Johannes Sontis

Born: July 15, 1907

Born in: Monastir, Macedonia

Marital Status: Single

Profession: Attorney of the Supreme Court; Associate Professor of the University of Athens and Ordinary Professor on the Academy for Political Sciences.



Between 1941 and 1945 I was in Athens. I have been for 16 years a practicing attorney and I carried out this profession continuously between 1941 and 1945 with one exception during the Greek and Italian War because during that time I was in charge of the Foreign Radio Propaganda of the Greek Government.

After the capture of Athens, on 27 April 1941, I started again with my vocation, first before Greek courts. At the end of May 1941, the first German permanent court martial was created in Athens. The name of this court was Court Martial of the Commanding General of the Air District, Southeast. As far as I can remember, the name of the Commanding General of the Air District Southeast was General Felmy. At that time, I believe, two or three Greek attorneys were accredited to the court martial but they were not very well liked by the Greek populace because they had the reputation of being German friendly. The Athens Bar Association took cognizance of this fact and the President of the Bar Association at that time ordered me to get in touch with the President of the court martial, a man by the name of Dr. Duchstein, Lt. Colonel in the German Judge Advocate General's Department of the Air Force, and to ask him whether or not it would be possible to permit other attorneys to plead before the court martial.

At first Dr. Duchstein hesitated but after he had a conversation with the legal advisor of the Commanding General Southeast, Judge Advocate of the Air Force Dr. Frohwein, he accepted my offer and was agreeable to permit four additional Greek attorneys to plead before his court martial. That is how I started my activities before this court - that was around the end of June 1941. My intention was to consider this part of my activities as my main task but without compensation to help my persecuted fellow citizens. Consequently, my activities in connection with Greek courts ceased. My activities before the

just mentioned court martial continued until the middle of June 1942. At that time the aforementioned court stopped admitting Greek cases because a new court martial for Greek nationals only commenced.

The name of this court was Court Martial of the Commanding General Southern Greece. It was as far as I know operating under the administration of the Judge Advocate Dr. Frowine. Dr. Frowine got officially in touch with the Bar Association and asked that the Bar Association submit a list of ten Greek attorneys who know the German language as well as German Criminal Procedure, and to recommend these men to the court martial. As result a list of ten attorneys was submitted, who were the only ones having the sole right to appear as defense counsel before this particular court. As far as I can recollect General Speidel arrived at that time for the first time as Commanding General Southern Greece. That is how I received "number four" on the aforementioned roster of names of attorneys who the Germans permitted to practice. Said court martial operated until the liberation of Greece or to be more specific, until the end of August 1944.

Specific Cases:

At the beginning of September 1942 on the island of Poros, nine highly esteemed individuals were arrested of whom the majority were federal employees, amongst them were - one attorney, one doctor and one pharmacist - under suspicion that they participated in Pro-British propaganda. The arrest was carried out by the Secret Field Police, Piraeus. The arrested persons were transferred to the jail of the Secret Field Police in Piraeus and there they were submitted to extraordinary severe interrogations including tortures. The tortures were so horrible that one of the arrested became insane and later on was transferred to a mental institution. After the termination of the pre-trial interrogation all papers were forwarded to the already mentioned court martial during the first ten days of the month of October 1942. Proceedings in this case took place on the 30th November 1942. The Presiding Judge during this trial was a Major of the Air Force RADTKE in private life an attorney in Berlin. As defense counsels for the nine defendants appeared three of the accredited Greek attorneys amongst whom was I, who was charged with the defense of four of the defendants. At the beginning of the proceedings the Presiding Judge declared that the proceedings would take place under the exclusion of the public allegedly because this was a very severe case of espionage. After the indictment was

read the proceedings started. As witnesses for the Prosecution two non-commissioned officers of the Secret Field Police appeared.

Through the relatives of the accused I knew already that the defendants were interrogated by the Secret Field Police under severe torture and therefore I immediately put questions to the witness whether or not the pre-trial interrogation took place under pressure. The witness then turned to the Presiding Judge and asked whether or not he had to answer this question. The Presiding Judge instructed the witness to answer the question and consequently the witness made the following statement. "We always have the order in cases like this to put the arrested individuals under a very severe investigation. In this case maybe we were not quite as tough; I personally for instance gave the defendant medical Doctor only a couple of slaps across the face!" I lost my temper and asked, "What is your profession in civilian life, witness?" "I am a judge", the witness replied. I said to him "In other words you are an educated individual. How could you dare to slap a Doctor's face who like you is also a highly educated man and a graduate of a university?" The witness got excited and yelled at the top of his voice "I reject your comments". After that the presiding Judge held me in contempt of court and advised me not to repeat such behavior. Nevertheless my comments had a certain success. It was the first time that the court officially during the proceedings got information about the tortures of the Secret Field Police.

After that the second witness for the prosecution testified. The presiding judge asked this witness whether he too had beaten up the defendants. He answered he personally had not done so. The severe measures in connection with the interrogations were carried out by others. As soon as this statement was made one of my associate defense counsels got up and told the witness: He judges this is a new method; he doesn't beat them personally however he delegates this type of work to others. We call this method the "Steierhoff" method (name of the prosecution witness)". This comment caused new excitement in the court room and the presiding judge addressed my colleague in a very harsh tone. The proceedings in connection with the other witnesses and other defendants lasted until 7 PM. The court retired for its decision and after two hours it handed down judgement and sentences. The decision stated that the submitted evidence was insufficient to prove the guilt of the defendants. For

this reason the court decided to postpone the trial for the purpose of gathering and submitting additional evidence. Consequently the session was terminated; whereupon an officer of the Secret Field Police arrived and went directly to the defense counsel and said this, "you insulted the man working out of my office and this you will soon regret because you will be put in a concentration camp. You will soon have more information about this. Give me please, your address". He left and we in turn went immediately to the Archbishop of Athens and informed him about what the Lieutenant had told us. The Archbishop of Athens thereupon tried to get in touch with the German Plenipotentiary in Greece, Herr Altenburg. He succeeded in seeing Altenburg during the evening of the same day and through this intermediary our apprehension by the Secret Field Police was actually prevented. However, the defendants continued to be under arrest under the pretense of keeping them continuously under security for their own protection. The arrest continued until the beginning of 1943 and at that time I decided to get directly in touch with General Speidel and beg him to release the prisoners. To see him personally at that time was impossible, therefore I was directed to see his Intelligence Officer, the infamous Captain Doctor Stoeckle. It was a rather substantial success and I visited for the first time the Intelligence Department. It was a small room full of files and papers and upon entering I noticed at once that the largest part of these files were nothing else but the proceedings before the court martial. To each file containing the proceedings a red strip of paper was glued to it running diagonally across the entire file. I could not understand the significance of this red piece of paper because the files containing the proceedings during the court martial did not have such a red flag; the significance of it I learned later, however.

Dr. Stoeckle received me with particular courtesy and asked me how he could serve me. I told him the purpose of my visit and at that same time I gave him a written petition in which I expressed my desire to free my clients because the proceedings before the court martial proved the innocence of the defense. Suddenly he jumped out of his chair, took one dossier on which there was a red strip of paper and said to me the following words which I still have exactly in my memory, "Herr Doctor, the court can decide whatever it wants to. However, I have in these dossiers proof on the basis of which I am in a position

to put your clients directly against the wall. Anyhow I will think the matter over". Thus I left him. It was the 4th of January 1943 in the AM. As a matter of fact, Dr. Stoeckly really gave this matter a lot of thought. On the 7th of January 1943 at 6 o'clock in the morning the three of my clients, that is: Nikolaos Karsiotis, Medical Doctor; Wassilios Wirwilis, Lawyer; and Nicolaos Wirwilis, Pharmaceutist all from the Island of Poros were executed. Between the day that I asked Dr. Stoeckle for clemency and the assassination exactly 72 hours had elapsed. At that time no SS or SD existed in Greece. Therefore the executions were carried out by members of the German Army.

At the beginning of September 1942 the building of the organization ESPO was dynamited by Greek patriots. The building was situated close to a famous square in Athens. Said organization was made up of members of Nazi friends or sympathizers. In the building itself no German soldier was quartered only downstairs, occasionally Germans entered into the basement. The Secret Field Police Piraeus immediately ordered a thorough investigation whereupon 15 to 18 Greeks were arrested on grounds of suspicion. Among the arrested were: Captain of the Greek Air Corps, Kostas Perrikos, one of our memorable heroes; the owner of the largest movie house in Greece and representative of almost all American firms, Athanassios Skouras; Ioannis Katewatis one of the best lawyers of Athens, two law students and others. A month and a half after the arrest I inquired about this matter with the court martial where upon I was told that the investigation on the part of the Secret Field Police was already terminated, that the Chief Prosecutor up to now has only formulated an indictment against six of the arrested and that for the others the charges were to be dropped. Here we are only concerned with the misfortunes of those against whom no charges were filed. They continued of course to be under arrest, and it was clear that a "security arrest" was ordered. Only one way was open to help these people, the way being outside of the usual court procedure. In those cases used old acquaintances. This was always of great help to me during the occupation. My contact was the Hungarian Ambassador, Laslo de Velic who later in the summer of 1944 escaped to Egypt. I went to him and asked him to intervene on behalf of these people with Spiedel and Dr. Stoeckle.

Because of his close social relationship with the two aforementioned individuals. The Hungarian Ambassador knew Dr. Stoeckle from Munich since 1924 at a time when de Velic was Hungarian Consul in Munich and Stoeckle was one of the well known personalities in student circles. This old acquaintance he took up again in Athens. Actually he did intervene but without success.

Now I want to revert to the first case I already talked about.

It was the 7th of January 1943 at 9 o'clock in the morning as I went to my office. There I found assembled the relatives of Skouras and the others, and the relatives of those which I have already mentioned in my previous case. All of them cried and sobbed and informed me that on that morning the Sergeant in the jail refused to accept the daily packages of food. In such cases this meant clearly that the inmates were transported away usually in the direction toward the place of execution. Thereupon I called immediately, the Archdiocese of Athens which operated an office which concerned itself with the family affairs of persecuted Greeks. They maintained a card index of all people and they were eventually informed about their plight. To this office went also the reports of the priests who were present during the execution and were called by the prison officer to administer last rites. These priests, according to the wishes of the Archbishop were obliged to hand in their eye witness reports not later than four hours after the execution. Therefore this office was the only source from where I could find out whether or not any of my clients had been executed, inasmuch as the court never relayed such information to the defense counsel. Thus I contacted this office and I received the answer, that as a matter of fact on the evening before two priests were called, but one had not as yet received any reports from the priests. I was extremely excited and the crying and sobbing of the relatives continued. I decided to call upon the director of the Athens Radio who had the reputation of being germanophile and who was in close contact with the higher Military circles amongst them Stoeckle and Speidel.

After this I visited the Archbishop accompanied by all relatives, and the Archbishop phoned immediately to the jail and received the answer that as a matter of fact the persons involved were carried away at 5 o'clock in the morning but they did not know in which direction. Later on we assembled in the office of "Skouras' Films" and suddenly the director of the Athens radio

arrived and called me aside and told me that just this minute he had heard all the people were shot at 6 o'clock this morning on the rifle range. We did not tell that to the relatives right away but sent them home. After the relatives left the radio director told me the following story verbally: He visited Dr. Stoeckle who told him: "The Greeks must leave us alone otherwise the next time I will pick from the higher classes!" Next day we received the details of this assassination from the priests and from the interpreter of the jail who officiated during the execution. At 5 o'clock in the morning on the 7th of January two cars arrived at the entrance of the jail and carried away the three men from the Poros affair, those which I had mentioned in the first case and six or seven from the ESPO affair, those who were not found guilty in connection with the charges. One didn't tell the people anything. They got into the cars and as soon as the cars turned in the direction of the rifle range did they understand what it was all about. They started singing the Greek National Anthem. With their heads high they stood before the execution detail and according to the report of the priest cried, "long live Greece". There was no SS at that time in Greece, all were Infantry soldiers of the Occupation Army.

Beginning of October 1943, was for the first time that the SS and SD came to Greece. Pretty soon the SS and SD started to handle all matters of the population themselves and sent no cases to the regular appointed court martials. As a result of this the court martials pretty soon were, so to speak, without clients, and myself and a number of my colleagues went to the legal advisor of General Speidel and asked him whether or not General Speidel could order Schimana to the extent of having some of the cases transferred back to the court martial. The reason for our request was that I had a small outside chance in getting some of my clients acquitted if they would actually be tried before a court martial, however, there was no way of protecting my Greek fellow citizens if they were executed without trial at the hands of Schimana. As a result of this Speidel succeeded partially in getting the German courts jurisdiction over such cases which involved sabotage or espionage against the German Wehrmacht while the rest of the offenses were dealt with directly by Schimana. Despite the fact that Schimana made this promise we were not given important cases to try but only very small cases such

as theft, burglary and so forth with the exception of two or three espionage cases and thus the smaller court which operated under the jurisdiction of the administrative headquarters of Athens tried the same type of cases we did. From now on the daily program was to kill people en masse without trial and they were killed at the hands of the SS. As defense counsel I was unable to do anything for my clients with the SS. Even to enter the building which housed the SS was forbidden to us. One time I tried it but I was thrown out in a most brutal way. I wanted to submit a petition.

I am unable to testify to the exact number of people executed or the exact dates they took place. However, these are generally known facts and have remained as such ever since. I will only tell you of one case which I experienced myself. It was the first of May 1944. I got a phone call in my office at 9:00 in the morning from the already mentioned office of the Archbishop of Athens. I was told that one hour ago two policemen had brought the shoes, clothing and belongings of 200 people to the Police Precinct nearest the execution place outside of Athens. I was asked whether or not I knew more about this. I said that I did not know anything about it. I went immediately to the Archbishop and I found the women in charge of the office and after we got in touch with the aforementioned police precinct we finally succeeded in transporting all the belongings into a building near the Archbishop. This happened about two in the afternoon. The picture, in looking at all these belongings, made a horrible impression on us. We looked in the pockets of the clothing to see if we could find any papers or identifications. Meanwhile this whole matter came to the attention of the population and the relatives who had of course a prime interest in these victims hurried over to the building where we had assembled the leftovers. I cannot describe here the terrible crying, sobbing, and lamentations which took place when the relatives arrived inasmuch as women and children crazed and in a condition bordering on insanity looked through the belongings of their loved ones. One old woman from a suburb found the clothing of her son. She took the clothing and pressed it against her chest while crying and suddenly she turned around and noticed the clothing of her second son. The old woman fainted. To this whole picture I was a witness.

Later we got some of the details of these mass executions. The executed were not permitted to confess. No priest was called, and during the

execution even some of the SS men in the execution squad fainted. The dead bodies, completely nude but for their underclothing, bleeding, were thrown on the back of trucks just like you cart away freshly slaughtered cattle. These particulars were told to us by a policeman from the police precinct of this suburb who received the dead bodies against a written receipt. I want to state that I have seen these receipts and that they read as follows: I hereby certify that on this date I received on the execution place of so and so so many dead bodies for the purpose of transferring them to the cemetery in Athens. Dated Athens, and signed by so and so, policeman.

Since that day the terror increased daily. In the last month after Speidel left the responsibility for this condition was that of General Felmy. The end of September 1944 Athens became real hell. On the 12th September 1944 finally Athens was liberated by the British in conjunction with Free Greek Forces.

The Greek Naval Officers and one officer of the Greek Air Force tried to escape on a small sloop from Greece to Egypt via Turkey for the purpose of joining the Free Greek Forces. The officers were apprehended by members of the German Armed Forces and returned to Athens for court martial. They were not treated as prisoners of war nor were they treated in accordance with International Law. They were sentenced to death because the German court held that they owed allegiance to the occupation power and were guilty of trying to support the enemy despite the fact that they themselves considered the enemy their own country and because they still considered the Greek Navy as still in existence and fighting along side the British Navy. There arose various conflicts of International Law. I appealed to General Speidel for clemency and instead of treating these people in accordance with International Law and quash the sentence he commuted their death sentence to 15 years federal imprisonment and they were transported to Germany and were incarcerated in a federal penitentiary until the American Forces liberated them.

I claim that according to International Law the German Military Commander in Greece, General Speidel, being the highest representative of the occupation power, must assume full responsibility for everything the HSSPF Schimana has done even if Schimana undertook matters without, or specifically against the orders of Speidel.

Sabotage:

In at least two-thirds out of a total of approximately 40 cases Greeks were executed allegedly of having committed sabotage against the German Wehrmacht, even if the charges were as such could not be proven in court, for instance; a man would steal gasoline for the operation of his own vehicle or steal a tire for his own car. Rather than interpret this act as plain theft because the element of personal enrichment was involved, he was accused of sabotage and sentenced to be shot, this being also contrary to the German Criminal Code.