

*Indictment*

10115

NOTE ON THE INCLUSION IN THE INDICTMENT OF  
THE GERMAN HIGH COMMAND AND GENERAL STAFF

This Group was added to the indictment at a recent meeting of the Chief Prosecutors and the expression used in the indictment is expanded and defined in Appendix B to the Indictment. This definition declares that the persons who held certain offices between 4 February 1938 and the end of the war had a major responsibility in planning and waging the war and acted together as a group in doing so. The positions involved are:

Chef OKW  
Chef OKW/Fuehrungsstab  
Deputy Chef OKW/Fuehrungsstab  
Ob. des Heeres  
Ob. der dt. Kriegsmarine  
Ob. der Luftwaffe  
Chef des Genst. des Heeres  
Chef des Genst. der Luftwaffe  
Chef der Seekriegsleitung  
Commanders-in-Chief with the Status of  
Oberbefehlshaber.

11 This definition embraces, it is hoped, all those officers in the very highest and most responsible military positions whom it was desired to bring within the purview of these proceedings. They do not constitute the German General Staff because there never was any such thing. They are an arbitrary group created by the prosecution. It is therefore necessary to show in the first place that they had some group existence and that they functioned coherently. The necessary evidence may be found either:

(a) in documents containing minutes of or references to meetings attended by a large proportion of these office-holders. It may be possible to prove that meetings of such a nature took place with a fair degree of regularity; or

(b) from interrogations directed towards showing the same point, namely that a group of this kind did in fact meet from time to time to discuss overall strategy and planning. Such interrogations are most likely to be fruitful in the case of:

(i) ADC's and secretaries who had to arrange the meetings, got the high ups to the right spot and drew up a record of the proceedings;

(ii) The more intelligent senior officers such as Halder, Koller, Kesselring--possibly also Warlimont, Guderian. Informal conversation by an interrogator who will talk to the General as man to man may well yield more on this subject than a formal session.

(iii) *Oberst STREVE, Comd Commandant of Fuehrer HQ*

The term Oberbefehlshaber is a fairly wide one. A precise definition of it from someone like Halder or Kesselring would be a useful safeguard. Generally speaking it means any commanding officer whose command was an Oberkommando as opposed to a Generalkommando (which meant a corps or static command of corps status). Thus Army commanders (with a few exceptions only) are included. This makes the Group rather large and it will be as well to seek especially for information about the degree of responsibility of an Army commander and his participation at high level conferences.

  
Wing Commander

cc: Colonel Wheeler ✓  
Lt. Colonel Kaplan  
Commander Kaplan  
Lt. Martin