

Werner D. ...
MEMORANDUM

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23 July 1945

The following are excerpts from various intelligence reports prepared in conjunction with the screening of the Tarnbach documents:

I. German Order for the Attacking of Russian Submarines Before the Declaration of War (N.I.D./24/T15/45.)

Early in April 1941, the Germans reported sighting a surfaced U-boat of unknown nationality twenty miles southwest of Bornholm. The vessel replied to challenges with a single letter signal of no special meaning. In view of the imminence of the operation Barbarossa (declaration of war on Russia - 22 June 1941) a decision was requested as to the action to be taken against such submarines, particularly if they were determined to be Russian. The following order signed by Keitel was issued on 15 June 1941:

"Permission to attack submarines south of the line Memel - South tip of Oeland, is hereby granted if the approaching boat cannot be definitely identified as Swedish. Until D-Day, the argument is to be used that the submarine was thought to be British." This order was signed, "Chef des Oberkommandos der Wehrmacht, Keitel". The original of this order is available.

II. "Sink at Sight Policy" (N.I.D./24/T-7/45).

From a report, unsigned, of a meeting held 30 December 1939 between Raeder and the Fuehrer, at which Gen. Ober. Keitel and Fret. Kapt. v. Futtkaer were present, the following decision was made:

"The procedure in force until now, of general intensification without any special announcement, has been successful. Should a proclamation of general intensification of the war be made, (the Fuehrer has approved this) it is desired that it be merely a general intimation of intensification, even of the war at sea, and that it contain no concrete definitions. Furthermore, it is requested that the Naval war staff have full power to carry out any steps of intensification which the general situation and the preparedness of the means of war allow. The full consent of the Fuehrer, however, must in every case be gained beforehand. The same process must be carried out even if no proclamation be made. The Fuehrer, then, gives his consent to:

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- "A. Merchant ships of nations which sell or charter ships to the British - mainly Greek ships - may be fired on and sunk without warning within the American prohibited area (the area defined by our Neutrality Act). This may be done by one or more U-boats, according to the situation, and will possibly be limited to specific areas.
- "B. In those sections of the American prohibited area, in which the fixation of danger of mines can be maintained, i.e., the Bristol Channel, all or single U-boats may fire on and sink any neutral merchant ships, except those of friendly neutral countries.
- "C. The Fuehrer is reserving the announcement of the law in reply to the Order in Council until the moment of the general intensification of the war; should the offensive be long delayed, then at such time as such measures will have to be carried out in place of an offensive. The good treatment of friendly neutrals is to continue."

From page 8 of the above memorandum, it is interesting to note the following from an undated and unsigned note on the intensification of war at sea against Britain:

"Even if we are convinced that, should the war be of long duration, the U.S.A. will enter it,.....it must be our object to delay this event so long that American help will come too late."

The "Sink on Sight Policy" memorandum contains references to an operation order of 24 August 1939, "Operation Order North Sea Nr. 2 for the 3rd and 5th U-boat Flotillas", signed by Ibbeken (FdU West) of which the following is of interest:

- "B. At the outbreak of hostilities with the Western Powers:

Attacks on warships, destroyers, their escorts, and submarines will be permitted. Merchant shipping warfare will be conducted according to the new draft of the prize regulations. Ships which may be sunk without warning are:

- "1) Merchant vessels sailing in convoy.
- "2) Vessels on which troops and war materials can be seen.
- "3) Armament on merchant ships does not in itself justify sinking without warning. However, all resistance by merchant vessels is to be broken up by every measure.
- "4) Action is to be taken only if the ship prepares to resist, or if the U-boat is considered to be in danger."

This memorandum also contains an interesting, but not too helpful, excerpt from Doenitz's diary for the period of August 15 to September 15, 1939. Further screening of the full document might be advisable.

In reference to the Prize Regulations mentioned above, Admiralty Intelligence experts have reviewed them thoroughly and have found the following excerpt to be the only one of any note:

"The declaration of the VI Agreement of the Hague Convention concerning the treatment of enemy merchant shipping on the outbreak of war remains intact.

"Note 1. The agreement governs in particular the treatment of merchant ships which are in enemy ports on the outbreak of hostilities. It has not been put into effect in the present war."