

TRANSLATION

Nurnberg, 24 November 1945

To: General Donovan

From: Dr. von Schlabrendorff

Subject: Testimony before the Court

Q. Do you know when Hitler decided to wage war against Poland?

A. Hitler was resolved in 1939 to wage war against Poland at any cost, and in opposition to the endeavors of England to maintain peace.

Q. How do you know this?

A. I know this from the Chief of the German Abwehr, Admiral Canaris, and from the Chief of the Central Office, General Oster. I also know it from the English Ambassador in Berlin, Sir Neville Henderson, and from the first Counsellor at the British Embassy in Berlin, Sir George Ogilvy Forbes.

Q. Did you inform any one of this fact?

A. Yes, I was in England in June 1939, and informed Winston Churchill and Lord Lloyd of this fact. Lord Lloyd told me that he had transmitted this information to Lord Halifax.

Q. Why did you as a German inform English officials of this fact?

A. I always was an opponent of Hitler and saw the antithesis between Hitler and the world, not as one between nations, but as one between philosophies of life.

Q. Do you know whether Hitler at any time gave orders to the effect that terror should be used against the population of countries occupied by Germany?

A. Yes. I know that Hitler said in a speech to his generals before the beginning of the Polish campaign, and prior to the beginning of the Russian campaign, that he had issued an order to have a terror regime administered by SS troops.

Q. How do you know this?

A. Field Marshal von Bock told me this in May or June 1941.

Q. When do you think Hitler made the decision to wage an offensive war against Russia?

A. Certainly not later than the beginning of the year 1941.

Q. How do you know this?

A. I saw the order for the preparation of the aggressive campaign against Russia. Besides, General von Tresckow told me, in February 1941, of the planned offensive war against Russia.

Q. Do you know whether Hitler issued an order to have Russian prisoners shot?

A. Yes. I know that Hitler gave the order to have all captured Russian Commissars treated not as prisoners, but to have them shot. I also know that Hitler had originally ordered to have all Russian officers shot. Field Marshal von Brauchitsch had objected to this order, and Hitler then limited his order to the shooting of Russian Commissars.

Q. How do you know this?

A. I personally read Hitler's order. Field Marshal von Bock also spoke to me about this order. I pointed out to him that such an order would be in violation of international law, and I therefore know that both von Bock and von Kluge were against the order. I remember that on General von Tresckow's orders Russian Commissars often were not shot.

- Q. Do you know whether other captured soldiers were shot?
- A. Yes. In the fall of 1941 Hitler gave the order to have all captured Russian soldiers who had been members of the Russian Communist Party, shot by the SS.
- Q. How do you know this?
- A. I read the order. Field Marshal von Bock also spoke to me about it. I pointed out to him that this order was in violation of international law. On his instructions I prepared the draft of a memorandum in which I pointed out that the execution of this order would be in contravention of the duty, honor, and loyalty of a soldier. Field Marshal von Bock made several changes in this draft, then signed it, and sent it to Hitler.
- Q. Do you know whether during the war parts of the population were shot without due process of law?
- A. Yes. I know that in the fall of 1941, 7,000 Jews of Russian nationality, (men, women and children) were shot by SS troops in Borissov, Russia, over a period of three days.
- Q. How do you know this?
- A. I read the original file at the time. Field Marshal von Bock also spoke with me about this incident. In view of the opposition of all officers of the Leadership Division of the Army Group Middle against these measures, Field Marshal von Bock assigned to me the task of drafting a letter to Hitler in order to protest against this measure.
- Q. Do you know whether during the war the German Luftwaffe had orders to attack civilian populations?
- A. Yes. I know that in the summer of 1940 Hitler ordered the Luftwaffe to attack not only areas essential to the war in England, but also to destroy civilian centers and cultural monuments, in order to humiliate English pride.
- Q. How do you know this?
- A. These facts were given to me by General von Tresckow, who at that time was a General Staff officer in the Army Group Rundstedt, and who had orders to maintain liaison between the Army Group Rundstedt and the Luftwaffe.
- Q. Do you know whether Hitler also ordered in other cases to have soldiers of enemy not captured, but shot?
- A. Yes, I know that in 1943 Hitler gave orders to have all English and American parachutists not captured, but shot, whether they were in uniform or in civilian dress.
- Q. How do you know this?
- A. I read the order which was addressed to the supreme commander of the Army Group Middle, and which had the addenda that it was to be immediately destroyed after it had been read, and must under no circumstances fall into enemy hands. I also talked about this order to Field Marshal Busch. I pointed out to him that this order was violating international law.
- Q. Do you know whether it is true that Hitler gave his generals monetary donations in addition to their salary?
- A. Yes. I know that Hitler gave the generals, beginning from Army Supreme Commanders upwards, special monetary donations which did not appear in the budget, but which were represented as a personal gift from Hitler.
- Q. How do you know this?
- A. I know this from Field Marshals von Bock and von Kluge, who retained me as their lawyer in my civilian capacity. I took care of matters pertaining to their personal assets. I also know that General Guderian used this money in order to buy an estate in the county of Osterode, in East Prussia. I also know that Field Marshal von Manstein had planned to use this money to buy an estate.
- Q. Can you tell me whether the majority of the German Officers' Corps, especially the members of the General Staff, considered the payment of such monies as justified?
- A. We all considered the making of such payments as a violation of the tradition of the officers' corps. The making of such payments before the end of a war represented a bribe in our opinion.

- Q. Do you know whether the Germans ever exerted pressure on the Japanese in order to make the latter attack the United States?
- A. I know that Ribbentrop at various times tried to influence the Japanese Ambassador in Berlin, General Oshima, in order to bring about an attack by Japan against the United States.
- Q. How do you know this?
- A. Ambassador Oshima himself told me this on the occasion of a trip to the front in Russia, on which I had to accompany him.
- Q. Do you know whether the High Command of the Armed Forces issued a decree during the war according to which foreigners in occupied territories were to be gotten rid of?
- A. I know that during the war a decree was issued, signed by the defendant Keitel, which was to the effect that all foreigners in prison awaiting trial, whenever a death sentence was to be expected, were to be taken to Germany clandestinely and to be handed over to the SS. Because of the expression used in the decree "to be taken clandestinely", (in German: Bei Nacht und Nebel - literally, in the middle of a foggy night) this order was generally called the "Nacht und Nebel" order. I remember that the defendant Keitel added to the decree the remark that the order had not yet been approved of by Hitler, but that it would have to be executed immediately.
- Q. How do you know this?
- A. I read the order myself.
- Q. Do you know whether within the Armed Forces force was ever used in order to get confessions out of prisoners awaiting trial?
- A. I know that during the war the High Command of the Armed Forces issued a decree according to which so-called "intensified investigations" should be undertaken in order to bring about confessions. This was to be done in the case of foreigners who were awaiting trial, but only after the agreement of the Judge Advocate General's office had been secured.
- Q. How do you know this?
- A. In 1944 I was present when a military judge of the Second Army gave an order by telephone to the effect that an intensified investigation should be undertaken. While the military judge was still on the telephone, the Chief of the General Staff of the Army, General Tresckow entered the room, interrupted the military judge, and said that he would not stand for any such measures in violation of international law within his jurisdiction.
- Q. Do you know whether any other repressive measures were undertaken against the civilian population?
- A. Yes. I know that in 1944 General Staedtke, who was at that time Chief of the General Staff of the Ninth Army, undertook measures whereby those parts of the population, who were not able to work, such as old men, women, and children, should be taken into the Woman's Land between the fronts and should there be exposed to deterioration by lack of proper housing and food. I also know that General Tresckow, the Chief of the General Staff of the Second Army, forbade such measures within his jurisdiction.
- Q. Do you know whether during the course of an investigation, German citizens were tortured?
- A. Yes. I myself was tortured several times by the Gestapo in the prison of the Reichssicherheitshauptamt?
- Q. Can you describe these measures?
- A. Yes. (A description of the torture follows).
- Q. Can you give the names of other persons on whom you saw the effects of torture?
- A. Yes. I can name State Secretary Planck, and the attorney Langbehn.
- Q. Do you know whether Germans in concentration camps were executed without a proper sentence having been imposed?
- A. Yes. I myself was told that I would be shot in spite of the fact that I had been acquitted by the People's Court. I was not executed only because of the quick advance of the American troops. I know however, that the following

persons were hanged in the concentration camp Flossenburg, on April 9, 1945 between six and seven o'clock, in spite of the fact that no court judgement had been rendered against them: Admiral Canaris, General Oster, Captain Struenck, Captain Gehre, and Pastor Dietrich Bonhoefer. I also know that certain delaying measures were used in the hanging of Admiral Canaris in order to make his death particularly painful. The SS crews who were active here, received as a reward a special food ration consisting of sausage and brandy.

- Q. Do you know whether all parts of the German people, insofar as they were aware of these things, accepted or even approved of these brutalities?
- A. From personal knowledge I can say that considerable parts of the civilian population and of the German Officers' Corps fought against these measures.

Q. Can you give us names?

- A. Yes. They were in the main four groups. The first group consisted of men such as the Lord Mayor Goerdeler, Minister Popitz, Professor Jessen, Minister Hermes, and State Minister Boltz. Since 1938 Schacht also belonged to this group. The ~~next~~ second group consisted of politicians of the Social Democratic Party, and of the trade union movement, such as Leuschner, Leber, Mierendorff, and Haubach. The Christian Trade Union man Jakob Kaiser also belonged to this group. The third group consisted of younger men such as Count von Moltke, Count Yorck von Wartenburg, and Count Fritz von der Schulenburg. The fourth group consisted of Communists. I had no connection with them and therefore am not able to give you any names.

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- Q. Do you know whether parts of the officer corps ~~had~~ the same attitude?
- A. Yes. I can name General Beck, Admiral Canaris, Field Marshal von Witzleben, Field Marshal von Kluge, Field Marshal Rommel, General Hoepfner, General von Falkenhausen, General Thomas, General von Stuelpnagel, General von Haase, General von Tresckow, General Olbricht, and Colonel Count Stauffenberg.

Q. Do you know why General Beck resigned in 1938 as Chief of the General Staff?

- A. Yes. In 1938 General Beck asked Hitler whether he wanted a war. When Hitler refused to answer this question, Beck forced his resignation because he did not want to have the responsibility for an aggressive war before the world and before history. At that time Beck decided to try everything he could in order to overthrow Hitler. This plan culminated in the events of 20 July 1944.