

OFFICE OF US CHIEF OF COUNSEL  
410 403, US ARMY  
INTERROGATION DIVISION

Munster, Germany.  
30 October, 1945.

Brief of

Interrogation of GERNARD WAGNER.

by

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29, October 1945

WAGNER was interrogated with regard to his knowledge of the Fuehrer Order for shooting Commandos which is accompanied by a memorandum from Wagner passing this order to lower echelons and directing that it be destroyed after reading. Wagner is familiar with the order and identified the accompanying memorandum as one which had come from him although the original available to us does not show a written signature of Wagner. He states that the Navy was very much opposed to this order but does not know of any protests made in regard to it by Admiral Raeder or by anyone else connected with the Naval High Command. He is unable to recall any incidents in which this order was carried out and knows nothing about the incident referred to in document C-176 regarding the shooting of certain British Commandos at Bordeaux although the facts with regard to this incident were discussed with him in detail.

Document C-158 purports to be a minute prepared by Wagner in connection with discussions of the desirability of denouncing the Geneva Convention in matters of naval warfare. It states in substance that the Commander in Chief of the Navy opposed any action involving the denouncing of the Geneva Convention but believes that such measures as may be found necessary should be taken without warning. Wagner identifies his signature on this minute and further identifies the other initials on this minute as being those of Admiral Doenitz. Wagner states that the question of avowedly disregarding the Geneva Convention in matters of naval warfare was brought up before the date of this minute and that he requested an opinion from Dr. Eckhardt, of the Legal Staff of the Navy, on the desirability of such a course. He states that Eckhardt's memorandum was taken up with Admiral Doenitz who subsequently took the position outlined in C-158. Wagner does not specifically recall having heard Doenitz make the statements contained in the memorandum, but he states that they would never have been recorded in his minute and initialed by the Admiral, if they had not been made by Doenitz as the official position of the Navy.

105