

OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY

Doc. No. R-118

Date 6 October 1945.

STAFF EVIDENCE ANALYSIS

DESCRIPTION OF ATTACHED DOCUMENTS (under following headings).

Title and Nature: Killing of Anglo-American air force prisoners.

Date: May and June 1944 Original () Copy (X) Language: German

LOCATION OF ORIGINAL (also WITNESS if applicable) as of 6 October 1945:

SOURCE OF ORIGINAL:

PERSONS IMPLICATED:

HITLER, Adolf; KEITEL, Wilhelm; JODL, Alfred; WARLIMONT, Walter;
HIMMLER, Heinrich; KALTENBRUNNER, Ernst; RIEBENTROP, Joachim von;
RITTER, GOERING, Hermann; BRAUCHITSCH, Walter H.H.A. von

REFERENCES TO INDEX HEADINGS (Key to Par. nos. of Summary below):

SS; WEHRMACHT; ATROCITIES: Against Military Personnel

NECESSARY PROCESSING TO PUT IN EVIDENTIARY FORM; LEADS:

SUMMARY OF RELEVANT POINTS (with page references):

This is a series of letters and memoranda from the files of the Supreme Command of the German Armed Forces, dating from the period between May and July 1944, and relating to proposed atrocities against captured Anglo-American airmen.

The documents do not refer to any specific cases involving the murder of individual prisoners. They concern a general action which the German Supreme Command, in agreement and in cooperation with the SS, the Air Force, and the Foreign Office, proposed to undertake, in order to deter Anglo-American fliers from further "terror raids" against the civilian population. The action was to take the form of a systematic killing of airmen without court-martial and the publication of such cases in the press and radio.

Two forms of killing are envisaged by the Supreme Command:

(a) Lynching by the civilian population (obviously with the assistance or at least the quiet approval of the authorities):

(b) Special treatment ("Sonderbehandlung" - SS term for killing) by the Security Service of the SS, to whom prisoners were to be handed over by the Luftwaffe.

The principal point under discussion in the documents is the exact definition of the "acts of terror" for which airmen were to be killed. It is clear, however, from some of the documents (marginal comments on d and h) that, in the eyes of the Supreme Command, these definitions were required mainly for the purposes of publicity, which was the main point of the proposed action. When broadcasting the

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killings of enemy airmen it was important to frame their alleged crimes in such a way that the Anglo-Americans would have no excuse for reprisals against German Air Force prisoners in their hands. Documents d and e and the marginal comments on Document h imply that it was not necessary for Anglo-American airmen to have actually committed the acts for which they were to be killed. In document c Kaltenbrunner states in so many words, that the SS knew of no action by Anglo-American airmen actually falling under any of the categories of "Terror acts" established by the Supreme Command.

As the documents show, the Supreme Command obtained approval of their proposed action from the Foreign Office and the Supreme Command of the Air Force, while Kaltenbrunner promised the active cooperation of the Security Service. Both Ribbentrop and Goering were careful not to give their approval in writing, and Goering successfully stalled repeated requests by the Supreme Command that he give his subordinate air force officers the requisite orders, without which the action could not become effective. Another document, previously submitted under R 19 indicates, however that in a conference of the Luftwaffe Fighter Command, on 15 and 16 May 1944, Goering had stated that he was going to propose to Hitler, that Allied flyers who participate in attacks on civilians, on towns or trains, should be shot on the spot. It is quite likely that Goering's proposal led to the decision of Hitler's dated few days later (document a). Actual killings have taken place subsequently to these exchanges, this is shown by document b and b the documents relating to the killing of airmen in Mecklenburg in June 1944. Keitel in his marginal comments on Document c mentions a case, where enemy air men were shot out of hand by Ministerialdirektor Berndt (SS Brigadefuehrer).

Attention is called also to the document submitted under our No. R 13 in which the Gauleiter of Westphalia - South invites the lynching of Allied aviators in line with one of the policies advocated in these documents.

Summaries of Individual Documents

Document a) is a record of an order given by Hitler as a result of a discussion he had with Goering, (see document submitted under R 19). Anglo-American airmen were to be shot without courtmartial in certain specified cases (attacks on civilians and defenceless German airmen). On the margin are critical comments by Jodl.

Document b) is a record of an order given by Jodl and his Deputy, calling for consultations with Himmler, Goering, Ribbentrop and others, for the purpose of coordinating action as well as propaganda concerning enemy airmen. Himmler was to be asked whether he had carried out Hitler's order to publicise the lynchings of flyers (which shows that such incidents had then already taken place) and that the authorities were aware of them.

Document c) is a record of a conversation which took place between Kaltenbrunner and the Deputy Chief of the General Staff of the Armed Forces (Warlimont) on June 6. Kaltenbrunner gives an account of a meeting held a short time before between Goering, Himmler and Ribbentrop. In this meeting Ribbentrop had proposed that all bombing attacks on German cities should be considered acts of terror. This proposal was turned down.

A question by the Deputy Chief, as to whether the Security Service was in possession of the facts of a case involving an act of terror within the meaning of the formula proposed by the General Staff, is answered by Kaltenbrunner in the

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negative. Nevertheless the Deputy Chief proceeds to outline two methods of killing enemy airmen, i.e., lynching and "Sonderbehandlung" by the Security Service. Kaltenbrunner on behalf of the Security Service, promises cooperation by the latter method. This was also the method used to kill the aviators who crashed in two Liberators in Mecklenburg (see our document R-117)

Document d) is a letter from the Chief of the Supreme Command of the Armed Forces (Keitel) to the Foreign Office, requesting their approval of the intended action. The letter is available in two drafts, of which the second represents the final version: a note on the margin indicates that it was sent to the Foreign Office on 17 June. The marginal notes on the first draft and the changes made in the second clearly indicate the reason why the first version was rejected. It did not make it sufficiently plain that the definitions of terror acts, which the Foreign Office was to approve, were required mainly for the proposed publicity. This and the following document afford proof that the Supreme Command was quite prepared to have Anglo-American airmen killed regardless of whether they had committed the acts of which they were to be publicly accused.

Document e) is a letter from Keitel to Goering, on similar lines as that under d. Again there are two versions, and again it becomes clear from the second version that the definitions of terror acts were needed mainly for the proposed publicity. In addition Keitel asks Goering that, if agreement in the matter is reached, he should give verbal instructions to the Commandant of the Airmen's Reception Camp at Oberursel to hand over airmen guilty of terror acts to the Security Service for "Sonderbehandlung" (i.e. killing).

Document f) is a non-committal reply by Goering to the letter under e. The reply is transmitted by a subordinate.

Document g) is a record of a telephone call from the Foreign Office, explaining why their answer to the letter under d was being delayed.

Document h) is the draft of a reply by the Foreign Office to the letter under d. The draft was written by Minister Ritter, who explains in a covering letter that it had not yet been approved by Ribbentrop.

Ritter proposes that the application of both lynch law and "Sonderbehandlung" be approved by the Foreign Office. He admits that both methods constituted violations of international agreements and suggests that emphasis be put on the lynching method, which he considers somewhat less indefensible, than the other.

Marginal comments by Warlimont (?) indicate once more that the Supreme Command was interested primarily in a fool-proof phrasing of public announcements concerning the alleged crimes, and that they did not care by what methods the aviators were actually executed. They also show that the Supreme Command thought that by handing over the prisoners to the Security Service they had found a way of getting around the international agreements on the treatment of prisoners of war.

Document i) is the Supreme Command's reply to Goering's non-committal statement under f. A clear-cut answer is requested.

Document j) is a record of a telephone call from Goering's office, giving Goering's approval to the approved action. However, Goering fails to state whether he is prepared to give the Commandant of the Oberursel Camp appropriate instructions.

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Document k) is a statement by Warlimont saying that Ritter had telephoned Ribbentrop's approval of the draft letter under h. Ribbentrop, however, wished to obtain Hitler's approval of the draft before sending the letter to Keitel in final form.

Document l) is a renewed reminder to Goering that he should give instructions to the Commandant at Oberursel. Marginal notes make it clear that the reminder was followed up by several telephone calls and that Goering dodged all inquiries on this point.

Document m) is a record of a further order which Hitler proposed to issue defining "terror fliers" in wider terms and threatening them with death.

Summary of Individual Responsibilities

Hitler gave one order (document a) and contemplated another (document m) involving the killing of Anglo-American airmen.

Supreme Command and General Staff of the Armed Forces were the prime movers in the matter, after Hitler had given the order. Letters went out over Keitel's initials to get the approval of the Foreign Office and the Air Force (documents d and e). Repeated attempts were made by the Supreme Command to make Goering issue the final order for the killings (document l). It was also the Supreme Command, who introduced a distinction between acts committed by enemy fliers and acts to be imputed to them in German propaganda (documents d and e, marginal comments to document h). The respective responsibilities of Keitel, Jodl, and Warlimont, whose signatures, initials and comments appear on many of the documents, are difficult to sort out.

SS and Security Service actively cooperated with the Supreme Command. Himmler held a conference on the subject with Goering and Ribbentrop (document e). Kaltenbrunner promised that the Security Service would carry out the "Senderbehandlung" of Anglo-American airmen, although he admitted that no case of "terror acts" could be made out against them (document e). As is shown the telegraphic reports on the killing of two Liberator crews (see document No. R-117) Allied aviators were subsequently turned over to the Security Service who killed them.

The Foreign Office approved the proposed action, although they were aware that it involved violations of international agreements (document h). The opinion of the Foreign Office was formulated by Minister Ritter and subsequently approved by Ribbentrop over the telephone (document k). Ribbentrop had previously advocated killing airmen who had participated in raids on cities (document e).

The Supreme Command of the Air Force approved the proposed action (document j) though Goering did so only after some hesitation (document f) and then refused to take an active part in it (document l). Subsequent documents (R-117) indicate that Allied aviators were turned over to the Security Service who promptly shot them, as was planned in these documents. He was, however, one of the persons concerned in the matter from the outset, having had a hand in Hitler's original order (document a and document R-19) and having had a meeting with Himmler and Ribbentrop on the subject (document e). Col. von Brachtisch figures as his

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liaison man with Keitel (documents b and c). General Korten, Chief of Staff of the Airforce handled Hitler's order (document a).

Ministerialdirektor Berndt is referred to by Keitel as having killed Anglo-American airmen with his own hands (document c).