

✓ Maj. Gen. Dohovan

8 November 1945

SUBJECT: Witnesses Competent to Testify at Trial

TO: Board of Review

FROM: Colonel Amen, Chief, Interrogation Division

It is recommended (except where otherwise indicated) that the following witnesses be used at the trial:

1. LAHOUSEN

General Erwin Lahousen is one of the best witnesses available on the subject of aggressive warfare from 1938 to the end of the war. This is so not only because of the testimony which he can give, but because of the fact that his appearance and manner are those of a blunt, honest, sincere Abraham Lincoln type of person and also because he will be practically invulnerable on cross examination. During the critical period of the war, he was the executive officer for Admiral Canaris and is the only one of the Canaris group who is alive today. He will testify to the aggressive aspects of the Austrian Anschluss, the Polish, Czechoslovakian and Russian campaigns. He will testify in detail about a conference at which Reinecke, Müller, himself and others were present, at which he, on behalf of Canaris, specifically objected to the inhumane orders for mistreatment of Russian prisoners of war, which objections were overruled except to the extent of having the executions take place out of sight of the German troops. He will also testify that many of these orders as well as others were discussed at length by the commanding generals and were put into effect despite advice that they were in violation of the Geneva Convention and of international law. He will also testify with respect to the mistreatment of prisoners of war other than Russian and will tie the Wehrmacht into such mistreatment. He will testify that "special treatment" in official communications meant to kill; that Himmler was continuously endeavoring to involve the Wehrmacht in his illegal activities. He will testify in detail about orders from Keitel for the execution of Giraud and Weygand. He will testify about Polish border incidents. He will also testify about German aerial reconnaissance from a base in Hungary directed to London and Leningrad as early as 1938. Lahousen's testimony can be confirmed from his own diary, which is being obtained, and by the testimony of Admiral Buerkner.

2. HALDER

Halder will make an excellent witness on almost all aspects of rearmament and of aggressive war, tying Ribbentrop into the early plans for the campaign against Czechoslovakia and Poland.

3. VON FALKENHORST

Von Falkenhorst will make an excellent and convincing witness on all aspects of the Norwegian campaign with full details.

4. BLOMBERG

Blomberg will also make a good witness on the subject of aggressive warfare and the occupation of the Rhineland.

5. SCHUSCHNIGG

The former Chancellor Kurt von Schuschnigg, who is now present at Nurnberg, Germany, can be used as a witness concerning the following:

(1) The activities of the illegal Nazi Party in Austria from 1933 until March 12, 1938.

(2) The perfecting of the Anschluss by Germany against Austria, which culminated in the invasion of Austria on March 12, 1938.

(3) The activities of Seyss-Inquart in regard to his cooperation with the German Reich up to and including 11 March 1938.

(4) The activities of Franz von Papen in regard to the Austrian Anschluss up to and including March 12, 1938.

(5) The activities and behaviour of Joachim von Ribbentrop at Berchtesgaden and his part in the Anschluss, which terminated in favor of Germany on March 12, 1938.

(6) The policy expounded and continuously broken by Hitler concerning his agreements with Foreign Powers and his aggressive attitude towards securing control of those countries; countries which he desired be a part of the German Reich.

(7) The activities of Hermann Goering concerning the successful termination for the German Reich of the Anschluss.

6. WESTHOFF

The testimony of General Adolf Westhoff should be taken into consideration in regard to Keitel's orders concerning the shackling of officer PWs and the shooting of officer PWs who had once escaped from confinement in PW camps. In addition,

General Westhoff incriminates Goering, Bormann and the Party Chancellery as persons who regarded the rules of the Geneva Convention as a scrap of paper.

7. BERGER

Gottlob Berger is one of the old-time SS and Party members who had faithfully performed all assignments by Hitler and Himmler. He was particularly active in organizing and training the SS and in indoctrinating young men for future service in the SS. He has a good memory, is dramatic in expressing his views, and apparently is honest in stating what he knows. From 1938 until the end of the war Berger served as a deputy of Himmler's in SS matters and was with Himmler the greater portion of this period. On 1 October 1944 he took charge of prisoners-of-war camps under Himmler when the administration of such camps was turned over to the SS. In this connection his testimony will corroborate and supplement that of General Westhoff who dealt with prisoner-of-war matters from the military angle. Berger is highly vulnerable. See production.

8. HOELLRIEGL

Alois Hoellriegl served as a guard at Mauthausen from January 1940 until the end of the war. He was a member of the Totenkopf SS and will testify as to his personal observation covering the use of the gas chamber for execution, the daily employment of firing squads, the cruelty of guards particularly in mistreating workers at the stone quarry, and forcing many to jump over the edge of the quarry to their deaths. He saw Kaltenbrunner first in 1942 and saw Gauleiters Eigruber and Uiberreiter and SS officials Pohl and Gluecks at the camp on several other occasions. Hoellriegl denies having participated in any mistreatments or executions and tells his story in simple terms yet in dramatic fashion.

9. HOETTL

Wilhelm Hoettl was educated as a historian and has a proclivity for preparing long historical statements. He was a member of the SD since 1938. He came to Berlin and served in the RSHA until February 1942 when he was forced into the Waffen SS for a year's service, returning again to the RSHA. He testified in detail as to the work of the RSHA and the operations of the SD with particular emphasis on the foreign intelligence service. Hoettl's references to clergy in Vienna have been checked by Dr. Edmund Walsh and found to have been favorable.

10. MILDNER

Rudolf Mildner's service has been long and varied, dealing always with police matters. He will testify of his knowledge as to the operations of Amt IV of the RSHA, the operations of the Gestapo, the activities of the secret police and SD in Denmark and later in Vienna. His testimony will help establish the responsibility of Kaltenbrunner as Chief of the RSHA.

11. NAUJOCKS

Alfred Naujocks has been long active in the SD and served Heydrich on numerous occasions to perform special tasks. He will tell in detail of the arrangements made for the simulated attack on the Glewitz Radio Station near the Polish border in August 1939 as a border incident used in the publicity program to indicate friction with Poland prior to the invasion of that country. This incident involved the use of a newly killed body dressed in a Polish uniform to indicate that the station had been captured by Poles and retaken by the German police. This testimony is important to establish the planning of incidents weeks in advance of the military campaign and will include the careful arrangements made by Heydrich to assure that the incidents were conducted at the proper time, several days in advance of the military attack. Naujocks will also testify as to orders by Kaltenbrunner to conduct counter-sabotage activities in Denmark and the measures taken to accomplish this mission, including the destruction of eight or ten objectives by using explosives furnished by the RSHA. Naujocks will help establish Kaltenbrunner's responsibility as Chief of the RSHA.

12. OHLENDORF

Otto Ohlendorf is an old party man since 1925 and an SS member from the same period. He is an ardent and active Nazi. In his interrogations he has apparently talked candidly and with complete forthrightness. He is highly intelligent, has a good memory, and can describe in great detail the organization of the SD and RSHA in so far as he had anything to do with it. He has been in the RSHA since 1936 except for a year's service on the Russian front from June 1941 to June 1942. During that year he commanded Einsatzgruppe A which was responsible for an estimated 90,000 deaths in the campaign for the extermination of Jews and Communist-Commissars. He will recite the grim details of these executions in a convincing manner and will give a general statement as to the activities of Groups A, B, and C also operating on the Russian front. In addition, Ohlendorf will describe in detail the RSHA as headed by Heydrich,

later as headed by Kaltenbrunner, and will serve to contradict much that Kaltenbrunner has said about his responsibilities for the activities of the secret police and the SD. Ohlendorf also discussed with Himmler the responsibility of the Army and other organizations in Germany for the various atrocities and criminal actions. These discussions took place in the closing phase of the war, and Ohlendorf was urging Himmler to give up so that he could give the true picture of the police and help assess the responsibility of other organizations as well. It is believed that Ohlendorf will make an exceptionally strong witness for the prosecution.

13. FISCHER

Fritz Fischer performed experiments on human beings at Ravensbrueck under the direction of Gebhardt. The experiments consisted of initial incision in the thighs of the victims, mixing gangrenous cultures with bits of glass and wood, and then tying the tissues so that the blood could not circulate, thus simulating the effect of battle-casualty shock.

14. GEBHARDT

Karl Gebhardt received the direction from Himmler to perform the experiments at Ravensbrueck and generally to supervise the work of Fischer.

15. SCHILLING

Claus Schilling actually performed malaria experiments on human beings at Dachau.

16. SIEVERS

Sievers was administrative chief of Ahnenhurber, the SS organization to which Dr. Rascher was attached for his under-cooling and high and low altitude tests at Dachau. He is generally familiar with the relationship of Rascher to Himmler, can identify Rascher's signature, and is familiar with much of the correspondence from Rascher's files.

17. KIRCHERT

As medical officer at Dachau and Buchenwald and subsequently as a physician on the staff of Brigadefuehrer Gluecks, Kirchert learned of the general nature of the experiments conducted at these camps from his colleagues and from his relation to the commander of the camp. He knows from Dr. Ding the general nature of his fleck-fever experiments at Buchenwald and can identify the diary of Dr. Ding setting

forth in detail the findings of these experiments. Kirchert was originally assigned by the Reichsartz, Dr. Grawitz, to attend the early meetings with Buehler outlining the purposes of the Euthanasia Program, and is familiar with the method of executions used.

18. BRANDT

Dr. Karl Brandt knows all the details of the Euthanasia Program but will attempt to justify it on a theory of humanitarianism and will emphasize the safeguards against its improper use. For that reason he is not unqualifiedly recommended as a witness.

19. MILCH

As a member of the Central Planning Commission Milch was familiar with the relation which Sauckel bore to the program of conscription of labor, and will state that the overall supervision of the program was with Sauckel, and that the details of its execution and the assignment of quotas and allocation of workers to the several industries was all within Sauckel's control. It is likely that Milch would be useful as a witness on certain phases of the subject of aggressive war; at this time it is not possible to recommend him unconditionally on this subject.

20. VON FALKENHAUSEN

Sauckel visited von Falkenhausen several times and outlined to him the labor requirements to be met by the Belgian population; on such matters Falkenhausen had no discretion but was obliged to follow and comply with the demands of Sauckel so far as possible. The quotas assigned to Belgium by Sauckel were in Falkenhausen's opinion unreasonably high, and he had no power to reduce them.

21. MAX AMANN

Amann's usefulness at the trial will be principally in connection with the development of the Franz Eher Publishing Company, wholly owned by the Nazi Party. This company developed into a gigantic publishing enterprise controlling a very large number of newspapers and book-publishing companies. Amann could identify the decrees issued both by Hitler and by himself as President of the Reichs Press Chamber by which newspaper owners especially were forced to sell their publishing enterprises. In practically all instances, the only bidder was the Eher Publishing Company. Amann insists that the prices paid were fair, although this is open to question.

22. ARTHUR AXMANN

It is believed that Axmann, who has not yet been interrogated as he has not been brought to Nurnberg, will testify regarding all the activities of the Hitler Youth, especially with regard to von Schirach's connection therewith.

23. BACH-ZELEWSKI

Bach-Zelewski can testify regarding the measures taken to suppress partisan activities on both the eastern and western fronts. He can cite a number of instances where "revenge action" taken against the inhabitants of localities where partisans were active was such as to transcend any normal demands of the situation. He can also testify that most of the difficulties which arose with respect to "revenge action" were due to the failure of the high command to issue instructions to local commanders with regard to the limits to which such action could be carried, as a result of which failure local commanders in numerous instances far exceeded what the situation required. He can also testify that he was informed by Goebbels on 8 or 9 November 1938 of the impending pogroms which actually occurred on 11 November 1938 and also that Courts of Inquiry were later established by Goering in order to inquire into the looting which occurred that night.

24. BUEHLER

Josef Buehler can testify regarding most of the matters which occurred in Governor General Poland, especially with reference to the difference in the food rations permitted the Germans, the Poles and the Jews. He also can identify Frank's report of 19 June 1943 to Hitler wherein were set forth the reasons for the failure to obtain Polish cooperation including inadequate food, mass reprisals, etc. Buehler can also testify that he knew of no police orders wherein it was stated that the had been issued with the approval of Frank where such approval in fact had not been obtained. Buehler is somewhat dangerous as a witness on direct examination, as it is believed that Frank would call him on defense, and it may be that the matters above stated would be better for cross-examination purposes.

25. DIETRICH

Joseph Dietrich can testify regarding an order received from Rudolf Hess and Gauleiter Wagner at the time of the Roehm putsch in June 1934 to the effect that he was to take a detail of men to a prison in the vicinity of Munich and to kill six individuals then being held at the prison. This was done by Dietrich.

26. LAMMERS

Hans Lammers can testify regarding changes made in the organization of the German government, regarding the important decrees and orders issued by Hitler, and regarding the duties and functions of any of the several ministers or plenipotentiaries. He can further testify regarding the meeting of 16 July 1941 at Hitler's headquarters where Hitler stated that the aims of the Germans regarding possession of German-occupied territory should not be published to the world, although Lammers states that he does not recall hearing Hitler make the statements because he (Lammers) was engaged in correcting drafts on proposals made by Rosenberg that were later considered at the meeting. Lammers can also testify that he attended a meeting at which Hitler established the Euthenasia Program for which Lammers drafted a law but which was never enacted.

27. WARLIMONT

Walter Warlimont, although highly vulnerable, can testify regarding the development of aggressive war, especially the Czechoslovakian and Polish aspects. He also was present at the speech given by Hitler at Ober Salzburg in September 1939.

28. LOHSE

Bruno Lohse can testify regarding Goering's art collecting activities, giving details as to the art collected and the means by which it was done.

29. HOFER

Andrius Hofer, like Lohse, can testify regarding Goering's art collecting activities, giving details.

30. SPERRLE

As Commanding General of Air Fleet No. 3 in the West, Fieldmarshall Hugo Sperrle can be expected to testify that he received orders from the Chief of the Luftwaffe General Staff directing reprisal attacks against the civilian population of England. These orders were distinguished from attacks on proper military targets. Orders for such attacks were specially given by Hitler and came to the Luftwaffe Commanders through the Luftwaffe Headquarters. These orders were presumably communicated to Goering by Hitler and passed on by him to the Luftwaffe High Command. Sperrle will also testify to attending a luncheon with Hitler some time before the date of the Munich Pact at which Hitler stated that it would be necessary to use force against Czechoslovakia in order to prevent the Russians or Poles from using the country as a base for operations against Germany.

31. SALMAN

As Commander of U-52 from November 1939 to May 1941, during which period he sank 98,000 tons of shipping, Otto Salman can testify to the orders received from the Naval High Command for the sinking without warning of all ships sighted within specified blockade zones. In such zones it was only necessary to sight the ship to be attacked in order to ascertain that it was not another German submarine or a hospital ship. The submarine was not expected to surface or otherwise notify the ship sighted of its presence. It was not expected to take any measures to rescue survivors if this would in any way endanger the submarine. Doehitz personally advised submarine commanders on this last point.

32. WAGNER

Admiral Gerhard Wagner will identify the document C-158 as a minute prepared by him of a conference in which Doehitz opposed the open denunciation of the Geneva Convention and took the position that it would be better to take whatever measures were necessary in violation of the Convention without warning. He will also identify as a memorandum prepared by him and passed on to lower echelons the Fuhrer order for the shooting of Commandos. This memorandum (Document C-179) expressly stated that the order is to be destroyed after being read.

33. BOHLE

As head of the Auslands Organization which had the same form of organization in each country abroad as in a Gau in Germany, Bohle had more to do with the foreign activities of Germans than any other person. His testimony can be expected to give a clear picture of this organization so far as its structure and personnel are concerned. He stresses the fact that he only had to do with German citizens abroad and denies that the AO had any sinister purpose. He will testify that he exercised a constant watch on the German consular service and frequently made suggestions to von Neurath regarding new opportunities which would be in line with Party ideas. He will also testify that he had excellent reports from his Landesgruppenleiter in each country which appear to have been sent to Bormann and to Himmler. He denies that this was organized espionage but says the matter of getting information was left to each Landesgruppeleiter. He admits that requests were made by the SD for information which was obtained through the Landesgruppenleiter. He also states that when his reports had information of interest to the SD they were turned over to that organization.

34. KOGAN

Eugen Kogan, a long-time inmate of Buchenwald, is now at Oberursel. He has prepared an extensive account of the operation of Buchenwald (now in the hands of the Documents Section) and is perhaps the most fully informed witness available. It is believed he should be brought here at the time of trial or shortly before.

35. BLAHA

Dr. Franz Blaha, who was a physician at Dachau, performed autopsies on the bodies of nearly 7,000 persons at that camp. Blaha is in a position to testify at length on the treatment of prisoners in the concentration camp. He is believed to be residing in Prague, and it is thought that he should be brought to Nurnberg at the time of the trial.

36. KRAMER

Josef Kramer, formerly head of Belsen Concentration Camp and now at Luneberg, will testify that the principal officers in charge of concentration camps, Gluecks and Pohl, did nothing to alleviate conditions at Belsen, although advised by Kramer of the conditions there. It is believed that he should be brought here at the time of trial or shortly before.

37. STUMPF

Hans-Jurgen Stumpf, commander-in-chief of the Air Fleet "Reich", would be useful in establishing the early plans for aggressive warfare in that he was an original member of the Luftwaffe at its inception in 1933. He had previously been a military man and was a lieutenant colonel; was discharged from the Army in order to become a civilian and participate as such in the formation of the Luftwaffe. Witness states that the Luftwaffe in 1933 was created as a civilian organization with the general understanding that its activities were in direct violation of the Versailles treaty.

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JOHN HARLAN AMEN  
Colonel, IGD  
Chief, Interrogation Div .