

***INTERNATIONAL  
MILITARY  
TRIBUNAL***



***THE NUREMBERG  
TRIALS (VOLUME 3)***

**International Military Tribunal**

# **The Nuremberg Trials (Volume 3)**

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# INTERNATIONAL MILITARY TRIBUNAL

THE UNITED STATES OF AMERICA, THE FRENCH REPUBLIC,  
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN  
IRELAND, and THE UNION OF SOVIET SOCIALIST REPUBLICS

— *against* —

HERMANN WILHELM GÖRING, RUDOLF HESS, JOACHIM VON  
RIBBENTROP, ROBERT LEY, WILHELM KEITEL, ERNST  
KALTENBRUNNER, ALFRED ROSENBERG, HANS FRANK,  
WILHELM FRICK, JULIUS STREICHER, WALTER FUNK, HJALMAR  
SCHACHT, GUSTAV KRUPP VON BOHLEN UND HALBACH,  
KARL DÖNITZ, ERICH RAEDER, BALDUR VON SCHIRACH,  
FRITZ SAUCKEL, ALFRED JODL, MARTIN BORMANN, FRANZ  
VON PAPEN, ARTHUR SEYSS-INQUART, ALBERT SPEER,  
CONSTANTIN VON NEURATH, and HANS FRITZSCHE,  
Individually and as Members of Any of the Following Groups  
or Organizations to which They Respectively Belonged,  
Namely: DIE REICHSREGIERUNG (REICH CABINET); DAS  
KORPS DER POLITISCHEN LEITER DER  
NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI  
(LEADERSHIP CORPS OF THE NAZI PARTY); DIE  
SCHUTZSTAFFELN DER NATIONALSOZIALISTISCHEN  
DEUTSCHEN ARBEITERPARTEI (commonly known as the  
“SS”) and including DER SICHERHEITSDIENST (commonly

known as the “SD”); DIE GEHEIME STAATSPOLIZEI (SECRET STATE POLICE, commonly known as the “GESTAPO”); DIE STURMABTEILUNGEN DER NSDAP (commonly known as the “SA”); and the GENERAL STAFF and HIGH COMMAND of the GERMAN ARMED FORCES, all as defined in Appendix B of the Indictment,

*Defendants.*

# **PREFACE**

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Recognizing the importance of establishing for history an authentic text of the Trial of major German war criminals, the International Military Tribunal directed the publication of the Record of the Trial. The proceedings are published in English, French, Russian, and German, the four languages used throughout the hearings. The documents admitted in evidence are printed only in their original language.

The first volume contains basic, official, pre-trial documents together with the Tribunal's judgment and sentence of the defendants. In subsequent volumes the Trial proceedings are published in full from the preliminary session of 14 November 1945 to the closing session of 1 October 1946. They are followed by an index volume. Documents admitted in evidence conclude the publication.

The proceedings of the International Military Tribunal were recorded in full by stenographic notes, and an electric sound recording of all oral proceedings was maintained.

Reviewing sections have verified in the four languages citations, statistics, and other data, and have eliminated obvious grammatical errors and verbal irrelevancies. Finally, corrected texts have been certified for publication by Colonel Ray for the United States, Mr. Mercer for the United Kingdom, Mr. Fuster for France, and Major Poltorak for the Union of Soviet Socialist Republics.

# **TENTH DAY**

## **Saturday, 1 December 1945**

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### ***Morning Session***

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THE PRESIDENT (Lord Justice Sir Geoffrey Lawrence): I will begin the session by reading the judgment of the Tribunal upon the application made by counsel for the Defendant Hess.

The Tribunal has given careful consideration to the motion of counsel for the defense of the Defendant Hess, and it had the advantage of hearing full argument upon it both from the Defense and the Prosecution. The Tribunal has also considered the very full medical reports, which have been made on the condition of the Defendant Hess, and has come to the conclusion that no grounds whatever exist for a further examination to be ordered.

After hearing the statement of the Defendant Hess in Court yesterday, and in view of all the evidence, the Tribunal is of the opinion that the Defendant Hess is capable of standing his trial at the present time, and the motion of the Counsel for the Defense is, therefore, denied, and the Trial will proceed.

Now the witness under examination should come back to the witness box.



*[Erwin Lahousen resumed the stand.]*

MR. G. D. ROBERTS (Leading Counsel for the United Kingdom): May it please the Tribunal, Sir David Maxwell-Fyfe yesterday said he had no questions to ask this witness. He has now requested me very shortly to cross-examine this witness on one incident mentioned in the Indictment, namely, the murder of 50 R.A.F. officers who escaped from Stalag Luft 3 in March of 1944.

THE PRESIDENT: You said to "cross-examine"?

MR. ROBERTS: I realize that this is a matter which falls in the part of the Indictment which is being dealt with by the prosecutors for the U.S.S.R. My Lord, I have mentioned that matter to General Rudenko, who with his usual courtesy and kindness, has said that he has no objection to my asking some questions on that matter.

THE PRESIDENT: Very well, Mr. Roberts.

MR. ROBERTS: Much obliged.

*[Turning to the witness.]* Might I ask you this? Do you know anything of the circumstances of the death of 50 R.A.F. officers in March 1944, who had escaped from Stalag Luft 3 at Sagan and were recaptured?

ERWIN LAHOUSEN (Witness): No, I have nothing to say because at that time I was on the Eastern front, as commander of my regiment, and no longer had any contact with my former duties.

MR. ROBERTS: Did you hear of the matter from any of your fellow officers?

LAHOUSEN: No, I heard nothing about it whatsoever.

MR. ROBERTS: You can't assist the Court at all with the matter?

LAHOUSEN: No, not at all.

DR. EGON KUBUSCHOK (Counsel for Defendant Von Papen): Witness, you stated yesterday that you were the intimate friend and collaborator of Admiral Canaris. Since I can no longer address my question directly to Admiral Canaris, I ask you to answer the following questions for me: Did Admiral Canaris know of Defendant Von Papen's attitude toward Hitler's war policies, and how did Admiral Canaris express himself to you on this point?

LAHOUSEN: First, I should like to make a slight correction on the question addressed to me. I never asserted that I was the intimate friend of Canaris. Pieckenbrock was a friend of Canaris, whereas I was merely one of his confidants. From this relationship, however, I recall that Von Papen's and Canaris' attitude toward the matter which the Counsel has just brought up, was a negative one.

DR. KUBUSCHOK: Was this negative attitude only toward the war policy, or was it also toward all the violent methods used in the execution of such a policy?

LAHOUSEN: According to my recollection I have to answer this question in the affirmative, judging from a conversation between Admiral Canaris and Von Papen, during the visit of the latter in Berlin at which I was present.

DR. KUBUSCHOK: Did you know that Von Papen told Canaris that there could be no resistance against Hitler's aggressive policies from political quarters, but that such resistance would have to be sought among the ranks of the military?

LAHOUSEN: In this connection, that is to say, in the direct connection as it is now being presented, I personally cannot

say anything. In other words, I personally was not an ear witness at any conversation between Canaris and Von Papen during which this matter was brought up, and I cannot recall today whether Canaris ever told me anything regarding such conversations with Von Papen. It is quite possible, however, but I cannot recall it and consequently my oath as witness does not permit me to make any statement other than the one I have made.

DR. KUBUSCHOK: Witness, do you conclude from this that Canaris believed that Von Papen purposely continued to hold an exposed political office in order to exercise a mitigating influence?

LAHOUSEN: I believe so, though I have no tangible proof from any of his statements. But that is my impression, from what I still recollect today.

DR. OTTO NELTE (Counsel for Defendant Keitel): My client has requested me to ask you the following questions: How long have you known Canaris and Pieckenbrock?

LAHOUSEN: I have known Canaris and Pieckenbrock since 1937 through my previous activity in the Austrian Intelligence Department.

DR. NELTE: At that time were there any relations of a military nature between yourself and the Abwehr, which was being run by Admiral Canaris?

LAHOUSEN: Not only did such connections exist with the Austrian intelligence, but the Austrian Federal Army and the German Wehrmacht maintained it that time an absolutely legal and purely military exchange of information—legal in the sense that this exchange and collaboration of military intelligence was carried on with the knowledge of the

Austrian authorities. To state it clearly, this was a purely military collaboration for exchanging intelligence on countries bordering upon Austria.

DR. NELTE: May I ask if this contact between you and Canaris was also of a personal nature, in other words I want to determine how the Austrian Army felt about the question of the Anschluss?

LAHOUSEN: This and similar questions, that is to say, all questions of a political nature, particularly the question of the Anschluss or the very intense illegal Nazi activities, at that time, had to be and were completely ignored. It was generally agreed between Count Marogna, the official liaison man—he also was executed after the 20th of July—and Canaris and Generaloberst Beck that this line should be taken.

DR. NELTE: Do I understand you wish to imply that this personal contact did not mean that the Austrian General Staff officers gave information on everything regarding their attitude to the idea of the Anschluss, or that they were willing or able to give this information?

LAHOUSEN: This personal contact started on the day when I saw Canaris for the first time, while I was still an Austrian officer. It was in the offices of the Federal Ministry of Defense, where Canaris was with the Chief of the Austrian General Staff.

THE PRESIDENT: Would you please repeat the question?

DR. NELTE: I asked the witness to what extent a personal contact existed between the officers of the German General Staff or the Abwehr and the officers of the Intelligence

Section or the Austrian General Staff for the purpose of determining the feelings about the Anschluss.

LAHOUSEN: First of all, there was no such personal contact in the sense that the word is used here. The contact which actually did take place—and there are witnesses in this room who can confirm this statement: Von Papen must be informed thoroughly of this—took place on a single day, during which I never spoke with Canaris alone, but always in the presence of my superior officers. In any case, no questions relating to the Anschluss and no political questions on Austrian internal problems were discussed there. Naturally I myself did not raise any, and Canaris expressly refrained from doing so.

DR. NELTE: What was your job in the Abwehr Office II?

LAHOUSEN: In the Abwehr Section II, which I took over at the beginning of 1939—I described it yesterday, and I am willing to repeat it, if you wish—this particular job had no special name. Actually my task was to carry out various undertakings and actions, which I can define very precisely: Nuisance activity, acts of sabotage, or prevention of sabotage and nuisance activity, or in general those types of activities that are carried out by Kommandos. All these activities were carried out in agreement with, and conformed to, the military demands of the Armed Forces Operations Staff or the General Staff.

DR. NELTE: Who generally gave you your orders regarding co-ordinating these activities with the military activities?

LAHOUSEN: My immediate chief, Canaris, usually gave me orders concerning the whole of my activity.

DR. NELTE: I was referring to the office, whether they came from the OKH or the OKW?

LAHOUSEN: They did not come from the OKW as a rule. Usually they came by way of the OKW represented by the Chief of the OKW, Keitel, or the chief of the Wehrmacht Operations Staff; and when the General Staff or the Air Force Operations Staff were interested in any undertaking, the orders, as far as I can remember, were also transmitted by way of the Armed Forces Operations Staff, and the representatives of the three Armed Forces, that is, the Army, Air Force, and Navy, appointed to it. All these orders came through the same channels to the Canaris Foreign Intelligence Department (Ausland Abwehr) which transmitted those concerning my activities to me for necessary action.

DR. NELTE: Are you now describing the official channels through which you received the orders? Were the orders issued by the Army or the Armed Forces Operations Staff? Or did the Army give the orders for transmission by way of the High Command of the Armed Forces?

LAHOUSEN: Actually, speaking of myself, in questions of this kind, regarding matters which concerned my department, I had dealings only with my immediate superior, Canaris; and the superior of Canaris at that time was the OKW under Keitel, and he was in touch with the gentlemen of the Armed Forces Operational Staff, and now and then with the members of the General Staff of the Army. I could mention specific cases from memory. But in general the procedure was such as I described it.

DR. NELTE: Is it true that Keitel, as the Chief of the OKW, at first every year, and then from 1943 on, at regular and shorter intervals, spoke to the office and department chiefs of the OKW; and on such occasions made a point of telling them that anyone who believed that something was being asked of him which his conscience would not allow him to carry out should tell him, Keitel, about it personally?

LAHOUSEN: It is true that the Chief of the OKW did several times address the circle just mentioned. I cannot recall any exact words of his which could be interpreted in such a way as to mean that one could take the risk, in cases about which I testified yesterday, of speaking with him so openly and frankly as myself and others, that is, witnesses still alive, could speak to Canaris at any time. I definitely did not have that impression, whatever the meaning might have been which was given to his words at that time.

DR. NELTE: Do I understand you correctly to mean that in principle you do not wish to challenge the fact that Keitel actually said these words?

LAHOUSEN: I can neither challenge it, nor can I add anything to it, because I have no exact recollection of it. I do recall that these addresses or conferences took place, and it is quite possible that the Chief of the OKW at that time might have used those words. I can only add what I have already said.

DR. NELTE: Is it true that on several occasions, you, in the company of Admiral Canaris, as well as alone, had audience with the Chief of the OKW, in order to discuss with him plans or undertakings of a delicate nature, which were in the purview of your official duties?

LAHOUSEN: Yes, I said a great deal about that yesterday; and I do not feel I have the right to talk about such things unless I was there personally.

DR. NELTE: I had the impression yesterday that in many respects you were acting as a mouthpiece for Admiral Canaris, who used you as a mentor for the entries in his diary. Was that your testimony?

LAHOUSEN: The impression is completely fallacious. I am not a mouthpiece, and am now, as I was then, completely independent inwardly in what I say. I have never allowed myself, nor shall I ever allow myself, to become the mouthpiece for any conception, or to make any statements that are contrary to my inner convictions and to my conscience.

DR. NELTE: You misunderstood me if you believe that I used the word "mouthpiece" derogatorily. I simply wanted to bring out the fact that yesterday you made frequent references to the remarks in Canaris' diary, that is to the remarks of Canaris quoted by you.

LAHOUSEN: Yes, I did so in those cases where the matter discussed affected Canaris. He himself cannot testify, since he is dead. Just because I know a great deal about this, and because my information is exact, I felt it my duty to say what I know.

DR. NELTE: Did Keitel ever ask questions or order any inquiries to be made about the political views of the officers in the Intelligence Department? Did he ever ask whether there were any National Socialists in the departments of the intelligence service?



LAHOUSEN: At the afore-mentioned periodical meetings he asked this question and others of this nature in an unmistakable way, and he left no doubt that in an office such as the OKW he could not tolerate any officers who did not believe in the idea of final victory, or who did not give proof of unswerving loyalty to the Führer and much more besides.

DR. NELTE: Could these statements be taken to mean that he demanded obedience in the military sense, or do you think he was speaking from a political point of view?

LAHOUSEN: Of course, he was speaking from a military point of view, but no less clearly from the political aspect, for it was not admissible to make any distinction between the two. The Wehrmacht was to form a single whole—the National Socialistic Wehrmacht. Here he touched upon the root problem.

DR. NELTE: You believe, therefore, that the basic attitude was really the military one, also in the OKW?

LAHOUSEN: The basic attitude was, or should have been, National Socialistic, and not military. In other words, first and foremost National Socialistic, and everything else afterwards.

DR. NELTE: You said “should have been.”

LAHOUSEN: Yes, because it actually was not the case.

DR. NELTE: Quite so. You mean, therefore, that in the first place it was military and not National Socialistic.

LAHOUSEN: It should have been a purely military one, according to our conception, but according to the point of view put forward by the Chief of the OKW at that time—whether he received an order in this sense I am not in a

position to say, as I was not there—the basic attitude should be one of absolute obedience in a National Socialistic sense.

DR. NELTE: Do you know anything about the attitude of the generals to this problem?

LAHOUSEN: Of course, I do, because immediately after such conferences, as have been mentioned here, a lively exchange of opinions took place on this subject and a large number of those who were present—I could name them and some of them are present—resented that fact that the words addressed to them had this strong political flavor, and were couched in this “higher level language” (Sprachregelung von oben) as we used to call it, and contained so little that was relevant and purely military, let alone anything else.

DR. NELTE: Yesterday, when discussing the meeting that took place in the Führer’s train, on the 12th September of 1939, you said, regarding the communication of the Chief of the OKW to you, that the Defendant Keitel addressed himself to you, or rather to the gentlemen present; and said that these measures had been determined between the Führer and Göring. He, Keitel, had no influence on them. The Führer and Göring telephoned frequently to one another. Sometimes he knew something about it; sometimes he knew nothing. Is that what you said?

LAHOUSEN: That is correct. I made a record of everything that was said in my presence; and I repeated it here because it is true.

DR. NELTE: May I ask whether the remark, “Sometimes I find out something about it, sometimes I do not,” relates to a concrete, specific case, or was that a general rule?

LAHOUSEN: That was to be understood as a general statement, to the best of my recollection.

DR. NELTE: At this conference in the Führer's train on the 12th of September 1939, did you first of all speak about the transmission of the political aims which, according to you, came from Ribbentrop. Did I understand you correctly?

LAHOUSEN: That is correct.

DR. NELTE: And you said that the Defendant Keitel transmitted these aims to those who were present. Now, what I am not clear about is whether this referred to the order regarding the bombardment of Warsaw from the air. Did I understand rightly?

LAHOUSEN: Yes, as regards the air bombardment of Warsaw, to the best of my recollection and from what is recorded in the notes, I can only say in this connection, the same as when the question of shootings in Poland came up, that Canaris took the initiative by provoking a discussion on this subject—I no longer remember how he did this—and then pointing out the terrible political repercussions that this would have, especially abroad.

DR. NELTE: The Defendant Keitel is anxious that I should put the question to you, whether, when this order for the bombing of Warsaw was made known he did not stress the fact that this was to be put into effect only if the fortress of Warsaw did not surrender after the demand made by the bearer of the flag of truce, and even then only after an opportunity to evacuate the city had been given to the civilian population and the diplomats.

LAHOUSEN: I cannot recall the precise words he used but according to my knowledge of the situation at that time it is

quite possible, indeed probable, that the Chief of the OKW, Keitel, did make this remark.

DR. NELTE: Do you know that the Commander-in-Chief of the army at that time, Von Brauchitsch, and the Chief of the OKW, Keitel, before the Polish War began, categorically objected to the use of Gestapo and SD Kommandos, maintaining that these were unbearable in the Wehrmacht, and in this connection asked for Hitler's concurrence and received it?

LAHOUSEN: No, I did not know that, and could not have known it because of my subordinate position at that time. Please do not overrate the importance of my position at that time.

DR. NELTE: As we are also concerned here with taking cognizance of a document, which, I take it, was transmitted to all departments and sections of the OKW, I thought you might remember. They were the so-called directives, were they not? And these directives, mentioned in connection with the campaign against Poland, in contrast to what happened later . . .

THE PRESIDENT: I think you were going a little bit too fast.

DR. NELTE: I said that in connection with these military actions, the decrees and directives were always transmitted to the various offices of the OKW in the form of carbon copies—I mean the offices which were in any way concerned. I thought, therefore . . .

LAHOUSEN: Yes, but these were things which did not concern my particular department, I stress the word "particular," I did not even see them.

DR. NELTE: As later on in the conversation you were drawn into the discussion on these questions—it is true you did stress that you did not know the actual wording of the orders . . .

LAHOUSEN: Orders which I did not see and read. Of course, I knew a great many things, because I came to hear of them.

DR. NELTE: For that reason, I want to ask you whether you recall that the Gestapo and SD had interfered behind the advance in connection with Poland, contrary to the intentions expressed in the orders of the military leaders?

LAHOUSEN: I cannot recall that today. I can only refer to what I heard and what is recorded in the files on this matter, namely, the remark of Hitler's, which was passed down by Keitel, who was chief at that time, and which was to the effect, that if the armed forces objected to these measures, the armed forces as well as the high command—that is apparently what you mean—would have to put up with it if the Gestapo and the SS went ahead with these things. That is all I can tell you. I know that because I was present at these discussions.

DR. NELTE: During this conversation, were you not told that General Blaskowitz—in other words, the Army—had made a complaint about the methods of the SS and the SD?

LAHOUSEN: Whether or not this question was brought up at this conference, I cannot recall. I can hardly assume that it was brought up, because otherwise this question would have been recorded in the notes of that conference, particularly since the complaint came from General Blaskowitz, whose attitude in such matters was quite clear

and well known. But apart from this conversation in the Führer's train, I do recall something about the matter just mentioned, that is, the objections raised by Blaskowitz. I cannot say today how these objections were made, whether in writing or by word of mouth, neither do I know the occasion on which they were made. While I do remember the substance of the matter, I cannot recall whether it came up for discussion at the meeting where I was present.

DR. NELTE: What appears to me to be important in this matter, is the fact that the Wehrmacht, the troops, really did protest, or at least refused . . .

LAHOUSEN: That the Armed Forces did object, is, of course, quite evident.

DR. NELTE: That is what I wanted to know. Who gave the order . . .

LAHOUSEN: One moment, please. When I say "the Armed Forces," I mean the masses of common soldiers, the ordinary simple men. Of course, there were in these Armed Forces other men whom I wish to exclude. I do not wish to be misunderstood. The concept "Armed Forces" does not include everybody, but it does include the mass of simple men with natural feelings.

DR. NELTE: When using the term "Wehrmacht" I only wanted to bring out the contrast between the broad masses of the soldiers and the SS and SD, and I think we are agreed on this.

LAHOUSEN: I think we have ample and fairly conclusive proof of this contract in the conditions prevailing and the methods used at that time, which in that form and scope were then for the first time shown openly enough to become

apparent to the broad masses of the Wehrmacht—quite apart from anything I can say about it in this short, extremely short exposition.

DR. NELTE: Who gave the order regarding the collaboration with the Ukrainian group? You spoke yesterday . . .

LAHOUSEN: Yes, I have to go back somewhat farther. First of all I must say that this group was composed of citizens from various countries, that is, Hungarians, Czechs, and afterwards Polish citizens, who because of their attitude of opposition, had emigrated or gone to Germany. I cannot say who gave the order for the collaboration, because at the time when these things happened—it was some time back, I remember quite clearly it was in 1938 or even earlier—I was not even working in the Amt Ausland Abwehr and was not in touch with the Department, which I did not take over until the beginning of 1939. It was already on a firm footing when I took it over.

In this connection I must add, since it was also touched upon yesterday, that these Ukrainians, at least the majority of them, had no ties whatsoever with Germany. I can say definitely that a large proportion of these people with whom the Amt Ausland Abwehr had contact at that time were in German concentration camps, and that some of these people were fighting for their country in Soviet partisan groups. That is a fact.

DR. NELTE: Did Admiral Canaris not tell you that the Chief of the OKW, Keitel, when informed by the SS of the demand for Polish uniforms and military equipment, had given the

clear order that the Abteilung Abwehr should have nothing to do with this game?

LAHOUSEN: As I stated yesterday, this matter was handled very mysteriously and secretly also in our circle. Not only myself, but the others also, knew absolutely nothing about the game which was being played until after it actually happened. The War Diary of the Department makes this very clear. It records that one day, quite suddenly, like a bolt from the blue, a demand was received, by order of Canaris, for so and so many uniforms for an undertaking known as "Himmler". My amazement and my enquiry as to how Himmler came to have anything to do with an undertaking which required Polish uniforms is also recorded in the War Diary, not by me, but by the officer who kept this diary. In reply I was merely told that these articles of equipment would be picked up by a certain person on a certain day, and no further explanation was given. And there the matter ended. Of course, when the name of Himmler was mentioned, besides being mysterious, the thing immediately began to appear suspicious to us. By us, I mean everybody who had to do with it in the course of his duty, right down to the ordinary sergeant, who, of course, had to procure these uniforms by some means or other and deliver them to a certain Hauptsturmführer SS—the name is recorded in the War Diary. These people had their misgivings. That was a thing which could not be forbidden.

DR. NELTE: Yesterday you also made statements about the treatment of prisoners of war. In what way was Abwehr II concerned with prisoner-of-war questions?



LAHOUSEN: That is quite simple. Abwehr II was naturally very interested in an objective way that prisoners of war should be treated as well and as decently as possible, and the same applies to any intelligence service in the world. That was all.

DR. NELTE: Do I understand you to mean that Abwehr II, as a department, was not concerned with prisoner-of-war questions?

LAHOUSEN: It had absolutely nothing to do with prisoner-of-war questions.

DR. NELTE: Yesterday you spoke about the problem of the treatment of prisoners of war in connection with a conference that took place, if I remember rightly, at the end of July 1941?

LAHOUSEN: Yes, at this conference I did not represent only my section, but the whole Amt Ausland Abwehr, that is to say—for general questions of international law and military political questions, that is, those questions which to the greatest extent generally concerned foreign countries, and the intelligence sections. Department III which dealt with espionage was practically interested—because after all, the officers affiliated with it were in the prisoner-of-war camps. Naturally, from the point of view of my section it was important to be informed about those matters—and that my section was only interested within the frame of the entire problem, that people should not be killed off, but treated decently, quite apart from any of the other considerations which were mentioned.

DR. NELTE: You said yesterday that the prisoner-of-war camps in the operations zone of the Eastern sector were

under the OKW. Is that correct?

LAHOUSEN: Yes, what I said about prisoner-of-war camps yesterday I knew from the conference with Reinecke, and not from any knowledge of the orders themselves, which I had neither seen nor read. At this conference I was able to obtain a clear idea of the prisoner-of-war question owing to the presence of Reinecke, the chief of the prisoner-of-war department, who represented his own department and the OKW, and I repeated everything I remembered about this.

DR. NELTE: What I was really asking was about the limitation of the jurisdictions.

LAHOUSEN: Yes.

DR. NELTE: Do you know that in the Army Operational Zone the army on operations was responsible for the care of prisoners of war?

LAHOUSEN: Yes.

DR. NELTE: And that the OKW became responsible for their care only when the prisoners of war arrived in Germany?

LAHOUSEN: Yes, I repeated what I knew about the matter at the time from what I had heard. This was that the General Staff of the Army had made all preparations to bring these people back, and Hitler then authorized the OKW to hold this up, and the OKW was then held responsible by the General Staff for the consequences. What happened after that I do not know and have no right to judge. I can only repeat what I saw and heard.

DR. NELTE: I thought that yesterday you expressed the conjecture that the prisoners were not brought back owing to an order from Hitler.

LAHOUSEN: I did not express a conjecture. I simply repeated what I heard at the time and what I know. It might, of course, have been wrong.

DR. NELTE: Heard from whom?

LAHOUSEN: I heard this from the people with whom I was in daily contact, that is, at the daily situation conferences, at which Canaris, the department chiefs, and other people who came there to report were present. I heard it there, and a great deal was said about this matter. I have always made this clear since my first interrogation. I told Reinecke to his face that what he himself said about this question at the time . . .

DR. NELTE: That has nothing to do with my question.

LAHOUSEN: I understand your question perfectly. I only want to make it quite clear how I came yesterday to say what I did—to examine how far this applies according to the actual, organizational and other divisions . . .

DR. NELTE: But you know that in principle the OKW had charge of prisoners of war only in Germany?

LAHOUSEN: There is no question about that.

DR. NELTE: How could it happen that the Abwehr office adopted the attitude you defined yesterday regarding the question of enemy commando activities? You were supposed to deal with these things from the German side, but you—that is, your department—were not officially concerned with the handling of these things?

LAHOUSEN: No, not immediately concerned. The Amt Ausland had something to do with these things because somehow it received intelligence of any order that was under consideration, even before it was put into shape, and

certainly as soon as it was drawn up. The order in question had, of course, a bearing on an essential point of international law, and the Ausland section of the Abwehr department—or rather the “Sachbearbeiter” (expert) as he was called—was naturally concerned with it. As a matter of fact, my department was directly concerned with these things for reasons which I have already explained, because it might turn out that persons for whom I was responsible might be directly affected.

DR. NELTE: Did the department which dealt with international law in the Amt Ausland Abwehr ever put its official attitude in writing?

LAHOUSEN: As I pointed out yesterday, I wrote a contribution on the subject, from the point of view of my section, which was transmitted to Canaris and was to be part of the long document. I only learned what use was made of it from what Bürckner said at the time, and which was that his department passed the thing on in this manner, either in writing or verbally, as a protest or counter remonstrance, at any rate pointing out the dangers. This happened a second time, and again I cannot say in what form, whether verbally or in writing or *vice versa*—the first time in writing and then verbally—after executions had already taken place, and because I had again started to make myself heard because of the executions that had already taken place. That was the logical development.

DR. NELTE: You also said something yesterday about putting a distinguishing mark on Russian prisoners by branding. Did it become known to you that such a scheme, as brought out in this question, was cancelled by a

telephoned order from the Chief of the OKW, who had gone to the Führer's headquarters for this purpose, and that it was only because of a regrettable, a terrible misunderstanding, that a few copies of this order were issued?

LAHOUSEN: No, I do not know about this, because, generally speaking, I only heard of the things which happened in the Amt Ausland Abwehr, that is, from Canaris' section downwards, if I was directly concerned with them. What happened on the higher levels, that is, from Canaris upwards, was and could only be known to me if I was in some way connected with it.

DR. NELTE: You yourself did not see the order?

LAHOUSEN: Which order are you referring to?

DR. NELTE: The one concerning the branding of Russian prisoners.

LAHOUSEN: No. As in the case of the Commando Order and others, I attended only the very lively discussion of this question, and with regard to the branding of Russian prisoners I remember Canaris mentioning that a doctor had furnished a written report on how this could be done most efficiently.

DR. NELTE: You stated yesterday that Admiral Canaris had said that the Defendant Keitel had given the order to do away with General Weygand?

LAHOUSEN: Yes.

DR. NELTE: The Defendant Keitel denies that. He now asks whether you ever saw any document or written proof of this order. He wants to know the origin of any statement which concerned General Weygand.

LAHOUSEN: This order was not given in writing, but it came to me because I was supposed to put it into execution, that is, not I, but my department. It came up through Canaris, in that circle which I have so often described, and which means that it was known only to a few. I was brought into the matter through a talk which Canaris gave at Keitel's office in the OKW and at which I was present. Keitel had already addressed me on the matter. I recorded this in my personal notes and I mentioned the date. After all, such a thing was not an everyday occurrence, at least not to me. It was 23 December 1940.

DR. NELTE: Do you not remember the actual wording of the question that Defendant Keitel was supposed to have asked?

LAHOUSEN: Of course I cannot remember the precise wording; the incident happened too long ago. I remember the gist very well. What he meant was, "What has been done in this matter? How do things stand?"

DR. NELTE: You said yesterday that you gave an evasive answer.

LAHOUSEN: I said yesterday that I could not remember exactly how I worded my answer but I certainly did not say what I had said in the presence of Canaris, namely, "I would not think of executing such a murderous order; my section and my officers are not an organization of murderers. Anything but that." What I probably said to Keitel was something about how difficult the matter was, or any evasive answer that I may have thought of.

DR. NELTE: If the Chief of the OKW had ordered such an action on his own initiative or on higher orders, this would,