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**DEPARTMENT OF THE ARMY**  
**THE ADJUTANT GENERAL'S OFFICE**  
**WASHINGTON**



**DEPARTMENTAL RECORDS BRANCH, T.A.G.O.**

INTERNATIONAL PROSECUTION SECTION

Doc. No. 2188, 2189, 2190  
2191, 2192, 2193

22 June 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

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SUMMARY OF RELEVANT POINTS

Doc. No. 2188 - 10 Dec - M-WM-1

IMT - Transcript of 10 December 1945, 1000-1245.  
Presentation of evidence by Mr. S. Alderman, attempting  
to prove Germany planned to attack Russia.

Doc. No. 2189 - 20 Mar - A-GH-13-1

IMT - Transcript of 28 March 1946, 1425-1700.  
Direct examination of Paul Schmidt, German Foreign Office  
interpreter by Dr. Horn, concerning the von RIBBENTROP-  
Neville Henderson meeting on 30 Aug 1939.

Doc. No. 2190

IMT - Transcript of 29 March 1946, 1400-1700

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Doc. No. 2191

IMT - Transcript of 29 March 1946, 1000-1300

Doc. No. 2192

IMT - Transcript of 3 April 1946, 1125-1300

Doc. No. 2193

IMT - Transcript of 3 April 1946, 1400-1700

Analyst: 2d Lt Goldstein

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Official transcript of the International Military Tribunal in the matter of 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 Goering et al, Defendants, sitting at Nurnberg, Germany, on 29 March 1946, 1400-1700, Lord Justice Lawrence presiding.

THE PRESIDENT: The Tribunal will sit tomorrow morning at ten o'clock until one in open session. And, now, before going on, Dr. Horn, the Tribunal wishes me to say that they think that entirely too much time is being taken up by the defendant in detailed accounts of negotiations which led up to an agreement, which is a matter of history, and which is perfectly well known to everybody. That is not the case which the defendant has to meet. What the defendant has to meet is not the making of agreements which are perfectly well known, but the breach of those agreements by Germany and any part which he may have played in the breach of those agreements. It is very important that the time of this Tribunal should not be taken up by unnecessary detail of that sort.

DIRECT EXAMINATION - continued.

BY DR. HORN:

Q. What foreign political reaction did the Munich agreement have?

A. The Munich agreement, as is well known, contained the following: That Germany and England would not wage war; that by the naval agreement the ratio of 100 to 35 is to be maintained and that in important matters consultations were to be resorted to. Through this agreement, undoubtedly, the atmosphere between Germany and England was cleared up to a certain degree. I was to be expected and hoped that the consequences of this pact would bring about a final understanding. This appointment was really very great when a few days after Munich, rearmament at any price was made known in England. Then England started on a policy of close relationship with France and a working together in November of 1938. Commercial measures were taken towards Germany, and in December of '38, the British secretary for colonies made a speech, in which he was against any revision of the colonial question.

There were negotiations with the United States of America under consideration, also, and our reports, as I remember them, showed an increase of the stiffening of the English position towards Germany, and the impression was created in Germany of politics which practically would limit Germany.

Q. You are accused by the Prosecution of having acted against International Law for the solution of the Czechoslovakian question in separating the two states, the Czech and the Slovakian state. What part did you take in the solution of this problem?

A. There is no doubt that the efforts that were being made between Slovakia and other members of the National Socialist Party were known to the Foreign Office, and it would be wrong to say that we were unsympathetic to the stand. But it is not correct to say that the autonomy of the state was to be attacked. I remember that Dr. Tiso proclaimed this autonomy, and the Prague Government wished to recognize and did recognize the autonomy. As circumstances were at that time after Munich one can see from the fact that all national parts of Czechoslovakia were interested in autonomy and independence. Shortly thereafter the tripartite group made known its independence and some of the other groups made similar efforts in that behalf. After the Munich agreement, I would like to add that there was a clause in this agreement, according to which Germany and Italy would give Czechoslovakia a guarantee, but this declaration was never made. The reason for that was that Poland, according to the Munich agreement, or after it, sent an ultimatum to Czechoslovakia so that the Polish minorities of their own account would be separated and these areas were occupied by Poland. The Hungarians also wanted autonomy of a connection with Hungary. The situation in Czechoslovakia was not clear at that time and took form along difficult lines.

Then the Slovak, Tuka, came to us. He wanted to win Germany for the independence of Czechoslovakia. He wanted Germany to approve a step like that. The Fuehrer received Tuka at that time and, after a few preliminary remarks, the declaration of independence of Slovakia resulted, and that was on the 13th of March.

The Prosecution has submitted a document, in which I am alleged to have said, in this conversation which took place between the Fuehrer and Tuka, that it was only a matter of hours, instead of days, in which Czechoslovakia would have to make a decision. However, it was to be interpreted at that time that on the part of Hungary preparations for an invasion were present in order to occupy some of the regions of Czechoslovakia. We wanted to prevent this, and Hitler was of the opinion that there might be a war between Czechoslovakia and Hungary, and he gladly agreed with the wish of Tiso. Later, after the declaration of independence of Czechoslovakia, he agreed upon Tito's request, and took over the protection of Czechoslovakia.

Q What were some of the preceding events of Hacha's visit to Berlin on the 14th of March, 1933?

A Events in Czechoslovakia had their repercussions, of course, and chiefly with regard to Hitler those excesses against Volksdeutsche in the region of Prague, Bruenn and Biglau and other distficts. Many fled to the Reich.

In the winter of 1938-39 I repeatedly attempted to discuss these matters with the Prague Government. Hitler was of the opinion and of the conviction that any negotiations that might be started in Prague would not be tolerated by the German Reich. The Fuehrer wished that Czechoslovakia would reduce its military power but this was denied by Prague. In these months I tried repeatedly to keep and maintain good relations between Germany and Prague, above all. I spoke frequently with Chvalkovski, the Slovakian Foreign Minister and in March Chvalkovski turned to our German representative in Prague to find out whether Hitler would grant Hacha a personal interview. I reported this to the Fuehrer and the Fuehrer agreed to receive Hacha. He then told me that he wished to deal with this matter personally. To that effect there was an exchange of wires with Prague; that a reserved attitude should be taken but that the Fuehrer would receive Hacha.

I would like to mention briefly that the Foreign Office and myself did not receive information of military plans. We found out about these things only shortly before these things took place, just a few days before.

Before the arrival of Hacha I asked the Fuehrer whether a treaty or agreement was to be prepared. The Fuehrer answered as I recall distinctly that he was of the opinion that we should go much beyond that.

After the arrival of Hacha in Berlin I visited him and I recall that he told me that he wanted to put the fate of Czechoslovakia -- that he wanted to put the fate of this country into the Fuehrer's hands. I told the Fuehre about this and the Fuehrer instructed me to prepare an agreement. The draf was submitted to him and Hacha was received by the Fuehrer and the contents of this conference as far as I know is already known and has been presented in documentary form so I do not have to go into it in detail.



I know that Adolf Hitler at that time spoke clearly to Hacha and explained to him that he intended to occupy Czechoslovakia. He was concerned with the old historic territory which he intended to put under his protection. The Czechs were to have their complete economy and their own life and he believed that the decision which was being made at that time would work out to be very fortunate for the Czech people. Shortly thereafter I had a long discussion with the Foreign Minister Chvalkovski. He was agreeable to our point of view and I asked him to persuade Hacha to that effect so that the Fuehrer's decision and the whole action involved could be carried through without the shedding of blood.

I believe Hacha got a strong impression of the Fuehrer and of the things which Hitler told him, which caused him to get in touch with his government in Prague. He got in touch with them by phone -- I believe with the Chief of Staff although I do not know this exactly -- and then got the approval of his government so that the agreement which I have already mentioned could be concluded. This agreement was then signed by Hitler, Hacha, the Foreign Minister and myself. Then Hacha, as I recall, gave instructions that the German Army was to be received cordially and as far as I am informed, the occupation of Czechoslovakia, that is Bohemia and Moravia, took place without incident of any sort.

After the occupation I traveled to Prague with the Fuehrer. In Prague, after the occupation, the Fuehrer gave me a proclamation, which declared that the countries of Bohemia and Moravia were to be protectorates of the Reich. This proclamation was a surprise to me and I read this proclamation in Prague. No protest of any sort was made according to my recollection and I believe I might mention that the occupation of Bohemia and Moravia, the Fuehrer considered necessary and in the best interests of the Reich and the occupation took place also for historical and economic reasons and above all for security reasons. I believe that Goering has touched on these points.

Q How did you see the European situation at the time of the taking over of the rest of Czechoslovakia?

A I might say that after the proclamation at Prague I had a rather lengthy discussion with the Fuehrer. I pointed out to the Fuehrer that this occupation, of course, would have important

repercussions with the British and French. In this connection I would like to add that in England those circles which had taken a position against Germany had grown larger and were led by important personalities.

In this connection I would like to return and mention briefly one incident which took place while I was still Ambassador in London. I had a visit from Winston Churchill at the Embassy. Mr. Winston Churchill was not in Parliament at that time and I believe he was not leader of the opposition but he was one of the most significant personalities in England. I was especially interested in arranging a meeting between him and Adolf Hitler and had asked Churchill to come to see me at the Embassy for that reason. We had a conversation which lasted many hours and a conversation which I recall exactly. I believe it would take us too far afield to mention all details covered in this conversation. But, as Lord Vansittart in 1936 --

THE PRESIDENT: Documents with reference to Mr. Winston Churchill at this time when he was not a member of the government have already been ruled by the Tribunal to be irrelevant and what he said and such a conversation as this appears to the Tribunal to be absolutely irrelevant and the Tribunal will not hear it.

A (continued) I have already said that I called the attention of the Fuehrer to the British reaction. Hitler told me and explained to me the necessity of the occupation of Bohemia and Moravia, especially on historic and strategic grounds. I remember that in this connection he cited the French Minister of Aviation Pierre Cot, that Czechoslovakia would be a mother-ship against Germany and I believe at that time we received intelligence and records of Russian fleets and Russian missions on Czech airdromes. Hitler said, and I remember these words distinctly, that he could not have a foreign Czechoslovakian thorn in German flesh. One could get along really well with Czechoslovakia but it was important that Germany have in her hands the protection of these countries. He mentioned further Soviet Russia as a factor of inestimable power if it were allied with Czechoslovakia. When I mentioned England he said that England was in no position to take over the protection of the Germans in Czechoslovakia and the Czech State and its structure had split asunder and it was in the interest of German-English relations and he also considered it necessary that the countries of Bohemia and Moravia be in very close contact with the Reich. A protectorate seemed to be the best answer to this problem

Hitler further said it would be of the utmost <sup>un</sup>importance to England, and for Germany this question was absolutely vital. At once glance at the map -- and he used these exact words -- he "couldn't see how this occupation could disturb collaboration between Germany and England.

He further mentioned that England had about 600 dominions or protectorates and could therefore understand that such problems would have to be solved.

I told Hitler about the difficulties which Mr. Chamberlain personally might have from the steps which were being taken by Germany, that England might consider that Germany was increasing very strongly in power, but the Fuehrer explained the whole question to me with the reasons I have already just mentioned.

The English reaction was, first of all, positive in the House of Commons. Chamberlain said it wasn't a violation of the Munich agreement and the British Government was not tied to an obligation. The Czech State was decomposed and the guarantee which England had given was not to be invoked, or the obligation to carry through the guarantee did not apply.

I might say that all of us were glad that this position was taken in England. I believe it was two or three days later when Mr. --

THE PRESIDENT (interposing): What have we to do with the reactions in England unless they took the form of a note? I don't see what it has to do with it. What we want to know is the part the defendant Ribbentrop played in the breach of the Munich agreement.

DR. HORN: The defendant von Ribbentrop is accused of having participated in a conspiracy in the person of Foreign Minister, and that the conduct of carrying through foreign political activity was connected with aggressive war. If and when he is to defend himself against these charges he must picture circumstances as he saw them and to enumerate the motives which ruled him. He must be in a position to enumerate them, and I am asking him questions only about things which determined his views and opinions.

THE PRESIDENT: I don't think you asked him any question about it.

THE INTERPRETER: It is not coming through quite audibly.

THE PRESIDENT: What I said was, I didn't think you asked him any questions as to the reactions in England.

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THE INTERPRETER: The channels seems to be disturbed in some way.  
I think he is getting more than one language.

THE PRESIDENT: Can you hear me now?

DR. HORN: Now I can hear.

THE PRESIDENT: Can Doctor Horn hear?

DR. HORN: Now there are two languages on the same channel. French  
is one of the languages I get on this channel. There are still two  
languages on this channel. (Pause)

I can still hear two languages including German. (Pause)

Now I can hear German. Now I can hear French. (Pause)

I can still hear French.

THE PRESIDENT: Is it coming through now?

DR. HORN: Yes.

I can still hear another voice, a second voice, your Honor.

There are still two languages on the same channel, your Honor.

(Pause)

Just now we had two German voices, a lady's voice and gentleman's.  
Now I can hear a gentleman speaking French.

THE PRESIDENT: The Tribunal had better adjourn, I think.

(A recess was taken.)

THE PRESIDENT: Dr. Horn, what I was attempting to say to you when the system broke down was that it seems to the Tribunal that the defendant ought to be able to keep his evidence within stricter limits and not to go into so much detail; and that with regard to the reactions -- the political reactions-- in England, they are not relevant in themselves, and any bearing which they may have upon the case is really remote.

BY DR. HORN:

Q What persuaded Hitler to commission you, in October of 1938, to enter into negotiations with Poland?

A There had always been the minority problem in Poland, which had caused great difficulties. Despite the agreement of 1934, this situation had not changed. In the year 1938 these measures against German minorities were continued by Poland. Germany wanted, with Poland, and with other countries, to reach some definite clarification. Consequently I was told, I believe during October 1938, to discuss, with the Polish Ambassador, a definite clarification of the problems between Germany and Poland.

Q Besides the minority problem, what other problems were there?

A There were two questions. One, the minority problem, was the most burning one; and the second problem was the question of Danzig and the Corridor, that is to say, a connection with East Prussia.

Q What was Hitler's attitude toward the Danzig and Corridor questions?

A It is clear that these two questions were the problems that had caused the greatest difficulty since Versailles, and Hitler had to solve these problems one way or another. I, too, embraced the point of view that Danzig was under continual pressure on the part of Poland. It was being made more and more Polish. In October of 1938, from 800,000 to a million Germans left the Corridor and returned to Germany.

Q How did the Polish Ambassador accept your suggestions in October 1938?

A The Polish Ambassador was reticent at first, he did not commit himself, nor could he. Also, I brought the problem to him in such a way that he could discuss it in all peacefulness with his government, and did not ask for a definitive answer from him. He said that he saw great difficulties

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with reference to Danzig, and also that a connection between Germany and East Prussia was difficult.

As I said, he was very reticent, and the discussion ended with his promise to communicate my statements to his government and to give me an answer as soon as possible.

Q On the 17th of November, 1938, how did your second discussion end?

A On the 17th of November, 1938, Lipski came to me and stated that the problem had great difficulties connected with it and that Poland considered the Danzig question particularly difficult.

Q Did you then ask Lipski to step into direct negotiations with Foreign Minister Beck?

A At that time I invited Foreign Minister Beck to Berlin.

Q Then when did Beck come to Berlin?

A Unfortunately, Beck did not come to Berlin; rather, he went to London.

Q You misunderstood my question. When did Foreign Minister Beck come to Berchtesgaden?

A Hitler had said that he would be glad to speak with Beck personally about this problem. Thereupon -- I don't know the date exactly, but I believe it was the beginning of January -- he came to Berchtesgaden and had a long talk with Adolf Hitler.

Q What was the result of this talk?

A I was present at that conversation. The result was that Adolf Hitler informed Beck of all details of his wish for good German-Polish relations. He said that a completely new solution would have to be found regarding Danzig, and the connection with East Prussia should carry no great difficulty.

Beck told the Fuehrer that the question of Danzig, because of the Vistula, had difficulties connected with it, but he would devote himself to the problem in all its details. He did not repudiate any discussion of this problem, but rather, he pointed out the difficulties which, because of the Polish attitude, made a solution of the problem difficult.

Q Is it correct that Beck was absolutely ready to carry on negotiations

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and that he invited you, at the end of January, to make a visit to Warsaw?

A One cannot put it quite that way. After the meeting at Berchtesgaden with the Fuehrer, I had a further conversation with Beck in Munich. In this discussion Beck explained to me again that the problem was very difficult, but he would do everything he could in speaking to his governmental colleagues in an effort to find a solution. We then agreed that I would pay him a visit in Warsaw. During this visit we also spoke of the question of racial minorities and the Danzig Corridor.

Also, during this talk the theme was not carried much further; rather, Mr. Beck simply set forth the arguments again against the difficulties. I told him that it was impossible to simply leave this problem standing between Germany and Poland. I also pointed out the great difficulties implicit in the German minorities in Poland, and that it would be an

undignified circumstance if Germany simply let this thing stand.

Beck promised to help in this question, and also to again examine the other questions.

Then, on the following day, I spoke shortly with Marshal Ritschmigli, but here the conversation reached no further results.

Q At that time did you ask Beck to pay a further visit to Berlin, and did this visit take place? Or did Beck choose otherwise?

A What happened was that I invited Beck to Berlin, because his first visit was not an official one. Unfortunately, however, Beck did not come to Berlin, but, as I have already said, he went to London.

Q What was the reaction of his visit to London on further negotiations?

A The reaction of this London visit was entirely a surprise to us. Ambassador Lipski, I believe on the 21st of March, suddenly handed us a memorandum.

Q Let me interrupt you. On the 21st of March you had a conversation with Lipski regarding the division of Czechoslovakia and the problems that arose from an erection of the Protectorate?

A I believe that was on the 26th.

Q Yes.

A On the 26th I did have a talk with Lipski, that is true, and in this talk Lipski mentioned certain doubts of his which he had toward Germany's promise of protection to Czechoslovakia. He expressed the wish that between Hungary and Poland--two lands that had always had close connections with each other--a direct, common boundary should be established immediately. Since this was not possible, he had the feeling that Germany's protection of Czechoslovakia was directed immediately against Poland.

I told him that no one had said anything against Poland; this was a measure to point out to Hungary that these questions had to be clarified. However, I believe that Lipski looked forward to establishing a link over the Carpathia-Ukraine Mountains.

Q Is it true that consultations took place between Poland and the British Government and the Russian Government around the 20th of March?

A Yes. Those consultations, so far as I recall, were based on the



suggestion made by Lord Simon. A common statement was to be made with regard to Poland. But then, Poland did not regard this as satisfactory, and London made clear that this could not come into question as a solution of the Polish problem.

Q Is it true that Poland worked toward a concrete alliance with England and France?

A There can be no doubt, and it is a historical fact, that Poland strove for an alliance with England.

Q When did the German Government find out that Poland had been promised support by England and France?

A The question did not come through.

Q When did you and the German Government find out that France and England had promised Poland support?

A That became known--I can't tell you the date precisely, but it was, at any rate, the last third of March. I know, at least--it was the conviction of all of us then, and it has now become a fact--that these relations that existed in the last third of March between Warsaw and London were decisive, because of the answer that Poland, surprisingly enough, handed us in a memorandum on the 26th of March.

Q It is correct that in this memorandum there was a statement that a further pursuit of the German goals regarding a change in the Danzig and Corridor questions would mean war so far as Poland was concerned?

A Yes, that is correct. That was a great surprise to us. I know that I read the memorandum, and for a moment I simply could not comprehend that such an answer had been made, when one considers that for months we had striven to find a solution, which--and I wish to emphasize this--Adolf Hitler, at that time, could bring about only because of his great authority with the German people.

I don't want to get lost in details, but I do want to say that the Danzig and Corridor problems, since 1919, had been considered great problems by statesmen, and they considered that some revision of Versailles had to be undertaken. I should like to refer to statements of Winston Churchill on this subject.

Now, all these statesmen were undoubtedly of the opinion that, actually, a territorial revision of this Corridor would have to be undertaken. Hitler, in turn, wanted to make a clear break; he wanted to make perfectly clear to Poland that he accepted this Corridor, and that only Danzig should return to the Reich, so as to enable an economic solution.

That, in other words, was the basis of the proposals which I worked on for four months, on Hitler's commission. Our surprise was all the greater when, suddenly, the other side declared that a further pursuit of these goals, which we regarded as very generous, would mean war.

I informed Hitler of this, and I remember very well that Hitler accepted it very quietly.

Q Is it correct that on the following day you stated to the Polish Ambassador that the memorandum of the 26th of March, 1939, could not serve as the basis for a solution?

A That is true. I just said that Hitler accepted this serious report on the part of the Polish Ambassador very peacefully and that I should tell him that no solution could be founded on this basis.

Q Is it true that thereupon, on the 6th of April, 1939, the Polish Ambassador Beck traveled to London and reached a temporary agreement of mutual assistance between England and France and Poland and returned to Poland with that agreement?

A Yes.

Q What was the German reaction to this pact of mutual assistance?

A The German reaction--here I may refer to Hitler's Reichstag speech in which he stated his attitude towards this whole problem. We felt this pact of mutual assistance between Poland and England to be not in agreement with the German-Polish pact of 1934, for in the 1934 pact things were excluded between Germany and Poland which were then contradicted by this new pact between Poland and England. For example, Poland had obliged herself, if Germany became involved in a war with England, to enter on Germany's side. I know that Adolf Hitler felt that it was not in agreement with what he had agreed to with Chamberlain in Munich, namely, the elimination of the possibility of any complication of force between Germany and England.

Q Is it true that Germany then sent through you a memorandum to Poland regarding the cancellation of the Polish-German agreement of 1934?

A That was in the same Reichstag speech of the Fuehrer. This memorandum stated what I have just stated here--that the new treaty was not in agreement with the treaty of 1934 and that, consequently, Germany regarded the 1934 pact as no longer valid.

Q Is it true that as a consequence of this memorandum there came about a sharpening in German-Polish relations and that new difficulties arose in the minority question?

A Yes that is true. In the time theretofore negotiations had been taking place in order to put the minority problem on a new basis. These negotiations were before the 28th of May, and after the 28th of May the situation of the German minorities in Poland became more difficult than

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they had been previously. There was at that time a Polish group that was very active and carried out persecutions of Germans in Poland. This was part of their regular program. I know that precisely. In the months that followed the 28th of May--that is to say, in the summer of 1939--the so-called reception camps for fleeing persons were set up.

Q What about the British guarantees to Rumania, Greece, and later Turkey? How were they received in Germany?

A These statements could only be interpreted by the German policy as meaning that England was undertaking systematically a policy of drawing up treaties in Europe. That was Hitler's attitude and also mine.

Q Is it true that these guarantees and that Roosevelt's messages were then, on the 22nd of May, 1939, the consequence of a German-Italian pact of assistance? And what were the reasons for this pact?

A The situation between Germany and Italy had long been one of friendly relations; and in view of the worsening situation in

Europe, on the suggestion of Mussolini these relations were deepened and set down in a pact of assistance. It was discussed first by Count Ciano and myself in Milan and prepared for. This was an answer to the efforts of English-French policy.

Q. Is it correct that the crisis with Poland became acute through the fact that on the 6th of August in Danzig a strike took place and thus Germany was forced to adopt an attitude?

A. Yes, that is so. There was a quarrel between the Polish representatives and the senate of the city of Danzig. A note of the Polish representative was sent to the president of the Senate in which it was stated that certain persons of the senate wanted to act contrary to Polish regulations. This information proved later to be false, was answered by the senate, and led to a sharp exchange of notes between the Senate and the Polish representative. I then, on Hitler's commission, commissioned the secretary of state of the foreign office to make representations to the Polish Government.

Q. Is it true that Weisecker, on the 15th of August, called the French and English ambassadors in order to inform both these ambassadors in detail of the seriousness of the situation?

A. Yes, that is true. He did that on my commission.

Q. On the 18th of August was Henderson again asked, because the situation was becoming more acute in Poland and Danzig, to visit you?

A. Yes. Talks took place a few days later between the secretary of state and the English Ambassador. The state secretary told him in very clear words of the great difficulties in the situation and told him that things were taking a very serious development.

Q. Is it true that in this phase of the crisis you made up your mind, upon the basis of a suggestion made to you, to undertake negotiations with Russia, and what were your reasons for this?

A. Negotiations with Russia had already been undertaken sometime previously. Marshal Stalin, in March 1939, delivered a speech in which he made certain hints of his wish to have better relations with Germany. At that time

I informed Adolf Hitler of this speech and asked him whether or not we couldn't see whether this hint on Stalin's part had something real behind it. Hitler was at first hesitant; he then, however, became more and more receptive to this idea. Negotiations for commercial treaties were underway, and during these negotiations I, with the permission of the Fuehrer, conducted investigations to find out whether there could not be brought about a definite reconciliation between National Socialism and Bolshevism and whether we could not agree at least on the interests of the respective countries.

Q. How did these negotiations between the negotiators for the commercial treaty continue?

A. Negotiations of Ambassador Schnurrer in a very short length of time made clear to me the fact that Stalin had meant this speech seriously. There was an exchange of ideas and exchange of telegrams with Moscow which, in the middle of August, led to Hitler's sending a telegram to Stalin, and Stalin in his answer to this telegram invited a plenipotentiary to Moscow. The conclusion of this was the Russo-German pact.

Q. Is it true that you were sent to Moscow as plenipotentiary?

A. Yes, that is well known.

Q. When did you fly to Moscow, and what negotiations did you there carry on?

A. On the evening of the 22nd of August I arrived in Moscow. The reception given me by Stalin and Molotov was very friendly. We had at first a two hours discussion. In this discussion the entire complex of Russo-German relations was discussed.

The result was, first, the mutual will of both nations to put their relations on a new basis. This should be expressed in a non-aggression pact. Secondly, the spheres of interests of the two countries were to be defined, which also came about through a secret additional agreement.

Q. For what reason was this secret protocol concluded? What was its content, and what were the political bases of it?

A. I should like to say, first of all, this secret protocol has been spoken about frequently here in this Court. In the negotiations at that time with Stalin and Molotov, I spoke very **openly**, as also the Russian gentlemen did with me. I described Hitler's desire that the two countries should reach a definitive agreement, and I also of course spoke of the critical situation in Europe.

I told the Russian gentleman that Germany would do everything to ameliorate the situation in Poland and to settle it peacefully, despite everything, but I left no doubt that the situation was very serious and that it was possible that war might break out. That was in the clear. It was here a question for both statesmen, Stalin as well as Hitler, of territories which both countries had lost after an unfortunate war. This problem would have to be solved one way or another. It was, therefore, well to look at these things from some other point of view. And just as Adolf Hitler was of the opinion that I stated in Moscow, that in some form or other this problem would have to be solved, and thus also on the Russian side it was clear that this was the case.

We then spoke about what should be done in the case of a war, what should be done by the Germans and the Russians. A line of demarcation was agreed on,

it is known about, that in the event of intolerable Polish provocation or if a war should break out, that this would be a boundary, so that Germany and Russia could not be accused of collusion as regards Poland. This well known line was founded along the line of the Rivers Fisia and Bug. And it was agreed that in the case of conflict the territories lying to the west of these rivers would be the German sphere of interest, and those to the east would be the Russian spheres of interest.

Then after the outbreak of the Russian war the occupation of these zones was undertaken on the one hand by Germany and on the other by Russia. I may repeat that at that time I had the impression, both from Hitler and Stalin, that the territories, the Polish territories and other territories that had been delimited in these spheres of interest about which I shall speak shortly, that these were regions which both countries had lost after an unfortunate war. And both statesmen undoubtedly held the opinion that if the last chances for negotiations for the settlement of this problem had been exhausted, there was certainly a justification for Adolf Hilter to attempt to solve the problems connected with these territories in another way, and to incorporate these territories into Germany.

Over and above that, it is also known that the other spheres of interest were defined, Finland, the Baltic countries and Bessarabia. This was a great agreement which was reached in the interest of two great powers in the event of a peaceful settlement as well as in the case of war.

Q. Is it correct that these negotiations were drawn up specifically only in case that on the basis of the Non-aggression Pact between Russia and Germany, it should not be possible to solve the Polish question on a diplomatic basis?

A. Please repeat the question.

Q. Is it correct that this solution was thought of only in the case that, despite the pact of non-aggression, the Polish question could not be solved in a diplomatic way, and only in this case was the pact to become effective?



A Yes, that is so. I stated at that time that on the German side everything would be attempted to solve the problem in a diplomatic and peaceful way.

Q Did Russia promise you diplomatic assistance or well meaning neutrality in the search for this solution?

A It could be seen from the Pact of Non-aggression and from all the discussions in Moscow that this was so. It was perfectly clear that if because of the Polish attitude a war broke out, Russia would take a friendly attitude towards us.

Q When did you return from Moscow, and what situation did you find in Berlin?

A The Pact of Non-Aggression with the Soviet Union was concluded on the 23rd. On the 24th I returned to Germany. I had thought at first that I would fly to the Fuehrer in Berchtesgaden, but during the flight or later I was asked to come to Berlin.

We flew to Berlin, and there I informed Hitler of the Moscow agreement. The situation that I found there was indubitably tense. On the next day I noticed this particularly.

Q To what circumstances can this aggravation of the Polish-German situation be attributed?

A In the days of the middle of August all sorts of things had happened which generated electricity in the air--boundary incidents, difficulties between Danzig and Poland. On the one hand, Germany was accused of interfering in Danzig, and, on the other hand, we accused Poland of taking military measures inside Danzig, and so on.

Q Is it true that you on your return from Moscow to Berlin, were informed of the signing of the Polish-British Pact of mutual assistance, and what was your and Hitler's reaction to this?

A That was on the 25th of August. On the 25th of August I found out about the conversations that the Fuehrer had had with Ambassador Henderson during my absence, I believe in Berchtesgaden. This was a very serious conversation. Henderson brought a letter from the British Prime Minister, which stated clearly that a war between Germany and Poland would involve also England.

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Then on the 25th in the morning the Fuehrer answered this letter--I believe the same day--and the answer was so couched that at the moment a solution by diplomatic means could not be anticipated.

I spoke with the Fuehrer on the 25th regarding this exchange of letters, and I asked him in my turn to consider this question once more. I asked him whether we might not make one more effort with England.

This 25th of August was a very eventful day. In the morning a communication came from the Italian government, according to which Italy, in the case of a conflict regarding the question of Poland, would not stand at Germany's side.

The Fuehrer decided then to receive Ambassador Henderson once more in the course of that day. This meeting took place around noon of the 25th. I was present at it. The Fuehrer explained once more to Henderson in detail his earnest wish to reach an understanding with England. He described to him the very difficult situation with Poland and asked him to fly back to England to discuss this whole situation with the British Government. Ambassador Henderson agreed to this and I sent him, I believe in the course of the afternoon, a verbal note in which the Fuehrer expressed his hopes for an understanding and stated again his hope for an understanding between England and Germany, so that the ambassador could inform his government correctly of this.

Q. Is it correct that after the British-Polish guarantee became known, you asked Hitler to withdraw the military measures that were being taken?

A. Yes, that is so. I just wanted to tell you about it. During the course of the afternoon, I heard in the course of the day that certain military measures were being taken and I received in the course of the afternoon, a Reuter despatch -- at any rate, a press despatch of some sort -- that the Polish-British Pact had been ratified in London. I believe there was a note appended that the Polish Ambassador Raschitzki (?) had been sick but had nevertheless suddenly turned up in the Foreign Office in order to sign the Pact.

Q. Was this treaty signed before or after it was known that Italy would not assist Germany?

A. It was undoubtedly concluded afterwards: I, of course, do not know the hour of the day but I believe it was on the afternoon of the 25th of August, and Italy's refusal had already reached us by noon: In other words, it had been definitively decided at Rome in the morning or on the day before; at any rate, I can judge this only from other facts. Perhaps I might, however, answer your other question. When I received this press despatch, which was given to me again when I reached the Chancellery, I went immediately to Hitler and asked him to stop the military measures, whatever they were, although I was not oriented in military matters, and I told him that it was perfectly clear that this meant war with England and that England could never deny having

signed that Pact with Poland, could never repudiate that Pact. The Fuehrer reflected only a short while and then he said that was true and immediately called his military adjutant -- I believe it was Fieldmarshal Keitel-- and asked him to call together the generals and stop the military measures that were then being taken. On this occasion, he expressed himself to the effect that he said "We had received two pieces of bad news today and I hope it were possible that the report about the attitude of Italy had been noted immediately in London" and that it was thereupon that the final Pact with Poland had been signed.

Q. Did you and Hitler, during these days, make efforts with Henderson to clear up the conflict, and what were your proposals?

A. I have already stated that the Fuehrer -- I believe it was on the 25th at noon -- told Henderson that he still and always had the intention of reaching some final understanding with England. The question of Danzig and the Corridor would have to be solved in some form and he wanted to make some general and conclusive offer to England in order to settle these things in a perfectly regular way.

Q. Is it true that Hitler then put an airplane at Henderson's disposal in order to enable him to explain these proposals to his government and in order to ask his government?

A. Yes, that is true. I know Henderson -- I believe it was on the next day, the 26th -- flew to England in a German airplane but what the details of this were I don't know, but I know that the Fuehrer told him in his discussion "Take an airplane and immediately fly to your government."

Q. What results did Henderson bring back to Berlin on the 28th of August?

A. I should like to say in this connection, that in view of the critical situation between Germany and Poland, which were also known to the British Ambassador, Hitler expressed a certain disappointment to me that the British Ambassador had not returned more quickly with his answer, for the atmosphere was highly charged with electricity. On the 28th, Henderson then had a new discussion with the Fuehrer. I was again present. The answer that Sir Neville Henderson brought back with him from London, appeared at first unsatisfactory

to the Fuehrer. Its contents were made up of certain points that seemed unclear to the Fuehrer but the main point was that England foresaw a great solution of the problems in Germany and Poland, on the presupposition that the German-Polish question could be brought to a peaceful solution. In the discussion, Adolf Hitler told Sir Neville Henderson that he would look over the note and would then request again an audience with Henderson.

Q. Is it true that in this memorandum, England suggested direct negotiations between Germany and Poland?

A. That is true. One of the points in the note was that the English suggested that German-Polish direct negotiations should be undertaken as the most appropriate way to reach a solution; and secondly, that these negotiations should take place as soon as possible, because England had to admit that the situation, because of the frontier incidents, was very tense. The note stated that no matter what solution might be found -- I believe this was in the note -- it should be guaranteed by the great powers.

Q. Did England suggest that it should mediate these direct negotiations between Germany and Poland?

A. Yes.

Q. How were these German suggestions accepted which, on the 29th of August, were issued as an answer to Henderson's memorandum and were given by Hitler to Henderson?

A. The situation was this: On the 29th, Hitler again received the British Ambassador and on this occasion again told him that he was ready to react to the English suggestion of the 28th; that is to say, that despite the great tension and despite the Polish attitude, he was prepared to make efforts for a peaceful solution of the German-Polish problems, as suggested in the British note of the 28th.

Q. What were the reasons for including in this German proposal a request that a Polish plenipotentiary be sent?

A. In Hitler's communication to Henderson and the British Government, it was stated that the German Government, in view of the tense situation, would immediately make suggestions for a solution of the Danzig and Corridor problems. The German Government hoped to be in a position to have these proposals ready by the time a Polish negotiator arrived, which they believed would take place before the 30th.

Q. Is it correct that Hitler included this request for a plenipotentiary with a 24-hour lapse because he wanted to avoid a conflict because of the mobilization that was taking place on each side?

A. That is quite true. I remember that on the 29th Ambassador Henderson asked Hitler whether that was an ultimatum. The Fuehrer answered that that was no ultimatum, but was simply a proposal born from the situation, or something of that sort. I should like to repeat that the situation on Danzig and the Corridor in the last days of August looked as if the guns would go off on their own unless something were done. That was the reason for this relatively short period of time that the Fuehrer allowed. He feared that if more time were allowed, matters would reach such a point that the danger of war would not become slighter, but greater.

Q. Is it true that despite the fact that this information regarding the point was given to Henderson, the British Government called this suggestion unreasonable?

A. I know of the British reaction from several documents that I saw later. The reaction became clear first of all in my discussion with Henderson on the 30th.

Q. Is it true that on the 30th of August you received a confidential communication regarding Poland's total mobilization?

A. That is true. On the 30th, Hitler awaited a report from the Polish negotiator. This, however, did not come. However, I believe on the evening of the 30th the news arrived that Poland had ordered general mobilization although it had not yet made that order public. It was made public, I believe, on the next morning. This, of course, increased the

seriousness of the situation enormously.

Q Is it true that the British Government then withdrew its offer to mediate in that it made further suggestions that direct negotiations should take place between Germany and Poland without England's mediation?

A That is so. This took place on the 30th. A Polish negotiator had arrived. In the meantime, Hitler had prepared the suggestion which he wanted to submit to a man who could act with complete authority on the part of Poland. Then, shortly before midnight, the news came that the British Ambassador wanted to communicate something to his government. The discussions with the Polish emissary were postponed, and around midnight of the 30th of August this well-known meeting took place between Henderson and myself.

Q You heard Schmidt's description of this meeting. Do you have anything to add to his description of it?

A I should like to say the following in regard to that meeting. It is perfectly clear that at that moment all of us were nervous, including both the English Ambassador and myself. I must mention here the fact that the British Ambassador had, on the day before, had a little scene with the Fuehrer and there was consequently a certain tension between the British Ambassador and myself and it was my task to try to calm him down.

I then purposely proceeded calmly with the British Ambassador and accepted his communication. I hoped that this communication would consist of his presenting me to a Polish negotiator. However, this did not happen. Rather, Sir Neville Henderson explained to me, first, that his government could not recommend this course of action despite the tense situation that had been brought about by Polish mobilization. Instead, the British Government left it up to the German Government to conduct matters in a diplomatic way. Secondly, he said that if the German Government would put the same suggestions at the disposal of the British Government, the British Government would be ready, in so far as these suggestions were reasonable, to exert its influence positively in Warsaw towards the finding of a solution.

From the whole situation, it can be seen that this was a very difficult answer because, as I said, the situation was enormously tense and the Fuehrer had been waiting since the day before for a Polish emissary.

I, in my turn, feared also that unless a solution were found quickly, as I said, the guns would go off by themselves.

I then told Henderson of the proposals that the Fuehrer had made. I read them to him, and I should like to state here again that the Fuehrer had specifically forbidden me to let these proposals out of my hands. He told me that I could only communicate them in their substance to the British Ambassador. I did a little more in that I read all the proposals from the beginning to the end to the British Ambassador. I did this because I still hoped that the British Government could exert its influence in Warsaw and assist in a solution.

But, here, too, I must openly state that I deduced from my talk with the British Ambassador on the 30th of August, as well as from his whole attitude which Schmidt also described yesterday, as well as from the substance of the British communication, that England was not at this moment ready to face the situation in its full implications and was not ready to do its best to bring about a peaceful solution.



Q. What happened after the contents of Henderson's note was made public? What did the German public do?

A. After I talked with the British ambassador I reported to the Fuehrer. I told him it had been a serious conversation. I told him also that in pursuance of his instructions I had not given the memorandum to Henderson despite his wishes. I also had an impression how serious the situation was, and it was my conviction that the British guarantee to Poland was ineffective. That was my very definite impression of this conversation. Then in the course of the 31st the Fuehrer waited the whole day to see whether or not in some form or other a Polish negotiator would come or whether a new communication would come from the British Government.

We have heard here from Herr Dahlerus about the interference of Herr Goering in this matter. There can be no doubt that during the course of that night, at the latest in the morning, the precise proposals of the Reich Government were in the hands of both the London Government and the Warsaw Government. Throughout the whole of the 31st the Fuehrer waited, and I am of the conviction -- and I want to say it very clearly here -- that he hoped that something would happen on the part of England.

Then in the course of the 31st the Polish ambassador came to me, but it is known that he had no plenipotentiary powers to do anything or to enter into negotiations or even to accept proposals of any sort. I don't know whether the Fuehrer would have authorized me on the 31st to make such proposals, but I hope it to be possible. But the Polish ambassador was not authorized to accept them, as he specifically told me. And I may point out briefly that regarding the attitude in Warsaw the witness Dahlerus has already given further testimony.

Q. Is it correct that the German proposals that had been given on the 29th in the evening by you to Henderson were sent to Warsaw by London only in the evening of the 31st of August?

A. That I can't tell you precisely, but that undoubtedly can be verified from official documents.

Q. What consideration then led to the final decision to take military action against Poland?

A. I can not tell you the details of this. I only know that the Fuehrer

considered again the proposals that I had made to the British ambassador on the midnight of the 30th and then on the 31st of August published them; made them public. The reaction of the Warsaw radio -- and I remember this reaction precisely -- it was unfortunately of such a sort as to be an invitation for battle. And the German proposals had been characterized by Henderson as reasonable. They were called by the Polish radio a piece of arrogance. At any rate, shortly after these reports the suggestions were published, and Warsaw made a very sharp and negative answer. I believe that it was this that persuaded the Fuehrer in the night between the 31st of August and the 1st of September to issue the order to march. I for my part can only say that I came to the Reich Chancellery. The Fuehrer there told me that the order had been given, and that that was all that could be done, and the thing was now in motion. I then told the Fuehrer that I wished him the best of luck. I might also mention the outbreak of hostilities was the end of years of efforts on the part of Adolf Hitler to bring about friendship with England.

Q. Did Mussolini make another mediatory gesture, and how did this proposal come out?

A. Yes, that is true. On the 3rd of September, in the morning, such a proposal at mediation came about -- arrived at Berlin -- that Mussolini was still in a position, if the German Government agreed rapidly, to bring this problem to the form of a conference. It was said at the same time that the French Government was agreeable to this conference. Germany also immediately agreed, but a short time later -- I can not now precisely remember the hour -- it was declared in a speech by Lord Halifax in the House of Commons or some other British body that this proposal was turned down by London.

Q. Do you know whether France also turned down this suggestion?

A. I have already said we received the information through the Italian Government that the French Government either favored the suggestion or had already accepted it.

Q. After the conclusion of the Polish campaign did you see possibilities of peace and pursue them?

A. After the conclusion of the Polish campaign I had a few long talks with Adolf Hitler. The situation then was such that undoubtedly French lack

of enthusiasm for this whole war could be felt. There was the phoney war in the west. Hitler, so far as I can judge from everything that he told me, did not want an extension of the war. I believe this was so for all of us members of the Government. I can remind you of the speech that Goering held at that time. Hitler held a speech in Danzig, and I believe later somewhere else, perhaps in the Reichstag, in which he twice told England and France in unmistakable terms that he was ready at any time to carry on negotiations. At that time also very cautiously we listened around in diplomatic circles to find out what the mood was in the foreign capitals, but the public statements and speeches showed Adolf Hitler clearly that peace could not be thought of as in the realm of possibility.

Q. What did you do to prevent the war from becoming more extended?

A. It was my most earnest endeavor after the Polish campaign to attempt to localize the war, that is, to prevent the war from spreading throughout Europe. I however was forced soon to the conclusion that once a war has broken out politics is not the decisive factor any longer; that in such cases the machinery of the General Staff begins to move. Thus our diplomatic efforts were undoubtedly -- everywhere, in scandinavia and in the Balkans and elsewhere -- were against the war spreading. Things however did take the course they did. I should like to state that according to my conversation with Adolf Hitler-- and I am also of the conviction that the German military men are of the same opinion -- that Hitler wished in no way to extend the war.

Q. Is it correct that you received information which pointed out the intentions of the Western Powers to effect a break-through into the Ruhr?

A. Yes, that is true. There were a large number of such reports. The intelligence service that we had -- of which we had many channels -- all ran together from the Foreign Office. The Foreign Office did not have much of an intelligence service, but relied on the diplomatic channels. But carrying this on, we received reports that led one to conclude without any doubt that the Western Powers had the intension at the first appropriate opportunity to advance on the Ruhr. The situation in the west was such that the West Wall was a very strong military barrier against France. It was clear to us that such an

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attack might come over neutral territory, such as in Belgium and Holland.

THE PRESIDENT: How much longer do you intend being, Dr. Horn?

DR. HORN: I believe an hour to an hour and a half.

THE PRESIDENT: Well, the Tribunal has listened with great patience to a very great deal of detail. All I can say is that this exaggerated going into detail doesn't do the defendant's case any good in my opinion. We will adjourn.

(The Tribunal adjourned until 30 March 1946 at 1000 hours.)