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DEPARTMENT OF THE ARMY
THE ADJUTANT GENERAL'S OFFICE
WASHINGTON



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INTERNATIONAL PROSECUTION SECTION

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

22 June 1946

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Official Transcripts of IMT,
at Nurnberg

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SUMMARY OF RELEVANT POINTS

Doc. No. 2188 - 10 Dec - H-WEM-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. 2188, 2189, 2190 - Page 2 - SUMMARY Cont'd.
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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 3 April 1946, 1400-1700, Lord Justice Lawrence presiding.

THE PRESIDENT: Dr. Nelte, although the Tribunal did say that they would hear Dr. Horn at 2 o'clock, they would not wish to interrupt the examination of the defendant Keitel if you wish to go on with that now. It is a matter for you to consider, whichever you like.

DR. NELTE: Dr. Horn agrees also, that I continue the interrogation of Keitel now.

THE PRESIDENT: Very well.

MR. DODD: If it please the Tribunal, for the assistance of the Tribunal I have ascertained that the first Halder affidavit, referred to this morning by Dr. Nelte, was introduced as USA Exhibit 531, on January 4, by Colonel Taylor; and the second Halder affidavit referred to by Dr. Nelte was introduced as USA Exhibit 533, on January 5, by Colonel Taylor.

THE PRESIDENT: Thank you.

DR. NELTE: Mr. President, Mr. Dodd was kind enough to give me a number of copies of the compilation of principles of organization of the German Armed Forces. He has put these copies at my disposal, so that I am able to submit them to the Court which I now do.

WILHELM KEITEL--resumed

DIRECT EXAMINATION--continued

BY DR. NELTE:

Q You had last explained that on the 4th of February, 1938. one part of the former competence of the War Ministry was transferred to branches of the Armed Forces, and another part to the OKW, that is, the High Command of the Armed Forces. In the decree which has been mentioned it says, concerning these affairs: "The High Command of the Armed Forces, OKW, is taking care of the affairs of the Reich War Ministry. At the same time, the Chief of the OKW has, upon my orders, the functions which the Reich Minister of War had heretofore."

I have here a diagram, which I will submit to the Tribunal, which has

already been sent to the Translating Division for the purpose of translation. However, I cannot say for sure whether it has already been translated and is in the hands of the Tribunal.

A The functions of a ministerial nature which were transferred to the OKW were executed by a number of offices. I shall name the most important now, indicating their functions.

First of all, a few words about the Wehrmacht Fuehrung Stab, the Armed Forces Leadership Staff, which, as an office of the Armed Forces High Command, was coordinated with the other offices concerning channels of command, and which had a primary position compared to the other offices. As the name implies, the Armed Forces Leadership Staff was an organ of the High Command of the Fuehrer, with which the Fuehrer was in personal contact primarily. There we find no functions or competence of a ministry.

Then there was the General Armed Forces Office, Wehrmacht Amt, which took care of ministerial and administrative questions.

One could call it a little war ministry.

Then, the office of foreign counter-intelligence, primarily administrative, but also in part as an assistance in questions of leadership.

Then, the office for armament and economy. I have to point out that in the year 1940 this was dissolved and only a small wehr wirtschafts amt--economy office--was left over, which was mainly concerned with questions of supply in various fields which the armed forces needed--fuel, coal; gasoline, etc.

Then an important field, that is, supply for the entire armed forces, called the Rekrutierung--a central office--which was more designed to take care of personnel questions within the OKW.

Then the judiciary or legal office and a number of other offices which it is not necessary to enumerate.

That was the ministerial function of the OKW.

THE PRESIDENT: Dr. Nelte, I think the Tribunal has followed the distinction which the Defendant has made between the General Staff for the High Command and the position of the OKW; but is it necessary for the Tribunal to go into all these details?

DR. NELTE: I had finished, as a matter of fact, with this section.

THE PRESIDENT: Very well.

DR. NELTE: I want to put just one more --

THE PRESIDENT: Before you pass from this document that you have just put before the Tribunal--this diagram--are you desiring to make an exhibit of that?

DR. NELTE: Yes. I would like to submit it in evidence, and it will still be submitted in translations.

THE PRESIDENT: If so, what number will you give it? You must number all your exhibits.

DR. NELTE: I would like to number it, K-1, Keitel 1.

THE PRESIDENT: Yes.

DR. NELTE: K-1A, rather.

THE PRESIDENT: Who prepared it?

DR. NELTE: We have prepared it and the presentation department of the

Prosecution has reproduced it. The Prosecution also is in possession of that diagram.

THE PRESIDENT: Have you asked the Defendant to confirm that it is correct?

BY DR. NELTE:

Q Fieldmarshal, would you please look at it and determine whether this diagram is correct?

A Yes, I recognize the diagram.

GENERAL RUDENKO: Mr. President, the Prosecution has not received this diagram. Therefore, the Prosecution would like, before making conclusions, to acquaint itself with this diagram.

THE PRESIDENT: Have you got any more copies of it, Dr. Nelte?

DR. NELTE: Yes. I can have them brought up immediately, and I can distribute them right away. Then I would like for the Tribunal to reserve its decision until the diagrams have been distributed in sufficient number.

A (continuing) I recognize this diagram as correct. It does not contain the small minor changes which have occurred since the original creation of the OKW, which I have mentioned--changes in armament necessities and so on--but it shows the way in which it worked during the last years.

THE PRESIDENT: Go on, Dr. Nelte:

BY DR. NELTE:

Q In order to terminate this complex of questions I would like to say the following: Is it correct that according to this all Keitel's orders, which have been designated as such and submitted by the Prosecution, should be considered Fuehrer orders--that is to say, orders which were based upon Hitler's orders?

A Yes, that is the correct definition, as a conclusion of what I have said. In summarizing, I would like to state that these orders, as I have said in the beginning, as far as they are brought in connection with my name, I assume responsibility and have to assume responsibility, because I knew, of course, the content of these orders which I executed. I recognize in the documents which have been submitted to my my signature, and therefore I have to accept the documents as authentic. May I add that as far as I may have objections as a soldier or other objections, of course I have mentioned these

objections. In the case of orders for which I thought objections existed, I attempted to avoid these orders--to prevent these orders--but I have to state at the same time that if the decision finally had been made by Hitler, without examining them any more, I had to issue these orders and to execute them.

DR. NELTE: Mr. President, before I enter the next part of my questions I would like to state the following:

The Prosecution has accused Keitel of participation in various crimes and has deduced this participation from various facts, facts which as such were not always to be brought in connection with each other and could not always be coordinated.

The Prosecution has said he had been a powerful and important officer of the state. That is included in the Indictment.

Then the Prosecution said he had been a tool, a powerless tool; and then the Prosecution stated that the relation between himself and Hitler had been a rather intimate one.

Now, you will understand that the Defendant wants to clarify or to protest against these things. He has to speak some more about the relations between himself and Hitler.

THE PRESIDENT: Dr. Nelte, that is what the Defendant has been doing. He has been explaining his relationship to Hitler, and if you want to elucidate it further you must ask him further questions.

Q I only wanted to let him speak about the general relation to Hitler. So far it has only been a relation of his office. Would you please tell us something about the work between you and Hitler? I ask you to be as brief as possible and tell us only the most necessary facts, but at the same time so that we can get a clear picture.

A The cooperation can only be characterized by comparing it with the one between a high military commander and his subordinate. In other words, such relations as I have always had in my career as a soldier toward my commanding officer of whose staff I was a member. From this strictly military and soldierly relation can best be explained the relation between Hitler and myself. Of course, it was my duty and my right at the same time to express

my opinions, and how difficult that was can only be judged by someone who knows that Hitler, after a few words, used to assume the entire conversation and to speak about the subject from his point of view alone. It was very difficult then, of course, to start speaking about that subject again.

I have to say that I was quite accustomed by my various positions in high staff functions to get around the superior commanders, but the conditions such as I have met them here were quite difficult. I was quite unaccustomed to it and they surprised me, and not infrequently they brought me into a state of uncertainty. That can only be understood if one knows that Hitler, in military or soldierly questions--if I may say it very carefully--was a man with extensive plans of reforms and considered me with my thirtyseven years of service as a soldier of the old school.

Q Was that the same during the war or do you refer to old times, I mean times before the war?

A During the war these contrasts were moderated by the events; by the fact that the actuality of all events limited mannerisms and therefore these things did not come to the foreground. But, on the other hand, it was doubtless so that Hitler in his discussions, in his briefing discussions, had a comparatively large circle of about twenty people around and speaking in terms of a soldier, in military terms, without consideration stated his criticism and his accusations, as a rule against people who were not present. I have taken the part of the absent person as a matter of principle because he himself could not defend himself. As a consequence I received all the accusations or criticisms and my training as a soldier forced me finally to exert a great deal of reticence because as an officer and before younger subordinates one cannot protest to a superior or utter any objections or protests. To protest before a number of personalities, regardless of what rank, was unbearable to the Fuehrer. One could only try to speak to him personally about these things and alone.

Q Were you of the conviction that you had Hitler's confidence?

A I could not say definitely. I have to admit frankly that Hitler's confidence in me was not without reservations and today I know sufficiently well that there were many things concerning which he had never spoken frankly to me and never took me into his confidence. It was definitely so that Hitler, as far as old soldiers were concerned at least, had a strong suspicion. They were products to him, of an old and ancient decadent school and in this sense to us old soldiers he was a man who brought revolutionary ideas into the Wehrmacht and into armed training and frequently that led to a most serious crisis. I believe I do not have to elucidate as to that. The worst thing, however, was that this lack of confidence manifested itself in one form, that is he always believed that I was in a sort of conspiracy with the Generals in the army behind his back and that I supported them against him. Perhaps that was a consequence of my habit of defending them in their absence and in various circumstances that led to extra-ordinary difficulty and serious crisis.

Q Much will depend on finding out in which manner your work with Hitler

can be evaluated, how far you could be considered his collaborator or advisor. Could you tell me whether Hitler, such as is done otherwise in close collaboration, discussed his plans with you?

A To that I have to answer no, in general terms. It did not agree in any way with the whole personality of Hitler to have advisors of that kind, that is if you call an advisor somebody who gives advise. I was an advisor, of course, in the sense of presenting a great number of military elements from long experience as an officer but not in the form of an advisor to help formulate a decision, those far-reaching decisions which are doubtlessly meant here.

As a matter of principle the formulation of a decision was preceded by weeks or months of evaluation. During that period sometimes for days one had to assist by presenting material. But as far as the main point was concerned, the decision itself, there he did not except any influence and therefore it was always so that the final answer was, "This is my decision and nothing can be changed about it." That was the manifestation of his position.

Q But if there were different departments which were competent for these decisions, weren't there any discussions together, any conferences?

A No, I cannot remember or recall that any one of the really important decisions after the year 1938 had ever been formulated within the community of a conference, say between the politicians and the soldiers or ministers because it was the peculiarity of Adolph Hitler that each department and each chief of a department was heard alone and Hitler made use of whatever he could get out of these men and to find some element from them that could be used in the elaboration of his plans. But it is not as it may seem if one looks at the documents here of minutes of conference of generals, of meetings and similar things with a list of those present. Never did such a meeting have the character of a deliberation. That is quite out of the question. If the Fuehrer had an idea a certain trend of thought and if for various reasons he thought that there were ideas opposed to his he took that as a reason to explain his thoughts before a larger circle to clarify it. In other words, deliberations within these circles and when these meetings took place never existed. I have to add that the external form in which these things took place was so that, following the military example, the oldest general, the highest ranking general, reported. Then he

sat down, the Fuehrer arrived, talked and left. Nobody in such a situation could have the possibility or could have found the energy to say anything. To use just one word for it, and I certainly do not exaggerate, it was the issuing of an order but not a conference.

Q To come to a different subject, the Prosecution has asserted you had been a member of the Reich Government. What do you have to say about that?

A I never belonged to the Reich Government. I was never a member of the cabinet and I have to state that I never became a minister but as it is expressed in the decree of 1938 -- he had the rank of Reichsminister. He is not a Minister. The expression "Minister" is, of course, simply intended to mean with the rank of Minister. There was a good reason for that.

As to the question which has been mentioned frequently by the prosecution that I had the rank of a Minister, I have to clarify that by saying that I put the question when the decree was issued with whom I had to deal, with the State Secretary or with the Minister and Hitler said: "If you deal on my orders with other departments of the Reich then, of course, you can only do that with the rank of a Minister." That is the explanation for that expression in the decree -- he has the rank of a Reichsminister.

Q Did you, in the headquarters, with other important personalities, such as Ribbentrop, Rosenberg, Speer and Sauckel, did you have any conferences with them?

A The visit of ministers or of plenipotentiaries at headquarters was following a certain plan and very seldom lead to the simultaneous presence of several of them. Generally, it was so devised that everyone was coming at a certain time. I was informed, of course, generally, that the Foreign Minister was there, or Mr. Speer, or the Plenipotentiary for Manpower Sauckel, but only in case of purely military questions I was called for conferences which the Fuehrer had with these gentlemen alone and I could name examples for that, but as it has been mentioned during the interrogation of State Secretary Steengracht, it would be wrong to believe that these gentlemen who came to headquarters would have formed a sort of small cabinet. Hitler dealt with and spoke to actually everyone of these officials alone, gave him his orders, and sent him away with these orders, and it certainly happened that on the way home, these gentlemen may have paid a visit to me, mostly with small questions and asking small favors which I could do for them, or with the order to forward a decision to those military officers who had to know about it.

Q In conclusion of that chapter, I would like to know whether the expression, which is included in the indictment, "intimate", whether that is correct in describing the relations between you and Hitler, privately or officially?

A I have found the "intimate" in the Indictment and I asked myself what made anybody think so and if I shall be quite frank, I can only answer that question by saying that nobody ever heard from a single word about the actual conditions and the difficulties that I have had. I kept quiet about them. "Intimate", -- we call these relations -- I don't know if the English translation "intimate" expresses the same thing which we call "intim" -- that is to say, a relation of confidence, of frank statements. That did not exist. I have characterized it before already, that it was not in keeping with Hitler's mentality to stand on an "intimate" footing with his older generals, amongst whom I was the eldest, independent of the formal relations

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which had formerly been, sometimes for weeks and months, just the form that was kept. The relation has never gotten to where one could classify it as that of a close advisor or a close assistant and such as I had known it from my many positions on staffs. I must say that with which I am then concerned, I have been faithful and loyal and I always considered it my duty in my position and I have also to say that a sincere relation based upon personal understanding and confidence never existed. It was always a correct relation but it was military, official, and never went beyond that.

Q By the decree of the 4th of February 1938, a Secret Cabinet Council was established. According to the content of that decree, you are supposed to have been a member of that Cabinet Council. In order to save time, I only want to ask you: Do you confirm the statement made by Reichsmarshal Goering, from your own knowledge, that the establishment of that Secret Cabinet Council was only for reasons of prestige and that Cabinet Council was never constituted and that it never had a session?

A I can only answer, never.

DR. NELTE: Mr. President, I should like to take the opportunity -- here is the English translation. I come now to the questions of the Reich Defense Council -- "Reichsverteidigungsrat." In the session of the 23rd of November, the prosecutor has submitted in evidence as proof for the rearmament and the active participation of the Wehrmacht, of the Armed Forces, in the planning of wars of aggression. Submitted, among others, is the document EC-177, which was designated as "Meeting of the Reich Defense Council of the 22nd of May 1933." I have to say that I have taken the translation from the transcript and I am not sure whether the expression "Reichsverteidigungsrat" -- Reich Defense Council -- was translated correctly. It says in the transcript that it was a meeting of the committee, the working committee. For your orientation, may I say that the "Reichsverteidigungsrat" was supposed to be a sort of ministerial forum and thus outside of it, there existed a working committee.

A second document EC-405 was submitted, a meeting of the same organization on the 7th of March 1934; and a third document 2261-PS dealing with the appointment of Dr. Schacht as Plenipotentiary for the Economy.

BY DR. NELTE:

Q Beyond doubt, you have been active in questions of National Defense,

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witness, and these documents are also used, submitted against you as evidence. I ask you, therefore, to state your position as to whether these meetings in which you participated and which you have conducted, were concerned with the preparations for war and rearmament.

A One moment, please. From the very beginning, as long as we were concerned with these things, as long as it was a committee of experts from which everything else evolved, I have been active in these affairs and I may speak of myself as the founder of that committee of experts of the ministry for the purpose of coordination with the War Ministry. As Chief of the Department of the Organization of the Army, in the winter of 1929 and 1930, that is, three years before the time when Hitler came to power, I have formed that council, that committee after the Chancellor --- I believe it was Bruening and the Prussian and Reichsminister of the Interior Severing had consented to it, and there was always the Deputy of the Minister Severing present to make sure that nothing happened there which would have been in violation of the Treaty of Versailles. That work was very difficult because no minister and no chief of the department was obliged officially to carry out the demands of the War Ministry or the army and it was purely voluntary. Consequently, the work went along with great difficulties and very slowly. We dealt in this committee of experts, which convened perhaps twice or three times during the year; and if I may summarize it, we dealt with the problem, "What assistance can we get from the civilian departments in order to free the small army of one hundred thousand soldiers for purely military tasks?"

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Of course, the question of the perfection of our borders, such as is stated in the Treaty of Versailles, I could still say from memory what we talked about, since, with the exception of the time from '33 to '35, I have conducted every one of these meetings myself or at least was the chairman of the meetings, not the chairman of the committee. I can point to the mobilization book for civilian authorities, which I will mention later again, which was the outcome of this work.

We were concerned only with questions of a defensive nature, protection for our borders, and, in order to be better understood, I may mention some of them. The armed forces should be relieved of the duty to safeguard the bridges; the customs organization should take care of customs; the connection of East Prussia should be improved. These were all defensive measures in order to free the soldiers for purely military functions. This was for the purpose of a purely military use, and I do not have to clarify any more how little could have been done with an army of 100,000 men. All the questions which could have gone beyond that scope were never dealt with in that committee, and the way in which we worked was this:

The experts were asked by me to present their demands to the various departments and then to try by persuasion to assure that these departments took care of the various tasks so that we could say that we had nothing to do with it. The question of an operational strategic nature, armament questions, supply questions, as I can guarantee, were never discussed in this committee. There were only questions of an organizational nature, of taking over functions which generally should be the task of the soldiers, but which we wanted to transfer to civil authorities.

As to the meeting of 22nd of May, 1933, which has been mentioned several times already in the heading of the minutes, we can see, until now the Reich War Ministry, and now by duty the department heads, that is the ministers, who received the designation "defense counsel". I have to say that more clearly so that it should not be misunderstood. Each member of the committee represented one ministry, and the superior competent for this member, who was a Minister, formed with his colleagues, according to our usage of the term at that time, the Reich Defense Counsel. Therefore this remark "So far, the competent Reich War Minister, now the others, are

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obliged to carry out" that and that. Especially in paragraph 3 the plans were mentioned. The plans, in other words, have preceded the mobilization book, which is the final stage while these plans were in the intermediary stage, I would say in the year 1933.

Then, about the meeting of the 22nd of May, the final words which have been emphasized here by the Prosecution concerning the secrecy, where I have said, "Such, as the minutes, include that nothing written should pile up on the desks of the ministries which could lead to objections at the disarmament conference at Geneva." That is true as I have said it, and I have said it because those experts told me that, with the exception of a small drawer in the desk which could not be locked, they did not possess any place where they could safeguard the documents, and because the then Reich War Minister von Blomberg, who had been in Geneva almost two years, at the disarmament conference, gave me the definite order before that meeting was held to emphasize these things because people in Geneva were surrounded with a large number of agents who were only waiting to be able to present proof that, in spite of the negotiations for disarmament, things were going on which represented violations of the Versailles Treaty.

Q I have given you the mobilization book for the civil administration. It is document IS-1639. It has been submitted in order to prove that we are confronted here with the planning of aggressive wars. Would you please explain to us what the purpose of this book was?

A I have already reported that at an earlier stage, during the years '32, '33. The various ministries had so-called working schedules which included some sort of check lists, and in the course of years, of course, a number of new tasks have been added to those listed, and that led to this mobilization book for the civil administration, the study of which would certainly not produce anything which would have anything to do with strategic or operational preparations for war. On the other hand, I am not in a position to prove that everything which was in this book would never have been useful in military operations which may be called aggressive war because one

could say that most of these measures would not show, in the cases of mobilization, whether it is a measure for the defense or a measure which is necessary for an aggressive action. That could not be determined. But I believe I can say, because I, myself, personally have engaged in this work more than anybody else, that there was no reason at all to burden the civilian experts with strategic questions of military planning and I believe that doesn't even have to be proved.

I have this mobilization book here and I went through it. I studied it. I do not wish to bore anybody by citing points which are of a defensive nature or the increase of the border supplies, measures against the interruptions of the railroad traffic, and similar things. One of the most important chapters, if I remember correctly, with which we occupied ourselves during four or five of these sessions, was the question of evacuation of territories close to the border, so that, in case of a war, we should not fall into the hands of the enemy. This problem of evacuation was one of the most difficult ones. To determine the border region which can be evacuated is one of the most difficult decisions.

I want to say one more thing about the Reichsverteidigung Ausschuss. In supplementing the things which I have expressed before, until the year 1938, at no time has there been a meeting or a session of the Reich Defense Counsel. That is to say, the ministers who were superior to the committee never, not a single time -- I would have to know that -- although in the cabinet meeting, I believe already in the month of March, 1933, the resolution had been taken to give these ministers the responsibility of a Reich defense counsel and to oblige them to take over these tasks in the interest of the defense of the Reich, and, of course, also to finance them, -- that was the main purpose -- the Reich defense counsel never had a meeting.

Q. As a matter of fact, the minutes which have been presented for the time from '33 to '38 are then meetings of committees, but you know that eight days ago minutes of meetings of the Reich defense counsel have been submitted; one meeting or assembly, supposedly, was in November, 1938, and the other one in March, 1939. Unfortunately, I have not received these documents, but I

have looked at them and you have seen them also. Can you explain to us how it came to these meetings and what they mean?

A. I only want to say a few words after the explanation which Reichsmarshal Goering has already given. In September, 1938, the Reich Defense Law, which existed until then, since 1935, and had not been published, had to be changed for the reason that the Reich Defense Law of '35 was based upon the function of the Reich War Minister and commander in chief of the armed forces, and that office did not exist any more. I was with the Reichsmarshal Goering to discuss with him how to find a new basis for this law, which until then had existed without having been published. That law of the fall of 1938 had a number of supplementary points compared to the old one, and perhaps I will have a chance to mention the details later. Among other things, here, also, the Reichsmarshal Goering was the deputy of the Fuehrer, whereas before it had been the Reich War Minister, a function which I could not have.

This discussion in November, 1938, to recall it briefly, had been called by the Reichsmarshal in order to present this non-published law and this law which was not supposed to be published, but to present it to a circle of about seventy or more people, to whom the Reichsmarshal explained the purpose and the essence of this law in the form of a speech. Discussions of any kind did not take place beyond that speech, and one cannot speak of it as a meeting, definitely, of the Reich defense counsel.

You also showed me the second document of the meeting of the Reich Defense counsel the other day, Reichsverteidigungsrat, and also the minutes of that meeting of summer, 1939.

Q. No, March, 1939.

A. That was called here, and I believe it was also the second meeting of the Reich defense counsel. I can explain that.

I called a meeting of the committee and, of course, Reich Marshal Goering, and the schedule was presented to Goering and the names of the people who were to be invited. Reich Marshal Goering let me know that he would come himself and he would extend the circle to include a number of people who would be present. This discussion, therefore, was based on a definite agenda; concrete questions were brought up. It is, however, remarkable that according to the list of those present, the members of the Reich Defense Council were only represented by a very small number, although there were about forty or fifty people present. The Reich Defense Council itself was an organization of twelve people, and it needs no further explanation that according to the form in which these two discussions or meetings took place, one could not say that this was a plenary session of the Reich Defense Council based on a definite schedule; but there were two meetings, and to the extent which I have described.

(A recess was taken.)

THE PRESIDENT: Dr. Nelte, the Tribunal think that you might get on a little more quickly with the Defendant. The Tribunal recall that you asked a few days ago that you might submit an affidavit of the Defendant's evidence, and there is in your document book an affidavit. You have been over all those matters in the affidavit at very much greater length than you would have gone into them if you read the affidavit, and we hope that you will be able to deal more shortly with the evidence in future.

DR. NELTE: Mr. President, I believe I made every effort to be as brief and concise in my questions as possible, but the evaluation and judgment is, of course, always subjective. The Defendant is the one who is the most often quoted in this proceeding and he is the most often mentioned, and naturally he is interested in having those matters clarified which he considers vital, in order to present his picture clearly and decisively.

THE PRESIDENT: Well, Dr. Nelte, I don't think it is necessary to discuss the matter further; but the Tribunal have expressed their wish.

DR. NELTE: As far as I am able, I shall comply with your request, Mr. President.

(The Defendant Keitel resumed the stand and testified further as follows:

BY DR. NELTE (Continued):

Q You just told us about the Defense Counsel and its committee, as to how they differed. You must have a clear picture that we are not so much concerned and should not be concerned so much, whether decisions were made by the Reich Defense Counsel or its committee. We are concerned and interested in those things which actually did take place and whether the things that did take place and happen were in accordance with the assertion and contention of the Prosecution, and to that extent I request you to tell me those things which you deliberated on in your committee. Was it such as to justify the suspicion that you were considering aggressive war?

A I am absolutely certain that we are not concerned with the formality whether it was the Council or its committee, but the committee was a group of small insignificant experts. And we are concerned with those things which actually did take place, what was done, and with the limitation that in the year 1934 and until the autumn of 1935 I was not present at these deliberations and discussions, and therefore cannot vouch for every word which was spoken at that time. I must state that any and all things which might be for the preparation of wars in an operational armament or strategical preparation, such matters were never discussed.

Q The Prosecution has labeled you as a member of a three-man college and as a result of that you are supposed to have had certain obligations or certain commands as far as the German Reich Government was concerned. I am submitting Document 2194-PS to you. In this document you will find regarding the Reich Defense Law of 1938, paragraph 5, sub-section 4, the source of the term which in itself, of course, is not official.

A In the Reich Defense Law of 1938, in order to limit matters, a general plenipotentiary for administration was established. The Reich Minister of the Interior was to have this office, and, furthermore, as far as sub-section V was concerned,--sub-section IV for Postal and Railroad Matters, the High Command of the Army was to have special preference for in the case of a mobilization, they took care of transport and communications, and this applied in all countries. The Three Men College is a concept which I have never heard until just now. It probably refers to the general plenipotentiary for administration and economy and the chief of the OKW. These three were meant, and there is no doubt about that, and for that reason and since, in line with the Reich Defense Law, they issued a number of decrees which were to be publicized and announced when this law was made public, and each one concerned had to make the necessary preparations in his own sphere, and this concept of the Three Men College arose.

Q Then, further, the Prosecution contends in line with document 2852 that you were a member of the Ministerial Council for Reich Defense. Did you become a minister through this appointment?

A I might perhaps say something first of all about the Ministerial Council. When the Ministerial Council was created, all the laws of the Reich Defense Council and the Reich Defense Committee disappeared. Therefore, they were never published and never took effect, and the Minister Council for Reich Defense, which originated in the first week of September 1939, absorbed the Reich Defense Council and Committee, and the Ministerial Council was now a small war council. Now a new basis was created, and the decrees which were necessary were put into effect through the Ministerial Council for Reich Defense after it had been created and officially confirmed.

I was called into this Ministerial Council. I received a chair in this group, but I prefer not to cite the reasons. They were entirely personal. I was never active in this Ministerial Council for Reich Defense, but I was a member, and it was not necessary since in the purely military sector-- that is, things with which the Wehrmacht was concerned--the Fuehrer, without the Ministerial Council, issued through his own signature decrees, and they had the force of law, and a circumvention by way of the Ministerial Council

through Berlin was not necessary, and to the question of whether I actually became a minister or received the functions of a minister through this appointment, I must say, in my opinion; No; I must deny this. I had no right to exercise the functions of a minister. I was only the deputy of the armed forces of the Wehrmacht in this Ministerial Council.

Q It can not be disputed that your name is at the bottom of many laws which were issued; that you signed these laws. How can you explain the signing of these laws?

A Yes, I did sign a series of decrees given out or issued by the Ministerial Council Secretariat. That is through the chief of the Reich Chancellery, Minister Lammers. They were given to me with

the request to sign these decrees also. As to the question of the necessity of my doing that, I received a formal answer from Lammers -- so that the other Reich departments could see that the Wehrmacht was not excluded from these laws and decrees, and that is the reason why I signed these decrees. That was the reason -- that the Wehrmacht was to be included and was to obey these laws and decrees. I had no misgivings of any kind in signing my name.

Q. The Prosecution further accuses you of being a political general. Undoubtedly you appeared on special occasions. What can you say to clarify this concept, this accusation, and can you tell us how it came about?

A. I can readily understand that the functions of a ministerial nature which brought me in contact with Reich ministers -- and this was necessarily so because everything in the final analysis touched upon the Wehrmacht -- might seem to indicate that I had exercised a political function in these matters. Similarly, other reasons might be found. That is whether, through my presence, as is shown in many documents, at visits of state that I was present there in such a way and that through that I exercised a political function or had political connections.

Both counts are untrue, both in the internal ministerial German sense and as far as foreign political matters are concerned, but many things had to be regulated and settled. In almost all decrees which the civilian ministries issued, the Wehrmacht had to be heard in some way and this channel of business took place in Berlin, where I was with the Fuehrer at headquarters, and it also meant that in my many positions in OKW -- that is, in an easing up of the situation there -- I had to work with the various Reich departments and its experts, and in that way it came about that decrees of that sort originated, to which my position and view and the agreement of the Fuehrer had to be received through me, and in that connection I was the person who knew of the view of the High Commanders of the Wehrmacht and I had to unify all of these spheres and aspects in my person. Through my main activities, I was drawn into the general picture, into the general framework, but I do not believe that this would justify that the military chief of staff of the Fuehrer should be termed a political general.

Q. And what was the foreign political situation and the foreign political meetings?

A. As far as foreign politics and policies are concerned, I would like to say only and emphasize what the former Foreign Minister has already said in connection with collaboration of the leadership of the Wehrmacht. If two commanders were to go their separate ways, then it was on one side the Wehrmacht and on the other side foreign politics and especially under the influence of the Fuehrer. The Fuehrer was against collaboration or the exchange of thoughts. He kept us in separate camps, so to speak, and wished to work with each separately and alone. I wish to emphasize that most emphatically, and this applies to all other departments and the representatives who came to headquarters were received alone; they deliberated with the Fuehrer alone, and left alone.

As far as foreign political activity is concerned, I would like to say that in regard to keeping in touch with the Foreign Office -- as Steengracht has already touched upon in a small way -- all of these connections were on the basis of international law -- as far as prisoners of war were concerned, dealings with protective powers, and the sphere which appeared to Steengracht when he said that reports of military attaches came through the Foreign Office. During the war, these reports, of course, were of special interest, and they brought about certain contacts. We had to complain that we received these reports too late from the Foreign Office or that we wanted our reports direct, rather than having them circumvented, but as far as the rest is concerned, I would like to emphasize that there was no collaboration of any kind or any community of work between the Foreign Office and the Wehrmacht.

Q About ten days ago document D-665 was submitted by the prosecution. This document has the heading, "Thoughts of the Fuehrer about the Waffen SS" dated 6-8-1940. In this document there is a passage--the document of the OKW-- in which the following is set forth:

The Chief of the OKW has established that the dissemination of the thoughts of the Fuehrer about the Waffen SS can only be desired."

Do you know this document?

A Yes, I saw the document at the time when it was submitted. I read it and I recall it. The origin of this document I believe, I have to clarify. After the war in France Hitler wanted an independent status of the SS, and the Waffen SS were to be converted into special units. Up until that time they had been annexed to various army groups. Now these groups were to be made into divisions and they were to be independent formations or units from now on in. Then this created unrest in the army, it brought about depression among the Generals, and it was said that this was a rivalry of the army. And then someone said that there was only one group who could bear arms, and that was the Wehrmacht, and this promise had been broken, what would it lead to. Then the Commander-in-chief of the army spoke to the adjutant of Hitler about this rather exasperating affair. And General Schmundt then returned the passage, which is mentioned in this document, with the approval of Hitler. I personally was with the Fuehrer and told the Fuehrer that this was an affront to the army. He decided that this matter should be handled by his adjutant, for the Wehrmacht was not concerned with it. The publication for the calming of discontent was distributed by the army itself, and the announcement from me that in this case dissemination should be taken care of. And it was satisfactory. Brauchitsch asked that he might distribute even to the smallest unit this announcement so that this might have a calming and quieting influence on the army; that these would be police troops which could not be used in war if they were not recognized at home. Therefore I believe this is the background, and if I am asked what my position is at present on this matter I would like to say that at that time I was active in saying that matters should have their limits; I believe ten percent is mentioned. Then it develops that after 1942 this formation lost the character which it originally had had, the character of elite troops,

and it was not to be confused. And I was afraid that someday this instrument of the Waffen SS, which was more than twenty divisions strong, that it would one day be an army with a different ideology. And I had the greatest misgivings about this matter, especially now, as the things which had come into being did not have a selective character any more. As far as officers and men were concerned there was a transfer of personnel; it was not a selection of volunteers. I do not believe that I need to comment further on this point.

Q The prosecution has submitted document L-211 to me. It has the heading "The Carrying Out of the War as a Problem of Organization." It contains the position taken by the OKW to the memorandum of the Commander-in-Chief of the Army regarding the organization of the leadership of the Wehrmacht. This document was submitted in order to show that the OKW and you as its chief had aggressive tendencies and had put them down in this study. I assume that you remember this study, and what you can say about the accusation which is based on this study?

A This study was submitted to me preliminary interrogations, and I recall its existence, of course. In this connection I must mention the antecedents and the background. It is not exaggerated that in the first years of-- in 1920 that is shortly after the completion of the First World War, I believe that in all countries which had participated there was extensive literature about the question, "What is the most expedient way for the leadership of the Wehrmacht?" I wrote this, and I know people in the United States and England and in France who were afterward concerned with the problem of "Kriegs-stitzungs-lie²derung" (Organization of highest army echelon) about which Blomberg said that his position was solution number eight.

that seven had been disposed of already. And in this connection there was rather a struggle between the OKH and the General Staff against the idea of a comprehensive leadership of the Wehrmacht, and with the demand of a large General Staff as in the past to have the leadership potential fixed that way. After OKW was established and Blomberg had faded from the scene the army considered it opportune to bring this matter once more under discussion. Therefore, this memorandum was the result, and that which we see now as a story is the answer.

I collaborated in this answer, and I can vouch for Jodl and myself that we were the only men who worked on this. And I can establish that at that time there was no concrete problem, or there was nothing in the nature of preparatory work in case of a war. We were not concerned with that problem at all; we were concerned only because there had been some investigation and some memoranda that we set forth the solutions which to us seemed the right ones.

THE PRESIDENT: Doesn't the document speak for itself? He says he collaborated in it, but that he wasn't concerned with it at all, so that is all that needs to be said. The document speaks for itself then.

DR. NELTE: Perhaps the defendant might be able to clarify some of the thoughts contained in this document, Your Honor, and in addition, Mr. President I, so far as document book two is concerned, do submit the affidavit regarding the OKW and the General Staff signed by Keitel and Jodl. It is number two of document book two. I think you should have that before you.

THE PRESIDENT: Is that the affidavit of the 28th of March?

DR. NELTE: The 29th of March, Your Honor.

THE PRESIDENT: The first one in the book, or where is it?

DR. NELTE: In the second part.

THE PRESIDENT: But what page?

DR. NELTE: There is no consecutive pagination; it is just a table of contents, and under that you will find it as number two.

THE PRESIDENT: Are you quoting then from L-211 now? Are you finished with that?

DR. NELTE: This affidavit belongs to L-211.

THE PRESIDENT: I thought the witness said he had collaborated in the study, which is L-211, and that it wasn't concerned with war. You might leave it at that.

DR. NELTE: I believe, Mr. President, we are concerned in this proceeding with hearing what the defendants have to say to those documents with which we are charged and which accuse them. That which the defendant wishes to say to document L-211 in clarification is put down in the affidavit, which is found in document book number two.

THE PRESIDENT: If what he wishes to say was put down in the affidavit then he shouldn't have been asked about it; the affidavit should have been read.

DR. NELTE: The difference between what he will say here and what is in the affidavit is considered substantial. He said very briefly that what he wished to say in a summary. The affidavit is longer, and therefore I believe that I might dispense with reading the affidavit if he could tell us briefly the chief points with which we are concerned.

THE PRESIDENT: You and I have a different idea of the word summary.

DR. NELTE: May I continue, Mr. President?

THE PRESIDENT: Yes, go on.

BY DR. NELTE:

Q. Now, I will turn to the complex questions which concern rearmament, and the case of Austria, Czechoslovakia, and so forth. I would like to ask you about the accusation of the prosecution that you participated in the preparation of aggressive wars.

So that we can understand each other, and you can give your answers correctly, it must be clear just what is meant by aggressive war. Can you tell me your views on that subject?

A. As a soldier, I must say that the concept "aggressive war" does not mean very much to me in that sense, as such. We did know about aggressive action, or defensive actions, actions of retreat and how to carry them out, but, according to my own personal and soldierly feeling, the concept "aggressive war" is a purely political concept and not a military, soldierly one. I mean by that, that the Wehrmacht, or the soldier, is a tool of politics, but he is not called upon to decide or to judge whether we are concerned with aggressive war or not, so far as military actions are concerned.

I believe I am able to say briefly, to summarize this, that military officers were not the decisive ones and should not have been such, and that decisions were not the mission of the soldier, but of the statesman.

Q. Then you mean to say that -- and I rather imagine this applies to all commanders-in-chief and offices connected therewith -- as far as the question of whether a war would be an aggressive war or would be conducted for the defense of a country, in the final analysis, whether a war is a just war or not, that does not fall into the sphere of your professional deliberations?

A. No; that is what I wish to express.

Q. Then that is an explanation which you are giving. However, you are not only a soldier, you are a personality as well, a personality who has a life of his own, an inner life. In that respect, didn't you have thoughts about an action which had been planned, that some of these things might be unjust?

A. I believe that I can say to that, only as far as my military career and development is concerned, that I grew up with traditional thoughts, and we

were not concerned with these questions. Naturally, one has an opinion of one's own and one has a life of one's own, but as far as professional functions as a soldier and officer are concerned, when you are a soldier and officer you have given away your personal and private life, and your life as a soldier is first.

I did not feel, and consequently cannot confirm, so far as this is concerned, that I thought about these purely political questions, and that I was of the opinion that a soldier can demand that he can have the confidence of the state leadership; and, therefore, he is called upon to do his duty and to obey.

3. Perhaps we can take up the questions one by one.

Did you know Hitler's plans for rearmament, and the, later, plans for aggression, as the prosecution contend. I am concerned chiefly with February 1933 to, let us say, 1938.

4. It was clear to me that with the appointment of Hitler as Chancellor, undoubtedly we soldiers would have a different leadership and would have a different position in the Reich, and that the military factor would find new and different considerations than had been the case before. Therefore we hailed, frankly and openly, that at the head of the Reich Government there was a man who had decided to bring about an era which was to lead us away from conditions as they had obtained.

In that way I must confess that so far as plans and intentions of rearmament were concerned, so far as I was able to judge them, I hailed these thoughts.

At any event, in the year 1933, in the late summer, I resigned from my activities at the War Ministry and spent two years at the front. I returned at a period of time when the Wehrmacht -- that is, military independence -- had been reestablished; rearmament had been declared and it was carried on openly. In the time of my absence I did not follow these matters.

At any rate, in the time from 1935 to 1938, during which I was chief with Blomberg, I, of course, saw and experienced everything which took place

in connection with rearmament and what was done on the part of the War Ministry in this respect.

Q. Did you know that the occupation of the Rhineland -- that is, of the demilitarized zone -- and the reestablishing of the Wehrhoheit and conscription, the establishment of an air force and the increasing of the number of soldiers, was a violation of the Versailles Treaty?

A. So far as the verbatim language of the Versailles Treaty is concerned, as long as we acknowledged the existence of the Treaty, the terms of the Treaty, of course, did not permit any of those things. A study of the Treaty of Versailles, I can say, was made very intensively in order to find loopholes through which we could, without violating the Treaty, take measures which would not find us guilty of breaking the Treaty. That was in connection with the Reichsverteidigungst Ausschuss (Reich Defense Committee). We were concerned with that.

After 1935 conditions were different, and after my return as Chief, with Blomberg, I must state frankly that I had no misgivings as to whether the question rested with us in any way as to whether it was a violation of the Treaty of Versailles, because the things which did take place happened openly. It had been declared by us that we would raise 36 divisions. Discussions had taken place, and I could not see anything which in any way would be considered as a violation of the Treaty, or which could be considered as such by our soldiers.

We all knew about it, and it was our wish and our will to do everything to be free of the territorial and military chains of the Treaty of Versailles. And I must say frankly that any soldier or officer who did not have similar feelings towards his country would be very worthless, in my estimation.

Q. In these proceedings, an order, C-124, was shown, or a command, which bears your signature. We are concerned with aerial reconnaissance and movements of U-boats at the time of the occupation of the Rhineland. Participation on your part, so far as the occupation of the Rhineland was concerned, was mentioned. In what capacity did you sign this order or decree?

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A. Von Blomberg had decreed this. It was a mission which General von Blomberg had given me, and I transmitted this decree to the Commander-in-Chief of the Navy and of the Air Force. I recall that we were concerned with supervisory measures which were to be established during those days in which the three battalions were marching into the demilitarized zone.

Q Did you, until your appointment as the chief of the OKW, from Hitler himself or through other channels, have knowledge of those things for which there were plans in existence which, contrary to expressed peaceful assurances by Hitler, were to be put into effect only through war?

A I cannot remember. In this period of time until the first practical measures were taken in the case of Austria I heard about a program or a programmatic establishment of a plan which was to go into years. I must say also that we were so occupied and so busy with the reorganization of the small army of seven divisions into an expanded unit--to have them expanded twice and three times--and the creation of an air force, which was non-existent, that in these years one would have to be in your office to know that we were concerned completely and wholly with organizational problems.

I have already described the methods of work used by Hitler, and we can draw the conclusion that it is absolutely clear that we never heard about these things.

Q Did you, up until the 4th of February, 1938, have any personal connection with Hitler?

A In the years 1935 to 1938, as chief with von Blomberg, I saw the Fuehrer three times. He did not say one word to me and he did not know me. If he knew anything at all about me it could only have been through von Blomberg. Any contact either with the Fuehrer himself or through other ways, perhaps through prominent personages--I had no contacts with him. My first conversation with him was in the last days of January before I was called into office.

Q Did you know about the meeting with Hitler in November of 1937? Didn't you hear about that conference? There was a conference in which Hitler, as it is alleged, made public his last will and testament.

A In the preliminary interrogation under oath I have stated that I did not know about this, and that I for the first time saw the minutes or a record of this meeting. I believe it is the Hoeszbach document. And I do not in any way remember that von Blomberg after this conference gave me any directions that I was to take any preparatory measures. That is definitely not the case.

Q Did you know of the territorial demands on the part of Hitler?

A Yes. I must affirm that. I had received word, and I knew from public political discussions, that a series of territorial problems, as a result of the Treaty of Versailles, was an aim--to have these territorial matters settled in one way or another sooner or later; that is correct.

Q And what did you think about the realization or the way of the solution of these territorial problems at that time?

A I only saw these things and evaluated them as far as they concerned military problems. I can say only in 1935, when I left my troops, none of these 24 divisions which were to be established existed. I considered all of this, not from the point of view of political aims, but with the sober consideration that we could not do anything through military means if we had no military means at our disposal.

As a result of that, in my case I was concerned with the program of rearmament, and in 1935 the end-term for the navy was 1945. Therefore, we had ten years in which to raise a concentrated wehrmacht.

Therefore, when these problems approached me in a political way I did not consider them acute, for I considered it impossible to realize these plans in ways other than were at hand.

Q How can you explain these general directives of June 1935 for preparation for mobilization?

A This document is actually a general instruction for mobilization and was in line with our traditional general staff tendency which had been in existence even before the First World War -- that something like that must, as a matter of basic principle, be prepared for. But as far as political planning on the part of Hitler was concerned, it had nothing to do with any planning of that sort, for at that time I was already the chief of staff with Blomberg and Jodl was at that time concerned with landesverteidigung (land defense). Perhaps it is a bit presumptuous for me to say that we were very much satisfied that at last we were beginning to tell the Wehrmacht every year with what it was to concern itself spiritually and theoretically. In the old education in line with the general staff tradition which I received, it was the chief aim of the directive of this sort that travels were to be stopped. This was the way in old officialdom. But I cannot say whether Blomberg had thoughts of belligerent complications or whether he was respon-

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sible for such thoughts or in what way he may have been influenced by Hitler, but I am sure that Hitler never saw this document. It was an internal problem of the Wehrmacht.

Q But in it you find a reference to "Fall Otto" (Case Otto), and you know that that was the affair with Austria.

A Yes, I remember of course, the Case Otto; and, as is plain to see from the name, Otto von Hapsburg is meant. Certainly there were certain reports about an attempted restoration, and with this condition perhaps an armed intervention was to take place; but the Fuehrer, Adolf Hitler, wished to oppose that. He did not wish a restoration of the monarchy in Austria. Later on there was a connection in the case of the Anschluss, but I do not, I believe, need to mention that. Perhaps I may refer to this later.

In any event, things were such that on the basis of the deliberations by the army a preparation was at hand which would bring about the Case Otto.

Q You wish to say that on the basis of this general directive concrete orders were not given to the effect that the Case Otto--

A You mean annexation? I can say only that which I experienced when I was sent by Hitler to General Beck. I went into the study and said that the Fuehrer demanded that you report to him immediately and report to him about the preparation which already existed for an eventual invasion of Austria, and the then General Beck said, "We have prepared nothing; nothing at all."

Q The Prosecution contends that your participation in the invasion of Austria was put into effect in March of 1938. I have a directive regarding the Case Otto--C 102. Can you state that the whole matter was improvised, so to speak?

A. I remember that this order was issued to the Commander-in-Chief of the Army and to the other commanders-in-chief. It was given out that everything was improvised and this was to be the recording of facts, facts which had become and had been put into practice, or the commands and orders had been given orally and in detail as to how things were to take place and how they actually did take place on the 12th of March, the day of the invasion of Austria.

Q. I would like to refer to the antecedents of the Case Austria. You know that in the diary of Jodl's it is stated that Schuschnigg is signing only under the greatest pressure politically and militarily. In what way did you take part in this conference on the Obersalzburg, which took place with Schuschnigg?

A. May I complete my previous answer by saying that from this we can say the invasion took place in the morning, that the issuing of the order which was received, actually took place in the evening, for there could have been no practical effect between 10 in the evening and 6 in the morning, and things cannot be started rolling in that short period of time.

The other question, as to my participation at Obersalzburg on the 10th or 11th of February, I would like to say the following in that respect:

It was the first official action in which I participated. In the evening of the 4th Hitler left Berlin and asked me to be at Obersalzburg on the 10th. There, on that day -- the day which has been mentioned frequently here -- the visit of the Federal Chancellor, Schuschnigg, took place. Shortly after I arrived, -- I had no idea as to why I had been summoned -- I met General von Reichenau who had come from Munich and General of the Air Force Sperrle; so that we three Generals were present when perhaps about 10:30 Mr. Schuschnigg arrived with Mr. von Papen.

Since I had never attended a conference or a political action of this nature, I did not know just what I was to do, and I must tell you this frankly -- otherwise you will not understand what I have to say from now on: In the course of the day I could see that with three representatives of the Wehrmacht it was to be a military demonstration, and I may call it such.

In the preliminary interrogation and through later discussions I was questioned just as to what that meant, that in the afternoon suddenly my name was called and I was to visit the Fuehrer. I went into the room to see the Fuehrer -- and it may perhaps sound strange if I say that when I entered the room I thought that he would give me a directive, but used the words, "Please sit down." He told me that Schuschnigg wanted to conduct a short conference with foreign minister, Mr. Schmidt; and beyond that I have nothing to say. I can only assure you that not one word about this political action, which was so imminent, was told me -- only from the fact that Mr. Schuschnigg left only in the evening and further conferences took place.

We Generals sat in anterooms, and before my departure I received the directive to gather reports, as is known through a document, about mobilization and then I saw that this day had served, with the bringing in of military representatives, to bring the discussions to a conclusion, and the pressure-- as it is called -- was to be maintained through this.

On my return to Berlin at my apartment, in the presence of Goebbels and Canaris, we discussed just what reports were to be brought in. Canaris was at Munich and in order to conclude this matter it is not without interest that the Chief of Intelligence who had been present, Lahousen, told Jodl and me when later on he went into the service of the Wehrmacht that we did not fall for this bluff. And indubitably I gave Jodl the motive and the reason for his entry in the diary, even though it is a little drastically stated, for that was my first sharp impression.

Q. How can you judge the measures against Austria? What is your position?

A. As far as further developments are concerned, I do not need to say, as it is already set forth -- on the day of the invasion by the troops I accompanied Hitler; we flew to the front. We crossed highways to Braunau, spent the night there, and then proceeded to Vienna. And soberly speaking, it is true that in every village and every town that we passed we were received most enthusiastically and the Austrian Army marched step by step with us, the German Army. Not a shot was heard. On the other side, on the other hand, there was only one formation that had military significance; it traveled from Passau

to Vienna and arrived in Vienna. This division was on hand for the parade the next day. That was a very sober picture of that which I have seen.

Q. Now, we will come to the question of Czechoslovakia. When for the first time did Hitler discuss the question of Czechoslovakia and his designs and intentions in that regard?

A. I believe six to eight weeks after the invasion in Austria -- that would be the end of April. The other took place in the middle of March. And that took place in the following form:

I was one evening suddenly called to the Reich Chancellery. The Fuehrer then told me those matters and those reasons upon which the well-known directive in the Case Green resulted. The antecedents are well-known through the files of Schmundt, and I have made statements on this in preliminary interrogations. At that time he gave me the first directive, in more or less of a hurry. It was not possible for me to converse with him or discuss this matter with him, for he wished to leave Berlin immediately. And these were the reasons for the question under which conditions military or warlike, against Czechoslovakia could arise or would arise.

Q. Then you had the impression that Hitler wanted to attack Czechoslovakia?

A. The exposition which he made to me that evening was of such a nature that a preparation of a military action with all its preliminary works, which the General Staff had to do, was to be undertaken, and he used rather precise language when he said that the time was open, and at that time, as he said, he did not have the intention, he did not have the intention at present.

Q. Was there in this connection a differentiation between the Sudetenland and the whole of Czechoslovakia?

A. I believe that evening, at that short meeting, we did not have time to discuss this. The Fuehrer did not discuss the political aspects, only the militarily necessary measures, and he gave me these problems for deliberation. He did not say whether we would be content with the Sudetenland or whether one was to break through the Fortress of Czechoslovakia. That was not the problem at that time. In any case, if any of these ideas had to be settled through war and if preparation had to be made, there was to be a conflict with Czechoslovakia, we should be ready.

Q. You know that in the record about the conference Hitler and General Keitel, 21st of March, there has been two versions, that a lightning action in the case of an incident would be considered necessary, and in one, after the word "incident" there is, such as the assassination of a German Ambassador in a demonstration hostile to Germany, while in the second version after the word "incident" there is only "for example". Can you please clarify this, as to the notes of the incident?

A. I saw the notes as taken by Schmudt for the first time here. We did not receive any documents to work with. No record was made. It is a subsequent setting down of notes by an adjutant. As far as the accuracy is concerned, I do not wish to doubt it, for memory would not permit me to say what words were used. But this question is considered significant, that is, the assassination of the German Ambassador in Prague. I never had knowledge of a situation like that at that time, and just for the reason why anything like that was never said; it could have been said that the Ambassador might be assassinated or something like that, and said that if the Ambassador -- and if I recall, Hitler said the war of 1914 arose through the assassination at Sarajevo, and such incidents could happen. That the impression that a war would be created through a provocation on our side, I never had that impression in this situation at that time.

Q. And I would like something further about this record.

THE PRESIDENT: Perhaps we had better adjourn now.

(The Tribunal adjourned until 4 April 1946, at 1000 hours.)

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