

C O P Y

Document Book 1 Berger
Doc. No. 4, Exhibit No:

A f f i d a v i t

I, Gottlob Berger, born on 16.7.1896 in Gerstetten, Wuerttemberg, former Chief of the SS Main Office, SS Obergruppenfuehrer and General of the Waffen SS, at present in Nuernberg Court Prison, give the following

Affidavit

after being informed that this affidavit is intended for submission to Military Tribunal 4 in Nuernberg and that the violation of any obligation to tell the truth is subject to heavy penalties.

1.) On the night of 22-23 April 1945 I received the oral and written order from Adolf Hitler to go to Southern Germany immediately and have the prominent American and English prisoners of war shot who were in Laufen Officers' Camp after they had escaped and been recaptured. I was determined not to carry out this order. Since I assumed that the Fuehrer's order had been issued only to myself I accordingly did not do anything about this matter after my arrival in Munich-Riem on 23 April 1945.

2.) On the night of 27-28 April 1945 my radio station picked up a radio message which was addressed by Bormann to Gauleiter Gieseler in the latter's capacity as Reich Defense Commissioner. It was an order of the Fuehrer which specified that the measures ordered with respect to the prominent prisoners of war be carried out and that I myself be made sure of "for all time".

3.) Thereupon I went immediately to Gieseler with whom I had a violent dispute, as Gieseler was determined to carry out the Fuehrer's order and had already made preparations for the shooting of the prisoners of war. At a suitable moment I appropriated the list of prisoners to be shot, which was lying on Gieseler's desk. Since as a result of the Fuehrer's order which had been sent to Gieseler the lives of the prisoners were in the greatest danger I had the prisoners transferred to Pongau on the Tyrol on my own responsibility and ordered them to be taken to Switzerland from there by Staff Physician Dr. Kurt Krause whom I personally entrusted with this mission.

4.) I declare that the list taken from Gauleiter Gieseler's desk is identical with the list attached here in the appendix.

Nuernberg, 16 April 1948

Gottlob Berger.

ORIGINAL COPY

COPY

The authenticity of the preceding signature of former SS Obergruppenfuhrer and General of the Waffen SS Gottlob Berger, is hereby certified by me in my capacity as his defense counsel before the Military Tribunal in Nuernberg.

Nuernberg, 16 April 1948.

Dr. Karl Pracht
Assistant to Dr. Georg Froeschmann

I hereby certify that this is a true and literal copy of the original now before me.

Nuernberg, 19.4.1948

Dr. Georg Froeschmann
Attorney at Law

BEST AVAILABLE COPY