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OFFICE OF UNITED STATES CHIEF OF COUNSEL
FOR PROSECUTION OF AXIS CRIMINALITY

HARRY H. JACOB
Chief of Counsel

27 June 1945.

SUBJECT: Suspending of Evidence of Nazi Crimes and Atrocities

To: All concerned

1. Reference is made to the appointment of the undersigned,
by Executive Order B-2797 dated 2 May 1945, to prosecute, on be-
half of the United States, charges of atrocities and other
crimes against Nazi leaders and their principal agents and access-
sories.

2. It is expected that the criminals referred to, together
with the groups and organizations which they used in the com-
mission of their crimes, such as the SS and Gestapo, will be
charged with crimes along the following general lines:

(a) The defendants entered into a conspiracy aimed at the
establishment of complete German domination of Europe and event-
ually the world. This conspiracy was intended to include, or
was reasonably bound to result in, atrocities and other crimes,
both in Germany and in occupied and annexed territories. This
conspiracy probably goes back as far as 1923 or earlier.

(b) In furtherance of this conspiracy, the defendants
planned and perpetrated persecutions on political, racial and
religion grounds, and atrocities and other crimes, both inside
and outside Germany.

(c) Also, the defendants invaded other countries by force
or threat of force, and launched wars of aggression. The defend-
ants planned for these acts long before they were actually
committed.

(d) In conducting these wars of aggression, the defend-
ants violated the laws, rules and customs of war. These viola-
tions were a part of the defendants' plans, and included,
among other things, mass murder and ill treatment of prisoners
of war and peaceful populations, plunder, and similar acts.

3. It is believed that in the planning and commission of
the above offenses an active part was taken by, among others,
the following organizations and groups: the Gestapo, the Nazi
party leaders and officials, the Special Political Office (German
Ministry, concentration and sub-concentration camps), the
Military and Police Governors and the German Armed Forces
(Riemenstock).

4. It is believed further, that orders, memoranda, minutes
of meetings, reports, and other documents have been captured
which will help

(a) to fix the time when this conspiracy was entered
into;

(b) to show the nature and purposes of the conspiracy,
to establish that top Nazi leaders and high German level and
military authorities participated in the conspiracy and to prove
the crimes planned, ordered, and perpetrated by the defendants.
a) To fix the responsibility of the organizations and groups referred to above, and the leaders and high civil and military authorities, for the conspiracy and the crimes referred to above.

5. Documents which support the foregoing are, accordingly, of the utmost importance. All personnel engaged in the screening of captured writings are urgently requested to be particularly on the alert for such documents, including but not limited to:

a) Orders, Plans, detailed plans for war, the names of leaders, and leaders themselves. All such documents may be used to establish the fact that such orders existed.

b) Plans. It will be necessary also to prove the general purpose and intent of the leaders. To this end documents which reveal a more general background will be essential: any statements of plans, for example, policy directives, records of internal discipline, or evidence of disposition favorable to the conspiracy or its illegal consequences or plans or acts in all thereof.

c) Irregular activities. Many enemy agencies had emergency purposes which did not reflect, or were used to conceal, their true purposes and activities. Some, for example, were involved in a network of espionage and sabotage. Many participated in irregular policies and control activities. Evidence of such diversions of agencies to illegal practices is important.

a) Illegal acts. Evidence of atrocities and illegal acts is of importance in establishing the consequences of the leaders and policies which will be discovered under the headings above. This applies especially to large-scale atrocities (murders, torture, looting, etc.). Although methods appointed for this purpose are recording out true evidence, all personnel of documents should not omit pertinent material which comes to their attention so that it may quickly reach the established channels.

6. The cooperation of all concerned in meeting the above request will be a major contribution towards the success of our national policy that the criminals in question, from the highest to the lowest, shall be brought to swift and stern justice.

(Signed) Robert R. Jackson

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Chief of Counsel

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