

Luftwaffe (air force), and Heer (army) was simply a complete reprint of the entire 1929 Convention;¹⁴⁰ the text of the English version of the Convention is included below, in the Appendix. This was followed by a series of manuals on all aspects of running Dulags (*Durchgangslager*--transit camps to which prisoners-of-war were first brought for sorting), Stalags (*Mannschafts-Stammlager*--prisoner-of-war camps for non-commissioned officers and other-ranks), and Oflags (*Offizierlager*--prisoner-of-war camps for officers).¹⁴¹

Each of the manuals outlined the fundamental rules by which the commandants were to be governed in their behaviour towards the prisoners-of-war under their charge.¹⁴² The objectives of the commandant of a camp were: protection of the German

Newly captured prisoners-of-war were to be sent back from the combat units to Kriegsgefangenenstellen, Frontstalags, and finally Dulags--increasingly large gathering centres for prisoners-of-war leading finally to the main transit camps.¹⁴⁹ The various The permanent prisoner-of-war units and installations to which prisoners-of-war were eventually sent--the Stalags and Oflags--came under a different chain of command from that which existed for the capturing process.

From top to bottom, the chain of command over the prisoners-of-war in the Stalags or Oflags was: Hitler, *Chef OKW, Allgemeines Wehrmachtamt* (AWA), *Abteilung für Kriegsgefangenenwesen* (*Abt. Kgf. Wesen.*, reporting to the AWA), OKH (or, for airforce and naval personnel, OKL and OKM), *Wehrkreiskommando* (for the army only), *Kommandeur der Kriegsgefangenen im Wehrkreis* (or *Luftgau*), and lastly the commandants of the prisoner-of-war camp. From the beginning of the war until 1942,

The changes were prompted by the implication of the Head of the Reserve Army, Fromm, and many of his staff in the 20 July plot to kill Hitler. Hitler was also frustrated over the inability of the OKW to lower the number of escapes occurring in the camps, and giving Himmler a military command title, Head of the Reserve Army (thus in charge of the military districts), allowed Himmler the ability to increase "co-ordination" between the

By the war's end, two hundred and forty eight prisoner-of-war camps had been operated by Germany, of which one hundred and thirty four had contained, at one point or another, either British or American prisoners-of-war.¹⁶² These tended to be spread

The last point at which total numbers of prisoners-of-war held by Germany can be accurately assessed is 1 January 1945; at that point, Germany held 225,996 American and British prisoners-of-war, out of a total of 2,393,322 prisoners of all nationalities.¹⁸⁰

either a Stalag or Oflag. Captured Allied air-men were turned over to the nearest Luftwaffe office, which would transport them to Dulag Luft, the transit camp for the Luftwaffe where the prisoners-of-war were processed and underwent an interrogation.

A Dulag was normally to comprise of six thousand prisoners-of-war, while Stalags and Oflags could house as many as ten thousand prisoners-of-war, with

In the interest of conducting more effective interrogations of captured American and British airmen, all valuables taken from them were to be transported with them as quickly as possible to the interrogation centre at Dulag Luft Oberursel. And given the risks of escape, the captives were not to be sent on civilian but only on military trains.²³⁵

A perimeter of two metres within the barbed-wire enclosures was to be cleared in all camps, in June 1944. The OKW ordered that all prisoners-of-war be told, in their own language, that any prisoner-of-war who touched or crossed the wire would be shot. Each new arrival to the prisoner-of-war camp was to be likewise informed.⁴⁷⁸

For security reasons, the prisoners of war were to be kept in their barracks during walks. By written and vocal commands, prisoners-of-war were to be warned that whoever touched or crossed the perimeter-wire during the day would be shot from the guard towers if they did not stop after three warning shouts had been given by the guards; at night, they would be shot without warning if caught on the wires. Where possible, prisoners-of-war would remain in their barracks at night; patrolling units were to shoot without warning if prisoners-of-war were found wandering outside of designated areas at night. Spot-lights on the towers were henceforth to be operated at irregular intervals. The principal methods that the camp security officer could use to prevent escape attempts included frequent, unannounced searches of prisoners-of-war and their barracks, to be conducted at random times during the day and night. Every German soldier regardless of rank was authorised to conduct searches, even against prisoner-of-war officers. There would also be at least two, if not three, roll-calls in the Oflags, the last of which would be conducted before dusk. All tools were to be returned quickly at the end of each work

In mid July 1944, the OKW issued supplementary orders concerning the use of firearms by guards against prisoners-of-war. These began by reiterating the right of guards to shoot without a warning shout at prisoners-of-war who were outside their barracks before morning reveille without permission; the same went for prisoners-of-war who touched or attempted to cross the perimeter barbed-wire fence. Again, these

Under the terms of the Geneva Convention, the protecting power was the neutral state which represented the legal concerns of the prisoner-of-war's home country. The United States, until its entry into the war in 1941, served as the protecting power for the British Commonwealth prisoners-of-war; thereafter, Switzerland served in that capacity for both the United States and the British Commonwealth countries.⁷¹⁶ The main description of the duties and rights of the protecting power and its delegates came in Article 86, which allowed for the appointment of delegates, subject to the approval of the detaining power, who would be "[...] authorised to proceed to any place, without exception, where prisoners of war are interned. They shall have access to all premises occupied by prisoners and may hold conversation with prisoners, as a general rule without

The prisoners-of-war had the legal right to correspond, via their MOC, unhindered with the protecting power delegates, and to address any requests, complaints about their treatment, or possible violations of the Convention to them. Specifically, the opportunity for the involvement of the protecting power was envisioned in: Article 31, for labour; Article 39, for receiving books; Articles 42, for the general conditions of captivity; Articles 43-44, for the rights of MOCs to be in contact with the protecting power; Articles 60, 62, 65, and 66, for assistance and notifications during judicial proceedings;

The International Committee of the Red Cross, based in Geneva, was expressly designated as a relief agency with significant responsibilities, under the Geneva Convention. While the protecting power acted as legal guardian for the prisoners-of-war, the ICRC acted as their general physician, responsible for inspecting the camps to ensure satisfactory levels of health and hygiene existed, and attempting to ensure that adequate levels of food were provided.⁷³⁶ In addition to its inspections, the ICRC also acted as a humanitarian intermediary between the belligerents: "collective consignments" (the Convention's phrase for the collective food and clothing parcels) sent from the various British and American national Red Cross societies were delivered to the prisoners-of-war through the efforts of the ICRC in Geneva,⁷³⁷ which also co-ordinated efforts with the prisoners' representatives to deal with the needs of individual camps.⁷³⁸ Also, the "capture cards" sent by the prisoners-of-war immediately upon capture went to their home countries Information Bureaux,⁷³⁹ via the ICRC, who ran the Central Agency for information about prisoners-of-war.⁷⁴⁰ In the event that a conference was required to

On 16 July 1944, the OKW issued an order which allowed prisoners-of-war to be dismissed from captivity and turned over to the Gestapo, "if ordered or necessary." A prisoner-of-war who was dismissed out of captivity and handed over to the Gestapo could not remain in the prisoner-of-war camp, but had to be handed over to the responsible

a) ICRC/protecting power reports

The reports of visits by delegates of the protecting power and International Committee of the Red Cross (ICRC)⁸⁷⁹ together form the most impartial, contemporary, and comprehensive assessment of the general conditions experienced by the British Commonwealth and American prisoners-of-war during the Second World War.⁸⁸⁰ Inspectors generally tried to visit each camp every three or four months, they were generally given unfettered access in inspecting the camps,⁸⁸¹ were allowed to conduct

2) Serious violations of the Geneva Convention.

Eight reports over the course of the war years indicated very serious violations of the Geneva Convention (forming less than one percent of the total reports of visits made during the war); an overview of them is worth indulging in to highlight the nature of serious violations in general, and their causes. Aside from two reports concerning a single camp in 1941, the remainder occurred in the spring and autumn of 1944, the winter of 1944/45.

prisoners of the "Great Escape" from Stalag Luft III Sagan constituted perhaps the single greatest crime against British or American prisoners-of-war during the war. The report noting the occurrence, of 17 April 1944,⁹¹⁵ further pointed out that the commandant of the camp, who was well-regarded by the prisoners, was replaced for health reasons, as he had suffered a heart-attack because of the incident. As was made clear at the Nuremberg Trials,⁹¹⁶ the actual murders of the prisoners were not carried out by *Wehrmacht* troops, but by the SS, and were conducted further at the personal behest of Hitler. The serious urged the work-detachment be dissolved and sent elsewhere. The transfer of American and British airmen from Stalag Luft VI Heydekrug to Stalag Luft IV Groß Tychow formed the basis of the serious violation of the Convention noted in both the Swiss and ICRC reports of early October 1944.⁹¹⁸ This seems to have been the fault of the commandant and the military-district commander personally, rather than the result of any orders from the OKW at this time. No other transfers were noted to have occurred under in any of the previous visits to the camp under its previous name (Stalag XVIII C). The terrible conditions suffered by the British and especially the American prisoners-of-war at Stalag IV A Hohenstein, noted in the visit of late February 1945, were, in the opinion of the ICRC delegate, the result of the commandant's prejudice against prisoners of those two nationalities.⁹²⁰ Americans were singled out for harsh treatment and occasional beatings by the guards, and the American and British Red Cross parcels were distributed to other nationalities but not to them (leading to general malnourishment and, as a consequence of the general weakening of the prisoners' constitutions, leading to a recent spate of deaths from pneumonia). The commandant countered every request for improvement by effectively stating that the bombing of Dresden was the cause of the problems (i.e. that he refused to attempt to improve conditions in retaliation for the raid),

Changes during the war years in German policy on the general command and control of British and American prisoners-of-war gave some concern for the safety of the prisoners. In most countries, including Germany at the time of the signing of the Geneva Convention in 1929, there was little question as to who would exercise command over the prisoners-of-war: the armed forces of the detaining power. But with the rise of a parallel military structure (the SS) within Nazi Germany, the issue became more complicated.

Hitler's desire, after the 20 July 1944 assassination attempt on his life, to place the Ersatzheer more firmly under loyal command resulted in the appointment of Heinrich Himmler to Commander-in-Chief of the Reserve Army in September 1944. As the Reserve Army was responsible for running the prisoner-of-war administration in Germany, the potential SS influence did not bode well. Until the later phases of the war, however (as indicated in the reports of visits by the ICRC and the protecting power), the SS and Gestapo influence in the camp was held at arm's length in most circumstances, The use of the Gestapo in conducting searches and in rounding up escaped prisoners-of-war, and the OKW orders requiring closer co-ordination between the commandant and military district staff and the various Nazi party organisations, were not illegal in principle: these activities were conducted under the nominal command of the OKW.

The killing of American and British airmen who had been forced to bail-out over Germany marked an attempt by the dictatorship to include all levels of German society, which was now being directly attacked by the Allies from the air, in the war. As noted in the evidence and testimony at Nuremberg, the primary architect of this policy was Martin Bormann.⁹²⁸ As early as 10 August 1943, Himmler had instructed the police to not interfere in instances where the German public lynched downed airmen, writing that "[i]t is not the police concern to intervene into dealings of the German population with the shot down English and American airmen who practise terror."⁹²⁹ Additionally, in a note of 21 May 1944, Hitler ordered that downed enemy flyers "[...] be shot without summary trial in all the following cases: (1) When they fired at (German) airmen parachuting to safety; (2) When they attacked with deck-arms German aircraft and their crews on emergency landings; (3) When they attacked trains and railway lines; (4) When they attacked individual civilians with deck arms-fire."⁹³⁰ One week later, in the *Völkischer Beobachter* of 28-29 May 1944, Goebbels published an article, "A word on enemy terrorism in the air", in which he stated that, in carrying out raids over cities, Allied pilots placed themselves

[...] outside every internationally accepted norm of the Laws of War. [...] Under such circumstances only armed intervention of the military or police could save the lives of shot-down airmen, but who has the right to exact that these airmen are treated humanely, that German troops and police are called to act against the German people when they treat the murderers of children as they deserve being treated [?] [...] We can find ways and means to defend ourselves against these criminals.⁹³¹

Two days later Bormann's circular to the local party organisations explained how they should behave in the event that "spontaneous" lynchings take place: "No police or penal measures [are to be] taken against citizens involved in incidents of this kind."⁹³²

According to Göring's testimony at Nuremberg, he protested against the action to Hitler, citing possible similar reprisals on the part of the Western Allies. Hitler's simple alleged

upon the airmen, and threw them to their deaths over a bridge.⁹³⁸ At Nuremberg, it was demonstrated that airmen were killed not only by civilians in lynchings, but also by the SS: forty-seven American, British, and Dutch airmen were beaten and eventually shot at Mauthausen in early September 1944 rather than being taken into captivity and turned over to the Luftwaffe.⁹³⁹

Given the genocidal nature of the Nazi regime, another obvious source of concern for both the American and British Commonwealth governments was the fate of Jewish members of their armed forces who might be captured in combat. For the British, this

In a final note regarding the limited implementation of the Geneva Convention towards American and British prisoners-of-war during the initial stages of capture or captivity, Hitler queried both Dönitz and Jodl on the possibility of simply repudiating the Geneva Convention in its entirety, on 19 February 1945.⁹⁵⁴ Dönitz's reply was: "From the military point of view, as far as naval operations are concerned, there are no arguments in favour of this; on the contrary, more harm than good can be expected. Such a step would in fact in the opinion of the Commander in Chief of Naval Forces yield no benefits whatsoever. It would be better to make arrangements -- considered necessary -- without previous notice and to retain one's face outwardly for all eventualities."⁹⁵⁵ Jodl suggested that the maintenance of outward acceptance of the Convention did not in fact have to mean its observance in practice; to deter "the terroristic air attacks of the enemy" it might be enough to put out more reports about the "unavoidable" cases of Allied pilots shot down over Germany, being lynched by the infuriated population, rather than simply repudiate the Geneva Convention.⁹⁵⁶

In their post-war assessment of the plight of prisoners-of-war, the ICRC believed that an important factor affecting the quality of life and the material conditions for all prisoners-of-war was the economic situation of the detaining power and, to the extent that they could send supplies via the Red Cross, the home country.¹⁰⁶³ But equally decisive in affecting the quality of life for the British and American prisoners-of-war were the personalities of the prisoners' representative (MOC or Senior Officer) and the German camp commandant. Aside from instances in which orders from above or material shortages limited action, the MOC's ability to maintain a firm but diplomatic presence with the commandant was almost as important as the commandant's professionalism. Further, in the larger camps, effective administrative ability was necessary from the MOC in keeping the Red Cross supplies properly rationed and organised. While the camp commandant was not able to change the instructions he received, or improve the quantity of rations when these were decided from above, he could often ensure that the remaining factors within his control kept circumstances as tolerable as possible; good governance from the commandant could lead to good relations with the prisoners and relatively bearable conditions despite material shortcomings, while ill-will from a commandant could make an already bad situation much worse.¹⁰⁶⁴