GDR Order to Fire on Would-be Escapees (c. 1962)

Abstract

In contrast to the standard use of weapons to deter attacks on a state's border from the outside, the GDR government authorized the use of weapons against citizens who attempted to escape from *within* its own territory. The killing of would-be escapees was considered not only justifiable but also praiseworthy—GDR border guards were rewarded with medals and publicity for their actions.

Source

A firearm may only be used by order of a superior or by independent decision by forces deployed for border service:

a) in order to prevent the imminent execution or continuation of an act that, according to the circumstances, represents:
—a crime against the sovereignty of the German Democratic Republic, against peace, humanity, and human rights;
—a crime against the German Democratic Republic, against public safety, or against the state order;
—a crime against a human being,
—another crime, especially one meant to be carried out or being carried out with the use of firearms or explosives;

b) to prevent the flight of persons or to recapture persons:
—who are urgently suspected of a crime or have been taken into custody on account of a crime;
—who are suspected of other criminal offences or have been taken into custody or sentenced to prison for those acts; when there is evidence that firearms or explosives will be put to use or that flight will be undertaken in some other manner by means of force or violent attack against those responsible for carrying out arrests, surveillance, or inspection, or when [there is evidence] that flight is being perpetrated with the help of others;

c) against persons who use force to try to free, or help free, persons who were taken into custody on account of a criminal offence or persons who were sentenced to punishment in the form a prison term;

d) if other means are no longer sufficient to successfully hinder or prevent an imminent or present attack on facilities of the armed forces, or on other state, social, or economic institutions, on themselves, or on other persons;

e) in order to break armed resistance;

f) in order to take persons into custody, when:
—armed persons do not follow orders to drop weapons or attempt to evade arrest by making threats with weapons or by using them;
—persons do not follow the call or order of the border guard and obviously try to break through the state border of the German Democratic Republic, and when all other means and opportunities for arrest or prevention of flight have been exhausted;
—persons with means of transportation disregard stop signs and have broken through, pushed aside, or driven around road blocks, and when they clearly attempt to break through the state border.

The use of a firearm should in principle be announced with “Stop! Border guard! Hands up!” If the order is not followed, a warning shot is to be fired. If this warning remains unheeded, aimed shots are to be fired.

A firearm is to be aimed and used without calls and without a warning shot when:
—it is required to ward off a sudden violent attack or to break armed resistance;
—a present attack on facilities of the armed forces and on other state, social, or economic institutions, on themselves, or on other persons cannot otherwise be hindered or averted.

When firearms are used, human lives should be spared to the greatest extent possible. The wounded are to be given first aid, with due consideration to security measures, provided that it allows for the execution of tasks that are urgent and permit no delay. […]

Mortally wounded persons are to be placed in areas not visible to the adversary. The scene is to be marked and secured. In other cases, the position of the deceased is not to be altered. Further actions should be carried out in accordance with the decision of the military prosecutor.

If the firearm was used against border violators, the territory of the adjoining state or of West Berlin should not be fired at.

Source: DDR-Schießbefehl (c. 1962); reprinted in Bernhard Pollmann, ed., *Lesebuch zur deutschen Geschichte,* vol. 3, *Vom deutschen Reich bis zur Gegenwart.* Dortmund, 1984, pp. 245–46.

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