Post War Punishment of Axis War Crimes
(Folder 1 & 2)
Copy of the President's Message
Addressed to the President,

Subject: Memorandum

Memorandum for the File: signed

Memorandum, re: Subject, signed

Memorandum for Mr. Stettinius from Mr. Peale,

Memorandum for Mr. Stettinius from Mr. Peale,

Letter to Mr. Peale from Mr. Stettinius

Memorandum for Mr. Peale from Mr. Stettinius

Memorandum to J.B. Friedman from Matthew

List of War Criminals, from Mr. Stettinius

List of War Criminals

Newspaper Clipping

Letter to Secretary of State from Mr. Peale

Cable #306 (Copy), from London

Cable #148 for Diane A. Karp from Peale

Memorandum for Mr. Peale from Mr. Stettinius

Letter to Mr. Peale from Mr. Stettinius

Memorandum for the File from J.B. Friedman

Memorandum to Mr. Marks from J.B. Friedman

Letter to Mr. Stettinius, Jr.

From Mr. Peale

Letter to Mr. Peale from Mr. Stettinius

Letter to Mr. Peale from Mr. Stettinius

Letter to Mr. Peale from Mr. Stettinius

Hebrew Committee of National Liberation

Press Release

Newspaper Clipping
Cable #52 from London

Newspaper Clippings

Note to Secretary Morgenthau from Mr. Du Bois
End: Note to same and of same date (Copy)

Newspaper Clippings

Press Release #1

Memorandum to Mr. Du Bois from Miss Mabel

Memorandum for the Files from Miss Mabel

Newspaper Clippings

Parliamentary Debates

Cable #2467 from Bern

Newspaper Clippings

Cross Reference for H.O. Letter of

Cable #8350 (W65-76) (Copy)

Newspaper Clipping

Cable #1946 (W60-652) to Bern

Memorandum (Copy) to Secretary Morgenthau from
Miss Mabel

Newspaper Clipping

Material taken from Mr. Ackermann's Files
MEMORANDUM TO: Mr. Ferguson
               Mr. Saxon
               Governor Cochran
               War Refugee Board

               There is attached hereto a paraphrased copy of a circular telegram received from the Department of State requesting that any information concerning individuals guilty of war crimes be transmitted to the Department of State.

               It would be appreciated if any such information that may come to the attention of your offices could be conveyed to this office or to the Foreign Service establishment to which you or any of your representatives may be nearest at the time of receipt.

               Selden Chapin
               Counselor of Embassy, In Charge
PARAPHRASE OF CIRCULAR TELEGRAM DATED JULY 17, 1944
RECEIVED FROM THE DEPARTMENT OF STATE.

Should reliable information be received concerning individuals considered to be guilty of war crimes, please transmit by telegram the full name (title, if an official, or position) possible addresses and other data of identification (SECRET. War guilt cases). In Airgram or by despatch description and detail of crimes should be submitted.

A good source for this type of information has been bonafide refugees arriving at various points.

HULL
The Text of Justice Jackson's Report to the President on Trials for War Criminals

WASHINGTON, June 1 (AP)—The War Crimes Tribunal today made public the following report of Chief Justice Reed, filed by the Allied War Crimes Commission to the President Truman:

To the Honorable President:

I have the honor to report that the War Crimes Commission and the Allied Military Tribunals have completed their investigations of the cases of war criminals as outlined in the agreement signed by the United States, Great Britain, France, and Russia on December 7, 1944. The cases were submitted to the Tribunal for trial and I have considered the evidence and have rendered my opinion as to the guilt or innocence of the defendants.

In my opinion, the defendants are guilty of war crimes and should be sentenced to death.

I am, etc.,

Chief Justice Reed.

GERMAN REACTION TO "HORROR" MOVIE

A German scene from the film "The Last Days of Pompeii." The Germans have reacted strongly to the U.S. recommendation for the quick trial of war criminals in the case of those accused of war crimes.

The Germans have expressed their desire for the quick and fair trial of the war criminals to prevent the threat of a new war.

CITIZENS WARMASTERS DESTROYED

The citizens of the German cities have destroyed the war machines and have burned the war factories.

The Germans have decided to destroy the war machines and to prevent the threat of a new war.

THE TIME, I THINK, COULDN'T BE MORE APPROPRIATE TO OUTL...
American cup (~)

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Nestle's evaporated milk (three red points for every two cans). 14 once the cans.

295

GIVE HIM ONE or the entire box of

NOW YOU CAN GET NESCAFÉ!
WHERE? AT GIMBELS, OF COURSE!

Naturally Gimbel's has Nescafé. Gimbel makes it easy for our customers, because if it's handy it's gettable. After all, the minute it was released, so here it is. Nescafé in a pinch to prepare. Just put one teaspoonful in a glass of hot water, add sugar, and drink up. Sorry, only 2 cans to customer. Sorry, no mail or telephone orders. Come, take a look at our Nescafé Floor large 12-oz jar (makes 8 to 108 cups).
JAPANESE AIRFIELD UNDER ATTACK BY NAVY PLANES

American pilots of the U.S. Army's 21st Pursuit group flying B-25 Mitchell bombers and fighter-bombers attacked a Japanese airfield near Ie Shima Island in the Gilberts group, south of the Carolines, early today. The Japanese, who were caught by surprise, lost at least 50 planes and many pilots, according to U.S. estimates. The attack was part of the larger campaign to capture the Gilberts and the Marshall Islands.

MARINES AT COAST BELOW NAHA FIELD

Six in a Boat Scout Enemy Defenses in 'Last Ditch' Southern Okinawa

Press 'Flagship' Passengers See Rugged Hills Dotted With Caves, Ideal for Defense, on Risky Voyage on Sunset Sea

By W. R. LAWRENCE

ABROAD U. S. S. NEVER HIN

The U.S. Seventh Fleet, composed of nine warships, moved into the Okinawa area on May 17. The fleet was led by the battleship U.S.S. New Mexico. The fleet's mission was to provide air and naval support for the Okinawa landings.

JAPAN'S PERILS SPUR LONG CABINET PARLEY

SAN FRANCISCO, March 10--The U.S. government today announced that it had reached an agreement with Japan on the terms of its surrender and the terms of the occupation of Japan. The agreement was reached after a series of negotiations between the Japanese government and the U.S. government.

THE NEW YORK TIMES, FRIDAY, JUNE 8, 1945

ADMIRAL FOR PHILIPPINES ASKED BY TYDINGS

Franklin Roosevelt Jr. Ends 78 Days in Battle

GUAM, June 7--(AP)--Franklin D. Roosevelt, Jr., has been asked to return to the United States by President Harry S. Truman.

700 U-BOATS SUNK IN ATLANTIC WAR

AID FOR PHILIPPINES ASKED BY TYDINGS

Guadalcanal, June 1--(AP)--President Franklin D. Roosevelt today asked Congress for $100 million to aid the Philippines.

BOY SCOUT COUNCILS WORK AS TEACHERS

TOYOTA, JAPAN, June 3--(AP)--The Boy Scouts of America today announced that it had signed an agreement with the Japanese government to train Japanese scouts in the United States.

BEAR NAGS LADY ASTOR

Coral Gable, June 4--(AP)--Lady Astor called her old gas bag and she went to the play, according to reports.

AMERICA'S MIGHTY MAESTRO

The New York Times, June 5--(AP)--America's mighty maestro, who has led the New York Philharmonic for 30 years, today announced his retirement.

THE 50 GREAT SPOONING GOOSES EVER IN THE WORLD

Conover Lemon Pie at 1 in 6,000

The New York Times, June 6--(AP)--Conover Lemon Pie, the world's most famous spooning goose, was thrown out of the house by her owner today.
To the victor!

Who can describe the pleasure of winning a prize! It is far beyond the insincere words of the poet. And if the prize comes from the greatest goal of all, there is added joy to the victor's heart.

In our wealth of merchandise for sports-minded men and women, there are many suggestions for new, unusual and interesting prizes for your tournaments.

CALL LEE CRYSTAL FISHER
Large capacity (60 oz.) with a clear crystal, bamboo wrapped handle.

MILITARY MONEY IS USED

Special Currency is Provided for U. S. Troops in Rikukawa.

SPORTING CIGARETTE TRAYS
Handmade, with colored wooden inlay and engraved metal edges.

ENGLISH ANODIZED ALUMINUM

Bulldog type. Indicates slight variations in atmospheric pressure. Provided free to air force personnel.

ABERCROMBIE & FITCH CO.

30th Avenue and 60th Street, New York 19, N.Y.
Secretary Morgenthau

Miss Model

I am sure you will be interested to know that the War Department recently indicated great interest in the War Refugee Board files as a possible source of information and evidence for use in connection with the Department's work with the War Crimes Commission. Certain reports and records in our files were turned over to Colonel Bernays who is working with Justice Jackson on this matter. He was so pleased with the material furnished him that he arranged for two of his men to go through all of our records. We have assigned one of our men to work closely with the War Department on this matter. In addition, we have instructed Mr. McClelland in Bern to make available any files he has to the local representative of General Donovan.

(Signed) Florence Model
The following for McClelland is WBB 532.

A representative of General Donovan will contact you shortly concerning war crimes matters. Please make available to him any of your files which he may wish to investigate.

Grew
(Acting)
(GHW)

For security reasons the text of this message must be closely guarded.
CABLE TO AMLEGATION, BEIRN, FOR MCCLELLAND FROM WAR-REFUGEE BOARD

A representative of General Donovan will contact you shortly concerning war crimes matters. Please make available to him any of your files which he may wish to investigate.

This is WAR CABLE NO. 532

3:32 p.m.
June 6, 1945

(Miss Ripple (for the Sec'y), Conc, Hodel, Hatchison, McCormack, Files.

FH:rd 6/6/45
Who in U. S. A. Screams For Mercy for Germany?

Goebbels' Anti-Semitism Widely Used
In Nationalist Press

(In a series of three articles beginning in the last week-end edition, PM described the new mark of the pro-fascist movement in America—the "Nationalist" crusade. Beginning in this issue, we'll give you a regular round-up of current Nationalist activities and an analysis of the Nationalist line, as reflected in the Nationalist press.)

By Tom O'Connor

Now that the trials of Nazi war criminals are approaching, screams for mercy are ringing the air. It is all too apparent to see where the mercy plea is coming from.

Across the press of the Nationalist movement, from the titanic New York Daily News down through Gerald L. K. Smith's fancy book-paper, The Cross and the Flag, to the tiniest mimeographed rag, the pipersqueek flier, is urging the application of loving-kindness to the defeated Ger-y-man.

For example, John O'Donnell, the Daily News columnist who has the distinction of having his words reprinted in more Jew-baiting papers than any other American writer, used his well-worn "mail bag" technique to get the point across in his most recent column, that of June 1.

O'Donnell's thesis is that the new story to be trumped up propaganda, and besides there are always atrocities in war.

Just as Stupid

So he runs what purports to be a letter from a reader, signed "Virginia Confederates," who says the Northern soldiers were guilty of atrocities, and from that point the moral: "You Yankees are just as stupid today when you talk about hanging the generals and admirals of a defeated enemy as your grandfathers were three-quarters of a century ago.

O'Donnell, an immensely clever braggart, does not put into so many words the obvious inference—that the atrocities of Bacherwald and Mailsean were merely acts of war. Gerald L. K. Smith, who dotes on O'Donnell, is less reticent. His plea for mercy for German war criminals is couched in the familiar Goebbeleian this-was-the-Jews-war-anyhow terms. In the May issue of The Cross and the Flag Smith writes: "If Jewish leadership instills on annihilating and enslaving all people of German blood, regardless of their innocence or guilt, they will likely bring down on their heads a reaction even worse than that through which they have just passed.

Smith then notes that Bernard Baruch, his brother, Herman Baruch, and Isador Lubin and Samuel Rosenberg have all been re-jected by Europe to deal with problems connected with the peace. "These Jews are only typical of the ones who are being named to positions of great power in the post-war set-up in Europe... It must be remembered that Christ did not overcome the world by imitating Satan."

Smith, of course, talks about "annihilating and enslaving all people of German blood, regardless of their innocence or guilt," so that he may seem not to be objecting to punishment of "real" war criminals.

Down the Line

W. D. Harrington, the editor and publisher of the Fundamentalist sheet in Minneapolis called Bible News Flashes, goes right down the Daily News line on atrocities. "The trouble with atrocity stories," he says on the front page of his May issue, "is that most of them are written before the war began and their release is synchronized with money-raising projects and specious political maneuvers."

In the same issue Harrington defends two defendants in the Washington sedition conspiracy trials—Elizabeth Dilling and Gerald B. Winrod, notorious Jew-baiters accused by the Dept. of Justice of conspiracy with the leaders of Nazi Germany to foment disaffection among the armed forces.

For a sample of his thinking, which is typical of the Fundamentalist school of pro-fascists, take this:

"Dumbarton Oaks, Bretton Woods and the San Francisco conference are all pointing toward the coming world-super-government, which will be headed by the BEAST of prophecy and which will enslave the world to the anti-christ."

Catholics of all types are equal industrious in spurring to the defense of Germany. For instance, the May issue of the Malt, published in Meridian, Miss., by Catholic laymen devoted to St. Jude, reprints a speech by Revs. Davies, the British M.R. recently denied a visa to come spread his pacifist views on a lecture tour... "Vainish the war criminals is a favorite slogan right now," says Davies, as quoted in the Malt. "Who are the war criminals? Why many, of course, the war criminals are all in this country... As the nation's war charity manufacturers joinwoods, atrocities and slogans..."
DEPARTMENT OF STATE

OUTGOING TELEGRAM

DIVISION OF CENTRAL SERVICES

TELEGRAPH SECTION

May 19, 1945

AMBASSADY

LONDON

3006, Nineteenth

Please request Mann deliver the following message (WB 76) to Dr. Noah Darou, 55 New Cavendish Street, London, from Dr. Rubowitzki of World Jewish Congress:


L. Dob"
CROSS REFERENCE ON POST-WAR PUNISHMENT OF AXIS WAR CRIMES

FOR:

- Amendment to this License
- Extension of this License
- Renewal of this License
- Correspondence concerning this application
- Other (Specify)

1. FOR WORLD JEWISH CONGRESS LETTER OF MAY 15, 1944, ENCLOSING AN ISSUE OF THE CZECHOSLOVAK GOVERNMENT PRESS BULLETIN OF MAY 9th WHICH BRINGS A SUMMARY OF A CZECHOSLOVAK GOVERNMENT BROADCAST ON THE PUNISHMENT OF CRIMINALS OF WAR.

SEE: 1. COOPERATION WITH OTHER GOVERNMENTS; UNITED NATIONS (CZECHOSLOVAK GOVERNMENT IN EXILE)
That the Guilty Shall Not Escape

By LORD WRIGHT
Chairman, United Nations War Crimes Commission

A far-reaching plan has been devised to find and bring war criminals to justice.

That declaration must be taken to have been intended to cover individual responsibility, to give rights to individuals to impugn responsibility on individuals for breaches, in particular, of the rules for the conduct of war and the treatment of people in occupied countries. It is in these breaches that constituted war crimes and impose the guilty criminal punishment, if the offenses are proved and the offenders identified. There is no question here of revenge, but of justice.

Let us take a very few samples of the sort of things which have been done and for which justice calls for punishment of the guilty. I ask my readers not to be misled into thinking it is too terrible to be true. I choose only a few instances from a very great number, drawing my information only from credible sources, largely from reports of official inquiries.

A policy of race extermination was carried out ruthlessly against the Jews according to a plan which can be traced back to Hitler and those members of his Government who were in his immediate circle. I give one instance: At the Rausch concentration camp in Poland the United States War Refugee Board reported that 1,750,000 Jews from all over Europe were done to death. The scheme was most elaborate. To put it shortly, the victims—men, women, and children—were ordered into brick chambers where they were killed by poisonous gas. Their bodies were burned out and were burned or otherwise disposed of. How many people have been done to death in these camps cannot yet be stated. It has, however, been calculated that in all about six million Jews were deliberately slaughtered in that and other ways.

The revolting details of what was done in the camps of Germany have applied the whole world. They would be unbelievable if they were not authenticated. Reliable eyewitnesses testified to what they have seen at Treblinka and Buchenwald. Last year we were shocked by a massacre at Ohrdruf-sur-Glane, a village in France near Limoges, where the whole population was, without notice, wiped out. The village was surrounded by SS troops. The men were herded together in a fairground or square in the village and were pushed into a barn where they were shot down in batches of twenty.

The women and children were driven into the church, which was set on fire, and all perished except one or two. Meanwhile the whole village had been burned down. Bodies of young children were afterward found in the church pressed against the conflagration. About 700 people thus perished.

The whole thing was planned and the plan systematized, executed under the direction of the General Staff. Similar massacres took place at other villages in Poland, in France, in Chechoslovakia at Lidice, in Belgium, in Greece, and in Russia, where similar revolting atrocities were perpetrated. Much absolutely taken by itself would have been bad enough, but they were obviously done under a settled plan directed by the highest authorities of the German state.

I may now refer to the system of torture under which this information was obtained. The Hague Convention prisoners of war should be interrogated by methods which do not cause suffering. Even in defense of this the Hague Convention was never made a machine for a horrible system of torture. The Gestapo, the dreaded and merciless arm of the police, were the principle organizers with some sections of the SS. They were as much more as a law, and a long time.

Their Ghent rounders were done by methods on the part of the victims. There is, for example, the ghastly and shocking story of the troops dying of the Ohrdruf concentration center who were ordered to die of the plague with which they were infected, who could only starve, who starved, and who died. What they wanted. Or the unknown hero who stood on the walls of the torture chamber in Sarejovo, in the United States. The story is true. It is those who stand outside, who direct, who watch, who direct, who watch, who direct, and who watch. It is only by the knowledge of torture and the knowledge of its use that we can hope to prevent the repetition of what we have seen and heard.
Guilty May Not Escape

(Continued from Page 31)

Of the two main groups of Allied war criminals as identified by the International Military Tribunal, the first class is composed of individuals who committed outrages upon the civilian population in occupied territory. The second class is made up of members of the armed forces who committed wrongful acts during the war. It is estimated that there are more than 2,000 such criminals who are at large. The first class includes those who committed atrocities in occupied territory and the second includes those who committed crimes against the civilian population. The International Military Tribunal has jurisdiction over both classes of criminals.

The first class includes those who committed atrocities in occupied territory and the second includes those who committed crimes against the civilian population. The International Military Tribunal has jurisdiction over both classes of criminals.

The second class includes those who committed crimes against the civilian population. The International Military Tribunal has jurisdiction over both classes of criminals.

(Continued from Page 35)

The New York Times
Dear Dr. Goldmann:

The following message for you from Riegner was received through the United States Legation in Bern under date of May 5, 1945:


Very truly yours,

(Signed) Florence Hodel

Florence Hodel
Assistant Executive Director

Dr. Nahum Goldmann,
World Jewish Congress,
1636 Broadway,
SECRET

INCOMING TELEGRAM

EDJ-763
This telegram must be
pre-processed before being
communicated to anyone,
other than a Government
agency. (Handwritten)

Secretary of State,
Washington,

2643, May 5, 7 p.m.

The From: McClelland

From: Higher to Nahum Goldmann, World Jewish Congress.

"We view capitulation German southern army, I call
your attention to following people who were very active
in anti-Jewish persecution Hungary and who according
recent information had retreated to Salzburg region:
(one) Laszlo Endre, (two) Laszlo Baki, (three) Oberstliu-
tenant der Gendarmerie Laszlo Perenczy, (four) attorney
Hedervary, (five) Peter Heim, (six) Gyorgy Olos, (seven)
Perencz Rajniss, (eight) Istvan Mihalyi, (nine) Perencz
Vejta, (ten) Perencz Kiss, (eleven) Dora Stojay, (twelve)
Andor Jarcas, (thirteen) Kihaly Kolozsvari-Borosa,
(fourteen) Gyorgy Tokes, secretary of Endre, (fifteen)
Lajos Dovenci-Nagy, (sixteen) Anton Kander. Military
authorities should be advised view treatment as war crimi-
nals."

JT

HARRISON
To be printed for proofs purchased addresses suggested must be received of Lords, within fourteen days of the Debate.

SUNDAY ENTERTAINMENTS ACT, 1932: TOWNSHIP OF LONGTOWN IN THE PARISH OF ARTHURET IN THE RURAL DISTRICT OF BORDER ORDER.

The Parliamentary Under-Secretary of State for the Home Department (The Earl of Malmesbury): My Lords, I beg to move that the Motion in my name on the Paper be agreed to.

Moved, That the Order made by the Secretary of State for the Home Department under the Sunday Entertainments Act, 1932, and laid before the House on Thursday last, be approved.—(The Earl of Malmesbury.)

On Question, Motion agreed to.

MINISTRY OF HEALTH PROVISI- ONAL ORDER (CONWAY AND COLWYN BAY JOINT WATER SUPPLY BOARD) BILL.

House in Committee (according to Order) on re-commitment of the Bill: Bill reported without amendment.

LIABILITIES (WAR-TIME ADJUST- MENT) (SCOTLAND) BILL. [H.L.]

House in Committee (according to Order); Bill reported without amendment.

My Lords, I hope, support for these Amendments now, because I was unable to be in my place on the Committee stage. In that regard of course, the advantage is now all one-sided, for the noble Earl knows that if the Amendments do not go through on this occasion I shall not be able to bring them up again. As I said on the Second Reading, I wish to allay any alarm there might be in your Lordships' minds. There is no question of attempting to raise matters of temperance, drink, or any such subject. Those Amendments are concerned with the machinery of the Bill and are moved with the object of preserving such public rights as are already on the Statute Book. With that in mind I ask for your Lordships' attention and I hope, support for the Amendments. As I admitted on the Second Reading, there are sound points in the Bill, but unless we are careful we shall upset, by a side method, certain public rights and powers of objection.

Moreover, in two respects—and this particular Amendment concerns one of them—something rather in the nature of a promise was given by the Parliamentary Under-Secretary in another place that...
of licences from places in the area to other specified premises therein or to premises as specified therein; and
(b) formulate, with the agreement thence of the persons interested in the premises in question, proposals for the removal of licences in respect of premises in the area; and
shall submit such proposals to the Minister, together with such plans and other particulars of the proposals as the Minister may, in any particular case, require.

2.17 p.m. LORD AMMON moved, at the end of subsection (2), to insert:
Provided that before any licensing planning committee has accepted such proposals as have been submitted in the prescribed manner a notice that they have submitted their application naming a place at which copies thereof and plans and explanatory matter submitted to the licensing planning committee may be seen at all reasonable hours, and stating the time within which objections to the proposals will be heard and considered by the licensing planning committee.

The noble Lord said: My Lords, in moving this Amendment I am on firmer ground because I know that the existing law is to be abrogated in this case. If the Bill were to become law, as it would be if this Amendment were not carried, it would clear the way for the establishment of new housing estates without any public right whatever to make proposals. Under the ordinary procedure it would be possible for people to go to the licensing planning committee and make an objection. The case would be heard by the licensing justices who, if they felt the case had been made out, would refuse to give this matter any attention.

Amendment moved—
Page 3, line 46, after ("amendment") insert the said power. (LORD AMMON.)

2.29 p.m. THE EARL OF MUNSTER: My Lords, I think I shall be able to set at rest the fears of the noble Lord who has just moved his Amendment. As I understand it, the noble Lord has in view moving the Amendment is already attained without his Amendment, as there are both in the Bill and in the existing licensing laws powers to do what in fact the noble Lord seeks to do by means of his Amendment. If anything further should be required it would mean an Amendment to the permanent licensing law which clearly could not be done in the temporary measure like this. Let me, first, if I may, explain the powers which exist in order to secure that facilities for food and accommodation are in fact provided at the time when the planning removal takes place under the Bill. It is the general duty of a licensing planning committee to endeavour to secure that the necessary nature and distribution of the licensed premises in the area should provide accommodation and facilities for obtaining food in accordance with local requirements, and they are required to make proposals for planning removals of licences to which they may attach three conditions which will be found in Clause 5, subsection (1) (a). They can further, if they think fit, make an order to the licence (that the application for a licence shall have been advertised) in consequence of the planning removal of the licence that the business premises shall be used for food and accommodation will cease to exist in order to make proposals for the removal of licences in respect of premises in the area, and shall submit such proposals to the Minister, together with such plans and other particulars of the proposals as the Minister may, in any particular case, require.

The powers of licensing justices are required if they are not, they can refuse the application for a licence. It is clear that that power is to be abrogated in this case. instance. I beg to move.

Amendment moved—
Page 3, line 46, after ("amendment") insert the said power. (LORD AMMON.)

2.29 p.m. LORD AMMON: My Lords, on the assurance that the law remains as it is in the measure, and that the planning removals are applied for by the member, and under the Bill in such cases are not to be made in the ordinary course, I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.
two stages further on. I am dealing with the initial stage. At the initial stage the petitions should be published, but they are not published.

The noble Earl and myself really understand that the noble Lord is slightly muddled, if I may say so. The planning committee's only function with regard to new licences is to notify the licensing justices that they have or have not an objection. When the planning committee have made proposals the licensing justices can grant or refuse the licence as they think fit.

The noble Lord: It is bound to say that I think it is the noble Earl who is muddled or else—I am sure not intentionally—he is trying to meddle with Licensing House. This Bill does lay down one specific thing. It does away with the right of the public to object to a licence in the first instance. It is no good talking about objections being sent up to the Home Secretary for that I know is in the Bill. The thing to which I am objecting is that you are taking from the public certain rights which they now have and which are statutory so far as the noble Lord is concerned. I want to preserve those rights. It is no good going on about the youth movement after plans have been already passed. That is too late. What I want to preserve is something to preserve the right which is there.

The noble Earl: I am quite aware of that. It says in the beginning that it was proposed with no definite objective to move these licences to a new house, but I consider these licences ought to be treated as new licences. They are not moving into new areas and the public ought to retain the rights which they now have.

On Question, Amendment negatived.

Clause 6:

Sarvant of licences in licensing planning areas and suspension of provisions as to compensation fund.

(1) Where proposals of a licensing planning committee, as confirmed under this Act by the Minister, provide for the surrender of any such old licence as may be specified in the proposals as so confirmed, the licence shall, by virtue of this Act, be extinguished as from such date as may be specified in those proposals as so confirmed or such later date as the licensing planning committee may allow.

(2) The renewal of an old on-license in respect of premises in a licensing planning area shall not be refused on any ground other than those specified in the Second Schedule to the Licensing (Consolidation) Act, 1960, and accordingly the question of the renewal of any such old on-license shall not be referred to the compensation fund in respect of premises which are not included in the Second Schedule to the Licensing (Consolidation) Act, 1960, or Section seven of the Housing Act, 1930, or Section nine of the Town and Country Planning Act, 1947, or the application for compensation is made in respect of premises in an area from which such old on-license has been suspended or as a result of Part I of the Sixth Schedule to the Licensing (Temporary Provision) Act, 1955, which provides for the extinguishment of an old on-license in suspension, shall not apply to any old on-license in respect of premises in a licensing planning area.

Provided that where the licensing justices have decided to refer to the compensation authority the question of the renewal of an old on-license, the question of the extinguishment of a licence and, at the time of the decision, the premises in question were not in a licensing planning area, the latter proceedings may be had by virtue of the aforesaid decision as might have been had if the premises had continued not to be in a licensing planning area.

(3) No charge shall be imposed under Section one of the Licensing (Consolidation) Act, 1960, (which relates to the compensation levy) in respect of an old on-license suspended in respect of premises in a licensing planning area, and no charge imposed under the said section is to be levied, apart from the populating area, on the condition that if a licence was imposed, they were not in such an area.

2.30 p.m.

Lord Ammon moved to leave out subsection (6) and insert:

"(7) Where a licence has been extinguished under the preceding sections of this Act, it shall be referred for compensation under Section twenty-one of the Licensing (Consolidation) Act, 1960 (which relates to the compensation levy); and where any compensation authority applies to the Secretary of State for power to increase the statutory levy or for power to borrow on the credit of the compensation fund, he shall have power to make regulations to meet such application, notwithstanding any provision in the Licensing (Consolidation) Act, 1960."

The noble Lord said: Having regard to what has happened to proposals which would have been more likely to be accepted, I am afraid that I have little hope of getting much support for this Amendment dealing with the question of compensation. However, I do wish to point out the position which will arise under this Bill. At present, when licences are not continued as redundant, they are compensated for out of a fund which is raised by the trade itself. This Bill provides for the same amount to be paid as a tax. What is the good of an Amendment which has been put forward by the noble Earl, if so be that any objection
Amendment—that which has been made by the Brewers’ Society.

The Earl of MUNSTER: My Lords, I can assure my noble friend and the House that it is the last intention of the Government to side-track safeguards which the public at the moment possess, with regard to the licensing of public houses. I do not wish to enter into an argument concerning any previous Amendment, but I propose to deal only with the one which is now before the House. Quite frankly, this Amendment can be misunderstood and extended by agreement reached after negotiation, without cash payment, the idea being that the Brewers’ Society will be working with us in the cases to which this clause refers, your Lordships will be well advised, I suggest, to accept the clause as it stands at the present time. I appeal to the House to do so.

Looph AMMON: In the light of the explanation which has been given by the noble Earl, I beg leave to withdraw this Amendment.

Amendment, by leave, withdrawn.

THE EARL OF MUNSTER: My Lords, I beg to move that the Bill do now pass.—(The Earl of Muster.)

On Question, Bill passed.

WAR CRIMINALS.

2.33 p.m.

Earl ADDISON rose to ask His Majesty’s Government as to the progress being made by the War Crimes Commission, and as to the nature of the proceedings to be taken to secure the punishment of such major criminals as Hitler and Mussolini; and to move for Papers. The noble Lord said: My Lords, the inquiry which is on the Order Paper in my name, to ask His Majesty’s Government as to the progress being made by the War Crimes Commission, and as to the nature of the proceedings to be taken to secure the punishment of such major criminals as Hitler and Mussolini—is, I submit, a timely inquiry. We are confronted to-day with very rapidly moving events in the war in Europe. The Prime Minister, with his great authority, told us only a few days ago of his conjecture that the war in Germany might end by the early summer of the summer. That is so—

and I am quite sure that all hope that it will be so—is of first-rate importance to recognize the demand of decent people all over the world that the men who have been responsible for the atrocities of this war should be punished. I am not speaking at all vindictively. I am only voicing what I feel sure is a sentiment common to all of us—that justice demands that the horrible crimes for which these men have been responsible, or at all events have authorized, should be condemned by humanity.

If the war ends soon, it may well be that we shall be caught unprepared to deal with these matters. It is to inquire as to the steps which have been taken to secure that that does not happen that I have placed this Motion on the Paper. We all remember, I am sure, what happened in 1918, when, in spite of the many understandings that those guilty of particular crimes should be punished, beginning with the Kaiser himself, in fact little or nothing happened save procrastination. Unless we are ready with proper proposals and adequate measures at the end of the war in Europe, it may be that the Nazi leaders will escape somewhere or other and make provision for disappearing. In addition to that, if we are not ready beforehand there may be very prolonged delays.

I think it is true to say that never before in history there has been on such a scale the organized and widespread desire of those who have witnessed this war. There has even been the attempted extradition of whole populations; and in any regard to any share which they have taken in the war. Apparently under the Gestapo there have been schools for torturers and other horrors of that kind. People have been taken by trains loads to be murdered, and, the machinery of murder has been constructed beforehand. I am not sure whether, even if we do our best to recall similar events in history, we shall find anything approaching a parallel to what has happened during these last years. I remember, when a young man being greatly moved by Mr. Gladstone’s speeches on the Armenian massacres, and we had from time to time zigzags against the Jews in Russia and elsewhere; but never before has there been anything like the scientific and organized cruelty that this war has witnessed.

On 26th November, 1943, a Declaration was issued in Moscow, signed by our Prime Minister, President Roosevelt and Marshal Stalin, in which the war criminals were divided into two classes. It was stated that in the case of major criminals whose offences have no particular geographical localisation, such as Hitler, they shall be punished by a joint decision of the Governments of the Allies. The Declaration then went on to refer to another class of criminal, and said:

“Germany charged with atrocities in invaded countries shall when arrested, be sent back to the country where the crimes were committed, and there judged and punished under the laws of that country.”

The Declaration went on to explain that it would be the duty of the occupying military authorities to arrest, identify and extradite the criminals. As a result of that, we have had established the War Crimes Commission, which is an instrument of the United Nations, presided over by a distinguished member of this House, Lord Wright. There is in Moscow another body, called, I think, the Russian Extraordinary State Commission, which is dealing with similar matters. I should like to inquire what relation there is between the two bodies; what arrangements there are for the interchange of information between them, and what arrangements are being made so as to act as far as possible in common.

I should like to say a word first of all about what I may call the Class II criminals referred to in the Moscow Declaration—that is, Germans charged with atrocities in invaded countries. There must be very great numbers of these people, from high officers down to privates. The organization of early in terms of numbers must have reached a stage in Germany under the Gestapo where we are dealing with anything up to hundreds of thousands; there must be thousands of these willing agents of abomination. Lord Wright, the Chairman of the Commission, in a letter some time ago to The Times, put this position extraordinarily well when he said:

“The duty of justice may best be valid if the criminal is physically tried to the place where the crimes were committed. It is a point of superiority for a country to execute its own criminal law. The same rule will properly be applied to the Soviet officials, who do not necessarily execute the crime, but who, retrieving their subjects within the territory, order their subordinates to do the execution.”

The War Crime Commission, I think, is collecting information as to these
LORD ADDISON: That is the very kind of information that I was seeking to elicit. Mr. Law's statement referred to "the authorities in post-war Germany," and I am very glad to know that by the term "authorities" the Lord Chancellor means the authorities of the United Nations in Germany. As I had read the statement I thought it possible that it was expected there would be some German authorities brought in, and I am very glad to find that that is not the correct interpretation. But at all events it is quite evident that, outside the category of criminals who have committed offences in occupied countries, there should be adequate machinery created to deal with this kind of criminals in Germany itself. It was that particular point that I was seeking to raise.

Now I come to what are described in the Moscow Declaration as "Class I criminals," the major criminals, those who committed the most serious crimes in Germany, and who is going to name them? These are very important inquiries. Then I would like to ask how they are to be dealt with when they have been named. Clearly, the Moscow Declaration, which goes on to say that they are to be punished by a joint decision of the Governments of the Allies, puts aside any notion that you cannot or should not punish the head of a State: they are to be punished by the Allies.

Looking up this subject, so far as I have been able to do so, I find that on August 2, 1945, there was an Allied Convention which declared that "Napoleon was their common prisoner. It went on to say that "the Allies will make no further opportunity of disturbing the peace of the world." That was done by the decision of the Allies. I refreshed my memory from Mr. Lloyd George's book as to Lord Birkenhead's report to the War Cabinet on the question of the trial of the Kaiser. I saw that he found no difficulty at all in deciding that the Kaiser should be brought to justice and that there would be no obstacle in bringing him to justice from the fact that he happened to be the head of a State. He went to present to the authorities of that day two procedures, one which I hope is that adopted by the United Nations, and the other one on which I have a word to say. He said that the Allies might say "... We are prepared to the best of our ability to take upon ourselves the responsibility for saying that this man is that, the Kaiser."

"... has been guilty of high crimes and misdemeanours."

He went on "... and that he should be punished in his own person."

Then the noble and learned Lord put out an alternative method whereby this head of a State might be dealt with.

On that I see a statement in a letter from the noble and learned Lord, Lord Wright, which appeared in The Times in which he discussed the possibility of the alternative in dealing with these major criminals—namely, the provision of a special tribunal. The first words are most important..."If they are to be tried, those are the governing words. He goes on: "...it must be by a new adjudicating board or body, to be established, I suppose, by the main Allied Nations. Such a body would not be a court of law in a technical sense, but it might very well be described as a court of justice. It would have to be a special reaction, with its own constitution and powers."

He adds that it would make its own rules and its decision would be final. I remember that in the memorandum presented by Lord Birkenhead for dealing with the Kaiser there were two suggested methods and it is with regard to them that this inquiry is being made. Lord Wright in that letter sets out very clearly that if you decide to have a trial it would have to be by some new kind of tribunal. I can imagine the interminable delays to which that would give rise. You would have a series of trials of Warren Hastings lasting nearly as long, because the ingenuity of these people would be very great. Their necks are in question; and I am perfectly certain that if the tribunal methods were adopted for dealing with these major criminals the world would be confronted with a series of long-drawn-out hearings one after the other, which would finally nauseate and disgust everybody. I therefore hope that we shall all agree that this is the best method..."
and to have extricated it as well as they could, and yet inferences disappear as quickly as possible when the time comes. I would like to know what arrangements have been made in these patents as it may be desirable to state them. Of course it may not be desirable to speak of them very openly, in which case the people under-stand the noble Viscount's reticence. At the same time, however, it is well to be assured that there is not only a determination but a decision upon ways and means of getting hold of these people when the time comes.

In connexion with this, we have noticed with relief the assurances given by several neutral countries that they will not harbour these men after the war. One hopes that those good intentions will be lived up to, but I think we should expect and the world would expect that if, say, Hitler sought refuge in the South of Ireland, or in Switzerland or the Argentine, the Allies should be prepared to take steps to dig him out. We should not be content with the presentation of a series of polite notes, to leave him where he is; and I think it is desirable that we should be informed as to what steps, if any, can be taken to secure that those who have taken refuge in neutral countries shall not therefor-be safeguarded in their immunity from justice. I have put a series of questions, all of them, I hope, practical, and I feel sure that the public is exceedingly anxious- all over the world, I believe, people understand the great matter there shall be no miscarriage of justice. I beg to move.

3.4 p.m.

THE EARL OF PERTH: My Lords, debates have recently taken place in your Lordships' House on various aspects of this subject of war criminals, and we have had very important, and, to my mind, highly satisfactory, declarations from the noble and learned Viscount who sits on the Woolsack and who replied on behalf of the Government, I therefore think that your Lordships will desire again to enter into the general substance of the question of war criminals, but are desirous to learn, in the words of the Motion introduced by the noble Lord, Lord Addison, “What progress is being made by the War Crimes Commission.” I hope, as does the noble Lord, Lord Addison, that we shall receive assurances that if the war should terminate sooner than some of us hope, arrangements are sufficiently advanced to ensure that the war criminals will be brought to trial without delay and, if found guilty, to that just and swift punishment will be given to them, to use the words of the Yalta Conference. My remarks, therefore, will be comparatively brief, but there are one or two points on which I should like to lay some emphasis.

We on these Benches feel that all those responsible for acts of calculated savagery in occupied territories, for the holding and extermination of innocent hostages, for brutality in concentration and prisoners camps and for the massacres and tortures of the people of the Jewish race, whether inside or outside Germany, must not be allowed to escape the penalties of their crimes. Further, we feel that the punishment of these criminals will, in itself, be a lesson which we hope may be impressed on the minds of existing and potential German militarists. We hold, too, that it is of great importance that the trials of persons who are accused of such acts should be held as quickly as possible, and that therefore their surrender to the authorities of the United Nations should form part of the terms of the armistice or should include any other provision of unconditional surrender. Speedy justice must be meted out. Any delay or dragging out of the trials should be most strenuously avoided. Whether this aim can best be effected by courts of summary jurisdiction or by Courts Martial is a matter which I think must be considered in view of the Governments of the United Nations, who, I feel quite certain, are fully aware of the need of avoiding any procrastination. Of course, as the noble Lord pointed out, the Germans, remembering what happened after the last war, will certainly use every trick and mean to delay the trials, and they must not be allowed to succeed. So much for the main issue.

I want to deal very shortly with the second part of the Motion and as to the manner of the proceedings to be taken to secure the punishment of such major criminals as Hitler and Mussolini.

It is, I think, on this point, that some anxiety has been aroused in this country and perhaps, indeed, elsewhere; while we are determined that such gross war criminals must be brought to book, International Law, as far as I know and I confess I am not at all an expert on it, seems to be involved between political and criminal motives and actions. I suggest, however, to your Lordships, that in the case of Hitler and his immediate associates you cannot draw any such distinction. No such distinction should be made. Hitler, Himmler, Goering and Goebbels, for instance, should not be tried on political grounds, but because they have caused or have been responsible for certain abominable crimes which utterly violate the laws of war, I would ask your Lordships to remember that it is the only essence of the doctrine of the Nazi State that orders flow from the Führer and his immediate subordinates and the execution of such orders is in obedience to their instructions. The Nazi hierarchy cannot escape the consequences of this system. The responsibility, therefore, falls directly upon them. I very much hope that the United Nations will act on this theory and that no State trial of these arch criminals will be admitted. That I think will be quite impossible for the reasons which I have already given.

I also think that political considerations are not and should not be an issue. The only possible way to be the crimes of Hitler and his satellites are so numerous that it may be difficult to choose the exact grounds on which they should stand trial. Let us read to your Lordships some of the violations of the laws of war of which they have been guilty. Take these from a small pamphlet which has been issued by a body known as the London International Settlement: It is an unofficial body but a large number of the United Nations were represented on it by personalities whose views carry great weight. They are talking of the violations of the rules of law and of the crimes which I think Hitler and his subordinates are certainly guilty. They are: Common murder or mass murder of civilians; murder of prisoners of war; putting hostages to death; wilful starvation of populations; excessive, removal of foodstuffs; depriving persons of shelter, clothing and other means of subsistence; internment or segregation in inhuman conditions; mass deportations; murder, ill-treatment or torture of slaves or prisoners of war; imposing collective punishment. The category is a very formidable one.
I apply in a court of justice our own laws, my Lord, and, because we have such laws, I submit to a court of justice such crimes as the Courts have to try. I think it is clear, my Lord, that rules of evidence may be adopted for many years and which are not legal in this country, but are not the least suitable for some of the sort of crimes which have to be tried.

The more I think of the matter the more I feel inclined to say quite clearly that I do not claim for myself any authority whatso­ever in the advice I shall give, unless it be such authority as can be gained from the fact that I have given the matter very great consideration. I am not speaking as a lawyer. I am speaking as one who has read very carefully what happened after the last war and has given great thought to the question of what is going to be done when this war reaches an end and we come to the trial of people who have been guilty of such crimes which horri­fied mankind. There is one other thing I want to say which is to my mind is of very great importance.

It is more than the world in the case of such people as those which we have to think of in the case of the people who have been guilty of such crimes which horrify mankind. There is one other thing I want to say which is to my mind is of very great importance.

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[LORDS]

[Criminal}\n
[20 MARCH 1945]

They have involved vast destruction and political and civil oppression. They have produced immense increase of human misery, and we all think they have had no possible excuse. All this talk about "Hitlerism," or whatever it is called, German culture and all the rest of it, is quite irrelevant and pernicious, and is the most strident for our personal and national vanity. What I feel very strongly is that we must consider the persons mentioned in this Motion and others as guilty of political offences, and if we say that they are not to be tried as ordinary criminals, then it will have the most scandalous result that we shall not be trying these people who are the real cause of all these crimes, and we shall be trying those who can at any rate say that they had been acting under the orders of others.

I admit that to bring these political offences before a judicial tribunal and to try the people who are charged with them is not an easy matter. There are technical difficulties. It will be difficult to frame the charge and to say of what crime they are accused. It might be very difficult to distinguish between one type of war and another, to say what is justification for a war and what is not, and so on. I can therefore quite understand those who say: "These actions have done immense harm, and they are very wicked, but they are not political, and we must ordinarily understand by crimes, in the sense of offences which can be tried before a judicial tribunal." But I have heard it said that, apart from any technical difficulties, we should consider the persons involved as political officials, and then they must be tried by administrative action, by agreement between the Governments concerned, and then they must be sentenced or punished, with or without any hearing.

As I understand it, there is really no question of the admissibility of evidence and so on. Apart from the formulation of the charges, which is a matter of great respect, as I understand it from those who take the principle that the thing is not for us to settle but for the court in the future; for that reason, and then to do with them in the way which we thought has been ruled out of all human action. It is that terrible evil which has been done to the whole world that we desire most of all to set right in the future.

For that reason, it seems to me that the first step which we have to take is to bring before an impartial tribunal these terrible events, to have them investigated, so that it is quite clear that they really did occur and that they really were the result of the principles laid down by the victors in Berlin, and then to punish those in Berlin who were responsible for them. I hope that we shall do that, and that is what I hope that we shall do, and that is what I trust that the noble and learned Viscount on the Woolsack, when he comes to reply, will be able to tell us is going to be done, and is animating the policy of the Government, because it is only by that action that we can begin to lessen [the fearful] evil which has been done by German cruelty to the world.
...is not.

The Lord Archbishop of York. My Lords, I shall detain the House for a few minutes. I am glad that the noble Lord, Lord Addison, has raised this question. Large numbers of people in this country are anxious about the question of the punishment of war criminals, but I think that we in this country hardly realize how deeply the matter is felt by many of our Allies. Our Allies, of course, have been exposed to sufferings which we innocently have escaped. We, it is true, have suffered greatly through the raids upon our cities and through the loss of life of so many on the field of battle, but we have not suffered the horrors of invasion, with all the cruelties which it has brought when the German has been the invader, and our Allies feel about the war criminals with an intensity which it is impossible to exaggerate. When I was in Russia a year and a half ago, I felt that there was a different atmosphere from that which we have here in speaking about the war criminals.

Only last week this came home to me in a very graphic way. I was in Holland. One evening, talking with the man of education and position, who had been suffering during four years. They told me how the farms around about them had been deliberately and systematically pillaged so that nothing whatever was left. They had come back from concentration camps and from them the marks of the cruelties which they had suffered. They told me of a boy, ten years old, who was daily beaten to death in cold blood. All this was told me quietly and unemotionally. Then just at the end the man broke out with "We hate the Germans, we hate them all!" There is this intense feeling among our Allies about the question of the punishment of the war criminals. It is not merely a question of revenge, it is something worse. It is arising from the same justice that should be meted.

When I speak of war criminals, however, I must frame my words, I receive afterwords a number of letters from people telling me that it is unchristian and wrong to demand the punishment of these people. It would, of course, be much more pleasant for me or anyone else that we should be able to plead for mercy, but sometimes justice has to be done. It is not true that we are only in the same way as righteousness can have to take precedence of peace. And it is for the vindication of that underlying sense of the difference between right and wrong, that we demand the punishment of war criminals. It is not only for the vindication of justice, it is, as other noble Lords have already pointed out, the vindication of civilization. Those people must be outlawed, so that there is no chance of their committing these atrocities in the future.

There are the master criminals, Hitler, Himmler and his gang, those who have committed Germany, those who have committed these hideous crimes to be committed in every part of the world. I agree entirely with what the noble Viscount says, that these people should be condemned and put to death. And I think that every lawyer would venture to say something similar. When I spoke of mercy, I think what we have already said, that these people should be condemned and put to death. And I think that every lawyer would venture to say something similar. When I spoke of mercy, I mean that we have had a great change in our ideas about these things, and the difference is, how limited are the people who are to be punished, and when we demand the punishment of the war criminals, I think we ought to make it plain that we are not only asking for justice, but that the men who are responsible for these horrors should be put to death. We have demanded the punishment of the war criminals.

There are the criminals, the masters of the crimes, and the criminals who have been directly responsible for the worst atrocities are the people who are to be condemned and punished with all the severity that is possible.

There is just one word I would like to add. I hope that when the noble Viscount replies he will make it plain that we are not only asking for justice, but that the men who are responsible for these horrors should be put to death. We have demanded the punishment of the war criminals.

The Lord Chancellor. My Lords, I will not interpose at any length, because I am quite satisfied that at this stage we have had a chance to hear the Lord Chancellor's words, which were extraordinary and wrong to demand the punishment of these people. It would, of course, be much more pleasant for me or anyone else that we should be able to plead for mercy, but sometimes justice has to be done.

Then there is a third class of the guilty, a very different class. I am thinking of the whole of the German people. We cannot entirely distinguish the German people from the Nazis, they have some share in the guilt. After all, they supported Hitler year after year with the greatest enthusiasm. But there are innocence among them as well as guilty. On those people the doom is already falling, they are suffering the humiliation of defeat, they are suffering invasion, they are suffering destruction of their cities and their homes, and when peace comes their country will be entirely disarmed. On those sufficient punishment is already falling. When we are demanding the punishment of the war criminals, I think we ought to make it plain that we are not only asking for justice, but that the men who are responsible for these horrors should be put to death. We have demanded the punishment of the war criminals.

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Now I am going to proceed to the question of the reparations. I have been asked by the President of the Commission about the reparations. I have been asked by the President of the Commission about the reparations. I have been asked by the President of the Commission the question of the reparations. I have been asked by the President of the Commission the question of the reparations. I have been asked by the President of the Commission the question of the reparations.
knowledge and experience cannot fail to give credit to the detailed, circumstantial and authoritative stories and reports from time to time. It is on these reports that the Commission will either fix its list to the Army and in that way lift the proceedings from the region of local justice to the plane of international justice. I am satisfied in my own mind that if there is such a thing as an international criminal law, if there is no code of evidence which can be called war crimes and which can be the subject of punishment if appropriate means can be devised, I cannot here deal with that matter. I shall simply state that which is my view, and that is the underlying purpose and assumption of the United Nations' War Crimes Commission. The Commission itself, therefore, is not merely, as it were, a bottle neck through which reports of atrocities have to pass before they can come out into the open; it is really a mark, a token, an instrument of international justice operating in this way.

I ought to have finished the sequence of events, because the Army, if they apprehend the named parties, the named criminals, have then to dispose of them in accordance with the scheme which has been developed by the United Nations and which is embodied in the Moscow Declaration. You have already heard what that is. The ordinary criminals—"I call them ordinary, though I should think that if you had tortured a hundred people to death you would scarcely be ranked as an ordinary criminal, still with that particular limitation they are ordinary criminals—when the Army has apprehended them, are to go to the courts. All the crimes were perpetrated. The real trouble is to identify and apprehend the criminals, and that is where all the difficulties will come in. I was talking to a distinguished man here, a brigadier, who has had very great experience in detective work of this kind, though in different areas and departments, and he said he sympathized with the whole scheme. Thinking of the problem in its technical aspects he said that if 20 per cent. of criminals were apprehended and dealt with, that would be very satisfactory.
[Lord Roche,] always makes his essential analogy, has
proposed an alarm as to the unprecedented
interest of the Government which I can
hardly bring to act in such a matter.

But this is his way of

eliciting information when it is de-

sirable to do so. I confess that I feel no

sorrows, and to point out to your Lord-

ship, Lord Wright. I know of

these atrocities, as I prefer to call them,

because they are not

war crimes, but rather war

atrocities.

I am quite sure if anything of that sort

happened, in this country at least, not

much would be said before there would be

public protests against the whole

thing; that you are letting slip the real

authors of the crime and are devoting

yourselves merely to examining the con-

crete wickedness of an individual serving

under their general orders. That is a

situation which really cannot be allowed
to arise. For myself and for the Govern-

ment as a whole I can here assert with

every confidence and absolute truth that

it is the big criminals as well as the small

criminals that have been the subject of the

closest consideration in Government

discussions.

It must be so, for a reason which was

pointed out just now by my noble and

learned friend Lord Roche. If you use

the word in its correct narrow sense a

war crime is necessarily something

that is proved during the same hor-

rible atrocity in the course of war which is

corresponds to every rule and practice which

International Law has endeavoured to

preserve—it would be an absurd proposi-
tion that you should try people of that

sort and leave the major criminals

behind. It is a breach of a criminal law by the

enemy of the rules which are to govern, which

International Law enjoins must be done,

the terrible, with the little

horrors, and the beautiful. But of course the

real offence which the whole free world

knows has been committed by what at

Moscow are called the major criminals. It is

not limited to the war period. Some-

thing has been said this afternoon, and

quite rightly, about the horrible legal

treatment of the Jews. Much of that was

before the war began. Moreover, in many

cases this maltreatment has been by the

high authority of the German Govern-

ment. The declaration stands of the

author of Mein Kampf in reference to

German Jews who were his fellow coun-

tymen—"You may have shown for

years past your strict support of the Ger-

man State, and stand with perfect loyalty to

the German State." Yet that did not save

them against this abominable and obvi-

ously premeditated campaign of atrocity

against a set of people whose only crime

was that they belonged to a particular

race. I do not think that when the world

takes upon itself to try to clear up this

ghastly situation it is going to fail to

observe those facts, though those facts

are not help asking myself, do we so vividly

communicated to us what these unhappy

people had said, in how many cases did

they remain silent? The Archbishop the inter-

neclock, the rank of the person who

was really responsible for the crimes?

Yet if you are going to prosecute an

ordinary war criminal for a war crime, it

is absolutely essential to show that you

are not holding the right man. That is

absolutely vital. Yet in many cases it is

the very last thing which we are likely to

learn. This is what the Commission

efforts to supply.

Therefore, the primary object of the

United Nations War Crimes Commission

is to act as a receiving body which would

have before it the greatest detail of

the versions that were available of the specific

war crimes committed in particular places and

resulting in the victimization of par-

ticular people, and to do everything in

the power of the body to get the whole

truth and to do justice to those people, or this is the person, wanted for

that crime? That is absolutely essential.
[The Lord Chancellor.] before you can pass from general denunciation to the punishment of a particular Captain or a particular Colonel, or whatever it may be, in the British Army. Otherwise you have no ground for saying that is the man who did it, or directed it.

You will observe that I am limiting myself for the moment to what I call ordinary war crimes. The second thing—it is part of the same really—is, what is the weight of the evidence available for that? More rumour will not carry very far. Who is there who can prove, when the time comes, that a certain man was guilty or help to identify the person approved of what was done? As I myself, know vast masses of evidence have been most carefully examined by the United Nations War Crime Commission for the very purpose of ascertaining these essential facts. It is not as easy as general denunciation, but it is absolutely necessary before you can start a just prosecution. It would be impossible, of course, for the Commission, by itself, or through its officers to go roaming over Europe trying to collect information. As my noble friend Lord Wright explained just now, National Offices have been set up each of which gets the information that is coming in from either its Army or from refugees, or from any other source, pieces together all it can, and then presents it to the Commission for the purpose of further examination.

I must admit that at one time I felt disappointed, I will not say disheartened, because I did not think that the results of all these efforts were coming forward as freely as I, for one, had certainly hoped. I wish here to identify, at my own knowledge, that there is a very great improvement in that respect of late. Certainly the difference with which members of the Commission have applied themselves to their task cannot be doubted, and there is good reason to believe or expect even more abundant material from the Commission in the future. But so long as the Armies of the Allies were fighting outside Germany, still more when they were far away, their opportunities to get anything like first-hand information were very limited. But when, for example—I take this instance because I know that it has actually occurred—an Allied Army made its way into Italy, and began forcing its way up Italy, it reached places where there had been British officers and men held, often in horrible conditions in Italian prison camps. Then first at once first-hand information from those it was able to rescue, very often with the names and descriptions and the other full details which any prosecuting office must have before it can feel itself on solid ground.

I make the prophecy that, as the Allied Armies proceed further and further into Germany, they will get more and more information and be able to take more and more cross-sections, which will help them to put together the various pieces of evidence, and enable them to make a more careful and more precise decision in this matter. But they have already provided very considerable lists of individuals. As the result of this sifting they can, in most cases, actually name, and in other cases identify by description fairly closely. As a consequence, as Lord Wright has said, these names are passed to the Armies and there is a sifting process going on by which, wherever it is possible, the man who is wanted is, as it were, kept back and not allowed to pass into the general mass of German prisoners. I hope, when I say this, it is not disheartening. I hope, to be carried far away. To that extent, this selection of the people who are wanted for war crimes is now going on. Within the last few days, or within the last week or two at any rate, there has been a further list provided by the Commission, going to the Foreign Office and to the other Governments concerned, which is all additional material for laying hands on an individual and holding him for trial.

It is obviously right that we should not attempt to stage such trials until Germany is beaten. I will not mention the reasons, but they will appeal to every man of common sense. On the other hand, it is equally important that when the time does come the machinery, the machinery which shall find out who is guilty and raise up punishment, shall be ready to operate quickly. I recollect that my noble and learned friend Viscount Maugham pointed out during the earlier debate that one of the great defects of the system which has been followed after the last war arose from the fact that the Allies committed the incredible folly of allowing an armistice and the cessation of all fighting without determining that it should be then and there surrendered. It was only after the signing of the Treaty of Versailles long afterwards that provision of this sort was made, and by that time all sorts of possible opportunities had been lost. Criminals had fled, evidence was stale—perhaps, the intense sense of the importance of dealing with this matter had slightly evaporated, and no doubt the whole thing was a ghastly failure. We do not want to repeat that, and that is why I am, in a previous debate in your Lordships' House, that it was the fixed determination of the Allies, including our own Government, that we would, in connexion with anything in the nature of a cessation of hostilities, demand that the stage the surrender of such persons as we could name and identify, the better to carry through this process.

I think that it was very wise of my noble and learned friend Lord Wright to warn us that the actual number of cases which will be brought to trial and punished will inevitably fall short of corresponding to the wickedness which has been perpetrated. I wish it were not so, but I do not see how that can be avoided. To my mind it is more important to show the world, when the occasion comes, that men who have thus been properly identified, and whose criminal action is proved to the satisfaction of a fair-minded tribunal, are dealt with severely and promptly, than that we should have a more ambitious scheme which would be very likely, in the end, to be ‘lost in shallows and in ratios.’ I should add that President Roosevelt, who has been in close co-operation with us on this subject, took the occasion of declaring, in October, 1943, when the organization of this business started, that he wished it to be understood by the German people that the plans which we were working out did not threaten the lives of vast masses of Germans, as though it were possible to exact punishment wholesale without regard to the individuals concerned, but that we were resolved to deal with the real criminals who could be proved to have taken part in a definite crime.

I was very grateful to my noble and learned friend Lord Maugham for his extremely candid speech. He has been taking a little holiday, and there is nothing like a holiday for providing an opportunity for reflection. He seems to have used his holiday to very good purpose. He comes back fresh and invigorated, as we are all glad to see, and says quite boldly that on matter reflection he thinks that there is a great deal more to be said for military tribunals than perhaps was supposed at an earlier stage. I am not making a pronouncement—I do not know—but as far as a personal opinion goes I confess that I am of his view. It is not, of course, a Court Martial which is in mind; a Court Martial can deal only with those who are subject to military law. What is in mind is a Military Court, and it is beyond all question that a properly constituted Military Court has jurisdiction in an occupied country to deal with war crimes. Without going any further than I should, I may say that at any rate provisionally the British Government have made the most detailed plans in order that if that method is finally chosen it can be put into operation, as far as we are concerned, very promptly, a great many highly technical matters have to be considered, such as the rules of evidence and the constitution of the tribunal.

Viscount Cecil of Chelwood: Can you tell the House whether the Russian Courts which tried the criminals at Kharkov and Kiev were what could be described as military tribunals?

The LORD CHANCELLOR: I could not say: I do not know enough about it. On this subject I noticed the very important observations of Lord Wright, that he would like to feel that he was in closer touch with the Soviet tribunals. I agree with him. That is only one way of dealing with the matter, and all I have to say on that is, that so far as the British Government are concerned I know that we have worked behind the scenes on this subject with great intensity. We must point our Lords, of course, that the decision to be taken is not a decision of our own Government, it is one of the bigger portion of Germany for which we take special responsibility after the war, the decision in that area might be so, but the general decision has, of course, to be a decision of the Allies as a whole. There are many things to consider, and it may be that, just as different views have been expressed in this debate, so there may be a certain difference of view between the different authorities concerned—not a quarrel, but simply the kind of differences...
[The Lord Chancellor.] which arises from the extreme complexity... the same is the object.

But, while I do not at all wish to be... present before which is... that although the War Crimes... But, while... and the whole of their... and to the charge of the... and yet I do not personally quite see how... and join my noble friend Lord Maugham as... and have done. You certainly do not need the... that criminal as charged. There is... and of their action.

There are intermediate ways, perhaps. There is one which has not been mentioned... I do not put it forward as the... there has been the meeting in the Crimea, and your Lordships have... Since that there has been the meeting... The Moscow Declaration stands, the sentence I have just... There is no question as to the... Lord Cecil, in saying that everything... and of the infamous crimes. There is... to which arises from various... but which is always in my mind. Perhaps we pass rather too rapidly over this... For, while I do not at all wish to be... and inherent in the idea of a Criminal Court... and you will notice that capital... and confide very well have such a... and condemn them. There is... the House that the Crimea Conference made no effort whatever to qualify the exposing them and punishing them, then... at Moscow, as something which has... in the Crimea, and your Lordships have... make themselves masters of... and contrary to every rule which we hoped that... and of their action.

I can imagine the drawing up of a... that that was not very difficult... or the British system, it is... from thereon. But I do not think that that was not very difficult to understand. But there is... I said above that in order to challenge these facts before any tribunal you... But that is a very different thing from that... and condemned at Moscow, some of... and the results which... is that although... "the ordinary war criminals" is this, that... doctrines which determine one how one should proceed are not altogether the same in their case. I have already pointed out that in the view of many people part of the infamous atrocities at the war, and occurred at the expense of... are no war crimes in the... That alone creates a difficulty. There is a further difficulty which has not been mentioned expressly in this debate, but which is always in my mind. Perhaps we pass rather too rapidly over this conception of having a judicial body the function of which is to try criminals, but without too much difficulty, to deal with their... Without a Court it is not possible to... But I think I should say to the House that the question that of how exactly these... and condemnation at Moscow, in the sense that those... "have the inexpressible determination to bring all war criminals to just and... To this end, I say that it is not impossible for me... that this is not the conception that is in my mind at all. If a Court can be done can be done in the face... it would be quite possible for me to make a unilateral statement where this is essentially a thing to be agreed and accepted by the... I do not think it is however very difficult to think that however wishes to be constituted, and even though those appointed to it some of the best brains and the most highly-trained experts in the... Lord Cecil, Lord Addison, objected to just now, and in my... That the House is to be a regular meeting of the Foreign Secretaries under... it is that there is to be a regular meeting of the Foreign Secretaries under... and the simple music, does what have to be made? And all the while the facts... Lord Cecil, in saying that everything... and of the ordinary war criminals. There is... as a regular matter the special crime... and of their action. There is no question as to the... and condemned at Moscow, some of... and of the ordinary war criminals. There is... in the view of many people part of the infamous atrocities at the war, and occurred at the expense of... to which the noble Lord, Lord Addison, objected to just now, and in my... It is all, one of the... is the case of the ordinary criminals, and then follow the... said that all the Allied Governments owe it a great debt, and... this work will not be the... and condemned at Moscow, some of... the House that the Crimea Conference made no effort whatever to qualify the exposing them and punishing them, then... that is done here has to be done with justice, and... and condemned at Moscow, some of... and condemned at Moscow, some of... that the House is to be a regular meeting of the Foreign Secretaries under... I do not at all think that our... has to be done with justice, and... I do not put it forward as the... is that although... is the case of the ordinary criminals, and then follow the... I do not at all think that our... and condemned at Moscow, some of... I do not put it forward as the... in the view of many people part of the infamous atrocities at the war, and occurred at the expense of... I do not put it forward as the... it is that there is to be a regular meeting of the Foreign Secretaries under...
strengthen and put in their proper shape these worldwide rules of right and wrong than that the war criminals should be dealt with on the basis that those who are guilty of these awful offences will be swiftly and justly punished.

I thank Lord Addison for having raised this subject again. I have spoken under that necessary reserve which comes from having had a great deal to do with the consideration of it when it really cannot be laid out now in more detail. I find the subject not by any means easy but, of course, of overwhelming importance, and I am sure the debate this afternoon has rendered a useful public service.

Lord ADDISON: It is unnecessary for me to add anything. The concluding words of the Lord Chancellor’s speech fully justify the proceedings this afternoon and I think that they have rendered notable public service. I beg leave to withdraw.

Motion for Papers, by leave, withdrawn.

House adjourned at five o’clock.
U. S. Defines War Criminals To Include Jews' Persecutors

By WILLIAM O. PLAYER JR.
Post Staff Correspondent

Mexico City, Feb. 27—The U.S. government's first definition of war criminals, broad enough to cover the persecution of Jews within Germany, is set forth in a resolution sponsored by the American delegation to the Inter-American Conference here.

The resolution provides uniform procedure for the delivery to proper authorities of alleged war criminals who seek refuge in American Republics.

It classifies as war criminals all "the Axis leaders and their associates who have caused to be committed" and all individuals who have actually committed "heinous crimes" violating the laws of war, existing treaties, the rules of international law, the penal codes of civilized nations or the concepts of civilized life.

"The fifth category would close almost all the loopholes that now exist in international law. In particular, it would remove the technical objection raised in some quarters to punishing those responsible for a government's crimes against its own nationals such as the Nazi regime's atrocities against Jews of German nationality.

Priority to Be Filled

Practically no opposition to the U.S. resolution is anticipated. Its sponsors feel that once adopted it will provide an important criterion for other agencies concerned with war criminals such as the Allied War Crimes Commission in London.

Under the U.S. proposal for the extradition of war criminals the Inter-American Juridical Committee sitting in Rio de Janeiro would draft a plan for determining priorities in cases of refugees sought by two or more governments or intergovernmental agencies. Presumably, the first claim on such criminals would be granted to whoever had the most serious charges against him. Instead of to the first country requesting his return as is now the practice with regard to ordinary criminals.
Pell—Advocates Punishment for Lesser Nazis

Says Sparing of Any Guilty of Race Crimes Would Abet Germany's Youth in 1960

Punishment not only of Nazi leaders but of lesser Gestapo officers who were directly involved in crimes against religious and national minorities was called for last night by Herbert C. Pell, former American representative on the United Nations War Crimes Commission, at a meeting of delegates and delegates to the American Jewish Conference.

Emphasizing that "we are asking for justice, not revenge," Mr. Pell told the meeting at the Hotel Commodore that "our eventual goal is the prevention of World War III and the crash of the world to barbarism."

Speaking on a program which included Dr. Nahum Goldman, representing the World Jewish Congress, the former crimes commissioner declared that "punishment is absolutely necessary" for those who took part in Nazi outrages. It will not do, he said, to hang the leaders, then "pat the smaller men in the Gestapo on the head, give them a hot dog and tell them not to do it again."

Another Hitler in the future, he said, may remind the German youth of 1960 that "your Uncle Fritz lived to a comfortable old age to tell you of the fun that he had in Poland, in Norway or in France." The boy of 1960 will not be likely to be taken in, he said, if he remembers his "Uncle Fritz" hanging on a tree in the neighborhood. Asserting that "at least ten million" died indirectly as a result of the war, Mr. Pell asked: "Is it too much to ask that one man should hang for ten murders?"

Dr. Goldman stressed the need for helping Jews in liberated countries who are "homeless, penniless, lacking food, clothing and the elementary necessities of human life." Calling restoration of Jewish property the "problem of greatest importance," he argued that the problem of "has been done about it. Red tape and legal procedure have..."
PELL RECEIVES BACKING

<table>
<thead>
<tr>
<th>Federation for Polish Jews Demands Reappointment</th>
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<tr>
<td>Reappointment of Herbert O. Pell as American member of the United War Crimes Commission was urged at a meeting of the American Federation of Polish Jews yesterday in the Hotel McAlpin.</td>
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<tr>
<td>Representative Emanuel Celler demanded the immediate reinstatement of Mr. Pell. He also demanded that Jewish representatives be among the commissioners or judges that will try Nazi war criminals.</td>
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<tr>
<td>Senator James M. Mead of New York sent a message saying he would support the request of the State Department for an appropriation for salary and expenses for American participation in the United Nations War Crimes Commission.</td>
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<tr>
<td>Mr. Pell sent a letter, read at the meeting, in which he described Nazi atrocities against Jews during the German occupation of Hungary. He was United States Minister to Hungary during part of the occupation.</td>
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War Crimes

It is encouraging to note that the British government has had a change of heart regarding the prosecution of Germans guilty of outrages against Jews and other minority elements inside the Reich. Like our own State Department, the British Foreign Office for a long time appeared to cling to the view that such crimes, while to be deplored and denounced, could not be punished by any international tribunal, since they were a domestic matter.

This attitude was strongly opposed by Herbert C. Pell, the American delegate on the United Nations War Crimes Board, and, at his persistent urging, by the board itself. But until this week the British government refused its support of the board's recommendations. On Wednesday, however, Richard K. Law, Minister of State, announced in the House of Commons that, despite the fact that crimes committed by Germans in Germany could not be dealt with under the same procedure as crimes committed by Hitler's agents in occupied countries, the perpetrators of atrocities against German Jews, anti-Nazis and others in the Reich would be punished.

A similar pledge has now been given by Acting Secretary Grew. He declared yesterday after persistent heckling from the press that the plan worked out by the department calls for the punishment of German leaders and associates for their responsibility "for the whole broad criminal enterprise...including offenses whatever committed, against the rules of war and against minority elements, Jewish and other groups, and individuals." So far, so good.
U.S. WILL Avenge
JEWISH GERMANY
Asks Allied Accord in Punishing Nazis For Atrocities

Washington, Feb. 1 (AP)—The United States has proposed to Belgium and other Allies definite plans for punishing Nazi leaders and other Germans guilty of atrocities against the Jews inside Germany. This was announced tonight by Joseph C. Grew, Acting Secretary of State, in a statement made in the name of the United Nations War Crimes Commission. Pell had wanted the German persecutors of German citizens tried as war criminals, even though some questions had been raised as to whether these crimes could technically be classed as war crimes under international law.

British Stand Revealed

A policy declaration by Grew made it clear the United States, like Britain, distinguished between regular war crimes and those atrocities committed against Jews and other minority groups inside Germany, but the statement defined the United States as emphasizing its determination to see that criminal of all types "shall be punished."

The British position was announced yesterday in Parliament by Minister of State, Richard H. Stilgoe, who explained the British position as being that Britain dealt not with the perpetrators of atrocities against a country "the punishment they deserve."

Cited As Roosevelt Objective

Grew said American officials had been working on specific proposals to achieve that objective, which he said President Roosevelt had set forth repeatedly. "Pending the outcome of current discussions with our allies on this subject," Grew said, "these proposals cannot be published." "It was, however, to state categorically that these proposals are as forthright and far-reaching as the objectives announced by the President which they are intended to implement."

"Inaneous Determination"

"They provide for the punishment of German leaders and their associates for their responsibility for the whole broad criminal enterprise devised and executed with ruthless disregard of the very foundations of law and morality, including offenses however committed against the rules of war and against minority elements, Jewish and other groups, and individuals." Grew said the State Department welcomes public discussion of the Pell incident, which, he said, "has made clear the determination of our people that the guilty shall be punished."

"The Department of State and the Government share that insurmountable determination."

Pell Explains Dismissal

Pell attributed his own dismissal to dissatisfaction with his work and made it clear he believed that dissatisfaction was in the State Department. Earlier Sir Cecil Hurst, British member of the commission, had resigned in protest with the British Foreign Office because he wanted his Government to support a proposal which Pell had made and the commission had approved—to try Germans who had committed atrocities against the Jews in war criminals.
OF COURSE YOU ARE FOR MR. PELL!

Then Ask Your Government to Take An Unequivocal Stand On War Criminals Now!

Don't Let Legal Quibbling Save The Murderers From The Gallows!

IN our confused times we have become used to many strange and inexplicable occurrences. Yet what is happening now in the councils of the United Nations War Crimes Commission is something so astonishing as to surpass the imagination of even the greatest of skeptics and cynics. The situation may be summarized as follows: Two decent, courageous, far-sighted and outstanding statesmen of the United Nations—Sir Cecil Hurst of Britain, and Herbert C. Pell, an American—were appointed out of the War Crimes Commission because they demanded three things:

1. That all war criminals of the Axis powers, regardless of rank and position, be brought to trial for unspeakable atrocities that were committed against human beings.

2. That these war criminals should be tried and punished even if they committed crimes against Jews of their own countries.

3. That in order to translate the Moscow Declaration on atrocities into concrete action, an international conference be convened for the purpose of setting up a United Nations War Crimes Court.

These two courageous champions of humanity were presenting their governments for a solution for almost a year, but the British Foreign Office did not even offer a reply to the courtesy of the presentations of Sir Cecil Hurst. In disgust and embitterment he resigned, making his protest universally known. Some weeks later, Mr. Herbert C. Pell found himself dismissed as the American representative on the Commission. The official reason for the "purge" of these two champions was: Sir Cecil Hurst for "ill-health" and Mr. Pell for the lack of an appropriation of $30,000 for himself and his staff—as well as the legalistic hair-splitting brought forward against bringing to trial Axis criminals for having tortured and killed Jews, are senseless and inhuman.

There is no use indulging in any legalistic discussions. It is enough to say two things:

By virtue of the Nuremberg laws, the Jews in Axis countries have long ceased to be nationals of those countries. They have been excommunicated, de-nationalized, and transformed into stateless people—i.e., a new "ethno-political entity" which the Hebrew Committee of National Liberation so rightfully designates as the remnant Hebrew nation.

Should International Law fail to acknowledge this fact, to justify the crimes committed against those people, then there is only one conclusion to be drawn: something is wrong with International Law and therefore it must be changed or abandoned in the interest of historic justice. The world must not permit the establishment of an ethno-political entity that red tape supersedes Justice.

If legalistic excuses will remain the basis of the United Nations attitude to the worst crimes in history ever witnessed, there is no hope for humanity and civilization to survive. Leaving aside the kind of unpunished on the pretext that they were committed only against Hebrews, would mean to allow the continued existence of a lawless zone for crime and assassination. Within this atmosphere of barbarism, the German war criminals might very well hook upon the present policy of the War Crimes Commission to bring to their incontinent mates. Murder of Hebrew men, women and children.

But Mr. Pell and Sir Cecil Hurst are not simple men. They are realists who foresee what is at hand and are determined to prevent the commission of other crimes. Their words to those of Mr. Pell and Sir Cecil.

The Hebrew Committee of National Liberation, made the following requests of the government of the United Nations:

1. That they issue a joint declaration prohibiting that crimes committed against Hebrews in Europe, throughout the territory on which the Axis was committed or the citizenship or lack of citizenship of the victim in the time of death, be considered as war crimes and punished as such.

2. That the governments of the United States and Britain be given membership on the War Crimes Commission and that temporarily and until a new Hebrew National Sovereignty be re-established, the Hebrew Committee of National Liberation be authorized to constitute the Hebrew representatives on the War Crimes Commission.

In backing these requests, we appeal to every man and woman in this country to demand that Mr. Pell be immediately restored to his function on the United Nations-war Crimes Commission and given authority to act on behalf of the United States Government for the punishment of war criminals.

The American people, heirs to a glorious tradition, keepers of a sacred flame of justice, must take a firm stand on these demands. We must rid ourselves of the ideals for which our sons and brothers are dying in Italy, on the borders of the Reich, in the Pacific and in Africa and the Suez Zone.

In the midst of horror, for which the world is in horror, must stand up and fight for our freedom and our liberty. We must not be moved to make the mistakes of the past. We must stand up and fight for our freedom and our liberty. We must not be moved to make the mistakes of the past. We must stand up and fight for our freedom and our liberty.
February 2, 1945

MEMORANDUM FOR THE FILES

Mr. Pehle and Mr. DuBois discussed with Secretary Morgenthau today the attached proposed cable to Secretary Stettinius in the light of the statement issued by Acting Secretary of State Grew on February 1, 1945.

It was decided that, in view of the statement issued by Mr. Grew, this cable should not be pushed at this time.

F. Hodel
Proposed Cable to Secretary Stettinius from Grew, Morgenthau and Stimson

We record the unfortunate publicity concerning Pél's resignation from the War Crimes Commission, on alleged ground that crimes against stateless and Axis nationals are not regarded as war crimes, as a real setback to the purposes for which the War Refugee Board was set up. We therefore urge that a statement be issued at the present conference to the effect that such acts are war crimes and that those guilty of such crimes will be punished. Failing action by the conference along the foregoing lines, we strongly recommend that the State Department publicly announce this Government's intention to punish all war criminals, including those who have committed crimes against stateless persons and Axis nationals.

[Signature]

OK. H.M.J.
EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD
INTER-OFFICE COMMUNICATION

DATE FEB 1 1945

TO
Mr. Disbois

FROM
Mme Noél

I feel that it is extremely important that a cable along the attached lines be dispatched as soon as possible to Secretary Stettinius. I have discussed the matter with General O'Dyer and he is in full agreement with the proposed action.

Attachment.