

POST WAR PUNISHMENT OF AXIS WAR CRIMES
(Folder 2 of 2)

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December 22, 1944.

Mr. Marks

B. Aksia

Confirming our telephone conversation of this afternoon, I should like to put on paper my suggestions regarding the extension of the concept of war crimes, to be declared punishable by the United Nations, to acts of cruelty against stateless Jews and Jewish nationals of Axis countries.

In my opinion, a mere public statement to that effect, whether issued by the new Secretary of State or by anyone else, would be of secondary importance. Statements have been made before which imply such extension. The point is that the one agency which has been created for the time being to implement such statements -- the War Crimes Commission -- has not implemented them. I suggest, therefore, that emphasis be placed on getting this done.

The proper method to achieve this result involves, in my opinion, two simultaneous actions:

(1) An instruction by the Secretary of State to Mr. Pell to press the War Crimes Commission for a declaration to that effect; and

(2) Cables to all U. S. missions to the other governments represented on the Commission asking those governments to issue similar instructions to their delegates on the War Crimes Commission.

The fact that the legal advisor to the Secretary of State has not thought it possible to agree to an instruction to Mr. Pell along the lines contemplated makes it only more imperative that the Secretary of State be appealed to over the head of Mr. Hackworth, just as in the past we found it necessary to appeal to the Secretary of State against other officials of the Department. If the Secretary of State is willing to issue a public statement at variance with Mr. Hackworth's opinion, he would be, in effect, over-riding him, except that the statement would remain purely illusory, if Mr. Hackworth's opinion were permitted to prevent effective implementation.

The argument that the War Crimes Commission may be fated for an early demise is, in my opinion, not relevant. While the Commission continues in being, the best way of formulating our Government's attitude toward the problem is by issuing instructions that would govern our policy on the Commission. Even should the Commission be replaced, generally or with respect to our problem, by another body, the precedent will have been established, and our Government's policy, once formulated, could be made to apply to whatever new agency or procedure will take the Commission's place.

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On the other hand, neglecting the issue of the restricted definition of war crimes, as adopted by the Commission, especially when taken in conjunction with the non-cooperative stand adopted by Mr. Hackworth, leaves the status quo very much against us. Whatever new procedures may be designed in the meantime, this status quo is likely to carry over, and we would have to start battling all over again to overcome Hackworth's resistance.

I put these arguments on paper for your convenience, should you wish to take them in consideration in connection with future action on the subject.

BAksin:tmh 12-22-44

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MEMORANDUM FOR THE FILES

December 16, 1944.

RE: WAR CRIMES

On August 28, 1944 a memorandum was sent to Mr. Stettinius recommending that this Government make clear its position to the War Crimes Commission in London that crimes committed by the Nazis against stateless nationals would be punished. A proposed cable of instructions to Mr. Herbert Pell, the American Representative on War Crimes Commission, was attached to this memorandum.

On September 4 Mr. Pehle received a letter from Mr. Stettinius stating that the Board would be advised as soon as a decision were reached within the State Department.

Since nothing further was heard from State, I telephoned George Warren at least five times in the course of the past three months inquiring why no action had been taken. Each time the answer was the same -- that the matter was still under consideration by the Legal Advisors Office and the Army and Navy. Each time I indicated to Warren that in my judgment the whole question of the inactivity of the War Crimes Commission is very likely to cause a public scandal and that it seemed to me that it is in the interest of the State Department to reach a quick decision.

On December 11th or 12th Mr. Herbert Pell came in to see Mr. DuBois and myself about the delay in sending him appropriate instructions. He was informed of our action as a result of conversations with James Mann in London. Pell was quite anxious that we do anything possible to expedite the matter in State Department. I again called Warren on the matter and suggested in particular that Pell's current visit should be taken advantage of to arrive at a decision. Subsequently, Warren called after having discussed the matter again with the Legal Advisors Office. Warren told me that he was sending us a memorandum which said nothing. He also told me that he wished to discuss with me in confidence the background of the whole matter. He intimated that State and War had not been able to find a legal theory to justify the punishment of Germans for killing German Jews. Today a letter was received from Mr. Stettinius dated December 14th to the effect that the whole war crime situation was still under "active" consideration by State and other interested departments. Presumably, this is the memorandum to which Warren referred.

J. Friedman

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THE SECRETARY OF STATE

WASHINGTON

December 15, 1944

Dear John,

Thank you for your letter of December 14th enclosing letter of December 13th from Mr. Bergson on the problem of war criminals.

I am calling it to the attention of the proper officials in the Department who will give it the most careful study.

With kindest regards,

Sincerely yours,



Mr. J. M. Pehle, Executive Director,

War Refugee Board,

Washington 25, D. C.

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100229



DEPARTMENT OF STATE
WASHINGTON

December 14, 1944

My dear Mr. Felle

This is to let you know that the matter discussed in your memorandum of August 28 and my memorandum of September 4 has not been forgotten. That subject, together with the whole current situation is under active consideration by this and other interested departments. We will inform you more fully regarding the matter just as soon as possible.

Sincerely yours,

Mr. J. E. Felle,

Executive Director,

War Relocation Board.



100290

December 14, 1944

My dear Mr. Pehle

This is to let you know that the matter discussed in your memorandum of August 28 and my memorandum of September 4 has not been forgotten. That subject, together with the whole war crimes situation is under active consideration by this and other interested departments. We will inform you more fully regarding the matter just as soon as possible.

Sincerely yours,

Edward F. ... Jr.

Mr. J. W. Pehle,
Executive Director,
War Refugee Board.

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DEPARTMENT

OF
STATE

Distribution of true
reading only by special
div. 5. [redacted]

OUTGOING
TELEGRAM, 1944

8 p.m.

5 was R/Bd Pehle
DIVISION OF
COMMUNICATIONS
AND RECORDS

AMEMBASSY

LONDON
8415x

CONTROL COPY

The following for Winant and Mann from Pehle is WRB 11.

Please refer to your 8406 of October 6.

The War Refugee Board has made its position in this matter clear to the State Department. It is understood that discussions concerning this subject are still continuing between the State Department and other interested agencies and that no decision has yet been reached.

HULL
(CL7)

For security reasons the text of this message must be closely guarded.

WRB:MMV:KG
10/12/44

DC

GEORGE BOVHO
RECEIVED

DECLASSIFIED
State Dept. Letter, 1-11-72
By R. H. Parks Date **SEP** 8 1972

000293

Reference Supplement
5415 - 10/12

CABLE FOR AMBASSADOR WINANT AND MANN FROM PERLE.

Please refer to your 8406 of October 6.

The War Refugee Board has made its position in this matter clear to the State Department. It is understood that discussions concerning this subject are still continuing between the State Department and other interested agencies and that no decision has yet been reached.

THIS IS WRB LONDON CABLE NO. 11

11:50 a.m.
October 11, 1944

Miss Chauncey (for the Sec'y) Abrahamson, Cohn, DuBois, Friedman, Hodel, Lesser, Pannon, McCormack, Files

JBFriedman:ro
10/10/44

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DEPARTMENT
OF
STATE

INCOMING
TELEGRAM

DIVISION OF
COMMUNICATIONS
AND RECORDS

BJR - 920
Distribution of true
reading only by special
arrangement. [redacted] (W)

London
Dated October 6, 1944
Rec'd 5:40 p.m.

For security reasons the
text of this message should
be closely guarded

Secretary of State,
Washington.

8406, October 6, 8 p.m.

FCR PEHLE WRB FROM MANN

CONTROL COPY

DEPARTMENT OF STATE
DIVISION OF
OCT 7 1944
COMMUNICATIONS

I have again talked with Mr. Herbert Pell, American member of the War Crimes Commission, and he has as yet received no instructions directing him to urge the commission to treat as war crimes those crimes committed by one Axis state against one of its nationals or against the nationals of another Axis state. I have informed Mr. Pell of the Board's memorandum of August 28 to Mr. Stettinius and both Mr. Pell and I are surprised that no instructions have been forthcoming. Lord Wright, British Lord of Appeal and Australian representative on War Crimes Commission has recently expressed the opinion that the above mentioned crimes are war crimes and should be treated by the Commission. Should Mr. Pell receive instructions along the lines of those transmitted to the Department of State with the above

mentioned

DECLASSIFIED
State Dept. Letter, 1-11-72
By R. H. Parks Date SEP 8 1972

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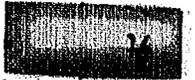
-2- #8406, October 6, 8 p.m., from London.

mentioned memorandum there is a good chance that the Commission would take the view that such were war crimes and thus within its jurisdiction. HOWEVER, time is most important and I strongly urge that EVERY effort be made to have instructions on this point transmitted to Mr. Pell at once.

WINANT

WMB

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TO:

10/2
~~Mr. Friedman~~
Rm. 2410

Jagel

JED

Files

MR. J. E. DUBOIS

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Mr. Dubois

Pelle & I feel that
it is not a good idea to
send anything like this now.
If you have other views
let's hear them.

JS7

MR. FRIEDMAN

Mr. Poble

Let's think this over pretty carefully
I have some doubts. JF7

MR. FRIDMAN

000901

EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD
WASHINGTON 25, D. C.



OFFICE OF THE
EXECUTIVE DIRECTOR

not sent

My dear Mr. Secretary:

As you know, there have been recent indications in the press that, for purely technical reasons, the United Nations Commission for the Investigation of War Crimes is taking no action concerning the atrocities committed against the Jews and members of other minority groups who are or were subjects of Germany and her satellites. I am greatly concerned lest this publicity give the Nazis reason to believe that the stern warnings concerning such atrocities, which have been issued from time to time by this government and by other governments, are meaningless. If this occurs, any effect of our warnings will be lost and the Nazis will in no case be deterred from exterminating the minority groups still within their grasp.

On August 28 prior to the appearance of the public comment I sent to Mr. Stettinius a memorandum expressing my views concerning action which could be taken by the War Crimes Commission in this matter to give strength to the warnings which have been issued in an effort to protect persecuted groups in enemy territory. With the memorandum I enclosed a suggested draft of appropriate instructions to the American representative on the Commission. Mr. Stettinius has indicated that the Department is giving careful consideration to the matter.

In view of the recent developments, you may wish to consider the desirability of publicly announcing that in the opinion of this government the atrocities committed by the Nazis and their satellites against their own subjects and against stateless persons are offenses which will be punished.

100902

- 2 -

I am sure you will appreciate the importance of such an announcement from the point of view of the activities of the War Refugee Board. The unequivocal statement of this Government's position coupled with the sending of appropriate instructions to the American representative on the War Crimes Commission may well be an important factor in our efforts to save the remnants of the victims of Nazi persecution.

I would appreciate an early expression of your views.

Very truly yours,

J. W. Pehle
Executive Director

The Honorable

The Secretary of State.

100903

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000904

- 2 -

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I would appreciate an early expression of your views.

Very truly yours,

J. W. Pehle
Executive Director

The Honorable

The Secretary of State.

JAFriedmantre
9/28/44

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THE EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, D. C. 20503

AGENCY OF THE EXECUTIVE
AS AN INDEPENDENT AGENCY IN ONE OF
THE VARIOUS DEPARTMENTS OF THE
EXECUTIVE BRANCH OF THE GOVERNMENT
ESTABLISHED UNDER THE PROVISIONS
OF THE EXECUTIVE ORDER

EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD
WASHINGTON 25, D. C.
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

The Honorable
The Secretary of State

100906



000907

DEC 16 1944

Crimes Against Jews Condoned, Gillette Claims

By RUTH MONTGOMERY

Blaming the United Nations War Crimes Commission in London for "possibly inducing the Germans to conclude that we are not opposed to their campaign of extermination of Jews," Senator Gillette (D.), of Iowa, yesterday called for a joint Allied declaration that crimes against Europe's Jews be considered "war crimes" and punished as such.

Gillette told the Senate the commission now intends that Germans merely be punished for crimes committed against the United Nations and their peoples.

Says Jews Not Recognized

Hebrews, he pointed out, are not recognized as one of the United Nations.

"The War Crimes Commission seems to conclude that because a huge segment of these Hebrews are citizens of Germany or its satellites, their murder is not a war crime," he exclaimed.

"The conscience of the world, and particularly of the people of the United States, revolts against such interpretation. The destruction of these unfortunates is not only a crime against humanity, but as fully a war crime as any other in the category of war atrocities."

Indorses Hebrew Plan

Gillette indorses two proposals of the Hebrew Committee of Liberation:

1. That the United Nations issue a joint declaration proclaiming that crimes committed against Jews in Europe, irrespective of the territory on which the crime was committed, and irrespective of the citizenship or lack of citizenship of the victim, be considered a war crime and punishable as such.

2. That the United Nations instruct their representatives on the war crimes commission to see that the above declaration is put into effect, and that full publicity be given to this policy determination.

By such a procedure, Gillette said, there are "reasonable good chances" of saving 1,500,000 Jews still in German clutches.

The New York Times.

Dec 16 1944

ASKS ALLIED AID TO JEWS

Gillette Calls for Trial of Axis
Crimes Against Them

SPECIAL TO THE NEW YORK TIMES

WASHINGTON, Dec. 15—Proposing a joint Allied resolution making crimes against Jews in Europe punishable as war crimes, Senator Guy M. Gillette of Iowa in a speech on the Senate floor urged today all possible steps to rescue the 1,500,000 persons who he said were still in Axis territory.

Senator Gillette said that the United Nations War Crimes Commission in London declined to consider crimes against Jews as war crimes, acting on the theory that the Allies could not hold the Germans or others responsible for crimes against their own nationals. Most of the Jews in Europe are classed as such, for there are very few in occupied territory who were citizens of the United Nations, he indicated.

He urged a joint resolution stating that crimes against Jews would be considered war crimes, and instructions to Herbert C. Pell, representing the United States on the War Crimes Commission, to press for its adoption.

000909

Urges Nations List Pogroms As War Crimes

By RUTH MONTGOMERY

Washington, D. C., Dec. 15.—
Blaming the United Nations War
Crimes Commission in London for



Senator
Gillette

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Declaration Proposed.

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'Protect Jews by Branding Nazis War Criminals'



SEN. GILLETTE
speaks against mass murders

By OLIVER PILAT
Post Staff Correspondent

Washington, Dec. 15—Crimes committed against Hebrews in Europe must be classed as war crimes and be punishable as such to protect 1,500,000 surviving Jews in German-controlled areas, Sen. Gillette (D-Ia.) told the Senate today.

At the present time, he pointed out, the War Crimes Commission in London does not consider persecution and killing of Jews who are citizens of Germany or its satellites as a war crime.

Prior to his speech, the Senator held a press conference in conjunction with Peter Bergson, head of the Hebrew Committee of National Liberation.

"We Must Let Nazis Know"

"The people of our land have been deeply shocked by the horrors inflicted by the Germans on the Hebrews of Europe and believe that the War Crimes Commission is investigating and preparing punishment for the guilty," said Sen. Gillette.

"We must let Germany and the world know we consider these atrocious murders war crimes."

Sen. Gillette endorsed a proposal of the Hebrew Committee of National Liberation that the United Nations issue a joint statement proclaiming that, the matters of citizenship or exact area in Europe where an offense against Hebrews is committed do not prevent that offenses being classed as a war crime.

Favor a Jew on Commission

Bergson added he thought the War Crimes Commission, now composed of representatives of 34 United Nations, should have one representative of the Hebrew people.

Asked his views on Congressional committees postponing action until next session on a resolution urging unrestricted Jewish immigration into Palestine and eventual reconstitution of Pales-

tine as a Jewish Commission, Bergson said:

"The combination of the humanitarian goal of widened Palestine immigration and the postwar political complexion of Palestine was unfortunate."

The State Dept. would not have urged Congress to postpone action if the "political part" had been eliminated, Bergson declared.

Letters To The Editor

"Genocide"

The editorial in The Post of December 3 on "Genocide" referring to the extermination of 1,765,000 Jews by the Germans in two years, contained the following statements which attracted my particular interest:

"As long ago as 1933 Professor Lemkin proposed the recognition of genocide as a crime under international law. Had his proposal been adopted, Sir Cecil Hurst and his United Nations War Crimes Commission would not now be so hard put to it to determine the guilt of Nazi oppressors . . . One of the vital steps in the punishment of war guilt, we believe, is to secure international agreement now on the outlawing of genocide."

The question comes to my mind whether this involves a matter of legal bases for crime or is simply a case of lack of courage and intestinal fortitude to take action. It would seem that such brutal action could be dealt with as ordinary murder, but ignoring that possibility there seems to be already existing international agreements which would serve as a basis for punishing those perpetrating the acts as war criminals.

The Hague convention of 1907 drafted certain laws and customs of land warfare to which Germany was a signatory party. The intent of that convention was to make

Communications must carry the writer's name and address though pen names are permitted at the editor's discretion. Letters should be held to not more than 200 words. They are subject to condensation.

war more "civilized" and I would like to have the international lawyers indicate the reasons, if any, for not applying the following provisions:

"It is especially forbidden . . . to kill or wound treacherously individuals belonging to the hostile nation or army." (Article 23, paragraph (b).)

"Family honor and rights, the lives of persons . . . as well as religious convictions and practice, must be respected." (Article 46.)

"A belligerent party which violates the provisions of the said regulations shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces." (Article 3.)

In the War Department's FM 27-10, Rules of Land Warfare, the following statements appear (numbers are of paragraphs):

"19. Status of civilian population. It is now universally recognized that hostilities are restricted to the armed forces of belligerents. Inhabitants who refrain from acts of hostility . . . must not be injured in their lives or liberty, except for cause and after due trial; and

must not, as a rule, be deprived of their private property."

"346. In the event of clearly established violation of the laws of war, the injured party may legally resort to such remedial action as may be deemed appropriate and necessary within the following classes, to wit:

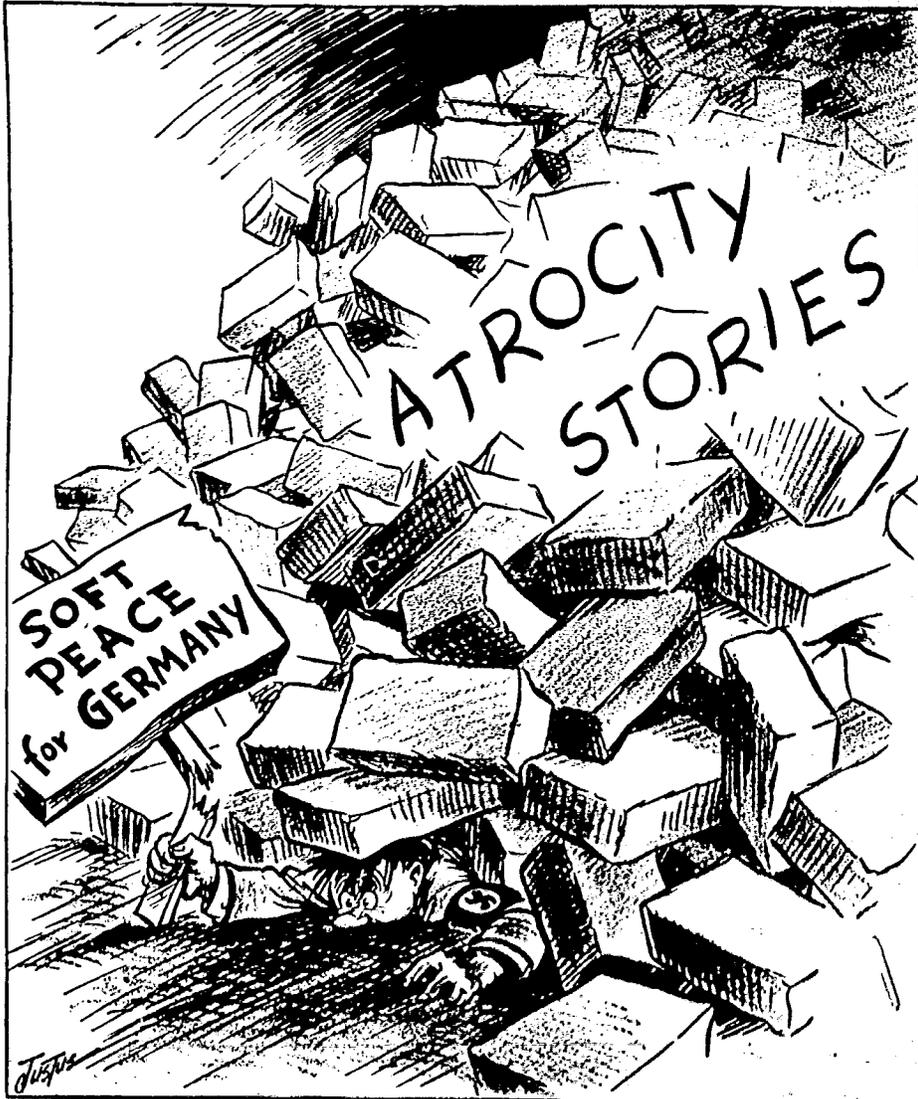
"c. Punishment of captured individual offenders.

"d. Reprisals."

One is inclined to wonder what deters the War Crimes Commission from taking appropriate action, which would seem to be execution of the identified guilty parties including accessories to the act, in such cases. Is it that they are fearful of the censure or lack of support by mankind? It would seem more likely that they will lose the respect of and will be censured by all freedom loving people if they lack the courage to take positive, reasonable action.

ARMY OFFICER,
Charlottesville, Va., Dec. 3.

THE WEIGHT OF EVIDENCE



War Crimes Board Lags

Special to the World-Telegram.

WASHINGTON, Nov. 30.—Rep. Emanuel Celler (D., N. Y.) wants to know what is the matter with the War Crimes Commission, which has been meeting in London for more than a year. He thinks it is high time that the commission gets down to the business of lining up "Axis sadists," such as those who were responsible for the German extermination camps at Auschwitz and Birkenau, for punishment.

The Commission, according to Rep. Celler, thus far has accomplished so little that "the results of its deliberations could be placed in a tiny capsule."

"What in thunder is the hesitating about? Reports come forth that it is entangled in the search for precedents and in minute disputes of jurisdiction responsibility and procedure."

It is dangerous for the world to forget, the Representative believes, "that, after two years of deliberation to punish the war guilty of the last war, a list of 900 names was permitted to dwindle down to 12. The big fish got out of the net. The Kaiser was allowed to 'suffer' a comfortable exile, and hundreds of others were free to begin all over again to plot once more for world domination.

"Shall Hitler, Himmler, Goebbels, Goering, Antonescu, Quisling and their ilk escape this time? They will if the War Crimes Commission continues to strain at a gnat and swallow a camel."

Mr. Celler commended John W. Pehle, director of the War Refugee Board here, for recently releasing the report of two young Slovakian Jews and a Polish officer on the German extermination camps. He added, however, that for a time there was "hesitancy in some Washington official circles" to permit publication of the reports.

Herbert C. Pell, the American member of the Commission, has, according to Mr. Celler, been vigorous in his demands "that the Axis sadists be brought to book." But, the Congressman adds, "he is having his troubles, I am afraid, and public opinion must now express itself in favor of immediate and forthright action."

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War Crimes Group Lists But 350 Names

Hitler, Himmler, Other Nazi Bigwigs Omitted by Commission in London

By Frederick Kuh
Copyright by Chicago Sun

London, Sept. 18.—With free people everywhere awaiting the punishment of Nazi Fascist war criminals, the prospects today are that if the United Nations War Crimes Commission in London has its way the immense majority of culprits will literally get away with murder.

The commission has been working at the pace of a rheumatic snail. Several jurists on the commission, especially Herbert Pell, United States member, have been fighting a losing battle for a speedy justice, but others have retarded everything.

Some semi-official estimates put the number of war criminals to be dealt with at hundreds of thousands. At least one Allied government assessed the total at 6,000,000, including 1,500,000 Gestapo and S. S. men and 4,500,000 S. A. militia.

350 Names Now Listed

The same government emphasized that, besides their guilt for past misdeeds, it is these same men that provide the greatest potential force and manpower reserve for a Nazi military rebirth.

Many would argue that punishment of such a huge number of Axis culprits, particularly the Germans, is neither desirable nor feasible.

After 11 months of "activity," the commission's actual list of war criminals consists today of about 350 names.

Among the arch criminals so far totally omitted from the list are Hitler, Himmler, Goering, Goebbels, Labor Minister Robert Ley, Gauleiter Wilhelm Frick and Employment Commissioner Fritz Sauckel.

Owing to legal objections raised particularly by British and Norwegian members, the commission has failed to agree on any punishment for Nazis, Hungarians and other Axis citizens for persecuting or butchering Jews unless they happen to be of Allied nationality or the crimes were committed on Allied soil.

Recall Farce of 1918

Here one may parenthetically recall that at the end of the last war, the Allies' first list of German criminals included 3000. Later as the result of negotiations with the Germans that was cut to 900, of which, finally, less than a dozen were mildly punished, by a German court.

But the commission now in London has done other things besides just sitting for one year. It has drafted a convention for the transfer of enemy war offenders from one Allied country to another with out extradition procedure. It has another convention almost completed for the creation of a United Nations War Crimes Court in London. It has decided to recommend to Allied governments the internment of Gestapo and SS troops. Without so far reaching a conclusion, it has discussed enlargement of the definition of war crimes as described in the Hague Convention of 1907.

Reds Not Represented

Even the meager attainments of the commission are made largely meaningless by Russia's absence from membership.

As the British dominions, all of

which fortunately escaped enemy occupation, have representatives on the commission, Moscow asked that autonomous Soviet republics (such as the Ukraine, Byelo-Ruslan, and the Baltic republics, also be granted representation, notably because while occupied they endured intimate experience of Nazi war criminals.

Britain and the United States were reported to have denied the request, so Russia stayed outside the commission.

The Russians have their own ideas and plans, as shown in the Kharkov trial culminating in the hanging of Nazi assassins. The Russians also contemplate the coralling of up to four million Germans as forced laborers to repair the destruction inflicted on the Soviet Union. The German groups especially identified with war crimes will perhaps enjoy preference.

Some of these experts on the commission here insist on regarding Hitler as the chief of state, his co-gangsters as the government or high command and his Gestapo and SS as state police.

It is the same decorous mentality that prompted the BBC in the early weeks of the war to censor a passage of John Gunther's script which had alluded disrespectfully to Hitler's inability to speak good German.

Even Hitler Exempted

"After all, Hitler is the head of the state," Gunther was told.

The attitude of some of the leading members of the United Nations Commission overlooks the fact that important Nazi state organizations were created to commit mass crimes and their chiefs assigned to direct criminal enterprises.

Millions of people, especially in the countries that Hitler victimized, would fail to understand why he should be treated in accordance with lofty political decisions while lesser scoundrels come before criminal courts or other Allied tribunals.

Some declaration, unless amended, ties the commission's hands in dealing with Nazi exterminators of the Jews. The legal basis of the commission's work now bars punishment of Nazis for maltreating and slaughtering of the Jews of Germany or of other Axis nationality, stateless persons or German-Jewish citizens of Polish, Czech, French or other Allied origin.

For The Hague convention defines a war crime as an offense by one belligerent against the army or citizenry of another belligerent.

Pell, the American delegate to the commission, proposed as a solution that the commission include among war crimes all offenses against the persons because of race, religion or political beliefs, irrespective of the victim's nationality or the territory on which the crimes were committed.

A subcommittee even adopted Pell's suggestion but on the commission itself, the British and Norwegian jurists solemnly announced that governments really ought to be asked to grant the commission greater powers to deal with such questions before anything is done about it.

As affairs now stand, the commission would ignore the instigators or actual murderers of many of the 2 million or 3 million Jews who met death at Nazi hands. Similarly, the commission would refrain from touching the Germans who jailed, tortured and killed gentle anti-Nazis.

Week Post
Sept. 18, 44

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000916

WAR CRIMINALS

**PLEASE RETURN TO
WAR REFUGEE BOARD**

4405A

ROOM

PLACE OF ACTIVITY

REFERENCE

<u>NAME</u>	<u>IDENTIFICATION</u>	<u>LAST ADDRESS</u>	<u>PLACE OF ACTIVITY</u>	<u>REFERENCE</u>
BRILAV,	official in Ministry of Interior under Gabrowsky	Sofia	Bulgaria	Exhibit B to report 3/6/44 from Hirschmann at Ankara. X
GABROWSKI, Peter	former Minister of the Interior	Sofia	Bulgaria	Cable #499, 3/20/44 from Ankara
PAATZ,	Chief of the Sicherheitsdienst		Estonia	Airgram #539, 6/8/44 from Stockholm
BRUECKNER,	SS-officer, former commander at camp at Dachau, and later at Drancy, near Paris	Drancy	France	Desp. #1239, 6/30/44 from Jerusalem
BRUNNER, (Brauner,)	ditto	ditto	ditto	ditto
ALTENBERG,	German delegate to Greece	Athens	Greece	Cable #3037, 5/27/44 from Istanbul
BURGER,	Obersturabandfuhrer in SS	ditto	ditto	Desp. #3068, 6/3/44 from Istanbul
ELIADI,	Editor-in-chief, NEA EVROPI	ditto	ditto	Cable #3037, 5/27/44 from Istanbul
ELIOTHS-TOPOULOS,	Prime Minister, Greek puppet government	ditto	ditto	ditto
NEEK, Professor	a representative of German occupying authorities in Greece	ditto	ditto	ditto

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MILLER, Johannes	a German, overseer of the Jewish community	Salonika	Greece	Cable #3037, 5/27/44 from Istanbul
SIMONIDES,	Governor-General of Macedonia		ditto	ditto
AL-BRAKLEHR, Arthur	a Swiss lawyer	Switzerland	Holland	Disp. #13759, dated 2/4/44, from Buenos Aires
BAGYONI, Varo Andor	journalist	Budapest	Hungary	X Letter 6/16/44 from Olson, Stockholm
BAKY, Lázlo	official in Jewish Dept., Ministry of Interior	ditto	ditto	Cable #4041, 6/24/44 from Bern
BASCH, Franz	leader of German minority in Hungary	ditto	ditto	Paul Winkler, the WASHINGTON POST, 3/29/44
BODNARY, Kalman	member, Party of Hungarian Life	ditto	ditto	X Letter 6/16/44 from Olson, Stockholm
BUDOGZ, Dr. Bela	Chief of the Rural Police	ditto	ditto	ditto
BOVINYI, Nagy Lajos	journalist	ditto	ditto	ditto
ENDRI, Lázlo	former Minister of Interior, later Chief, Jewish Dept. in Ministry of the Interior	ditto	ditto	Cable #4041, 6/24/44 from Bern
ENKOLY, Barna	Chief Governor, Province of Szatmar		ditto	Letter 6/16/44 from Olson, Stockholm
HAIN, Peter	Chief of new political police	Budapest	ditto	ditto

HUBAY, Kálmán	Journalist	Budapest	Hungary	Letter 6/16/44 from Olsen at Stockholm
HUSZÁR, Lajos	official, Ministry of the Interior	ditto	ditto	ditto
IMREDY, Béla	former Prime Minister	ditto	ditto	Cable #2320, 4/1/44 ⁴ from Bern
ISTVÁN, Miklós	Journalist	ditto	ditto	Letter 6/16/44 from Olsen at Stockholm
JAROS, András (Yaros, Andor)	Minister of the Interior	ditto	ditto	Cable #4041, 6/24/44 from Bern
KOLOZSVÁRY-BORCSA, Mihály	dictator of the Hungarian press and radio	ditto	ditto	Letter 6/16/44 from Olsen at Stockholm
KULICSAI, Stefan	Commissioner for the Intellectual Professions	ditto	ditto	Cable #2330, 4/14/44 from Bern
LAZLO, Dr. Meggy	Mayor	Ungvar	ditto	Cable #3316, 5/5/44 from Bern
MALBASSI, Odon	journalist	Budapest	ditto	Letter 6/16/44 from Olsen at Stockholm
MÁNYI, Károly	ditto	ditto	ditto	ditto
MARTON, Béla	member of Party of Hungarian Life	ditto	ditto	ditto
MATYÁSOVSKY, Kornel	Journalist	ditto	ditto	ditto
HAJLAGOS, Dövényi	liaison officer between Hungarian and German Armies	---	ditto	Cable #71, 5/25/44 from Jerusalem
OSZDARI, Zrnokol	Chief of Central Police	Budapest	ditto	ditto

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PALLFY, Count Fidel	member, Hungarian Nazi Party	Budapest	Hungary	Letter 6/16/44 from Olsen at Stockholm
PEIRANYI, Kalaan	journalist	ditto	ditto	ditto
RAJNICS, Ferenc	ditto	ditto	ditto	ditto
RATKAY, R. Kalman	ditto	ditto	ditto	ditto
RATZ, Jeno	Deputy Prime Minister	ditto	ditto	ditto
SZABASI, Ferenc	Army officer, founder of the Arrow Cross	ditto	ditto	ditto
SZAKI, Lajos	Minister of Industry	ditto	ditto	ditto
SZOMBATHLYI, Ferenc	Field Marshall in Army	---	ditto	Paul Winkler, in WASHINGTON POST 3/29/44
SZTOJAY, Domo	Prime Minister	Budapest	ditto	Cable #2320, 1/14/44 from Bern
TELEKI, Count Mihaly	member, Party of Hungarian Life	ditto	ditto	Letter 6/16/44 from Olsen at Stockholm
TIVOR, Keledy	Mayor	ditto	ditto	Cable #71, 5/25/44 from Jerusalem
TUKATS, Sandor	Chief Governor of Szeged	---	ditto	Letter 6/16/44 from Olsen at Stockholm
VAJTA, Jereenz	journalist	Budapest	ditto	ditto
VIRTUELOGI, Rupprecht Oliver	ditto	ditto	ditto	ditto

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HEISENMEYER,	German Ambassador to Hungary	Budapest	Hungary	Letter 6/16/44 from Olson at Stockholm
ZOLD,	General, head of the Special Police	ditto	ditto	Cable #2510, 7/7/44 from Stockholm
BORBELY-MACKI, Vites Eml	Privy Counselor & Prefect of Borsod County		ditto	Resp. #3097, 6/12/44 from Istanbul
BOSNYAI, F.	Director, the Hungarian Scien- tific Institute for the Investi- gation of the Jewish Question. Editor-in-Chief of Harc (Fight).	Budapest	ditto	ditto
LEVATICH, M.	Managing Editor of Harc (Fight) and collaborator on the HETIARAD-SZAG.	ditto	ditto	ditto
PREZIOSI, Giovanni	Chief, General Office for Racial Problems, Neo-Fascist Government		Italy	Cable #2677, 4/27/44 from Bern
DEIK,	Colonel in Hungarian Army	Hungary	Jugoslavia	Resp. #1239, 6/30/44 from Jerusalem
FEKETEHALMY-GZEIDLER, Ferenc	Lieutenant Field Marshal, Hungarian Army	ditto	ditto	ditto
GRASSY, Josef	General, Hungarian Army	ditto	ditto	Paul Winkler, in WASHINGTON POST, 3/29/44
BERNER, Ivan	former Mayor	Zagreb	ditto	Resp. #1239 6/30/44 from Jerusalem

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ZEIDEL, Dr.	Rittmeister, Hungarian Gendarmerie	-----	Jugoslavia	Desp. #1239, 6/30/44 from Jerusalem
ALTEMEYER,	German, in Jewish Dept., Gebietskommissariat	Riga	Latvia	X Letter 7/10/44 from Olsen at Stockholm
APERATS,	Colonel in former Latvian Army, Sturzbannfuhrer in 7	-----	ditto	ditto
ARAJIS,	Corporal in former Latvian Army, founder of ARAJIS KOM- ANDA (Lettische Sicherheits- kommando)	Riga	ditto	Letters 6/16/44 & 7/10/44 from Olsen at Stockholm
ALVARS, (Alvars,)	Latvian, engineer, spy with Sicherheitsdienst	Aissargu iela, Riga	ditto	ditto

BANGERSKY,	General in former Latvian Army, leader of Latvian Freiwillige SS-Legion	---	Latvia	Letter 7/10/44 from Olsen at Stockholm
BECKER, Teodor	Latvian, member of Arajs Komanda	Riga	ditto	ditto
BECKMANN, (Bekmann,)	Latvian, in Jewish Dept., Gebietskommissariat	ditto	ditto	Letters 6/16/44 & 7/10/44 from Olsen at Stockholm
BOGLANOVS,	Latvian	Modohn	ditto	ditto
BLIKERS, Herta	Latvian from Kuldiga, employed as secretary in Waffen-SS	Riga	ditto	Letter 7/10/44 from Olsen at Stockholm
BLIKERS, Karlis	Latvian, hotel owner	Kuldiga	ditto	Letters 6/16/44 from Olsen, Stockholm
BRODERS,	officer in former Latvian Army, Wirtschaftskommandant of Ghetto	Riga	ditto	Letters 6/16/44 & 7/10/44 from Olsen at Stockholm
BUKA, Peteris	Latvian, leading member of Arajs Komanda	ditto	ditto	ditto
BUMARIS,	Latvian, member Arajs Komanda	---	ditto	Letter 7/10/44 from Olsen at Stockholm
BURGAZ,	German, Oberscharfuhrer in Waffen-SS	Riga	ditto	ditto
BUTE, Vilis	Latvian, from Milgravis, spy for Sicherheitsdienst	ditto	ditto	Letters 6/16/44 & 7/10/44 from Olsen at Stockholm
CABULIS,	Latvian, member of Sicherheitsdienst	Forpater iela, Riga	ditto	ditto

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GELMINSON, Gustav	Principal leader of the PERKONKRUSTIS in Riga	Ditto	Latvia	Letter 7/10/44 from Olsen at Stockholm
GUKURS, Herbert	A Latvian, captain (air) in the former Latvian Army, well-known aviator, and later a leading member of the ARAJS KOMANDA	Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
DANKOP, (DANKOVS)	A lieutenant in the former Latvian Army Commander of the Ghetto reported as having hiding place in the country at Mendites pag. "GRODI"	Jekaba iela 28-17, Riga	ditto	ditto
DANKERS,	The Latvian "Quisling", general in the former Latvian Army		ditto	Letter 7/10/44 from Olsen at Stockholm
DAUKSTAS,	A Latvian, member of the SICHERHEITSDIENST and the Gestapo		ditto	ditto
DEICS, (DEITSON)	A Latvian, captain in the former Latvian Army, later in the Jewish Department of the GEDWETSKOMMISSARIAT for Riga	ditto	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
DIBIETIS, Felix (DITIETIS, FELIKAS)	A Latvian student, member of ARAJS KOMANDA Reported suicide	ditto	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm

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DIKERS,	A Latvian, manager of plundered Jewish property	Latvia		Letter 7/10/44 from Olsen at Stockholm
DRECHSLER,	A German, title: Generalkomissar of ?	ditto		ditto
DREIKA,	A Latvian from Saikava; a policeman in Riga	Arveta iela 20 Riga & Neesbun(?)	ditto	Letters dated 6/16/44 & 7/10 from Olsen at Stockholm
EGEVICS, (ROEMITZ)	A Latvian, Abteilungsleiter in the SICHERHEITSDIENST	Kirchenstrasse 31 or 39, Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
EGLITIS, Miss	A Latvian, sister of Peteris Eglitis, member of SICHERHEITSDIENST	Riga	ditto	Letter dated 7/10/44 from Olsen at Stockholm
EGLITIS, Peteris	A Latvian student, served as interpreter for the Gestapo	Valemaru iela 8 Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
FILDBERGS,	A Latvian, member of the SICHERHEITSDIENST	Riga	ditto	Letter 7/10/44 from Olsen at Stockholm
FIBIGS,	A Latvian from Goldingen	Goldingen	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
FRENKEL,	A Jewish spy	Riga	ditto	Letter dated 6/16/44 from Olsen at Stockholm

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FUST	A German, Gebietskommissar of the district of Medohn		Latvia	Letter 7/10/44 from Olsen at Stockholm
GEGINGER, Dr.	A German, member of the SICHERHEITSDIENST		ditto	Letter 7/10/44 from Olsen at Stockholm
GLASER, Mrs.	A Latvian	Gertrud iela Riga	ditto	ditto
GOEDE	A German, lieutenant at the Wirtschaftsinspektion Nord in Riga	Stabu iela 4 Riga	ditto	ditto
GRANOVSKIS, Valdis	A Latvian from Geldingen	Goldingen	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
HANKE, Martin (HAUKE, Martin)	A German from Tilsit, a member of the NSDAP (Nazi party)	Frieden iela 29 Riga	ditto	ditto
HANKE, Mrs.	Wife of Hanke, Martin	Riga	ditto	ditto
HARTMANN	A German, former resident of Riga, later in the Bauinspektion of the Waffen-SS at Riga		ditto	Letter 7/10/44 from Olsen at Stockholm
HILBIG, Mrs.	A German, in the Gebietskommissariat in Riga		ditto	ditto
IRLENS	A Latvian in the Waffen-SS in Riga	ditto	ditto	ditto

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INLESE, Mrs.	A Latvian, employed as a secretary at the Waffen-SS in Riga	Latvia	Letter 7/10/44 from Olsen at Stockholm
JAKOB,	A German, Oberscharfuhrer of the Kaminspektion of the Waffen - SS at Riga	Riga Latvia	Letters 6/16 & 7/10/44 from Olsen at Stockholm
JERLICHIKA, Miss	A German, employed as a secretary at the Waffen-SS in Riga	ditto	Letter 7/10/44 from Olsen at Stockholm
JURKO,	A Lt. Col. in the Latvian police in Riga	ditto	ditto
KAKIS,	A Latvian, son of Dr. Kakis (medicine) employed by the Gestapo	ditto	ditto
KALEJS, Konrad	A Latvian, lieutenant in the former Latvian Army, a leading member of the ARAJI KOMANDA	ditto	ditto
KALHINECH,	A lieutenant in the former Latvian Army, a leading member in the ARAJI KOMANDA	ditto	ditto
KANDIS,	A colonel in the Latvian police in Riga	ditto	ditto
KAPP, Dr.	A German, member of the Gestapo	ditto	ditto
KARKLINSCH, (1) (2)	A lieutenant in the former Latvian Army A Latvian policeman at Baikava Both of above are brothers of Konstantin Karklinsch	ditto	ditto

KARLINSCH, Konstantin (brother of KARLINSCH (1) & (2))	A Latvian, member of the SICHER- HEITSDIENST at Ogre and later in Riga		Latvia	Letter 7/10/44 from Olsen at Stockholm
KINKERS, Vilis (KINNERS)	A Latvian, Lieutenant in ARAJŠ KOMANDA at Rodehs	Rupniecības isla, Rodehs	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
KINSTLERS,	A Latvian member of ARAJŠ KOMANDA and later of the SICHERHEITSDIENST	Riga	ditto	ditto
KLODT, Baron von, Jun.	A Baltic German, Sonderführer at the Wirtschaftsinspektion Nord in Riga		ditto	Letter 7/10/44 from Olsen at Stockholm
KOGH, Mrs.	A Latvian, employed as cook at the Waffen-SS in Riga		ditto	Letter 7/10/44 from Olsen at Stockholm
KOHLER, Harry	A German, Sachmeister of the Bauinspektion of the Waffen-SS at Riga	ditto	ditto	Letters 6/13 & 7/10/44 from Olsen at Stock- holm
KONALENSKY, Pavil	A Lieutenant in the former Latvian Army, editor of the Latvian pro-Nazi newspaper TEVIJA		ditto	Letter 7/10/44 from Olsen at Stockholm
KRAUJINSCH, Edgars	A Latvian, from Ranks, Ober- scharführer of the SICHER- HEITSDIENST former student of agriculture in Riga		Latvia & Poland	ditto
KRAUSE,	A German, founder and commander of the Ghetto at Riga	ditto	Latvia	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm

LANGE, Dr.	A German, chief of the German Security Police	Latvia	Letter 7/10/44 from Olsen at Stockholm
LANGE, Robert	A German, former resident of Riga, later in the Bauinspektion of the Waffen-SS in Riga	ditto	ditto
LIDUMS, (LUDUMO)	A Latvian, manager of the Central Prison, Riga	Riga ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
LIDUMS, Laimons (TRUMPHANIS)	A Latvian, a corporal of the guard at Headquarters of the former Latvian Army, later, an Oberscharfuhrer of the SICHERHEITSDIENST	Riga & White Russia ditto	Letter dated 7/10/44 from Olsen at Stockholm
LIDUMS, Robert (TRUMPHANIS)	A Latvian, high official of the Police at Abrene	ditto	ditto
LIEPINA, Olga	A Latvian, employed in the Gebietskommissariat in Riga	ditto	ditto
LIEPINSCH, Alfreds	A Latvian, member of the SICHERHEITSDIENST	Latvia & Poland	ditto
LILIENTFELD, Dr.	A German, member of the NSDAP (nazi party) and a "front reporter"	Stabulaina & Riga Latvia	ditto
LOBE,	A lieutenant-colonel in the Latvian police at Riga	ditto	ditto
MAHEIN,	A German, Oberscharfuhrer in the Gestapo	ditto	ditto

MAURINA, Zenta	Latvian, doctor of philosophy, a writer		Latvia	Letter 7/10/44 from Olsen at Stockholm
MELNIS,	Latvian, secretary at the Institute of English, Riga	Riga	ditto	ditto
MELZER,	Captain in former Latvian Army, member of Gestapo		ditto	ditto
MERCS, Ilmars	Latvian, policeman at Saikava		ditto	ditto
MIERINSCH, Upite (Mierins, Ufseite)	Latvian, a leading member of the PERKONKRUSTS	Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
MIKELSON, Miss	as secretary Latvian, employed at the Lat- vian Security Police, Riga	Riga	ditto	Letter 7/10/44 from Olsen at Stockholm
MUCINIEKS, Mrs.	Latvian, owner of a provision shop at Frieden Street, 29 Riga	Riga	ditto	ditto
NAGERLE,	German, employed as an architect at the Waffen-SS in Riga	Riga	ditto	ditto
NIETSCHKE, (Nitscheke)	German, Gebietsinspektor at the Gebietskommissariat in Riga	Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
OLINSCH, Olie	Latvian, a ranking officer in the Third Police Station, Riga	Riga	ditto	ditto

OSIS,	Lt. Col. in the Latvian police in Riga	Latvia	Letter 7/10/44 from Olsen at Stockholm
OZOLS,	Lieutenant in the former Latvian Army, a high official in the police in Goldingen (Kuldiga)	ditto	ditto
OZOLS,	Captain in the former Latvian Army, a leading member of the ARAJS KOMANDA	ditto	ditto
PARUMS, Edgars	Latvian, with the SICHERHEITSDIENST at Ogre	ditto	ditto
FOHL,	German, Kriegsverwaltungsinspektor at the Wirtschaftsinpektion Nord in Riga	Stabu iela 4, Riga ditto	ditto
PRIMANIS,	Latvian, professor at the University at Riga	ditto	ditto
PURINECH,	Latvian, a leading official of the SICHERHEITSDIENST	ditto	ditto
RAISTERS, Eriks	Latvian, a writer	ditto	ditto
RAMSONS,	Latvian, son of a colonel in the former Latvian Army, reported studying medicine at the University in Stockholm, was protege of Professor Balodis, worked with Gestapo at Riga	ditto	ditto
RAUDIVE, Konstantin	Latvian, writer	ditto	ditto

REINKE,	Latvian, Kreis-Chef at Modohn		Latvia	Letter 7/10/44 from Olsen at Stockholm
RIBBE,	German, formerly employed by Taurin, a tailor, later in Gebietskommissariat in Riga	Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
RIKURS, Edgar	(reported killed in action at Velikije-Luki), a lieu- tenant in the former Lat- vian Army, a leading member of the SAHANE KOMANDA		ditto	Letter 7/10/44 from Olsen at Stockholm
RONGE, Elisabeth	German, an official in the Reichskommissariat in Riga		ditto	ditto
ROVE, Boris	Latvian, policeman in Riga	Saubes iela	ditto	ditto
RUBENIS, Peters (Rubines)	Latvian from Ranka, member of the SICHERHEITSDIENST	Valemaru 39 - 14 Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
SAKNE, Fricis (Sakin)	Member of SICHERHEITSDIENST, formerly student at the Russian Institute, Riga	Riga	ditto	ditto
SAULS,	Latvian, a leading member of the SICHERHEITSDIENST		ditto	Letter 7/10/44 from Olsen at Stockholm
SCHULTZ,	German, in the Jewish Depart- ment of the Gebietskommissariat in Riga		ditto	ditto

SILGAILIS,	Lieutenant-colonel in the former Latvian Army, a principal leader in the Latvian Freiwillige SS- Legion		Latvia	Letter 7/10/44 from Olsen at Stockholm
SIPOLS, Arvids	Latvian, member of the ARAJS KOMANDA	Jumara iela 20, Riga	ditto	ditto
SLANY, Josef	German, Oberscharfuhrer of the Bauinspektion of the Waffen-SS at Riga	Riga	ditto	Letters 6/16 and 7/10/44 from Olsen at Stockholm
SMAGARS, Augusts	Latvian from Dunaburg, a writer, Verbindungs-offizier at the Riga radio station		ditto	Letter 7/10/44 from Olsen at Stockholm
SFROGIS, (brother of Robert Sprogis)	Lieutenant in the former Latvian Army, later an official in the police at Modohn		ditto	ditto
SFROGIS, Robert (brother of SFROGIS)	Latvian policeman	Modohn	ditto	ditto
SUNA, Mrs.	Latvian woman, a hairdresser by trade	Stabu iela 8, Riga	ditto	Letter dated 6/16/44 from Olsen at Stockholm
SVIKERS,	Latvian, a member of the SICHERHEITSDIENST	Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
SVIPSTS,	Latvian, teacher of penmanship at the Institute of English, Riga	Riga	ditto	Letter 7/10/44 from Olsen at Stockholm

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SYSOLS, Arvide		Jumara iela 20, Riga	Latvia	Letter dated 6/16/44 from Olsen at Stock- holm
SZYKOWIAK, Jerzy (reported dead)	Pole, prisoner #15490	Auschwitz	ditto	Cable #4295 7/6/44 from Bern
TAURIN,	Tailor by trade	Valepara	Latvia	Letter dated 6/16/44 from Olsen at Stock- holm
TEIDEMANN,	Chief of the Latvian Security Police		ditto	Letter 7/10/44 from Olsen at Stockholm
TRUMMANIS, Laimons	Latvian, known as Lidums, Laimons - see card under latter name	Riga	Latvia & White Russia	Letter dated 7/10/44 from Olsen at Stock- holm
TRUMMANIS, Robert (changed name to Robert Lidums)	Latvian, high official of the police at Abrene		Latvia	ditto
VIKSNE, (Viksne,)	Latvian, a leading member of the PERKONKRUSTS	Riga	ditto	Letters dated 6/16 & 7/10/44 from Olsen at Stockholm
WEIDELS, Fricis	Latvian policeman in Riga		ditto	Letter 7/10/44 from Olsen at Stockholm
WEISS	Lt.-colonel in the Latvian police force in Riga		ditto	ditto
WINDGASSEN,	German, Burgermeister of Riga		ditto	ditto

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WITTRICK, Hugo	German, Gebietskommissar and Hon. Oberbürgermeister of Riga. Formerly a partner in the in- surance firm of Wittrock & Schleicher, Sand Street, Riga; later was General Manager of the insurance company, Rigae Union, Ltd., resided for a time at Orseln Street, 4, Konigsburg	Latvia	Letter 7/10/44 from Olsen at Stockholm
ZANDERS, W.	Latvian clergyman	Libau,	ditto, ditto
ZAFF,	Unterscharfuhrer in the SICH- ERHEITSDIENST	Riga	Latvia Letters dated 6/16 & 7/10/44 from Olsen at Stockholm

BABLUK, Dymitry		Kesow Maculski	Poland	Dep. #1239 6/30/44 from Jerusalem
BALAHURAK	Ukrainian	Zabie	ditto	ditto
BRECKERT, Hudi	German, interned professional criminal	Auschwitz or Birkenau	ditto	Dep. #142, Czech Series 7/5/44 from London
BONEM, Arac	German, interned professional criminal	Auschwitz or Birkenau	ditto	ditto
BOWICE, Petro	Ukrainian	Kesow Maculski	ditto	Dep. #1239 6/30/44 from Jerusalem
YLOENG	Gestapo commissioner	Lwow	ditto	ditto
KYFREST	Camp physician	Auschwitz or Birkenau	ditto	Dep. #142, Czech Series 7/5/44 from London
GREEL	Chief of the SONDEEDIENST in Kolemaja	Kesow Maculski	ditto	Dep. #1239 6/30/44 from Jerusalem
GOJA	Obersturmfuehrer	ditto	ditto	ditto
GRABNER	Lagerfuehrer, Head of Gestapo Political Section	Auschwitz and Birkenau	ditto	Cable #4303 from Bern, 7/6/44 Dep. #142, Czech Series 7/5/44 from London
GRUBI	Ukrainian	Zabie	ditto	Dep. #1239 6/30/44 from Jeru- salem

KAENWERTZ, Albert	German, interned professional criminal	Auschwitz or Birkenau	Poland	Deep. #142 Czech Series 7/5/44 from London
BOESS	Lagerkommandant	Birkenau and Auschwitz	ditte	ditte
HUBER	Member of Gestapo	Kuty	ditte	Deep. #1229 6/30/44 from Jerusalem
HUBER	Leader of some unknown group	Kosow Maculaki	ditte	ditte
INGMAR	German police officer	Lwow	ditte	ditte
KAJACZUK	Officer in Ukrainian Militia	Kosow Maculaki	ditte	ditte
KANNENGIBSSER, Hugo	SS trooper at Ljublin member of Bauinspektion of Waffen-SS in Riga	Poland & Latvia	ditte	Letter 6/16/44 from Olsen at Stockholm ditte, 7/10/44
KANTNER	Chief of Gestapo in Lwow	Lwow	ditte	Deep. #1229 6/30/44 from Jerusalem
KARPINSKI, Dr. Marjan	Lawyer, former Mayor of Kosow Maculaki	Kosow Maculaki	ditte	ditte
KLWIN, Alfred	German, interned political prisoner	Auschwitz or Birkenau	ditte	Deep. #142 Czech Series 7/5/44 from London
KLER	SS- Oberscharfuhrer	Auschwitz	ditte	Cable #4295 7/6/44 from Bern

KOSZAK	Ukrainian Militiaman	Koscow Huculski (also at Zabie, Pol.)	Poland	Desp. #1239 6/30/44 from Jerusalem
KOWALSKI	Photographer by trade	Koscow Huculski	ditto	ditto
LEWKIN, Jacob	Lawyer in Warsaw, formerly in Bialystok		ditto	"The Last Stand", published April, 1944, by Peale Zion Organization of America
NEUMANN, Alexander	German, interned profession- al criminal	Auschwitz or Birkenau	ditto	Desp. #142 Czech Series 7/5/44 from London
NIMKINOWZ, Filip	Pole	Koscow Huculski	ditto	Desp. #1239 6/30/44 from Jerusalem
OSTERINGER, Rudi	German, interned professional criminal	Auschwitz or Birkenau	ditto	Desp. #142 Czech Series 7/5/44 from London
PALITSCH	Oberscharfuhrer	ditto	ditto	ditto
PANSZCZYK	Pole from Cracow, Prisoner #607	Auschwitz	ditto	Cable #4395 7/5/44 from Bern
PILUS	Postmaster General at Koscow Huculski	Koscow Huculski	ditto	Desp. #1239 6/30/44 from Jerusalem
PONCAK	Ukrainian	ditto	ditto	ditto
RODE	Former officer in Fr. Foreign Legion, assistant to chief of Jewish militia, Warsaw Ghetto		ditto	"The Last Stand", published April 1944, by Peale Zion Organization of Am.

ROKETER (Racheta)	German Police officer	Lwow	Poland	Desp. #1239 6/30/44 from Jerusalem
SCHWARTZHUBER	Untersturmfuehrer Commandant of Birkenau	Birkenau	ditto	Cable 4303 7/6/44 from Bern Desp. #142, Czech Series 7/5/44 from London
SHERYNSKI	Head of Jew. militia, Warsaw Ghetto		ditto	"The Last Stand" published April 1944 by Polish Zion Organization of America
SEMERLING	Assistant to Chief of Jew. Militia, Warsaw Ghetto		ditto	ditto
STANLER, Alois	German interned political prisoner	Auschwitz or Birkenau	ditto	Desp. #142 Czech Series 7/5/44 from London
STIWETT	Scharfuhrer	Auschwitz and Birkenau	ditto	ditto
TORRER	Leader of some unknown group	Kosow Huculaki	ditto	Desp. #1239 6/30/44 from Jerusalem
WEISSMANN	Sturmfuehrer in Gestapo	Zabletov	ditto	ditto
WELHAUSEN	German commandant	Lwow	ditto	ditto
WINNICKI	Ukrainian militiaman	Kosow Huculaki	ditto	ditto
WIRT, Dr.	Garrison doctor	Auschwitz and Birkenau	ditto	Desp. #142 Czech Series 7/5/44 from London

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WOBKE	Gestapo commissioner	Lwow	Poland	Deep. #1239 6/30/44 from Jerusalem
WOLANSKI	Officer in Ukrainian militia	Kossov Husulaki	ditto	ditto
WYKLEFF	SS-Scharfuhrer	Auschwitz or Birkenau	ditto	Deep. #142 Czech Series 7/5/44 from London
ZIMMER	German, interned political prisoner	ditto	ditto	ditto

SLOVAKIA

KASSA	Department head in the Ministerial Presidency		Slovakia	Deep. #1239 6/30/44 from Jerusalem
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RUMANIA

RADOLSKY, Dr.	Rumanian journalist writing for the BRUNNEN TAGEBLATT		Rumania & Germany	"The Last Stand" published in April 1944, by Felix Zion Organization of America.
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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ ZOLD, _____	General, Head of Special Police Corps, "Executioner from Ujvidek"	Budapest	#2510-July 7, from Stockholm
✓ GRABNER, _____	Lagerfuehrer, Head of Gestapo Political Section	.....	Auschwitz and Birkenau	{ #4303-July 6 from Bern, and Despatch #142, Czech Series, July 5, 1944, from London }
✓ SCHWARTZHUBER, _____	Untersturmfuehrer, Kommandant of B	.....	Birkenau	4303-July 6, from Bern, and Despatch #142, Czech Series July 5, 1944, from London
✓ HOESS, _____	Lagerkommandant	.....	Auschwitz and B (hereinafter known as A)	Despatch #142, Czech Series, July 5, 1944, from London
✓ ENTREST, _____	Camp physician	.....	A or B	ditto
✓ WYKLEFF, _____	SS-Scharfuehrer	.....	A or B	ditto
✓ PALITSCH, _____	Oberscharfuehrer	.....	A or B	ditto
✓ OSTERINGER, Rudi	Interned German professional criminal	.....	A or B	ditto
✓ HAEMNERLE, Albert	"	.....	A or B	ditto
✓ NEUMANN, Alexander	"	.....	A or B	ditto
✓ BOEHM, Arno	"	.....	A or B	ditto
✓ BERCKERT, Rudi	"	A or B	ditto
✓ ZIMMER, _____	German interned political prisoner	A or B	ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ STAHLER, Alios	German interned political prisoner		A or B	Despatch #142, Czech Series, July 5, 1944, from London
✓ KLEIN, Alfred	"		A or B	ditto
✓ KLER, _____	SS-Oberscharfuehrer		A	#4295, July 6, from Bern
✓ PANSZCZYK, _____	Polish prisoner from Cracow 607		A	ditto
✓ SZYMKOWIAK, Jerzy	Polish prisoner No. 15490 (reported dead)		A	ditto
✓ BANEKOPS, _____	Member of Naudites pag. "Grodi"	Jekaba iela 28-17	Riga	Letter dated June 16, 1944, from Olsen, Stockholm
✓ BAKIN, Fricis	Member of Sicherheitsdienst, former student at the Russian Institute		Riga	ditto
✓ SYSOLS, Arvids	Unknown	Jumara iela 20	Riga	ditto
✓ ZAPF, _____	Unterscharfuehrer		Riga	ditto
✓ RIBBE, _____	Employed by Taurin, a tailor		Riga	ditto
✓ TAURIN, _____	Tailor	Valemara	Riga	ditto
✓ SUNA, (a woman)	A hairdresser		Riga	ditto
✓ RUBINES, _____	Unknown	Valemara 39-17	Riga	ditto
✓ CABULIS, _____	Member of Sicherheitsdienst.	Dopaterstrasse	Riga	ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ GEWITZ, _____	Unknown	Kirchenstrasse 31	Riga	Letter dated June 16, 1944, from Olsen, Stockholm
✓ RENKEL, _____	Jewish spy		Riga	ditto
✓ RAUSE, _____	Commander of the Ghetto		Riga	ditto
✓ RIBIGS, _____	a Latvian		Goldingen (?)	ditto
✓ GRANOWSKIS, Valdis	"		Goldingen (?)	ditto
✓ BRIKER, (2 brothers)	Latvian hotel owners		Goldingen	ditto
✓ DREIKA, _____	Unknown		Modolm	ditto
✓ KINNERS, _____	"		"	ditto
✓ PSOGDANOVA, _____	"		"	ditto
✓ KINKERS, Vilis	"	Rupniecibas iela 16-3,	"	ditto
✓ BOGDANOW, _____	"		"	ditto
✓ DITJETIS, Feliks	Reported suicide		Riga	ditto
✓ EGLITIS, Peters	Interpreter for Gestapo		Riga	ditto
✓ BUKA, Peteris	Member of Sicherheitskommando		Riga	ditto
✓ UJSITE, Mierins	Leading officer of "Perkonkr"		Riga	ditto
✓ VIKSUE, _____	Unknown		Riga	ditto
✓ KINSTIERS, _____	Member of Sicherheitsdienst		Riga	ditto
✓ SVIKERS, _____	"		Riga	ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ NITSCHKE, _____	"Gebietsinspektor"		Riga	Letter dated June 16, 1944, from Olsen, Stockholm
✓ BEKMANN, _____	Gebietskommissar		Riga	ditto
✓ DEICS, _____	"		Riga	ditto
✓ CUKURS, <i>Neobank</i> _____	A pilot, <i>Capt. in BRONIA KOMANDA</i>		Riga	ditto
✓ GABROWSKI, Peter	Former Bulgarian Minister of the Interior		Bulgaria	#499-March 20, 1944, from Ankara
✓ BELEV, Alexander	Official under Gabrowski		Bulgaria	Exhibit B to Report to WRB from Hirschmann, Ankara, dated March 6, 1944
✓ PREZIOSI, Giovanni	Chief of General Office for Racial Problems in Neo Fascist Govt. in Italy		northern Italy	#2677 of April 27, 1944
✓ PAATZ, _____	Chief of Sicherheitsdienst		Estonia	A-539, June 8, from Stockholm
✓ KASSA, _____	A department head in the Ministerial Presidency		Slovakia	Despatch #1239, June 30, Jerusalem
✓ FEKETHARI, _____ (FAKENTALI)	Lieut. Field Marshal, Hungarian Army		Yugoslavia	ditto
✓ DEIK, _____	Colonel, Hungarian Army		Yugoslavia	ditto
✓ ZELDEL, Dr. _____	Rittmeister of the Gendarmerie		Yugoslavia	ditto
✓ WELHAUSEN, _____	German Commandant		Lwow, Poland	Despatch #1239, June 30, Jerusalem
✓ ROKETER, (Rackets)	German police officer		Lwow, Poland	ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ INCWAR, _____	.German police officer		Lwow, Poland	Despatch #1239, June 30, Jerusalem
✓ KANTNER, _____	.Chief, Gestapo.		Lwow, Poland. . . . .	.ditto
✓ HUBER, _____	.Gestapo		Kuty, Poland. . . . .	.ditto
✓ WOLANSKI, _____	.Officer, Ukranian militia		Kossow Huculski, Poland	.ditto
✓ WINNICKI, _____	.Ukranian militiaman		Kossow Huculski, Poland	.ditto
✓ KOSZAK, _____	. . . . . " . . . . .		Kossow Huculski, Poland	.ditto
✓ KAJACZUK, _____	.Ukranian militia officer		Kossow Huculski, Poland	.ditto
✓ PONCAK, _____	.A Ukranian		Kossow Huculski, Poland	.ditto
✓ BABLUK, Dymitry . . . . .	.Unknown.		Kossow Huculski, Poland	.ditto
✓ PILUS, _____	.Postmaster General		Kossow Huculski, Poland	.ditto
✓ BOWICZ, Petro . . . . .	.A Ukranian		Kossow Huculski, Poland	.ditto
✓ NIMKIEWCZ, Filip . . . . .	.A Pole		Kossow Huculski, Poland	.ditto
✓ KOWALSKI, (& 2 sons)	.A photographer		Kossow Huculski, Poland	.ditto
✓ KARPINSKI, Dr. Marjan	.A lawyer and former mayor of Kossow Huculski.		Kossow Huculski, Poland	.ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ GOJA, _____	.Obersturmfuehrer	Kossow Huculski, Poland	Despatch #1239, June 30, Jerusalem
✓ GESEL, _____	.Chief of the "Sonderdienst" in Kolomyja . . . . .	. . . . .	Kossow Huculski, Poland	. . . . ditto
✓ HUBER, _____	.A leader ? . . . . .	. . . . .	Kossow Huculski, Poland	. . . . ditto
✓ TUEBER, _____	" . . . . .	. . . . .	Kossow Huculski, Poland	. . . . ditto
✓ WEISSMANN, _____	.Sturmfuehrer in the Gestapo . . . . .	. . . . .	Zablotow, Poland	. . . . ditto
✓ KOSZAK, _____	.A Ukranian. . . . .	. . . . .	Zabie, Poland	. . . . ditto
✓ BALAHURAK, _____	" . . . . .	. . . . .	Zabie, Poland	. . . . ditto
✓ GZUBI, _____	" . . . . .	. . . . .	Zabie, Poland	. . . . ditto
✓ WERNER, Ivan	.Mayor of Zagreb . . . . .	. . . . .	Croatia, Yugoslavia	. . . . ditto
✓ BRUNNER, (Brauner)	.(SS officers, former commanders of Dachau and last reported commanding camp at Drancy) . . . . .	. . . . .	Paris, France	. . . . ditto
✓ BRUECKNER, _____	. . . . .	. . . . .	. . . . .	. . . . ditto
✓ ELGENS, _____	.Gestapo commissioner. . . . .	. . . . .	Lwow, Poland	. . . . ditto
✓ WOBKE, _____	" . . . . .	. . . . .	Lwow, Poland	. . . . ditto
✓ BRODER, _____	.Wirtschaftskommandant.	Riga Letter dated June 16, 1944, from Olsen, Stockholm
✓ LUDUMO, _____	.Manager of the central prison	Riga ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ ALVARS, _____	.An engineer	Aissargu iela	RigaLetter dated June 16, 1944, from Olsen, Stockholm
✓ BUTE, Vilis . . . . .	.Unknown	Milgravis	Riga . . . . .	.ditto
✓ HAUKE, Martin . . . . .	.German Nazi from Tilsit . . . . .	. . . . .	Riga . . . . .	.ditto
✓ KOHLER, _____	.Wachtmeister. . . . .	. . . . .	Riga . . . . .	.ditto
✓ SLANY, Josef . . . . .	.Scharfuehrer. . . . .	. . . . .	Riga . . . . .	.ditto
✓ JAKOB, _____	.Oberscharfuehrer. . . . .	. . . . .	Riga . . . . .	.ditto
✓ ENDRE, Lazlo . . . . .	.Chief, Jewish Department, Ministry of Interior . . . . .	. . . . .	Budapest . . . . .	.#4041, June 24, from Bern
✓ BAKY, Lazlo. . . . .	. " . . . . .	. . . . .	Budapest . . . . .	.ditto
✓ JAROS, Andre (YAROS, Andor)	.(Minister of Interior) (Hungary) . . . . .	. . . . .	Budapest . . . . .	.ditto
✓ NAGLAGOS, Dovenyi . . . . .	.Liaison officer between Hungarian & German Armies . . . . .	. . . . .	Hungary . . . . .	.#71, May 25, from Jerusalem
✓ OSZDARI, Zrnokol . . . . .	.Head of central police. . . . .	. . . . .	Budapest . . . . .	.ditto
✓ TIVOR, Keledy . . . . .	.Mayor of Budapest . . . . .	. . . . .	Budapest . . . . .	.ditto
✓ SZTOJAY, Dome . . . . .	.Hungarian Prime Minister. . . . .	. . . . .	Budapest . . . . .	.#2320, April 14, from Bern
✓ INREDEY, Bela. . . . .	.Hungarian politician. . . . .	. . . . .	Budapest . . . . .	.ditto
✓ KULTSAR, StefanHungarian Commissioner. for Intellectual Pro- fessions	Budapestditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ LAZLO, Dr. Megay	Mayor of Ungvar		Ungvar, Hungary	#3346, May ²⁵ , from Bern
✓ TUKATS, Sandor	Chief governor of Szeged		Hungary.	Letter dated June 16, 1944, from Olsen, Stockholm
Unknown.	Chief of police as of April 20, 1944		Kassa, Hungary	ditto
Unknown.	Mayor as of April 29, 1944		Mako, Hungary	ditto
✓ ENRODY, Barna.	Chief governor of province of Szatmar		Hungary.	ditto
Unknown	Chief of police as of May 20, 1944		Szombathely, Hungary	ditto
Unknown.	Chief of police as of April or May, 1944		Pecs, Hungary	ditto
✓ WEESENMEYER, _____	German Ambassador to Hungary		Budapest	ditto
✓ KOLOZSVARY-BORCSA, Mihaly	Dictator of press and radio		Hungary	ditto
✓ RATZ, Jeno	Deputy premier.		Hungary	ditto
✓ PALLEFFY, Count Fidel	Member of the Hungarian National Socialist Party		Hungary	ditto
✓ TELEKI, Count Mihaly	Party of the Hungarian Life		Hungary	ditto
✓ BOCSARY, Kalman.	"		Hungary	ditto
✓ MARTON, Bela	"		Hungary	ditto

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NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ ISTVAN, Milotay . . .	JournalistHungary . . .	Letter dated June 16, 1944, from Olsen, Stockholm
✓ VIRTSOLOGI, Rupprecht . . . Oliver	" . . . . .	. . . . .	.Hungary	ditto
✓ RATKAY, R. Kalman. . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ MAROTHY, Karoly . . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ RAJNISS, Ferencz. . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ HUBAY, Kalman . . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ MATTYASOVSKY, Kornel. . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ BAGYONI, Varo Andor . . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ VAJTA, Jereencz. . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ MALNASSI, Odon. . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ DOVENYI, Nagy Lajos . . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ PETRANYI, Kalman. . . . .	" . . . . .	. . . . .	.Hungary	ditto
✓ BUOCZ, Bela	Dr., Chief of the rural police . . . . .	. . . . .	.Hungary	ditto
✓ HAIN, Peter	Chief of the new political police . . . . .	. . . . .	.Hungary	ditto
✓ HUSZOVSKY, Lajos.	in the Ministry of InteriorBudapest.	ditto
✓ SZASZ, Lajos.	Minister of Industry.Budapest.	ditto

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LAST KNOWN ADDRESS

NAME	TITLE	LAST KNOWN ADDRESS	PLACE	REFERENCE
✓ SZOMBATHELYI, Ferenc	Field Marshal, Hungarian Army		Hungary	Paul Winkler, the Washington Post, March 29, 1944
✓ CZIEDLER, _____	General in Hungarian Army		Hungary	ditto
✓ GRASSY, Josef	"		Hungary & Yugoslavia	ditto
✓ SZALASI, Ferenc	Hungarian Army officer, founder of Arrow Cross		Hungary	ditto
✓ BASCH, Franz	Leader of German minority in Hungary		Hungary	ditto
Unknown	Local military commander as of July 11, 1942		Salonika, Greece	#3037, dated May 27, 1944, from Istanbul
✓ LEGOTHEPOULOS, _____	Prime Minister of Greece		Athens, Greece	ditto
✓ SIMONIDES, _____	Gov.-General of Macedonia		Greece	ditto
✓ ELIADI, _____	Editor-in-chief of "Nes Europi"		Greece	ditto
✓ ALTENBERG, _____	German delegate to Greece		Greece	ditto
✓ MILLER, Johannes	German overseer, Jewish community, Salonika		Greece	ditto
✓ MERK, _____	Professor, representative German occupying authorities in Greece		Greece	ditto
✓ ARAJS, _____	Leader of "Lettische Sicherheritskommando", former Latvian student		Latvia	Letter dated June 16, 1944, from Olsen, Stockholm

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NAME	TITLE	ADDRESS	PLACE	REFERENCE
✓ VOLINS, OlleFreiheitsstrasse	.LatviaLetter dated June 16, 1944, from Olsen, Stockholm
✓ KANNENGIESSER, Hugo . . . . .	.SS trooper . . . . .		.Ljublin, Poland	.ditto
✓ STIWETT, _____ . . . . .	.Scharfuhrer . . . . .		.Auschwitz and Birkenau	*Despatch #142, Czech Series, July 5, 1944, from London
✓ WIRT, _____ . . . . .	.Garrison doctor . . . . .		.Auschwitz and Birkenau	.ditto
✓ WIEDERKEHR, Arthur . . . . .	.A Swiss lawyer . . . . .	.Switzerland . . . . .	.Holland . . . . .	.Despatch #13759, Febru- ary 4, 1944, from Buenos Aires
✓ SHERYNSKI, _____ . . . . .	.Head of Jewish militia, Warsaw ghetto . . . . .		.Warsaw, Poland	"The Last Stand", pub- lished April, 1944, Poale, Zion Organization of America
✓ SHMERLING, _____ . . . . .	.Assistant to head of Jewish militia . . . . .		.Warsaw, Poland . . . . .	.ditto
✓ RODE, _____ . . . . .	.Ditto, former officer French Foreign Legion . . . . .		.Warsaw, Poland . . . . .	.ditto
✓ LEJKIN, Jacob . . . . .	.Lawyer, formerly in Bialystok . . . . .		.Warsaw, Poland . . . . .	.ditto
✓ RADOLSKY, Dr. _____ . . . . .	.Rumanian journalist, "Bukarester Tageblatt" . . . . .		.Rumania and Germany . . . . .	.ditto

100952



70093

TO: War Refugee Board Files ^{2/27/44}

Friedman tells us that Mann was advised of this prior to his departure. He does not think it is necessary to cable Mann about the most recent development mentioned to me by George W. Curran - Myzy

Matthew J. Marks TR-6

100954

RECORDS OFFICE OF THE DISTRICT
THE SUPREME COURT

To: *Mr. Neale*
(1) (Room) (Bldg.)
(2) (Room) (Bldg.)
(3) (Room) (Bldg.)

*Should Jim Neale
be advised of any of
this? If not - please
send on to files
Jlt*

From: (Date) *9/7*
..... (Room) (Bldg.)

700955

EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD

INTER-OFFICE COMMUNICATION

DATE September 6, 1944

TO Mr. J. B. Friedman
FROM Matthew J. Marks *mjm*

Reference is made to Mr. Stettinius' memorandum to Mr. Pehle dated September 4, 1944, in reply to Mr. Pehle's memorandum of August 28, concerning the War Crimes Commission.

George Warren telephoned in order to amplify the statements made in Mr. Stettinius' memorandum. In your absence, I took Mr. Warren's call for you.

Mr. Warren stated that the British Embassy had received from the British Government an expression of views almost identical to the one made in Mr. Pehle's memorandum to Mr. Stettinius. Apparently, the British are now asking the United States Government to support the British views before the War Crimes Commission.

Both the War and Navy Departments have been following closely the question of war crimes and because of their interest in this matter, Mr. Pehle's memorandum was referred to these Departments. The draft of the proposed cable to Mr. Pell in London will not be approved by the State Department until it receives an expression of the views of the War and Navy Departments.

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100957

DEPARTMENT OF STATE
THE UNDER SECRETARY

Noted
JMT

September 4, 1944.

Memorandum for Mr. Pehle:

I have carefully examined your memorandum of August 23 and the enclosure regarding the punishment as war crimes of atrocities committed against Jews and other minorities by Axis countries or their nationals.

I note your suggestion that an instruction be sent to Mr. Pell, this Government's representative on the United Nations Commission for the Investigation of War Crimes, stating it to be the policy of this Government to ensure the just punishment of all Axis war criminals whether or not the victims of such crimes are of the same nationality as the evildoers.

This matter has been very much on our minds and was already under consideration prior to the receipt of your communication. I shall be glad to keep your memorandum in mind and to acquaint you with the decision reached.

E. A. Tamm

100958



10099

THE UNDER SECRETARY OF STATE
WASHINGTON

714
JBT

August 29, 1944

Dear John:

Your memorandum of August 28 regarding the United Nations Commission for the Investigation of War Crimes has reached me at Dunbarton Oaks and I am turning it over to Mr. Warren and asking him to take the matter up in the Department.

With best wishes,

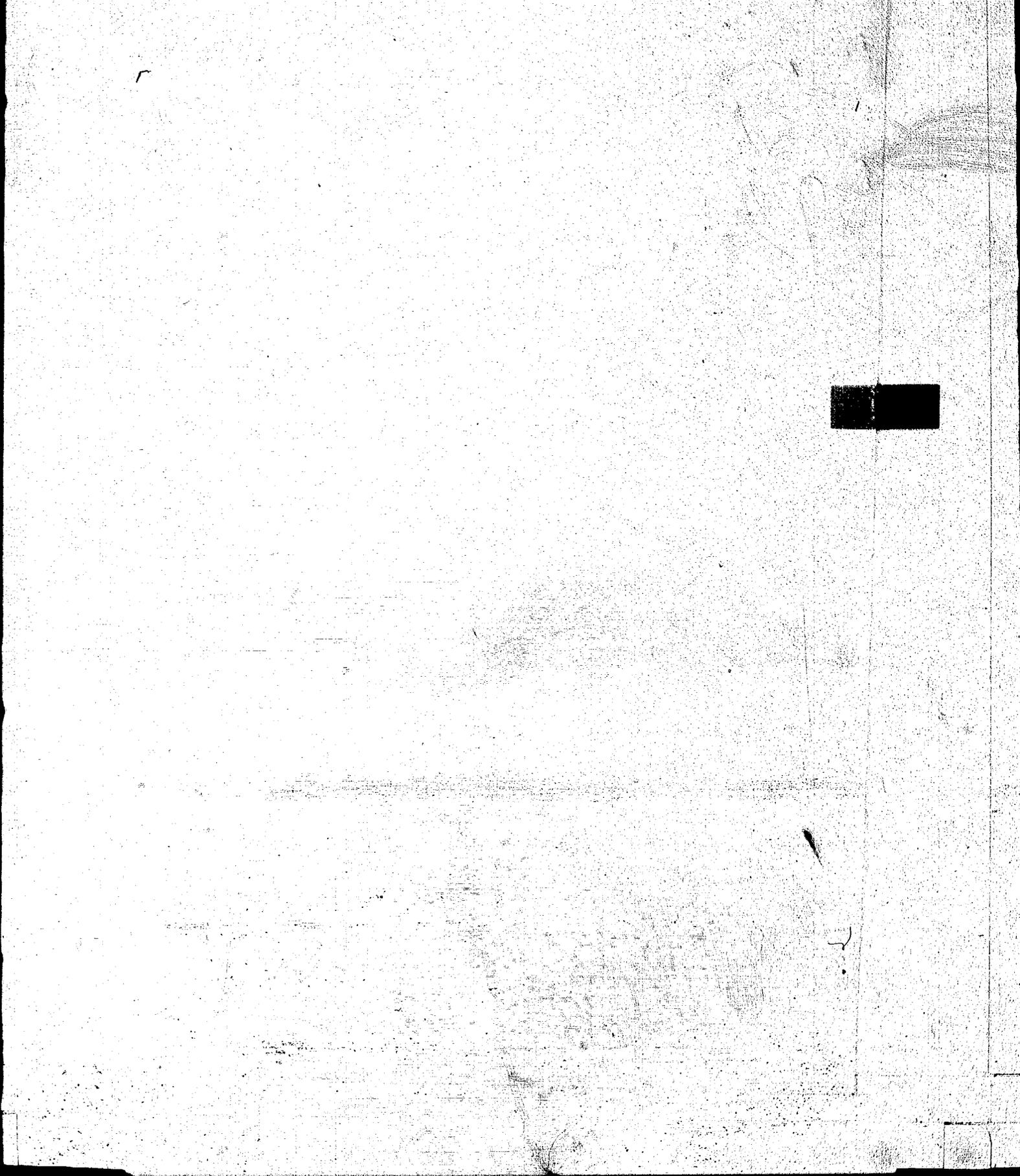
Sincerely yours,



Mr. John Pehle,

War Refugee Board,

Executive Office of the President.



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AUG 28 1944

MEMORANDUM FOR MR. STETTINIUS

As you know, a major activity of the War Refugee Board has been psychological warfare designed to induce and persuade the enemy to cease the persecution of the Jews and other minorities. The basis of this program, which has been carried out in cooperation with the State Department, Office of War Information and other agencies, has been the threat to punish every Axis war criminal who has participated, directly or indirectly, in such persecution. Threats of this nature had been made by the United Nations, including various branches of this Government, even before the War Refugee Board was established, and they have since been repeated with increasing tempo. For your information we have collected and are attaching hereto those declarations which specifically set forth the determination of the United States and of other United Nations to punish the perpetrators of atrocities and other crimes against Jews and other minorities even where the victims are or were nationals of Germany or of a satellite power.

We had assumed that one of the primary functions of the United Nations Commission for the Investigation of War Crimes which was created in 1943, would be to devise procedures for the gathering of evidence and the ascertainment, trial and punishment of those enemy nationals who had participated in such war crimes. Much to our surprise we were informed by our General Counsel, Mr. Josiah E. DuBois, upon his return from London recently that he understood from a conversation with Mr. Pell, the United States representative on the Commission, that the Commission takes the view that war crimes under international law do not include crimes committed by an Axis nation or its nationals against its own subjects or the subjects of another Axis nation. Accordingly, it appears that the Commission is not making any provision for the just punishment of such war criminals.

Needless to say, it would be a fearful miscarriage of justice if such war criminals were permitted to escape punishment for their inhuman crimes. Moreover, the failure to implement the numerous threats of punishment would not only subject to ridicule the authors thereof, but would render it far more difficult to deter similar criminal conduct in the future. The failure to punish the criminals of

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World War I may well have removed a deterrent to the commission of brutalities against civilian populations in this war, including the mass murder of the Jews.

According to Mr. DuBois' report, Mr. Pell is not satisfied with this position of the United Nations Commission for the Investigation of War Crimes, but seems not to have received instructions from this Government in the matter. Mr. Pell believes that the most effective way of inducing the Commission to broaden the scope of its work to include the punishment of all Axis war criminals, including those guilty of crimes against persons in the above categories, would be to have the United States Government instruct him to urge the Commission to include such crimes in its program and, if possible, to have the other governments represented on the Commission instruct their representatives along similar lines. Another suggested step would be to publicize such an instruction by releasing it to the press.

Accordingly, we suggest that the Department advise Mr. Pell along the lines of the proposed cable attached hereto indicating clearly that the declared policy of the United States Government is to ensure the just punishment of all Axis war criminals, including those guilty of crimes against the Jews and other minorities whether or not the victims of such crimes are of the same nationality as the evildoers; and that Mr. Pell should insist upon the formulation of a program by the Commission effectuating this policy.

~~Approved~~ J. W. Pehle

J. W. Pehle
Executive Director

Original signed by
J. W. Pehle

Copies of: This memo, proposal
with ^{and} declaration
sent to Sargoy & P
etc

MSargoy/JBFriedman; dh 8/25/44

MS J. W. Pehle

000963

CABLE FROM THE DEPARTMENT TO AMBASSADOR WINANT FOR H. C. FALL,
LONDON, ENGLAND

In connection with Mr. Fall's work on the United Nations Commission for the Investigation of War Crimes he should be advised of the following:

A joint statement was issued on December 17, 1942 by the Governments of the United States, Belgium, Czechoslovakia, Greece, Luxembourg, Norway, Poland, Russia, United Kingdom and Yugoslavia and the French National Committee condemning the brutal slaughter of the Jews of Europe by the Germans. The statement concludes:

QUOTE The above-mentioned Governments and the French National Committee condemn in the strongest possible terms this bestial policy of cold-blooded extermination. They declare that such events can only strengthen the resolve of all freedom-loving peoples to overthrow the barbarous Hitlerite tyranny. They reaffirm their solemn resolution to insure that those responsible for these crimes shall not escape retribution and to press on with the necessary practical measures to this end. END QUOTE

The United States Congress in March 1943 passed a concurrent resolution, which, after reciting the atrocities inflicted on the Jews by the Nazis, resolved as follows:

QUOTE That these brutal and indefensible outrages against millions of helpless men, women, and children should be, and they are hereby, condemned as unworthy of any nation or any regime which pretends to be civilized;

RESOLVED FURTHER, That the dictates of humanity and honorable conduct in war demand that this inexcusable slaughter and mistreatment shall cease and that it is the sense of this Congress that those guilty, directly or indirectly, of these criminal acts shall be held accountable and punished in a manner commensurate with the offenses for which they are responsible. END QUOTE

On March 24, 1944, President Roosevelt issued a statement condemning the systematic torture and murder of civilians by the Nazis and of civilians and American soldiers by the Japanese. He also made the following specific reference to the slaughter of the Jews and the punishment by the United Nations of those who participated therein:

QUOTE In one of the blackest crimes of all history--begun by the Nazis in the day of peace and multiplied by them a hundred times in time of war--the wholesale systematic murder of the

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direct guilt there is still indirect participation in crime. Satellite governments who expel citizens to destinations named by Berlin must know that such actions are tantamount to assisting in the persecution and slaughter of Jews. With the inevitable defeat of the Axis, living under persecution have at least found a haven from death in Hungary and the Balkans, are not threatened with annihilation as Hitler's forces descend more heavily upon these lands. That these innocent people, who have already survived a decade of Hitler's fury, should perish on the very eve of triumph over the barbarism which their persecution symbolizes, would be a major tragedy.

It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland or Norway and French to their death in Germany are equally guilty with the executioner. All who share the guilt shall share the punishment. END QUOTE

On March 30, 1944 Anthony Eden stated on the floor of the House of Commons that His Majesty's Government wholeheartedly concurred in the above views of President Roosevelt. He said further

QUOTE Evidence continues to reach His Majesty's Government and Allied Governments that the Nazi policy of extermination has not been halted. The persecution of the Jews has in particular been of unexampled horror and intensity. On this His Majesty's Government is in common with their Allies, now that the hour of Germany's defeat grows ever nearer and more certain, can only repeat their detestation of Germany's crimes and their determination that all those guilty of them shall be brought to justice. But apart from direct guilt there is still indirect participation in crime. Satellite governments who expel citizens to destinations named by Berlin must know that such actions are tantamount to assisting in inhuman persecution or slaughter. This will not be forgotten when the inevitable defeat of the arch enemy of Europe comes about. END QUOTE

Secretary Hull on July 16, 1944, addressing himself specifically to the brutal persecution of Jews in Hungary, said:

QUOTE Reliable reports from Hungary have confirmed the appalling news of mass killings of Jews by the Nazis and their Hungarian quislings. The number of victims of these fiendish crimes is great. The entire Jewish community in Hungary, which numbered one million souls, is threatened with extermination. The horror

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and indignation felt by the American people at these cold-blooded tortures and massacres has been voiced by the President, by the Congress, and by hundreds of private organizations throughout the country. It is shared by all the civilized nations of the world. This Government will not slacken its efforts to rescue as many of these unfortunate people as can be saved from persecution and death.

The puppet Hungarian government, by its violation of the most elementary human rights and by its servile adoption of the worst features of the Nazi 'racial policy', stands condemned before history. It may be futile to appeal to the humanity of the instigators or perpetrators of such outrages. Let them know that they cannot escape the inexorable punishment which will be meted out to them when the power of the evil men now in control of Hungary has been broken. **END QUOTE**

The foregoing emphatically declares the policy of the United States, as well as of other United Nations, to see to it that all Axis nationals guilty of war crimes, including those against Jews and other minorities whether or not the victims were of the same nationality as the criminals, shall be ascertained, tried and punished.

Please advise whether the United Nations Commission to Investigate War Crimes has devised a program and procedures to effectuate the foregoing policy with respect to war crimes against the above-mentioned groups. If no such program and procedures have as yet been formulated, you are instructed to inform the Commission of this Government's policy with regard thereto and of its dissatisfaction with any program adopted by the Commission that will not take into account the punishment of Axis war criminals for crimes against Jews and other minorities whether or not they are nationals of enemy countries.

MSargoy; dh 8/25/44

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DECLARATIONS ADVOCATING PUNISHMENT OF AXIS

FOR CRIMINALS FOR CRIMES AGAINST THE JEWS

1. Joint statement of Belgian, Czechoslovak, Greek, Luxembourg, Netherlands, Norwegian, Polish, Soviet, United Kingdom, United States, and Yugoslav Governments and also of French National Committee on December 17, 1942. (State Department Bulletin, vol. VII, Dec. 19, 1942. p. 1009.)

"The attention of the Belgian, Czechoslovak, Greek, Luxembourg, Netherlands, Norwegian, Polish, Soviet, United Kingdom, United States and Yugoslav Governments and also of the French National Committee has been drawn to numerous reports from Europe that the German authorities, not content with denying to persons of Jewish race in all the territories over which their barbarous rule has been extended the most elementary human rights, are now carrying into effect Hitler's oft-repeated intention to exterminate the Jewish people in Europe. From all the occupied countries Jews are being transported in conditions of appalling horror and brutality to eastern Europe. In Poland, which has been made the principal Nazi slaughterhouse, the ghettos established by the German invader are being systematically emptied of all Jews except a few highly skilled workers required for war industries. None of those taken away are ever heard of again. The able-bodied are slowly worked to death in labor camps. The infirm are left to die of exposure and starvation or are deliberately massacred in mass executions. The number of victims of these bloody cruelties is reckoned in many hundreds of thousands of entirely innocent men, women, and children.

"The above-mentioned Governments and the French National Committee condemn in the strongest possible terms this bestial policy of cold-blooded extermination. They declare that such events can only strengthen the resolve of all freedom-loving peoples to overthrow the barbarous Hitlerite tyranny. They reaffirm their solemn resolution to insure that those responsible for these crimes shall not escape retribution and to press on with the necessary practical measures to this end."

2. Congressional Resolution adopted in March, 1943. (Congressional Record, 78th Cong., 1st Sess., March 18, 1943, p. 2221.)

"Whereas the American people view with indignation the atrocities inflicted upon the civilian population in the Nazi-occupied countries, and especially the mass murder of Jewish men, women, and children; and

"It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that Justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland, or Norwegians and French to their death in Germany, are equally guilty with the executioner. All who share the guilt shall share the punishment."

RESOLVED BY THE SENATE (THE HOUSE OF REPRESENTATIVES CONCURRING). That these brutal and indefensible outrages against millions of helpless men, women, and children should be, and they are hereby, condemned as unworthy of any nation or any regime which pretends to be civilized;

RESOLVED FURTHER, that the dictates of humanity and honorable conduct in war demand that this inexcusable slaughter and mistreatment shall cease and that it is the sense of this Congress that those guilty, directly or indirectly, of these original acts shall be held accountable and punished in a manner commensurate with the offenses for which they are responsible.?

3. Excerpt from statement of President Roosevelt on March 24, 1944. (State Department Bulletin, Vol. X, March 25, 1944, p. 377.)

"In one of the blackest crimes of all history--began by the Nazis in the day of peace and multiplied by them a hundred times in time of war--the wholesale systematic murder of the Jews of Europe goes on unabated every hour. As a result of the events of the last few days, hundreds of thousands of Jews, who while living under persecution have at least found a haven from death in Hungary and the Balkans, are now threatened with annihilation as Hitler's forces descend more heavily upon these lands. That these innocent people, who have already survived a decade of Hitler's fury, should perish on the very eve of triumph over the barbarism which their persecution symbolizes, would be a major tragedy.

"It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that Justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland, or Norwegians and French to their death in Germany, are equally guilty with the executioner. All who share the guilt shall share the punishment."

4. Excerpt from statement by Anthony Eden on floor of House of Commons, March 30, 1944. (Cable 2647 of March 31, 1944, from London.)

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"Evidence continues to reach His Majesty's Government and Allied Governments that the Nazi policy of extermination has not been halted. The persecution of the Jews has in particular been of unexampled horror and intensity. On this His Majesty's Government in common with their Allies, now that the hour of Germany's defeat grows ever nearer and more certain, can only repeat their detestation of Germany's crimes and their determination that all those guilty of them shall be brought to justice. But apart from direct guilt there is still indirect participation in crime. Satellite governments who expel citizens to destinations named by Berlin must know that such actions are tantamount to assisting in inhuman persecution or slaughter. This will not be forgotten when the inevitable defeat of the arch enemy of Europe comes about."

5. Excerpt from President Roosevelt's message to Congress in connection with the bringing of 1000 refugees to Fort Ontario. (State Department Bulletin, Vol. X, June 17, 1944, p. 554.)

"Above all, the efforts of the Board have brought new hope to the oppressed peoples of Europe. This statement is not idle speculation. From various sources, I have received word that thousands of people, wearied by their years of resistance to Hitler and by their sufferings to the point of giving up the struggle, have been given the will and desire to continue by the concrete manifestation of this Government's desire to do all possible to aid and rescue the oppressed.

"To the Hitlerites, their subordinates and functionaries and satellites, to the German people and to all other peoples under the Nazi yoke, we have made clear our determination to punish all participants in these acts of savagery. In the name of humanity we have called upon them to spare the lives of these innocent people."

6. Statement of Secretary Hull on July 14, 1944 on Hungarian atrocities. (State Department Bulletin, July 16, 1944, p. 59)

"Reliable reports from Hungary have confirmed the appalling news of mass killings of Jews by the Nazis and their Hungarian quislings. The number of victims of those fiendish crimes is great. The entire Jewish community in Hungary, which numbered one million souls, is threatened with extermination. The horror and indignation felt by the American people at these cold-blooded tortures and massacres has been voiced by the President, by the Congress, and by hundreds of private organizations throughout the country. It is shared by all the civilized nations of the world. This Government will not

slacken its efforts to rescue as many of these unfortunate people as can be saved from persecution and death.

"The puppet Hungarian government, by its violation of the most elementary human rights and by its servile adoption of the worst features of the Nazi 'racial policy', stands condemned before history. It may be futile to appeal to the humanity of the instigators or perpetrators of such outrages. Let them know that they cannot escape the inexorable punishment which will be meted out to them when the power of the evil men now in control of Hungary has been broken."

MHargoy: dh 8/25/44

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8/24/44

MEMORANDUM

Re: Post War Punishment of Axis War Crimes

The demand for the post war punishment of Axis nationals guilty of atrocities and other war crimes has been widespread. At the present time the technical job of collecting the evidence and establishing the procedures for dealing with such criminals has been entrusted to the United Nations Commission for the Investigation of War Crimes. To better understand the possible post war operation of this Commission, it will be profitable not only to study its genesis but also to glance fleetingly at the unsuccessful attempts made in the last war to punish enemy war criminals.

On January 25, 1919 the Preliminary Peace Conference of World War I established a commission of 15 to report on violations of international law by Germany and her allies.^{1/} The Commission defined four classes of charges for which they recommended trial before an International Tribunal:

- 1.) Offenses against civilians and soldiers of Allied nations;
- 2.) Offenses by persons of authority whose orders were executed in one or more areas and battle fronts and affected several Allied armies;
- 3.) Offenses by civilian or military authorities "without distinction of rank, who ordered or abstained from preventing, violations of the laws or customs of war";
- 4.) Charges against such other persons as it might be advisable to proceed against before the High Tribunal rather than any other court.

The High Tribunal was to be composed of 3 members appointed by each of the five chief Allied Governments and of 1 member to be appointed by each of the lesser powers. The Tribunal was to set up and apply its own procedure and sentence the convicted war criminals to such punishment as could be imposed by the courts of any country represented on the Tribunal or in the country of which the convicted person was a national.

^{1/} The story of the failure to effectively punish World War I war criminals is taken from Glueck: "The Trial and Punishment of Axis War Criminals", Free World, Nov. 1942, pp. 138-146.

These recommendations of the Commission of 15 were not adopted. Both the United States and Japan objected. In lieu thereof, Articles 228, 229, and 230 were inserted in the Versailles Treaty. By Article 228 Germany recognized the right of the Allied powers to try and sentence accused war criminals before military tribunals and agreed to turn over such accused persons for trial. Article 229 provided that the accused were to be tried by the military tribunals of the power against whose nationals the alleged crimes were committed. By Article 230 the Germans agreed to furnish documents and information necessary to insure full knowledge of the criminal acts and discovery of offenders, etc.

On February 3, 1920, the Allies provided a list of 900 persons to be surrendered for trial by Germany. Four days later the President of the German Peace Delegation refused to turn them over and resigned stating that political and economic revolution in Germany would result from such action. The Germans then submitted a counter offer to try the accused persons before the Supreme Court of the Reich at Leipzig.

The Allies then submitted a sample abridged list of 45 names for trial, prepared the evidence and provided for the transportation of witnesses to Leipzig. On May 23, 1921 trials of 12 alleged war criminals began and eventually 6 were convicted. Their punishment ranged from 3 months to 4 years and several prisoners escaped under rather suspicious circumstances.

After this riasco the Allies became disgusted and withdrew their documents, accusations and proof. An Allied commission that had been set up to investigate the matter recommended in July 1922 that it was useless to permit the Leipzig court to continue and further recommended that the Germans should be compelled to turn over the accused to the Allies for trial in accordance with Article 228. Aside from a few other trials which had much the same result as those above mentioned, nothing further was ever done to try Germans accused of violations of the rules and laws of war in the first world war.

It is apparent therefore that in order to avoid a similar riasco after this war it is necessary to profit from these mistakes and to have ready for immediate operation at the termination of this war a complete and systematic plan for the trial and punishment of Axis war criminals. A study of the present plans for the post war punishment of Axis war criminals reveals a plentitude of threats of punishment and the establishment of a commission to investigate the crimes, and to establish procedures for their trial and punishment, but without the accomplishment of any practical achievements thus far.

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One of the earliest expressions of civilized abhorrence at crimes committed by the Nazis was uttered by President Roosevelt on October 25, 1941 when he attacked the practice of executing scores of innocent hostages in reprisal for isolated attacks on Germans in occupied countries. He pointed out that this violated the basic principle long ago adopted by civilized peoples that no man should be punished for the deed of another and warned those who would collaborate with or appease Hitler that they could not ignore such Nazi behavior as slaughtering 50 or 100 innocent persons for the act of one whom they could not comprehend.^{2/} On the same day in London, Prime Minister Churchill issued a statement in which he associated Great Britain with President Roosevelt's condemnation of Axis atrocities and added:^{3/}

"Retribution for these crimes must henceforward take its place among the major purpose of the war".

On January 13, 1942, eight governments-in-exile and the Free French Committee, at a conference at St. James Palace in London, adopted a resolution which, after reciting various unlawful acts committed by the Germans and their allies, set forth that the signers:^{4/}

- " (1) affirm that acts of violence thus inflicted upon the civilian populations have nothing in common with the conceptions of an act of war or of a political crime as understood by civilized nations,
- " (2) take note of the declarations made in this respect on 25th October, 1941, by the President of the United States of America and by the British Prime Minister,
- " (3) place among their principal war aims the punishment, through the channel of organized justice, of those guilty of or responsible for these crimes, whether they have ordered them, perpetrated them or participated in them,
- " (4) resolve to see to it in a spirit of international solidarity that (a) those guilty or responsible, whatever their nationality, are sought out, handed over to justice and judged, (b) that the sentences pronounced are carried out."

^{2/} United Nations Information Office: "Punishment for War Crimes", p. 17; Department of State Bulletin, Aug. 22, 1942, Vol. VII, p. 709.

^{3/} Ibid., p. 17

^{4/} American Journal of International Law, Jan. 1943, p. 85.

On August 21, 1942, the President took note of this action by the governments-in-exile and stated that the United States is keeping up to date a fund of information with respect to war crimes and that it is the purpose of the United States and of each of the United Nations to make appropriate use of such information and evidence. He concluded by stating: ^{5/}

"It seems only fair that they should have this warning that the time will come when they shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts."

On October 7, 1942, the President made reference to his August 21 statement and pointed out that the commission of the crimes therein complained of still continued. he added; ^{6/}

"I now declare it to be the intention of this Government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals.

"With a view to establishing responsibility of the guilty individuals through the collection and assessment of all available evidence, this Government is prepared to cooperate with the British and other Governments in establishing a United Nations Commission for the Investigation of War Crimes."

He stated that the number of persons eventually found guilty would be extremely small compared to the total enemy populations as it was not this Government's intention nor that of the other United Nations to resort to mass reprisals. The intention was to mete out just and sure punishment to the ring leaders who were responsible for the organized murder of thousands of innocent people and the commission of atrocities violating every tenet of the Christian faith.

A more detailed account of the purpose of this Commission was set forth in a speech to the House of Lords by the Lord Chancellor on October 7, 1942. He stated that the Commission would investigate crimes committed against nationals of the United Nations, recording the testimony available, and would report from time to time to the governments of the nations in which the crimes were committed, naming and identifying wherever possible the persons responsible. Its attention would in particular be directed to organized atrocities perpetrated by or on the orders of Germany, including occupied France.

^{5/} Department of State Bulletin, August 23, 1942, Vol. VII, p. 709, 710.

^{6/} Ibid, October 10, 1942, p. 797

The investigation would cover war crimes of offenders irrespective of their rank and its aim would be to collect material supported wherever possible by depositions or other documents to establish such crimes, and to name and identify those responsible for their commission. ^{7/}

The Lord Chancellor also stated that the mistake which made it difficult to obtain the surrender of culprits in 1919 by postponing the demand for them until the signing of the final peace treaty would not be repeated. "Named criminals wanted for war crimes should be caught and handed over at the time of, and as a condition of, the armistice, with the right, of course, to require the delivery of all others as soon as supplementary investigations are completed." ^{8/}

Not much has been ascertained about the actual work of the United Nations Commission for the Investigation of War Crimes. Herbert Claiborne Pell, former American Minister to Portugal and Hungary, has been designated the United States representative on the Commission and at the time of the announcement of the appointment, on June 29, 1943, the White House said: ^{9/}

"It is hoped that the Commission, which will have its headquarters at London, will be able to take concrete steps looking to the punishment of agents of the Axis powers who have perpetrated atrocious crimes against their innocent victims."

Some of the other members of the Commission, which has a total membership of 15 members, are Viscount Simon, Chairman, ^{10/} C. Hurst, a judge of the Permanent Court of International Jurists since 1939 and President in 1934, representing Great Britain, ^{11/} Rene Cassin, a former professor of law at the University of Paris, representing the French Committee of National Liberation, ^{12/} Marcel de Baer, representing Belgium, ^{13/} Dr. Bohuslov Ecer, representing Czechoslovakia, ^{14/} and Dr. Jan Maarten de Moor, President of the Netherlands Maritime High Court in London, representing the Netherlands. ^{15/} Apparently the Russians are not represented on the Commission because they wanted each Soviet republic to have a representative on and a vote in the Commission. ^{16/}

- ^{7/} American Journal of International Law, January, 1943, p. 84.
^{8/} Ibid., p. 85
^{9/} Department of State Bulletin, Vol. IX, July 3, 1943, p. 3.
^{10/} New York Times, November 8, 1943, p. 7, c. 1.
^{11/} Ibid., July 10, 1943, p. 6, c. 4.
^{12/} Ibid., August 20, 1943, p. 4, c. 6.
^{13/} Ibid., December 26, 1943, p. 17, c. 2.
^{14/} Ibid., December 29, 1943, p. 4, c. 8.
^{15/} Ibid., October 17, 1943, p. 39, c. 3.
^{16/} Ibid., December 20, 1943, p. 1, c. 7.

Although the Commission was created sometime in the middle of 1943, by December 20, 1943 it had held only two informal meetings, with another scheduled for January 1944. ^{17/} According to a story appearing in the New York Times of November 8, 1943, ^{18/} the Commission has drawn up a list of war criminals for the commission of which 90% of the war criminals will be tried in the courts of the country in which the crimes were committed. A select group of enemy leaders will be tried for their crimes before the Commission itself. The reason advanced for holding trials in national courts is that otherwise it would take too long for one commission to conduct all the trials, it being estimated that 15 years would be required for the Commission to handle from 10,000 to 20,000 cases.

In December 1943, the Belgian representative, Marcel de Baer, drafted a plan in which he proposed the establishment of an international court consisting of 35 international jurists sitting in London and conducting sessions in the English language to try war criminals when national courts were without jurisdiction or unable to handle trials themselves. ^{19/}

Since the establishment of the United Nations Commission for the Investigation of War Crimes the United Nations or members thereof have at various times issued statements threatening post war punishment for the atrocities committed by the Germans and their allies. Most important of these is the Moscow Declaration of November 1, 1943 in which Roosevelt, Churchill and Stalin joined in a statement describing the atrocious measures and cold-blooded mass executions perpetrated by the Hitlerite forces and containing the following warning: ^{20/}

"At the time of the granting of any armistice to any government which may be set up in Germany, those German officers and men and members of the Nazi party who have been responsible for, or have taken a consenting part in the above atrocities, massacres and executions, will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free governments which will be created therein. Lists will be compiled in all possible detail from all these countries having regard especially to the invaded parts of the Soviet Union, to Poland and Czechoslovakia, to Yugoslavia and Greece, including Crete and other islands, to Norway, Denmark, the Netherlands, Belgium, Luxemburg, France and Italy.

^{17/} Ibid., December 20, 1943, p. 1, c.7.

^{18/} Ibid., December 20, 1943, p. 7, c.1.

^{19/} Ibid., December 26, 1943, p. 17, c.2.

^{20/} Department of State Bulletin, Vol. IX, Nov., 19, 1943, p. 311.

"Thus, the Germans who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgian or Norwegian hostages or of Cretan peasants, or who have shared in the slaughters inflicted on the people of Poland or in territories of the Soviet Union which are now being swept clear of the enemy, will know that they will be brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged. Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done.

"The above declaration is without prejudice to the case of the major criminals, whose offences have no particular geographical localisation and who will be punished by the joint decision of the Governments of the Allies."

On March 25, 1944 President Roosevelt, at the time of designating J. W. Pehle Executive Director of the War Refugee Board, also issued a statement specifically threatening the punishment of those partaking in the persecution, among others, of Jews, particularly in Hungary and the Balkans. The President said:

"It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland or Norwegians and French to their death in Germany are equally guilty with the executioner. All who share the guilt shall share the punishment."

The British through statements made by Anthony Eden on the floor of the House of Commons have joined in these views. 21/ As recently as July 15, 1944, Secretary Hull in discussing the atrocities inflicted on the Jews in Hungary stated: 22/

"Let them know that they cannot escape the inexorable punishment which will be meted out to them when the power of the evil men now in control in Hungary has been broken."

Many individuals have discussed the problem of meting out post war punishment to Axis war criminals. The proposals advanced by some will be set forth below.

21/

22/ New York Times, July 15, 1944.

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George Creel in a new work entitled "War Criminals and Punishment" (1944) suggests that insofar as the arch criminals are concerned there is no necessity for their trial as the evidence on hand is sufficient to convict them. Therefore, he urges that Hitler, Himmler and the like should be outlawed by name by the United Nations and their surrender required as part of the peace terms for pre-determined punishment. As a precedent, Creel cites the banishment of Napoleon to Elba and St. Helena. He also points out that if trials are held they should be quick military trials along the lines of the Kharkov trials and saboteurs trial ²³ in the United States, and not civilian trials. The blunder of the Allies in 1918 was the failure to prescribe a procedure for the punishment of war criminals and this led to the Leipzig fiasco. He recommends that national courts should judge national criminals without any right of appeal. Higher international power should be exercised only to settle disputes between two or more countries claiming the right to try the same criminal. No international court should be set up under any circumstances as this would open the door to all those technicalities and legal stratagems with which lawyers have kept justice in blindfolds, handcuffs and legal chains." Only military tribunals established under the authority of the armies of occupation will provide the swift procedure necessary to avoid mass reprisals.

In a lengthy article in the Harvard Law Review, ²⁴/Sheldon Glueck analyzes the problem of selecting the tribunals in which war offenders shall be tried. At least four different types of tribunals might be resorted to:

- 1) Ordinary criminal courts;
- 2) Military commissions or other tribunals of military government of each nation;
- 3) A joint military tribunal combining the separate military courts of each nation;
- 4) An international criminal court created for this specific purpose.

As far as the United States is concerned, Glueck deems it inadvisable to try war criminals in existing criminal courts since it would raise questions of jurisdiction and of constitutional law involving due process and the right to a jury trial. Under American and English theory, the courts cannot try crimes not committed within their territorial jurisdiction. He also believes that the ordinary criminal courts are too slow and their technical procedure too cumbersome.

²³/ Ex parte Quirin,

²⁴/ "By what Tribunal Shall war Offenders Be Tried?", 56 Harv. L. R. 1059

Glueck states that military commissions or tribunals, which are recognized in the Articles of War and may be set up as a part of the military government under the commanding general in the theater of operations, may be employed for the trial of enemy war criminals. These tribunals unlike the ordinary criminal courts, are not limited in jurisdiction to crimes committed within the territory, but may extend to crimes wherever committed, even to those committed outside the actually occupied region and before the American occupation.

In connection with the joint military tribunal and an international criminal court, he suggests that these courts should deal with cases in which several nations or all civilized countries have a common interest, such as

- 1) Offenses committed by chiefs of states and prominent military and civilian officials responsible for programs of atrocities;
- 2) Offenses against nationals of several countries in combination, such as the torture and murder of American, British, Belgian and Polish prisoners of war in some single Axis camp;
- 3) Offenses against persons rendered stateless by the German Government or against those who for the jurisdictional requirement of some particular nation's courts cannot prove their nationality;
- 4) Offenses which some injured nation for reasons of policy, expedience or expense prefers not to try in its own courts.

Glueck points out that after the last war the American delegates to the Commission on Responsibilities suggested the creation of a joint military tribunal to try war criminals. The suggestion was accepted and became Article 229 of the Treaty of Versailles, although it was never actually put into practice. Glueck suggests that the law and procedure of the state prosecuting the particular case should be applied so that in certain cases English and American military law and procedure would be followed and in others Belgian, Polish, Russian or other law and procedure.

Glueck also strongly recommends that a new international tribunal be created especially for the trial of Axis war criminals. He disagrees that such a new tribunal would be ex post facto in nature, that it violates the maxim nullum crimen et nulla poena sine lege and that the law which it would apply is uncertain. He points out that the law and customs of war as well as the law of humanity may be made definite enough by limiting them to the

principles of the law of nations developed as the result of the usages established among civilized people.

The direct application of international law to individuals who have violated the laws and customs of war does not amount to giving such law retroactive force. Individual states, including Germany, have on occasion applied international law without prior implementation by domestic legislation. Even though most international law is addressed to and obligates the state as a whole, there are instances where the nature of the subject matter makes it both reasonable and necessary to hold accountable individual persons for violations thereof. Otherwise, nations which observe the laws and customs of war are at a disadvantage. Since Axis soldiers enjoy the protection of the regulations of warfare, they should not be permitted to escape prosecution and punishment for their atrocities because of the theory that their governments are responsible and not themselves.

Typical of the view of some international lawyers toward post war punishment of Axis war criminals is that of George Manner who has written an article on the subject for the American Journal of International Law.²⁵ Manner discusses and analyzes the resolution of January 13, 1942 adopted by the eight governments-in-exile and the Free French National Committee.

Insofar as the resolution indicates that the crimes are international in nature and that new legal conceptions would govern responsibility and punishment for them, Manner criticizes the resolution severely. He points out, first, that according to international law with respect to war only the state and not the individual may be held liable for acts contrary thereto. Secondly, he maintains that there is no international law which charges individuals or states with criminal responsibility for acts of violence against the rules of war. Thirdly, such acts in order to constitute offenses against the laws of war must be made by the State a crime under its municipal law. This has been done to some extent. Lastly, as proof of the foregoing, he points out that several of the proposals, starting in 1874, to create a code of international law crimes have fallen through and that in the recent practice of states (Versailles Treaty, Ex parte Quirin) war crimes are deemed penal offenses against municipal law and not against international law.

Manner also criticizes the resolution for suggesting the subjection to penal punishment of any person who has ordered, perpetrated or participated in criminal acts of violence against

25/ July, 1943 pp. 407-435, "The Legal Nature and Punishment of Criminal Acts of Violence Contrary to the Laws of War".

accepted ideas concerning acts of war. Manner points out that this is contrary to certain defenses recognized by international law, such as the defense that members of armed forces are not personally liable to punishment for acts committed by them in the name of or in behalf of the state or the defense of respondent superior, which according to the recognized principles of the laws of war declares that members of the armed forces are not personally responsible for their acts against rules of warfare when ordered or sanctioned by their government or by a military superior.

With respect to the proper tribunal in which to try war criminals, Manner points out that the past practice of belligerents has been to try offenders in their own national courts during or after hostilities, unless the accused is a prisoner of war. This practice is based on the rule of international law that members of hostile nations stationed abroad are exempt from the local criminal jurisdiction. Prior to the Treaty of Versailles, a treaty of peace generally operated as an amnesty for war crimes and therefore the accused could not be extradited, tried, or punished. The enemy countries consequently left their punishment to the exclusive jurisdiction of their own national courts. However, the laws of war do permit belligerents to punish captured enemy nationals for war crimes until the cessation of hostilities or the treaty of peace (unless the latter contains a provision setting aside the usual amnesty) terminates this jurisdiction.

Manner doubts that, in the absence of international agreement changing the customary rule of immunity of hostile forces from local criminal jurisdiction, local civil courts have post war jurisdiction over war crimes committed during hostilities by former enemies in occupied territories. He also believes that allied conduct after World War I. resulted in the abandonment of the theory that enemy war criminals are subject to the jurisdiction of belligerent military tribunals and therefore concludes that the post war jurisdiction over enemy war criminals is exclusively in the hands of the national tribunals of the accused.

Milton Sargoy



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August 17, 1944

MEMORANDUM FOR THE FILES

Following are the highlights of my conference today with Herbert Pell, American member on the United Nations Commission for the Investigation of War Crimes:

1. Mr. Pell said that he wanted to give me some information concerning the Commission which has not been made public, but which I could feel free to pass on to the War Refugee Board. Specifically referring to the work of the Board Mr. Pell asked whether or not it was my understanding that machinery had been set in motion to deal with the crimes being perpetrated by the Nazi against minority groups. I told Mr. Pell that I had knowledge of this Commission which had jurisdiction over such matters, but that I was not very familiar with the background of the Commission. Mr. Pell then went on to explain that his Commission did not have jurisdiction over many of the crimes which the Nazi were perpetuating. Thus, for example, he stated that the Commission had taken the point of view that "war crimes" must be established in accordance with the definition of "war crimes" as used in international law and that it only relates to crimes committed by one belligerent against another belligerent (or its citizens) and sometimes crimes committed against neutrals; that war crimes could not include an act committed by a nation against its own subjects or by a nation against the subjects of one of its Allies. Applying this to the case of the persecution and annihilation of minorities in occupied Europe, crimes as the Commission defined it would include crimes committed against Polish citizens by Germans, but would not include acts against German citizens by Germans, Hungarian citizens by Hungary, etc., or the crimes by Germany against Hungarian citizens, Rumanian citizens, etc.

I told Mr. Pell that whatever the definition of "war crimes" may have been in the past to make the distinction he was talking about in the light of the realities of the present war did not make sense to me, and that many of the concepts

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developed in international law had to be revised in the light of the facts of the present war; that merely because war crimes may have been defined in such a narrow sense in relation to past wars should not be used as a necessary precedent in relation to the present war.

Mr. Pell said that he agreed with this point of view but that the other members of the Commission (most of whom were lawyers -- Mr. Pell not being a lawyer) disagreed and took the position that they were bound by the concept of war crime which had already been accepted in international law.

Mr. Pell said that he felt that crimes such as the crimes by Germany against its own citizens and citizens of Hungary should be brought within the jurisdiction of his Commission. He said that he felt that the best way of tackling this problem was not by trying to convince the members that the definition of war crimes should be broadened but rather that each country should instruct its representatives on the Commission that these particular crimes should be dealt with by the Commission. Specifically he suggested that if the United States Government should instruct him to this effect he felt that this would go a long way towards getting this position adopted. Pell further suggested the possibility of having it appear in the press of the United States that the United States Government had so instructed its member. Pell added that in connection with any such instructions the point should be borne in mind that machinery for dealing with bringing such crimes to the attention of the Commission should be thought out inasmuch as the machinery used for bringing to its attention crimes against United Nations was not appropriate. For example, in the case of crimes committed against France the Commission relies upon the French Government to bring these facts to the attention of the Commission and some machinery would have to be worked out for bringing to the attention of the Commission crimes committed against enemy subjects.

2. In discussing the general work of the Commission Mr. Pell pointed out the following facts:

(a) In so far as membership is concerned all the United Nations are entitled to have representation on the Commission. However all United Nations have not designated a representative. For example Russia has not

designated a representative. I asked Mr. Pell why Russia had not designated a representative and he said it was probably because Russia was dealing herself with crimes committed against her people.

(b) The Commission does not actually engage in investigative work itself but allows the respective members on the Commission to bring to the attention of the Commission crimes committed against its people.

(c) The Commission will not actually itself mete out punishment but in accordance with the Moscow Declaration will do what it can to see to it that the criminals are sent back to the country in which their crimes were committed.

(d) Pell said that he thought that most of the United Nations in Europe would actually punish war criminals but that the United States and Great Britain would probably be very soft hearted about the matter. The arch criminals such as Hitler, Goering, etc., would not be dealt with by the Commission but rather be dealt with on a political level by the Governments of United Nations.

(3) In discussing the general work of the War Refugee Board Pell said that there were two schools of thought as to the question of the extent to which publicity of the threat of punishment was helpful. One school took the position that it did more harm than good to publicly threaten punishment, while the other group took the position that the threat of punishment would deter the prosecution of the crime. I told Pell that the War Refugee Board had definitely adopted the latter point of view. Pell seemed to be sympathetic and pointed out that if we could get instructions of the kind he was talking about to the Commission it might be helpful in connection with the work of the War Refugee Board if such instructions were made public. Pell said that to date the attitude had been that no publicity should be given to the work of the United Nations Commission but that he thought that this policy would be changed soon. I told him that I thought that publicity would be a healthy thing and he said that he agreed.

4. Throughout our discussion Pell continually made the point that the Jews were not the only groups in Europe being persecuted and that many minority groups, particularly the Catholics, were being persecuted. He said that the only difference between the Jewish groups and other groups was that the Jewish groups were much larger. I pointed out that however true this might be the Jews of Europe were the only group with respect to which the Nazi had adopted a systematic policy not only of persecution but also of extermination. Pell said this is probably right.

5. Pell said that another type of crime which did not fall within the jurisdiction of the Commission was the looting of property in occupied countries, particularly through apparently legal devices such as purchasing the stock of corporations, etc. Pell specifically mentioned the case of France and what the Germans had done there. He said that so far as he was concerned he hoped that some group other than the Commission would be assigned the task of dealing with this job and he wanted no part of it.

6. Pell made it clear that he hoped that I would take up the matter of the scope of the jurisdiction of his Commission over "war crimes" in Washington. He specifically mentioned that it might be brought to the attention of Secretary Hull and reiterated that if he could get the proper instructions from Washington he could carry on from there.

J. E. DuBois, Jr.

August 17, 1944

DEAT
Memorandum for the files

Following are the highlights of my conference today with Herbert Pell, American member on the United Nations Commission for the Investigation of War Crimes

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I told Mr. Fell what whatever the definition of "war crimes" may have been in the past to make the distinction he was talking about in the light of the realities of the present was did not make sense to me, and that many of the concepts developed in international law had to be revised in the light of the facts of the present war; that merely because war crimes may have been defined in such a narrow sense in relation to past wars should not be used as a necessary precedent in relation to the present war.

Mr. Pell said that he agreed with this point of view but that the other members of the Commission (most of whom were lawyers -- Mr. Pell not being a lawyer) disagreed and took the position that they were bound by the concept of war crime which had already been accepted in international law.

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AVIS

Le châtiment des criminels de guerre

A la conférence de Moscou, le 1^{er} novembre 1943, les gouvernements alliés ont nettement exprimé leur implacable volonté : poursuivre, jusqu'aux confins du monde, les criminels de guerre et les confronter avec leurs accusateurs afin que justice soit faite.

Ils ont déclaré textuellement :

« Les criminels de guerre seront renvoyés, pour être jugés, dans les pays où ils ont commis leurs crimes ».

Le président Roosevelt a réitéré ces décisions, le 24 mars 1944, quand il a dit :

« Tous ceux qui auront participé aux crimes subiront le châtiment exemplaire qu'ils méritent ».

Parmi les crimes de guerre sont compris : les exécutions d'otages et les internements ou brutalités infligés à des innocents.

Tous les patriotes -- véritables soldats sans uniformes, -- tous ceux qui continuent la lutte sur le front intérieur, tous ceux de la Résistance, qui agissent, dans l'intérêt de la France, pour pouvoir rester Français, dans une France libre et débarrassée de l'envahisseur, peuvent se considérer protégés par les lois tout autant que les soldats des Nations Unies.

Les Français, animés par la même foi et pour les mêmes raisons que les Nations Unies, font la guerre aux Boches et aux criminels d'ores et déjà HORS-LA-LOI.

En conséquence : tous ceux qui, en France, se rendront coupables de crimes de guerre contre des Français seront châtiés avec toute la rigueur des lois en vigueur, en France, au moment du jugement. Car, il est entendu que le peuple français EST et RESTERA maître chez lui ; mais il pourra, en plus, compter sur l'appui des Nations Unies pour poursuivre les coupables dans tous les pays où ils essayeraient de se réfugier.

Amis français : Votre libération se prépare.

Tenez à jour la liste des coupables -- de ceux qui auront à subir le châtiment exemplaire...

La Victoire des NATIONS UNIES
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La Victoire des NATIONS UNIES
c'est la VICTOIRE DE LA FRANCE

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NOTICE

The Punishment of War Criminals.

At the Moscow Conference, November 1, 1943, the Allied governments clearly expressed their implacable will: to track down to the ends of the earth war criminals and confront them with their accusers, that justice may be done.

They declared textually:

"War criminals will be returned, to be judged, to the countries in which they committed their crimes."

President Roosevelt reiterated these decisions, March 24, 1944, when he said:

"Those who participated in the crimes will get the exemplary punishment they deserve."

Among war outrages are included: executions of hostages, detention, punishment or brutality inflicted on innocent people, for acts which they did not commit.

In consequence: all those who, in France, are guilty of such outrages, against Frenchmen, will be punished to the full extent of the laws in force in France, at the time of judgment. For it is understood that the French people ARE and WILL REMAIN masters in their own land; but they can, however, bank on the support of the United Nations to persue the guilty in any countries where they try to take refuge.

The French, animated by the same faith and for the same reasons as the United Nations, are making war on the Boche and the criminals who have already placed themselves OUTSIDE THE LAW.

All patriots - veritable soldiers without uniforms - all those who continue the struggle on the internal front, all those of the Resistance who act, in the interest of France, to be able to remain French, in a France free and rid of the invader, can consider themselves protected by law just as much as the soldiers of the United Nations.

French friends ! Your liberation is being prepared.

Keep up to date the list of the guilty - of those who will have to undergo the exemplary punishment....

Be certain of it:

THE VICTORY OF THE UNITED NATIONS

WILL BE THE VICTORY OF FRANCE



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P.W.B.

Post war Punishment of War Criminals

ALGIERS, March 28 (PWB)---The newspaper ALGER REPUBLICAIN Tuesday devoted its editorial by Michel Rouze to a discussion of President Roosevelt's recent statement about the punishment to be administered war criminals.

Rouze said:

"In the course of a press conference Roosevelt solemnly repeated the warning the United Nations have already given war criminals. These men must be punished in proportion to the heinous crimes they have committed as soon as the victorious advance of the armies of liberty will have made their capture possible.

"The President of the United States did not talk that way just to recall positions already taken. His new warning is based on the most tragic happenings. The German army has invaded Hungary. The German army is exerting its influence on Rumania and Hungary. The Hitlerian seizure of Central Europe will be all the more bitter and more demanding as the Germans feel themselves forced to the ultimate extreme. And the little countries risk seeking a repetition of the horrors which have already been committed in the eastern plains.

"Everyone has the right within himself to like or not to like the particularities of a given ethnical group. But anyone who, hearing the stories of the atrocities committed by the Nazi in many of the occupied countries, would not feel his heart filled with sadness and anger, is not worthy of the name of a man. Jews just because they were Jews, Russians and Poles because the Slavic countries had to be depopulated, were coldly and systematically massacred, sometimes in small groups, often in mass maneuvers in which modern technique made use of a barbarousness risen from the dark ages.

.....more.....

Jalinsky M. Ackerman
file

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It might have been possible to doubt the first stories because of the indescribable horror of the acts related. Unfortunately there are too many documents to allow further doubt. Do we not know that even in France with the active complicity of Vichy, human creatures have been treated as beasts one would send to a slaughterhouse?

"The satellite countries of Germany in Central Europe, although they limped along the official path of Hitlerian theories, did not push the application of those theories to their extreme consequences. In Hungary, for instance, ~~there~~ there lived hundreds of thousands of unhappy persons, some of them refugees from Poland on whom ~~extermination~~ torture and death close down now once again.

"Certainly it is not possible to definitely stop such crimes other than by beating down the Hitlerian monster. But it is possible to reduce their horror or to cut down their number. For that it is sufficient to let the criminals know that they will be punished, as Roosevelt recently said, and at the same time to make them understand that this is not just a vain menace. This will not stop fanatics. But these fanatics are not the only ones who must be killed. They have accomplices, not all of whom are Germans, who will give these matters thought. Soviet Russia and France have shown the methods to use. At Kharkov war criminals were judged and executed. The same thing happened at Algiers. This way is the only way to do it. Millions of unhappy persons, still locked in the Hitlerian jail, place their feeble hope in our pitiless justice."

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March 24, 1944

STATEMENT BY THE PRESIDENT

The United Nations are fighting to make a world in which tyranny and aggression can not exist; a world based upon freedom, equality and justice; a world in which all persons regardless of race, color or creed may live in peace, honor and dignity.

In the meantime in most of Europe and in parts of Asia the systematic torture and murder of civilians -- men, women and children -- by the Nazis and the Japanese continue unabated. In areas subjugated by the aggressors innocent Poles, Czechs, Norwegians, Dutch, Danes, French, Greeks, Russians, Chinese, Filipinos -- and many others -- are being starved or frozen to death or murdered in cold blood in a campaign of savagery.

The slaughters of Warsaw, Lidice, Kharkov and Nanking -- the brutal torture and murder by the Japanese, not only of civilians but of our own gallant American soldiers and fliers -- these are startling examples of what goes on day by day, year in and year out, wherever the Nazis and the Japs are in military control -- free to follow their barbaric purpose.

In one of the blackest crimes of all history -- begun by the Nazis in the day of peace and multiplied by them a hundred times in time of war -- the wholesale systematic murder of the Jews of Europe goes on unabated every hour. As a result of the events of the last few days hundreds of thousands of Jews, who while living under persecution have at least found a haven from death in Hungary and the Balkans, are now threatened with annihilation as Hitler's forces descend more heavily upon these lands. That these innocent people, who have already survived a decade of Hitler's fury, should perish on the very eve of triumph over the barbarism which their persecution symbolizes, would be a major tragedy.

It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland or Norwegians and French to their death in Germany are equally guilty with the executioner. All who share the guilt shall share the punishment.

Hitler is committing these crimes against humanity in the name of the German people. I ask every German and every man everywhere under Nazi domination to show the world by his action that in his heart he does not share these insane criminal desires. Let him hide these pursued victims, help them to get over their borders, and do what he can to save them from the Nazi hangman. I ask him also to keep watch, and to record the evidence that will one day be used to convict the guilty.

In the meantime, and until the victory that is now assured is won, the United States will persevere in its efforts to rescue the victims of brutality of the Nazis and the Japs. In so far as the necessity of military operations permit this Government will use all means at its command to aid the escape of all intended victims of the Nazi and Jap executioner — regardless of race or religion or color. We call upon the free peoples of Europe and Asia temporarily to open their frontiers to all victims of oppression. We shall find havens of refuge for them, and we shall find the means for their maintenance and support until the tyrant is driven from their homelands and they may return.

In the name of justice and humanity let all freedom loving people rally to this righteous undertaking.

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Return
Mrs. Wells

THE MOSCOW CONFERENCE DECLARATION OF GERMAN ATROCITIES

November 1, 1943

The United Kingdom, the United States and the Soviet Union have received from many quarters evidence of atrocities, massacres and cold-blooded mass executions which are being perpetrated by the Hitlerite forces in the many countries they have overrun and from which they are now being steadily expelled. The brutalities of Hitlerite domination are no new thing and all the peoples or territories in their grip have suffered from the worst form of government by terror. What is new is that many of these territories are now being redeemed by the advancing armies of the liberating Powers and that in their desperation, the recoiling Hitlerite Huns are redoubling their ruthless cruelties. This is now evidenced with particular clearness by monstrous crimes of the Hitlerites on the territory of the Soviet Union which is being liberated from the Hitlerites, and on French and Italian territory.

Accordingly, the aforesaid three allied Powers, speaking in the interests of the thirty-two /thirty-three/ United Nations, hereby solemnly declare and give full warning of their declaration as follows:

At the time of the granting of any armistice to any government which may be set up in Germany, those German officers and men and members of the Nazi party who have been responsible for, or have taken a consenting part in the above atrocities, massacres and executions, will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free governments which will be created therein. Lists will be compiled in all possible detail from all these countries having regard especially to the invaded parts of the Soviet Union, to Poland and Czechoslovakia, to Yugoslavia and Greece, including Crete and other islands, to Norway, Denmark, the Netherlands, Belgium, Luxemburg, France and Italy.

Thus, the Germans who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgian or Norwegian hostages or of Cretan peasants, or who have shared in the slaughters inflicted on the people of Poland or in territories of the Soviet Union which are now being swept clear of the enemy, will know that they will be brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged. Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done.

The above declaration is without prejudice to the case of the major criminals, whose offences have no particular geographical localisation and who will be punished by the joint decision of the Governments of the Allies.

ROOSEVELT
CHURCHILL
STALIN

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