

HISTORY OF THE War Refugee Board WITH SELECTED DOCUMENTS,
Volume III, Pages 941-1067

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HISTORY OF THE WAR REFUGEE BOARD WITH SELECTED DOCUMENTS

VOLUME III

DOCUMENTS

PAGES 941 - 1067

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Embassy, London
DATED: June 15, 1944
NUMBER: 4753

From War Refugee Board to Ambassador Winant, in London.

Please refer to your 4556 of June 7.

We are gratified that the British Government has agreed to the establishment of a refugee camp in Tripolitania capable of accommodating between 1000 and 1500 persons. Please convey the Board's appreciation to the Foreign Office.

The Board now awaits British suggestions as to the practical measures required for the joint establishment of the refugee camp in Tripolitania. It is assumed that we shall be advised in the immediate future of the exact location of the proposed camp, together with a detailed description of what is necessary and the time required to put the camp in condition to receive refugees.

With regard to the question of medical and administrative personnel one possibility is to request UNRRA to administer the camp as in the case of Camp Lyautey. If this is acceptable to the British, we shall be glad to approach the UNRRA representatives in Washington on this matter.

Because of the large numbers of refugees arriving daily in Southern Italy from Yugoslavia, the question of havens is particularly urgent at the present time. It is therefore hoped that the Tripolitania refugee project will now move forward with maximum speed. Please urge the British to furnish us as quickly as possible with the details requested above.

HULL

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

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Mission, Algiers
DATED: June 8, 1944
NUMBER: 1823

From the President to Ambassador Robert Murphy, Algiers.

Information available to me indicates that there are real possibilities of saving human lives by bringing more refugees through Yugoslavia to southern Italy. I am also informed that the escape of refugees by this route has from time to time been greatly impeded because the facilities in southern Italy for refugees have been overtaxed. I am advised that this is the situation at the present moment and that accordingly possibilities of increasing the flow of refugees to Italy may be lost.

I understand that many of the refugees in southern Italy have been and are being moved to temporary havens in areas adjacent to the Mediterranean and that efforts are being made to increase existing refugee facilities in these areas. I am most anxious that this effort to take refugees from Italy to areas relatively close by be intensified.

At the same time I feel that it is important that the United States indicate that it is ready to share the burden of caring for refugees during the war. Accordingly, I have decided that approximately 1,000 refugees should be immediately brought from Italy to this country, to be placed in an Emergency Refugee Shelter to be established at Fort Ontario near Oswego, New York, where under appropriate security restrictions they will remain for the duration of the war. These refugees will be brought into this country outside of the regular immigration procedure just as civilian internees from Latin American countries and prisoners of war have been brought here. The Emergency Refugee Shelter will be well equipped to take good care of these people. It is contemplated that at the end of the war they will be returned to their homelands.

You may assume that the Emergency Refugee Shelter will be ready to receive these refugees when they arrive. I will appreciate it therefore if you will arrange for the departure to the United States as rapidly as possible, consistent with military requirements, of approximately 1,000 refugees in southern Italy. You may call upon representatives of the War Refugee Board in Algiers to assist you in this matter. The full cooperation of our military and naval authorities should be enlisted in effecting the prompt removal and transportation

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of the refugees.

In choosing the refugees to be brought to the United States, please bear in mind that to the extent possible those refugees should be selected for whom other havens of refuge are not immediately available. I should however like the group to include a reasonable proportion of various categories of persecuted peoples who have fled to Italy.

However, please be sure that the necessary health checks are made to avoid bringing here persons afflicted with any loathsome, dangerous or contagious disease.

You should bear in mind that since these refugees are to be placed in a camp in the United States under appropriate security restrictions, the procedure for the selection of the refugees and arrangements for bringing them here should be as simple and expeditious as possible, uncomplicated by any of the usual formalities involved in admitting people to the United States under the immigration laws.

If you encounter any difficulties in arranging for the prompt departure of these refugees please let me know.

For Kirk's attention the foregoing was repeated to Naples.

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June 8, 1944

MEMORANDUM FOR: Secretary of War
Secretary of Navy
Secretary of Interior
Director of Budget
Executive Director of the War Refugee Board

There is attached a cable which I have dispatched to Robert Murphy in Algiers, requesting that he make arrangements for the departure to the United States as rapidly as possible of approximately 1,000 refugees now in southern Italy.

These refugees will be brought into this country outside of the regular immigration procedure and placed in Fort Ontario near Oswego, New York. While the War Refugee Board is charged with the overall responsibility for this project, the Army shall take the necessary security precautions so that these refugees will remain in the camp and the actual administration of the camp is to be in the hands of the War Relocation Authority.

Accordingly, the following steps should be taken as expeditiously as possible:

(1) The War Department and the Navy Department shall send whatever instructions are necessary to the military authorities in Italy and North Africa to expedite the transportation of these refugees to the United States.

(2) The War Department shall arrange to furnish and properly equip Fort Ontario to receive these refugees; shall arrange for their transportation from the port of arrival to the camp; and shall arrange for the necessary security precautions.

(3) The War Relocation Authority shall make arrangements to handle the actual administration of the camp, which will be designated as an Emergency Refugee Shelter.

(4) Until UNRRA is in a position to assume the financial responsibilities involved, the Bureau of the Budget shall make arrangements for financing the project; using to the extent possible any available funds of the War Department, the War Relocation Authority, and the War Refugee Board, and from the Foreign War Relief appropriation, and if necessary drawing upon the President's Emergency Fund.

(Signed)
FRANKLIN D. ROOSEVELT

Attachment.

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June 12, 1944

TO THE CONGRESS OF THE UNITED STATES:

Congress has repeatedly manifested its deep concern with the pitiful plight of the persecuted minorities in Europe whose lives are each day being offered in sacrifice on the altar of Nazi tyranny.

This Nation is appalled by the systematic persecution of helpless minority groups by the Nazis. To us the unprovoked murder of innocent people simply because of race, religion or political creed is the blackest of all possible crimes. Since the Nazis began this campaign many of our citizens in all walks of life and of all political and religious persuasions have expressed our feeling of repulsion and our anger. It is a matter with respect to which there is and can be no division of opinion amongst us.

As the hour of the final defeat of the Hitlerite forces draws closer, the fury of their insane desire to wipe out the Jewish race in Europe continues undiminished. This is but one example: Many Christian groups also are being murdered. Knowing that they have lost the war, the Nazis are determined to complete their program of mass extermination. This program is but one manifestation of Hitler's aim to salvage from military defeat victory for Nazi principles - the very principles which this war must destroy unless we shall have fought in vain.

This Government has not only made clear its obhorrence of this inhuman and barbarous activity of the Nazis, but, in cooperation with other governments has endeavored to alleviate the condition of the persecuted peoples. In January of this year I determined that this Government should intensify its efforts to combat the Nazi terror. Accordingly, I established the War Refugee Board, composed of the Secretaries of State, Treasury and War. This Board was charged with the responsibility of taking all action consistent with the successful prosecution of the war to rescue the victims of enemy oppression in imminent danger of death and to afford such victims all other possible relief and assistance. It was entrusted with the solemn duty of translating this Government's humanitarian policy into prompt action, thus manifesting once again in a concrete way that our kind of world and not Hitler's will prevail. Its purpose is directly and closely related to our whole war effort.

Since its establishment, the War Refugee Board, acting through a full time administrative staff, has made a direct and forceful attack on the problem. Operating quietly, as is appropriate, the Board, through its representatives in various parts of the world, has actually succeeded in saving the lives of innocent people. Not only have refugees been

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evacuated from enemy territory, but many measures have been taken to protect the lives of those who have not been able to escape.

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.

Notwithstanding this Government's unremitting efforts, which are continuing, the numbers actually rescued from the jaws of death have been small compared with the numbers still facing extinction in German territory. This is due principally to the fact that our enemies, despite all our appeals and our willingness to find havens of refuge for the oppressed peoples, persist in their fiendish extermination campaign and actively prevent the intended victims from escaping to safety.

In the face of this attitude of our enemies we must not fail to take full advantage of any opportunity, however limited, for the rescue of Hitler's victims. We are confronted with a most urgent situation.

Therefore, I wish to report to you today concerning a step which I have just taken in an effort to save additional lives and which I am certain will meet with your approval. You will, I am sure, appreciate that this measure is not only consistent with the successful prosecution of the war, but that it was essential to take action without delay.

Even before the Allied landing in Italy there had been a substantial movement of persecuted peoples of various races and nationalities into that country. This movement was undoubtedly prompted by the fact that, despite all attempts by the Fascists to stir up intolerance, the warm-hearted Italian people could not forsake their centuries-old tradition of tolerance and humanitarianism. The Allied landings swelled this stream of fleeing and hunted peoples seeking sanctuary behind the guns of the United Nations. However, in view of the military situation in Italy, the number of refugees who can be accommodated there is relatively limited. The Allied military forces, in view of their primary responsibility, have not been able generally speaking to encourage the escape of refugees from enemy territory. This unfortunate situation

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has prevented the escape of the largest possible number of refugees. Furthermore, as the number of refugees living in southern Italy increases, their care constitutes an additional and substantial burden for the military authorities.

Recently the facilities for the care of refugees in southern Italy have become so overtaxed that unless many refugees who have already escaped to that area and are arriving daily, particularly from the Balkan countries, can be promptly removed to havens of refuge elsewhere, the escape of refugees to that area from German occupied territory will be seriously impeded. It was apparent that prompt action was necessary to meet this situation. Many of the refugees in southern Italy have been and are being moved to temporary refuges in the territory of other United and friendly nations. However, in view of the number of refugees still in southern Italy, the problem could not be solved unless temporary havens of refuge were found for some of them in still other areas. In view of this most urgent situation it seemed indispensable that the United States in keeping with our heritage and our ideals of liberty and justice take immediate steps to share the responsibility for meeting the problem.

Accordingly, arrangements have been made to bring immediately to this country approximately 1,000 refugees who have fled from their homelands to southern Italy. Upon the termination of the war they will be sent back to their homelands. These refugees are predominantly women and children. They will be placed on their arrival in a vacated Army camp on the Atlantic Coast where they will remain under appropriate security restrictions.

The Army will take the necessary security precautions and the camp will be administered by the War Relocation Authority. The War Refugee Board is charged with overall responsibility for this project.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

June 12, 1944

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UNITED STATES SENATE

June 14, 1944.

Hon. Francis Biddle,
The Attorney General,
Department of Justice,
Washington, D. C.

My dear Mr. Attorney General:

It has come to my attention through the columns of the press and through a message to Congress by the President that the President has authorized the setting aside of the immigration laws insofar as immigration quotas are concerned and insofar as refugees are permitted to enter this country. I refer to the proposed free port for refugees and the proposed occupation of abandoned military areas for the use of refugees.

Will you please be good enough to advise me as to just what ground the President based his authority to set aside the aforementioned laws permitting refugees or anyone else to enter this country outside of our quotas or in violation of any of our present immigration statutes.

With assurances of my highest esteem, and thanking you for your prompt attention to this matter, I am

Faithfully yours,

(Signed)
ROBERT R. REYNOLDS

Robert R. Reynolds, U. S. S.

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OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D. C.

June 23, 1944

Honorable Robert R. Reynolds
Chairman, Committee on Military Affairs
United States Senate
Washington, D. C.

My dear Mr. Chairman:

I have received your letter dated June 14, 1944, in which you ask to be advised of the basis of the President's authority for his recent announcement that 1,000 refugees now in Italy would be brought to this country and detained in a special camp.

These refugees will not be permitted to enter the United States under the immigration laws and thereby to obtain any rights to be at liberty in the United States or to remain here. The proposal, therefore, does not involve setting aside the immigration statutes. The propriety of temporarily detaining aliens in this country outside of the requirements of the immigration laws has been recognized for many years. One of the earliest instances of this practice occurred in the Russo-Japanese war when the crews of Russian war vessels were interned in the United States outside of the regular procedure under the immigration statutes. A recent illustration of the practice is afforded by the case of the German, Italian and Japanese nationals who have been deported by Latin American countries to the United States under an arrangement whereby they are interned in this country and will ultimately be repatriated to their own countries. Similarly, prisoners of war brought here for custody do not enter under the immigration laws and they obtain no right to remain here or to be at liberty within the country. For obvious reasons, this is a practice that can be followed only in exceptional circumstances.

For your convenience, I enclose a copy of the President's message to the Congress, dated June 12, 1944, which indicates that the present proposal relates to a particular group of persons who are now a burden to our military forces in an active theater of war operations and that military necessity requires some temporary disposition of them. It may be pointed out that as an emergency matter these persons might be permitted to enter the United States under the immigration laws by waivers of documents by the Secretary of State and, if necessary, by waiver of grounds of inadmissibility by the Attorney General. It was believed more desirable, however, not to apply the immigration laws, which create various rights and privileges, but to deal with this group

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as we have with the prisoners of war and other Axis nationals who are admitted to this country temporarily and detained here outside, but not in violation of, the immigration laws.

Sincerely yours,

(Signed)
FRANCIS BIDDLE
Attorney General

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

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OFFICE OF THE
EXECUTIVE DIRECTOR

September 12, 1944

Dear Mr. Myer:

As you know, both the War Refugee Board and the War Relocation Authority have received many recent inquiries on the subject of the availability of the refugees at Fort Ontario, Oswego, for emergency seasonal employment. As I understand the situation, the farmers in the neighborhood as well as local public officials have indicated the acute and urgent need of emergency help in order to prevent the spoilage of important food crops that are currently being harvested and processed.

After giving careful consideration to the matter, we have reached the following conclusions:

1. Whenever a general emergency exists and whenever the failure to provide labor will result in demonstrable injury to the war effort, we feel that the refugees should have an opportunity voluntarily to assist in harvesting and processing food crops under appropriate security controls.
2. The recruitment of refugees for emergency work should be done through the properly accredited agencies in the vicinity.
3. In each instance every effort should be made to insure that a real emergency exists and that the refugees are not being used to replace or compete with the normal labor supply in the area.
4. We believe that the refugees should return to the shelter every night during this present emergency employment.

Sincerely yours,

J. W. PEHLE
J. W. Pehle
Executive Director

Mr. Dillon Myer, Director
War Relocation Authority
Barr Building
Washington, D. C.

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

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OFFICE OF THE
EXECUTIVE DIRECTOR

June 6, 1945

My dear Mr. Secretary:

The liberation of Europe has terminated the specific task assigned to the War Refugee Board to rescue and bring relief to the persecuted peoples in Europe in imminent danger of death at the hands of the Nazis. The Board is now in process of winding up all its activities and it is contemplated that this will be completed by August 30, 1945.

There remains, however, one difficult problem which arises from the over-all responsibility given the Board for the Oswego project. Because of the complexity of this problem I have set forth my views and recommendations on this matter in a separate memorandum which I herewith send to you for your consideration.

Very truly yours,

(Signed)
WILLIAM O'DWYER

William O'Dwyer
Executive Director

The Honorable,

The Secretary of the Treasury.

Enclosure

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MEMORANDUM

The principal remaining problem confronting the War Refugee Board arises in connection with the Oswego project. In his directive of June 8, 1944, and in his message to Congress of June 12, 1944, President Roosevelt charged the Board with "the over-all responsibility for this project" and the War Relocation Authority with the actual administration of the camp.

There are two essentially different problems in connection with the people at Oswego. First, there is the problem of their relocation, which is an integral part of the larger problem of the ultimate resettlement of perhaps millions of permanently displaced persons the world over, particularly in Europe. Second, there is the problem of the modification of the restrictive conditions which keep the refugees confined to the Shelter at Oswego.

The President's message of June 12, 1944, to the Congress has an important bearing on the first problem. Advising the Congress that he had made arrangements to bring about 1,000 refugees in Southern Italy to the United States, the President stated that "upon termination of the war they will be sent back to their homelands." If it were possible now that the war in Europe is ended to immediately carry out the President's commitment, the second problem would not arise.

It is becoming increasingly clear, however, that relatively few of the people at Oswego can be returned to homelands at the present time. The statement of only a few summary facts and statistics relating to the refugees at Oswego is necessary to support this general conclusion.

Although every effort is being made to return as many as possible, so far we have succeeded in returning only 14 persons.

Of the 932 who came to Oswego, 369 were citizens of Yugoslavia, the only country to which repatriation is as yet possible. Only 13 Yugoslavs were willing to depart on the May 31st sailing of the Gripsholm, although there was no question of their nationality and their government was willing to receive them. In February of this year 111 of the Yugoslavs had indicated their desire to return to their homeland, but when it came to a test of their actual departure only a few volunteered to go. The reluctance or unwillingness of the Yugoslavs to return has to do, in so far as we know, with political considerations or a desire to obtain permanent entry into the United States.

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There are at Oswego, 41 Czechs and 146 Poles; 2 of the Czechs and 76 of the Poles are or consider themselves "stateless". Almost all of these 146 persons have indicated a desire to remain in the United States. It is practically impossible to know the extent to which their hope of obtaining permanent entry to this country is responsible for their unwillingness to return to their countries of origin. There is no indication that even those with clear citizenship could at present be returned or that their governments would receive them.

The largest single category of refugees at Oswego are "stateless" Jews. There are 361 persons originating in Austria, Germany and the Balkan countries, practically all in this category. The problem of these people, and perhaps of the "stateless" Poles, is far from an ultimate solution. Under present physical, psychological and political conditions they have no homelands to which to return. Almost none of them want to return and almost all of them wish to remain in the United States.

There are 65 additional people at Oswego, of whom 16 are "stateless" Russians and 45 citizens of Allied countries other than Yugoslavia, Czechoslovakia and Poland.

The above facts make it clear that the great majority of the refugees at Oswego either do not now have "homelands", in fact or in their own consideration, or do not voluntarily wish to return to their national homes. In my opinion, it would not be in accordance with the President's commitment and our government's political and humanitarian policies, to return "stateless" Jews arbitrarily to Germany and Austria or unwilling nationals to the countries of their citizenship. Furthermore, conditions in Europe at present preclude the possibility of the immediate return of many of the people at Oswego and, more generally, the resettlement of most displaced persons. Finally our national policies with respect to displaced persons should be determined and developed in proper relation to a United Nations solution of the problem. In the meantime every effort should be made to settle as many of the refugees in Oswego in permanent homes, anywhere in the world where they can and are willing to go.

To return these people to Italy on the formal consideration that this was the country from which they were shipped to Oswego, in my opinion, would not be in accordance with the President's commitment. Such action would undoubtedly prejudice the action of other countries with large numbers of refugees, particularly the neutrals whom we urged to accept as many as possible while we were at war with Germany. It would not be in accordance with the objectives and ideals which motivated President Roosevelt to bring these people to a safe haven in the United States. The arbitrary

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return of these people to Italy would only serve the purpose of getting them out of the United States to some UNRRA camp where they might have to wait for years before final relocation.

I therefore recommend that, until such time as the United States Government policy with respect to the more general United Nations problem of the ultimate resettlement of permanently displaced persons, including those at Oswego and elsewhere in the United States, is definitely determined, the refugees at Oswego be allowed to remain in the United States, except in those cases where they are willing and able to return to countries to which repatriation can be effected.

If the people at Oswego cannot or will not be immediately returned to Europe, we can expect the intensification of public efforts to obtain the modification of the restrictive conditions which keep them confined to the Shelter at Oswego. Innumerable complaints and criticisms have been received by the Board from private agencies, members of Congress, private citizens and the refugees themselves. The director of the camp, Mr. Joseph Smart, recently resigned in protest against the continued confinement of the refugees and is organizing public opinion and action to obtain greater freedom for them. Daily there are newspaper accounts highlighting the mental and physical tensions of the refugees, their inactivity, and their separation "by bars" from close relatives who are citizens of the United States. The people of the town of Oswego under the leadership of their mayor have recently petitioned the President to release the refugees. The House Committee on Immigration is about to conduct an investigation at Oswego.

The basic reasons for confining the refugees to a camp were the need for security restrictions during the war, their contemplated return home immediately after the war; and the fact that, since they were here outside the immigration laws, criticism of any permission to leave the camp might affect the efforts of this Government to rescue additional groups of refugees and also post war immigration generally", as stated by Attorney General Biddle.

Security reasons are no longer controlling and it seems unlikely that they can be returned in the immediate future. Furthermore, with the end of the war in Europe, there is no further need to rescue additional refugees. If these people are to remain in this country until they are permanently relocated, it is difficult to see how general policy considerations with respect to post war immigration can withstand the humanitarian considerations underlying the increasing public pressure to grant the Oswego refugees greater freedom while in the United States.

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During the past few months I have repeatedly tried to obtain permission from the Attorney General for the extended leave from Oswego under appropriate control of those refugees who are in imminent danger of nervous or physical breakdowns and possibly for all of the refugees as a preventive measure. The Attorney General consistently has refused to grant such approval because of President Roosevelt's statement to the Congress that these refugees would remain in a camp under appropriate security restrictions until returned to their homelands upon termination of the war, and because the temporary release of any of the refugees might affect public and Congressional attitudes with respect to existing immigration laws, policies and procedures. At present, no refugee may leave Oswego other than for 6 hours a day except for necessary hospitalization. In my opinion these refugees can and should be granted greater freedom in a manner consonant with the fact that they are here outside the immigration laws.

I therefore recommend that, while the refugees at Oswego remain in this country pending solution of their ultimate resettlement, they should be allowed greater freedom, under a general program of sponsored leave consistent with the broad humanitarian ideals that motivated this Government in bringing these people to the United States and with the conditions of American freedom surrounding them. The details and conditions of such a program should be worked out by the Department of the Interior and the Department of Justice.

Since it is contemplated that the War Refugee Board will be terminated not later than August 31, 1945, and since the solution of the problems of the people at Oswego requires considerable time beyond that date, I recommend that the over-all responsibility for the Oswego project should be transferred immediately from the War Refugee Board to the Department of the Interior, which has the actual administration of the camp.

WILLIAM O'DWYER

William O'Dwyer
Executive Director

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THE SECRETARY OF THE INTERIOR
WASHINGTON

February 27, 1945

My dear General O'Dwyer:

After careful consideration of all factors involved, I should like to urge strongly the initiation of a program of sponsored leave which will permit residents of the Emergency Refugee Shelter at Fort Ontario, Oswego, New York, who desire to do so, to reside in normal communities throughout the United States. In my opinion, such a policy might well be put into effect within the next thirty days, unless there are valid reasons which you consider make such a course undesirable.

Of the 982 persons of all ages and various nationalities residing at the Shelter, many have close relatives in the United States--children, parents, brothers, and sisters, and even husbands and wives. Twenty sons of Shelter residents are in the United States Army. In Italy, before coming to this country, many of the refugees were at work and all enjoyed considerable freedom of movement.

We have done our utmost to administer the Shelter humanely, but six months of residence under conditions substantially more restrictive than those under which these people lived abroad have inevitably resulted in disappointment and frustration. The Shelter residents grow increasingly bitter and resentful over what is virtually confinement under an indeterminate sentence and cannot understand why they as friends of the United States should not be free in a land of freedom. They compare their treatment, and unfavorably, with that accorded internees and prisoners of war. They would like to contribute to the winning of the war, but instead are denied the opportunity for productive enterprise. I have felt for some time that it is scarcely to be tolerated that these avowed anti-Nazi refugees should be forced to live in the United States under this form of detention.

The extremely rigorous climate at Fort Ontario is another factor contributing to their physical and mental discomfort and rendering more difficult our task of maintaining the refugees at a minimum standard of decency.

Apart from these considerations, I can see no justification for maintaining the refugees at Fort Ontario at public expense, when relatives and friends of the refugees and private agencies are willing and eager to assume full responsibility for their care.

We recognize that the refugees at Fort Ontario were brought into the United States outside the immigration laws, but believe

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that the policy of sponsored leave outlined below would not conflict with the government's declaration concerning the status of the refugees in this country.

I propose that the following policies govern the issuance of sponsored leave.

1. Refugees would apply to the War Relocation Authority for permission to take up residence outside the Shelter for an indefinite period. They would be informed that such residence is subject to termination at any time, and that they would be required to return to Fort Ontario or to a designated place when the government concludes arrangements for their return to their homelands.
2. The War Relocation Authority now has general assurance and would require specific assurance from cooperating national private agencies that for each person granted sponsored leave these agencies would assume the following responsibilities:
 - (a) Provide transportation and incidental expenses from Fort Ontario to the new location and return to any designated place within the United States.
 - (b) Relieve the government of any financial responsibility for refugees on sponsored leave during the period of such leave. In instances where the agencies arrange for a relative or friend to assume responsibility in an individual case, the agencies would agree to carry on the responsibility for maintenance and other services if the relative or friend should at any time be unable to live up to his obligations.
 - (c) Reunite refugees with their relatives in this country wherever possible.
 - (d) Arrange for a reputable private citizen or local agency to serve as sponsor for the refugee in the community where he takes up residence.
 - (e) Meet any other security provisions required by the government.
 - (f) Arrange through local cooperating agencies and private individuals for refugees to obtain adequate housing, welfare, medical, and other services and, where possible, constructive employment.
3. Refugees on sponsored leave would be permitted to accept employment.

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4. The War Relocation Authority would arrange to have refugees on sponsored leave or their sponsors notify the WRA Relocation Officer of the district in which they are residing of their present address once every thirty days.
5. Before departure from the Shelter, arrangements would be made with the Department of Justice for the registration of those applicants for sponsored leave who are technically aliens of enemy nationality, with the understanding that such persons, in the communities to which they go, would be subject to the same controls as residents of the United States who fall into this category. If desired by the Department of Justice, alien registration could also be accomplished for all persons granted sponsored leave.
6. The War Relocation Authority would institute a proper system of pass issuance so that each refugee departing on sponsored leave would be provided with a suitable identification card. Appropriate procedures would be developed so that the War Relocation Authority would know at any time the present address and agency or individual responsible for each of the refugees on sponsored leave.

The refugees were checked before their departure from Europe, and after their arrival at the Shelter were subjected to thorough screening and panelling by the United States Army. In view of the fact that no positive information of significance was developed concerning any of the group in these interviews and that none has developed out of our experience with them, it is believed that further processing of this sort should not constitute a prerequisite to the granting of sponsored leave.

Although it is anticipated that the national private agencies would be in a position to arrange sponsored leaves for all Shelter residents desiring to leave the Shelter, the War Relocation Authority would, of course, plan to continue operation of the Shelter for such period and on such scale as might be necessary.

It is my belief that such a program should be put into effect at an early date, provided that the policy is believed to be a sound one. I would appreciate having your reaction to this proposal as soon as possible.

Sincerely yours,

(Signed)
HAROLD L. ICKES

Harold L. Ickes
Secretary of the Interior

Gen. William O'Dwyer,
Executive Director,
War Refugee Board.

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OFFICE OF THE ATTORNEY GENERAL
WASHINGTON

March 1, 1945

General William O'Dwyer
Executive Director
War Refugee Board
Treasury Building
Washington, D. C.

My dear General O'Dwyer:

The Secretary of the Interior has sent me a copy of his letter to you recommending the adoption of a program that would permit residents of the Emergency Refugee Shelter at Fort Ontario, Oswego, New York, who desire to do so "to reside in normal communities throughout the United States."

I am opposed to this recommendation. These refugees did not enter the United States under the immigration laws; they were brought here apart from, but not in violation of, those laws. They came here on the understanding that they were not to be at liberty in the United States and that they were not to remain here permanently. On a number of occasions, when the question has arisen, I have assured members of Congress that the admission of these refugees did not give them any right to be at liberty here or to remain permanently in the United States, and that they would be detained in a refugee settlement until they could be safely returned to their homelands. I think the same representations were implicit in the message that the President sent to Congress dated June 12, 1944. The plan proposed by the Secretary of the Interior, in my opinion, is not consistent with the representations that the executive branch of the government has made to Congress. I think I should tell you that last December, in connection with a related problem, I was instructed by the President to adhere strictly to these representations. Finally, I should like to point out that the criticism that would doubtless follow any disregard of our representations to Congress, or that might otherwise be caused by permitting these refugees even limited liberty in this country, would probably adversely affect the efforts of this government to rescue additional groups of refugees.

I am sending a copy of this letter to the Secretary of the Interior.

Sincerely yours,

FRANCIS BIDDLE
Attorney General

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DOCUMENT

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June 6, 1945

MEMORANDUM FOR: Secretary of the Interior
Executive Director of the War
Refugee Board

In view of the contemplated early termination of the War
Refugee Board, the over-all responsibility for the Emergency
Refugee Shelter at Oswego, New York, is hereby transferred from
the War Refugee Board to the Department of the Interior.

(Signed)
HARRY TRUMAN

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DOCUMENT

306

A I R G R A M

DISPATCHED: June 9, 1944.

CAIRO

FROM: American Embassy near
Government of Yugoslavia

DATE: June 6, 1944

RECEIVED: June 14, 8 a.m.

The Secretary of State
Washington.
A-21, June 7, 1 p.m., 1944.

With reference to the Department's telegram no. 1283 of May 27, 1944, 10 p.m., for Murphy from the War Refugee Board, I have obtained the following report from Mr. Matthews, Chief of the Balkan Mission of UNRRA, regarding the acceptance of further Yugoslav refugees in Egypt.

"On the first of January 1944 MERRA was asked to accept responsibility for 20,000 Yugoslav refugees in the Middle East. The Egyptian Government agreed to accommodation in Egypt, and staff, supplies and services were made available by the British Army. Later the total ceiling of refugees was increased to 25,500. Up to the 1st of June some 26,000 refugees had actually arrived in Egypt. Camp space has provided no difficulty and sufficient stores are being made available to equip the camps. The British Army has been able to supply administrative personnel, but there has been great difficulty in providing sufficient transportation and it has been impossible to find adequate medical staff.

In the middle of May a request was received by MERRA to take responsibility for further numbers of refugees, bringing the total ceiling up to 40,000. In view of the proposed take over of MERRA by UNRRA as of May 1st, it was necessary to get UNRRA's Washington approval. This approval was forthcoming on condition that the Army would make available the necessary administrative and medical staff, supplies and other army services. This the Army agreed to do, but the actual shortage of doctors was such that sufficient staff could not be made available from army sources to enable refugees to be received. Until more doctors and nurses can be made available either from civilian or military sources in practice the limit of reception must stand at 40,000.

It may be assumed that no objection is likely to arise from the Egyptian Government to increases in the number of Yugoslav refugees accommodated in Egypt. The limit to reception of refugees is likely

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to be set primarily by the availability of staff, especially of medical staff and also increasingly by the shortage of supplies. The British Army is no longer to make available E.P.I.P. tents for the expected arrivals and at an early date other supply shortages will make themselves apparent. With the increase of the number of refugees the transport position is also likely to cause considerable difficulty."

The Medical Division of UNRRA has also orally emphasized to this Embassy that the problems of obtaining sufficient medical, sanitation and nursing personnel, medical and sanitation supplies (especially the latter) as well as transportation and tents, at present preclude the acceptance by UNRRA of more than the 40,000 refugees specified by Mr. Matthews. It is further reported that the refugees now in Egypt, both adults and children, and the American and British workers among them have already, due to the lack of proper sanitation supplies, been exposed to unhealthful conditions, and that many refugees, especially children, are today suffering from various diseases brought about by these conditions.

The Medical Division further points out in this general connection that UNRRA's assumption of responsibility for these refugees was made conditional on its obtaining assistance in both personnel and supplies from the British and American Armies. The British Army has, it is said, supplied with considerable difficulty a certain number of personnel and considerable supplies. On the other hand the American Army has advised that it has no authority to furnish either personnel or supplies for this purpose. Accordingly, it has been suggested that it would be of considerable assistance if the War Department were approached with a view to its authorizing USAFIME to furnish sanitation and medical supplies against payment, and also any personnel that may be available, if necessary such supplies being limited to only those not available from the British Army. If, in addition, the American Army could supply means of transportation and E.P.I.P. tents this would help the task of the UNRRA considerably. I understand that the USAFIME has already cabled Washington regarding these UNRRA requirements but has as yet received no directives.

A further question which has arisen is that of stateless refugees, since the Egyptian Government's regulations as to guarantee of repatriation after the war now prevent such persons being received in Egypt. Yugoslav Jews are not affected by this difficulty but I am informed that Jews of Hungarian and other enemy origin are classified by the Egyptians in this category and refused admission to camps here.

Repeated to Algiers for Murphy.

MACVEAGH

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DOCUMENT

307

PARAPHRASE OF TELEGRAM RECEIVED

FROM: American Embassy, London
TO: Secretary of State, Washington
DATED: June 14, 1944
NUMBER: 4745

[REDACTED]

There was mentioned yesterday in the DAILY MAIL and the TIMES the action of the American Government in establishing a refugee camp at Fort Ontario, Oswego, New York as outlined in Department's message dated June 12 No. 4641, from the War Refugee Board. It is stated by the London office of OWI that it has been carrying the story in its broadcasts to enemy occupied and neutral countries and it has agreed to stress the significance of the President's action in opening this refugee camp.

On June 12 we discussed with Randall, head of the Refugee Department of the Foreign Office, the possible availability of Cyprus as a refugee haven. He said that the British Government had been informed by the governor of that territory that no more refugees could be accommodated because of the large number of Greek refugees who had fled to Cyprus. Randall felt that it would absolutely useless to look to Cyprus for assistance. It was stated by him that all possibilities were being considered by the British Government and he was trying to do everything in his power to find havens of refuge for those who can escape from German occupied areas.

During the course of the conversation with Randall on June 12, he referred to the fact that the British had agreed to the opening of a refugee camp in Tripolitani, as reported in Embassy's cable of June 7, No. 4556, and he expressed again the wish of the Foreign Office to receive suggestions from the War Refugee Board with respect to personnel and funds for this camp's administration.

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LC-453

This telegram must be paraphrased before being communicated to anyone other than a Government Agency. (~~Restated~~)

Jerusalem

DATED: June 5, 1944

REC'D: 4:10 p.m.

Secretary of State,
Washington.
77, June 5, noon

Group of 769 Jewish immigrants arrived in Palestine via Egypt on evening of June 2. 571 came from Italy on Polish steamer "Batori" and 198 came from Yemen. Among those coming from Italy were 192 Czechoslovaks, 178 Yugoslavs, 113 Poles and 56 Austrians, largely from Ferramonte, Santa Maria and Bari concentration camps.

PINKERTON

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DOCUMENT

309

RS-287
Distribution of true
reading only sy special
arrangement. (██████ W)

Bern
DATED: July 20, 1945
REC'D: 7:05 p.m.

Secretary of State
Washington
US URGENT
3632, July 20, 6 p.m.

FOR O'DWYER OF WRB FROM MCCLELLAND

Legation's 3560, July 14.

Swiss authorities informed me on July 16 that after reconsideration of whole question and in face of continued opposition on part of refugees themselves, Swiss now deem it undesirable evacuate groups B and C from Switzerland. Only group remaining, therefore, to be evacuated is A.

On July 14 AFHQ inquired whether these 700 (group A) destined for Palestine would be ready to move. Meanwhile through British Legation Bern and with assistance our Embassy London we have succeeded obtaining certain concessions such as permission use collective passports, calculated to speed up issuance certificates to this group in Switzerland. British security check will be transferred to their Consulate General in Naples.

With luck and perseverance I think we can get group A documented by end of this month. I accordingly suggested tentative departure date from Switzerland of August 6 to AFHQ and asked them if they planned make technical arrangements for picking up group at Swiss border and transporting it overland.

In view these developments it might be advisable postpone any approach to UNRRA for time being. Herbert should return to Switzerland with Harrison toward end this month. We will reexamine progress then and inform you.

HARRISON

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CIRCULAR AIRGRAM SENT

AIRGRAM

March 31, 1944

1:05 p.m.

BY COURIER

CIRCULAR AIRGRAM

For the Personal and Confidential Attention of the Ambassadors at Tegucigalpa, San Jose, Quito, Managua, Port-au-Prince, Caracas, San Salvador and Lima.

Refer our previous communications regarding War Refugee Board. Information has been received that there are in enemy-occupied Europe a number of persons holding passports issued in the names of various Latin American countries including the country to which you are accredited. Our information is that in a large number of cases such persons are interned under conditions which are immeasurably better than the treatment they would receive if they did not have such passports. It is reported that without such passports, such persons would be transported to Poland and death.

The plight of these refugees was the subject of a memorandum presented to the Department by the Polish Ambassador in Washington on December 24, 1943, in support of the request of his government that this Government intercede on humanitarian grounds to save the persons concerned from deportation to Poland by interceding to prevent the withdrawal of these passports in cases in which they may have been improperly issued.

The following are excerpts from a report of Dr. Kullmann, Vice Director of the Intergovernmental Committee, who has recently made an exhaustive investigation of the matter in Switzerland: QUOTE It is estimated that 4,000 (passports) have been issued from Switzerland and it is known that others have been issued from other neutral countries including Sweden. Some informants estimated the total number to be as high as nine to ten thousand but some thought that it did not exceed 5,000. In Switzerland it (the securing of the passports) was organized by private individuals and reached such proportions that the Swiss Federal Government had to intervene. Legal action was taken against several of the organizers and at the same time enquiry was made regarding the authority of some of the representatives of the South American states to carry on these transactions.

There seems little doubt that the German authorities are aware of what has been going on but for reasons of their own they have hitherto not adopted a general policy of withdrawing the

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passports. While in many cases the possession of these documents has afforded the owners protection against persecution and even special treatment in some of the camps, in other cases they have afforded no protection at all and particularly so where the persons concerned were not interned. Originally the German authorities seem to have cherished the hope that the persons with these South American passports might constitute a basis for the exchange of German nationals in South American countries and it is not improbable that they still have vague hopes of this. Other reasons have been suggested for their lack of consistency. Recently however they have been making enquiries through some of the protecting powers of the South American Governments concerned regarding the genuineness of the documents and they have been submitting lists of persons concerned with a view to verification UNQUOTE.

Sir Herbert Emerson, Director of the Intergovernmental Committee, on the basis of the foregoing recommends that the Latin American Governments in whose names such passports have been issued, be approached on two points, QUOTE (first) that the Governments should refrain from withdrawing the passports which have been issued and (second) that if and when the protecting power on the request of the German authorities submits lists of persons with such passports they should instruct the protecting power that the passports have been confirmed UNQUOTE.

Although the Department does not condone the unauthorized issue of passports, it does not follow that the Department should withhold its intercession in a situation in which the lives of so many persons are at stake. The Department and the War Refugee Board agree with Emerson that where thousands of human lives lie in the balance because of war conditions and enemy persecutions, appropriate steps should be taken to avoid the nonrecognition by the Germans of such passports.

The Department understands that these passports, appearing on their face to have been issued by competent officials, are valid until they are cancelled. While Department agrees that the Government to which you are accredited is entirely within its rights in cancelling such passports, it urges that the right of cancellation be not exercised until the holders shall have reached a place of safety, so that the act of cancellation shall not be, in essence, condemnation of the holder to a terrible death. All that is here asked is that the Government to which you are accredited deal with the question at a time when it shall occasion the least possible measure of human suffering.

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SPECIAL INSTRUCTIONS TO THE AMBASSADOR

You are instructed to memorize the contents of this airgram, burn the document and discuss the matter orally with the government to which you are accredited. Such report as you submit to the Department on this subject should be by secret courier.

HULL
(AAB)

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DOCUMENT

311

ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: April 7, 1944
NUMBER: 1181

[REDACTED]

The Department has received from London Kullmann's report of his discussions with you, the Swiss authorities, the Polish Minister, the International Red Cross and representatives of voluntary agencies concerning the attitude of Switzerland towards those who assisted Poles, including Polish Jews, in France to obtain passports issued in the names of Latin-American countries, and the attitude of the German authorities with respect to the persons in enemy-controlled areas holding such passports. This Government is approaching the Latin-American Governments and is urging them on humanitarian grounds to take no action, at least until after the war, to revoke or cancel such passports or to indicate that they are or may be revoked or cancelled or may be considered ineffective or invalid. As you probably know, the Government of Paraguay has already advised this Government and the Intergovernmental Committee that it has not cancelled and is not considering cancelling such passports issued in its name.

There is some hope that Poles, including Polish Jews, holding such passports will continue to receive more favorable treatment than persons who do not. It is this Government's view that any action that might result in endangering their lives or subjecting them to transportation or worsening of their condition should be avoided. It is also of the view that all appropriate action calculated to protect the lives and welfare of these persons should be taken.

Accordingly, you are requested to approach appropriate officials of the Swiss Government and advise them of this Government's views. You should request appropriate officials of the Swiss Government to approach the Germans in an effort to induce them to continue to recognize the validity of Latin-American passports held by persons in Vittel and elsewhere unless the Government in whose name the passport has been issued takes affirmative action to cancel or revoke it or deny its validity. In this connection, Kullmann and others report that the Swiss Government has taken legal action against the persons in Switzerland who were instrumental in securing

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these passports and that the Swiss Government has also undertaken an inquiry regarding the authority of some of the persons who have issued such passports. It is this Government's view, and appropriate Swiss authorities should be so advised, that the validity of the passports in question is not in issue and should not be put in issue by Swiss authorities in the absence of affirmative renunciation by the Latin-American Governments concerned. In any event, it would seem that such action and inquiry might, on humanitarian grounds, if no other, be postponed until after the war, and you should so inform the Swiss Government.

For your information, Kullmann has reported that the Swiss authorities are definite that any approach to the Germans would not only be ineffectual but would do more harm than good. This Government cannot agree with that view. The Department and the War Refugee Board have reasons to believe and are strongly of the view that it is of the utmost importance and can only help persons subject to enemy persecution that German authorities be kept continuously aware that the treatment of Jews and others in enemy-controlled areas is being followed with the closest attention.

Please keep the Department advised of any developments in regard to this situation.

(unsigned)

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DOCUMENT

312

PARAPHRASE OF TELEGRAM RECEIVED

FROM: American Legation, Bern
TO: Secretary of State, Washington
DATED: June 17, 1944
NUMBER: 3871

Reference is made herewith to your cables of April 7, April 10, April 22, May 27, and June 5, 1944 numbers 1181, 1221, 1400, 1846, and 1921 and my telegram of April 13, 1944 No. 2297.

The following is the substance of material part of the June 13 memoire from the Foreign Office.

1. Passports of countries of Latin America (Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Paraguay, Venezuela) have circulated since the outbreak of the war among Jews living in German occupied territories, Poland especially. Consulates of various countries mentioned in Japan, Switzerland, Portugal, New York, Sweden and perhaps Poland issued these passports. Instructions were requested of interested Governments when such passports of countries whose interests Switzerland protects in Germany expired and when bearers asked the Swiss Legation in Berlin to renew them. The interested Governments in general refused to authorize the extension of those passports which were not recognized by them. This fact was not brought to the attention of German authorities but the Swiss Legation in Berlin was deprived henceforth of the possibility of giving these people protection.

2. Of these passports a rather large number are Paraguayan. Since Spain represents Paraguay in Germany, it seems that a list of a limited number of persons who alone should benefit from Spain's protection was given to the Spanish Embassy in Berlin by the government of Paraguay. It is not known by the Federal Political Department whether the Spanish Government received subsequently instructions correcting this situation in conformity with Paraguayan Government's statement mentioned in the second paragraph of the American Legation memorandum of April 10 (your 1181).

3. Admission to American civilian internment camps controlled by the Minister of Foreign Affairs in Berlin, such camps being administered by analogy pursuant to POW Convention, was secured by a certain number of bearers of Latin American passports, generally Eastern European origin. Thus these persons virtually became candidates for an exchange of civilians between American countries and Germany. Those remaining in Poland, on the other hand, remained under regulations governing other eastern Jews. A census of inter-

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nees at Compiègne and Vittel was taken recently and there was removed from these camps a group of Jews. In certain cases this seems to have involved bearers of Latin American passports whose validity was questioned.

4. Jews who had not been able to establish American nationality had already been removed from Compiègne and Vittel by the German police at the time the contents of the American Legation's notice of April 14 (your 1221) was delivered to the German Government. It appeared from verbal statements made to the Swiss Legation in Berlin by a German Foreign Office official that the latter welcomed an opportunity while there was still time to support recognition by the United States of any one claiming ties with a country of Latin America as exchangeable. In the future German Foreign Office would be ready to consider as eligible for exchange against Germans in the United States desiring to be repatriated all Jews interned in these camps who bear Latin American identity documents as well as those elsewhere known to the German Foreign Office.

5. Consequently it would seem logical to admit that the German Foreign Office, desiring to establish as large a basis as possible for foreseen exchanges, will do everything possible to exempt Jews bearing Latin American passports from deportation provided that an exchange agreement will effectively cover these Jews.

6. It is reported that there are still in Poland persons holding Latin American passports who until now have neither been interned nor considered for exchange, according to the Swiss Legation in Berlin. It appears that the best protection that could be given to them would be for the interested Governments to recognize officially all Latin American passports which Jews in Germany or other German occupied territories are holding and to make a formal declaration through protecting power to this effect. Of countries whose interests Switzerland protects in Germany only El Salvador and Venezuela have recently made such declarations through intermediary of Federal Political Department. As yet, Nicaragua, Guatemala, Honduras, Ecuador and Costa Rica have not individually confirmed this attitude which should result from steps which the Department of State has taken with various countries of Latin America mentioned in paragraph two of the April 10 memorandum of the American Legation.

7. Although not implying any guarantee, the foregoing permits the hope that the German Foreign Office concurs with the State Department's views. The concrete proposal leading to the exchange of lists contained in a recent communication with the government of Germany and submitted to the Federal Political Department by the American Legation of May 31 (See Department's cable of May 27,

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1944, No. 1346) should constitute a basis for a practical talk in this matter.

3. However, the following must be submitted to the Legation's attention by the Federal Political Department: the arrangements being considered will be effective only to the extent that the number of German citizens whose repatriation may be considered corresponds to the number of persons holding passports and other identity documents issued in the names of Latin American Republics. However, it has come to the Federal Political Department's attention that documents of this type are said to have been issued by the hundreds recently again.

9. Finally, any publicity whatsoever given to the action now being taken could compromise the essentially precarious status which one hopes to assure Jewish bearers of passports from Latin American countries.

We would appreciate information relative to success of steps referred to in paragraph two of above note which the American Embassy in Madrid undertook with the Spanish Government.

HARRISON

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DOCUMENT

313

PARAPHRASE OF TELEGRAM RECEIVED

FROM: The American Legation, Bern
TO: The Secretary of State, Washington
DATE: March 31, 1944
NUMBER: 1994

With reference to the situation of the Jews who reportedly have been interned in Vittel, Isaac Sternbuch has approached the Legation. (Please refer also to my number 1958 dated March 30, 1944.) A total of two hundred and thirty eight persons comprised of children and adults most of whom have obtained documentation of ten Latin American Governments - Peru, Paraguay, Costa Rica, Honduras and others, are involved.

According to Sternbuch interested persons are attempting some kind of remedial action with Government whose officials abroad have issued the false documents which these person possess. The statement has been made repeatedly that the State Department has interested itself and is urging the Governments concerned to find some means of alleviation either by complete recognition of nationality or by assuming responsibility in some other way for the victimized persons. Kindly inform me if this report is authentic. We have now clandestinely received information that largely because of some alleged action by the Spanish Embassy in Berlin as the protecting power of the Paraguayans, these persons are about to be or already have been removed elsewhere by the German authorities. The Swiss Foreign Interests Division has told me informally that the Government of Spain had been requested by the Germans to inquire into the bonafides not only of the Paraguayans but of all suspected claims and that other Governments denied responsibility and claims. However there is not available to me a complete picture of the affair.

The following four persons who claim U.S. nationality are contained in the list of internees concerned: Nettie and Lieba Wachtel, Malka Hager and Hirsch. According to the records of the Legation, applications for documentation of Netti and Lieba Wachtel and Hirsch as American citizens were submitted to the Department. In a list received from the Swiss authorities and transmitted to the Department as Legation's dispatch 6037 dated September 3, Malka Hager was reported as an American citizen. We have not yet received the Department's decisions concerning citizenship claims of these persons.

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Interested Jewish circles in Switzerland and Sternbuch are fearful of the fate awaiting the above described group and believe that it may be possible to arrange with authorities of Germany an exchange of Germans who may at present be in North and South America for members of this group. Such arrangements it is realized would require time for negotiations and meantime pending submission of such proposal to German authorities it is Sternbuch's hope that the German authorities might be prevailed upon to postpone any summary action by which the group would be affected. The possibility that the Department might be willing to telegraph the American Embassy at Madrid asking it to communicate with the Spanish Foreign Office with a view to appropriately communicating with the Spanish Ambassador in Berlin in the premises, was therefore suggested to the Legation by Sternbuch. Sternbuch further suggested that in such an arrangement the Spanish Ambassador in Berlin might be asked to request the authorities of Germany to withhold any action until there could be an investigation of the possibility of arrangements for exchange against the Germans.

Accordingly Sternbuch's proposal is being submitted to the Department by me. Urgency is stressed by Sternbuch. That representations may also have been made in London to the International Committee and possibly in Washington too, I have reason to believe.

Until the status of the Hager and Wachtel cases is definitely determined I am requesting the authorities of Switzerland to ask the Germans to take no action.

My despatch number 6921 dated December 27, sent to the Department in microfilm number 33 reported the developments reported in the foregoing.

HARRISON

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DOCUMENT

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BJR-254

This telegram must be paraphrased before being communicated to anyone other than a Government Agency. (REDACTED)

Bern

Dated July 3, 1944

Rec'd 7:23 p.m.

Secretary of State,
Washington.

4223, July 3, noon (SECTION ONE)

Notice number one: Swiss Legation Berlin has no knowledge of camps Bostortost Silesia and Bergau near Dresden but will nevertheless immediately undertake all necessary measures with a view to establishing both nature and object thereof. Reports concerning said camps will be transmitted earliest possible.

For some time in connection with foregoing there have been held internment camp of Bergen-Belsen near Celle, Hanover whose inclusion civilian exchanges is contemplated but not possessing American citizenship or citizenship other Swiss represented countries.

"Alien relatives" that is, those close relatives of American nationals not possessing American citizenship are not being admitted internment camps reserved for nationals of American nations. While awaiting exchange they are detained in above-mentioned temporary camp in which are held, for example, persons approved for Palestine Civilian Exchange but not possessing British nationality. (Note: Please see penultimate paragraph Department's 1846, May 27, indicating more lenient attitude in this regard).

It is appropriate to indicate with respect to remainder of Department's 1921 that to the knowledge of Swiss Legation no authentic national of American nations has been deported or otherwise deprived of rights resulting from his American nationality except for Venezuelan family Malkowsky and Chilean families Gorlin and Frumkin on whose behalf Swiss Legation made repeated representations as a result of their removal during April from Vittel.

German authorities continue to treat persons in question as nationals of American nations even in cases where respective governments on basis of information furnished by Swiss authorities have not definitely ruled regarding their status.

Polish and other Eastern European Jews, it is quite possible, thought it advisable to obtain a false Latin American passport. German authorities have subjected them to general treatment accorded to eastern Jews having established that these documents

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not authentic. As persons concerned have not had possibility approach Swiss authorities cases this character not generally known to the Legation.

Formal assurances limited to persons who were on May 11 in civilian internment camps reserved for nationals of American continent were only given on that date by German Foreign Office to Swiss Legation.

No protection could be assured persons possessing more or less doubtful passports in eastern territories except by furnishing appropriate lists to German Government and communicating declarations similar to those which Honduras and Venezuela recently made in stating even more the declaration regarding all identity papers of Latin American countries of every kind found to be in possession of persons concerned.

[End of Section One]

HARRISON

000659

GEM-330

This telegram must be paraphrased before being communicated to anyone other than a Governmental agency. (~~REDACTED~~)

Bern

Dated July 3, 1944

Rec'd noon.

Secretary of State,
Washington.

4223, July 3, noon (SECTION TWO)

Notice two.

A. None of persons removed from Vittel had been able furnish proof Latin American nationality according statement made May 3 by chief competent section German Foreign Office to representative Swiss Legation Berlin in reply to latter's request. For most part these persons are Jews from east who previously claim to be Paraguayan nationals or nationals other American countries. They were assimilated on the basis of this declaration with nationals of countries at war with Germany and under protection Swiss Legation. They were consequently interned in camps reserved for nationals of Latin American Republics, United States and Great Britain.

These persons it developed in due course possessed no proof of nationality which they claimed. Consequently they were removed from camp where they had no right to be. It was further stated by competent German Foreign Office official that he could not accede to Legation's request for list of persons removed from Vittel because question merely involved internal German police measures and persons concerned had no right to Swiss protection. (Legation's telegram No. 3171, May 18 summarized this representation). Deportation measures taken at Vittel and Compiègne have affected no United States national according to the statements secret Counselor Sethe. The Swiss Foreign Office transmitted during April to Swiss Legation Berlin the list bearing 238 names deported from Vittel as result of measures taken by Germans which received from American Legation.

None of these persons appeared in Swiss Legation's register of United States nationals — it was established following examination. Swiss Consulate at Paris somewhat later forwarded list of 163 persons deported from internment camps to the Swiss Legation. The authorities of occupation furnished this list and none of these persons claimed American nationality.

United States false passports are practically nonexistent. German authorities have shown greatest reserve regarding deportation American nationals as this fact is shown to them. It is against persons claiming Latin American citizenship that "cleaning"

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of internment camps is directed. It rests on fact that Jewish population in Poland and other Eastern European regions is in possession very large number false Costa Rican, Guatemalan, Haitian, Honduran, Ecudoran, Paraguayan and Nicaraguan passports.

B. It was disclosed by an examination of two lists of persons removed from Compiagne and Vittel camps forwarded to Swiss Legation that large number internees concerned alleged to be Paraguayan citizens. Swiss Legation has not been able to determine whether persons concerned have claim to Paraguayan citizenship because Spanish Embassy Berlin represents Paraguayan interests in Germany and occupied countries.

End of Section Two

HARRISON

000661

LFG-156

This telegram must be paraphrased before being communicated to anyone other than a Government Agency. (REDACTED)

Bern

Dated July 3, 1944

Rec'd 5:13 p.m.

Secretary of State,
Washington.

4223, July 3, noon (SECTION THREE)

Among persons appearing on lists in question only following bearing numbers corresponding to those of list from Swiss Consulate Paris (Note: Transmitted to Department with Legation's airmail 8466, June 12 pursuant Department's telegram No. 2001, June 10) were known to Swiss Legation:

143 Saul Malcowsky, Venezuelan; 144 Sara Malcowsky, Venezuelan; 145 Maurice Malcowsky, Venezuelan; 1 Eugenia Gorlin, Chilean; 2 Anna Frumkin, Chilean; 3 Hermine Frumkin, Chilean.

Chilean Legation Bern stated in note November 4, 1943 that as passports of Gorlin and Frumkin families were issued by Chilean Consulate Kobe, they were to be considered invalid as all documents issued by this Consular representation. It was declared by Chinese Legation in note of March 30, 1944 that deportation above named persons had come to its attention and Swiss Legation Berlin was requested by it to undertake on their behalf all necessary representations.

German Foreign Office in notes dated May 5 and June 20 considered cases of Gorlin and Frumkin families and strong representations for return to an internment camp of these Chileans were made. On behalf of Malcowsky family similar representations made.

C. Authorization of German authorities have been sought by Swiss Legation to have representative Swiss Consulate Paris visit Vittel Camp with a view to informing American internees of communications from their Government (Note: Please see penultimate paragraph Department's 1222, April 10 and its 1269, April 13). Camp will be visited near future as authorization given in principle.

D. Every opportunity taken by German authorities to reiterate that there has been deported no internee able furnish proof Latin American citizenship or American nationality. Relatively large number of persons, German authorities observed,

000662

claimed citizenship of South America Republic supporting this with documents evidently false or being able furnish slightest proof. These persons never left Polish territory and Spanish is not spoken by them. Right is claimed by German Foreign Police to assimilate bearers of false documents with rest of population of Poland or other occupied countries and not to recognize subject false document.

/End of Section Three/

HARRISON

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BAS-378

This telegram must be paraphrased before being communicated to anyone other than a Government Agency. ~~(REDACTED)~~

Bern

Dated July 3, 1944

Rec'd 4:40 a.m., 4th.

Secretary of State,
Washington.

4223, July 3, noon (SECTION FOUR)

Swiss Legation Berlin following representation made by American Legation to chief of Federal Political Department requested and on May 11 obtained from German Foreign Office formal assurance that henceforth there would not be subjected to deportation action even bearers of doubtful Latin American identity papers on the condition that persons concerned already in internment camps for citizens American continent. On May 15 Swiss Minister at Berlin forwarded to chief of Federal Political Department a circumstantial report on subject. No new case of deportation bearers South American identity papers reported since this representation. It has not been possible to provide any assurance for bearers of doubtful South American identity papers who were not already on May 11 in internment camps.

E. With regard to request that Swiss authorities protest to German authorities against their action in passing on "merits of individual claims of persons holding United States or Latin American documentation" it must be pointed out in admitting that above quoted term envisages priority claims for civilian exchange that Swiss Legation has often indicated to German authorities that North and South American citizens included in civilian exchange groups were often persons other than those proposed and recommended by Swiss Legation and in whom greatest interest shown by American Government.

German Foreign Office replied to these strong oral representations that German Government also had to accept persons in whom it had only secondary interest and had no voice in composition German Civilian repatriation groups in America. German authorities unable in circumstances to admit that strong American representations were well founded.

According to view Swiss Legation owing to the fact that exchange groups constituted in Germany by domestic authorities particularly police no substantial consideration being given to Swiss Legation's suggestions satisfactory composition exchange groups can be only obtained through exchange by interested governments prior to departure of groups of formal lists. Except in cases of Malcowsky, Gorlin and Frumkin families no person able show valid claim to citizenship of American country has been deprived of rights

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pertaining thereto during 1944 to knowledge Swiss Legation. Additionally several hundred citizens of United States and Latin America protected by Swiss Legation whose papers forwarded through intermediary competent authorities ("pending case") not yet recognized countries concerned. Nevertheless these persons thus far permitted remain in internment camps foreseen for citizens of American Continent. German authorities in certain number cases this category already awaiting decision for one or two years formerly inquired recently whether one or another citizens of American countries is effectively recognized by his government as such and whether he is accepted for civilian exchange.

F. All Latin American countries represented in Germany by Swiss Legation Berlin except that Sweden represents Mexico, and Spain represents Bolivia and Paraguay. The matter in question (Note: Recognition of individual claims to nationality of Latin American countries pending review of case by government concerned) has been taken up with Swiss Legation by no Latin American country which Switzerland represents. Only Venezuela and Honduras during first half of June signified to German authorities that all bearers of identity papers issued by Venezuelan Honduran Governments are to be treated in accordance with international regulations applicable civilian internees.

End notices.

/End of Message/

HARRISON

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DOCUMENT

315

ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: April 10, 1944
NUMBER: 1221

[REDACTED]
FOLLOWING FOR MINISTER HARRISON, BERN

Following our 1181 of April 7 and referring to your 1958 of March 30 and your 1994 of March 31, although the motives of the Germans in according better treatment to Jews of Polish origin holding passports and other documents issued in the names of Latin American countries are not too clear, it would appear that they include (1) some hope that they might be considered exchange material against Germans in the Western Hemisphere and (2) some fear that their ill-treatment might afford the Latin American countries a pre-text for further limiting the freedom and economic activities of Germans resident in such countries.

The measure reported in your 1958 of March 30 may be an indication that Germany is beginning to doubt whether such Jews are considered exchange material and whether their treatment would affect the treatment of Germans in Latin America. This Government regards it as essential that these doubts be promptly and effectively dispelled.

Accordingly, please request the good offices of the Swiss Government in informing the Germans that this Government is undertaking discussions with Latin American countries for a further exchange of Germans in the Western Hemisphere for persons in German-controlled territory and that in this connection, the United States considers that all persons in Vittel and elsewhere holding passports and other documents issued in the names of Latin American countries will be eligible for such exchange.

Simultaneously, please request the appropriate Swiss authorities to advise the Germans that in the meantime this Government expects that these persons will be accorded the same rights, privileges and immunities that the German Government expects will be accorded to Germans in the Western Hemisphere. You may add that a considerable number of German civilians interned by various Latin American countries have

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being placed by such countries in the custody of the United States and are presently in such custody within continental United States.

For your information, the substance of this message is being communicated to our Missions in the Latin American countries concerned. We are also making inquiry of such Latin American countries with respect to the authenticity of the information informally conveyed to you by the Swiss Foreign Interests Division which you referred to in your 1994 of March 31.

(Unsigned)

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DOCUMENT

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PARAPHRASE OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Embassy, Madrid
DATED: April 10, 1944
NUMBER: 992

War Refugee Board sends the following for the Ambassador.

1. There are interned at Vittel, Belsen-Bergen, Leibenau, Tittmoning, Bergau and Compiègne and possibly at other places in enemy territory and areas controlled by the enemy a large number of persons, the majority of whom are Jews, holding consular documents, passports and other papers issued in the names of certain Latin American countries including Paraguay, Peru, Venezuela, Nicaragua, El Salvador, Honduras, Ecuador, Costa Rica, Chile, and Haiti.

The Germans presumably know that the Polish Jews in question have obtained these passports and other documents in an extraordinary manner. In spite of this, they have received considerably better treatment than is generally received by Polish Jews. But for the fact that they were in possession of these papers, most if not all of these internees would already have been transported to Poland to their death.

Intercross has some measure of access to the camps in Vittel, Liebenau, Tittmoning, and Compiègne. In Belsen-Bergen and Bergau, where Intercross has no access, conditions are reported to be bad.

2. Late in 1943, the Department received reports that persons holding Paraguayan papers were threatened with the danger of deportation to Poland and death. Since these persons are generally of Polish origin, the Polish Ambassador at Washington earnestly sought our intervention in an attempt to save their lives. The Department assured the Polish Ambassador that the Department would take such steps as could be taken on behalf of these unfortunate people who are the victims of the Nazis.

During last December, the Paraguayan Government, following our demarche in Asuncion, assured the Intergovernmental Committee and this Government that the passports of these Polish Jews had not been canceled and that the Polish Government did not intend to cancel the passports issued in the name of the Paraguayan Government and held by internees. This was most important as most of these internees hold papers issued by the Government of Paraguay.

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On February 29, 1944, Sir Herbert Emerson, the Chairman of the Intergovernmental Committee, informed us as follows:

There seems to be little doubt that the German authorities are aware of what has been going on but heretofore they have not adopted the general policy of withdrawing the passports for reasons of their own. In many cases those who possess these documents have been afforded protection against persecution and in some of the camps possession of these documents has even obtained special treatment for them. However, in other instances, especially where the persons concerned were not interned in camps, no protection at all has been afforded. It seems that originally the German authorities had the hope that these persons with such South American passports might constitute a basis for the exchange of German nationals in South American countries and it is not improbable that they still have vague hopes of this. Other reasons have been suggested to account for the inconsistency of the action taken by them. However, they have recently been making inquiries concerning the genuineness of the documents, through some of the protecting powers of the South American governments, and lists of persons concerned have been submitted with a view to verification.

Therefore, Sir Herbert recommended that an approach be made on two points to the governments in whose names the passports held by such internees were issued: First, instructions to the effect that the passports have been confirmed should be given to the protecting power if and when the protecting power, on the request of the German authorities, submits lists of persons with such passports; and two, the governments concerned should not withdraw the passports which have been issued.

4. The following is the substance of a report now made by Minister Harrison.

We have secretly received information that authorities of the German Government have either already moved these persons elsewhere or are about to remove them primarily because of some alleged action by the Spanish Embassy in Berlin as the Paraguayan protecting power. The Swiss Foreign Interests Division has informally told me that the Germans have requested the Spanish Government to investigate the bona fides not only of these holding Paraguayan passports but of all suspected claims and further that other governments have denied responsibility and claims.

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Minister Harrison also reports as follows:

It is reported that four American citizens and 234 South American internees were evacuated on March 31 from the internment camp at Vittel to some prison, the location of which remains unknown. In this report, it is also stated that the Spanish Ambassador and the Swiss Minister in Berlin declined protective offices.

5. We have already requested the Governments of Latin America for humanitarian reasons to avoid questioning the validity of these passports and other documents until after the war and to inform the Germans through the protecting power that no question concerning these papers is to be raised. Also, our missions in the countries concerned have been requested by us to ascertain from the Spanish Government the substance of any communications it has had regarding this.

6. On the basis of the report Sir Herbert Emerson made, it is thought to be probable that it will not be possible to continue safe guarding the lives of these internees unless it is clearly understood that they are to be considered eligible for exchange against German civilians interned in countries of the Western Hemisphere.

The following is the substance of a cable which we have sent to our Legation in Bern.

We request you to seek the Swiss Government's good offices in informing the German Government that this Government is undertaking discussions with Latin American countries for a further exchange of persons in German-controlled areas for Germans in countries of the Western Hemisphere and that, in this connection, it is felt by the United States that all persons in Vittel and elsewhere who hold passports and other documents issued in the names of the Latin American countries concerned will be eligible for the above mentioned exchange.

At the same time, you should request the appropriate Swiss Government authorities to advise the Germans that in the meantime this Government expects that these people will be accorded the same privileges, immunities, and rights that the German Government expects will be extended to Germans in countries of the Western Hemisphere. It may be added that a large number of German civilians who were interned by various Latin American countries have been placed by such countries in the custody of the United States and they are in such custody within the continental United States at the present time.

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Our Missions in Latin America have received cables of similar intent opening discussions on this subject.

7. In line with these steps which proceed from this Government's determination to make every attempt in this humanitarian task, you will urgently represent to the Government of Spain this Government's earnest preoccupation with this project, you will advise it of the discussions which are planned with the Latin American countries with reference to a further exchange of civilians with Germany, that we hold that all persons holding Latin American papers located in Vittel and elsewhere are eligible for exchange as outlined above, and that it is expected that during the time before such exchange the Germans will accord them the same treatment which the Germans expect their interned civilians to receive from Latin American countries.

At the same time, you should also make clear to the Spanish Government that this Government expects that Spain, for the good name of Spain and in the interest of humanity, will do everything possible to save these people who are threatened with death through no fault of theirs. We specifically request that you ask the Spanish Government to act accordingly in Madrid and Berlin and that instructions be given to the Spanish Ambassador in Berlin to afford these people all possible protection and that steps be taken at once by the Spanish Government to offset the impression that may have been created in Berlin with reference to the alleged absence of interest of the Western Hemisphere countries in the treatment of persons who hold papers issued in the names of countries of the Western Hemisphere.

In presenting the foregoing to the Spanish Government, it is requested that you explain that this proposal is on a level apart and entirely different from any discussions of a political or economic nature between our two governments. The issue involved concerns elementary humanitarian considerations only and is completely non-political. The United States Government is loath to believe that in an issue of this nature it would not count on Spain's wholehearted and immediate cooperation.

You should make every effort to secure the return to Vittel of the 238 who, according to the report made to Minister Harrison, have been evacuated from Vittel. Emphasis should immediately and specifically be placed on the problem of safeguarding these 238 persons, and it is requested that in reporting this specific subject you do not wait to make your general report.

HULL

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DOCUMENT

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AIRGRAM SENT

CIRCULAR AIRGRAM

Sent by [REDACTED] Courier
April 11, 1944
11 a.m.

For the personal and [REDACTED] attention of the Ambassadors at Costa Rica, Ecuador, El Salvador, Haiti, Peru, Nicaragua and Venezuela.

Refer our previous communications regarding War Refugee Board. Reference is made to Department's 1181 of April 7.

Minister Harrison at Bern has informed us that the Swiss Foreign Interests Division has advised him informally that the Spanish government had been requested by the Germans to inquire into the bona fides of certain Latin American passports, held by internees in enemy-controlled territory and that the Latin American governments have denied responsibility as well as any claims of the persons holding such passports. Please approach appropriate officials of the government to which you are accredited and inquire whether it has received any such inquiries through the government of Spain or otherwise from the Germans with respect to the validity of passports held by such internees and if such inquiry has been made, please ascertain the nature of the response, if any.

In view of the perilous situation in which these internees find themselves, the conclusion has been reached that perhaps the only way of safeguarding the lives of these unfortunate victims of Nazi persecution is forthwith to initiate through proper channels negotiations, for an exchange of nationals for which these people will be eligible. In contemplating such exchange negotiations, it is not expected that the government to which you are accredited will physically admit any such persons into its territory even on a temporary or tentative basis. This Government is prepared to take full responsibility for all arrangements necessary to route these persons to places elsewhere.

Proceeding on this basis, please approach the government to which you are accredited with the request that it give its approval to the Government of the United States approaching the German government through appropriate channels with a view to initiating such negotiations. Please also advise appropriate officials of the Paraguayan government that similar requests are being made of other Latin American countries, it being the hope of this Government that

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it will be put in a position to initiate exchange discussions on a hemispheric basis. Please also advise such officials that in any exchange negotiations that may be entered into, it is of course understood that unquestioned citizens of the United States and of the Latin American countries will be considered by this Government as being in a category entitled to priority over others.

Please also request the government to which you are accredited, on humanitarian grounds, affirmatively to approach the German government through the protecting power with a demand that the lives of all persons holding passports issued in its name or claiming its citizenship on the basis of consular documents be safeguarded and that they be given all rights, privileges and immunities accorded to civilian internees of enemy nationality to whom the Geneva Convention regarding the treatment of prisoners of war is currently applied by analogy.

In view of the imminent danger in which the persons concerned find themselves, you are requested to act with the greatest possible dispatch.

Finally, we communicate to you, for communication to the government to which you are accredited, the substance of a cable which the Department has sent to our Minister at Bern as follows: QUOTE Although the motives of the Germans in according better treatment to Jews of Polish origin holding passports and other documents issued in the names of Latin American countries are not too clear, it would appear that they include (1) some hope that they might be considered exchange material against Germans in the Western Hemisphere and (2) some fear that their ill-treatment might afford the Latin American countries a pretext for further limiting the freedom and economic activities of Germans resident in such countries.

The measure reported in your 1958 of March 30 may be an indication that Germany is beginning to doubt whether such Jews are considered exchange material and whether their treatment would affect the treatment of Germans in Latin America. This Government regards it as essential that these doubts be promptly and effectively dispelled.

Accordingly, please request the good offices of the Swiss Government in informing the Germans that this Government is undertaking discussions with Latin American countries for a further exchange of Germans in the Western Hemisphere for persons in German-controlled territory and that in this connection,

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the United States considers that all persons in Vittel and elsewhere holding passports and other documents issued in the names of Latin American countries will be eligible for such exchange.

Simultaneously, please request the appropriate Swiss authorities to advise the Germans that in the meantime this Government expects that these persons will be accorded the same rights, privileges and immunities that the German government expects will be accorded to Germans in the Western Hemisphere. You may add that a considerable number of German civilians interned by various Latin American countries have been placed by such countries in the custody of the United States and are presently in such custody within continental United States.

For your information, the substance of this message is being communicated to our Missions in the Latin American countries concerned. We are also making inquiry of such Latin American countries with respect to the authenticity of the information informally conveyed to you by the Swiss Foreign Interests Division which you referred to in your 1944 of March 31 UNQUOTE.

SPECIAL INSTRUCTIONS TO THE AMBASSADOR

You are instructed to memorize the contents of this airgram, burn the document and discuss the matter orally with the government to which you are accredited. Such report as you submit to the Department on this subject should be by secret courier.

HULL
(JDC)

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DOCUMENT

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BY COURIER

May 1, 1944

A-151
4:00 p.m.
Ambassy,
Managua (Nicaragua)

With reference to Department's A-118 of April 11 and A-129, April 22, 6:45 p.m., the Department has now been apprized that Papal Nuncio at Bern informed Minister Harrison that Vatican had attempted to work out relief measures for Jews holding Paraguayan documents and interned by Germany. Apparently, the question of eventual immigration as result of possible exchange was raised in addition to the question of recognition of documents. Paraguay is reported to have replied that the passports of Polish Jews at Vittel have been recognized by Paraguay.

It is further learned from Vatican sources that the trouble arose when the proposal was made to exchange these Jews for Germans located in South America. Jews who had Paraguayan passports were included in the list by Germany. A protest was made by Paraguay which stated that the passports had been illegally issued and Paraguay refused to recognize the passports. The Germans withdrew as a result of this and protection was suspended by Spain.

At the time this attitude is reported to have been taken by Paraguay, the assurance contained in our circular airgram of April 11 had evidently not (repeat not) yet reached Paraguayan Government.

Please verify information received from Bern and reiterate this Government's assurance that, in the event of exchange, Paraguay will not (repeat not) be expected to grant physical admission to any of the persons concerned even on a temporary or tentative basis.

In the light of these assurances, please impress upon the Paraguayan Government the extreme urgency with which this Government views the necessity of acting favorably without delay on proposals previously submitted and detailed in the airgrams under reference. You should impress upon Paraguayan officials that since failure to act would almost certainly spell death for persons involved, and that since no (repeat no) responsibilities or obligations would result for Paraguay from acquiescence in our

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requests, we would be sorely disappointed if Paraguayan authorities should not (repeat not) whole-heartedly cooperate with our efforts to save these people.

HULL

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DOCUMENT

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PARAPHRASE OF TELEGRAM RECEIVED

FROM: Amlegation, Bern
TO: Secretary of State, Washington
DATED: April 13, 1944
NUMBER: 2282

Details of approaches which the Vatican made to various Governments of South America in an attempt to work out relief measures for Jews interned in Germany or German-occupied territory who hold documentation issued by those Governments were supplied to me on April 19 by the Papal Nuncio Bern. Apparently the question of eventual immigration to respective countries in course of possible exchange was raised in addition to the question of recognition of documentation. The following is the substance of the replies.

1. Because of laws forbidding admission, a negative reply was made by Panama with respect to Polish Jews.
2. Both Nicaragua and Costa Rica are disposed to recognize passports which their respective Consuls issued up to eight families which could remain in these Republics only during the war if the families are neither industrialists nor farmers.
3. They would be received in Bolivia.
4. A negative reply was made by Salvador and Guatemala.
5. Instructions to verify and recognize passports have been issued by Chile.
6. Each case would be considered individually by Uruguay.
7. No action could be taken by Haiti.
8. Passports could not be recognized by Peru.
9. Passports could be recognized by Cuba if no objection is made by Great Britain and the United States.
10. Passports of Polish Jews at Vittel have been recognized by Paraguay.

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Bolivia and Paraguay are represented in Germany by Spain and the rest of the countries listed above are represented by Switzerland. We assume that they will inform their respective protective powers concerning any action which they take in the future following representations of the American Government.

It is stated by the Nuncio that in the present reportedly aggravated situation of certain victims the Holy See had requested its Madrid representative to ask the Government of Spain to inform the Spanish Ambassador at Berlin of the gravity of peril of Polish Jews who have Paraguayan documentation and to insist to him upon the urgency of effective protection for them.

Information had been received by the Nuncio that the cause of the trouble arose when the proposal was made to exchange these Jews for Germans located in South America. Jews who had Paraguayan passports were included in the list by Germany. A protest was made by Paraguay which stated that the passports had been illegally issued and Paraguay refused to recognize the passports. The Germans withdrew as a result of this and protection was suspended by Spain. I have been further informed by Nuncio that this has been confirmed by International Red Cross which has promised its intervention if an exchange is objective conditioned on Holy See's action. It is not known to me whether details of this proposal for exchange and its results are given in Kullmann's report quoted in your telegram of April 7, 1944, no. 1181. I discussed with Kullmann the idea of exchange and I urged him to foster it but I had not previously known that the idea had been taken up formally.

HARRISON

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DOCUMENT

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APOSTOLIC DELAGATION

United States of America

3339 Massachusetts Avenue
Washington 8, D. C.

No. 581/42.

This no. should be pre-
fixed to the answer

May 6, 1944

Mr. J. W. Pehle
Executive Director
War Refugee Board
Washington, D. C.

My dear Mr. Pehle:

I beg to acknowledge your esteemed letters of April 28, 1944, and May 2, 1944, and assure you that the Holy See will continue to support the approaches of the United States to Latin American countries in view of securing recognition by these republics of consular documents of Jews in German-held territory.

In this connection I shall notify the Vatican of the assurance that the recognition of passports and other documents will not necessarily involve immigration and that, in the event of exchange, havens for the holders of such documents will be found elsewhere.

I trust that future efforts in this matter will meet with greater success.

With sentiments of esteem and every best wish, I remain

Yours very sincerely,

(Signed)
I. G. CICOGNANI

Archbishop of Iadicea
Apostolic Delegate

000679

DOCUMENT

321

ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: AMLEGATION, BERN
DATED: April 13, 1944
NUMBER: 1269

FROM WAR REFUGEE BOARD FOR THE MINISTER

The War Refugee Board is informed that there are small groups of refugees from Poland interned at Vittel, France and Bergen-Belsen, Germany, who claim American citizenship. The War Refugee Board is further advised that the Germans may make inquiry of the Swiss Government as to the validity of such claims. You are instructed to advise appropriate officials of the Swiss Government at the proper time that all such inquiries are to be answered in substance as follows:

Upon the receipt from the Swiss Government of all pertinent information available to the Germans relating to any claim to United States citizenship, asserted by any person within territory under enemy control, the Department will undertake fully to investigate the matter. While any particular claim to United States citizenship is under investigation by the Department and until the Swiss Government is specifically advised to the contrary by the Department, the claimant must be presumed to be a citizen of the United States and must be accorded all the rights, privileges and immunities to which such citizens are entitled with the exception that financial assistance may not (repeat not) be extended until the Department specifically authorizes such assistance.

The foregoing is in reference to the Department's 1151, April 5, 1944.

(Unsigned)

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DOCUMENT

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SENT BY ████████ CIRCULAR AIRGRAM

████████ BY COURIER

For the Personal and Confidential
Information of the Ambassadors at
Santiago, San Jose, Habana, Quito,
San Salvador, Guatemala, Port-au-Prince,
Tegucigalpa, Managua, Asuncion, Montevideo
and Caracas.

May 11, 1944
7:30 p.m.

With reference to previous communications from the Department and the War Refugee Board regarding protection of refugees with Latin American documents in German-held territory, you are informed that pursuant to our instructions the Legation at Bern has advised the Swiss Government with respect to claims to American citizenship by refugees in German-controlled areas as follows:

QUOTE The Department will undertake fully to investigate any claim to United States citizenship, asserted by any person within territory under enemy control, upon receipt from the Swiss Government of all pertinent information available to the Germans relative thereto. The claimant must be presumed to be a United States citizen and must be accorded all the rights, privileges and immunities to which such citizens are entitled while any particular claim to United States citizenship is under investigation by the Department and until the Swiss Government is specifically advised by the Department to the contrary, with the exception that until the Department so authorizes financial assistance may not (repeat not) be extended UNQUOTE.

You are authorized to advise the government to which you are accredited of the foregoing if you think it will help to obtain its effective cooperation in rescuing refugees with Latin American documents.

The Legation at Bern has also been instructed to request Swiss authorities to obtain from Germany immediate return to Vittel of previously deported refugees with Latin American documents. The Embassy at Madrid, pursuant to our instructions, has obtained assurance that Spain will endeavor to arrange for return of deported refugees to Vittel.

It is essential that demarche of Madrid Embassy be supported by similar urgent representations of other American republics in Madrid on various points covered in our circular airgram of April 11 and other relevant communications. Please act accordingly and advise us of results.

HULL
(GLW)

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DOCUMENT

AIRGRAM

FROM: LaPaz, Bolivia
DATED: June 26, 1944
REC'D: July 7, 8 a.m.

Secretary of State,
Washington.

A-233, June 27, 1944, 5:00 p.m.

Reference Department's secret airgram A-221 of June 2,
4:35 p.m.

In response to requests made in compliance with the Department's directives, the Bolivian Minister of Foreign Affairs informed me orally on June 24 that he would be very glad to cooperate by complying with the requests at the top of page 4 of the airgram under reference; that he gives the approval of the Bolivian Government as requested in the last new paragraph of page 6 of the Department's airgram under reference; and that he would immediately communicate with the local representative of the protecting power along the lines of the first new paragraph on page 7 of the airgram under reference.

WOODWARD

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DOCUMENT

324

PARAPHRASE OF TELEGRAM RECEIVED

FROM: American Embassy, Santiago
TO: Secretary of State, Washington
DATED: May 30, 1944
NUMBER: 932

Reference is made herewith to your circular airgram of May 11.

I am informed formally by letter from Fernandez that in the case of Bern and Madrid he has taken action desired by you in airgram under reference.

BOWERS

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DOCUMENT

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 1400

San Jose, Costa Rica,
May 16, 1944.

Subject: Costa Rica consents to uphold validity of all
Costa Rican passports held by persons whose lives
might otherwise be in danger.

S [REDACTED]

The Honorable
The Secretary of State,
Washington, D. C.

Sir:

1/
2/ With reference to my telegram No. 304 of May 16, 4 p.m.,
concerning the precarious situation of a number of persons
holding passports issued in the name of the Costa Rican
Government and the Costa Rican Government's agreement to uphold
the validity of such passports, I have the honor to enclose the
original note, No. 948-B of May 15, 1944, from the Foreign Office,
together with the translation of that note, confirming the verbal
assurance which had previously been given to me by then Foreign
Minister Echandi.

While the matter was taken up orally with the Foreign
Minister, he requested that a written note presenting the views
of the United States Government be sent him for the archives.
The enclosed note is his reply.

The attached note does not state specifically that the
persons holding these Costa Rican passports may be considered
eligible as Costa Rican citizens for inclusion in the exchange
of German and Costa Rican nationals, but I have received verbal
assurances from the Foreign Office that the language of the note
implies such an inclusion since the Costa Rican Government
cannot deny citizenship to the holders of such passports at the
same time they uphold the validity of the passports. However,
while the note in question also omits specific mention of the
fact that the Costa Rican Government would not welcome the holders
of such passports to Costa Rican territory, this connotation is
likewise brought out in the second sentence of the first paragraph
of the Foreign Minister's note where he refers to the fact that the
United States Government will assume the responsibility for all
the arrangements necessary for the transportation of such persons
to non-Costa Rican territories.

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The Foreign Minister appears to be of the opinion that his note No. 943-B gives the Costa Rican Government's consent to all the recommendations set forth in the Department's secret airgrams of March 31, April 11 and May 1 and 10, and unless the Department thinks it advisable or necessary I shall not approach him again to formulate a demand addressed to the German Government, through the protecting power, that the lives of all persons holding Costa Rican passports be safeguarded and that they be given all rights, privileges and immunities accorded to civilian internees of enemy nationality to which the Geneva Conferences regarding the treatment of prisoners of war is applied by analogy, since the United States Government is the channel of communication for the Costa Rican Government to the Swiss Government which is protecting Costa Rican interests.

Respectfully yours,

Fay Allen Des Portes

Enclosures:

- (1) Original note dated May 15, 1944
from Costa Rican Minister for
Foreign Affairs; [Omitted - Ed.]
- (2) Translation of note

000685

Enclosure No. 2 to dispatch No. 1400 of May 16, 1944 from
the Embassy at San Jose, C.R.

Republic of Costa Rica
Ministry of Foreign Relations

948-B

San Jose, May 15, 1944.

Mr. Ambassador:

I have the honor to inform Your Excellency of the receipt of your very courteous, strictly confidential note No. 251 of the 15th instant, by which you request the opinion of the Government of Costa Rica with respect to the possibility of preserving the legal value of various passports possessed by Europeans, usually Poles and Jews, in connection with which there might be some doubt with respect to the legality of their expedition, in order to protect their holders against acts of cruelty of the German authorities. Your Excellency adds that your Government will assume the responsibility for all the arrangements necessary for the transportation to non-Costa Rican territories of the holders of such passports by virtue of analogous rights granted to them by the Geneva Convention with regard to Prisoners of War.

I am pleased to communicate to Your Excellency the agreement of my Government with the procedure indicated in your above cited note, since, and until there has been effective proof of the reasons for the invalidity of the passports under reference, they are to be held valid by reason of their having been issued by Costa Rican consular officials, particularly if a humane duty is thereby fulfilled.

I take this opportunity to reiterate to Your Excellency the sentiments of my highest and most distinguished consideration.

Julio Acosta

His Excellency
Fay A. Des Portes
Ambassador Extraordinary and
Plenipotentiary of the United States.

Translated by: mc
Checked by: srt

000686

DOCUMENT

326

AIRGRAM

FROM: Habana
DATED: June 16, 1944
REC'D: June 20, 8 a.m.

Secretary of State,
Washington.

A-1294, June 16 9:35 a.m.

Reference is made to Department's airgrams A-398 of May 31,
7 p.m. and A-963 of June 10, 4:50 p.m.

Representations referred to in Embassy's airgram A-1071,
May 19, 3 p.m. made by the Cuban Embassy in Madrid were primarily
concerned with the return of deportees to Vittel. However, after
further consultation today with the Minister of State on the
entire matter raised in the Department's airgram A-738 of May 3
and circular airgram of May 11, he has informed me orally that
instructions, similar to the communication given by the Cuban
Government to the Netherlands Embassy in Washington (see Embassy's
airgram A-1127, May 26, 9:20 a.m.) will be given to the Cuban
Embassy in Madrid--namely to request the protecting power to inform
the German Government that the Cuban Government would not permit
the validity of any of its passports to be questioned by the Germans.
The Minister assured me that, as in the case of the above-mentioned
communication to the Netherlands Embassy, no mention would be made
by the Cuban Embassy in Madrid of the Minister's previously made
oral reservation to me, namely that, if conclusive proof were
presented regarding the falsification of a Cuban passport, he
could not insist upon its recognition since to do so might
endanger the holders of legitimate passports. The Minister added
that no reference would be made to the possibility that some of
the passports in question might be falsified.

The Minister also said that he would instruct the Cuban
Embassy in Madrid to have the protecting power request the German
Government to accord holders of documents issued in Cuba's name
the same treatment that the Germans hope will be received by
her nationals in the Western Hemisphere.

The Minister also indicated that the Cuban Government is
agreeable to all holders of documents issued in Cuba's name being
considered exchange material for German nationals held in this
hemisphere provided such holders of Cuban passports as the Cuban
Government desires be sent to havens elsewhere than Cuba.

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The foregoing represents the positive action taken on the matter by the Minister of State who I feel has been as cooperative as could be expected, particularly since the Cubans are, of course, primarily interested in repatriating their own bona fide nationals.

- BRADEN

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DOCUMENT

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EMBASSY OF THE
UNITED STATES OF AMERICA

(By Courier)

No. 1388

Quito, April 18, 1944

Subject: Unauthorized Passports Issued to Persons Persecuted
by Enemy Authorities.

The Honorable
The Secretary of State,
Washington.

Sir:

With reference to the Department's secret circular airgram of March 31, 1:05 p.m., regarding passports issued in the names of various Latin American countries to persons in enemy-occupied Europe, I have the honor to report that the substance of the Department's airgram was conveyed orally to the Minister for Foreign Affairs yesterday. The Minister then read to me a copy of a note sent to the British Minister here on March 30 which was to reply to a note from the British Minister concerning the unauthorized issuance of Ecuadoran passports in Stockholm and which he said explained the attitude of the Ecuadoran Government in the matter. I enclose a copy of this note, which was later furnished me by the British Minister, as well as a translation of the communication.

It will be noted that the Foreign Office communication indicates that while the Ecuadoran Government is not disposed to confirm the validity of unauthorized passports in the possession of individuals persecuted by the enemy, it will, nevertheless, not cancel the passports prior to such time as the holders reach a place of safety, and that both the Inter-Governmental Committee in London and Ecuadoran consular officers abroad have been informed in this sense.

Respectfully yours,

(Signed)

JAMES W. GANTEBEIN
James W. Gantebein
American Charge d'Affaires, a.i.

Enclosure:

1. Copy of note /Omitted - Ed.7
2. Translation of note

Original: to the Department of State
Copy to the Consulate General, Guayaquil

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AIR MAIL

Enclosure No. 2 to despatch No. 1388 of April 18, 1944, from
the American Embassy, Quito, Ecuador.

(Translation)

C O P Y

Republic of Ecuador
Ministry of Foreign Affairs

DIPLOMATIC DEPARTMENT

No. 28-DC-13
Quito, March 30, 1944

Mr. Minister:

In reply to Your Excellency's communication No. 17 dated the 22d current, in which you are good enough to inform me of the desire of the Government of His Britannic Majesty to know whether Ecuador will permit the retention of passports which have been granted by the ex-Consul of my country in Stockholm to Israelites who are living in states occupied by the German forces, I have the honor to state to Your Excellency that my Government, notwithstanding the fact that it denies all validity with respect to the aforementioned passports, considering the grave penalties and difficulties to which those individuals would be subjected in case they were deprived of those documents, has decided not to insist on their cancellation while the existing circumstances prevail.

This decision of the Ecuadoran Government was transmitted to the Inter-Governmental Committee of Political Refugees, and Ecuadoran consular agents (officers) have been instructed in the same sense.

I must make clear that the aforementioned decision of my Government does not confer any right on those persons who possess passports with respect to entry into Ecuador without the fulfillment of the formalities established by the Alien Law (now) in force and does not constitute precedents for claiming a presumed acquisition of nationality.

Ecuador will deny all validity concerning those documents as soon as their bearers have left areas controlled by the Nazi armies.

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I avail myself of the opportunity to renew to
Your Excellency the assurances of my highest and most
distinguished consideration.

(Signed)
FRANCISCO GUARDERAS

To His Excellency
Mr. LESLIE CHARLES HUGHES-HALLET,
Envoy Extraordinary and Minister Plenipotentiary
of Great Britain,
CITY.

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DOCUMENT

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AIRGRAM

VIA COURIER

From American Embassy
San Salvador, El Salvador
Dated May 3, 1944
Rec'd May 10, 11 a.m.

Secretary of State,
Washington.

A-186, May 3.

The Salvadoran Minister for Foreign Affairs advised me this morning with respect to your secret airgram of April 22, 7:30 p.m. (received May 2) that immediately following our interview on April 15 (airgram No. A-164, April 18), he had addressed a note to the Spanish Minister in this city along the lines of my suggestions based on the Department's secret airgram of a few days before. He assured me that the Spanish Minister had acknowledged the receipt of this note and it is to be presumed that he duly informed Madrid.

THURSTON

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DOCUMENT

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AIRGRAM

FROM: American Embassy
San Salvador, El Salvador
DATED: July 7, 1944
REC'D: July 14, 2 p.m.

Secretary of State
Washington

A-283, July 7

Department's secret airgram No. A-204, June 29, 3:00 p.m.

The following is for the information of the War Refugee Board:

The note of April 17, 1944, from Dr. Arturo Ramon Avila, at that time Foreign Minister, to the Spanish Minister (in charge of German interests) reads in translation as follows:

"The Minister for Foreign Affairs of El Salvador begs His Excellency the Envoy Extraordinary and Minister Plenipotentiary of Spain and Representative of the Interests of Germany in this Republic, if he perceives no objections, that he interest himself, with a view to safeguarding the lives of all those persons who bear Salvadoran passports of who claim (pretendan) to hold Salvadoran citizenship, in order that the German Government, for humanitarian reasons, extend to the said persons all the privileges, rights and immunities granted to interned civilians in conformity with the Convention of Geneva on Prisoners of War. Arturo Ramon Avila thanks in advance His Excellency the Duke of Bailen for his courtesy in taking this action, which, if it appears opportune to him, he would appreciate done by cable, and renews to him the assurances of his distinguished consideration. San Salvador, April 17, 1944."

The note of May 20, 1944, from Dr. Julio Enrique Avila, the present Foreign Minister, to the Spanish Minister, reads in translation as follows:

"The Minister for Foreign Affairs of El Salvador begs His Excellency the Envoy Extraordinary and Minister Plenipotentiary of Spain and Representative of the Interests of Germany in this Republic, to

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consider as modified the request referred to in the note verbale addressed to him by (the Foreign Minister's) predecessor, Dr. Arturo Ramon Avila, that he interest himself, if there are no objections, with a view to safeguarding the lives of all those persons who bear Salvadoran passports or who prove (justifiquen) that they possess Salvadoran citizenship, in order that the German Government, for humanitarian reasons, extend to the said persons all the privileges, rights and immunities granted to interned civilians in conformity with the Convention of Geneva on Prisoners of War. Julio Enrique Avila thanks in advance His Excellency the Duke of Bailen for his courtesy in taking this action, which, if it appears opportune to him, he would appreciate done by cable, and renews to him the assurances of his distinguished consideration. San Salvador, May 20, 1944."

The modification consists in the change of the words "persons who bear Salvadoran passports or who claim (pretendan) to hold Salvadoran citizenship" to "persons who bear Salvadoran passports or who prove (justifiquen) that they possess Salvadoran citizenship."

The Embassy unsuccessfully tried to have the present Foreign Minister send a note verbale identical with that of his predecessor, but Dr. Avila insisted on making the modification. He informs me that he is contemplating no new steps.

The Spanish Minister confidentially informed me that he had not bothered to transmit the second request as he considered it so similar to the first. The Swiss Government is therefore undoubtedly still working under the more liberal terms of the first request. It is consequently strongly suggested that no further action be taken unless the situation changes.

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AIRGRAM

FROM: Guatemala
DATED: May 9, 1944
REC'D: 3 p.m., 13th.

 BY COURIER

Secretary of State,
Washington.

A-229, May 9, 5 p.m.

Reference Department's secret airgram A-308, May 1, 12:45 and circular airgram of May 1, 7:35 p.m. regarding relief measures for certain persons holding Guatemalan documents now interned by Germany.

This matter was taken up in strict confidence yesterday with the Minister for Foreign Affairs who, after consultation with President Ubico, has furnished the Embassy with a confidential memorandum reading in translation as follows:

"The Ministry for Foreign Affairs of Guatemala in entire agreement with the conversation held today with His Excellency, the Ambassador of the United States, takes pleasure in indicating that the points discussed are accepted in the following terms:

The Government of Guatemala authorizes the Government of the United States to undertake negotiations for the exchange of persons presenting Guatemalan passports, against German nationals in this Hemisphere.

It is understood that the bearers of such passports who are not desirable as immigrants to Guatemala will not be admitted into the country.

The Government of Switzerland, as the protecting power of Guatemalan citizens, will be requested to assert the rights granted to interned civilians in conformity with the Geneva Convention.

If it should be suspected that any of the passports were incorrect, the Government of Guatemala will maintain its right to cancel or invalidate them; but it will do that when the bearers have been placed in safety.

It is understood that Guatemala will not assume any additional obligation as a result of its acquiescence in the present petition of the Government of the United States to which it accedes, inspired by humanitarian sentiments and as

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a courtesy to the Government of the United States."

The Minister for Foreign Affairs informed me in the course of our conversation that he had not been approached by the Spanish Minister in the matter. The Papal Nuncio had taken up with him the admission of Jewish refugees to Guatemala, to which he had replied that the Guatemalan Government felt that it had already admitted as many such persons as the country could readily absorb at the present time.

It is anticipated that the communication of the Guatemalan Government to the Government of Switzerland will be made through this Embassy. If no such communication is forthcoming in the course of the next few days, I shall remind the Minister for Foreign Affairs of the urgency thereof.

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AIRGRAM

FROM:
Port-au-Prince, Haiti,
May 24, 1944
Rec'd: May 27, 1944, 8 a.m.

The Secretary of State,
Washington, D. C.

A-286, May 24, 11:00 a.m., 1944.

Department's secret circular airgram of May 11, 7:30 p.m.,
1944, and previous concerning refugees:

The Haitian Minister for Foreign Affairs is disposed to ask the American Government, being charged with the representation of Haitian interests in Spain, to present to the Spanish Government a request that the good offices of that Government be utilized to invite the German Government to accord to all persons holding Haitian passports the status of Haitian nationals until the receipt from the Haitian Government of a report on the validity of the passports in question.

In making this request, the Minister again expressed concern lest any action taken be prejudicial to the interests of any authentic Haitians, and the desirability or usefulness of making such a request of the Spanish Government when the Swiss Government represents Haitian interests in territory occupied by the enemy.

The Foreign Minister therefore requested that, before delivering any official note in the sense requested, an informal approach to the Spanish Foreign Office be made for assurance that it will carry out the request made. The Minister further observes that he has confidence that the United States Government will so conduct the negotiations as to safeguard the status of Haitian nationals which are under the control of the Germans.

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BY COURIER

A-216
2:00 PM
SENT BY AIRGRAM

July 5, 1944

AMEMBASSY
PORT-au-PRINCE (HAITI)

FOR THE OFFICER IN CHARGE

Following the promulgation by Haiti of the decree-law of May 29, 1939, a number of persons in Europe were naturalized as citizens of Haiti pursuant to its provisions. Thereafter Haiti promulgated the decree-law of February 4, 1942, which provided that persons so naturalized would lose their Haitian citizenship unless they actually came to Haiti on or before August 5, 1942. By February 4, 1942, however, the major portion of the world was at war and passenger transportation facilities between European ports and Haiti were, for all practical purposes, non-existent. Furthermore, transit had become virtually impossible between German-occupied areas and the neutral ports from which passenger vessels were still plying the Atlantic. Moreover, Haiti herself had declared war on Germany and Italy on December 12, 1941, and consequently on February 4, 1942, Haitian citizens, including those naturalized pursuant to the decree-law of May 29, 1939, located in territory under the control of Germany or Italy were deemed by such countries to be enemy nationals subject to the travel and other restrictions incident to such status. Indeed, a number of Haitian citizens, including persons naturalized as such under the decree-law of May 29, 1939, were interned by the German authorities as enemy aliens. As a consequence of the abnormal travel conditions brought about by the war, and particularly by their status vis-a-vis Germany as enemy nationals Haitian citizens located in German-controlled areas including those naturalized under the decree-law of May 29, 1939, found it impossible to make arrangements to arrive in Haiti prior to August 5, 1942. It will be perceived, therefore, that the failure of Haitian citizens located in German-controlled areas who were naturalized under the decree-law of May 29, 1939, to comply with the condition to their citizenship subsequently imposed by the decree-law of February 4, 1942, was due to no fault of their own but solely to force majeure and the intervening acts of foreign princes and other sovereignties. Indeed, a number of such persons were disabled from utilizing means of escape from German-controlled areas heretofore available to persons of their original nationality because as Haitian citizens deemed to be enemy nationals by the Germans, they were interned as such by the German authorities, or if not interned, subjected to such supervision as to make escape, which in times past was possible for others, impossible.

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Cancelling of the Haitian citizenship of many of these people for conduct beyond their control is thus not only an additional misfortune to be suffered among many others brought on by the war, but in the case of persons of Jewish ancestry, constitutes a sentence of death. This is so because the Germans have undertaken to exterminate all Jewish citizens of the territories under their control. To this end, their properties and businesses have been confiscated and they have been herded in unsanitary camps where they receive little food and less care, and whence the survivors are transported, normally in cattle cars, to Poland to be shot, asphyxiated, or put at arduous labor without food until they die. Those Jews among the persons in Europe who were naturalized as Haitian citizens under the decree-law of May 29, 1939 were spared this fate as the German decrees did not apply to citizens of neutral countries or of countries not on the continent of Europe. Like other Haitian citizens, however, they found it impossible to comply with the condition imposed on their citizenship by the decree-law of February 4, 1942. As a consequence many of them have been removed from the internment camps or restricted liberties in which they were held as enemy nationals by the Germans and sent to concentration camps and otherwise dealt with as continental non-neutral Jews as above described. A few, however, have as yet escaped this fate, but information has been received that the Germans are now inquiring about their status as Haitian citizens. An example is Mrs. Zelman Solowiejczyk, 42 years old, and her daughter Sephora, 7 years old, of Antwerp, Belgium, whose naturalization was recorded in "Moniteur" of Port-au-Prince of December 23, 1939. According to last reports, they are still held in Antwerp pending receipt of word from Haitian authorities. There are undoubtedly many others in the same predicament.

In view of Haiti's humanitarian stand as shown by your A-286 of May 24 and otherwise, and since the persons concerned failed to comply with the condition to their Haitian citizenship subsequently imposed through no fault of their own, it is hoped that the Haitian government will take such action as may be necessary to preserve and confirm the Haitian citizenship of persons in enemy controlled areas at least until the war is over and the danger past. To this end, please address yourself to appropriate authorities of the Haitian government, suggesting the urgency of the matter and that a prompt declaration to Germany through the protecting power that the decree-law of February 4, 1942, does not apply to persons who continuously since prior to that date have been within territory under the control of Germany or Italy, and who consequently have been unable to comply therewith, will save a number of innocent lives.

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AIRGRAM

FROM: Port-au-Prince, Haiti,
DATE: July 12, 1944.
REC'D: July 17, 8 a.m.

URGENT

The Secretary of State,
Washington, D. C.

A-369, July 12, 11:00 a.m., 1944.

I brought to the attention of the Minister for Foreign Affairs today the information transmitted in Department's airgrams Nos. A-214 of July 5, 12:30 p.m. and A-216 of July 5, 2:00 p.m., 1944, and enquired whether the Haitian Government had reached any decision after making the study referred to in my airgram No. 321 of July 15, 11:00 a.m., 1944.

The Minister replied that the Haitian Government will issue instructions to the Legation at Bern to inform the German Government through the Swiss authorities that Haiti considers all of its passports held by persons in enemy or enemy-occupied territory valid until an examination of each case shall have been made. This applies to those persons who were unable to comply with the Decree-Law of February 4, 1942, as well as to those persons holding documents whose validity is open to doubt.

The Minister stated that this decision, which he will confirm to me in writing, will require the approval of the Council of Ministers, a meeting of which will be held soon, but that he does not anticipate any objections from that body.

He added that it is purely a humanitarian measure and that the Haitian Government considers that many of the persons who will benefit by it are undesirable. I gathered that, after the conclusion of hostilities, unfavorable decisions will be reached in many cases.

WILSON

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PARAPHRASE OF TELEGRAM RECEIVED

FROM: American Embassy, Tegucigalpa
TO: Secretary of State, Washington
DATED: April 26, 1944
NUMBER: 127

This morning the matters contained in the Department's A-77 of April 20, received last evening, were discussed by me with the Honduran Minister for Foreign Affairs. Complete success on all points. I was given by the Minister two signed notes relating respectively to exchange negotiations and to the material at top of page three of the airgram which is under reference. Later today we will cable translations.

Inquiries from the Spanish Minister concerning validity of the passports have not been received by the Ministry for Foreign Affairs and such inquiries as may be received later will be ignored by him.

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AIRGRAM

FROM
Managua
Dated: April 24, 1944
Rec'd April 28 4 p.m.

Secretary of State,
Washington.

A-177, April 25, 10:30 a.m.

Embassy's despatch no. 2137, dated April 17 regarding
Nicaraguan passports held by Europeans in Occupied Europe.

The Nicaraguan Foreign Office informs the Embassy of its
dispatch of the following telegram to the Swiss Foreign Office
on April 22, 1944 (translation):

"I request Your Excellency to address himself
to the German Government asking that international
conventions covering prisoners of war be applied
to all internees in concentration camps who are the
bearers of Nicaraguan passports. Accept, etc."

(Signed)
FINLEY

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AIRGRAM

FROM
Managua
Dated May 5, 1944.
Rec'd May 13 4 p.m.

Secretary of State,
Washington

A-200, May 9, 10:30 a.m.

Department's airgram no. 161 of May 1, 4 p.m.

In a note dated May 2, the Nicaraguan Foreign Office stated that it would be glad to see the selection of its nationals for exchange made in the following order:

Felipe Ibarra Mayerga
Ernesto Portocarrero
Jose de la Luz Guerrero; his wife, Susana; and
their children, Jeanine, Jesette, Jean Claudie,
and Jose
Aquiles Solorzano
Ida Roskies and her daughters, Raquella and Sonia

The last named three persons are Poles who have obtained Nicaraguan passports and whose exchange is desired on humanitarian grounds.

As for the other persons in occupied Europe who are bearers under one circumstance or another of Nicaraguan passports, the note states that the Nicaraguan Government consents to their exchange but presumably on the basis of the assurances given by the Embassy upon authorization from the Department that these persons will not reach Nicaragua.

The above is separate from and in addition to the authorization given by the Nicaraguan Government to the Nicaraguan Consul at Bern, Switzerland, to grant 100 children Nicaraguan visas and to keep their visas valid until transport becomes available (see the Embassy's telegram no. 271 dated May 5, 4 p.m.).

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EMBASSY OF THE
UNITED STATES OF AMERICA

Asuncion, Paraguay
June 8, 1944

No. 2163

Subject: Holders of Paraguayan Passports in German
Concentration Camps

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The Honorable
The Secretary of State
Washington

Sir:

I have the honor to refer to the Department's secret airgram A-158, May 22, 6:15 p.m., my reply A-236, June 3, 11:15 a.m., and my telegram No. 315 of June 8, 9:00 a.m., 1944, regarding the action which the Paraguayan Government proposes to take concerning the holders of Paraguayan passports who are interned in German concentration camps, particularly in France.

As the previous statements of the Paraguayan attitude had been made orally, I considered it advisable to obtain a more formal communication, and, therefore, after discussion with the Under Secretary of Foreign Relations, and at his suggestion, I addressed a Note Verbale to the Ministry asking for information on the two points mentioned in the Department's A-158, May 22. A Note Verbale in reply has now been received from the Ministry of Foreign Relations, No. 483, June 6, 1944. Copies and translations of both communications are transmitted herewith.

Respectfully yours,

(Signed)
Leslie E. Reed
Charge d'Affaires a.i.

Enclosures:

Copy and translation of
Note Verbale No. 292
Copy and translation of
Note Verbale No. 483

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Enclosure to Despatch No. 2163 from Asuncion, Paraguay, June 8, 1944.

C O P Y

No. 232

NOTE VERBALE

The Charge d'Affaires a.i. of the United States of America presents his compliments to His Excellency the Minister of Foreign Relations and Worship of Paraguay and with reference to negotiations carried on with the Honorable Wesley Frost, former American Ambassador to Paraguay, concerning certain persons now interned in German concentration camps who claim Paraguayan nationality and are the holders of Paraguayan passports, has the honor to request information as to the steps which may have been taken by the Paraguayan Government to obtain from the German Government due respect for the Paraguayan documents of identity in question.

Information is also requested as to whether the Paraguayan Government authorizes the United States Government to negotiate for an exchange of the persons now detained in German concentration camps holding Paraguayan passports.

Asuncion, June 5, 1944.

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Enclosure to Despatch No. 2163 from Asuncion, Paraguay
June 3, 1944

No. 483

TRANSLATION

NOTE VERBALE

The Ministry of Foreign Relations and Worship respectfully salutes the Embassy of the United States of America and, acknowledging receipt of Note 232 of the 5th instant, has pleasure in stating as follows:

1. The Paraguayan Government recognizes the validity of the passports granted by Paraguayan consular representatives in favor of Polish and Hebrew citizens and those of other nationalities now in German concentration camps, extending its protection in this manner to the persons holding them.
2. The Paraguayan Government has taken up through the Spanish Government the manner of obtaining the departure of such persons from European territory occupied by Germany.
3. The Paraguayan Government authorizes the United States Government to negotiate an exchange of the persons now detained in German concentration camps who hold Paraguayan passports; such persons, however, may not enter Paraguayan territory but should proceed to the places indicated by the American authorities.
4. In the request for exchange, Paraguay asks that preference may be given to Paraguayan citizens who happen to be in European territory occupied by Germany, who should be repatriated in order to return to their native soil.

The Ministry of Foreign Relations and Worship takes this opportunity to reiterate to the American Embassy the assurances of its most distinguished consideration.

Asuncion, June 6, 1944.

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DOCUMENT

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EMBASSY OF THE
UNITED STATES OF AMERICA

No. 790

Lima, July 7, 1944.

Subject: The Exchange of Persons Between The American
Republics and Germany.

The Honorable
The Secretary of State,
Washington.

Sir:

With reference to the Department's secret instruction No. 3358 of June 24, 1944, I have the honor to submit the following reply to the questions raised regarding the possible exchange of German nationals in Peru for Peruvian nationals in German territory.

- 1/ 1. There is enclosed a list of Peruvians who wish to be repatriated from Europe, this list having been furnished by the Minister for Foreign Affairs.
2. The Spanish Embassy attempted to prepare a list of Germans who wished to leave Peru for Germany but was forced to abandon the effort because (a) the persons involved changed their minds after each allied bomber raid on Germany, (b) some wanted to go to Spain, Portugal or Switzerland but not to Germany, (c) some were deported and are now in Detention Camps in the United States. There is, at the moment, record of only two single women about 50 years of age, who seek repatriation to Germany on an exchange basis. Perhaps others would show a desire to return; if publicity could be given through the Spanish Embassy to the fact that an exchange might be possible.
3. The small number which probably would be involved in an exchange between Peru and Europe, doubtless could be transported to and from a Caribbean or Atlantic port by regular commercial means.
4. The Peruvian Government's attitude toward the problem of caring for European refugees is explained in an enclosed memorandum prepared by the Counsellor of this Embassy following several conversations with officials of the Ministry for Foreign Affairs.
- 3/ 5. There is enclosed a memorandum of references to previous despatches from this Mission covering the subjects of deportation of Germans from Peru, possible exchange of nationals, and possible

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refuge for the oppressed of Europe.

Respectfully yours,

For the Ambassador

(Signed)

GEORGE H. BUTLER
George H. Butler
First Secretary of Embassy.

Enclosures:

1. List
2. Memorandum
3. Memorandum

000708

Enclosure No. 1 to despatch No. 790, July 7, 1944, from the Embassy, Lima.

LIST OF PERUVIANS WHO WISH TO BE REPATRIATED
FROM EUROPE

Lucila Talleri de Castro
Mariana Castro Talleri
Lucila Castro Talleri
Isabel Castro Talleri
Victor Castro Talleri and wife
Raul Castro Talleri
One Peruvian servant -- all residing in Paris.

Berengere Serelle de Mujica
Francisco Mujica Serelle (under four years) -- formerly of France;
now residing in Barcelona.

Elisabeth de Luna and son (under four years) -- residing in Vienna.

Juana Alderson -- residing in Paris.

Olga Cardenas Castro and family -- residing in Paris.

Senora Rosa Castro Iglesias de Manchaca -- residing in Paris.

Sr. and Sra. Italo Matellini -- residing in Germany.

Ricardo Tola -- residing at Chez. Mme. Benoit 70, Rue Vendome, Lyon.

Jose Arrospide Ferreyros -- residing at Fuertherstrasse 5-IV,
Berlin, W50.

Blanca Hildebrandt and son -- residing at Santa Margarita Ligaria,
via Minerva 5, Italy.

Misses Doris and Emelia Cano Pimentel -- residing in Paris.

Enrique Solari Swayne -- residing in Berlin.

Alfonso Manchaca and family -- Biarritz.

Luis Dibos -- Biarritz.

NOTE: This list is correct as of June 6, 1944 and
supersedes lists previously sent to the Department.

000709

Enclosure No. 2 to despatch No. 790, July 7, 1944 from the Embassy, Lima.

MEMORANDUM

July 1, 1944.

Reference: Confidential instruction No. 3353, June 24, 1944, paragraph 4.

The Peruvian Government has repeatedly expressed its sympathy over the situation confronting persons held in German power or for that of refugees who have contrived to escape to unoccupied territory. However, the Peruvian Government is of the opinion that the essential situation of Peru has not changed in respect of immigration since 1933 when the view was expressed that this country could in general absorb solely agricultural immigrants.

While in June, 1944, the Foreign Office did assent to receive fifty French or Belgian children provided these were transported to Callao through some agency without responsibility of the Peruvian Government, it was at the same time stated that Peru did not possess organizational or institutional facilities to take care of refugees. Moreover, the Foreign Office has already denied the authenticity of the documentation of some forty-eight persons in German concentration camps understood to have been issued Peruvian papers through the agency of consular functionaries no longer in the Peruvian Foreign Service. The Peruvian Government has not received any information leading to a belief that other persons in German hands possess similar documentation. While the Peruvian Government is willing, should such cases be brought to its attention, to consider each on its merits, Peruvian authorities are unable to grant any blanket recognition of the validity of such documentation without prior examination, or to communicate with the German Government, through the Swiss Government or other agency, to demand that persons discovered with Peruvian passports should be entitled automatically to treatment as Peruvian citizens.

Jefferson Patterson.

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Enclosure No. 3 to despatch No. 790, July 7, 1944, from the Embassy, Lima.

Reference to Previous Despatches, Airgrams and Telegrams

With reference to refugees:

Embassy's telegram No. 866 of June 28, 1944, 4:00 p.m. stating that Peruvian government will receive 50 refugee children of French and Belgian nationality.

Embassy's confidential despatch No. 711 of June 28, 1944, subject: "Bringing Refugee children from Europe into Peru."

Embassy's strictly confidential despatch No. 9243 of March 16, 1944, subject: "Expression of view concerning attitude in south Peru regarding war refugees."

Embassy's strictly confidential despatch No. 9203 of March 10, 1944, subject: "Oral expression of view by a Foreign Office official Concerning admissibility into Peru of war refugees."

Embassy's strictly confidential despatch No. 9017 of February 11, 1944, subject: "Peruvian attitude toward rescue and relief of the Jews of Europe and other victims of enemy persecution."

With reference to repatriation of Peruvians in Europe:

Embassy's airgram A-160 of February 11, 1944, 5:00 p.m.

Embassy's airgram A-614 of June 26, 1944, 5:00 p.m.

Embassy's strictly confidential despatch No. 341 of May 19, 1944, subject: "Transmitting Foreign Office note relating to interest of Peruvian Government in additional exchanges of Peruvian nationals in German-occupied Europe."

Other despatches enclosing lists furnished by the Foreign Office of Peruvians who wished to be repatriated. These lists have been revised and only the one enclosed with the despatch to which this is attached is currently correct.

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With reference to Germans in Peru who wish to return to Germany:

Embassy's strictly confidential despatch No. 8355 of November 18, 1943, subject: "German Residents of Peru Express Desire to be Repatriated." (The figures given therein are no longer correct; see despatch to which this is attached.)

Embassy's strictly confidential despatch No. 8211 of October 29, 1943, subject: "Spanish Embassy Taking Census of Germans in Peru."

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DOCUMENT

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PARAPHRASE OF TELEGRAM RECEIVED

FROM: American Embassy, Montevideo
TO: Secretary of State, Washington
DATED: June 16, 1944
NUMBER: 570

1. Instructions substantially as suggested in circular airgram of May 11 were cabled to the Uruguayan Minister in Bern yesterday by the Foreign Office.

2. Sparks was orally informed by the undersecretary that the Department's approaching the German Government to initiate negotiations for exchange of nations for which these people will be eligible is approved by Uruguay.

3. There has not been received from Spain any inquiries regarding validity of documents. No information has been received by Foreign Office of any inquiries made by the Vatican. Should such inquiries be made, persons holding such documents will be presumed to be citizens of Uruguay, their status to be determined at a later date.

4. There have been received from International Red Cross inquiries regarding seven persons at Compiègne and fifteen at Vittel. When made, the reply will indicate that they are presumed to be citizens of Uruguay.

There was a delay in answering the Department's telegram of June 10, 1944 No. 335 because the Foreign Office official handling the matter was ill.

DAWSON

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DOCUMENT

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AIRGRAM

BY [REDACTED] COURIER

Secretary of State,
Washington.
A-323, April 15, 3:10 p.m.

From Caracas
DATED: April 15, 1944
REC'D: April 22 4 p.m.

Having memorized the contents of Department's airgram of April 11, I took advantage of the first opportunity to discuss these matters orally with the Venezuelan Foreign Minister. I found him to be quite conversant with the situation and in entire sympathy with our aims. Dr. Parra-Perez informed me that he had already been approached on this subject by representatives of the Refugee Committee in London and the Belgium Government. He expressed approval of our desire to initiate negotiations for exchange on the basis indicated and promised full Venezuelan cooperation.

He said that he had received no inquiries through either Spanish or Swiss channels as to the validity of Venezuelan passports held by internees in occupied countries. He assured me that his Government would not "invalidate" any such passports even though under the strict letter of Venezuelan law governing issuance of passports their revalidation should become necessary by lapse of time. He also promised me that his government would affirmatively approach the German Government through the protecting power with a demand that the rights of individuals holding Venezuelan passports or claiming citizenship on the basis of consular documents be respected.

CORRIGAN

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DOCUMENT

341

FROM: Secretary of State Washington
TO: American Legation, Bern
DATED: July 21, 1944
NUMBER: 2490

FOR McCLELLAND AND HARRISON.

1. Please express to the Swiss Foreign Office the Department's and the Board's sincere appreciation for its cooperation and efforts as reflected in your 4223 of July 3. Please consult with appropriate officials of the Swiss Foreign Office in an urgent endeavor to secure their prompt further assistance by intervention and otherwise in rescuing the Malkowsky, Frumkin and Gerlin families from QUOTE general treatment accorded to eastern Jews UNQUOTE which according to your 4295 of July 6 and all other available information is but an euphemism for cold-blooded slaughter.

2. Please continue making representations in strongest terms on behalf of these families and all others to whom documents have been issued in the name of any American republic. It is considered by this Government that German action in declaring some documents invalid is arbitrary and inconsistent with generally accepted rule but the question as to validity of passports is to be determined by the Government in whose name they are issued, therefore only the government in whose name documents are issued can deny validity, not Germany. This Government furthermore considers untenable the distinction sought to be drawn between issues of such documents who are not in internment camps and those issues who are elsewhere, and this is without regard to whether such persons have a knowledge of Spanish or any other language or were settled in Poland or any other country. Accordingly, this Government takes a most serious view of German consignment of any persons to whom documents have been issued in the name of an American republic to the QUOTE general treatment accorded to eastern Jews UNQUOTE and must insist upon the return by the Germans to internment camps reserved for nationals of American republics of all persons to whom such documents have been issued who have been removed from such camps for consignment to such QUOTE treatment UNQUOTE or similar treatment.

3. Please endeavor through any unofficial channels that may be available to you to convey the sense of the following to appropriate German and satellite officials in foreign offices and foreign police: Foreign office and other officials who bear any responsibility for the consignment of persons to whom documents have been issued in the name of an American republic to the QUOTE general treatment accorded to eastern Jews UNQUOTE or similar treatment must expect personally to bear the consequences. If American republics, horrified by the bestiality and brutality of Nazi mass-slaughter accord to some persons the

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protection of their passports or other documents, individual officials of the German and satellite foreign offices and foreign police ought to be anxious to avail themselves of such or any other opportunity to save innocent lives. If, instead, they indulge in fine reasoning and take action which is tantamount to sentencing such persons to persecution or death, they thereby assume the responsibility and invite the consequences therefor. Furthermore, their failure to seize every available opportunity to save lives, will be considered as strong evidence of their concurrence with the policy of mass-slaughters of Jews and other civilian populations and their participation in such crimes, the consequences for which formed the subject of President Roosevelt's statement of March 24.

4. The Department and Board are confident that the Swiss Foreign Office recognizes that although the safety of citizens of the United States is the paramount concern of the American Government, the American people and Government are gravely concerned with the safety of the victims of Nazi persecution without regard to the nationality or stateless status of such victims. This grave concern has been manifested in many ways including the creation by the President of the War Refugee Board, and in the solemn warnings heretofore issued by President Roosevelt, Secretary of State Hull, the Senate Foreign Relations Committee and the House of Representatives Foreign Affairs Committee. As a consequence of this concern, and in view of Germany's open espousal of a policy of exterminating Jews and other civilian peoples, the Swiss Foreign Office will understand why this Government is unable to accept the German view that removal of persons claiming nationality of an American republic from internment camps for subjection to the QUOTE general treatment accorded to eastern Jews UNQUOTE involves merely QUOTE internal German police measures UNQUOTE. Knowing Switzerland's humanitarian traditions, the Department and Board are confident that the Swiss Foreign Office will find a way to intercede further on this score to secure from the Germans adequate assurances for the safety of all persons to whom passports and other documents have been issued in the name of an American republic whether such persons are in internment camps or elsewhere or have been in internment camps and removed therefrom. Please also request the Swiss to attempt again to secure for the Board a list of all those claiming nationality of an American republic who have been deported from Vittel and similar camps. Assume your airmail 8466, June 12, contains list of 238 names supplied by you to Swiss as well as list of 163 names supplied by Swiss consulate, Paris. The importance of securing such lists, as well as the taking of the other measures indicated herein is emphasized by the fact, called to your attention by the Department's 2046 of June 16, that Anna Frumkin is the wife, Hermine Frumkin, the daughter and Eugénia Gorlin, the sister of a citizen of the United States.

5. Regarding Section four your 4223, July 3, notice number two, Part E, this Government's position against German determination on

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QUOTE merits of individual claims of persons holding United States or Latin American documentation UNQUOTE relates not (repeat not) to priority of exchange or method of selection of individuals to be exchanged, but rather to the recognition of persons making such claims as being eligible for exchange, and the extension to them of treatment to which nationals of countries of which they claim nationality are entitled.

6. Regarding notice number two, Part F, refer Department's 2407 of July 13, WRB's 64 and Department's 2316 of July 6, 1944, WRB's 71. Further efforts being made to obtain various governments protected by Switzerland or Spain to request suitable action in Bern or Madrid. But without awaiting such requests, efforts should be persistently continued to obtain results on basis of this Government's attitude, and of attitude of such governments as have already communicated with Switzerland. In this connection, please discuss with Swiss officials informally the desirability of construing as liberally as possible, and of acting as speedily as possible upon any communications from any American republic touching upon the protection of persons from cruelty and persecution. Swiss officials certainly understand that the sole object involved is to save people from unprecedented bestiality and that delays in action brought about by a strict adherence to technicalities proper enough under ordinary circumstances merely result in these extraordinary times, in an additional number of innocent people being ruthlessly done to death.

7. In view of the situation in Hungary, special efforts should be devoted to obtaining German and Hungarian assurances with regard to the protection, eligibility for exchange, etc., of any persons in Hungary to whom documents in the name of an American republic have been issued. You are authorized to request Swiss authorities to make all necessary representations to this effect. In this connection, note is taken of your recommendation in last paragraph of notice one of your 4223.

THIS IS WRB CABLE BERN NO. 78.

HULL

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DOCUMENT

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: June 24, 1944
NUMBER: 2149

[REDACTED]

The Department and the War Refugee Board are receiving reports indicating that there are held in camps situated in Germany and German-controlled territory, to which the protecting Powers and the International Red Cross have been granted no access or else such strictly limited forms of access that they have been unable effectively to assist the individuals in question, a number of unquestioned nationals and persons claiming the nationality of the United States and other American Republics. Belsen-Bergen near Hanover, Bergau near Dresden, Drancy near Paris and Theresienstadt are sites of such camps. Since late in 1943 the camp at Tost in Silesia appears to have been placed in this category. Possibly other camps of the same character exist.

The Swiss Government should be asked as protecting Power of the United States to investigate this situation. Please request it to endeavor to have its representatives visit the camps referred to for the purpose of investigating the claims of individuals held in these camps to citizenship of the United States or of other American Republics. Please make similar efforts regarding camps and other establishments which may exist in Rumania, Hungary and Bulgaria or any other areas under control of German-dominated authorities.

Article 86 of the Geneva Prisoners of War Convention as applied to interned civilians by mutual agreement of the belligerents should be the base of the request to visit such camps. The extraordinary restrictions placed by the German authorities upon communications with these camps have deprived the persons detained there and the protecting Power of normal means of dealing with their claims to the protection of foreign states - hence in order to protect the vital interests of such detainees it is essential that visits be made to these camps. In this connection, reference is made to the case of Franz Kahn (Department's A-199, April 24 and previous) in which the extraordinary regulations attendant upon correspondence between him and the protecting Power have unjustifiably impeded the verification of his claim to American citizenship.

The International Red Cross Committee, despite extended efforts to visit the camps in question, has been unsuccessful in its exertions so far. Appreciation of the Department and the War Refugee Board for

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these efforts should be expressed. Also please express the hope that there will be no abatement of these efforts.

WRB CABLE NO. 36 TO BERN.

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PARAPHRASE OF TELEGRAM RECEIVED

FROM: American Legation, Bern
TO: Secretary of State, Washington
DATED: August 31, 1944
NUMBER: 5689

In connection with first paragraph of Department's message of July 13, No. 2407, the following is contained in notice from Swiss dated August 26.

The difficulties encountered in efforts to safeguard bearers of identity documents issued in name of Latin American countries were described in recent report on situation in Germany concerning such individuals from Swiss Legation Berlin.

In particular, it seems that officials of Germany are starting to discriminate between passports issued for the purpose of safeguarding Jews against steps which might be taken against them and those held by individuals having citizenship of nations in question by birth.

The German authorities refuse right of interested individuals to claim Latin American citizenship not because of expiration validity of passports but because antecedents of Jews involved and type of identity papers which they have constitute adequate evidence that they obtained these papers "ad hoc" in the view of such authorities.

The continuation of these passports "ad hoc" is not the essential matter in the opinion of the Swiss Legation. They express the belief that it is fundamental that information as to the presence of these Latin American nationals who are not listed on its registers be furnished the Legation in some way. Inasmuch as holders of identity papers of this nature in many instances have not been reported to Swiss Legation, in the event German officials should ask if particular individual is among those protected by it, it might happen that the Swiss Legation would be unable to supply data concerning nationality claimed by interested individuals.

In order to expedite its representations to Government of Germany, Swiss Legation suggests that lists as complete as possible of bearers of these papers be prepared by governments in whose name identity papers are issued, accompanied with statement that these individuals are recognized as their citizens by these governments.

HARRISON

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: September 14, 1944
NUMBER: 3180

Following for McClelland.

1. Reference is made to your 5689 of August 31.

In replying to Swiss notice of August 26, please ask Swiss political department to emphasize that the German arguments notwithstanding, this Government is unable to recognize any right of the German authorities to pass upon the validity of documents issued in the names of other sovereign governments. Furthermore, none of the American republics upon whose documents this German procedure is being practiced can, in justice to their own proper interests, allow that practice to go unquestioned. Accordingly, this Government insists on the stand taken by it in Department's 2490 of July 21 paragraph two and rejects as irrelevant any attempt by German officials to question the validity of Latin American documents whether on the basis of antecedents of Jews involved or of the type of identity papers or on any other basis.

It should be emphasized in this connection that German attitude was at first to doubt the eligibility of persons involved for exchange and the acceptance of documents involved by issuing governments. Now that eligibility for exchange has been confirmed and the several issuing governments have notified Germany through protecting powers that the document holders must be protected notwithstanding any doubts as to the validity of the documents, German officials introduce new excuses for their failure to comply. All these excuses are emphatically rejected by this Government and the attention of German officials involved is drawn to the serious consequences of their attitude.

In this connection, please advise whether you have been able to convey to proper quarters the message contained in paragraph three of Department's 2490 of July 21. It is believed that in the light of the military situation it is possible to sway German officials by confronting them with a sufficiently emphatic statement of this Government's position.

With reference to lists of bearers of Latin American documents suggested in ultimate and penultimate paragraphs of your 5689, disturbed war conditions have interfered with communications between Latin American governments and their European missions, resulting in

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incomplete records which make the compilation of such lists difficult. However, to assist the Swiss in this matter it is believed that the Legation should endeavor to obtain with the aid of McClelland and the local representatives of organizations that have records on the subject, lists which are as complete as possible with a view to transmitting them to the Swiss authorities. The Department will suggest to various Latin American governments the urgency of confirming to Swiss authorities the authenticity of such lists. It is hoped, however, that in view of the humanitarian considerations involved and of this country's status as Power handling exchange of persons whose eligibility would be established by being placed on the list, Swiss officials will agree to transmit the lists to Germany even without such confirmation. You may include in such lists the persons envisaged in Department's 2407 of July 13 paragraph numbered six.

Precaution should be taken, however, to inform Swiss and German authorities that such lists cannot be considered complete. Should Germany inquire of Swiss Legation or government whether any particular individual not appearing on such lists is protected by Switzerland, it is suggested that an answer along the following lines would be both substantially correct and calculated to save human lives: Owing to wartime conditions, Swiss records regarding citizens of countries under Swiss protection are incomplete and so are records of several Latin American legations in Bern; if Germany would inform Switzerland of the claimed nationality of the person involved, inquiry will be made of the government of the country concerned; and the Swiss will consider it understood that pending receipt of an answer to such inquiry such person will be treated as and accorded all the rights and privileges of a citizen of the country whose nationality he claims.

2. The following information received from Amembassies in various countries is transmitted for McClelland's information and guidance in connection with protection of victims of enemy persecution, representation in Hungary, and shelters for Jewish children from Hungary:

Portuguese government is in agreement in principle to admit for temporary refuge Hungarian Jewish refugees, preferably in lots of three to four hundred. Portuguese government has already informed Hungarian government of its interest in such people. It has persuaded Hungarian government to issue exit visas and has itself given Portuguese visas to a number of them, but Germans have refused to permit them to leave as yet. Some of these persons are now in asylum in the Portuguese Legation in Hungary. The Hungarian government is thus aware of the Portuguese interest in this problem.

Venezuelan government has authorized its legation in Lisbon to visa the passports of Jewish refugees, especially children, who are traveling to the American continent, even though they may not be proceeding to Venezuelan territory. It has also requested the Swiss Political Department to extend the protection of Venezuelan interests

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to Hungarian territory and other countries of Central and Eastern Europe for the purpose of aiding the bearers of Venezuelan passports in those regions.

President Vargas of Brazil has approved the plan to bring 500 refugee children to Brazil, provided that the Brazilian Government would not incur the expenses of transportation to and maintenance in Brazil. He has accordingly charged General Ivo Soares, Chairman of the Brazilian Red Cross, with making suitable arrangements with appropriate Jewish welfare agencies in Brazil to take care of them. Official announcement is to follow shortly.

Government of Uruguay has agreed to the admittance of 500 refugee children.

3. With reference to Department's 2485 of July 21, Haitian Legation in Bern was instructed on July 31 to request the Swiss to present to the German Government the following declaration of the Haitian Government:

QUOTE Inasmuch as a certain number of individuals of the Jewish race naturalized as Haitians abroad in pursuance of the Decree-Law of May 29, 1939, were living in territories controlled by Germany and Italy; that they have been detained there continuously for reasons of force majeure since the declaration of war by the Republic of Haiti until this date, the Haitian Government declares: that the persons in the above-mentioned category have been unable to comply with the Decree-Law of February 4, 1942, enjoining, under penalty of the loss of Haitian nationality, all those who had acquired Haitian naturalization abroad to return to Haiti before August 5, 1942. Consequently, it is hereby made known to whom it may concern that the said persons are not affected by the Decree-Law of February 4, 1942. UNQUOTE

In this connection, the Board's attention has been called to the test case of Mrs. Zelman Solowiejczyk, age 42, and Miss Sephora Solowiejczyk, age 7, whose last known address was Jacob Jacobs Street 37, Antwerp, Belgium, and who are the wife and daughter of Zelman Solowiejczyk, now residing in New York City. Under the foregoing declaration, these women, whose Haitian naturalization is said to have been promulgated in the Moniteur of Haiti on December 23, 1939, retain their Haitian nationality. Please take all appropriate action to insure that these women, if still in German hands, be treated as Haitian nationals. Consult with Haitian Minister if you deem it advisable.

The Haitian Legation has also been instructed not to question at present the validity of Haitian passports held by persons who are now in occupied territories and who could be the object of persecution by

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the enemy until such persons arrive in a place of safety and to inform the Federal Department of these instructions.

This is WRB cable to Bern No. 164.

HULL

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DOCUMENT

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HM-394
Distribution of true
reading only by special
arrangement. (S. W.)

Bern
Dated November 18, 1944
Rec'd. 1:57 p.m.

Secretary of State
Washington

7613, November 18, 10 a.m.

Pursuant to fourth paragraph Department's 3180, September 14 (WRB 164) Legation forwarded to Swiss Foreign Office with communication dated October 24 two partial lists of persons claiming Latin American citizenship supplied by private organizations. Swiss were requested to take action desired by you except that Legation asked that persons claiming Argentine nationality be excluded and that Swiss Legation Berlin should inform Spanish Embassy there of presence on lists of persons claiming Paraguayan citizenship.

Swiss notice Nov. 10 states that Foreign Office following careful examination has decided to forward lists in question to Swiss Legation Berlin for its information but observes that these lists prepared by private organizations cannot serve as basis for establishing right of any person to claim nationality of a Latin American republic until these lists be officially confirmed by interested countries.

As regards Paraguayan citizens appearing on these lists Swiss Foreign Office prefers that their names be communicated directly to Spanish Government for transmission Spanish Embassy Berlin. END SUMMARY.

In view limited use to which Swiss are willing put lists of this character, Legation is forwarding to Department the two lists mentioned above pursuant to Department's statement that it will suggest to the various governments of Latin America urgency of confirming to Swiss authorities authenticity of such lists (paragraph four, Department's 3180) September 14. It is also forwarding to you in this connection two supplemental lists now received from private organizations without prior reference to Swiss.

When Department and WRB receive and review lists which are being forwarded, please instruct whether they are considered sufficiently definite and useful to justify continued compilation of similar lists by private organizations.

HARRISON

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A-253

5:20 PM

Sept. 13, 1944

AMEMBASSY
ASUNCION (PARAGUAY)

The following is from War Refugee Board.

Reference is made to our earlier communications on the subject of holders of Latin American documents in enemy territory.

At the suggestion of Swiss authorities, and in order to safeguard the lives of holders of documents issued in the names of American republics in German-controlled territory, this Government is endeavoring to compile lists of such holders for transmission to the German Government. A portion of a cable dated September 14, 1944, to the Legation at Bern follows:

QUOTE With reference to lists of bearers of Latin American documents suggested in ultimate and penultimate paragraphs of your 5689, disturbed war conditions have interfered with communications between Latin American governments and their European missions, resulting in incomplete records which make the compilation of such lists difficult. However, to assist the Swiss in this matter it is believed that the Legation should endeavor to obtain with the aid of McClelland and the local representatives of organizations that have records on the subject, lists which are as complete as possible with a view to transmitting them to the Swiss authorities. The Department will suggest to various Latin American governments the urgency of confirming to Swiss authorities the authenticity of such lists. It is hoped, however, that in view of the humanitarian considerations involved and of this country's status as Power handling exchange of persons whose eligibility would be established by being placed on the list, Swiss officials will agree to transmit the lists to Germany even without such confirmation. UNQUOTE.

Please discuss this matter with the Government to which you are accredited with a view of obtaining its confirmation of the authenticity of the list submitted by the Legation at Bern.

In making this request, you may explain that the assurances previously given on behalf of this Government that the government to which you are accredited will not be expected to grant physical admission to the persons involved and that no objection will be raised to an examination by that government of status of such persons once they are safe from enemy persecution, fully apply to the persons whose names will be included on the lists herein envisaged.

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Should the government to which you are accredited, in addition to sending such communication, be in a position itself to compile and submit to Spain a list of holders of documents issued in its name or other persons under enemy control to whom it desires to give protection, this Government would be glad to extend to such persons the benefit of its activities intended to safeguard their lives. If desired, this Government will gladly transmit any such list to the Spanish Government.

Sent to Asuncion. Copy to La Paz, Bolivia.

HULL

AM-77 Please send copy to La Paz, Bolivia

WRB:MMV:OMH
9/16/44

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DOCUMENT

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: July 13, 1944
NUMBER: 2407

FOR ATTENTION OF MINISTER HARRISON AND MCCLELLAND, BERN, SWITZERLAND.

Reference is made to your 3871 of June 17. Please express Board's sincere appreciation to Foreign Office for its cooperation. The Board recognizes Switzerland's deep concern for the fate of victims of Nazi persecution and is confident that continued efforts of Swiss and American Governments must result in some degree of success.

1. In regard to renewal of passports held by persons in enemy territory, United States practice, as you are aware, is not to authorize their extension beyond their two-year period of validity. Nevertheless, Swiss authorities issue Swiss certificates of identity to holders of such passports. It is suggested that a similar practice, if necessary, be adopted in the case of passports issued in the names of other American republics whose interests are protected in enemy territory by Switzerland. The suggestion is based on the premise that while a passport's duration as a travel document is limited to the period of its validity, its value as prima facie evidence of nationality continues. Accordingly, it is our understanding that the request to Switzerland to extend protective action to all persons threatened with enemy persecution who hold passports and other documents issued in the name of the American republics until affirmatively advised to the contrary by the government concerned applies without regard to the time-limit indicated in any such passport. It is greatly hoped that, in the interest of avoiding delay, the Swiss can carry out the foregoing without communicating further with any of the governments concerned. Kindly advise concerning such governments and the changes of procedure needed to achieve the foregoing, however, if the Swiss cannot secure this result without instructions from the governments whose passports were issued.

Please discuss this matter with appropriate Swiss authorities and endeavor to secure their cooperation in developing some procedure that will assure the continued protection of holders of expired Latin American passports regardless of their extension.

2. It is understood that Paraguay requested Spain in May to extend protection to all holders of Paraguayan documents. Spanish assistance in bringing about the return of deportees from Vittel was

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requested by United States and certain other American republics. On April 19 Spanish Government assured us that it would attempt to learn the facts as soon as possible with a view toward endeavoring to arrange for the return of these refugees. Early in June, Spanish Foreign Minister, in reply to request by Nicaragua, offered to use his good offices to secure the return to Vittel of any bearers of Nicaraguan passports who might have been removed therefrom.

3. Please request assistance of Swiss authorities in ascertaining identity and whereabouts of all persons removed from Compiègne and Vittel and other civilian internment camps who hold passports or other documents issued in the name of any American republic, and their best efforts to secure the return of such persons to such camps.

4. Note is taken of German readiness to consider as eligible for exchange against Germans desiring to be repatriated all Jews interned in these camps who bear Latin American identity documents as well as those elsewhere known to the German Foreign Office, and of German readiness to accept the recognition by the United States of the status of such persons as a basis for their treatment and eligibility for exchange. It is consequently assumed that German authorities will henceforth refrain from passing on the validity of Latin American documents. Please confirm. It would also appear that United States recognition of status will alone suffice, and affirmative approaches by individual Latin American countries are not considered essential by Germans. On the assumption that we properly state German attitude, please explore with Swiss authorities the possibility of proceeding on this basis. We assume Swiss are fully aware of circumstances making action on this basis desirable in speedily achieving humanitarian results.

5. Honduras and Costa Rica have authorized this government to transmit to Switzerland their demands that persons holding passports issued in their names be protected. Refer to Department's 1632 of May 10 concerning Honduras, and 1993 of June 10 concerning Costa Rica, which we assume you have transmitted to appropriate Swiss authorities. A similar communication from Guatemala is on its way to you.

This government has been informed that a telegram was sent by Ecuador to Swiss Government early in May requesting safeguarding of persons claiming Ecuadorean nationality. It is also understood that similar instructions, with regard to persons holding Uruguayan documents, were cabled from Montevideo to Uruguayan Minister at Bern on June 15.

6. In connection with persons eligible for exchange, your attention is drawn to the problem of persons in enemy-controlled areas in whose names Latin American documents have been issued, but who are not in physical possession of these documents because delivery has been impossible. In order that such persons may not be placed at any

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disadvantage because of circumstance beyond their control, please secure from available sources names, ages and last known addresses of such persons. On this subject please consult Sternbuch, Riegner, Saly Mayer, and other representatives of rescue organizations. Please notify Board when such list is secured, giving your views and informal opinion of Swiss authorities as to the advisability of making the same available to the Germans in an effort to protect such persons.

7. Please note that the term QUOTE German-controlled UNQUOTE territory or areas as used in this message and in all other communications dealing with protection of persons holding documents issued in the names of American republics includes Hungary. Should there be any possibility of doubt on this score, the Swiss authorities should be informed accordingly and requested to transmit said information to German and Hungarian authorities. In this connection, you are requested to inquire and report which American republics, if any, other than the United States, are represented in Hungary and Switzerland.

THIS IS WRB CABLE TO BERN NO. 64.

HULL

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DOCUMENT

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CIRCULAR AIRGRAM

Y. COURIER
August 1, 1944

August 3, 1944
11:00 am

SUBJECT: SAFEGUARDING OF LIVES OF AMERICAN REPUBLICS-
DOCUMENT HOLDERS

TO CERTAIN AMERICAN DIPLOMATIC OFFICERS:

Please refer to previous communications regarding persons affiliated with persecuted European groups in enemy controlled areas holding documents issued in the names of American republics and efforts to safeguard their lives. Intense persecution of such groups, including forced deportation and mass extermination has been introduced into Hungary, where persons holding documents issued in the names of American republics are reported to be in danger because of absence of representation in that country. Amlegation Bern cables:

QUOTE With regard to general question of Latin American documentation in German controlled countries, the suggestion that such Latin American Governments as have not previously made arrangements for their interests in Hungary to be taken care of urgently ask Switzerland or other neutral country to assume such representation is made by the Legation for the consideration of the Department. All Latin American countries without direct representation in Hungary except Uruguay, Chile, Brazil and possibly El Salvador, would seem to be concerned in this. UNQUOTE

Please consult appropriate officials of the Foreign Office in an endeavor urgently to secure representation in Hungary by Switzerland for the Government to which you are accredited. Although such government's interest in Hungary may be nominal, its representation in Hungary preferably by Switzerland is an essential first step to the humanitarian effort to save the lives of persons there holding documents issued in such government's name, and the approach to the Foreign Office should be on that basis. If the government to which you are accredited agrees to this measure, please request it to instruct the protecting power substantially as follows: (1) Passports and other documents issued in its name to persons in Hungary subject to persecution, are recognized and confirmed; (2) Hungarian Government to so be advised and that it is expected that persons holding such passports and other documents will be accorded the treatment, rights, privileges, and immunities of nationals of the government to which you are accredited, and (3) the United States is authorized to negotiate for the exchange of such persons. You may assure the Foreign Office that

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in the event of such negotiation every preference will be given by the United States to unquestioned nationals of the government to which you are accredited, and that such government will not be expected physically to receive other persons, who, if exchanged, will be routed to other havens.

If desired this Government would be willing to act as a channel of communication in representation matters between it and the Swiss or other neutral Government to which it wishes to entrust its interests in Hungary.

Please advise the Department promptly of the results of your approaches.

STETTINIUS
(Acting)
ghs

Send to AMEMBASSY

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La Paz
San Jose
Quito
Guatemala
Port-au-Prince
Tegucigalpa
Managua
Asuncion
San Salvador
Caracas

Bolivia
Costa Rica
Ecuador
Guatemala
Haiti
Honduras
Nicaragua
Paraguay
El Salvador
Venezuela

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DOCUMENT

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: October 5, 1944
NUMBER: 3427

TO MINISTER HARRISON AND MCCLELLAND, BERN, SWITZERLAND.

With reference to your 6292 of September 22, you may request Swiss Foreign Office to inform Hungarian authorities that, if they so desire, this government will be glad to treat as a Hungarian national any person in the United States who claims Hungarian nationality even if the claim of such person to Hungarian nationality is not well established, and thus permit him to benefit from protection of State representing Hungarian interests.

This government assumes that other American republics will also accede to such a request, in case Hungarian authorities are really desirous of making it.

Please convey to Hungarian officials through such informal channels as may be available to you that this Government views the Hungarian inquiry as specious in view of the circumstances and considers it to have been made in an endeavor to gain time. Such officials should be advised that this Government will hold them personally accountable for any harm that may befall any person claiming the nationality of an American republic as the result of the Hungarian government's failure to accord him the rights and privileges due to a national of an American republic. In this connection, you should also convey to appropriate Hungarian quarters the sense of Department's 2490 of July 21 paragraph three.

THIS IS WRB CABLE TO BERN NO. 191.

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JMM-835

This telegram must be paraphrased before being communicated to anyone other than a Government Agency. [REDACTED] 0)

Bern

Dated October 19, 1944
Rec'd. 6:10 p.m.

Secretary of State
Washington

6938, October 19, 6 p.m.

FOR WRB FROM MCCLELLAND.

Sternbuch informs me that courier recently arrived Switzerland from Bratislava reports that 300 to 400 Jews holding Latin American documents arrested in Bratislava were first interned as result intervention Central Jewish office at Mariathal near Bratislava. On or about October 8 they were summarily transported, it is believed to Germany. (Courier declared that Slovak Government knows where they have been taken. Apparently about 90 were bearers El Salvador nationality certificates balance Paraguayan passports. Legation's 6839 October 13.)

Would it be possible through Vatican and Papal Nunciature at Bratislava determine destination this group with view to ultimately requesting Swiss and Spaniards once group is located, exercise protection?

Repeated to Ackermann of WRB care Ampolad.

HARRISON

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ORIGINAL TEXT OF TELEGRAM SENT

FROM: Secretary of State, Washington
TO: American Legation, Bern
DATED: September 20, 1944
NUMBER: 3245

To Minister Harrison and McClelland, Bern, Switzerland.

With reference to persistent reports of renewed or impending deportations of Jews from Hungary and Slovakia by order of German authorities, you are requested to convey to German authorities through official Swiss channels this Government's most emphatic protest against these deportations and its unflinching determination to see to it that all persons participating in any form whatsoever in these deportations or in any other forms of persecution in Hungary or Slovakia will be apprehended and punished.

In this connection, and referring to ultimate paragraph your 5109 of August 8, attention of German authorities should also be called to position of this Government with respect to deportations from recognized civilian internment camps of persons holding documents issued in the name of American Republics. Unless all such persons are immediately returned to civilian internment camps supervised by Intercross, the German authorities responsible will be held strictly accountable.

In addition, the strongest possible unofficial representations on both points should be made to appropriate individual German officials through all channels that may be available to you.

THIS IS WRB CABLE TO BERN NO. 178

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Bern
Dated November 15, 1944
Rec'd 6:12 a.m., 16th

Secretary of State,
Washington.

7542, November 15, 3 p.m.

Department's 3245, September 20 - WRB 178.

Foreign Office note November 8 which was personally handed same day to Legation secretary by Depury states in substance following.

During interview of Feldscher the latter declared he had been instructed to return these two notes (Legation forwarded by note dated September 23, to Foreign Office substance of first and second paragraph your 3245. Foreign Office transmitted these to Swiss Legation Berlin by two separate notes each enclosing text in English as received from Legation).

According to Sethe the German Government does not (repeat not) recognize right of American Government to undertake representations in these two cases matters do not (repeat not) concern protection of American nationals and additionally it considers tone of these notes unacceptable particularly threat contained in latter part of paragraph one your 3245.

Since German Government does not recognize right of Swiss representatives as representing American Interests to intervene in favor of bearers of Latin American identity documents (note here refers to Foreign Office note of September 5 with enclosures which were transmitted to Department with Legation's strictly confidential despatch 9250 September 15). Feldscher inquires whether he should nevertheless bring to attention of German Foreign Office four points contained in Legation's notice of October 31 to Swiss Foreign Office (first paragraph Department's 3648, October 26) concerning deportation bearers documents this category previously interned Marianka in Slovakia. In view Sethe's declaration Foreign Office sees no useful purpose in delivering to German Foreign Office a note based upon Legation's notice of October 31 acceptance of which without any doubt will be refused. Foreign Office accordingly gave instructions to Feldscher not to pursue the matter. End summary.

Legation continued its negotiations with Division of Foreign Interests after said meeting with Depury and these concluded in discussion with him on November 13 at which time he agreed to have Swiss Legation Berlin approach German authorities pursuant first paragraph

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Department's 3648 as applied to bona fide United States Nationals and similar nationals of Latin American countries represented by Switzerland.

At meeting of November 13 Legation Secretary was handed notice dated November 10 with reference to Grassli's proposals which were subject of Legation's note dated November 9 to Swiss based Department's 3769 November 4. Said notice includes following observations:

(1). German refusal accept notes of Swiss Legation Berlin based on fact that German Government contests right of American Government to make representations in matter pertaining to bearers of Latin American documents.

(2). Grassli nevertheless insists that persons claiming and actually possessing United States nationality are held in Slovak concentration camps. It is possible that German authorities would not refuse a representation made not concerning bearers of Latin American documents but regarding persons claiming United States nationality.

(3). However procedure suggested by Grassli would involve instructing Swiss Legation Berlin to intervene with German Government regarding action taken by German Government authorities in Slovakia -- provided it be limited to United States citizens properly speaking -- but requesting German Government to surrender Jews concerned to Slovak Government. Swiss observe that such action might be interpreted as implying recognition of Slovak state and request Department's comment. End summary.

Since receipt of foregoing Legation communication to Swiss contents Department's 3852 November 11 and in view above summarized Swiss comments would appreciate Department's observations as to whether and on what basis Swiss should be requested further to pursue Grassli's suggestions.

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December 8, 1944
9 p.m.

AMLEGATION
BERN

4154

The substance of your 7542 of November 15 and 7668 of November 21 has been carefully studied by the Board and the Department. As indicated in Department's 3255 of September 21, item three, the Board is of the view that the transmission by the protecting power of messages regarding the mistreatment of victims of enemy persecution serves a useful purpose regardless of whether the enemy government "accepts" the message in any formal sense. However, if certain terminology in the Department's telegrams requesting that such messages be transmitted is known to the Swiss to be definitely unacceptable to the Germans and likely to defeat the objective of the Department and the Board, which is to save the lives of unfortunate individuals, it is requested that the Swiss use their best discretion in the matter. Other channels are available for communication of the omitted passages or phrases.

In view of this Government's stand regarding holders of documents issued in the names of American Republics, which is shared by the Inter-American Advisory Committee for Political Defense, the Department and the Board do not accept any German refusal to receive communications in matters pertaining to bearers of Latin American documents. Further, in addition to existing efforts, since each of the Latin American nations has a protecting power for the German Government, Switzerland, Sweden, Spain or Portugal, it is possible for these protecting powers in view of the general responsibility devolving upon them in that capacity to concert measures at Berlin to save lives of persons whose existence is threatened. If the Swiss feel they can not speak up in behalf of human beings whose governments they do not represent, there is no reason why they should not exercise a humanitarian initiative to obtain concerted protective action along the lines suggested by the United States Government by all the protecting powers. The United States Government appreciate and will be eager to support any such Swiss move.

There is a definite reason why the United States Government appears so frequently as spokesman for the other American Republics in these matters. It has the best sources of information and with this responsibility can not await multiple transmissions of communications to various governments before initiating remedial

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measures. It is furthermore clearly established on the basis of Resolution XXIV of the Committee for Political Defense and through communications exchanged with the various American Republics that none of the other American Republics is willing to accept German infringement of its sovereignty which is constituted by German decisions regarding the validity of its documents of nationality. The protecting powers are all aware of this position and should not need added instructions from the represented powers in order effectively to maintain the protection of bearers of these documents.

This Government of course has a special interest in citizens and claimants to citizenship of the United States and you are authorized to urge or request the Swiss authorities accordingly, unless that has already been done, in line with the fifth paragraph of your 7542 describing action which the Swiss were to take with respect to those whom they consider to be bona fide United States and Latin American nationals represented by Switzerland. It is hoped that that action has been taken. However, the Department and the Board wish to point out that since the Swiss have been arbitrarily deprived by the Germans of contact with many of the individuals whose lives are in the greatest danger they are not able to perceive how the Swiss can determine which of these individuals are bona-fide nationals. If without such contact the Swiss should undertake to accept the German determination they would be accepting a grave responsibility.

The German Government is willing enough to accept representations of the United States Government in behalf of the other American Republics whether or not represented by Switzerland, when by doing so it obtains an advantage in the return of its nationals to Germany in exchange. Germany's failure at this late date to recognize the interest of this Government in claimants of nationality of the American Republics and its justification in making representations concerning matters affecting their availability for exchange is entirely inconsistent. The United States Government can not accept this German point of view. Moreover, Germany's attitude in the light of your 7616 of November 18 is not likely to prove inflexible in practice even if it remains so in negotiations.

There appears to be some misinterpretation attached to the Swiss attitude in the matter of the Americans and Latin Americans removed from Slovakia discussed in your 7163 of October 28, penultimate paragraph of your 7542, and the Department's 3769 of November 4 and 3852 of November 11, 1944. The Department and the Board understood that Grassli's proposal called for an approach to the German Government as the power responsible for the transfer of the Americans and Latin Americans held in Slovakia and that he intended the Swiss Government, on its own initiative, as a good

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office in behalf of both belligerents and in the effort to solve the impasse which might otherwise arise, to suggest to the Germans as a possible solution to the difficulty the return of these individuals to Slovakia. In its 3769, the Department therefore concurred in his proposal. In its 3852 requesting the Swiss to take definite action, it made the request extend only so far as this Government could speak in the matter without extending recognition to Slovakia. Your 7802 of November 28 covers only eight of at least 150 Americans understood to have been held at Marianka. If this figure represents the total number of American citizens of Jewish race remaining alive in Slovakia, numbers of American citizens have disappeared.

To make the matter clear, the Department would be glad if the Swiss could continue with the implementation of Grassali's proposal to the extent that is compatible with pending exchange proposals. The extent to which the Swiss can speak for the United States Government in making this proposal was defined in Department's 3852 and the Department notes with gratitude that they have done so and further that they have induced the Germans to consider the exchange of at least eight of the Americans concerned. The remaining elements of the proposal can only be implemented by the Swiss on their own initiative through good offices as a friendly neutral intermediary.

If there were at Marianka or at Sered nationals of the American Republics not represented by Switzerland, the Department and the Board would appreciate if in addition to the action suggested in the foregoing paragraph the Swiss would inform the Department urgently so that the appropriate protecting powers may be asked to take parallel measures in their behalf.

STETTIN IUS
(GLW)

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AMT

This telegram must be
paraphrased before being
communicated to anyone
other than a Government
Agency. (REDACTED)

November 11, 1944
Midnight

Amlegation
Bern

3852

Department informed that German authorities in Slovakia
have begun evacuation from a camp at Marianka of Jews who claim
nationality of United States and of other American Republics.
Persons being removed are reported to be destined to Auschwitz.

Please request Swiss to inform German Government that
United States Government expects urgently to obtain assurances
that the German authorities in Slovakia have not taken any
action against claimants to citizenship of the United States
which deprived them of any of the rights to which they are
entitled. If any claimants to citizenship of the United States
have been deprived of such rights or have been removed from
Slovakia to some other area under German control, German Govern-
ment should provide the names of the persons concerned and
information regarding their whereabouts and welfare.

Telegraph pertinent developments.

STETTINIUS
(Acting)
(BL)

840.48 Refugees/9-2744
SNP:EJD:MA

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TELEGRAM SENT

GMV

This telegram must be paraphrased before being communicated to anyone other than a Government Agency. (SC-00)

April 21, 1944

1 p.m.

Secret

Ambassy,
Madrid
1108

For the Ambassador from War Refugee Board.

The Spanish Government has on several occasions in the past, as the result of intercession by the Holy See whose humanitarian efforts on behalf of the persecuted refugees of Europe have resulted in the saving of thousands of lives, extended protection to groups of Sephardic Jews in Axis occupied areas and has intervened with Germany to accomplish their evacuation to Spain after release from concentration camps.

The War Refugee Board has now been informed that 400 such Sephardic Jews residing in Athens have recently been interned in a concentration camp. To forestall deportation to Poland and almost certain death it is vital that these Sephardic Jews be given Spanish protection.

You are requested to approach appropriate Spanish officials to advise them of the situation of this group and to enlist the aid of the Spanish Government in the rescue of these refugees. You are authorized to give full assurance to the Spanish Government that funds will be available for the support in Spain of such of these persons as may be evacuated to Spain and that prompt action to speed their departure from Spain to other places of refuge will be taken. Kindly advise the Department of all developments in this matter.

The foregoing has been repeated to Bern for Tittman.

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September 11, 1944
10 p.m.

War Refugee Board
Ambassy
Madrid
2519

Department and War Refugee Board are advised that there are in camp Bergenbelsen near Hanover about 155 Sephardic Jews having Spanish passports whose entry into Spain has been promised by the Spanish Government and for whom, it is understood, exit permits are now available.

In view of imminent danger to lives of these persons, you are requested to intercede with Spanish government to bring about their release and admission into Spain. Assurances previously given regarding speedy evacuation of refugees from Spanish territory fully apply to these persons.

Should transportation be impossible in view of military developments, please urge Spanish Government to exercise greatest possible vigilance in safeguarding the lives of these persons, by placing them under direct protection of Spanish diplomatic or consular personnel and by all other appropriate methods.

HULL
(GLW)

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BB-211
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Madrid
DATED: November 3, 1944
REC'D: 6:30 p.m. 4th

Secretary of State,
Washington.
3640, November 3, 9 a.m.

Department will see from my despatch 3169 October 2 that Embassy on its own initiative suggested to Spanish Government on September 25 desirability of latter's endeavoring to arrange for temporary entry into Switzerland of 155 Sephardic Jews mentioned in Department's 2904 October 28. Foreign Office official states that instructions in pursuance of Embassy's suggestion have already been sent to Berlin and are being sent also to Spanish Minister in Bern.

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EMBASSY OF THE
UNITED STATES OF AMERICA

UNRESTRICTED
Dispatch No. 653

Lisbon, June 28, 1944

Subject: Care of Sephardic Jews now in Greece
Claiming Portuguese Nationality

The Honorable
The Secretary of State
Washington, D.C.

Sir:

I have the honor to transmit herewith a translation of a note sent by the Portuguese Foreign Office the 24th of June in reply to an aide-memoire left with it following a visit by the attaché of this Embassy representing the War Refugee Board. The interest which the Portuguese Government has taken in the situation of these Sephardic Jews will be noted. This visit was made following receipt of several telegrams from Washington urging this Embassy to take up the matter covered in the notes with the Portuguese Government. The results, as indicated in the note enclosed, are highly gratifying and it is hoped will obtain an alleviation of the condition of these people.

There is also enclosed a translation of a note sent by the Papal Nuncio to the Foreign Office on the same subject. Presumably this note also had its effect in obtaining the favorable action taken by the Portuguese Government. This Embassy was requested by the Nunciatur [sic] to explain to it the request which they had received from Rome, and as a result their note, copy of which is enclosed, was sent to the Foreign Office.

Provided that the Department perceives no objection, it would be appreciated if a copy of this despatch together with copies of the notes enclosed were forwarded to John W. Fehle, Executive Director of the War Refugee Board.

Enclosures:

1. Translation letter
from Foreign Office
2. Translation letter
to Foreign Office
from Papal Nuncio.

Respectfully yours,

For the Ambassador:
(Signed)

EDWARD S. CROCKER

Edward S. Crocker
Counselor of Embassy

RCD:ew

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Enclosure No. 1 to Dispatch No. 653
from Lisbon dated June 28, 1944.

EMBASSY OF THE
UNITED STATES OF AMERICA

The following is a translation of a note from the Apostolic Nuncio in Portugal, written in response to a request from this Embassy for the support of the Nuncio in regard to securing the protection of the Portuguese Government to claimants of Portuguese citizenship of Jewish race who were threatened with deportation to Poland. At the same time, as may be noted, a note was received from the Secretary of State of the Pope by the Nuncio asking for similar action.

Note 4882

The Papal Nuncio presents his compliments to the Minister of Foreign Affairs and has the honor to bring to his attention the following facts:

1. The Papal Nuncio has received instructions from his Eminence, Cardinal Maglione, Secretary of State of His Holiness the Pope, asking the Nuncio to intervene in his official capacity with the Portuguese Government in favor of a group of non-Aryans, resident in Greece, who claim to be originally Portuguese citizens and who are now in danger of being deported to Poland.

2. The Nuncio has been advised that an intervention in favor of this same group was made by the Embassy of the United States in Lisbon by note under date of the ninth of May.

3. The Nuncio urges the Portuguese Government, in view of its well known humanitarian sentiments, which during the war has given comfort and salvation to so many people, to come once more to the aid of this particular group whose situation is so serious. The Nuncio cannot help but anticipate from the Portuguese Government the most favorable response to this request and thanks the Portuguese Government in advance for its cordial cooperation in this humanitarian effort.

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[Enclosure No. 2 to Dispatch No. 653
from Lisbon dated June 28, 1944.]

EMBASSY OF THE
UNITED STATES OF AMERICA

TRANSLATION

MINISTRY OF FOREIGN AFFAIRS

Direccao Geral dos
Negocios Politicos e da Adminis-
tracao Interna

Proc. 32,61

No. 15

The Ministry of Foreign Affairs has received with the interest it deserved the suggestion of the United States Government, transmitted by its Embassy in the "Aide Memoire" of the 9th of May, referring to the Israelites of Greece of presumed Portuguese nationality who seem to be at present in a painful situation, under the menace of imminent danger.

2. - The Portuguese Government, faithful to the principles of humanity that in all cases have guided it, never failed to render all possible assistance to the Jews who, on the basis of nationality, appealed for its protection.

3. - This, therefore, is what is happening to the Jews in Greece and for this reason, before having received any appeal from those interested, the Portuguese Government had, in due course, sent instructions to the Legation in Berlin to take steps for the repatriation of non-Aryans residing in the above country, who might be considered Portuguese citizens.

4. - Doubts and deficiencies in proving the claims of nationality of these Israelites, delayed however the settlement of the matter. But in view of the very alarming news brought to the attention of the Portuguese Government, it has decided to authorize the entry into Portugal of those who have any basis for claiming Portuguese nationality; when they are in the country the question of proof can then be carefully considered.

5. - The Portuguese Government has taken good note of the generous offer of the American Government to provide maintenance and the definite future provision of the refugees outside of Portugal.

6. - That offer, which is duly appreciated, will be accepted

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by the Portuguese Government only in the cases of Israelites who
prove not to be its nationals.

Lisbon, June 24th, 1944.

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