

0042

Declassified E.O. 12356 Section 3.3/NND No.

785016

ACC

10000/105/436

AC, WAR CRIMES,
AUG. 1944 - JAN

0043

Declassified E.O. 12356 Section 3.3/NND No. 785016

10000/105/436

AC, WAR CRIMES, FORMATION OF YUGOSLAV MISSION
AUG. 1944 - JAN. 1946

TO: G-1 (B).

With reference to the question of a Yugoslav Mission to investigate War Crimes in Italy.

- 1 It has been laid down, vide 31A, that the responsibility for supervision and accommodation of this Mission rests with this Headquarters. A conference was held at this Headquarters on this matter and the results of this conference were embodied in a letter to ARHQ at 26A. Vide para 6 of that letter, it was agreed at the conference (at which the Executive Officer (British) was present) that at least three Allied Officers would have to be attached to the Mission. No reply was ever received from ARHQ as regards any assistance in this respect, vide para 6 of letter at 26A.

It was also agreed that at least three cars with Allied Drivers would be required for the use of the Mission. This is in accordance with the request of the Yugoslav Delegate to the Advisory Council, vide letter at 16A. Supervising Allied Officers would also need some transport.

- 2 The arrival of the Mission is held up because particulars of the War Crimes to be investigated are awaited from the Yugoslav Delegate to the Advisory Council for Italy.

- 3 Applied This matter is brought to your attention because it is one under which the Commission has a definite personnel and transport commitment which presumably would not be covered in any War Establishment.

- 4 Please return file early with any comments.

Tel. Ext. 525.
10 Jan 46.

21 3670

M. GARR, Brigadier,
VI Civil Affairs Section.

40.

V.P. Civil Affairs *ML*

The matter will have to be dealt with when it arises. However will probably be able to get an opinion from the G.H.Q. car company.

15. 2. 46.

Chubalina

Ex. Officer (B)

Minutka

0045

of this conference were embodied in a letter to AHC at 26A. Vide para 6 of that letter, it was agreed at the conference (at which the Executive Officer (British) was present) that at least three Allied Officers would have to be attached to the Mission. No reply was ever received from AHC as regards any assistance in this respect, vide para 6 of letter at 26A.

It was also agreed that at least three cars with Allied Drivers would be required for the use of the Mission. This is in accordance with the request of the Yugoslav Delegate to the Advisory Council, vide letter at 16A. Supervising Allied Officers would also need some transport.

- 2 The arrival of the Mission is held up because particulars of the War Crimes to be investigated are omitted from the Yugoslav Delegate to the Advisory Council for Italy.

Added

This matter is brought to your attention because it is one under which the Commission has a definite personnel and transport commitment which presumably would not be covered in any War Establishment.

- 4 Please return file early with any comments.

Tel. Ext. 525.
10 Jan 46.

RGD

A. GARR, Brigadier.
VP Civil Affairs Section.

40.

V.P. Civil Affairs WJG

Matters will have to be dealt with when it arises. The answer will probably be to get an adviser from the GTO car company.

Chubelana

Ex. Officer (B)

15. 2. 46.

Minutes

0046

Declassified E.O. 12356 Section 3.3/NND No.

785016

Chief Commissioner.

Attached is submitted for your approval
signature
information

*F.C.
This will have to be redrafted
for my sig. It should be put on basis of rant for
disposal of Viet before you decide take*

NOV 24 RECD

60900

Declassified E.O. 12356 Section 3.3/NND No.

785016

32.

E.S.O. Pre see minute 51 on subject of flagged and
informed letters.
19/11
C.B. for the
Off. Ex. Comm.

33.

V.P. LKS
Your min. 51 - let's have another reminder pl.
34
1-1412
20/11

En Comm
EC-S

Reminder for origin. if approved.

Handwritten signature

C.B. 23/11

CAS
2:11.1846
x 625

1639

36

CASer. Pre see C.E.'s comments at min 55 for action
24/11
C.B. for the
Off. Ex. Comm.

37.

Minutes

33.

VP CAS

Your min. 51 - let's have another reminder pl.

34

1-11-78
20/11

Ex Comm
10-15

Reminder for orig. if approved.

Attaching the

CAS
21 NOV 1946
X 525

23/11

11

1629

36

CAS.

Per see CL's comments at min 55 for action

24/11
25/11
26/11
27/11
28/11
29/11
30/11
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Ex Comm

Reminder re drafted as suggested for orig. by

cc re app. 26/11

27/11

CAS
21 NOV 1946
X 525

38

CAS/letter signed as requested. cc etc file copies have been withdrawn
K. 27/11

0049

Declassified E.O. 12356 Section 3.3/NND No.

785016

Chief Commissioner.

29

NOV 2 REG

1735

Attached is ^{for} submitted for your ^{approval} signature in accordance
with your minute above. information

with your minute above.

YV 2/81

0050

Declassified E.O. 12356 Section 3.3/NND No.

785016

Chief Commissioner.

25

NOV 1 RECD
1530

Approval
signature
information
Attached is submitted for your

EC

11

A little too peremptory - as drafted
two

785016

CA Sec.

Letter signed & returned for despatch. CC & EC copies have been withdrawn.

p. 3/11

50 30

1638

Ex Com Sec.

31

The letter to the PM (at 32. A) is now over 10 weeks old. Two reminders have already been sent: namely on 16 Oct and 3 Nov (at 42. A and 47. A).

Two enquiries were made:

- Formally agreed to the arrival of the large slave mission.
- Recommendations for conditions to safeguard Italian interests.

The first has been asked for by ATTOR and the answer is long overdue. It does not matter whether there is any reply to the second - it is a country not extended to the Italian Govt to give them an opportunity to make representations. We can get on with drawing up the conditions without any reply.

It is suggested that the CC might draw this matter to the attention of the PM. at some favorable opportunity - or is it preferred that a further reminder should be sent?

p. 1/11

A/VP.

CA-S
15 NOV 1966
X 5255

0052

Declassified E.O. 12356 Section 3.3/NND No.

785016

24

OCT 15 RECD

102

Chief Commissioner.

Attached is submitted for your approval-
signature
information.

Note: Signed by Joe Brown
10/10 JH.

[Signature]
for Ex. Commissioner

785016

23.

Letter enclosed for Signature of C.C. if he
approves. T.M.P.

2/10/11

 $\frac{x}{111}$

M. Aubrey.

12/10

L. P. C. A. S.

Civil Affairs Section.

25

Slips returned - better for dispatch.
Copies have been withdrawn for C.C. & below files

17/10.

carbide

OFFICE OF THE EXECUTIVE COMMISSIONER 1637

24

17

47A. for sig. is: it appeared

CAS
300001546
X 106

Handwritten signature: *Handwritten signature*

27.

0054

785016

11/10
12/10
V.P. C.A.S.

11/10

Cable Affairs Section.

25

Letter returned - letter for dispatch.
Copies have been withdrawn for C.A. & below files

17/10.
C.A.S.

OFFICE OF THE EXECUTIVE COMMISSION
1037

26

Ex. Com.

47A. for sign. it approved

CAS
3500.1340
X 6005

11/10

27.

Ex Com - Herewith letter to P.M. for signature
of C.A., submitted by C.A. Sec.

Emu 31/10

Minutes

13

0055

Declassified E.O. 12356 Section 3.3/NND No.

785016

21

E.C.
Chief Commissioner

24
SEP 1 1953

Attached is submitted for your ~~approval~~ signature information

P. 38 A With apologies for letter to PM
issuing over a junior official signature
R/S [21/5]

Natol
WDC

Office Note We should take up the question of the Board directive to be issued to the Board Commanders on the subject of investigation and trial of war crimes reported in Cate of 17 Dec. 1944 at BB. and which so far as I know has not been received.

20/9 MC v. P. C. J. S.

20

Ex. Comm

1. AT 35A is a précis of the case to date
 2. Could it be explained please to the C.C. that in my absence from the letter at 32A addressed to the Prime Minister was in error signed by my staff and not to the C.C. No question of policy is involved.
 3. It is anticipated that it may be some time before the P.M. replies and also before agreement is reached with D'Soodhara as to the case to be investigated.
- If a reply is received from the P.M. 10/3/45 will be submitted for C.C.'s signature in a few days time

20/9 MC v. P. C. J. S.

20/9

and which is for as I think has not been received.

20/9 MC v. P. C. S.

20

Ex. Comm

1. AT 35A is a precis of the case to date
2. Could it be explained please to the C.C. that in my absence from the letter at 32A addressed to the Prime Minister was written signed by my staff and not by the C.C. No question of policy is involved.
3. It is anticipated that it may be some time before the P.M. replies and also before agreement is reached with the 'Smoother' as to the cases to be investigated.

If no reply is received from the P.M. before the letter is submitted, C.C.'s signature in a few days time

20/9 MC v. P. C. S.

W. J. G.

#22

C.A.S. File herewith returned: minute 20 noted and seen by E.C. & C.C.

20/9
E.C. & C.C.

Declassified E.O. 12356 Section 3.3/NND No.

785016

16

Civil Affairs Section.

1. Reference 26 A para 1 and 2, we agree entirely with the analysis made by A.F.H.Q. on this matter.

2. It has always been our policy to repatriate all Yugoslav Nationals who are desirous of returning to Yugoslavia.

[Signature]
W.C. BROWN
Lt. Colonel

30 August 1945

17.

Polad

Have you any comments on 26A and annex 13-16 please.

CA.S.
31 AUG 1945

I agree with the Jones

[Signature]
31 Aug 45

CAS

In general, no comment. Specifically, I question the accuracy of the phrase "persons ... of Yugoslav origin" in 2nd sub-para. of Para. No. 2 of AFHQ letter of Aug 27 (folio 26A). There are many Italian citizens "of Yugoslav origin" whose national status should not permit any Yugoslav claim to them. Perhaps the phrase was meant to read "Yugoslav nationality".

[Signature] Jones Pol Ad (Rm)
Aug 31

VP.

13.

Dr. Smoloka called upon Brig Upjohn vide 19A at seq. and asked him to discuss direct with AFHQ certain matters including so called Win Gimo.

AFHQ's analysis of the matters which he wished to discuss and their refusal to see Dr. Smoloka is at 20A. The reason is that the matters raised were already, then argued or were to be raised on a Government level.

This decision is probably most conveniently conveyed by interview (as was the request) in which events would go with to see AFHQ in para 1 to 20A and 20B. a para 2. to discuss the position with them before seeing Dr. Smoloka.

With regard to the first 2 subsections of para 3, you will note that this branch of AFHQ has put its finger on the spot.

(H.W. 1945)

CA. S.
25 AUG 1945

Lt Col. White.

C.A.S.

14.

Isaiah Smoloka at Brig. Upjohn. about his visit to AFHQ.

The request from Dr. Smoloka to the Brig. so far as I am aware, only covered the bar lines mission and not the other points on the agenda at 20A. I think we should obtain views of DSR s/c on 1 & 2 of 26A and then see Dr. Smoloka.

Do you think Polack should see the file before we see Smoloka?

29/8

MC V.P.C.A.S.

This decision is probably most conveniently conveyed by
interview, (as was the request) in which event would you
wish to see DPR a para: of 20A and 20B. is para 2.
to discuss the position with them before seeing St. Smolodkin.
With regard to the first 2 paragraphs of para 3, you will
note that this branch of AFMA has put its fingers being
on the spot.

W. H. H. H. H.

CA. S.
23 AUG. 1945

14.
C. H. S.

Isand's Smolodkin at Big. Up the above
his visit to AFMA
The request found Smolodkin to the Big, so far as
I am aware, only covered the bar lines of 20A
and not the other points on the agenda at AFMA.
I think we should have view of DPR of 20A and 20B
of 20A and 20B. See J. Smolodkin.
Do you think Polard should see the file before
we see Smolodkin?
29/8

MC V. P. C. A. I.

15.

DPR

Please see 20A and min 13.14. Will you please
let us have your comments

W. H. H. H. H.

CA. S.
30 AUG. 1945

consequently the present
it then proceeds to say that engineering should
namely under the regis of arms or where the country concerned
may not be for military reasons send its own mission by the armed

ommissioned
This is general policy and it is presumed as this is the spot
he promptly investigated. This will imply investigation within the military
at the front. With ^{that on the} immediate discovery of matters will largely be military
it would mean ^{that on the} disavowal of these statements. AC this is not the
to ensure the interests and of these statements. AC this is not the

111

Hyndman

by researchers in London
It will be sometime before a directive is issued.
GPR

the question is, how
directly as 10 B arises out of particular requests and protests is any
question is considered in general terms and protests will be granted
"interquently" the particular requests shall be considered.
to say no enquiries shall be made.

consequently the
it then proceeds to say two sentences
^{(1) (2) (3) (4) (5) (6)}
namely under the aegis of ~~the~~ or where the country concerned
may vote for military reasons and its own decision FOR THE HELD

may not be the answer.
commission
This is general policy and it is pronounced as "war crimes must be promptly investigated" this will imply investigation on the spot in military as military operations will tangibly be possible under the best conditions.
AC has not the
at the front. ^{National} ^{Winters} ^{discovery} ^{should} ^{be} ^{done} ^{when} ^{possible} ^{under} ^{the} ^{best} ^{conditions}
it would secure desirable ^{national} ^{discovery} ^{should} ^{be} ^{done} ^{when} ^{possible} ^{under} ^{the} ^{best} ^{conditions}
is a measure of ^{national} ^{discovery} ^{should} ^{be} ^{done} ^{when} ^{possible} ^{under} ^{the} ^{best} ^{conditions}
AC

first names of witnesses, and to
personal to undertake these enquiries.
Secondly what degree of respectability and creditability
our foreign missions conducting enquiries, what is the position of
who will ~~have~~ ^{have} proven to human interests. To what extent
AC disagrees with the necessity for further evidence.
will AC be regarded as the father of findings of commissions
conducted "under its aegis" and with which it may be in profound
disagreement. It needs to be thoroughly satisfactory, and
concessions of

The solution needs to be considered by all who are concerned with the future of the country. The solution needs to be considered by all who are concerned with the future of the country.

26 DEC. 1944

My researches in London lead me to believe
it will be sometime before a directive is received.

27. Dec.

12.

~~Pol. Sec.~~

Planch. 4. 11. 10 and 11.

27 DEC 1944

Dear Traveler.

for $\frac{1}{2}$ in

Jugoslav Mission to Investigation War Crimes

Summary of position

In Sep 44 the Yugoslav Mission approached Poland, with a view to obtaining leave to investigate War Crimes; this was forwarded to AMHQ on 2 Oct with the comment that it was considered that the matter was one for AMHQ to staff and organize and further that AD had not the requisite staff. The application in question made no reference to any particular allegation but sought permission in the broadest terms "to obtain evidence which may later be useful" and for that purpose to be granted facilities to interview displaced Yugoslavs and to inspect camps and prisons and to "investigate" the Italian authorities concerned, i.e. ministries, prefects, chiefs of police, gendarmes, etc.

This wide request was amplified by an 8 folio page memorandum specifying by name 102 camps it desired to visit and reserving the right to visit others. Mentioning by name 94 prisons it desired to visit and reserving the right to add others. Stating that Yugoslavs were ordered to reside in certain remote villages. The number of such villages is estimated at from 500-700, that so far it has only been possible to identify the 146 villages there specified. The document then referred to forced labour battalions (into which it is stated 60,000 Yugoslavs had been impressed) and to prisoners of war camps all of which it was desired to investigate. The scope of the enquiry is frankly stated to be to ascertain the names of politically persecuted persons, the damage suffered by them and to ascertain the names of those responsible for "intentionally causing the death of so many thousands". This letter was forwarded to AMHQ on 4 Oct with the comment "you will observe that the investigation proposed is extremely detailed and broad in its scope".

On 17 Dec AMHQ cabled AMHQ that "the request of Yugoslav Government to investigate suspected war crimes".... "should be approved". This telegram refers specifically to the request but does not appear to approve that the request was not to investigate any particular facts which could properly be described as "suspected war crimes"; the request was for a general investigation to see if facts could be found from which war crimes might be deduced.

On 3 Mar (TAM 445) COS cabled to the same effect (the cable of 17 Dec was strictly speaking US view only) namely that the request to investigate suspected war crimes should be granted. The cable, said that the investigation should be under the aegis of the Allied Military Authority or, if for military reasons an investigation by the Yugoslav Mission was undesirable, it should be undertaken by AMHQ.

It also stated that a directive on the general question was in preparation.

On 30 Mar 45 AMHQ wrote that the Yugoslav Government was to be permitted "to investigate War Crimes" (the word "suspected" has been dropped, but the phrase still implies an investigation into definite allegations and not an investigation to see if any war crimes have been committed). The letter went on to say that the investigation would be supervised by the AD and that before any further steps were taken, the Yugoslav Government would submit detailed proposals with regard to their mission and its tasks.

2 Oct 44

17 Dec 44

30 Mar 45

AMHQ to staff and organize and further that AJ had not the requisite staff. The application in question made no reference to any particular allegation but sought permission in the broadest terms "to obtain evidence which may later be useful" and for that purpose to be granted facilities to interrogate displaced Yugoslavs and to inspect camps and prisons and to "investigate" the Italian authorities concerned, i.e. ministries, prefects, chiefs of police, gendarmes, etc.

This wide request was amplified by an 8 foolscap page memorandum specifying by name 102 camps it desired to visit and reserving the right to visit others. Mentioning by name 91 prisons it desired to visit and reserving the right to add others. Stating that Yugoslavs were ordered to reside in certain remote villages. The number of such villages is estimated at from 500-700, that so far it has only been possible to identify the 146 villages there specified. The document then referred to forced labour battalions (into which it is stated 60,000 Yugoslavs had been impressed) and to prisoner of war camps all of which it was desired to investigate. The scope of the enquiry is frankly stated to be to ascertain the names of politically persecuted persons, the damage suffered by them and to ascertain the names of those responsible for "intentionally causing the death of so many thousands". This letter was forwarded to AMHQ on 4 Oct with the comment "you will observe that the investigation proposed is extremely detailed and broad in its scope".

17 Dec 44

On 17 Dec AGAR cabled AMHQ that "the request of Yugoslav Government to investigate suspected war crimes".... "should be approved". This telegram refers specifically to the request but does not appear to approve that the request was not to investigate any particular facts which could properly be described as "suspected war crimes"; the request was for a general investigation to see if facts could be found from which war crimes might be deduced.

On 3 Mar (TAM 143) GOS cabled to the same effect (the cable of 17 Dec was strictly speaking in view only) namely that the request to investigate suspected war crimes should be granted. The cable said that the investigation should be under the aegis of the Allied Military Authority or, if for military reasons an investigation by the Yugoslav Mission was undesirable, it should be undertaken by AMHQ.

It also stated that a directive on the general question was in preparation.

30 Mar 45

On 30 Mar 45 AMHQ wrote that the Yugoslav Government was to be permitted "to investigate war crimes" (the word "suspected" has been dropped, but the phrase still implies an investigation into definite allegations and not an investigation to see if any war crimes have been committed). The letter went on to say that the investigation would be supervised by the AJ and that before any further steps were taken, the Yugoslav Government would submit detailed proposals with regard to their mission and its tasks.

AJ was informed that it would be asked to send a representative to the next meeting to determine procedure.

25 Jul 45

On 25 Jul the Yugoslav Government submitted its detailed proposals as to its mission and its tasks. The proposals are in the widest possible terms. They were forwarded without any essential adverse comment to AMHQ on 26 Jul and there was therefore an implication that this AJ had no objection thereto.

20 Aug 45 On 20 Aug an AFHQ Staff Study with drafts of the proposed action was sent to this HQ for approval.

The study accepts the Yugoslav proposals and attached are drafts of letters proposed to be sent out to enable the proposals to be carried out.

Among the draft letters for approval is one to AC stating
 a) that the Yugoslav proposals are approved;
 b) that the consent to them of the Italian Govt shall be obtained;
 c) that AC will supervise and accommodate the Mission - and impliedly provide staff and cars.
 The following comment is made on the above:

The protest of AC that AFHQ should be responsible and that AC has no staff available has not been specifically dealt with.

SM 413 definitely says that supervision should be by the Allied Military Authority (or AFHQ).

That no General directive has been received.

That there is no evidence on the file that the meeting to consider procedure was ever called.

AGREED

To consider:

- 1 The procedure to be followed (an outline of a possible procedure is attached).
- 2 Whether any objection shall be made to the Yugoslav proposals (the proposals and the possible objections are attached).
- 3 Whether AC shall object to being made responsible for supervising the mission.

Until 30 Mar it was consistently recognized that the subject of War Crimes was primarily an Army matter. It is submitted that the responsibility should be AFHQ's. AC is the vehicle for governing Italy. The enquiry is not concerned with the government of Italy but is concerned with the collection of evidence on the subject of War Crimes, a matter which AFHQ has consistently kept under its own hands. AC is merely being used as a convenience to avoid a little denary work. The practical arguments against AC being responsible are not, now that hostilities have ceased, so strong as they formerly were. There are also advantages in having an AC officer as a buffer between the Mission and Italian officials and for arranging for the attendance of witnesses etc. It may be felt that these advantages outweigh the fact that AC is stepping out of its normal sphere. Further AC, by not repeating its objections, has to some extent acquiesced on the position; on the other hand AFHQ has never specifically answered these objections. If AC steps out of its proper sphere it may create a precedent for an unknown number of other missions possibly also on other subjects.

- 4 If AC is to be responsible, what arrangements should be made as to staff, accommodation, transport, etc.

The following comment is made on the above:

The protest of AG that AFHQ should be responsible and that AG has no staff available has not been specifically dealt with.

AM 413 definitely says that supervision should be by the Allied Military Authority (or AFHQ).

That no General directive has been received.

That there is no evidence on the file that the meeting to consider procedure was ever called.

AGENDA

To consider:

- 1 The procedure to be followed (an outline of a possible procedure is attached).
- 2 Whether any objection shall be made to the Yugoslav proposals (the proposals and the possible objections are attached).
- 3 Whether AG shall object to being made responsible for supervising the mission.

Until 30 Mar it was consistently recognized that the subject of War Crimes was primarily an Army matter. It is submitted that the responsibility should be AFHQ's. AG is the vehicle for governing Italy. The enquiry is not concerned with the government of Italy but is concerned with the collection of evidence on the subject of War Crimes, a matter which AFHQ has consistently kept under its own hands. AG is merely being used as a convenience to avoid a little donkey work. The practical arguments against AG being responsible are not, now that hostilities have ceased, so strong as they formerly were. There are also advantages in having an AG officer as a buffer between the Mission and Italian officials and for arranging for the attendance of witnesses etc. It may be felt that these advantages outweigh the fact that AG is stepping out of its normal sphere. Further AG, by not repeating its objections, has to some extent acquiesced on the position; on the other hand AFHQ has never specifically answered those objections. If AG steps out of its proper sphere it may create a precedent for an unknown number of other missions possibly also on other subjects.

- 4 If AG is to be responsible, what arrangements should be made as to staff, accommodation, transport, etc.

C.A.S.
20 AUG 1945

[Handwritten signature]

Suggested Procedure

The enquiry should be divided into two stages.

1. In the first stage members of the Mission should be permitted to interview freely their own nationals. There should be no necessity to visit at this stage the many camps and villages mentioned by name the presumption is that all Yugoslavs will have left or will shortly be leaving. DFR will arrange for these interviews to take place at convenient camps. No Allied officer need be present unless thought desirable in which case arrangements could probably be made that such interviews shall take place only in presence of a DFR officer. This may be desirable to protect the Yugoslav from having evidence suggested to them and from threats.
2. The Italian Government should be given the opportunity of being present at all interviews, they should be satisfied that the persons have not been previously prompted and their evidence suggested to them. This right of the Italian Government to be present should apply to all interviews not merely of displaced persons they should also have the right to question in order to lead out explanations or to lead to rebutting evidence.
3. DFR should be prepared to satisfy the Mission that substantially all displaced persons have been cleared or made available for interview. It may be assumed that Yugoslavs who desire to continue to reside where they are and avoid being treated as displaced persons have no desire to claim to be victims of a war crime.
4. With regard to Prisons Public Safety should arrange to obtain lists to Yugoslavs imprisoned and make arrangements for simple interview as above. PS should be prepared to satisfy the Mission that the list is complete and that no person is deliberately being concealed alternatively the Mission should have facilities to satisfy itself.
5. At this stage the examination should be confined to the prisoner and the Italian Government should be represented.
6. At the end of this stage the Mission should formulate allegations defining the principal facts complained of complete with names places and dates and where possible (by name or description) the witnesses which desire to examine.
7. The supervising authority will then make arrangements for the second stage namely necessary particular enquiries which will, when desirable, be held locally.

YUGOSLAV PREPARALS

I The Government of Democratic Federative Yugoslavia express their satisfaction about the decision taken by the Allied Commission, permitting to send in Italy a Yugoslav Mission for investigation of war crimes.

The Yugoslav Government have the intention to form, as soon as possible the respective mission to be sent in Italy, kindly requesting the Allied Commission to effect that this mission might arrive in Italy to start with its work.

At the same time the Yugoslav Government have the honour, with reference to the Appendix "A" of said letter, to give the respective information:

1 The function of the Mission is to investigate: the archives where might be found evidence about war crimes committed upon the nations of Yugoslavia; the camps where Yugoslav internees and prisoners have been located, and the commission of witnesses and suspect Italians and Yugoslavs about crimes committed by Italians and their accomplices. Further to take necessary steps to find out proved Italian criminals and their accomplices and to hand them over to Yugoslav tribunals; to inspect camps and jails where war criminals and traitors of Yugoslav people are located and to collect evidence of their crimes.

2 The Mission will consist of ten persons, four officers and six civilians.

The Mission will arrive at Bari by air, and proceed by car. The Allied Commission is kindly requested to put at the disposal of the Mission 3 cars.

The interpreters will be provided by the same Mission.

3 The Headquarters of the Mission would be at the Yugoslav Delegation to the Advisory Council for Italy in Rome and would have a Representative to Allied Forces Headquarters at Cassino.

Financial means would be furnished on charge of expenditures for the occupation according the Armistice terms with Italy.

4 The Mission will investigate written evidence, taking away documents from Italian archives or making photographs; examining suspect people and witnesses in presence of two members of the Mission. In order to get hold of the people in question the Mission will apply to competent military authorities.

5 The Mission would have to investigate several thousand cases wherever archives, camps, jails and persons wanted for examination might be found.

6 Several groups of the said Mission are supposed to investigate simultaneously in different areas.

7 It is presumed that the investigations will take several months.

8 The Mission will request Allied Military Authorities to keep the proved war criminals and traitors, either until a definite decision of the Interallied Commission for war crimes, or until their extradition to the Yugoslav authorities, as requested according to the Note of the Foreign Office Nr. 1521/29/73 dated March 29, 1945.

II At the same time the Yugoslav Delegation to the Advisory Council for Italy has the honour to state that the Yugoslav Government would not admit an Italian Mission to be established for investigation of war crimes committed by Germans upon Italian nationals.

effect that this Mission might arrive in Italy to start with its work.

At the same time the Yugoslav Government have the honour, with reference to the appendix "A" of said letter, to give the respective information:

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Financial means would be furnished on charge of expenditures for the occupation according to the Armistice terms with Italy.

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II At the same time the Yugoslav Delegation to the Advisory Council for Italy has the honour to state that the Yugoslav Government would not mind an Italian Mission to be established for investigation of war crimes committed by Germans upon Italian nationals

Rome, July 25, 1945

COMMENTS ON THE PROPOSALS OF THE YUGOSLAV GOVERNMENT

- 1 There are several objections to the Yugoslav proposals. It is not, as the Italian request is, a Mission to investigate a particular incident or incidents. They have not particularized. The Mission is a "fishing" Mission to see if they can find anything. There are no particular allegations disclosed. There are many objections to this type of "fishing" enquiry though we do not wish to appear to oppose a just enquiry nothing but generalities has at present been put forward. The enormous scope of the proposals is disclosed by the 8 page document at 4-2. It is probable that by now the thousands of persons there referred to, have been collected and moved by DRP Sub-Coman. If so there will be no evidence to be obtained in these places.
 - 2 It seems to me that it would be better if this Mission should first interrogate returning nationals. If it then obtains evidence of any atrocity that the incident should be specified and that a local enquiry may then be properly made. The wide roving commission seems to be improper, undesirable and impracticable.
 - 3 The Government can fairly be allowed reasonable facilities to assure itself that all Yugoslav nationals have been traced and suitably dealt with and that none are detained in prison, internment or elsewhere and that their consular officials shall be supplied with lists of prisoners and shall have the opportunity of visiting them. If any such visit discloses evidence of an atrocity it may then be made the subject of an enquiry. It is suggested that the DRP Sub-Commission is a suitable body to clear these matters with the Mission and that enquiries shall be permitted into specified and defined allegations.
 - 4 With regard to
 - Para I-1 - A roving commission through Italian Archives everywhere is unreasonable so is the request to visit all prisons, camps, etc. The Mission should specify the atrocities into which enquiry is desired.
 - Para I-2 - The size of the Mission is reasonable - it would not be capable of carrying out an enquiry on the scale outlined in I-1 under a year or more.
 - Para I-2 - AC has not cars sufficient for its own requirements, AFHQ can better afford to provide cars. HQ Comsit is the proper person to comment on this.
 - Para I-2 - Has finance any comment - does legal consider that this expense would legally come within the Armistice Terms as an expense of "occupation"?
 - Para I-4 - This Commission should strongly oppose any right to remove documents from Italian Archives, which might thereby become disorganized and unintelligible. Properly authenticated copies can always be made. No Italian Nationals should be allowed to be called as witnesses before the commission unless there is a reasonable belief that they can supply evidence on specified facts.
 - Para I-5 - It is submitted that now that the war is over this is an inversion of the reasonable and practical procedure. The Mission should only visit places specified in an allegation.
 - Para I-6 - Each group would require an attendant officer as a go-between, between the Mission and Italian Officials and to arrange for the calling of witnesses accommodation for the enquiry etc. The number of groups should be specified.
 - Para I-7 - If a roving commission is allowed "several months" may be very optimistic.
 - Para I-8 - The wording is confused - many of these persons will not be under arrest perhaps what is meant is "to arrest and hold". The offence will not have been "proved" the enquiry is only unilateral. The intention presumably is that the Allies should arrest and hold persons alleged to be incriminated by the enquiries without any limitation as to the type of offence charged or as to the satisfactory nature or sufficiency of the evidence. The Allies must first be satisfied that a prima facie case has been made out and that the crime is of importance.
- Generally - The Italian Government should have the right to attend all interviews

785016

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- 3 The Government can fairly be allowed reasonable facilities to assure itself that all Yugoslav nationals have been traced and suitably dealt with and that none are detained in prison, internment or elsewhere and that their communal officials shall be supplied with lists of prisoners and shall have the opportunity of visiting them. If any such visit discloses evidence of an atrocity it may then be made the subject of an enquiry. It is suggested that the DTP Sub-Commission is a suitable body to clear these matters with the Mission and that enquiries shall be permitted into specified and defined allegations.
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- Generally - The Italian Government should have the right to attend all interviews and to question.

S.H. WHITE Lt Col,
CA Section

CA Section
24 Aug 45

785016

13 DEC 1945

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: ~~MAX 222~~ TAM 718

Message Centre No: G/5401

Date/Time of Origin: DEC/101440A

13 DEC 1945

Date Time Rec'd: DEC. 111645

Precedence: ROUTINE

FROM: AFHQ SIGNED SACMED

TO : AGWAR FORK CCS INFO: AMSSO LONDON FOR BCQ ALCOM ROME

CONFIDENTIAL

CONFIDENTIAL.

This is mat 962.

In April 1945 the Greek and Yugoslav delegates to the advisory council were informed through Allied Commission to request their Governments to submit detailed proposals with respect to their proposed missions. The Greek Government has submitted no proposals. The Yugoslav Government submitted proposals dated 25 July 1945 forwarded here by Allied Commission 28 July 1945. The Allied Commission was requested by letter dated 3 September to advise the Yugoslav Delegation that their proposals were acceptable provided that investigations were limited to specific cases in which the Yugoslav authorities have cause to believe that crimes have been committed by Italians against Yugoslavs in Italy. Allied Commission was authorized to impose other appropriate conditions and procedures and instructed to inform this Headquarters of any major conditions or limitations imposed. Yugoslav delegations was informed by Allied Commission under date of 8 September that the proposed mission was acceptable provided that investigations were limited to specific cases in which the Yugoslav Government has cause to believe that a warcrime has been committed by Italians against Yugoslavs. To date no particulars of any such crime have been received.

1629

AC DIST

INFO ACTION : C A Sec. 2

INFO : CHIEF COMMISSIONER

EXEC. COMMISSIONER 2

POLAD (A)

POLAD (B)

FILE 2

FLOAT

INFO - ACTION

CONFIDENTIAL

HEADQUARTERS

12 DEC 45



2nd copy on file
4/29.1/09

0073

Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

55A

Ref : 4/29.3/2A

8 Dec 45

SUBJECT : Proposed Greek and Yugoslav War Crimes Missions

TO : AFHQ, G-5 Section

Reference G-5: 000.5-1 of 4 Dec 45.

1 The draft signal is correct.

2 The formal consent of the Italian Government to the arrival of the Yugoslav War Crimes Mission has been received coupled with a rather bitter complaint as to

"the unjust and mortifying situation in which Italy, a co-belligerent, finds herself; she is not allowed to send even a Red Cross Mission to Yugoslavia to visit Italian internees or prisoners, while Yugoslav missions or parties of various kinds whose activities are not always clear nor always in accordance with Italian sovereignty or law are freely admitted to Italy and permitted to move without any real restriction."

FOR THE CHIEF COMMISSIONER

S.H. WHITE Lt Col,
A/VP CA Section

1628

Copy to : Exec. Commissioner

1053

CONFIDENTIAL

616.

DEC 1945

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

- 7 DEC. 1945

G-5: 000.5-1

4 December 1945

SUBJECT: Proposed Greek and Yugoslav War Crimes Missions.

TO : Headquarters, Allied Commission, APO 394.

1. The Combined Chiefs of Staff have made inquiry concerning the present position of the proposed Greek and Yugoslav War Crimes Missions.

2. It is proposed to forward a signal, in the form annexed, in reply to the CCS inquiry. It is requested that you will confirm that the facts therein stated are correct. If not, or if for other reason the proposed signal is faulty, request you forward a proposed signal for reply to CCS.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:



A. L. HAMBLEN
Brigadier General, GSC
Assistant Chief of Staff, G-5

Incl:
as above.

1627

CONFIDENTIAL



0075

Declassified E.O. 12356 Section 3.3/NND No.

785016

CONFIDENTIAL

ROUTINE

TO : AGWAR for CCS

INFO : AMSSO for BCS, ALCOM ROME

This is MAT _____

Reference is to TAM 718.

1. In April 1945 the Greek and Yugoslav delegates to the Advisory Council were informed through Allied Commission to request their governments to submit detailed proposals with respect to their proposed missions. The Greek Government has submitted no proposals. The Yugoslav Government submitted proposals dated 25 July 1945 forwarded here by Allied Commission 28 July 1945.

2. The Allied Commission was requested by letter dated 3 September to advise the Yugoslav delegation that their proposals were acceptable provided that investigations were limited to specific cases in which the Yugoslav authorities have cause to believe that war crimes have been committed by Italians against Yugoslavs in Italy. Allied Commission was authorized to impose other appropriate conditions and procedures and instructed to inform this headquarters of any major conditions or limitations imposed.

3. Yugoslav delegation was informed by ALCOM under date of 8 September that the proposed mission was acceptable provided that investigations were limited to specific cases in which the Yugoslav Government has cause to believe that a war crime has been committed by Italians against Yugoslavs. To date no particulars of any single such crime have been received.

DISTRIBUTION: SACS G-3(AFHQ) US POLAD 'A' CINC MED G-2

RESMIN CAO USN G-1 JAG C/S MTO

1626

CONFIDENTIAL



Translation

The President of the Council of Ministers

10599.7/15.2

CA Sec 378
(53A)
- 7 DIC. 1945

Rome, 5 December 1945

My dear Admiral,

(50A) mC1712
You wrote to me on November 28th that the Allied Commission would consider it most objectionable should the Italian Government not give its formal consent to the coming to Italy of the Yugoslav Commission for war crimes, consent which you already asked us on September 8th.

I am therefore compelled to say that the Italian Government makes no objections to this visit.

The new Ministry will of course discuss the conditions in which the operations of the said Commission can take place; I cannot help once more bringing to your attention the unjust and mortifying situation in which Italy, whose co-belligerency has been acknowledged, finds herself, for she isn't even allowed to send a Red Cross mission to Yugoslavia to visit the Italians who are interned or prisoners, while Yugoslav missions and organizations of all kind, the purposes and activities of which are neither always clear, nor always in accordance with Italian laws, swarm all over the place.

Believe me,

Sincerely yours,

S. Ferruccio Parri

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
R o m e

c/c

EC DIST. 8 Dec

ACTION - CA Sec (2)

INFO - CC 1625

E.C.



105907/13.2



*Il Presidente
del Consiglio dei Ministri*

Roma, 5 dicembre 1945

Caro Ammiraglio,

Ella mi scrive in data 28 novembre che la Commissione Alleata troverà estremamente inopportuno che il Governo italiano non dia il suo consenso formale alla venuta in Italia della Commissione jugoslava per i delitti di guerra, consenso che Ella ci aveva già richiesto in data 8 settembre.

Io sono pertanto in obbligo di dirle che il Governo italiano non fa opposizione a tale visita.

Riservando naturalmente al nuovo Ministero la discussione delle condizioni nelle quali potranno svolgersi le operazioni di detta Commissione, non posso non rilevare ancora una volta, Signor Ammiraglio, la situazione, ingiusta e mortificante anche per una Nazione cui è stata riconosciuta la co-belligeranza, in cui si trova l'Italia che non può inviare in Jugoslavia neppure una missione della Croce Rossa per visitare gli Italiani che sono internati e prigionieri, mentre pullula di ogni sorta di missioni e organizzazioni jugoslave, con compiti ed attività non sempre ben precisate e non sempre compatibili con le leggi italiane.

Mi abbia con ogni cordialità

*1624
Tenneco Lavi*

Ammiraglio Ellery W. STONE
Commissario Capo della
Commissione Alleata
Via Veneto



0078

Declassified E.O. 12356 Section 3.3/NND No. 785016

*Il Presidente
del Consiglio dei Ministri*

Roma, 5 dicembre 1945

Caro Ammiraglio,

Ella mi scrive in data 28 novembre che la Commissione Alleata troverà estremamente inopportuno che il Governo italiano non dia il suo consenso formale alla venuta in Italia della Commissione jugoslava per i delitti di guerra, consenso che Ella ci aveva già richiesto in data 8 settembre.

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Mi abbia con ogni cordialità

*1624
Ferdinando Lanni*

Ammiraglio Ellery W. STONE
Commissario Capo della
Commissione Alleata
Via Veneto

= ROMA =



0079

Declassified E.O. 12356 Section 3.3/NND No.

785016

✓
14989.012
AFHQ BAGGED SITE MISC

(52A)

8878

30 Nov

ROUTINE

MC 18/12

CONFIDENTIAL PD

PARA ONE PD YOUR FOR FIVE FOUR NINE TWO NINE OF TWO NINE NOVEMBER BEARING PD
PARAN TO AFHQ BAGGED SITE MISC FROM ALCON SITE ACCAS PARAN

PARA TWO PD DESPITE REQUESTS AND REMINDER JUGOSLAVIA HAS NOT YET SUPPLIED
PARTICULARS OF A SINGLE WAR CRIME WHICH IT IS DESIRED TO INVESTIGATE AND HAS
BEEN INFORMED THAT PROVISION OF PARTICULARS IS A CONDITION PRECEDENT TO
ARRIVAL OF ITS MISSION COM NOR HAS ITALIAN GOVERNMENT GIVEN ITS FORMAL ASSENT
TO THE VISIT OF THE MISSION

ATTN:

Chief Comm.
Exec Comm.

Civil Affairs Section

437

S.M. WHITE, Lt Col.

G.J. LEONE,
CWO, USA.
Asst. Adjutant.

1623

3054

0080

Declassified E.O. 12356 Section 3.3/NND No.

785016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F 54929

Message Centre No: G/4580

Date/Time of Origin: NOV 29 1823 A

Date Time Rec'd: NOV 30 0900 A

FROM: AFHQ SACRED CITE PHGEG

Precedence: ROUTINE

TO : ALCOM ROME

30 NOV 1945

MC 18/12

CONFIDENTIAL.

Request present status of proposed Yugoslav war crimes.
Information required for reply to inquiry from CCS.

AC DIST

ACTION CIVIL AFFAIRS SEC 2
INFO CHIEF COMMISSIONER
EX COMM
FILE 2
FLOAT

HEADQUARTERS

7 NOV 1945

A.C.

ACTION

CONFIDENTIAL



0081

Declassified E.O. 12356 Section 3.3/NND No.

785016

(50A)

Ref : 1/29.3/CA

28 November 1945

ME 18/2

(32A)

My dear Mr. Prime Minister:

It will be extremely inconvenient to this Commission if it cannot obtain from the Italian Government at an early date the formal consent to the visit of the Yugoslav War Crimes Commission which was requested in this HQ 1/29.3/CA of the 8 Sep 45. Can you not please dispose of this formality before your successor takes over.

There is not the same urgency with regard to the question of the conditions under which the Mission should work. The conditions which this Commission will impose will it is considered reasonably protect Italian interests. Consideration of this part of this HQ letter (which may be delaying your reply) may therefore be left over but it is hoped that your formal assent may be received without further delay.

Yours very truly

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

8F 13 ✓

Professor Ferruccio PAREI
The President of the Council of Ministers
Italian Government,
R O M E

1621

3049

0082

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

49A

MC 18/12

Ref: 4/29.3/CA.

7 November 1945

Dear Dr. Smolaka,

32A

48A

I am in receipt of your letter Br 1514 of the 5th November but I am afraid it does not give the information asked for by this Headquarter letter 4/29.3/CA of the 8th September which asked for a schedule giving short particulars of each of the alleged war crimes which it is desired to investigate.

Without this information, which surely is available, arrangements cannot very well be made.

Yours very truly,

M. Carr Brigadier

M. CARR, Brigadier,
Vice President,
Civil Affairs Section.

Dr. SMOLAKA,
Jugoslav Delegation to the
Advisory Council for Italy,
ROME.

1620

2900

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 1514

1-6 NOV 1945

R o m e, 5 November 1945.

Dear Brigadier Carr,

With reference to your letter 4/29.3/CA dated 25th October 1945, I have to inform you on behalf of the Yugoslav Government that the Yugoslav Mission for investigation of crimes committed by Italians would have the task to investigate the crimes committed in 20 concentration camps against 100,000 of Yugoslav people.

2. This figure includes all the Yugoslavs living at the time being in concentration camps in Italy.

3. Further the task of said Mission would be to find out more than 500 Italian War Criminals enlisted to the United Nations War Crimes Commission.

4. The documents in possession of the Yugoslav State Commission for investigation of crimes committed by the Invaders and their accomplices are connected almost with documents actually in Rome, wherefrom orders and instructions have been issued for the commitment of these already ascertained crimes upon our people. It is therefore understood that the respective documents have to be examined by this Mission in Italy, specially in Rome.

5. I hope that the above informations will contribute for a quick solution of our request, already forwarded in order that the foresaid Mission would be allowed to proceed to Italy as soon as possible.

Yours very truly,

Dr. S. Smolake

Dr. Sloven Smolake, Jug.
Deputy Representative
A.C.I.

Brigadier M. Carr
Vice-President

L-6 NOV 1943

R o m e, 5 November 1945.

Dear Brigadier Carr,

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Yours very truly,

Dr. S. Smolaka

Dr. Sloven Smolaka, Jug.
Deputy Representative
A.C.I.

Brigadier M. Carr
Vice-President
Civil Affairs Section
Allied Commission
R o m e.

5546
7276

0085

Declassified E.O. 12356 Section 3.3/NND No. 785016

Ref: 4/29.3/CA.

3 November 1945.

My dear Mr. Prime Minister:

I should be grateful if you would let me have an early reply to this HQ letter 4/29.3/CA of 8 September and reminder of 16 October with regard to the Yugoslav War Crimes Mission.

I feel that it will not be possible to withhold much longer from the Yugoslav Government information regarding the conditions under which the mission will work. If you have any points which you wish to be considered, it is essential that they should reach this Commission within the next few days.

Very truly yours,

[Signature] ELIJAH F. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri,
President of the Council of Ministers,
Italian Government,
ROME.

1618

0086

Declassified E.O. 12356 Section 3.3/NND No.

785016

(46A)

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref 4/29.3/CA

25 Oct 45

Dear Dr. Smolana,

Receipt of your letter Pov.br.1676/45 of 22 Oct is acknowledged. It is regretted that the arrival of the Mission cannot be agreed to until agreement has been reached both as to what enquiries they are to conduct and the procedure which is to be followed.

You are reminded that you were requested on the 8 Sep and again on the 11 Oct to submit particulars of the crimes which you desired to have investigated.

When this list has been received proposals as to the procedure to be followed will be submitted for your approval.

It will not be convenient for the Mission to arrive until these matters have been agreed.

Yours very truly,

M Carr Bryson
M. CARR, Brig,
VP CA Section.

Dr. SMOLANA
Yugoslav Delegation to the
Advisory Council for Italy,
ROME.

1617

Copy to the British Military Attache Belgrade

28826

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Pov.br.1676/45.

Rome, 22 October 1945.

25 OCT 1945

Dear Brigadier Carr,

With reference to your letter 4/29.3/CA dated 8 September 1945, I have to inform you that the following members of the Mission for investigation of crimes committed by Italians are ready to leave Beograd for Italy :

Dr. Vukotić Milan
Mr. Strok Izidor
Mr. Ciner Paja
Mr. Petrović Rogdan
Mr. Durbasa Joso
Mr. Manojlović Miloš
Mr. Flanjak Milan
Mr. Santini Zvonimir
Mr. Puhalo Dušan.

The Yugoslav Government requested on 5 October 1945, through Major Wright, assistant to the British Military Attaché in Beograd, respective visa for the a/m persons.

I shall appreciate very much if you could urgently obtain the necessary entry clearances from Allied Force Headquarters.

Yours very truly

Brigadier M. CARR,
Vice-President, AC.
Civil Affairs Section
HQ. AC.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Yugoslavi
to the A.C.I.

1616

Pov.br.1676/45.

Rome, 22 October 1945.

25 OCT 1945

Dear Brigadier Carr,

With reference to your letter 4/29.3/CA dated 8 September 1945, I have to inform you that the following members of the Mission for investigation of crimes committed by Italians are ready to leave Beograd for Italy :

Dr. Vukotić Milan
Mr. Štok Izidor
Mr. Ciner Paja
Mr. Petrović Bogdan
Mr. Durbasa Joso
Mr. Manojlović Miloš
Mr. Flanjak Milan
Mr. Santini Zvonimir
Mr. Puhalo Dušan.

The Yugoslav Government requested on 5 October 1945, through Major Wright, assistant to the British Military Attaché in Beograd, respective visa for the a/m persons.

I shall appreciate very much if you could urgently obtain the necessary entry clearances from Allied Force Headquarters.

Yours very truly

Dr. S. Smodlaka

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Yugoslavi
to the A.C.I.

Brigadier M. CARR,
Vice-President, AC.
Civil Affairs Section
HQ. AC.

1616

5244

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

✓
1/29.3/CA

18 Oct 45

SUBJECT : Yugoslav War Crimes Commission to Italy.

TO : G-5, AFHQ.

53P
Reference your G-5: 000.5-1 of 15 Oct 45.

Enclosed is a copy of a letter (1/29.3/CA of 16 Oct) recently addressed to the Prime Minister on this subject.

The matter will be closely followed up.

FOR THE CHIEF COMMISSIONER:

M. CAMP, Brig,
VP CA Section.

VR

2169

0090

Declassified E.O. 12356 Section 3.3/NND No.

785016

8070

17 OCT. 1945

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

17 OCT. 1945

G-5: 000.5-1

(37A) 15 October 1945

SUBJECT: Yugoslav War Crimes Commission to Italy.

TO : Headquarters, Allied Commission, APO 394.

Reference your 4/29.3/CA of 10 October 1945.

Will you please take the necessary steps to expedite the Italian Government to reply your letter seeking consent to Yugoslav War Crimes Commission.

A. L. Hamblen
A. L. HAMBLER
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5



15
1614

(4973)

Ref: 4/29.3/CA

14 October, 1945

My dear Mr. Prime Minister:

1. I hope it will be possible for you to let me have your agreement to the visit of a Yugoslav War Crime Mission which I requested in this HQ letter 4/29.3/CA of 8 September 45.
2. I should be grateful if you would indicate any conditions which you think it proper and necessary to impose, and suggest the appropriate procedure for the working of the Commission.

Yours very truly

Professor Ferruccio PARRI
The President of the Council of Ministers
Italian Government
ROME

1613

MS. LUSH
ELMER W. STONE
Rear Admiral, USNR
Chief Commissioner

0092

Declassified E.O. 12356 Section 3.3/NND No.

785016

13 OCT 1945

CONFIDENTIAL

COA-23

401

4/29 3/08

EX 15439 13 OCT 1945
OCT 12/1600A

g 864
OCT 13/0730A
DE-CLASS

ATTN: SIGNED SIGNED CITY FROM

BRITISH EMBASSY BELGRADE FOR BROWNING

INFO: ALON RHEE

CONFIDENTIAL.

4/29 3/08 (with 350)

See your 447 of 4 October. On 8 September the Yugoslav Delegation Advisory Council to ITALY was informed by letter from ALLIED COMMISSION ITALY of approval for visit of mission to investigate specific cases in which the Yugoslav government had reason to believe war crimes had been committed by Italians against Yugoslavs. Letter also requested that schedule be forwarded to ALLIED COMMISSION giving brief particulars of each case of alleged war crime to be investigated.

No reply yet received from Yugoslav Delegation. Until required particulars have been furnished permits for the individuals named in your number 447 cannot be considered.

W/O RHEE:

No trace of quoted reference

1863

LIST Ca Section

INFO-ACTION : EX-CONTRACTOR (2)

INFO : CHIEF OF SECTION 1612
EX-Com 34-110
FILE (2)
FLOAT

HEADQUARTERS

13 OCT 1945

CONFIDENTIAL

0093

Declassified E.O. 12356 Section 3.3/NND No. 785016

110011245

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

4/29.3/07
Originator's Reference: 492

Date/Time of Origin: OCT 101220A

Message Centre No: G/642

Date Time Rec'd: OCT 111430A

11 OCT. 1945

Precedence: IMPORTANT

FROM: BRITISH EMBASSY BELGRADE

TO: AFHQ INFO ALCOM

RESTRICTED

RESTRICTED.

For Gé from Mil Attache.

Grateful earliest reply to my 447 of 4 and 480 of 8 ref YUGOSLAV Delegations to War Crimes Commission ROME. We are visited daily by members delegations who are under impression all details have been arranged for their reception.

DIST

INFOACTION CA SEC 2
 INFO CHIEF COMMISSIONER
 EX COMMISSIONER 2
 POLAD (A)
 POLAD (B)
 FILE & FLOAT 3

INFO ACTION

RESTRICTED

1611

1444

0094

Declassified E.O. 12356 Section 3.3/NND No. 785016

(38A)

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref 4/29.3/CA

11 Oct 45

Dear Dr. Smolaka,

I hope to receive at your convenience the list of
War Crimes which you desire to investigate which was requested by
this HQ letter 4/29.3/CA of the 8 Sep.

Yours very truly

M. Carr Bryner

M. CARR, Brig.
VP CA Section

Dr. SMOLAKA
Jugoslav Delegation to the
Advisory Council for Italy,
R O M E

1610

0095

Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS ALLIED COMMISSION
AND
CIVIL AFFAIRS SECTION

37A

Ref: 1/29.2/CA.

10 Oct 45

SUBJECT: Yugoslav Mission.

TO: AFHQ, G-5 Section.

SEE 31A

1 On receipt of your letter of the 9 Sep 45 (signed by General MORGAN), a letter was addressed to the Head of the Yugoslav Delegation, a copy of which is enclosed.

A letter was also addressed to the Italian Prime Minister, seeking his consent to the Mission and his views as to any conditions which should be imposed from the Italian Government point of view.

2 This Commission has not yet received replies to these letters nor indication of any single alleged war crime from the Yugoslav Delegation.

It is considered that the Mission should not be permitted until its work is defined and the conditions under which it will operate have been accepted.

FOR THE CHIEF COMMISSIONER:

ML

M. GALT, Brig.,
VP CA Section.

Copy to: AFHQ, G-2 C (MAJ. SINKINS)

1609

1605

2424

Declassified E.O. 12356 Section 3.3/NND No. 785016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

G-A-3
36A
9 OCT 1948

Originator's Reference: 480
Date/Time of Origin: OCT 081745A

Message Centre No: G 446

Date Time Rec'd: OCT 091145A

Precedence: IMPORTANT

FROM BRITISH EMBASSY BELGRADE

TO : AFHQ INFO ALCOM

CONFIDENTIAL

CONFIDENTIAL

W3 For G2 from Military Attache.
My 447 of 4 October. Yugo Slav authorities have returned to charge regarding their delegation to War Crimes Commission. Would be most grateful for early reply.

Dist

Info-Action - CA Sect 2
Info - Chief Commissioner
Exec Commr 2
POLAD A
POLAD B
File 2 Float

Not rec'd at this HB

INFO - ACTION

CONFIDENTIAL

HEADQUARTERS

9 OCT 1948

A. C.

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REPORT OF SITUATION TO DATE AS REGARDS
YUGOSLAV MISSION TO INVESTIGATE WAR CRIMES
IN ITALY

- 1 As a result of instructions received from AFHQ, Dr. SMOLJKA, Yugoslav Representative to the Advisory Council for Italy was notified on 5 Apr 45 that his Government would be permitted to send a Mission to Italy to investigate War Crimes.
- 2 Dr. SMOLJKA was asked to obtain his Government's proposals in the matter.
- 3 Approximately 3 months later, on 25 Jul 45, Dr. SMOLJKA forwarded his Government's proposals which were transmitted to AFHQ, on 25 Jul 45 by CA Section without any comment.
- 4 On 20 Aug 45 the Yugoslav proposals were returned to HQ AC by AFHQ in the form of a Staff Study suggesting that the proposals should be agreed to.
- 5 When the proposals were examined it was found that they were open to several serious objections.
- 6 The proposals were then examined at a conference at which all concerned at this Headquarters, including Polads, were present. As a result of this conference a letter was sent to AFHQ on 20 Aug 45 outlining our objections to the proposals and suggesting that AFHQ should summon a conference at which the whole matter should be considered. (Letter at 26A).
- 7 On 3 Sep 45 a letter (31A) was dispatched by the Chief of Staff AFHQ to this Headquarters stating that the proposals of the Yugoslav Government were acceptable under certain conditions.
- 8 This letter of the Chief of Staff made no reference whatever to this Headquarters' letter of 20 August in which our detailed comments were given and certain assistance was asked for but it referred to our original letter of 20 Jul 45 under which the Yugoslav comments were forwarded without comment.
- 9 The Chief of Staff's directions do, however, lay down that the Yugoslav investigations shall be limited to specific cases in which the Yugoslav authorities have cause to believe that war crimes have been committed by Italians against Yugoslavs. *This covers one principal objection to the proposals.* **1607**
- 10 The conditions and procedures under which the investigations are to be made are the responsibility of the Allied Commission.
- 11 In accordance with the directions of Chief of Staff AFHQ, the Consent

Declassified E.O. 12356 Section 3.3/NND No.

785016

- 2 -

of the Italian Government to the Yugoslav Mission have been requested in a letter addressed to the Prime Minister on 5 Sep 45. (22A).

12 Dr. SMOLKA has also been asked (on 5 Sep 45) to provide a schedule giving brief particulars of each of the alleged war crimes which it is desired to investigate (32A).

13 No replies have yet been received to the two last-mentioned communications.

19 Sep 45.
Tel. Ext. 535

MR
E. CAMP, Brig.,
Vice President,
Civil Affairs Section.

1606

0099

Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS ALLIED COMMISSION
APO 308
CIVIL AFFAIRS SECTION

Ref: 4/29.2/CA.

18 Sep 45

SUBJECT: War Crimes - Yugoslav Mission.

TO: AUSA (Office of the Chief of Staff.)

- 1 Receipt is acknowledged of your un-numbered letter dated 3 September 45 on the subject of the proposed Yugoslav Mission to investigate War Crimes in Italy.
- 2 Immediately on receipt of your letter under reference communication was addressed to the Italian Prime Minister asking for the consent of the Italian Government to this mission and also asking for views as to any conditions which the Italian Government thought should be imposed in protection of Italian interests.
- 3 A reply from the Prime Minister is still awaited.

FOR THE CHIEF SUBSCRIBER:

*MR*M. GARY,
Brigadier,
VF CA Section.

1005

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

✓
1/29.3/CA

8 Sep 45

Dear Dr. Smolke,

29A
With further reference to your letter Pv. br. 1281/45 of 2 Sep. I have to inform you that the Supreme Allied Commander is disposed to consent to the visit of a Mission to investigate specific cases in which the Yugoslav Government has reason to believe that a war crime has been committed by Italians against Yugoslavs.

Will you please supply a schedule showing short particulars of each of the alleged war crimes which it is desired to investigate.

Yours very truly,

M. GARR, Brig.
VP CA Section.

NR
Dr. SMOLKE
Yugoslav Delegation to the
Advisory Council for Italy,
ROME.

1604

2521

HEADQUARTERS ALLIED COMMISSION
AIO 394
CIVIL AFFAIRS SECTION

32A

✓
4/29.3/CA

8 Sep 45

Dear Mr. Prime Minister,

The Yugoslav Government has requested permission to send to this Country a small Mission to record evidence as to certain alleged War Crimes.

The Supreme Allied Commander is disposed to consent to the visit of this Mission subject to such proper conditions and procedure as he may impose on the advice of this Commission. I shall be glad to hear that you have no objection to the visit of this Mission.

If you have any views as to conditions which you think it would be proper for the Allied Commander to impose in protection of Italian interests I shall be obliged if you could let me have them within the next few days.

Yours very truly,

H. W. L. 164

for M. CARR, Brig,
VP CA Section.

Prof. Ferruccio BARRI
The President of the Council of Ministers,
Italian Government,
ROME.

27-15
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Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLIED FORCE HEADQUARTERS
Office of the Chief of Staff

2 September 1945

3477
CASE C
491
31A
- 7 SET. 1945

SUBJECT: Yugoslav Mission to Investigate War Crimes
in ITALY

TO : Headquarters, Allied Commission, APO 394

1. Reference is made to your L/29.A/GA of 28 July enclosing proposals of the Yugoslav Government to investigate war crimes alleged to have been committed by Italians against Yugoslavs in Italy.

2. The proposals of the Yugoslav Government are acceptable provided that:

a. The Yugoslav investigation shall be limited to specific cases in which the Yugoslav authorities have cause to believe that war crimes have been committed by Italians against Yugoslavs, and

b. Such investigations shall be subject to all other appropriate conditions and procedures from time to time imposed by Allied Commission.

3. You will therefore, obtain the consent of the Italian Government to the Yugoslav Mission and make suitable arrangements for the supervision and accommodation of the Mission in Italy. You will keep this Headquarters informed of any major conditions or limitations imposed by you.

By Consent of Field Marshal ALEXANDER:

257/1907902

W. D. MORRIS
Lieutenant General
Chief of Staff

cc2

3381

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

4/29.3/CA

5 Sep 45

Dear Dr. Smolaka,

In the absence of Brig Carr on tour, I am replying to your letter Pov.br.1281/45 of 2 Sep with regard to the Mission to Investigate War Crimes.

It is regretted that this HQ cannot yet give a definite answer to your Government's request. The matter is still under discussion with AFHQ.

Yours very truly,

S. H. WHITE Lt Col,
for VP CA Section.

Dr. SMOLAKA
Jugoslav Delegation to the
Advisory Council for Italy,
ROME.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

4293

29A

1945

Rome, September 2, 1945.

3-SEP-1945

4/29.5/0
JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Pov.br.1261/45.

My dear Brigadier Carr,

With reference to my visit I paid you on August 15, 1945, regarding the Yugoslav Mission for Investigation of War Crimes committed in Italy, I will be very grateful to you, if you could inform me about the results of your steps taken to Allied Force Headquarters, the Yugoslav Government being very anxious about same question.

Believe me, my dear Brigadier,

very truly yours,

D. Stovani J. Stovani

Brigadier M. Carr, C.B.E., M.C.,
Head of Civil Affairs Section,
Headquarters Allied Commission,

R o m e.

1600

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Declassified E.O. 12356 Section 3.3/NND No.

785016

4/29.3/CA ✓

File

AFTR C-5

4366

28 Aug 45

ROUTINE

UNCLASSIFIED PD

24A
PARA ONE PD YOUR LETTER GEORGE DASH FIVE ZERO ZERO ZERO POINT FIVE DASH ONE
OF TWO ZERO AUGUST PD

PARISH TO AFTR C-5 FROM ALCON SITE AOCAS PARISH

PARA TWO PD STRONGLY OFFER PROPOSALS PD LETTER FOLLOWS

QA Section

437

S.H. WHITE Lt Col

NICHOLAS PIGBINO
CWO, USA
Asst Adjutant

1599

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785016

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CASEC

SUBJECT: Jugoslav Prisoners of War and War Criminals

27 AUG 1945

ALLIED WORKS HEADQUARTERS

G1(DP)/3371/42

27 AUG 45

Headquarters,
Allied Commission.

A request has been submitted by Dr SMOGLAR, Yugoslav Representative of Allied Advisory Council for Italy, to visit AMG and discuss the following agenda.

X 1. Repatriation of Yugoslavs:

The Yugoslav Government requests that Yugoslavs being repatriated by sea go to SPIT.

AMG has been in the habit of using DUBROVNIK merely because the return list of Italians, who were to be repatriated, was situated at DUBROVNIK. SPIT will be used whenever return list and other shipping considerations permit, as a point of entry for Yugoslavs being repatriated from SOUTHERN ITALY.

For Yugoslavs being repatriated from NORTHERN ITALY, proposals have been made to the Yugoslav Government to repatriate them by train to NORTH WESTERN JUGOSLAVIA, and transportation has been arranged accordingly. A reply is awaited.

The question of the Disposal of Chetniks, Ustachis, etc is under discussion on a governmental level, and is not within the competence of AMG to determine.

X 2. Status of former members of Yugoslav Forces, including certain Prisoners of War:

The Yugoslav Government apparently objects to the persons referred to being regarded as Displaced Persons.

AMG without names and specific instances is unaware to whom the allusion refers.

No departure has been made from the policy originating after the PARK-PINO agreement and instituted by the British Government in April 1944, of which the Yugoslav Government is well aware. That is, that all secure persons declaring themselves to be of Yugoslav origin and accepted as such are given the option of returning to JUGOSLAVIA, if acceptable to the Yugoslav Authorities, or remaining in ITALY or elsewhere as stateless personnel in the status of Displaced Persons.

3./

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Declassified E.O. 12356 Section 3.3/NND No.

785016

-2-

3. War Criminals:

The applications for handing over of Yugoslav personnel believed to be in ITALY are based on allegations that they are traitors, rather than on charges of war crimes.

This is, therefore, a matter which should be raised by the Yugoslav Government through diplomatic channels. If such personnel are alleged to be in British custody, the matter should be referred either to His Majesty's Embassy in BELGRADE or through the Yugoslav Embassy in LONDON.

If the personnel concerned are alleged to be at large in ITALY, the matter is one for the Italian and not the British Government.

In either event, it is regretted that no action can be taken by this Headquarters.

4. Conclusion:

As will be seen, therefore, the matters raised by Dr. SMONJAK are either agreed or cannot be settled except on governmental levels. A visit to this Headquarters would seem therefore to serve no useful purpose.

hwm mae/rd

Major General,
DAG, G.1. (Br).

ASB/s.

Copy to: G.5.

Liaison Section.

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785016

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 3/4
CIVIL AVERAGE SECTION

Ref 4/25.3/CA

SUBJECT : Yugoslav War Crimes

TO : AFHQ, G-5 Section

26 August 45

Reference your G-5: 000.5-4 of 20 Aug.

- 1 This Commission regrets that it finds it necessary most strongly to oppose the Yugoslav proposals. Para 6 of your letter of the 30 Mar stated that after the proposals had been received a conference would be called to discuss conditions and procedures and this Headquarters was expecting to be summoned to such a conference before any final proposals were circulated.
- 2 It is impossible in the space of this letter to specify all the objections to the proposals. Reference is made here to only a few of the points.
 - a) The permission is to investigate suspected war crimes - not a single war crime has been alleged - the request is for a hunting expedition to see if any can be found.
 - b) The Allied policy is that anti-air to Jugoslavs who have fought for the Allies shall be protected. The Yugoslav Government has consistently been refused information as to such persons when they wish to liquidate. If the proposals were accepted, they would have permission to inspect camps...where...traitors...are located and to collect evidence of their crimes.
 - c) It is the considered opinion of this HQ that the expenses of this Mission can NOT be treated as part of the expenses of occupation and be paid by the Italian Government. The Allies do not treat analogous expenditure on their own account in this way.
 - d) On no account should any documents be removed from Italian Archives nor should the Yugoslav Government be allowed a roving commission to examine such Archives. This Commission would find the greatest difficulty in getting the Italian Government even to consider such proposals.
 - e) The Allies are requested to hold "proved" war criminals. It is not understood what is meant by "proved". This is a unilateral enquiry and not a trial. There is no mention of the sufficiency of or the satisfactory nature of the evidence nor as to the type of crime to which it shall apply. A procedure analogous to extradition should be laid down by which the allegations and evidence should be placed before the Allies who may hand over persons as to whom they are satisfied; a prima facie case has been made out.
 - f) No single provision has been made to safeguard the proper interests of the Italian Government or any Italian Nationals who may be concerned.
- 3 These objections are only a small part of the whole and a conference is considered essential not only to consider the proposals but also to determine under what conditions the Mission shall work and the procedure to be followed.
- 4 As so many of this Headquarters Sub-Commissions will be involved, it will be a convenience to this HQ if the proposed conference could be called in Rome.
- 5 It is most strongly recommended that the Yugoslav Mission should not arrive in Italy before these matters are settled.
- 6 Attention is called to para 5 of this HQ letter 333.6-4 of 2 Oct. This HQ is unable to find all the officers which will be necessary for supervision and

Reference your G-3: 000,54 of 20 Aug.

- 1 This Commission regrets that it finds it necessary most strongly to oppose the Yugoslav proposals. Item 6 of your letter of the 30 Mar stated that after the proposals had been received a conference would be called to discuss conditions and procedures and this Headquarters was expecting to be summoned to such a conference before any final proposals were circulated.
- 2 It is impossible in the space of this letter to specify all the objections to the proposals. Reference is made here to only a few of the points.
 - a) The permission is to investigate suspected war crimes - not a single war crime has been alleged - the request is for a hasty expedition to see if any can be found.
 - b) The Allied policy is that anti-fifth columnists who have fought for the Allies shall be protected. The Yugoslav Government has consistently been refused information as to such persons whom they wish to liquidate. If the proposals were accepted, they would have permission "to inspect camps...where...traitors...are located and to collect evidence of their crimes".
 - c) It is the considered opinion of this HQ that the expenses of this mission can NOT be treated as part of the expenses of occupation and be paid by the Italian Government. The Allies do not treat analogous expenditure on their own account in this way.
 - d) On no account should any documents be removed from Italian Archives nor should the Yugoslav Government be allowed a roving commission to examine such Archives. This Commission would find the greatest difficulty in getting the Italian Government even to consider such proposals.
 - e) The Allies are requested to hold "proved" war criminals. It is not understood what is meant by "proved". This is a unilateral enquiry and not a trial. There is no mention of the sufficiency of or the satisfactory nature of the evidence nor as to the type of crime to which it shall apply. A procedure analogous to extradition should be laid down by which the allegations and evidence should be placed before the Allies who may hand over persons as to whom they are satisfied; a prima facie case has been made out.
 - f) No single provision has been made to safeguard the proper interests of the Italian Government or any Italian Nationals who may be concerned.
- 3 These objections are only a small part of the whole and a conference is considered essential not only to consider the proposals but also to determine under what conditions the Mission shall work and the procedure to be followed.
- 4 As so many of this Headquarters Sub-Commissions will be involved, it will be a convenience to this HQ if the proposed conference could be called in Rome.
- 5 It is most strongly represented that the Yugoslav Mission should not arrive in Italy before these matters are settled.
- 6 Attention is called to para 5 of this HQ Letter 33,6-4 of 2 Oct. This HQ is unable to find all the officers which will be necessary for supervision and requests the temporary attachment in due course of two officers with legal training, experienced in dealing with war crimes.

FOR THE CHIEF COMMISSIONER

Copy to : Polled (4)
Polled (3)
Legal S/C

M. GALT,
Brigadier,
VE CA Section.

Jugoslav Mission to Investigate War Crimes

Summary of position

2 Oct 44

In Sep 44 the Yugoslav Mission approached Poland, with a view to obtaining leave to investigate War Crimes; this was forwarded to AFHQ on 2 Oct with the comment that it was considered that the matter was one for AFHQ to staff and organise and further that AC had not the requisite staff. The application in question made no reference to any particular allegation but sought permission in the broadest terms "to obtain evidence which may later be useful" and for that purpose to be granted facilities to interrogate displaced Yugoslavs and to inspect camps and prisons and to "investigate" the Italian authorities concerned, i.e. ministries, prefects, chiefs of police, questori, etc.

This wide request was amplified by an 8 foolscap page pro-memoria specifying by name 102 camps it desired to visit and reserving the right to visit others. Mentioning by name 91 prisons it desired to visit and reserving the right to add others. Stating that Yugoslavs were ordered to reside in confino in certain remote villages. The number of such villages is estimated at from 500-700, that so far it has only been possible to identify the 146 villages there specified. The document then referred to forced labour battalions (into which it is stated 60,000 Yugoslavs had been impressed) and to Prisoner of War camps all of which it was desired to investigate. The scope of the enquiry is frankly stated to be to ascertain the names of politically persecuted persons, the damage suffered by them and to ascertain the names of those responsible for "intentionally causing the death of so many thousands". This letter was forwarded to AFHQ on 4 Oct with the comment "you will observe that the investigation proposed is extremely detailed and broad in its scope".

17 Dec 44

On 17 Dec ACWAF cabled AFHQ that "the request of Yugoslav Government to investigate suspected War crimes"..."should be approved". This telegram refers specifically to the request but does not appear to appreciate that the request was not to investigate any particular facts which could properly be described as "suspected war crimes"; the request was for a general investigation to see if facts could be found from which war crimes might be deduced.

On 3 Mar (TAM 413) CCS cabled to the same effect (the cable of 17 Dec was strictly speaking US view only) namely that the request to investigate suspected War crimes should be granted. The cable said that the investigation should be under the aegis of the Allied Military Authority or, if for military reasons an investigation by the Yugoslav Mission was desirable, it should be undertaken by AFHQ.

It also stated that a directive on the general question was in preparation.

30 Mar 45

On 30 Mar 45 AFHQ wrote AC that the Yugoslav Government was to be permitted "to investigate War Crimes" (the word "suspected" has been dropped, but the phrase still implies an investigation into definite allegations and not an investigation to see if any War Crimes have been committed). The letter went on to say that the investigation would be supervised by the AC and that before any further steps were taken, the Yugoslav Government would submit detailed proposals with regard to their mission and its tasks.

AFHQ to staff and organize and further that AC had not the requisite staff. The application in question made no reference to any particular allegation but sought permission in the broadest terms "to obtain evidence which may later be useful" and for that purpose to be granted facilities to interrogate displaced Yugoslavs and to inspect camps and prisons and to "investigate" the Italian authorities concerned, i.e. ministries, prefects, chiefs of police, questori, etc.

This wide request was amplified by an 8 foolscap page pro-memoria specifying by name 102 camps it desired to visit and reserving the right to visit others. Mentioning by name 94 prisons it desired to visit and reserving the right to add others. Stating that Yugoslavs were ordered to reside in confino in certain remote villages. The number of such villages is estimated at from 500-700, that so far it has only been possible to identify the 146 villages there specified. The document then referred to forced labour battalions (into which it is stated 60,000 Yugoslavs had been impressed) and to Prisoners of War camps all of which it was desired to investigate. The scope of the enquiry is frankly stated to be to ascertain the names of politically persecuted persons, the damage suffered by them and to ascertain the names of those responsible for "intentionally causing the death of so many thousands". This letter was forwarded to AFHQ on 4 Oct with the comment "you will observe that the investigation proposed is extremely detailed and broad in its scope".

17 Dec 44

On 17 Dec AGWAR cabled AFHQ that "the request of Yugoslav Government to investigate suspected War crimes".... "should be approved". This telegram refers specifically to the request but does not appear to appreciate that the request was not to investigate any particular facts which could properly be described as "suspected war crimes"; the request was for a general investigation to see if facts could be found from which war crimes might be deduced.

On 3 Mar (ZAM 413) CCS cabled to the same effect (the cable of 17 Dec was strictly speaking US view only) namely that the request to investigate suspected War crimes should be granted. The cable said that the investigation should be under the aegis of the Allied Military Authority or, if for military reasons an investigation by the Yugoslav Mission was desirable, it should be undertaken by AFHQ.

It also stated that a directive on the general question was in preparation.

30 Mar 45

On 30 Mar 45 AFHQ wrote AC that the Yugoslav Government was to be permitted "to investigate War Crimes" (the word "suspected" has been dropped, but the phrase still implies an investigation into definite allegations and not an investigation to see if any War Crimes have been committed). The letter went on to say that the investigation would be supervised by the AC and that before any further steps were taken, the Yugoslav Government would submit detailed proposals with regard to their mission and its tasks.

AC was informed that it would be asked to send a representative to the next meeting to determine procedure.

25 Jul 45

On 25 Jul the Yugoslav Government submitted its detailed proposals as to its mission and its tasks. The proposals are in the widest possible terms. They were forwarded without any essential adverse comment to AFHQ on 28 Jul and there was therefore an implication that this HQ had no objection thereto.

20 Aug 45

On 20 Aug an AMHQ Staff Study with drafts of the proposed action was sent to this HQ for approval.

The study accepts the Yugoslav proposals and attached are drafts of letters proposed to be sent out to enable the proposals to be carried out.

Among the draft letters for approval is one to AC stating

- a) that the Yugoslav proposals are approved;
- b) that the consent to them of the Italian Govt shall be obtained;
- c) that AC will supervise and accommodate the Mission - and impliedly provide staff and cars.

The following comment is made on the above:

The protest of AC that AMHQ should be responsible and that AC has no staff available has not been specifically dealt with.

TUK 413 definitely says that supervision should be by the Allied Military Authority (or AMHQ).

That no general directive has been received.

That there is no evidence on the file that the meeting to consider procedure was ever called.

AGENDA

To consider:

1 The procedure to be followed (an outline of a possible procedure is attached). *Agreed with mission*

2 Whether any objection shall be made to the Yugoslav proposals (the proposals and the possible objections are attached). *Yes on grounds*

3 Whether AC shall object to being made responsible for supervising the mission.

Until 30 Mar it was consistently recognised that the subject of War Crimes was primarily an Army matter. It is submitted that the responsibility should be AMHQ's. AC is the vehicle for governing Italy. The enquiry is not concerned with the government of Italy but is concerned with the collection of evidence on the subject of War Crimes, a matter which AMHQ has consistently kept under its own hands. AC is merely being used as a convenience to avoid a little donkey work. The practical arguments against AC being responsible are not, now that hostilities have ceased, so strong as they formerly were. There are also advantages in having an AC officer as a buffer between the Mission and Italian Officials and for arranging for the attendance of witnesses etc. It may be felt that these advantages outweigh the fact that AC is stepping out of its normal sphere. Further AC, by not repeating its objections, has to some extent acquiesced on the position; on the other hand AMHQ has never specifically answered those objections. If AC steps out of its proper sphere it may create a precedent for an unknown number of other missions possibly also on other subjects.

- b) that the consent to them of the Italian Govt shall be obtained;
 c) that AC will supervise and accommodate the Mission - and impliedly provide staff and cars.

The following comment is made on the above:

The protest of AC that ARHQ should be responsible and that AC has no staff available has not been specifically dealt with.

TM 413 definitely says that supervision should be by the Allied Military Authority (or ARHQ).

That no general directive has been received.

That there is no evidence on the file that the meeting to consider procedure was ever called.

AGENDA

To consider:

1. The procedure to be followed (an outline of a possible procedure is attached). *Agreed with principle*

2. Whether any objection shall be made to the Yugoslav proposals (the proposals and the possible objections are attached). *Yes, on grounds*

3. Whether AC shall object to being made responsible for supervising the mission.

Until 30 Mar it was consistently recognised that the subject of War Crimes was primarily an Army matter. It is submitted that the responsibility should be ARHQ's. AC is the vehicle for governing Italy. The enquiry is not concerned with the government of Italy but is concerned with the collection of evidence on the subject of War Crimes, a matter which ARHQ has consistently kept under its own hands. AC is merely being used as a convenience to avoid a little donkey work. The practical arguments against AC being responsible are not, now that hostilities have ceased, so strong as they formerly were. There are also advantages in having an AC officer as a buffer between the Mission and Italian Officials and for arranging for the attendance of witnesses etc. It may be felt that these advantages outweigh the fact that AC is stepping out of its normal sphere. Further AC, by not repeating its objections, has to some extent acquiesced on the position; on the other hand ARHQ has never specifically answered those objections. If AC steps out of its proper sphere it may create a precedent for an unknown number of other missions possibly also on other subjects.

4. If AC is to be responsible, what arrangements should be made as to staff, accommodation, transport, etc.

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100. Yugoslav Mission to Italy

Suggested Procedure

The enquiry should be divided into two stages.

- 1 In the first stage members of the Mission should be permitted to interview freely their own nationals. There should be no necessity to visit at this stage the many camps and villages mentioned by name the presumption is that all Yugoslavs will have left or will shortly be leaving. DER will arrange for these interviews to take place at convenient camps. No Allied officer need be present unless thought desirable in which case arrangements could probably be made that such interviews shall take place only in presence of a DER officer. This may be desirable to protect the Yugoslav from having evidence suggested to them and from threats.
- 2 The Italian Government should be given the opportunity of being present at all interviews, they should be satisfied that the persons have not been previously prompted and their evidence suggested to them. This right of the Italian Government to be present should apply to all interviews not merely of displaced persons they should also have the right to question in order to lead out explanations or to lead to rebutting evidence.
- 3 DER should be prepared to satisfy the Mission that substantially all displaced persons have been cleared or made available for interview. It may be assumed that Yugoslavs who desire to continue to reside where they are and avoid being treated as displaced persons have no desire to claim to be victims of a war crime.
- 4 With regard to Prisons Public Safety should arrange to obtain lists of Yugoslavs imprisoned and make arrangements for simple interview as above. PS should be prepared to satisfy the Mission that the list is complete and that no person is deliberately being concealed alternatively the Mission should have facilities to satisfy itself.
- 5 At this stage the examination should be confined to the prisoner and the Italian Government should be represented.
- 6 At the end of this stage the Mission should formulate allegations defining the principal facts complained of complete with names places and dates and where possible (by name or description) the witnesses which they desire to examine.
- 7 The supervising authority will then make arrangements for the second stage namely necessary particular enquiries which will, when desirable, be held locally.

CA SECTION
24 Aug 45

1593

I The Government of Democratic Federative Yugoslavia express their satisfaction about the decision taken by the Allied Commission, permitting to send in Italy a Yugoslav Mission for investigation of war crimes.

The Yugoslav Government have the intention to form, as soon as possible the respective mission to be sent in Italy, kindly requesting the Allied Commission to effect that this Mission might arrive in Italy to start with its work.

At the same time the Yugoslav Government have the honour, with reference to the Appendix "A" of said letter, to give the respective information :

1 The function of the Mission is to investigate: the archives where might be found evidence about war crimes committed upon the Nations of Yugoslavia; the camps where Yugoslav internees and prisoners have been located, and the examination of witnesses and suspect Italians and Yugoslavs about crimes committed by Italians and their complices. Further to take necessary steps to find out proved Italian criminals and their accomplices and to hand them over to Yugoslav tribunals; to inspect camps and jails where war criminals and traitors of Yugoslav people are located and to collect evidence of their crimes.

2 The Mission will consist of ten persons, four officers and six civilians. The Mission will arrive at Bari by air, and proceed by cars. The Allied Commission is kindly requested to put at the disposal of the Mission 3 cars. The interpreters will be provided by the same Mission.

3 The Headquarters of the Mission would be at the Yugoslav Delegation to the Advisory Council for Italy in Rome and would have a Representative to Allied Force Headquarters at Caserta.

Financial means would be furnished on charge of expenditures for the occupation according the Armistice terms with Italy.

4 The Mission will investigate written evidence, taking away documents from Italians archives or making photographs; examining suspect people and witnesses in presence of two members of the Mission. In order to get hold of the people in question the Mission will apply to competent military authorities.

5 The Mission would have to investigate several thousand cases wherever archives, camps, jails and persons wanted for examination might be found.

6 Several groups of the said Mission are supposed to investigate simultaneously in different areas.

7 It is presumed that the investigations will take several months. **1592**

8 The Mission will request Allied Military Authorities to keep arrested the proved war criminals and traitors, either until a definite decision of the Interallied Commission for war crimes, or until their extradition to the Yugoslav Authorities, as requested according to the Note of the Foreign Office Nr. V 1527/129/73 dated March 29, 1945.

II At the same time the Yugoslav Delegation to the Advisory Council for Italy has the honour to state that the Yugoslav Government would not mind an Italian Mission to be established for investigation of war crimes committed by Germans upon Italian nationals

1 The function of the Mission is to investigate: the archives where might be found evidence about war crimes committed upon the Nations of Jugoslavia; the camps where Jugoslav internees and prisoners have been located, and the examination of witnesses and suspect Italians and Jugoslavs about crimes committed by Italians and their complices. Further to take necessary steps to find out proved Italian criminals and their accomplices and to hand them over to Jugoslav tribunals; to inspect camps and jails where war criminals and traitors of Jugoslav people are located and to collect evidence of their crimes.

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II

At the same time the Jugoslav Delegation to the Advisory Council for Italy has the honour to state that the Jugoslav Government would not mind an Italian Mission to established for investigation of war crimes committed by Germans upon Italian nationals

Rome, July 25, 1945

COMMENTS ON THE PROPOSALS OF THE YUGOSLAV GOVERNMENT

- 1 There are several objections to the Yugoslav proposals. It is not, as the Italian request is, a Mission to investigate a particular incident or incidents. They have not particularised. The Mission is a "fishing" Mission to see if they can find out anything. There are no particular allegations disclosed. There are many objections to this type of "fishing" enquiry though we do not wish to appear to oppose a just enquiry nothing but generalities has at present been put forward. The enormous scope of the proposals is disclosed by the 8 page document at 4-B. It is probable that by now the thousands of persons there referred to, have been collected and moved by DFR Sub-Comsn. If so there will be no evidence to be obtained in these places.
- 2 It seems to me that it would be better if this Mission should first interrogate returning nationals. If it then obtains evidence of any atrocity that the incident should be specified and that a local enquiry may then be properly made. The wide roving commission seems too improper, undesirable and impracticable.
- 3 The Government can fairly be allowed reasonable facilities to assure itself that all Yugoslav nationals have been traced and suitably dealt with and that none are detained in prison, internment or elsewhere and that their consular officials shall be supplied with lists of prisoners and shall have the opportunity of visiting them. If any such visit discloses evidence of an atrocity it may then be made the subject of an enquiry. It is suggested that the DFR Sub-Commission is a suitable body to clear these matters with the Mission and that enquiries shall be permitted into specified and defined allegations.
- 4 With regard to
Para I-1 - A roving commission through Italian Archives everywhere is unreasonable so is the request to visit all prisons, camps, etc. The Mission should specify the atrocities into which enquiry is desired.
Para I-2 - The size of the Mission is reasonable - it would not be capable of carrying out an enquiry on the scale outlined in I-1 under a year or more.
Para I-2 - AC has not cars sufficient for its own requirements, AFHQ can better afford to provide cars. HQ Comdt is the proper person to comment on this.
Para I-3 - Has finance any comment - does legal consider that this expense would legally come within the Armistice terms as an expense of "occupation"? **1591**
Para I-4 - This Commission should strongly oppose any right to remove documents from Italian Archives, which might thereby become disorganised and unintelligible. Properly authenticated copies can always be made. No Italian Nationals should be allowed to be called as witnesses before the commission unless there is a reasonable belief that they can supply evidence on specified facts.
Para I-5 - It is submitted that now that the war is over this is an inversion of the reasonable and practical procedure. The Mission should only visit places specified in an allegation.
Para I-6 - Each group would require an attendant officer as a go-between, between the Mission and Italian Officials and to arrange for the calling of witnesses accommodation for the enquiry etc. The number of groups should be specified.
Para I-7 - If a roving commission is allowed "several months" may be very optimistic.
Para I-8 - The wording is confused - many of these persons will not be under arrest perhaps what is meant is "to arrest and hold". The offence will not have been "proved" the enquiry is only unilateral. The intention presumably is that the Allies should arrest and hold persons alleged to be incriminated by the enquiries without any limitation as to the type of offence charged or as to the satisfactory nature or sufficiency of the evidence. The Allies must first be satisfied that a prima facie case has been made out and that the crime is of importance.

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Generally - The Italian Government should have the right to attend all interviews and to question.

CA Section
24 Aug 45

S.H. WHITE Lt Col,
CA Section

CONFIDENTIAL

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

24A

G-5: 000.5-1

20 August 1945

20 AUG 1945

SUBJECT: War Crimes Investigations by Italians in Cefalonia and
by Jugoslavs in Italy.

TO : Headquarters, Allied Commission, APO 394.
(Attention: Brigadier Carr)

For comment or concurrence. Please indicate concurrence
by initialling in space indicated on the original of the attached
Staff Study.

F. T. Hammond Jr.
Col. g.s.c.
for A. L. MUEHLER,
Brigadier General, GSC,
Assistant Chief of Staff, G-5.

Incls:

Staff Study, subj above
dtd 9 Aug 45, with following TABs A to G inclusive:
Ltr AC to G-5, subj War Crimes, dtd 28 July 45.
Ltr Jug Delegation to AC dtd 25 July 45.
Ltr G-5 to AC, subj War Crimes, dtd 30 March 45 w/appx A thereto.
Cable MC IM 2155 dtd 4 Jan 45.
Ltr MEIA to AC, subj War Crimes dtd 21 July 45, w/incl.
Ltr C/S AFHQ to AC, subj above dtd 10 Aug 45. (draft)
Ltr C/S AFHQ to AC, subj above dtd 9 Aug 45. (draft)
Ltr C/S AFHQ to LF(Greece), subj above dtd 9 Aug 45 (draft).
Covering IRS dtd 10 Aug 45 and 15 Aug 45, subj above.

1500

CONFIDENTIAL

25-19

Declassified E.O. 12356 Section 3.3/NND No.

785016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F 36256

Message Centre No: F/4153

Date/Time of Origin: AUG 171221B

Date Time Rec'd: AUG 171415B

FROM AFHQ SIGNED SACMED CITE FHGEG

Precedence: OF PRIORITY

TO : ALCOM ROME

18 AGO. 1945

CONFIDENTIAL

CONFIDENTIAL.

Reference our FX 36019 of 16 August - disregard this message entirely and do not communicate content to SMOPLAKA. ^(Meeting?) METTING requested concerning War Crimes Mission will be subject of decision and advice to you as soon as possible.

DIST

ACTION: CA Sec

INFO: Chief Commissioner

File 2

Float



ACTION

1589

CONFIDENTIAL

2355

0121

Declassified E.O. 12356 Section 3.3/NND No. 785016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

18 AUG 1945

Originator's Reference: FX 36019
Date/Time of Origin: AUG 161611B

Message Centre No: T/4289
Date Time Rec'd: AUG 181020B
Precedence: ROUTINE

FROM: SIGNED SACRED CITE PHCEG
TO: ALCOM ROME INFO USMA BELGRADE

RESTRICTED

RESTRICTED

Reur 3750.

Representatives of this Hq willing to discuss proposed mission with doctor SMOODAKA at conclusion of his interview with British RESMIN Monday 20 August. Desire attendance of ALCOM representative for consideration of arrangements and supervision to be provided mission by ALCOM with cooperation of Italian Govt. Brit RESMIN will be notified exact time and place of meeting for information of Doctor SMOODAKA.

Dist

Action - C A Section
Info - Chief Commissioner
File 2
Fleat

M/C Note.

Phone call from AFHQ and confirming cable ref above transmitted to your office Friday August 17.

Previous Hq
Call from AFHQ
1588
Stated no action
to be taken on this
cable. MC
25/8
2414

RESTRICTED

TO: AMHQ GEORGE FIVE SECTION

3750

15 AUG 45

PRIORITY

CONFIDENTIAL PD

PARA ONE PD SUBJECT IS PROPOSED YUGOSLAV WAR CRIMES MISSION PD REFERENCE
THIS HEADQUARTERS THREE FOUR TWO FOUR OF NINE AUGUST FOUR FIVE PD
PAGE TWO AMHQ GEORGE FIVE SECTION FROM ALCON CITE ACCAS PAREN

PARA TWO PD DOCTOR SMOLAKA CMA YUGOSLAV REPRESENTATIVE ADVISORY COUNCIL
IS VISITING AMHQ MONDAY TWENTY AUGUST AND HAS REQUESTED AN INTERVIEW AT
AMHQ ON THAT DATE AT ELEVEN HUNDRED HOURS TO DISCUSS PROPOSED MISSION PD
HE WAS ASSURED THAT YOU WERE CONSIDERING THE MATTER URGENTLY AND INFORMED
THAT HIS REQUEST WOULD BE FORWARDED BUT NO HOPE WAS HELD OUT THAT INTERVIEW
WOULD BE GRANTED PD

PARA THREE PD REQUEST REPLY URGENTLY AS TO WHETHER INTERVIEW CAN BE GRANTED
AND TO WHOM DOCTOR SMOLAKA SHOULD REPORT

1587

Civil Affairs Section

437

NICHOLAS PICCINO,
CWO USA
Asst. Adjutant.

2315

0123

Declassified E.O. 12356 Section 3.3/NND No.

785016

W/298/08

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

11 AUG 1945

Originator's Reference: F 34335

Message Centre No: F/3506

Date/Time of Origin: AUGUST 11/1158B

Date Time Rec'd: AUGUST 11/1430B

FROM: AFHQ ST-NEO SACRED C ITE THREE

Precedence: ROUTINE

TO: ALCOM ROME

20a

CONFIDENTIAL

CONFIDENTIAL.

Reur 3424.

Matter is under consideration and will be expedited

11. 15m
Monday

HIST

ACTION



HIST

ACTION : CA SEC

INFO : CHIEF COMMISSIONER
FILE (2)
FLOAT

1586

CONFIDENTIAL

1997

0124

Declassified E.O. 12356 Section 3.3/NND No.

785016

File 4/29/CA V
TO: AFHQ GEORGE FIVE SECTION

3424

9 Aug 45

ROUTINE

CONFIDENTIAL PD

4/29/CA 88 July
PARA ONE PD SUBJECT IS PROPOSED YUGOSLAV WAR CRIMES MISSION PD REFERENCE
OUR FOUR SLANT TWO NINE PD ABLE SLANT CHARLIE ABLE DATED TWO EIGHT
JULY FOUR FIVE PD

PARIN TO AFHQ GEORGE FIVE SECTION FROM ALCOM CITE ACCAS PARIN

PARA TWO PD THE YUGOSLAV DELEGATE ON THE ADVISORY COUNCIL FOR ITALY
PARIN DOCTOR SMOBLKA PARIN CALLED TODAY AND ASKED WHEN HE MIGHT EXPECT
A REPLY PD GRATEFUL IF YOU COULD GIVE THIS MATTER YOUR EARLIEST CONSIDERATION
AND INFORM ME IF PROPOSED MISSION IS APPROVED

Civil Affairs Section

437

1585

NICHOLAS PIOMBINO,
CWO USA
Asst Adjutant.

2260

0125

Declassified E.O. 12356 Section 3.3/NND No. 785016

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Rome, August 8, 1945.

Pov.br. 1122/45.

Dear Brigadier Upjohn, *(15a)*

I am very grateful to you for your kind letter 4/29 A/CA dated July 14, 1945.

According instructions received from my Government a Note has been forwarded by the Yugoslav Delegation to the Allied Commission under Pov.br. 1046/45 dated July 25, explaining the viewpoint of the Yugoslav Government about the establishment of the Yugoslav Mission for investigation of war crimes in Italy.

The Yugoslav Government have requested respectively the British and United States Governments through the British and United States Embassies at Belgrade to settle down the same question as soon as possible, the Yugoslav Government considering as very urgent the establishment of the respective mission to be sent in Italy. *(16a)*

Please find attached a copy of the a/m Note.

About the same subject I shall have the honour to pay you a visit on August 9 at 1530 hrs.

Very truly yours

D. P. V. / Smolarky

Enclosure as stated.

Brigadier G.R. Upjohn
Vice-President of the
Allied Commission

1584

R o m e.

0126

Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

1/29.A/CA ✓

28 July 45

SUBJECT : War Crimes

TO : AFHQ C-5.

Reference your letter of 30 May ^{March} and further to my 1/29.A/CA of 27 Jul.

- 1 I enclose the detailed proposals from the Yugoslav Government with regard to their mission.
- 2 The final paragraph refers to a verbal objection to the Italian Mission to Cefalonia. The objection, it seems, is withdrawn.

FOR THE CHIEF COMMISSIONER:


G.R. UPJOHN Brig,
VP CA Section

1583

2133

0127

Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

4/29.A/CA

27 July 45

SUBJECT : War Crimes

TO : AFHQ, G-5.

Reference your letter of 30 March.

I enclose the detailed proposals from the Italian Government with regard to their mission in Cefalonia.

FOR THE CHIEF COMMISSIONER :

G.R. UPJOHN Brig,
VP CA Section

Copy on File 4/29.2/CA ← with the enclosure

1582

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Pov.br.1046/45.

Rome, July 25, 1945.

28 LUG 1945

The Yugoslav Delegation on the Advisory Council for Italy presents its compliments to the Allied Commission, and with reference to the letter 4/29.A/C.A. dated April 5, 1945, has the honour to state as follows:

I. The Government of Democratic Federative Yugoslavia express their satisfaction about the decision taken by the Allied Commission, permitting to send in Italy a Yugoslav Mission for investigation of war crimes.

The Yugoslav Government have the intention to form, as soon as possible the respective mission to be sent in Italy, kindly requesting the Allied Commission to effect that this Mission might arrive in Italy to start with its work.

At the same time the Yugoslav Government have the honour, with reference to the Appendix "A" of said letter, to give the respective information:

1. The function of the Mission is to investigate: the archives where might be found evidence about war crimes committed upon the Nations of Yugoslavia; the camps where Yugoslav internees and prisoners have been located, and the examination of witnesses and suspect Italians and Yugoslavs about crimes committed by Italians and their accomplices. Further to take necessary steps to find out proved Italian criminals and their accomplices and to hand them over to Yugoslav tribunals; to inspect camps and jails where war criminals and traitors of Yugoslav people are located and to collect evidence of their crimes.

2. The Mission will consist of ten persons, four officers and six civilians.

The Mission will arrive at Bari by air, and proceed by cars.

Allied Commission

R o m e.

Rome, July 25, 1945.

Pov.br.1046/45.

28 LUG 1945

92

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2. The Mission will consist of ten persons, four officers and six civilians.

The Mission will arrive at Bari by air, and proceed by cars.

Allied Commission

R o m e.

The Allied Commission is kindly requested to put at the disposal of the Mission 3 cars.

The interpreters will be provided by the same Mission.

3. The Headquarters of the Mission would be at the Yugoslav Delegation to the Advisory Council for Italy in Rome and would have a Representative to Allied Force Headquarters at Caserta.

Financial means would be furnished on charge of expenditures for the occupation according to the Armistice terms with Italy.

4. The Mission will investigate written evidence, taking away documents from Italian archives or making photographs; examining suspect people and witnesses in presence of two members of the Mission. In order to get hold of the people in question the Mission will apply to competent military authorities.

5. The Mission would have to investigate several thousand cases wherever archives, camps, jails and persons wanted for examination might be found.

6. Several groups of the said Mission are supposed to investigate simultaneously in different areas.

7. It is presumed that the investigations will take several months.

8. The Mission will request Allied Military Authorities to keep arrested the proved war criminals and traitors, either until a definite decision of the Interallied Commission for war crimes, or until their extradition to the Yugoslav Authorities, as requested according to the Note of the Foreign Office Nr. U 1527/29/73 dated March 29, 1945.

II. At the same time the Yugoslav Delegation to the Advisory Council for Italy has the honour to state that the Yugoslav Government would not mind an Italian Mission to be established for investigation of war crimes committed by Germans upon Italian nationals.



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255.

Declassified E.O. 12356 Section 3.3/NND No.

785016

file
✓
APO 394

Ref: 4/29 A/CA.

14 July 1945

Dear Mr. Smolaka,

Referring to our conversation on Wednesday last, when we discussed in general terms the question of supplying you with information as to an Italian War Crimes Mission, which you wished to have before supplying me with the information requested in my letter 4/29 A/CA of 5 April 45; it would, I am sure you will agree, be helpful if you could let me have a note in writing of the detailed information which you require.

I should then be in a position to seek for full and complete instructions from higher authority.

Yours very truly,

Dr. J. Smolaka,
Yugoslav Delegate
To the Advisory Council for Italy.

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Declassified E.O. 12356 Section 3.3/NND No.

785016

C.A. Sec.

3385

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

20 JUN. 1945

18 June 1945.

G-5: 000.5-5

SUBJECT: War Crimes.

TO : Headquarters, Allied Commission, APO 394

1. Reference is made to our signal F-89624 dated 8 June with respect to our letter of 30 March 1945 on the subject of war crimes and to your reply 9423 dated 9 June 1945.

2. It is requested that every effort be made further to expedite this matter.

F. T. Hammond, Jr.
for *Col. G.S.C.*
CHARLES M. SPOFFORD,
Brigadier General, G.S.C.,
Assistant Chief of Staff, G-5.

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BF/1 July
AB

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Declassified E.O. 12356 Section 3.3/NND No. 785016

DEPUTY DELEGATE OF JUGOSLAVIA,
ADVISORY COUNCIL FOR ITALY.

4/29A/CA Pov.br. 759/45.

Rome, June 12th, 1945.

13 GIU. 1945

Sir,

ga *11a*
I am very grateful for your kind letters 4/29.A/CA of April 5, and June 9, and have to inform you that I am still waiting for instructions in the premises from the Yugoslav Government to whom I submitted report on the contents of your letter of April 5 after its receipt.

Dr. Sloven J. Smolaka
Dr. SLOVEN J. SMOLAKA
Acting Representative of Yugoslavia
Advisory Council for Italy.

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G.R. UPJOHN, Brig.
VP CA Section,
HQ Allied Commission.

4/32

0 1 3 4

Declassified E.O. 12356 Section 3.3/NND No.

785016

6/13 2/08

AFHQ CITE THREE

9423

9 JUN 45

ROUTINE

(S)

(12a)

IN REAR PD

PARA ONE PD YOUR FOX EIGHT NINE SIX TWO FOUR IS SUBJECT PD

PAID TO AFHQ CITE THREE FROM ALCON CITE AOCAS PAID

PARA TWO PD NO REPLIES RECEIVED FROM DELEGATED PD

PARA THREE PD HASTENERS HAVE BEEN SENT

CA Section

437

A.D. BORNHAM CARTER Lt Col

NICHOLAS PIONBINO
CWO USA
Asst Adjutant

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Declassified E.O. 12356 Section 3.3/NND No.

785014

HEADQUARTERS ALLIED COMMISSION
AFO 394
CIVIL AFFAIRS SECTION

14/29.A/CA

9 June 45

Your Excellency,

I refer to my letter 4/29.A/CA of 5 April on the question of sending a mission to Italy to investigate certain War Crimes.

May I be informed if you are yet in a position to give me the proposals and suggestions of your Government.

Yours very truly,

G. R. UPJOHN Brig.
VP CA Section.

H E Dr. Josif SMOILAKA
Yugoslav Representative to
Advisory Council for Italy
Via Quintino Sella, 56
R O M E

Copy to 6/13.2/CA

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Declassified E.O. 12356 Section 3.3/NND No. 785016

INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F 89624

Message Centre No: E/1140

Date/Time of Origin: JUN 081052Z

Date Time Rec'd: JUN 081230Z

- 8 CIU. 1945

Precedence: ROUTINE

FROM: AFHQ SIGNED SACRED CITE FHGEG

TO: ALCON HOME

RESTRICTED

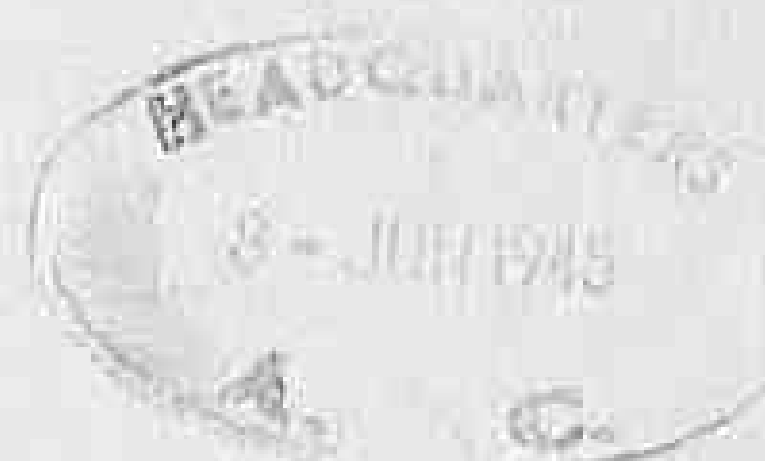
RESTRICTED.

War crimes.

1. Reference is made to letter of 30 March 1945 subject as above.
2. It is requested that this headquarters be notified promptly of the present position.

DIST

ACTION: CA Sec
INFO: Chief Commissioner
File 2
Float



15743



RESTRICTED

Tel : 489081
Ext : 525

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

ga

L/29.A/CA

5 April 45

Your Excellency,

I refer to the request of your Government to be permitted to send a mission to Italy to investigate certain War Crimes alleged to have been committed by Italians against nationals of your Country and to inform you that consent has been granted to the sending of such a mission.

The mission in question will be permitted, unless military considerations otherwise require, to conduct its own investigation under the general supervision of AFHQ or such body as it may delegate. Should military considerations preclude the investigation being so conducted the investigation will be conducted through the Allied Military Authority.

In order that the procedure to be followed may be determined perhaps you will be good enough to outline your government's proposals and suggestions with regard to the conduct of the proceedings. An aide memoire is enclosed showing the points on which information is required. Possibly other points may occur to you.

G. R. W. H. P.
G. R. W. H. P. Brig.
VP CA Section

H E Mr. Josif SMOELAKA
Yugoslav Representative to
Advisory Council for Italy
Via Quintino Sella, 56
R O M E

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Declassified E.O. 12356 Section 3.3/NND No.

785016

ALLIED FORCE HEADQUARTERS
G-5 SECTION
APO 512

9B

30 March 1945

SUBJECT : War Crimes.

TO : Headquarters, Allied Commission, APO 394.

1. Reference your following letters:

AGC 953.6-1 dated 2 Oct 1944 (Greek and Yugoslav Mission to Italy)

11/1.3/A.S. dated 4 Oct 1944 (Yugoslav Mission to Italy)

101A S/1/121 dated 24 Oct 1944 (Italian Mission to CEFALONIA)

and our G-5: AGC 5-1 dated 15 March 1945.

2. The requests forwarded with your letters were referred to GCS who have directed the SAC to permit the Greek and Yugoslav Governments to send missions to Italy to investigate War Crimes of Italians against Greeks and Yugoslavs, and the Italian Government to send a mission to CEFALONIA to investigate crimes of Germans against Italians, in each case under the aegis of Allied Military Authorities. If military considerations should preclude this course the required investigations are to be concluded through Allied Military Authorities.

3. The Chief of Staff has established a committee at this HQ under my chairmanship to advise him on the implementation of this directive.

4. It was decided at the first meeting of the committee that

a. the National missions should be permitted to carry out their investigations themselves but under Allied control;

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b. the agencies to supervise the missions should be Allied Commission in case of Italy and representatives of Land Forces GREECE in the case of CEFALONIA (guided by directives from the AFHQ committee either direct or through staff channels).

c. Before taking any further steps the respective governments should be asked to state their detailed proposals with regard to their respective missions and tasks.

Declassified E.O. 12356 Section 3.3/NND No.

785016

4. on receipt of these proposals a further meeting would be held, (at which AG would be represented), to decide further questions such as the limitations and conditions under which the Missions should be admitted, arrangements with the Greek and Italian Governments for their introduction, the procedures to be followed, the supervision to be exercised, etc.

5. You are, therefore, requested to (a) inform the Greek and Yugoslav delegates to the Advisory Council for Italy and the Italian Government of the substance of the decisions of the CCS and this HQ as indicated in paras 2 and 4 above, and (b) request from each, for consideration at this HQ, their detailed proposals regarding the functions and organization of their mission, the procedure they wish to adopt and the action they propose or anticipate as a result of their enquiries. A list of some of the points that these proposals should cover is attached at Appx A. You may of course add any further points which you wish to be included.

6. At the next meeting of the committee your representative will be invited to be present to assist in determining the conditions and procedures under which these missions are to operate.

CHARLES M. SPOTFORD
Brigadier General, R.S.C.
Assistant Chief of Staff, G-5

Copies to:

Major General W. G. WHITE	G-1(U.S.)
Brig. General A. Richmond	JAG(MTOUSA)
Lt. Col. J. E. M. Gunning	JAG(Br)
Lt. Col. B. Passingham	G-1(Br)

APPENDIX "A" to

List of points to be included in the detailed proposals of the Greek, Yugoslav and Italian War Crimes Missions.

1. Function of the Mission.
2. Organization of the Mission, viz:
 - a. Total numbers and whether civilian or military.
 - b. How is it proposed to provide transport, office, and other equipment?
 - c. Will interpreters be provided by the Mission?
3. Where will the HQ of the Mission be located and to what organization will be attached for rations, quarters, finance and general administration?
4. What procedure for investigation of suspects, collection of evidence and form of record is proposed?
5. What is the estimated number of cases to be investigated and the approximate areas where investigations are to be conducted?
6. Is it proposed to investigate in different areas at the same time?
7. Over what period of time will the investigations continue?
8. What action is proposed as a result of the investigation?

CONFIDENTIAL

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

NPS/EHM/jjjr

G-5: 000.5-1

21 December 1944

SUBJECT: War Crimes. *(War)*

23 DEC. 1944

TO : Headquarters, Allied Commission, APO 394

ref. 1. On 18 October we wrote you in response to your inquiry concerning alleged crimes committed by the Italian Government against Greek and Yugoslav nationals. On 7 November we wrote a similar letter to the Military Mission to the Italian Army in response to their inquiry about alleged war crimes committed by the Germans in Cefalonia against Italian nationals.

2. On the respective dates shown, letters were also addressed to the Combined Chiefs of Staff requesting guidance in these matters. *(GIB)*

3. We have now received a cable from Agwar on this subject which we are forwarding for your information. You will note that this in no way constitutes a directive since it embodies the proposal of the United States members of CCAC alone.

4. We will advise you immediately upon receipt of a decision on the issue by the Combined Chiefs of Staff.

5. A copy of this letter and cable is being transmitted to Greek Mil for their information.

Incl:
MC IN 14269 dtd
18 Dec.

Copy to:- Greek Mil

Norman P. Seagrave
NORMAN P. SEAGRAVE
Major, G.S.C.
Executive Officer.

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Declassified E.O. 12356 Section 3.3/NND No.

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CONFIDENTIAL

AFHQ MESSAGE CENTER

WAR

FILED: 1700

RECD: 1714

AFSC W 1721/17

INCOMING MESSAGE

ROUTINE

FROM: AGWAR FROM HILLDRING SIGNED MARSHALL

TO : AFHQ TO MCNARNEY

REF NO THIS MESSAGE: W-78475, 17 December 1944.

War crimes investigation by Greek, Italian and Yugoslav Governments is subject.

With reference to 2 letters of 18 October and 7 November 1944 from General SPORFORD addressed to Secretary CCS, concerning foregoing subject, UNITED STATES members of CCAC on 30 November proposed the following reply which UNITED KINGDOM members forwarded to LONDON for advice.

No reply yet received. It is transmitted for information:

"CCS is considering a broad directive to Theater Commanders outlining their general responsibilities as to the investigation and trial of war crimes. However, you should act now with respect to the requests of (1) the Greek and Yugoslav governments to send their own missions to ITALY to investigate suspected war crimes against their nationals committed by Italians, (2) of the Italian government to send an Italian mission to investigate alleged war crimes by Germans against Italians on island of CEPALONIA, subject to the approval of the Greek government, as discussed in your letters dated 18 October and 7 November 1944.

It is considered highly important that war crimes be promptly investigated, available evidence gathered, and suspected criminals detained before the passage of time hampers such action by reason of the death and disappearance of witnesses and before the efforts of the criminals and their friends to obstruct justice can be successful. Consequently, the requests of the Greek, Yugoslav and Italian governments should be approved unless strictly military considerations in ITALY and GREECE forbid such action. The

MC

CONFIDENTIAL

COPY NO.

THE MAKING OF AN EXACT COPY OF THIS MESSAGE IS FORBIDDEN

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Declassified E.O. 12356 Section 3.3/NND No.

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APSC N 1721/17, REF NO. W-78475, continued.

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Investigations should be conducted under the aegis of Allied military authorities.

If the requests of these governments to send in their own missions are denied for military reasons then the Allied Commission so far as practicable should undertake the necessary investigations in ITALY at once and an appropriate investigation on CEFALONIA should also be undertaken by proper authorities. It is expected that action by CCS on directive referred to above will clarify situation with regard to coordinating war crimes investigations in Theaters with the work of the United Nations.

War Crimes Commission and you will be advised of any future CCS decision on this point.

ACTION: G-5

INFO: SGS
GS POLAD
MR MACMILLAN
G-2
G-3
CAO
G-1 (H)
G-1
IS&PS
AG RECORDS
**

MC IN 14269 18 Dec 44 0459A Ref No W 78475 s/D/GB

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Declassified E.O. 12356 Section 3.3/NND No.

785016

INFORMATION

CA Sect-

13 DEC 1944

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4A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FTH/mls

G-5: 383.7-34

11 December 1944

SUBJECT: Greek and Yugoslav ex-Prisoners of War and Internees.

TO : Headquarters, Allied Commission, APO 394.
(Attention: Civil Affairs Section).

6A

Reference your 4/37.3/CA dated 7 December 1944.

In view of the fact that the investigation in question would not be made in any event until hostilities are no longer being conducted on Italian soil and in view of the necessity for coordination by CCAC of this subject with Allied War Crimes Commission in London, it is not believed that a hastener would be useful at the present time.

For the Asst. Chief of Staff, G-5:

F. T. Hammond, Jr.
F. T. HAMMOND, Jr.,
Colonel, Ordnance.



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Copy to Political Sec. 1/2
13 DEC 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

File
Ref 4/37.3/CA

7 Dec 44

SUBJECT : Greek and Yugoslav ex-Prisoners of War and Internees.

TO : G-5 AFHQ, APO 512.

Reference this HQ 383.6-1 dated 2 Oct 44 and your G-5:383.7-3.

Unless you are of opinion that Combined Civil Affairs Committee has not yet had sufficient time to reply may a hastener be despatched please.

FOR THE CHIEF COMMISSIONER

G.S. PARKINSON Brig,
A/VP CA Section,
A/DCOS.

Copy to : Political Section.

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Declassified E.O. 12356 Section 3.3/NND No.

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INTERSTATE LIAISON COMMITTEE
AIR MAIL
RECEIVED BUREAU OF THE ARMY

NOV 15 1954

URGENT : 11-15-54 10:00 PM
TO : SAC, NEW YORK (100-100000) FROM : SAC, NEW YORK (100-100000)

RE : [REDACTED]

Reference is made to your letter of 11-15-54.

Enclosed for the Bureau are two copies of a letterhead memorandum (LHM) dated 11-15-54, captioned as above, and one copy of a letterhead memorandum (LHM) dated 11-15-54, captioned as above.

Very truly yours,
[Signature]

U.S. DEPARTMENT OF THE ARMY
OFFICE OF THE ADJUTANT GENERAL
WASHINGTON, D.C. 20315

Very truly yours,
[Signature]

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Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS
ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

5a

file

Ref : *4/374/CA*
 4/408/CA ✓

SUBJECT : Yugoslav Nationals.

TO : Yugoslav Delegation to the Advisory Council for Italy.

26 Oct 44

The Allied Commission presents its compliments to the Yugoslav Delegation to the Advisory Council for Italy and has the honour to state that their communication No. 371 of the 10th August on the subject of Italian treatment of Yugoslav nationals was duly referred to AMHQ. While it has been agreed that as the difficulty of obtaining reliable evidence on these matters is increased by the passage of time, an investigation should be started at the earliest opportune moment, we have been informed that the whole matter must in the first instance be referred to the Combined-Chiefs-of-Staff. As soon as a reply has been received, from the Combined-Chiefs-of-Staff a further communication will be sent.

gpr

C. L. BRONN Brigadier,
VP CA Sec,
DOCS AC

C/or

Copy to Pol Sec

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 383.7-34

18 October 1944

21 OCT Recd

SUBJECT: Greek and Yugoslav ex-Prisoners of War and Internees

TO : Headquarters, Allied Control Commission,
(Attention: Acting Chief Commissioner)
APO 394.

1. Your letter A/CC 383.6-1 on the above subject raises a question concerning the gathering of evidence of war crimes supposed to have been committed by Italian authorities against Greek and Yugoslav prisoners of war and internees. Because of the scope of the contemplated investigation it would appear to be injudicious to commence it at this time, both in view of the possible disruption of Italian administration, and because of the shortage of Allied personnel who would be required to supervise.

2. Such investigation should however be commenced at the earliest opportune moment, as the difficulty of obtaining reliable evidence is greatly increased by the passage of time.

3. We are writing to the Combined Civil Affairs Committee enclosing a copy of your letter.

C. M. Spofford
CHARLES M. SPOFFORD
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

HEADQUARTERS
20 OCT 1944
C. C.

*for info
has been sent
8 Oct 1944*

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1 Spone held

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Declassified E.O. 12356 Section 3.3/NND No.

785016

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

21/370/CA.

21/370/CA.

4th October, 1944.

SUBJECT:- Greek and Yugoslav ex-Prisoners of War and Internees

TO:- G-5 Allied Force Headquarters, APO 512.

I refer to our A/CC 383.6-1 of 2nd October.

1. Since writing to you the Yugoslav Delegation to the Advisory Council has prepared and handed to this Commission a Pro-Memoria on their aims and objects in proposing an investigation into the treatment of Yugoslavs in the past, and I enclose a copy for your information.

2. You will observe that the investigation proposed is extremely detailed and broad in its scope and reinforces the feeling of this Commission that it would be inappropriate during the continuance of hostilities in Italy.

G.R. URJOHN, Brigadier
V.P. Civil Affairs Section
Deputy Chief of Staff, for
Acting Chief Commissioner.

RE.

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[illegible]

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There have been reported :

I. to the concentration camps

Up to now not even the number of all the camps could have been detected and verified. Yet, the said Section has ceased already to collect an important amount of the material referring to the following 27 concentration camps:

[illegible]

consisting in the gathering and collecting of all the material, concerning the persecuted Yugoslav subjects in Italy, has began its work.

The Italians have, namely, apart from having committed other innumerable crimes in the occupied territory (in the Italian occupied part of Slovenia, Croatia, Dalmatia and Montenegro), also deported to Italy about 70 to 90,000 persons of both sexes and of all ages from the Italian occupied part of Slovenia alone, they have deported about 15% of the entire population.

These have been reported :

I. to the concentration camps

Up to now not even the number of all the camps could have been detected and verified. Yet, the safe Section succeeded already to collect an important amount of the material referring to the following 47 concentration camps:

Provinces:	Albania,	camp	Klos, number of the Yugosl. inter.
"	"	German	1.900
"	"	Sulmona	700
"	"	Renicci	400
"	"	Bari	1.000
"	"	Montemate	300
"	"	Carassio	100
"	"	Verriamonti	400
"	"	Rab	600
"	"	Fiume	13.000
"	"	Levrana	1563
"	"	Candelli	1.000
"	"	Freschette	60
"	"	Sv. Lucia	3.000
"	"	Roccatredenti	600
"	"	Masula	10
"	"	Previera	700
"	"	Villa Bendini	400
"	"	Bar	100
"	"	Lipari	800
"	"	Campello	500
"	"	Colfiorito	800
"	"	Pietrafitta	1.500
"	"	Padova	300
"	"	Ustica	4.000
"	"	Cortemaggiore	1.500
"	"	Conara	200
"	"		5.500

Apart from this, the said Section is already in possession of further material for the following 75 camps, failing however, upto now to obtain details. On base of the existing informations and evidence it was possible to fix the preliminary number of the interned Yugoslavs, as follows :

Province	Alessandria camp	Alessandria Yug.int.	about
"	Aquila	"	1.000
"	Aquila	"	800
"	Albania	"	700
"	Albania	"	250
"	Ancona	"	"
"	Belluno	"	"
"	Brescia	"	"
"	Brescia	"	"
"	Bari	"	5
"	Bari	"	3000
"	Campobasso	"	10
"	Novara	"	"
"	"	"	1.200
"	Gallari	"	1.200
"	Chieti	"	250
"	"	"	"
"	"	"	150
"	"	"	300
"	"	"	"
"	Cuneo	"	"
"	Forli	"	"
"	Firenze	"	100
"	"	"	60
"	"	"	"
"	"	"	5.000
"	"	"	200
"	Foggia	"	"
"	Grosseto	"	"
"	"	"	500
"	Lucca	"	600
"	Littoria	"	"
"	"	"	1562
"	Macerata	"	"
"	"	"	200
"	Manera	"	200
"	"	"	200
"	Modena	"	"
"	"	"	1.000
"	Napoli	"	200
"	"	"	600
"	Novara	"	70
"	"	"	"
"	Oristano	"	50
"	Palermo	"	300

Declassified E.O. 12356 Section 3.3/NND No.

785016

Province: Alessandria	camp	Alessandria	Yug.int.	about	1,000
"	"	Avezzano	"	"	800
"	"	Badia	"	"	700
"	"	Puka	"	"	250
"	"	Tepa	"	"	
"	"	Fabiano	"	"	
"	"	Bergamo	"	"	5
"	"	Orzinuovi	"	"	
"	"	Veduggio	"	"	3000
"	"	Verona	"	"	10
"	"	Alberobello	"	"	
"	"	Vincigliatore	"	"	
"	"	Isola	"	"	1,200
"	"	Carpi	"	"	1,200
"	"	Salomaggiore	"	"	200
"	"	Lanciano	"	"	
"	"	Istonio Marino	"	"	150
"	"	Lama dei Pelicci	"	"	300
"	"	Tollo	"	"	
"	"	Saluzzo	"	"	
"	"	Sant'Agostino	"	"	100
"	"	Bagno a Ripoli	"	"	60
"	"	Candelli	"	"	
"	"	Montalbano	"	"	
"	"	Tavernelle	"	"	6,000
"	"	San Lomino	"	"	200
"	"	Seggiano	"	"	
"	"	Rocca d'Erighi	"	"	500
"	"	Bagni di Lucca	"	"	600
"	"	Ponza	"	"	
"	"	Fondi	"	"	1562
"	"	Pollenza	"	"	
"	"	Servigliano	"	"	200
"	"	Pisticci	"	"	200
"	"	Potenza	"	"	200
"	"	Zocca	"	"	
"	"	Carpi	"	"	1,000
"	"	Ariano Iopino	"	"	200
"	"	Aversa	"	"	600
"	"	Novara	"	"	70
"	"	Grignasco	"	"	
"	"	Salsomaggiore	"	"	50
"	"	Bastardo	"	"	300
"	"	Centiere Orlando	"	"	200
"	"	Passignano	"	"	800
"	"	Elera	"	"	200
"	"	Ruscio	"	"	100
"	"	Castiglione	"	"	
"	"	Morgniano	"	"	
"	"	P. Buono	"	"	
"	"	Paglieta	"	"	
"	"	Cittas. Angelo	"	"	

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This is, by no means, the full number of all the camps for the said Section is detecting new camps daily, coming in contact with people concerned. Not to speak about still other camps which may be indivguated in the course of time. Therefore the number of camps may still increase considerably.

Thousand of Yugoslavs have been sentenced to heavy penalties of long years and they have been likewise put into innumerable prisons all over Italy.

1561

However there is evidence, that the Yugoslavs have been imprisoned in 66 further Italian prisons and jails:

Province of Alessandria, jail at Alessandria	
" " Arezzo	" " Arezzo
" " Ancona	" " Ancona
" " Ascoli Piceno	" " Ascoli Piceno
" " Aquila	" " Aquila, Avezzano, Badia di

This is, by no means, the full number of all the camps under the said section is detecting new camps daily, coming in contact with people concerned. Not to speak about still other camps which may be individuated in the course of time. Therefore the number of camps may still increase considerably.

Thousand of Yugoslavs have been sentenced to heavy penalties of long years and they have been likewise put into innumerable prisons all over Italy.

1561

However there is evidence, that the Yugoslavs have been imprisoned in 86 further Italian prisons and jails:

Province of Alessandria.	Mail at Alessandria
" Arezzo ,	" Arezzo
" Ancona ,	" Ancona
" Ascoli Piceno,	" Ascoli Piceno
" Aquila ,	" Aquile, Avezzano, Badia di Sulmona, Sulmona
" Avelino.	" Avelino
" Bolzano.	" Bolzano
" Bergamo.	" Trento
" Bologna.	" Bologna
" Cuneo.	" Pessano
" Chieti,	" Lanciano, Chieti
" Ferrara.	" Ferrara
" Firenze .	" Firenze
" Grosinone.	" Portomaggiore

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Province: of Gorizia,	jail at Gorizia
" " Istria,	" " Pola
" " Livorno,	" " Portofino, Mianosa
" " Lucca,	" " Lucca
" " Macerata,	" " Macerata
" " Milano,	" " Milano
" " Napoli,	" " Napoli
" " Novara,	" " Novara
" " Padova,	" " Padova
" " Palermo,	" " Palermo
" " Parma,	" " Parma
" " Pisa,	" " Pisa, Volterra
" " Perugia,	" " Spoleto
" " Pesaro,	" " Pescombrene
" " Quindaro,	" " Fiume, Kuk
" " Rovigo,	" " Rovigo
" " Reggio Emilia,	" " Castel Franco
" " Roma,	" " Roma, (Regina Coeli)
" " Split,	" " Split
" " Trieste,	" " Trieste, Capodistria,
" " Trento,	" " Pistoia
" " Torino,	" " Trento
" " Teramo,	" " Torino
" " Udine,	" " Teramo
" " Venezia,	" " Udine
" " Verona,	" " Venezia
" " Vicenza,	" " Verona
" " Viterbo,	" " Vicenza
	" " Viterbo

The same, as above said about the daily detection of new camps, applies also here in reference to the category of prisoners and jails. By far not the whole number of them has been yet fixed.

III. People, obliged to live in confinement, i.e. which ordered homicide.

Other thousands of Yugoslavs have been obliged to live in confinement (confinement) by numbers of 1 to 50 in a village. Such forced villages were ordered for this category of Yugoslav all over Italy. Preference was given by the Italian to small villages in the mountainous region in the Apennines of central Italy. The number of such places is evaluated at least 500 - 700. Yet, till now, this section was able to ascertain but a small part of it, i.e. 146 forced villages. And that:

Province of AOSTA, Villages, Courmayeur, Gressin
San Vicensa della Fontana

The name, as above said about the daily detection of new cases, applies also here in reference to the category of prisoners and sailors. I fear not the whole number of them has been yet fixed.

Other thousands of Yugoslavs have been obliged to leave in concentration (confinement) by numbers of 1 to 50 in a village. Such "forced villages" were ordered for this category of Yugoslavs all over Italy. Preference was given by the Italian to small villages in the mountainous region in the Apennines of central Italy. The number of such places is evaluated at least 500 - 700. Yet, till now, this Section was able to ascertain but a small part of it, i.e. 146 forced villages. And that:

villages, Courmayeur, Cervinemas
San Venzza della Fontana

"	ASTI, villages.	Asti, Agliano d'Asti, Cavalli
"	ALESSANDRIA,"	Alessandria
"	AREZZO,	Arezzo, Castiglione, Filicchi
"	AQUANIA,	Pivizzano
"	AQUILA,	Castel di Sangro, Magliano dei Marsi, Pizzoli, Pereto, Aquila, Ateleta, Scrubola, Monteverde, Rocca di Mezzo

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Province of AQUILA, villasaverano, Colescio, Garosa, Sanità, Moglian, Pescine, Sulmona,	
" " AVELLINO,	" Savignano di Puglia
" " BELLUNO,	" Quero, Cencenighe, Agordo, San Ciriaco Ascoli Miselli, Feltrina
" " BERGAMO,	" Grunella del Piano, Polgiano
" " BOLOGNA,	" Bologna
" " CARPOBASSO,	" Campobasso, Sipontino
" " COMO,	" Argegno, Como, Cantù, Isola, Comacina
" " CREMONA,	" Cinasco del Botti, Cremona
" " CUNEO,	" S. Stefano, Balto, Alba, Racognigi
" " CHIARI,	" Roccastrada, Gissi, Ronca, Ravenna, Aroni, Lucchini, Lanciano, Aversa, Castiglione, Cardinalelli, Castel forestano, P. Bruno, Poglietta
" " COSENZA,	" Castelmuro da Rocco
" " FERRARA,	" Ferrara, S. Agostino
" " FIENZE,	" Roccella, Tavernelle
" " FIRENZE,	" Firenze
" " GROSETO,	" Castel del Piano
" " MACERATA,	" Macerata, Saldern
" " MANTOVA,	" Asola
" " MODENA,	" Modena, Pavullo, Concordia, Selva del Pini
" " NOVARA,	" Grignasco, Vigonza
" " PAVIA,	" Pavia, Berride, Selano, Umbertide
" " PESARO,	" Pesaro, Ugentina
" " PESCARA,	" Ferliné, Farindola

"	"	BRAGANO,	"	Gravella del Piero, Polignano
"	"	BOLSONA,	"	Bologna
"	"	CAMPORASSO,	"	Campobasso, Sipi
"	"	CCMO,	"	Argento, Como, Cantu, Isola, Comacina
"	"	CALMONA,	"	Cinas dei Boti, Cremona
"	"	CUNEO,	"	A. Stefano, Ballo, Alba, Racogniet
"	"	CHIELI,	"	Rocospinalveti, Cissi, Ronca, Rapi, Arobi, Buchizico, Lanciano, Atesa, Cavignione, Guardagnelli, Castel-forentano, P. Buono, Faglia
"	"	COGNARA,	"	Castellano da Bosco
"	"	FERRARA,	"	Ferrara, S. Agostino
"	"	FIENZE,	"	Reggello, Tavernelle
"	"	FIUME,	"	Fiume
"	"	GROSETO,	"	Castel del Piano
"	"	MACERATA,	"	M. Cerata, Galderon
"	"	MANTOVA,	"	Asola
"	"	MODENA,	"	Modena, Pavullo, Concordia, Salva del Pini
"	"	NOVARA,	"	Gallesco, Viculano
"	"	PA. ULLA,	"	Perugia, Servide, Selano, Umbertide
"	"	PESARO,	"	Pesaro, Ubania
"	"	PESCARA,	"	Perinè, Perincola
"	"	PARMA,	"	Estonia, Sorbola, Seravalle, Borgotaro
"	"	POTENZA,	"	Montemilone,
"	"	PADOVA,	"	Pesova, Cittadella, Borsorico, Montebone, Grantorto
"	"	PISTOIA,	"	Montecatini, Seravalle, Montemone

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Province of PIACENZA, villages,	Caorso, Piacenza, Ciccone
" " P I S A ,	Chieri, Montecatini
" " ROVIGO,	Lendinara, Castel Guelfino, Villanova del Ghebbo
" " ROMA,	Araceli, Caroli
" " BOLOGNA,	Aprica, Abetina
" " TREVISO,	Truviso, Possagno, Gastellfranco, Querso, Follino, Asolo, Cres- pano del Grappa, Valdobbiadene, Cison di Valmprene, Mareno di Piave, Terno
" " TORINO ,	Vin, Giaveno, Chieri
" " TRENTO ,	Arco
" " TRIESTE	Prieste
" " UDINE,	Pordenone, Udine, Vezzola
" " VICENZA,	Canova di Roana, Lestebasse, Sossano, Bressana, Montebello, Ragolore, Arzignano, Montebello Caltrano, Lasiara, Lignano, Rova Noventa, Sordrigo, Malo, Eneko Asiago
" " VERCELLI,	Burganzo, Gattinara, Bivorno, Ferraris, San Germano, Santia
" " ZARA,	Ugljan, Sciglio Smigera

1558

IV. Forced labour battalions.

They were formed of Yugoslavs from the Venezia Giulia.
The Italians have put into these units about 60,000 Yugoslavs
from the said region. Among them were also many Yugoslav
subjects.

V. Prisoners of War.

They have been already induced into the category concen-
tration camps.

It is indescribable under what conditions all these people
have been kept. The situation in most cases was terrible.

"	"	ROMA,	"	Arecchi, Carolli
"	"	SANDRIO,	"	Aprica, Abetina
"	"	PREVISO,	"	Triviso, Possagno, Casteltranco, Oderzo, Bollina, Asolo, Cres- pano del Grappa, Valdobbiadene, Cison di Valmarano, Marano di Piave, Tarzo
"	"	TORINO,	"	Vin, Giverno, Chieri
"	"	TRENTO,	"	Arco
"	"	TRIESTE	"	Prieste
"	"	UDINE,	"	Pordenone, Udine, Vezzola
"	"	VICENZA,	"	Canova di Roana, Lastebasse, Sossano, Breganze, Montebellio Raggiore, Arzignano, Montebello Caltrano, Lussina, Lonigo, Rova Roventa, Sendrigo, Malo, Enevo Asiago
"	"	VERCELLI,	"	Berganzo, Gotinare, Livorno, Ferraris, San Germano, Santa
"	"	ZARA,	"	Ugljan, Scialic Saligera

1558

IV. Forced-labour battalions.

They were formed of Yugoslavs from the Venezia Giulia. The Italians have put into these units about 60,000 Yugoslavs from the said region. Among them were also many Yugoslav subjects.

V. Prisoners of War.

They have been already included into the category concentration camps.

It is undecidable under what conditions all these people were obliged to live. Theirs in most cases was terrible. The majority has been materially absolutely ruined. But what is worst, is that by original intention of the Italian authorities 8 to 10,000 people have died.

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Therefore the Yugoslav Government in reference to all this damage has the level interest to gather and collect vigorously all the material until available - meanwhile the forist element have all the interest to destroy it - referring to these persecuted people, especially:

1./ to ascertain, so far as it is possible, the names and the number of the politically persecuted people in Italy and conditions to which they have been subjected.

2./ to ascertain, so far as it is still possible, the damage done to these people, as it is known that the directions of the camps, prisons and jails have stolen immense quantities of money, jewels etc. belonging to the persecuted, and have done everything to ruin them materially in other ways;

3./ to collect the necessary documents about the persons who died or have been sentenced to death, which is of paramount importance to their relatives.

4./ to regulate the innumerable cases connected with these persecutions from the point of view of civil law;

5./ to find those politically concerned and still nowadays detained persons in various Italian jails, even on liberated territory, as, for instance, at Avellino;

6./ to ascertain the criminals of war, for, many direction of the camps and jails are directly responsible, having caused intentionally the death of so many thousands as as it was the case to quote only one example, on the Isle of Rab.

The aforesaid Section of the Royal Yugoslav Delegation to the Advisory Council for Italy, has already with its work hitherto been able to ascertain the above exposed facts by collecting the material in question, but it is urgent necessary to gather all the remaining immense material on the terrain, before it is too late, i.e. before the material will be destroyed or lost, especially:

a/ at the Prefectures, Commissariates and Quarantines of each province;

b/ at directions of the jails and prisons;

c/ at the commands of Carabinieri - stations and at the communes.

In many cases it will be possible only being on the spot, to find out where to find the necessary material, so for it has not already been destroyed by the Italian authorities.

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- c/ at the commands of Carabinieri - stations and at the communes.

In many cases it will be possible only being on the spot, to find out where to find the necessary material, so for it has not already been destroyed by the Italian authorities themselves. The certificates of birth and death will be found at the commune and parrochy offices. Hundreds of places where the people with forced domicile were staying will be found only by personal investigation on the terrain.

It will be necessary to interrogate hundreds of Yugoslavs still living scattered all over Italy, on the respective places.

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From all that it can be seen, that the work of the said Section, requires plenty of strain energy and perseverance. Therefore it will require time and will be rendered even in possible without:

2/ the issue necessary identity cards by the Allied authorities, authorizing the employees of the said Section to proceed to work in the various offices of the Italian authorities and institutions, such as Prefectures, Questures, commune and parrochy offices, directions of camps, prisons and jails, carabinieri-stations, obliging them to give to the said employees the necessary material at their disposal for inquiry investigation and interrogation, giving at their disposal the necessary documents and files.

3/ the issue of identity cards by the competent Allied Authorities in various provinces in order to give the said employees their kind assistance and help

3/ the granting of means of transportation to the said employees in order to enable them the various places in question.

Time is urging, the material is getting lost the more the time elapses. Therefore it is absolutely necessary to act quick, before it is too late.

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Declassified E.O. 12356 Section 3.3/NND No.

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HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION
APO 394

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3rd October, 1944.

MEMORANDUM TO: Brigadier Upjohn

I did not have a chance of speaking to you about the attached this morning. It is a small point but I should have thought that A.F.R.C. should have had the Yugoslav Pro Memoria while they are making up their minds: see last paragraph of my Minute below. Is there any objection to sending forward a copy forthwith?

HAC

H. A. CACCIA
Vice-President, Political Section

27/10 - I have been advised that
Came from

1555

C O P Y

A/CC 383.6-1

2 October 1944

SUBJECT : Greek and Yugoslav ex-prisoners of War and Internees.

TO : G-5, Allied Force Headquarters. APO 512.

1. The Yugoslav and Greek Representatives to the Advisory Council have raised with the Allied Control Commission the desirability of investigating the manner in which the Italian authorities treated their nationals who were prisoners of war or were interned in Italy after Italy had gone to war with them. In the case of the Yugoslavs this is a particularly serious question which they believe affects some eight to ninety thousand Yugoslav nationals or more. They have accordingly set up a special section of the Yugoslav Delegation to the Advisory Council to see what can be done about collecting evidence and they have asked the Allied Control Commission whether representatives from this section can be given facilities to interrogate not only the Yugoslav displaced persons themselves, but also to inspect the different concentration camps, prisons and jails that were used by the Italians and to investigate the Italian authorities concerned, i.e., ministries, questores, prefetti, Chiefs of police, etc. The object of the investigation would be ;

- a. To obtain and check information about individuals.
- b. To obtain evidence which may later be useful for any trials which may take place to deal with war criminals.
- c. To obtain evidence in cases where compensation may later be claimed for maltreatment.

2. While this Commission naturally sympathizes with the attitude of the Yugoslav and Greek representatives, it appears essential;

- a. That any investigation made should be made on behalf of the nationals of all United Nations, and not merely for the Yugoslavs and Greeks alone, although the latter may be the nations principally affected, and.

- b. That such investigations should be conducted under the control of Allied Officers as otherwise such investigations may tend to become too inquisitorial.

In principle, and at the proper time, it would seem desirable therefore to set up some Commission to make the proper investigations on behalf of all nationals of the United Nations in collaboration with the present Italian Government.

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3. This Commission is, however, of the opinion that the present is not the proper time for making such investigation. In the first place, it would seem that such a Commission would have to be coordinated with the work of the Allied War Crimes Commission sitting in London. Secondly, this Headquarters has no officers who could be spared to under take this important work. Thirdly, it is the opinion of this Headquarters that an investigation of the type envisaged by the Greek and Yugoslav authorities would be both prolonged and detailed, calling for the examination of witnesses, the production of records and reports and so on, and such investigation might in some localities seriously disrupt the work of the Italian administration; this cannot be tolerated while hostilities are proceeding on Italian soil. In this connection it must be remembered that in most areas of liberated Italy the civil administration is understaffed, and in the course of the next few weeks this situation will get worse rather than better as epuration proceeds and personnel are drawn from southern regions in preparation for duty in the more heavily populated centres in the north.

4. This matter is accordingly submitted for the decision of SACMED with the recommendation that this Commission should reply to the Greek and Yugoslav representatives that while the Allied are sympathetic to their requests, the matter cannot be considered while hostilities continue on Italian soil.

5. If contrary to the recommendation of this Commission SACMED directs that an investigation should be made forthwith, may such investigation please be organised and staffed by ABHQ since this Commission as stated above has not sufficient officers for the operation.

ELLERY W. STONE
Captain, USAR
Acting Chief Commissioner

1558

MINUTE

The Yugoslav Delegation this morning promised extra copies of the enclosure. When they arrive they should be taken up to Brigadier Upjohn with the suggestion that he should forward copies to A.F.H.Q. with reference to the despatch which he wrote forwarding the Yugoslav proposal for a mission to collect evidence concerning Yugoslav subjects interned in Italy.

It illustrates both the extent of the work which the Yugoslav Delegation wish to have undertaken, as well as the reasons why they must feel so strongly in this matter, for example, the allegation that eight to ten thousand Yugoslavs have died owing to Italian maladministration.

Political Section,
29.9.44

When we have received a
reply surely that is the time to
send it on

gpr

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