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

785017

ACC

10000/109/1019
(VOL. IV)

SEIZURE OF ITALY
JUNE 1946 - JAN. 19

1 2 3 4

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ACC

10000/109/1019
(VOL. IV)

SEIZURE OF ITALY
JUNE 1946 - JAN. 19

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SEIZURE OF ITALY
JUNE 1946 - JAN. 19

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(VOL. IV)

SEIZURE OF ITALY
JUNE 1946 - JAN. 19

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

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10000/109/1019
(Vol. IV)

SEIZURE OF ITALIAN BOATS BY JUGOSLAVS
JUNE 1946 - JAN. 1947

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

785017

344

TO CSO Ex Comm.

Letter for signature opposite plans.
The E.C. has approved the draft.

AWK
H. 6/12

382

Ex Comm.

7381

draft. approve for your approval, please

AWK
17/12

5934

361

C.S.O.

Ref folios 346 & 358 and our conversation.
 Draft at folio 360 for your approval, please

Qutb
 29/10

C.S.O. & Comm; 363

Ref memo 361. Letter at folio 362 for

Signature, please. Qutb, 1/11/11

364

C.S.O. & Comm;

Letter at 362 re submitted for signature see
 C.S.O. 4/11

C.S.O.

374

Please see the third para of folio 371
 / discussed this with Polado who agreed
 that a letter similar to the draft
 opposite should be sent to the H.G. Govt.
 Consequently draft for your approval, please.

Qutb 3/12

5933

785017

Ex Comm

310

Ref folio 307 Letter for signature is at folio 309
 We do not receive mins of the V.G. War Booby Comm.
 but no reference has been made to this vessel
 in the V.G. Joint. Econ. Comm. minutes.

AUST 3/9

12/6/3/9

316

NS 3/5

cca Ex Comm

at folio 314 is a further memo on the
 same lines as the previous one at 307 only
 this time with regard to the "KX". Letter
 to V.G. War Booby Committee for signature
 at folio 315. please

AUST 4/9 12/6

5932

NS 12/5

335

cca Ex Comm.

Ref our conversation, reply to folio
 330 ~~for~~ for signature, opposite, please

AUST 3/10 12/6 3/10

1241

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5931

785017

1242

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

785017

5609 d 5729

408

ALLIED FORCES HEADQUARTERS
G-5 Section
APO 512

Ex Comm

28 January 1947

G-5: 914.23

SUBJECT: Seizure of Italian Boats by Jugoslavs.

TO : Chief Commissioner,
Allied Commission,
APO 794.

399

Reference your letter, 5609/399/10 of 22 January 1947.

1. Will you please inform the Italian Government that in the view of this Headquarters, the seizure of Italian fishing vessels is a purely political matter and cannot be accepted by the Supreme Allied Commander as a reason for not carrying out the Terms of the Armistice; which is a matter for which he is responsible.

2. If the Italian Government is of the opinion that one of the Armistice Terms has become oppressive and unjust by reason of the wrongful acts of Jugoslavs, that is a matter for which she should make representations to WASHINGTON and LONDON with a view to instructions being sent here that the operation of the oppressive Term could be suspended by the Supreme Allied Commander.

3. Will you please hand copies of the Italian complaint and of this reply to the Embassy.

BY ORDER OF GENERAL HUGHES:


A.L. HAMBLEN
Colonel, G.S.C.
Assistant Chief of Staff, G-5.

See 4 LACA/5609/1/2/CB

5030

Cap 45

170614
K

1243

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

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404

Ref. : 5609/207/33

31 January 1947

SUBJECT: Italian Fishing Vessels seized by Yugoslav authorities.

TO : The Ministry of Foreign Affairs,
Rome.

Reference is made to your memorandum no. 11/161 dated
9 December 1946 on this subject regarding the schooners "ARMA"
and "BETON II".

The Yugoslav Government state that those schooners
have been sequestered by the Yugoslav authorities and the crews
have been released.

The schooners were fishing on November 12, 1946, a
distance of 5 kilometres from the Isle of Lozinj, thus violating
Yugoslav territorial waters.

FOR THE CHIEF COMMISSIONER:

A. W. Kalsch

Brigadier,
Executive Commissioner.

See file 404

Copy to: ARHQ, G-5 Section
Polad A
" B

5929

PA 30-1-47

1244

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

785017

406

Ref. : 5609/406/20

31 January 1947

SUBJECT: Seizure of Italian Fishing Vessels (Schooner "Florida")

TO : The Ministry of Foreign Affairs,
Rome.

323

Reference is made to your memorandum no. 6/310/1213 dated 13 September 1946 regarding the Schooner "Florida".

The Yugoslav Government have stated that the case has been fully investigated by their authorities, but that they have found no trace of the schooner.

FOR THE CHIEF COMMISSIONER:

A. W. Kniskern

Brigadier,
Executive Commissioner.

See 4.403

Copy to: Polad A
" B

5928

31

1 2 4 5

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

785017

405

Ref. : 5603/405/30

3/January 1947

SUBJECT: Seizure of Italian Vessels by Yugoslav Authorities.

TO : The Ministry of Foreign Affairs,
Belgrade.

346

Reference is made to your memorandum no. 6/5207/1253 dated
5 Oct. 46 on this subject.

The Yugoslav Authorities have stated in reply that according
to the information received from their local authorities, the ships
were seized in their territorial waters and will be disposed of in
accordance with Yugoslav Law.

FOR THE CHIEF COMMISSIONER:

See 41402

Brigadier,
Executive Commissioner.

Copy to: Polad A
" B

5927

PM 1/11



DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 168/47

30 January 1947

SUBJECT : Italian Ships in Yugoslav Waters.

TO : Liaison Division,
H.Q.A.C.

PLC

Reference is made to your letter No. 5609/379/EG dated 10 December 1946, on the same subject.

The Motor Schooners "Anna" and "Luigi II" have been sequestered by the Yugoslav authorities and the crews have been released.

The Schooners were fishing on November 12, 1946, at a distance of 5 kilometres from the Isle of Losinj, violating thus ~~the~~ Yugoslav territorial waters.

Dr. Siroven J. Smoljaka

DR. SIROVEN J. SMOLJAKA,
Yugoslav Representative a.i.
Advisory Council for Italy.

5020

[Signature]

1947

DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 168/47

30 January 1947

SUBJECT : Italian Ships in Yugoslav Waters.

TO : Liaison Division,
H.Q.A.C.

249

Reference is made to your letter No. 5609/379/EC dated 10 December 1946, on the same subject.

The Motor Schooners "Anna" and "Luigi II" have been sequestered by the Yugoslav authorities and the crews have been released.

The Schooners were fishing on November 12, 1946, at a distance of 5 kilometres from the Isle of Losinj, violating thus the Yugoslav territorial waters.

Dr. SLOVEN J. SMOGLAKA

DR. SLOVEN J. SMOGLAKA,
Yugoslav Representative a.i.
Advisory Council for Italy.

5020

MSB

1947

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

785017

1247

1 2 4 8

Declassified E.O. 12356 Section 3.3/NND No. 785017



DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 170/47

30 January 1947

SUBJECT : Seizure of Italian Fishing Vessels (Schooner "Florida").

TO : Liaison Division,
H.A.A.C.

Reference is made to your letter No. 5609/328/EC dated
25 September 1946, on the same subject.

We have been instructed from the Yugoslav Government to
communicate that the case has been carefully investigated by the
Yugoslav authorities, but our authorities could not get any
information about the lost ship, nor about her destiny.

Dr. SLOVEN J. SMODLAKA,
Yugoslav Representative s.i.
Advisory Council for Italy.

La 1406

*Looked sent to
Peters*

170/47

[Signature]

Conf

DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 170/47

10 January 1947

SUBJECT : Seizure of Italian Fishing Vessels (Schooner "Florida").

TO : Liaison Division,
H.Q.A.C.

028

Reference is made to your letter No. 5609/528/33 dated
26 September 1946, on the same subject.

We have been instructed from the Yugoslav Government to
communicate that the case has been carefully investigated by the
Yugoslav authorities, but our authorities could not get any
information about the lost ship, nor about her destiny.

Dr. Stojanovic

DR. STOJAN J. STOJANOVIC,
Yugoslav Representative at
Advisory Council for Italy.

See 7406

*Looked sent to
Rade*

5325

QV

Cap 91

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

785017

1249



DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 159/47

30 January 1947

SUBJECT : Seizure of Italian vessels by Yugoslav Authorities.

TO : Liaison Division
H.A.A.C.

Reference is made to your letter No. 5609/781/EC dated 15
December 1946, about the same subject.

I have the honour to inform you on behalf of the Yugoslav
Government that according to the informations received from the
local authorities, the ships have been seized in our territorial
waters. It will be disposed with them in accordance with the
dispositions of the Yugoslav law.

Dr. Stojanovic

DR. STOJANOVIC
Jugoslav Representative a.i.
Advisory Council for Italy.

See 41405

5423

Handwritten signature

Handwritten initials

DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 169/47

30 January 1947

SUBJECT : Seizure of Italian vessels by Yugoslav Authorities.

TO : Liaison Division
H.Q.A.C.

Reference is made to your letter No. 5609/381/EC dated 16 December 1946, about the same subject.

I have the honour to inform you on behalf of the Yugoslav Government that according to the informations received from the local authorities, the ships have been seized in our territorial waters. It will be disposed with them in accordance with the dispositions of the Yugoslav law.

Dr. SLOVEN J. SMODLAKA

DR. SLOVEN J. SMODLAKA,
Yugoslav Representative a.i.
Advisory Council for Italy.

Rec. 14405

5924

PA 11

Q

Copy 11

Ministero degli Affari Esteri

D.C.A.L. UPF.I

21/10/2744/25

ROUGH TRANSLATION

RU

MEMORANDUM FOR THE ALLIED COMMISSION

1. The Chioggia Harbour-Master has informed the Italian Authorities that the fishing motor-boats "MINIAN" and "DIONISIO", entered with the Register serial numbers 197 and 198 respectively, on January 3rd, 1947, were seized, together with their crews of ten each, by the Yugoslav Authorities off Pola waters and made to proceed to Fasana.
2. No further details are available on the matter so far.
3. The Allied Commission is kindly requested to take the necessary steps with the competent Yugoslav Authorities with a view to obtaining the urgent release of the a/m vessels and crews.

Rome, January 29th, 1947.

5123

File 10

200

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785017

1252

401

5609

1253

785017

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

ROUGH TRANSLATION

B U

MEMORANDUM FOR THE ALLIED COMMISSION

1. The Chioggia Harbour-Master has informed the Italian Authorities that the fishing motor-boats "MARIA" and "DIONISIO", entered with the Register serial numbers 197 and 198 respectively, on January 3rd, 1947, were seized, together with their crews of ten each, by the Yugoslav Authorities off Pola waters and made to proceed to Fasana.
2. No further details are available on the matter so far.
3. The Allied Commission is kindly requested to take the necessary steps with the competent Yugoslav Authorities with a view to obtaining the urgent release of the a/m vessels and crews.

Rome, January 28th, 1947.

123

File

Copy to

D.C.S. UNW.I

23/02/44/126

Ministero degli Affari Esteri

Ministero degli Affari Esteri

D.G.A.E. Uff. I

4I/ 02744

M e m o r a n d u m

per la Commissione Alleata

La Capitaneria di Porto di Chioggia ha segnalato che i motopescherecci "Maria" e "Dionisio", rispettivamente iscritti sotto i nn. 197 e 198 di quelle matricole, e con a bordo 10 persone di equipaggio ciascuno, sono stati fermati dalle Autorità jugoslave in data 3 corrente nelle acque di Pola e condotti a Tasana.

Nessun'altra notizia è sinora risultata al riguardo.

Si sollecita il cortese interessamento della Commissione Alleata presso le Autorità jugoslave competenti al fine di ottenere l'urgente rilascio dei natanti in questione e dei loro equipaggi.

Roma, 29 gennaio 1947.-



3922

785017

1254

1255

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

785017

399

Ref. : 5609/399/20

22 January 1947

SUBJECT: Seizure of Italian boats by Yugoslavia.

To : G-3 Section,
AFHQ.

Reference is made to previous correspondence on this subject.

Enclosed is a copy of letter no. 44/01316/12 dated 17 January 1947 from the Italian Ministry of Foreign Affairs. Will you please advise this Commission of the answer to be given to para 5.

FOR THE CHIEF COMMISSIONER:

A. W. Kniskely

See M. 408

Brigadier,
Executive Commissioner.

Encls. as above.

Copy to: Polad A
" B

5721

27/5

Ministero degli Affari Esteri

D.O.A.S. UFF. I -

ROUGH TRANSLATION

N. 41/C41316/13

HEADQUARTERS ALLIED COMMISSION
APC 794
Office of the Executive Commissioner

R O E E

SUBJECT: Italian vessels seized by the Yugoslav Authorities.

1. Further to this Ministry's note N. 41/984/143, dated December 19th, 1946.

2. The new up-to-date list of Italian vessels still in Yugoslav hands is at present being checked up by the competent offices and will be forwarded to the Allied Commission shortly.

3. In the meantime the Ministry for Foreign Affairs considers expedient to bring to the knowledge of the Allied Commission that, according to information supplied by the crews of recently captured fishing motor-boats, the Yugoslav Authorities maintain that Italian and Yugoslav waters of the Adriatic are separated by the middle line. Since the Adriatic sea is about 70 miles wide, the 35 miles stretching east of the middle line would fall into the Yugoslav jurisdiction and consequently the effected seizures would be justified.

4. Such a theory, under any principle of current

See memo/509/1/12/1

See 12/1

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785017

1256

D.C.A.S. UFF.I -

n.44/C1316/12

HEADQUARTERS ALLIED COMMISSION
APC 794
Office of the Executive Commissioner

FORE

SUBJECT: Italian vessels seized by the Yugoslav Authorities.

384

1. Further to this Ministry's note n.41/984/143, dated December 19th, 1946.

2. The new up-to-date list of Italian vessels still in Yugoslav hands is at present being checked up by the competent offices and will be forwarded to the Allied Commission shortly.

3. In the meantime the Ministry for Foreign Affairs considers expedient to bring to the knowledge of the Allied Commission that, according to information supplied by the crews of recently captured fishing motor-boats, the Yugoslav Authorities maintain that Italian and Yugoslav waters of the Adriatic are separated by the middle line. Since the Adriatic sea is about 70 miles wide, the 35 miles stretching east of the middle line would fall into the Yugoslav jurisdiction and consequently the effected seizures would be justified.

4. Such a theory, under any principle of current

320

See 6/11/50/11/10

See 4/11/49

Cap 9.16

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international law is not sustainable. Under the present circumstances and in consequence of this the Italian Merchant Marine is suffering considerable material damage which is in no way justified.

5. The Ministry for Foreign Affairs begs therefore to be authorized to suspend the delivery, provided by the Armistice, of Yugoslav vessels and materials detained by Italy, until the Italian fishing boats illegally captured by the Belgrade Authorities, are returned to the Italian Government.

Rome, January 17th, 1947.

Ministero degli Affari Esteri

D. S. A. E. = 1122.1

41/ 01310/12

HEAD QUARTERS ALLIED COMMISSION
A P O 794
OFFICE OF THE MOVING COMMISSIONER

ROMA

C o n t e n t o : Cattura di natanti italiani da parte jugoslava.

Si fa seguito alla nota di questo Ministero n. 41.984/I43 in data 10 dicembre scorso.

Il nuovo elenco aggiornato dei natanti italiani tuttora in mano jugoslava è attualmente al controllo del Ministero tecnici competenti e verrà quanto prima inoltrato a codesta Commissione Alleata.

Appare nel frattempo a questo Ministero stile di segnalare che informazioni fornite dagli equipaggi dei motopescherecci da ultimo catturati sembrano provare che la Autorità jugoslava sosterrebbe che la separazione delle acque jugoslave da quelle italiane nell'Adriatico è segnata dalla linea mediana. Poiché l'Adriatico è largo circa 70 miglia, la 35 miglia a levante della mediana rientrerebbero nella giurisdizione jugoslava e sarebbero in tal modo giustificate le catture effettuate.

La teoria, di fronte ad ogni principio vigente di diritto internazionale, è insostenibile. Allo stato attuale dei fatti peraltro la Marina Mercantile Italiana viene a subire danni materiali altrettanto notevoli quanto ingiustificati.

Questo Ministero pertanto chiede di essere autorizzato a sospendere la consegna, prescritta dall'Armistizio, dei natanti e materiali jugoslavi in possesso dell'Italia, e ciò sino a quando non verranno restituite le unità pescherecce catturate illegalmente dalla Autorità di Belgrado.



HEAD QUARTERS ALLIED COMMISSION

A P O 794

OFFICE OF THE EXECUTIVE COMMISSIONER

R o m a

C o n t e n t o : Catture di natanti italiani da parte jugoslava.-

Si fa seguito alla nota di questo Ministero n. 41.284/T43 in data 19 dicembre scorso.

Il nuovo elenco aggiornato dei natanti italiani tuttora in mano jugoslava è attualmente al controllo dei Ministeri tecnici competenti e verrà quanto prima inoltrato a codesta Commissione Alleata.

Appare nel frattempo a questo Ministero utile di segnalare che informazioni fornite dagli equipaggi dei motosiluranti da ultime catture sembrano provare che la Autorità jugoslava sostenne che la separazione delle acque jugoslave da quelle italiane nell'Adriatico è segnata dalla linea mediana. Poichè l'Adriatico è largo circa 70 miglia, le 35 miglia a levante della mediana rientrerebbero nella giurisdizione jugoslava e sarebbero in tal modo giustificate le catture effettuate.

La teoria, di fronte ad ogni principio vigente di diritto internazionale, è insostenibile. Allo stato attuale dei fatti peraltro la Marina Mercantile Italiana viene a subire danni materiali altrettanto notevoli quanto ingiustificati.

Questo Ministero pertanto chiede di essere autorizzato a sospendere la consegna, prescritta dall'Armistizio, dei natanti e materiali jugoslavi in possesso dell'Italia, e ciò sino a quando non verranno restituite le unità pescherecce catturate illegalmente dalle Autorità di Belgrado.

Roma, 17 gennaio 1947.-



HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

Ref: 5609/379/80

6 January 1947

SUBJECT: Italian Ships in Yugoslav Waters.

TO : The Representative of Yugoslavia
A.C.I.

Reference is made to this Commission's letter No. 5609/379/80 dated 10 Dec 46 on this subject.

It appears that the schooners have been sequestered by the Yugoslav Authorities for having been allegedly found fishing in Yugoslav territorial waters. The crews have been in the meantime released, and have returned to San Benedetto del Tronto. According to their statements, the "Arma A" and the "Luigi II" have been halted by the Yugoslav Navy at a point 10 miles distant from the Yugoslav coast, (therefore well out of the Yugoslav territorial waters), across the Isoliatti light house, and diverted to Sebenico. Here the crews were temporarily detained, and then after having been submitted to a political cross examination, they were taken to the frontier to be repatriated.

The position of these vessels at the time of their interception has been confirmed by the Senior Naval Officer of Trieste.

The shipowner is: Societa' Nazionale Armatori ed Industriali della Pesca (Anconese). The Registration numbers are: "Arma A" : 948; "Luigi II" : 780, in the "Compartimento marittimo" of Ancona.

FOR THE CHIEF COMMISSIONER:

A. W. Kinsley

Brigadier,
Executive Commissioner.

Copies to : 2-5-47
Polad A
Polad B

F 390 after.

5918

27/19

1 2 6 2

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785017

ADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

Ref. : 5609/395/EC

4 January 1947

NOTE FOR FILE

I discussed attached draft which Lt. Col. White G-5 Section
AFHQ in view of letter at folio 384.

He stated that AFHQ were fully aware of the position and that
they had received copies of the relevant Yugoslav Gazettes.

The matter had been referred to the CCS in certain cases and
in others, particularly where the ship will go to Yugoslavia in any
case, no action is being taken.

This Commission is to continue to act as a "Post Office" and
the Italian request for a list of ships classed as prizes of War is
to be passed to the Yugoslav Authorities. This has been done at folio 391.

Alau Kuisely
Capt.

5917

2/1/47

Ref.: 5609/380/EC

December 1946

DRAFT

SUBJECT: Italian Ships claimed by Yugoslav as War Prizes.

TO : Allied Force Headquarters,
Attention: G-5 Section.

The Italian Government has recently informed this Commission that the Yugoslav Government has claimed by publication of Official Gazettes (a specimen of which is enclosed) certain Italian ships as "Prizes of War".

Some of these vessels are by no means small and include the liner "Rex". Attached is a list giving the names of some of the vessels known to the Italian Authorities to have been declared "Prizes of War".

The Italian Authorities have asked this Commission to take up the question with the competent authorities, and have asked that a complete list of these vessels be supplied by the Yugoslav Authorities.

In your letter no. G-5: 942.30 R of 15 December 1946 you state that the Italian Government should be informed that this question should be taken up through diplomatic channels.

This in the case of Yugoslavia means through this Commission but it is the view of the Political Advisers to this Commission that the Italian Government should be told unofficially to withhold any representation in this matter until after the signing of the Peace Treaty and then take up the question if necessary, with the UNO. The Political Advisers further state that by asking the Yugoslavs for a list of these vessels on behalf of the Italian Government we would appear to be intimating that the Italian Government recognise these claims.

It would therefore be appreciated if you would advise whether you wish this Commission to act as a "Post Office" in this case, passing on the Italian requests to the Yugoslav Authorities or whether you consider that the Italian Government should be informed unofficially that in view of the imminent signing of the Peace Treaty, the matter should temporarily be left in abeyance.

1264

785017

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

the Italian Government has recently informed this Commission that the Yugoslav Government has claimed by publication of Official Gazettes (a specimen of which is enclosed) certain Italian ships as "Prizes of War".

Some of these vessels are by no means small and include the liner "Rex". Attached is a list giving the names of some of the vessels known to the Italian Authorities to have been declared "Prizes of War".

The Italian Authorities have asked this Commission to take up the question with the competent authorities, and have asked that a complete list of these vessels be supplied by the Yugoslav Authorities.

In your letter no. G-5: 912.30 R of 15 December 1946 you state that the Italian Government should be informed that this question should be taken up through diplomatic channels.

This in the case of Yugoslavia means through this Commission but it is the view of the Political Advisers to this Commission that the Italian Government should be told unofficially to withhold any representation in this matter until after the signing of the Peace Treaty and then take up the question if necessary, with the UNO. The Political Advisers further state that by asking the Yugoslavs for a list of these vessels on behalf of the Italian Government we would appear to be intimating that the Italian Government recognise these claims.

It would therefore be appreciated if you would advise whether you wish this Commission to act as a "Post Office" in this case, passing on the Italian requests to the Yugoslav Authorities or whether you consider that the Italian Government should be informed unofficially that in view of the imminent signing of the Peace Treaty, the matter should temporarily be left in abeyance.

FOR THE CHIEF COMMISSIONER:

Brigadier,
Executive Commissioner

Copy to: Polad A
" B

1263

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

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SHIPS WHICH HAVE BEEN DECLARED WAR SHIPS BY THE YUGOSLAV GOVERNMENT

Excerpt of Belgrade Official Gazette

Brankov Vilos 20

Official Gazette n. of	Name of ship	Kind of vessel	Prize Date	Court	Sentences Number	Date of judicial notification	Administrative agent of the ship
46	7/6/46	Citta' di Venezia	Passenger and cargo ship	16/5/46	25/46/4	17/5/46	Dr. Jellinich Bruno
46	"	Duilio	Passenger ship	"	26/46/4	"	"
46	"	Giulio Cesare	"	"	27/46/4	"	"
46	"	Ansonia	"	"	28/46/4	"	"
50	21/6/46	Staccolan	"	"	28/46/4	5/6/46	"
50	"	Rex	"	"	7/7/46/4	"	"
50	"	Vittorio Lucchi	"	"	7/7/46/4	"	"
50	"	Milano	"	"	8/7/46/4	"	"
50	"	Arborea	"	"	8/7/46/4	"	"
		Ardea V	NOT KNOWN				

392

5913

1266

785017

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

5915

SHIPS WHICH HAVE BEEN DECLARED WAR PRIZES BY THE YUGOSLAV GOVERNMENT

Excerpt of Belgrade Official Gazette

Brankova Ulica 20

Name of ship	Kind of vessel	Prize Date	Court	Sentence Number	Date of judicial notification	Administrative agent of the ship	Gross displace- ment
Citta' di Marsala	Passenger and cargo ship	16/5/46		25/46/4	12/5/46	Dr. Jellicich Bruno	2480
Dallio	Passenger ship	"		36/46/5	"	"	25655
Ginlio Cesare	"	"		27/46/4	"	"	21900
Amorin	"	"		28/46/4	"	"	8000
Staccoban	"	"		29/46/4	5/6/46	"	29506
Rex	"	"		71/46/4	"	"	51051
Vittorio Leonid	"	"		78/46/4	"	"	4572
Milano	"	"		80/46/4	"	"	4027
Arborea	"	"		81/46/4	"	"	4559
Ardita V	NOT KNOWN						2365

1267

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

785017

392

CONF

EXCERPT FROM THE OFFICIAL GAZETTE OF YUGOSLAVIA

N.46 - June 7th, 1946

SHIPS DETAINED WAR PRIZES

DATE AND NUMBER OF SENTENCE

Vessel type

"O. MARSHAL" passenger

15-5-46

25/46/4

Representative of the Ship

Dr. Bruno Jelencich - Split

5914

1268

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

785017

File 391

Ref. : 5689/391/20

3 January 1947

SUBJECT: Ships claimed as Prizes of War by the
Yugoslav Authorities.

TO : The Representative of Yugoslavia
to the Advisory Council to Italy.

The Italian Government have been informed that the
Yugoslav Authorities have claimed certain Italian ships as
"Prizes of War" and that the names of these ships have been
published from time to time in the Belgrade Gazette.

The Italian Government have asked this Commission
to obtain from the Yugoslav Authorities a complete list of
these vessels and your assistance in forwarding this request
would be appreciated.

FOR THE CHIEF COMMISSIONER:

Brigadier,
Executive Commissioner.

Copy to: G-5 Section
AFHQ.

See 4346

5913

PA 3



Ministero degli Affari Esteri
Ufficio del Funzionario distaccato
presso la Commissione Alleata.

11/200

MEMORANDUM

For the Office of the Executive Commissioner

Subject : Vessels captured by the Yugoslavs

Reference : Memorandum by this Office n.
11/161 dated December 2nd.

The following information has been received in connection with the motor schooners "Anna A" and "Luigi II".

The schooners have been sequestered by the Yugoslav Authorities for having been allegedly found fishing in Yugoslav territorial waters.

The crews have been in the meantime released, and have returned to San Benedetto del Tronto.

Capt H

F396-455912

./.

4/19

1270

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

785017

According to their statements, the "Anna A" and the Luigi II" have been halted by the Yugoslav Navy at a point ~~40~~ miles distant from the Yugoslav Coast, (therefore well out of the Yugoslav territorial waters), across the Luciatto light house, and diverted to Sebenico. Here the crews were temporarily detained, and then after having been submitted to a political cross-examination, they were taken to the frontier to be repatriated.

The shipowner is : Società Nazionale Armatori ed Industriali della Pesca (Assopesca). The Registration numbers are : "Anna A" : 948; "Luigi II" : 780, in the "Compartimento marittimo" of Ancona.

The Ministry of Foreign Affairs would be very grateful if the Allied Commission would kindly use their influence in order to obtain the restitution of the a/m vessels.

Colonna

5609 91-
Ministero degli Affari Esteri

D.C.A.E. - UFF. I -

ROUGH TRANSLATION

N. 41984/143

HEADQUARTERS ALLIED COMMISSION

APC 794

Office of the Executive Commissioner

R O M E

SUBJECT: Seizure of Italian vessels by Yugoslav Authorities.

1. Reference is made to the Allied Commission's note n. 5609/376/EC dated December 6th, 1946.
2. The Italian Foreign Office has taken duly note of what was communicated with the a/m note concerning the information on Italian craft captured by the Yugoslav Authorities.
3. Such information, due to its character of urgency justified by the necessity of assuring the immediate protection of the injured national interests, may sometimes be incorrect or incomplete.
4. Therefore the Ministry of Foreign Affairs very willingly agrees to the request of a new up-to-date list concerning the vessels in question. Such a list will be forwarded to the Allied Commission as soon as its drafting, which has been started at once, will be completed.

Rome; December 18th, 1946.

4. 398 refer

5811

D.G.A.E. - UFF.I -

N. 41984/143

HEADQUARTERS ALLIED COMMISSION

APC 794

Office of the Executive Commissioner

R O M E

SUBJECT: Seizure of Italian vessels by Yugoslav Authorities.

1. Reference is made to the Allied Commission's note n.5609/376/EC dated December 6th, 1946.

2. The Italian Foreign Office has taken duly note of what was communicated with the a/m note concerning the information on Italian craft captured by the Yugoslav Authorities.

3. Such information, due to its character of urgency justified by the necessity of assuring the immediate protection of the injured national interests, may sometimes be incorrect or incomplete.

4. Therefore the Ministry of Foreign Affairs very willingly agrees to the request of a new up-to-date list concerning the vessels in question. Such a list will be forwarded to the Allied Commission as soon as its drafting, which has been started at once, will be completed.

Rome; December 19th, 1946.

Vol 398 up

5011

785017

1272

Ministero degli Affari Esteri

41984

143

388

D.G.A.E. - 1177.I

HEADQUARTERS ALLIED COMMISSION

A P C 794

Office of the Executive Commissioner

R o m a

C o n t e n t o: Cattura di natanti italiani da parte jugoslava.

Si fa riferimento alla nota di codesta Commissione Alleata n. 5609/376/EC in data 6 dicembre.

Il Ministero degli Esteri italiano ha preso debito atto di quanto veniva comunicato con la nota sopraindicata circa le segnalazioni di naviglio italiano catturato dalle Autorità jugoslave.

Tali segnalazioni, per lo stesso carattere di urgenza che giustifica la necessità di assicurare la immediata tutela di gravi interessi nazionali lesi, possono effettivamente a volte risultare incomplete o incorrette.

Si accede pertanto molto volentieri alla richiesta di un nuovo elenco comprensivo e aggiornato dei natanti in questione, che si fa riserva di inoltrare non appena la sua compilazione, subito iniziata, verrà ultimata.

19 DIC. 1946



5609
SECRET

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 916.23

19 December 1946

SUBJECT: Italian Vessels Seized by Yugoslavs.

TO : GHQ CMF
Padua

Reference your letter 5780/G of 13 December.

1. It is not considered that the Supreme Allied Commander has any duty to protect Italian rights against alleged wrongful acts by Yugoslavia. So far, therefore, as the two fishing vessels from Ancona, Luigi II and Anna A are concerned, the matter is one which the Italian Government should if she wishes to do so, take up through diplomatic channels.

2. The detention of the Salpa and the Cici is on a different footing. These vessels were running between AMG ports and representations are appropriate. From the fact that the vessels and their cargoes have been released it would appear that the Yugoslav authorities realize that the action of their subordinates at Umago d'Istria was not proper. It is also now more than a month since the vessels were returned.

3. It is considered therefore sufficient for the attention of the Yugoslav delegates to the Joint Economic Committee to be drawn to the International right of vessels to take shelter from bad weather and to the wrongful detention from 12/16 November of the two vessels on the occasion in question and to request assurances that the Yugoslav port officials are aware of this right and will not in the future detain or interfere with vessels lawfully seeking shelter or with the crews papers or cargoes of such vessels.

BY COMMAND OF LIEUTENANT GENERAL LEE:

A. L. Hamblen
A. L. HAMBLIN
Colonel, G.S.C.
Assistant Chief of Staff, G-5.

Copy to:

AMG & VG for action with copy of
ALCOM for info) GHQ letter referred
to

5969

Alb
EC. Dist 7/14/46
Info: Pals 'a'
Pals 'a'

SECRET

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

785017

SECRET

SECRET

386

SUBJECT: Seizure of ITALIAN Fishing
Vessels by JUGOSLAV Authorities.

G (Ops) GHQ CMT

5780/G

13 Dec 46

Tele No 22253

AFHQ - (Attn: G-3)

1. The JUGOSLAV authorities have recently been acting in an arbitrary and high-handed manner in respect of Italian fishermen fishing off the Istrian Coast, and Italian vessels taking refuge from bad weather in Istrian ports.

2. (a) On 12 Nov 46 two Italian fishing vessels, the motor schooners "LUIGI II" and "ANNA A", were seized by the JUGOSLAV authorities while fishing 10 and 14 miles SW of LUCA-LETTA Rocks (43° 40' NORTH, 15° 35' EAST). They were escorted into SERRAVALLE harbour where they were charged with violating JUGOSLAV territorial waters. The crews were therefore placed under arrest, the vessels were impounded, and the catch was confiscated.

(b) The crews were finally released from arrest and handed over to the Allied authorities in Zone A on 20 Nov 46. The vessels remain impounded and no compensation has been paid for the catch.

(c) The Naval Officer in charge of TRIESTE has investigated this case, and reports that if the fishermen's reckoning is true, it is doubtful whether they were in fact violating territorial waters.

3. (a) On 12 Nov the motor schooner "SALPA", bound from POLA to TRIESTE with a cargo of tobacco for State monopoly, was forced to take refuge in BARRIGO D'ISTRIA owing to bad weather. After 14 hrs. stay in the port the captain was informed that he was not allowed to enter the port, and his ship's papers were seized. He was later informed that the cargo of tobacco should not have been loaded as it originated from the MANIFATTURE TABACCHI in Pola. The "SALPA" was not permitted to proceed until 16 Nov. 46.

(b) A similar incident occurred in respect of the motor schooner "CICI" on the same dates.

(c) The Naval Officer in charge TRIESTE has investigated the above and recommends that representations should be made to the JUGOSLAV authorities with a view to reducing this unwarranted interference with lawful navigation, and particularly with vessels

SECRET

1276

785017

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

SECRET

385

(c) whose journeys are sponsored by Allied Military Government. He further points out that the schooner "SAIPA" has been interferred with previously and formed the subject of AFHQ signal 261136B/April.

4. Statements made by the masters of the vessels mentioned in paras 2 and 3 above are attached as appendices to this letter.

5. It is requested that representation be made through diplomatic channels to the JUCOSNAV Govt with a view to:-

(a) Preventing a recurrence of such incidents in the future.

(b) Restoring the impounded fishing vessels to their owners, and compensating them for the loss of their catch.

??????????

Lt. Gen,
GOC in C.

JDL/lpb

E.C. Dist 7/4/47.
Info. Para 2 'A'
" Para 2 'B'

See 4 387

5937

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785017

COPY

CONF NTIAL

384

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

*Copies sent to
POW/MS*

G-5: 912.30 R

15 December 1946

SUBJECT: War Booty

TO : Chief Commissioner,
Allied Commission,
APO 794.

Reference your 9008/200/EC of 9 December.

1. While matters are still subjudice papers relating to War Booty are confidential and copies cannot be supplied to you for communication to the Italian Government. When the list is finally approved, sufficient copies will be sent to you to enable copies to be transmitted to the Italian Government.
2. FAN 639 laid down that Italian War ships and Merchant ships would not be dealt with as War Booty. This instruction has been observed and no such vessels will appear in the War Booty lists as awarded to Yugoslavia. FAN 639 also directed that Italian State property should not be awarded as War Booty. In the main, this direction has been observed; but a small proportion of Italian State property was locally released to Yugoslavia prior to the receipt of this signal. There will therefore be comparatively little in the War Booty list of any interest to the Italian Government.
3. Questions of War booty should, however, not be confused with questions of Prize under Maritime Law, a very different matter with which neither this Headquarters nor the Allied Commission has any concern (except so far as such decisions may affect wrecks in AMG territory).
4. The Yugoslav Prize Courts have recently purported to condemn a number of Italian vessels. This Headquarters has made representations to the Combined Chiefs of Staff respecting some of these decisions concerning certain wrecks in Zone A. A copy of the letter in question, G-5:994.01 of 3 December, is enclosed for your information, but its contents should not be communicated to the Italian Government who should be informed that any question of "Prize" must be dealt with through diplomatic channels.

BY COMMAND OF LIEUTENANT GENERAL LEE:

/S/ A.D. CAMPBELL
Colonel, G.S.C.

Assistant Chief of Staff, G-5

Encls. as above
Copy to: AMG Venezia Giulia
War Booty Committee.

F395-415

1278
Declassified E.O. 12356 Section 3.3/NND No. 785017

383
COPY

CONFIDENTIAL

G-5: 994.01

3 December 1946

SUBJECT: Reported Decision of Yugoslav Prize Courts.

TO : The Secretary
The Combined Chiefs of Staff,
1901 Constitution Avenue,
Washington, D.C.

1. There is attached hereto a copy of a letter from the Association Dell'Armento do Linea, Trieste, protesting action by a Yugoslav Maritime Court against nine listed vessels, together with forwarding notes by the British Naval Officer in Charge, Trieste, and the Chairman of the Allied War Booty Committee, Venezia Giulia.
2. A copy of the Yugoslav Official Gazette No.46 of 7 June 1946 and of No.50 of 21 June 1946 in which the subject ships were condemned as prizes is enclosed. In addition to the nine ships in question, a large number of other Italian ships have been condemned. Among these latter ships is the Goffredo Mameli, a wreck lying in Trieste, which has been claimed before the War Booty Committee as War Booty by the Yugoslavs.
3. All the ships listed in the letter of protest are wrecks sunk or beached as the result of Allied air action. The Rex, though now in Zone B, will, if the present draft treaty proposals are accepted, be located in the Free Territory of Trieste.
4. The Vitt. Locchi, the Milano, and the Arborea, because of their locations presumably will become Yugoslav property under provisions of Article 69 of the draft Peace Treaty.
5. None of the ships in the protesting letter have been claimed by the Yugoslavs before the War Booty Committee.
6. In view of the apparent invalidity of the decisions of the Yugoslav Maritime Court, it is recommended that diplomatic representations be made with a view to correcting the present decisions and preventing recurrences.

FOR THE SUPREME ALLIED COMMANDER, MEDITERRANEAN THEATER:

L.C. JAYNES,
Major General, U.S. Army
Deputy Chief of Staff

Encls. as above.

5965

1279

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

785017

381

File

Ref. : 5609/381/33

16 December 1946

SUBJECT: Seizure of Italian vessels by Yugoslav Authorities.

TO : The Yugoslav Representative
A.C.I.

246

Reference is made to your letter no. Br. 1122/46 dated 3 August 46 on this subject.

The information contained in this letter was passed to the Italian Government who have replied by stating that the seizure of the ships in question took place on the high seas and not in your territorial waters.

They further state that it seemed for a time, according to information reaching the owners, that their vessels were seized on suspicion of smuggling arms and of spying activities. This has proved itself to be groundless, since the crews were later released and repatriated into Italy.

Such being the case, it is not understood why and on what grounds the Yugoslav authorities are still detaining the vessels.

All men of the vessels have unanimously averred that their crafts were at least 6 miles off the Yugoslav coasts and that the Yugoslav territorial waters were never violated.

It appears, moreover, that the fishing-boats in question are not being taken care of, and consequently are subject to quick deterioration and it is therefore requested that these boats may be returned to their owners without delay.

346

FOR THE CHIEF COMMISSIONER:

Encl 7402

HOB
Brigadier,
Executive Commissioner.

Copy to: Polad A
" B

5954

16
BA
12
11

1280

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

785017

N 349
File

Ref. : 5609/379/20

10 December 1946

SUBJECT: Italian Ships in Yugoslav Waters.

TO : The Representative of
Yugoslavia
A.C.I.

The Italian Government have informed this Commission that the Motor Schooners "Anna" and "Tarigi II" of the Compartimento Marittimo of Ancona sailed from San Benedetto del Tronto of a fishing trip on 11 Nov. 46 and have not been heard of since.

It is thought by the Italian Government that the two schooners may have taken refuge in a Yugoslav Port.

The shipowners and the families of the crew consisting of 21 men have received no news and are consequently in an understandable state of anxiety.

It would be much appreciated if your Government could be asked if they have any information on these ships and if so, if this could be passed to this Commission who will forward it to the Italian Government.

FOR THE CHIEF COMMISSIONER:

P. W. [illegible]
Brigadier,
Executive Commissioner.

Copies to: G-5 AFHQ
Polad 1
" B

See N 345 404

See N 389

5948
PA
12
[illegible]

1281

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

785017

348

File

Ref. 5609/378/50

10 December 1946

SUBJECT: Motor Schooners "Anna" and "Luigi II".

TO : The Ministry of Foreign Affairs,
Rome.

345

Receipt is acknowledged of your memorandum of the
3rd Dec. regarding the above mentioned ships.

The question has been taken up with the Yugoslav
Authorities.

FOR THE CHIEF COMMISSIONER:

A. W. Kishel's.

Brigadier,
Executive Commissioner.

PA 10/12
59/12

1282

785017

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

24 Oct.
326

6 December 1946

Ref. : 5609/376/30

SUBJECT: Seizure of ships by the Yugoslav authorities.

TO : The Ministry of Foreign Affairs, Rome.

Reference is made to recent correspondence on this subject.

In each case has been reported to this Commission, action has been taken both through the British and United States Embassies and through Dr. Smolaka, the Yugoslav Representative to the Advisory Council to Italy, in an attempt to obtain the restitution of these ships.

The position of these ships has now become most confused due to the same vessels being reported as seized on two occasions and at other times to incorrect data having been given.

To quote examples, ³⁶⁶ the tug "ANDREA" ²⁴⁻ was first stated to have been seized in your memorandum no. 6/2803/1292 dated 27 Aug. 46 and later in your memorandum no. 6/3334/1293 dated 2 Nov. Although certain details vary in these memoranda, it is thought that they refer to the same ship.

Another case is that of the schooner "FIORINO" notified to this Commission as having being seized on two occasions and confirmed as being one vessel by your memorandum no. 6/3330/1294 dated 30 Oct. 46. ³⁶⁷

Incorrect information has been given on several occasions especially with regard to these ships seized early in May. In this case the date, the number and names of the ships, the positions at time of capture and the ports in Yugoslavia to which they were taken were all reported in different terms causing much confusion.

It would therefore be much appreciated if one list could be prepared and kept up to date if fresh seizures occur, giving all the details available in each case so that the question may be dealt with as a whole in one form rather than as a list of individual and unrelated cases. ³⁹⁰¹

FOR THE CHIEF COMMISSIONER:

MC
Brigadier,
Executive Commissioner.

Copy to: G-5 Section, AFHQ
Polad A
" B

PP
2
12
11

1283

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

785017



Ministero degli Affari Esteri

Ufficio del Funzionario distaccato
presso la Commissione Alleata.

11/161.

MEMORANDUM FOR THE OFFICE OF THE EXECUTIVE
COMMISSIONER.

The motor schooners "Anna" and "Luigi II", belonging to the "Compartimento marittimo" of Ancona, having sailed on the morning of November 11th from San Benedetto del Tronto for fishing, have not returned to their base.

The shippers and the families of the crew, (21 men) have received so far no news and are in an understandable state of alarm.

Presuming that the two schooners may have found refuge in a Yugoslav port, the Ministry of Foreign Affairs have requested the writer to ask the A. C. whether they could kindly take up the matter, in view to obtain the desired information.

Copy H. See 4390, 1101
See 14348319
Linas Co. 11/161

1284

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

785017

ITALIA NUOVA

1 December 1946.

file 5609.
AWB

343

"SPLINTERS"

Lifeless

Recently the Yugoslavs seized two of our fishing boats in the Adriatic Sea. Eleven others disappeared in the same way the other day.

On the former case the Italian Foreign Minister limited himself to a weak verbal protest; in the latter he did not even forward a note of protest.

Involved in personal contests among the respective parties, no wonder our Merchant Marine and Foreign Ministry heads haven't time to devote to their responsibility of office.

So the remainder of the merchant fleet left us which is so very precious for our Country's feeding, is crumbling down; one fishing boat at a time, pillaged by those who take advantage of lifeless people, deaf to the interests of their own country.

Giovenale.

5839

[Handwritten signature]

1 2 8 5

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

785017

5609/3545

NOV 18 1946

Ex Comm.

372

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 916:23

15 November 1946

SUBJECT: Illegal Seizure of Italian Ships.

TO : Chief Commissioner,
Allied Commission,
APO 794.

362

Reference your 5609/362/EC of 5 November 1946.

1. Confirmation has been received from the Combined Chiefs of Staff of the presentation to the Yugoslav Government of the diplomatic notes referred to in your letter 5609/348/EC of 9 October 1946.

2. It is not considered that any useful purpose can be achieved by further mediation by this Headquarters on behalf of the Italian Government.

3. In view however of the fact that the Allied Commission is still recognized as the channel of communication between the Italian Government and the Yugoslav Representative on the Advisory Council, the substance of the memoranda of 5th and 23rd October, referred to in your letter, should be passed to Dr. Smolaka without comment.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:



A. L. HAMBLIN
Colonel, G.S.C.
Assistant Chief of Staff, G-5

5898

Copies to Polads 'A' & 'B'

3/12

Capt K

HEADQUARTERS ALLIED COMMISSION
Office of the Political Adviser (A)

November 14, 1946.

MEMORANDUM TO: Capt. A. W. Knisely,
Office of the Executive Commissioner,
Allied Commission.

SUBJECT : Italian craft seized by the Yugoslav Authorities.

266 Thank you for sending me a copy of the Foreign Ministry's
Note No. 6/3331/1295, dated November 2, regarding seizure by the
Yugoslavs of the "Ardita V" allegedly taken at Capodistria.

See 376 → I note that Item 8 of the list of vessels sent by the Executive
Commissioner to G-5 on June 4 with letter No. 5609/EC, and to the
British Embassy on September 13 (5609/318/EC) is a vessel called
"Ardita" described as "seized from Trieste harbor by the Yugoslavs".
Before jumping to the conclusion that these are the same vessel, I
think it would be a good opportunity to ask the Italian Government
if they are in fact the same and to suggest to the Italians that they
send Allied Commission a complete list of up to date information re-
garding vessels seized by the Yugoslavs.

353 In this connection I note that the Foreign Ministry has asked
(in 6/3328/1260 of October 10) for a complete list of seized ships
to be supplied by the Yugoslav Government. The Executive Commissioner
may wish to point out that seriatim and random requests by the Foreign
Ministry for action on individual vessels allegedly seized by the
Yugoslavs have led to confusion and apparently duplication, and that
it would appear desirable for the Ministry to bring its own files up
to date before communicating further with the Allied Commission on
the subject.

In any case could you let me have a copy of G-5's reply to the
Executive Commissioner's letter of November 5 (5609/362/EC) whenever
it is forthcoming.

372
362 done.
AWE
Joseph N. Greene, Jr.,
Political Adviser (A).

5897

cc: Polad (B)

Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

Ref. : 5609/570/22

22 November 1946

SUBJECT: Release of Italian Ships
by Yugoslavs.

TO : G-5 Section,
AFHQ.

Reference is made to your cable no. F 73053 on this subject.

It now appears that items nos. 12, 13, 14 and 15 in the
Appendix to this Commission's letter no. 5609/EC dated 1 June should
be cancelled as these ships are the same as those reported under items
nos. 17, 18 and 19.

This misunderstanding arose through this Commission being
advised of the same incident on two separate occasions and in the case
of item no. 18, this was originally incorrectly reported as being two
separate ships (item nos. 14 and 15).

To facilitate matters a new and up to date list is enclosed,
the old item numbers being retained to avoid confusion.

FOR THE CHIEF COMMISSIONER:

A. W. Brady.

Brigadier,
Executive Commissioner.

Encls. as above.

Copy to: US Embassy
Br. "
Navy S/C

5896

1288

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

785017

5609 R.
INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSION

NOV 8 1946
369

Originator's Reference: F 73058
Date/Time of Origin: NOV. NPT

Message Centre No: H/7653
Date Time Rec'd: NOV. 061100
Precedence: ROUTINE

FROM: AFHQ SIGNED SACMED CITE PAGEG
TO : ALCOM ROME

CONFIDENTIAL

CONFIDENTIAL.

192
(Vol II)

REUR 5363 U/C of 1 Nov. Correction noted. Referring to your 5609/EC of 4 June 46 and enclosure can you say which Volcano has been returned please see serial 13 and 17.

AC DIST

ACTION
INFO

EX COMM 2
CHIEF COMMISSIONER
FILE
SKELETON

ACTION

Copies to:- Polad "A"
Polad "B"
Navy S/C.

NOV 6 - 1946 835

CONFIDENTIAL

(Capt K)

1 2 8 9

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

785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

File 368

Ref. : 5609/368/103

7 November 1946

SUBJECT: Seizure of Italian craft by Yugoslav Authorities.

TO : G-5 Section,
AFHQ.

The Italian Government in their memorandum no. 6/3330/1294 dated 30 October 46 state that there is only one schooner named "FLORIO" that has been seized by the Yugoslav Authorities and state that both reports refer to the same vessel.

367

FOR THE CHIEF COMMISSIONER:

A. V. Katsky

Brigadier,
Executive Commissioner.

Copy to: Polad A
" B

5894

PA
7.11.46

Ministero degli Affari Esteri

Val/DI

NDV # 1946

5609 50

367

6/3330/1294

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Seizure of Italian craft by Yugoslav authorities.

357

1. Reference is made to the Allied Commission's note n. 5309/357/EC dated October 24th, 1946.

2. The Ministry for Foreign Affairs brings to the knowledge of the Allied Commission that, the schooner "FLORIDO", seized by the Yugoslav Authorities, is the same craft as is referred to in para 4 of memorandum n. 6/2883/795 dated 27 April 1946, on the above stated subject. ~~124~~

Rome, October 30th, 1946.



5093

See 7368, 376

(Capt)

P.A. 2/10/46

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

785017

1290

Val/Di

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Seizure of Italian craft by Yugoslav authorities.

1. Reference is made to the Allied Commission's note n.5609/357/EC dated October 24th, 1946.

2. The Ministry for Foreign Affairs brings to the knowledge of the Allied Commission that, the schooner "FLORIDO", seized by the Yugoslav authorities, is the same craft as is referred to in para 4 of memorandum n.6/1883/795 dated 27 April 1946, on the above stated subject.

Rome, October 30th, 1946.



5093

See 4368, 346

(Copy)

P.A. 2/10/46

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

785017

1291

6/3330/1294

367

Ministero degli Affari Esteri

Ros/To

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian craft seized by the Yugoslav Authorities.

1. Further to previous correspondence on the matter, the Ministry for Foreign Affairs begs to inform the Allied Commission that the tug-boat ARDITA V., gross displacement 23,35 tons, belonging to the firm G. ODINO and Co. of Genoa, has been seized by the Yugoslav Authorities.

2. The aforesaid tug-boat was docked at Capodistria when Yugoslav troops captured it in May 1945. The same was subsequently declared a war prize by the Prize Court with sentence n.62/46/4, published in the Yugoslav Official Gazette on June 31st, 1946.

3. Dr. Bruno JELICICH of Spalato was appointed administrative agent on behalf of the owner.

4. The Ministry for Foreign Affairs would be much obliged if the Allied Commission could kindly inform the appropriate authorities in order that the a/m ship be added to the list of Italian vessels seized by the Yugoslavs.

Rome, November 2nd, 1946.



Copies sent to Polada A. S.

6/11/46
be 4376

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian craft seized by the Yugoslav Authorities.

1. Further to previous correspondence on the matter, the Ministry for Foreign Affairs begs to inform the Allied Commission that the tug-boat ARBITA V., gross displacement 23,65 tons, belonging to the firm G. ODINO and Co. of Genoa, has been seized by the Yugoslav Authorities.
2. The aforesaid tug-boat was docked at Capodistria when Yugoslav troops captured it in May 1945. The same was subsequently declared a war prize by the Prize Court with sentence n.62/46/4, published in the Yugoslav Official Gazette on June 21st, 1945.
3. Dr. Bruno JELICICH of Spalato was appointed administrative agent on behalf of the owner.
4. The Ministry for Foreign Affairs would be much obliged if the Allied Commission could kindly inform the appropriate authorities in order that the a/m ship be added to the list of Italian vessels seized by the Yugoslavs.

Rome, November 2nd, 1945.



Copies sent to Polada 10.1.5.

6/11/46 J. Lye

See 4376

(Capt H)

1294

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

785017

5609

File

365

HQ ALCOM

1 NOV 1700

AFHQ FOR G-5

5363

UNCLASSIFIED

UNCLASSIFIED PD

SUBJECT IS SEIZURE OF ITALIAN CRAFT BY YUGOSLAVS PD
REFERENCE LETTER FIVE SIX ZERO NINE SLANT THREE FIVE NINE SLANT
EASY CHARLIE DATED TWO SIX OCTOBER PD FOR VOGANO PLEASE READ
VOLANO PD

COPY TO: U.S. EMBASSY
BRITISH EMBASSY

ROUTINE

EXECUTIVE COMMISSIONER

JOHN R. HAYES
MAJOR AGD
ADPT

371

5891

P.A. 7/10/49

1295

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

785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

362 File

Ref. : 5609/362/30

5 November 1946

SUBJECT: Yugoslav Piratical Activities.

TO : G-3 Section,
Allied Force Headquarters.

5609/30. Vol II July 1946

I refer to Brigadier Lush's letter No. 5609/30 dated 4th June, 1946 and subsequent correspondence under even reference on this subject.

Enclosed for your information are copies of two memoranda from the Italian Government numbered 6/3207/1253 and 6/3285/1230 dated 5th and 23rd October, 1946 respectively which request this Commission to forward the information to the Yugoslav Representative to the A.C.I.

The information that the vessels concerned were outside Yugoslav territorial waters would appear to be confirmed by the map, showing the position of some of these ships at the time of their capture, forwarded to you with this Headquarters letter ref. 5609/303/30 dated 28th August, 1946. It is not known what action was subsequently taken by your Headquarters.

In view of the statement contained in Dr. Smedlaka's letter No. Dr. 1122/46 dated 3rd August, 1946 (copy forwarded to you with this Headquarters letter No. 5607/276/30 dated 9th August 1946) it does not seem that any useful purpose would be served by complying with the Italian Government's request that this further information be transmitted to the Yugoslav Representative. At the same time however, it is felt that some pressure should be brought to bear on the Yugoslav Authorities in order to obtain the release of these vessels and your advice regarding the next step to be taken is requested please.

FOR THE CHIEF COMMISSIONER:

ML

Brigadier,
Executive Commissioner.

Encls. as above.

Copy to: G.O.
Navy S/C
Polad A
" B

5609/30
VH
HR

1298

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

785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

file 359

Ref. : 5609/359/30

26 October 1945

SUBJECT: Seizure of Italian craft
by Yugoslav Authorities.

TO : G-3 Section,
AFHQ.

356

The Italian Ministry of Foreign Affairs has notified this Commission that the Auxiliary Schooners "NUOVA PROVVIDENZA" and "VIGILANTE" previously detained by the Yugoslavs have now been released and have arrived in VENICE.

FOR THE CHIEF COMMISSIONER:

A. W. Kinsley

Brigadier,
Executive Commissioner.

Copy to: U.S. Embassy
British Embassy

5889

PTX
26/10/45

Ministero degli Affari Esteri

Val/Di

OCT 25 1946

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian vessels seized by the Yugoslav Authorities.

1. Reference is made to letter n. 5609/279/EC of 13 August 1943, which the Allied Commission has addressed to the President of the Council of Ministers Dr. Alcide De Gasperi.

2. The Ministry of Navy, which has been duly apprized of the contents of the a/m letter, is confirming now that the seizure of the ships took place in the high seas and not in the Yugoslav territorial waters as it appears from Dr. Smolaka's assertion.

3. The truth of the Ministry of Navy's communication is also proved by the statements made by the crews which have recently been repatriated.

4. Therefore, having regard to the elements already furnished with previous memoranda, the Ministry for Foreign Affairs would appreciate if the Allied Commission could kindly effect additional steps in order that the Yugoslav Authorities, considering the fact that the crews of the a/m vessels have been liberated, would also return the above stated craft to the Italian Government.

Rome, October 23rd, 1946.



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

OCT 25 1946

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian vessels seized by the Yugoslav Authorities.

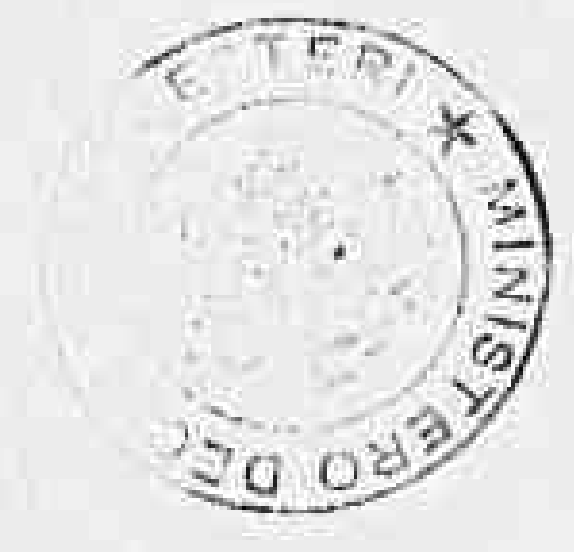
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Rome, October 23rd, 1946.



5862

Handwritten signature and initials

Handwritten signature

(CAPT)

Val/Di

Ministero degli Affari Esteri

1 2 9 9
Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

APO 794

Office of the Executive Commissioner

File 357

Ref. : 5609/357/20

24 October 1946.

SUBJECT: Seizure of Italian craft by
Jugoslav Authorities.

TO : The Ministry of Foreign Affairs,
Rome.

1. With further reference to your memorandum No. 6/3404/1243 dated 13 September regarding the seizure of the Schooner "FLORIDO", may I please be informed if this is the same craft as is referred to in para 4 of your memorandum No. 6/4883/795 dated 27 April 46 on this subject.

For the Chief Commissioner:

A. W. [Signature]

Brigadier,
Executive Commissioner.

Copy to: G-5 Section
Fold A
Fold B

5887

OK
24/10/46

Ministero degli Affari Esteri

ROS/TO

6/3240/1243

OCT 22 1946

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian vessels detained by the Yugoslav authorities.

1. Reference is made to this Ministry's memorandum n. 6/1353/795 dated April 17th, 1946.

2. The Ministry for the Merchant Marine has apprised this Ministry that, according to a despatch from the Harbour Master of Venice, the auxiliary-schooners "NUOVA PROVIDENZA" and "VOLANO", hitherto detained by the Yugoslav authorities, were back in Venice with a cargo of coal from Arsa, respectively on the 8th and 14th of September. *ph*

Rome, October 23rd, 1946.



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

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Rcs/To

6/3240/1273

OCT 22 1946

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian vessels detained by the Yugoslav authorities.

1. Reference is made to this Ministry's memorandum n. 3/1882/795 dated April 27th, 1946.
2. The Ministry for the Merchant Marine has apprised this Ministry that, according to a despatch from the Harbour Master of Venice, the auxiliary-schooners "NUOVA PROVVIDENZA" and "VOLANO", hitherto detained by the Yugoslav authorities, were back in Venice with a cargo of coal from Arsa, respectively on the 8th and 14th of September. *ph*

Rome, October 22nd, 1946.



see 359 5866

Only

(CAPT 4)

18/10/46

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

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~~1818~~

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EX-COMM

355

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

OCT 18 1946

G-5: 918.30

15 October 1946

SUBJECT: Seizure of Italian Craft by
Jugoslav Authorities.

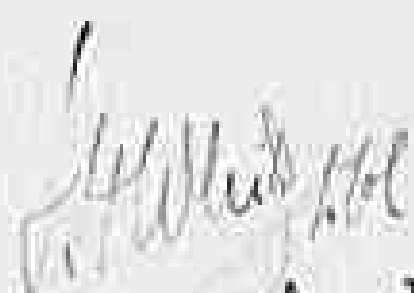
TO : Chief Commissioner,
Allied Commission,
APO 794.

329

1. Reference is made to your 5609/329/EC of 27 September addressed to The Ministry of Foreign Affairs, Rome. Copy to this Headquarters.

2. Will you please inform this Headquarters of any information you may have received from the Ministry.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:



A. L. HAMBLIN
Colonel, G.S.C.
Assistant Chief of Staff, G-5.



(eso)

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

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354

HEADQUARTERS ALLIED COMMISSION
Office of the Political Adviser (A)

October 15, 1946.

OCT 17 1946

MEMORANDUM TO: Executive Commissioner, AC.

SUBJECT : SS Rex

327

With reference to your memorandum of September 24, 1946, (Ref. 5609/327/EC) I should suggest that the Italian Government be simply informed that, in accordance with their request, the question of the Rex has been taken up with the AMG Authorities in Trieste, that is with the War Booty Committee, which has now advised that the ship has not been the subject of a claim before that Committee. I do not think we should suggest to the Italian Government that they take it up directly with the Yugoslav authorities, or that we should make any suggestions as to their next step, since that is a matter for the Italians to decide for themselves. It is not entirely clear to me from the file just what the Italian Government wants taken up in any case, since their memorandum of September 4, appears to be a statement of fact that they consider the Yugoslav claim to the vessel illegal.

Joseph N. Greene, Jr.
Joseph N. Greene, Jr.,
Acting Political Adviser (A).

See also 7.333

5884

(cso)

Ministero degli Affari Esteri

Val/Di

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: M/S "POTESTAS".

1. Further to this Ministry's memorandum n.6/3224/1257 dated October 9th, 1946.

2. The "S.A. Industria Armamento" of Genoa has apprized the Ministry of Merchant Marine that M/S "POTESTAS", gross displacement 5237 tons, has been declared a prize of war by the Yugoslav Authorities, as per sentence dated May 22nd, 1946.

3. Dr. Bruno JELICICH of Spalato has been appointed administrative agent of the seized ship, allegedly on behalf of the owners.

4. The foregoing informations have been published by the Yugoslav official gazette "Sluzbeni List" dated June 7th, 1946.

5. The Ministry of Merchant Marine has informed moreover that M/S "POTESTAS" was reported stranded because damaged in Durazzo on September 8th, 1943. It is not known whether the ship was subsequently transferred elsewhere.

6. As it appears that further to the mentioned ships, other vessels have been declared a prize of war, it would be appreciated if a complete list of the seized ships could be supplied by the Yugoslav Government.

7. The Ministry for Foreign Affairs would be much obliged to the Allied Commission if they could approach the Yugoslav Authorities, A.C.I. with the purpose of obtaining the annulment of the a/m sentence.

Rome, October 10th, 1946.



Copies sent to Poland A.I. B' for info
1/11/46

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: M/S "POTESTAS".

1. Further to this Ministry's memorandum n.6/3224/1257 dated October 9th, 1946.

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Rome, October 10th, 1946.



Copies sent to Polaris A. S. for info
11/1/46

(CAP 1)

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

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SHIPS WHICH HAVE BEEN DECLARED

Excerpt of Belgrade

Brankova

WAR PRIZE BY THE YUGOSLAV G

Official Gazette

Ulica 20

Official Gazette n. of	Name of ship	Kind of vessel	Prize Court Sentence Date	Prize Court Sentence Number	Date of judicial notification	Administrative agent of the ship	
46	7/6/46	Città di Marsala	Passenger and cargo ship	16/5/46	25/46/4	17/5/46	Dr. Jellicich
46	"	Duilio	Passenger ship	"	26/46/4	"	"
46	"	Giulio Cesare	"	"	27/46/4	"	"
46	"	Ausonia	"	"	28/46/4	"	"
50	21/6/46	Stoccolma	"	"	24/46/4	5/6/46	"
50	"	Rex	"	"	77/46/4	"	"
50	"	Vittorio Locchi	"	"	78/46/4	"	"
50	"	Milano	"	"	80/46/4	"	"
50	"	Arborea	"	"	81/46/4	"	"

ARGITA ✓

NOT

KNOWN

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

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BEEN DECLARED

Excerpt of Belgrade

Brankova

WAR PRIZE BY THE YUGOSLAV GOVERNMENT

Official Gazette

Ulica 20

Prize Court Sentence
Date Number

Date of judicial
notification

Administrative
agent of the
ship

Gross
displacement

Naval
district

Owner

Place where
the ships
was sunk.

16/5/46

25/46/4

17/5/46

Dr. Jellicich Bruno 2480

Palermo Tirrenia Trieste

"

26/46/4

"

"

23635

Genova Ll. Triestino Zaule

"

27/46/4

"

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21900

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28/46/4

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8000

Venezia Adriatica Monfalcone

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24/46/4

5/6/46

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29306

Trieste Italia Zaule

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77/46/4

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51051

Genova " Capodistria

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78/46/4

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4572

Fiume Tirrenia Fiume

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80/46/4

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4027

Napoli " Sebenico

"

81/46/4

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"

4959

" " Sebenico

2365

Not

Known

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

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Ministero degli Affari Esteri

Val/To

SUBJECT: Italian ships claimed as war prize by the Yugoslav Government.

MEMORANDUM FOR THE ALLIED COMMISSION

1. Through the Ministry of Merchant Marine the Flammare has forwarded to the Ministry for Foreign Affairs a list of Italian ships which have been found by the Yugoslavs either sunk or damaged in the waters of Venezia Giulia and Dalmazia and which have been claimed as war prize.

The list contains the number and date of the Yugoslav Official Gazettes relating such claims, the names of the ships, the date of the sentence issued by the Prize Court and other information about this matter.

2. Also the S/S "REX" and the M/S "CITTA' DI MARSALE" (as per this Ministry's memoranda n. 6/3037/1192 dated September 4th, 1946, and n. 6/2309/1171 dated August 29th, 1946) have been included in the a/m list.

3. The Ministry of Merchant Marine has communicated, moreover, that M/N "BRIONI", belonging to the "Azienda Patrimoniaale dello Stato - Amministrazione Beni Isole Brioni" and registered at the Naval District of Pola, is very likely to be the ship (Gross displacement 90,17) listed into the Yugoslav Official Gazette n. 50, dated June 31st, 1946 - Prize Court Sentence, June 3rd, 1946 (7-3/46/4) - date of judicial notification June 3rd, 1946 (data furnished by the Steamship Company "Adriatica").

4. Dr. Bruno JELICICH seems to have been appointed administrative agent of the seized ships, evidently without the consent of the owners.

5. The above news has deeply surprised and alarmed the owners, who have applied to the Italian Government for an urgent intervention in view of obtaining that the above sentences should not be put into force. They have also emphasized the serious

Capitan sent to Blado 'A' for info

11/1/46

1.

Val/To

6/3224/1257

OCT 11 1946

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Italian ships claimed as war prize by the Yugoslav Government.

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2. Also the S/S "REX" and the M/S "CITTA' DI MARZARA" (as per this Ministry's memoranda n. 6/3037/1192 dated September 4th, 1946, and n. 6/2309/1171 dated August 27th, 1946) have been included in the a/m list. 314

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Capitan sent to Blado 'A' 'B' for info

(CAPR V)

See F-353

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785017

damages which could be caused to the interests of the Italian Merchant Marine.

6. It is to be pointed out moreover that some time ago a list of ships declared war prize seems to have been drawn up by an Allied-Yugoslav war booty Commission. The Ministry of Merchant Marine, however, has never been officially apprized of the contents of such a list, though, by informations received, it appears that none of the ships in question are included into it. Anyhow, under the present circumstances, it is preposterous that the Yugoslav Government should declare war prize also vessels which are out of Yugoslav territorial waters and which have not been actually seized.

7. In this connection the "Associazione Armamento di Linee" of Trieste has immediately applied to the Allied Authorities, Naval Office in Charge (N.O.I.C.) in Trieste, with the attached letter and annexed list of the seized ships.

The request of said "Associazione" has also been brought to the knowledge of the A.M.G. in Trieste, which, as it seems, have the intention to take up the matter in the political field, informing the British Foreign Office.

8. On the subject of the special attention of the Allied Commission is drawn upon the informations forwarded with the above quoted Memoranda which take into consideration cases of ships located in waters controlled by Yugoslavs (S/S "Rex") and cases of ships located out of Yugoslav waters (M/N "CITTA' DI MARSALA").

9. The Ministry for Foreign Affairs begs the Allied Commission to contact the appropriate Authorities, in order that the a/m sentences be declared void. *gls*

Rome, October 9th, 1946.

Encl.



C O P I A

ASSOCIAZIONE ARMAMENTO LINEA

TRIESTE

n. 1806

26 July 1946

Yugoslav Prize Court

TO THE NAVAL OFFICE IN CHARGE - TRIESTE

1) According to information we have received from our Members, it appears as confirmed that the Yugoslav Government declared "good prize" several vessels which during the month of May 45 were lying in Yugoslav and Zone "A" & "B" waters.

2) The verdict of the Yugoslav Maritime Court (Prize Court) has been published in the "sluzbeni list n° 46 & 50/46 (the Yugoslav Official Gazette edited at n° 20 Brankova Ulica Beograd) with the remark that a certain Dr. Bruno Jellicich represented the owners' interests.

3) In the attached list we enumerate all the vessels declared prize in the above Gazettes and we have some particulars regarding the ships themselves. We do not know, however, whether the list is complete and whether there are any more vessels mentioned in some other Gazette as prize.

4) Our Association, while expressing their astonishment for such an arbitrary procedure which is in contrast with international law kindly request the interference of NOIC - Trieste, in order to have the interests of their members (all shipowners in the Territory under Allied Administration) safeguarded by the "Allied Military Government" with the competent Authorities.

Thanking you in advance for your courtesy, I am

Yours faithfully

Sign. G. Gosulich
(The President)

5880

Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

FILE 349

Ref. : 5609/349/20

10 October 1946

My dear Mr. Key,

The Chief Commissioner has asked me to acknowledge your letters dated 30 July and 26 September 46 on the subject of Italian Fishing Vessels seized by the Yugoslav Authorities.

The information contained in the notes verbale has been forwarded to AFHQ.

Yours sincerely,

W. HIND-SMITH

Brigadier,
Executive Commissioner

David McK Key, Esq.,
Charge d'Affaires ad interim
U.S. Embassy,
ROME.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

FILE 348.

Ref. : 5609/3.8/30

9 October 1946

SUBJECT: Seizure of Italian Fishing Boats
by Yugoslav Authorities.

TO : G-5 Section,
SAC.

I enclose for your information ³³⁸ copies of two notes verbale ³³⁹
from the U.S. Embassy in Belgrade to the Yugoslav Ministry of Foreign
Affairs dated 28 and 29 June 1946 on this subject and a copy of the
Yugoslav Ministry's reply. — 343

The British Embassy in Belgrade presented similar notes
simultaneously.

FOR THE CHIEF COMMISSIONER:

A. W. Knisely.
Brigadier,
Executive Commissioner.

Enclosed above.

Copy to: SCAD Venezia Giulia
Polad A
" B
Navy S/C

5878

PH 10/10/46

Declassified E.O. 12356 Section 3.3/NND No. 785017

FILE 347.

HEADQUARTERS ALLIED COMMISSION
A P O 794
Office of the Executive Commissioner

Ref. : 5609/347/22

9 October 1946

SUBJECT: Seizure of Italian Fishing Vessels
by the Yugoslav Authorities.

TO : The Ministry of Foreign Affairs,
RUE.

Receipt is acknowledged of your memoranda nos. 6/3450/1249
dated 23 September and 6/3207/1253 dated 5 October 46 on this subject.

With reference to the former memorandum the Allied Commission
has been informed that the Delegations of the Allied Governments have
presented notes on this subject to the Yugoslav Government on behalf
of your Government.

In support of these notes the information contained in your
second memorandum will be forwarded to the appropriate authorities.

FOR THE CHIEF COMMISSIONER:

A. W. Knisely.

Brigadier,
Executive Commissioner.

Copy to: Polad A
" B
Navy S/C

5877

Ministero degli Affari Esteri

Val/Sa

MEMORANDUM FOR THE ALLIED COMMISSION

Subject: Italian fishing-boats seized by Yugoslav authorities.

1. Further to this Ministry's memorandum n° 6/3150/1229 dated September 23rd, 1946.

2. Mr. Arderio PERLA - via Alessandro Poerio 127, Rome -, attorney in charge of the interests of the owners of the fishing-boats seized by the Yugoslav authorities, has solicited this Ministry, on behalf of his clients, to make the competent Yugoslav authorities acquainted with the following facts:

a) It seemed for a time, according to information reaching the owners, that their vessels were seized on suspicion of smuggling arms and of spying activities. This has proved itself to be groundless, since the crews were later ~~only~~ released and repatriated into Italy;

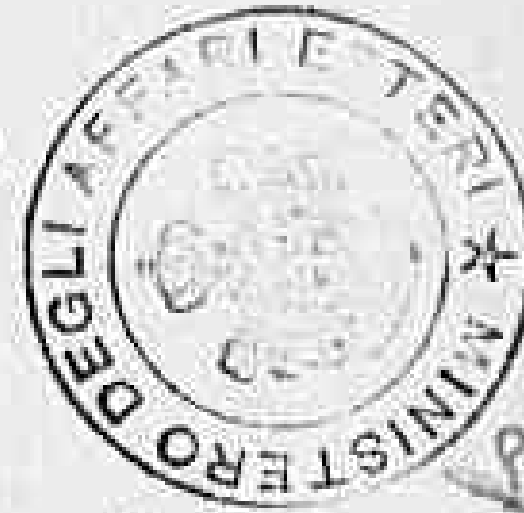
b) Such being the case, it is not understood why and on what grounds the Yugoslav authorities are still detaining the vessels;

c) All men of the vessels have unanimously averred that their crafts were at least 6 miles off the Yugoslav coasts and that the Yugoslav territorial waters were never violated;

d) It appears, moreover, that the fishing-boats in question are not being taken care of, and consequently are subject to quick deterioration. *and it is therefore requested that the boats may be returned to them as soon as possible.*

3. The Allied Commission is kindly requested to bring Mr. Arderio Perla's statement to the knowledge of the Yugoslav authorities, A.C.I. *for info*

Rome, October 5th, 1946



Val/Sa

MEMORANDUM FOR THE ALLIED COMMISSION

OCT - 8 1946

Subject: Italian fishing-boats seized by Yugoslav authorities.

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b) Such being the case, it is not understood why and on what grounds the Yugoslav authorities are still detaining the vessels;

c) All men of the vessels have unanimously averred that their crafts were at least 6 miles off the Yugoslav coasts and that the Yugoslav territorial waters were never violated;

d) It appears, moreover, that the fishing-boats in question are not being taken care of, and consequently are subject to quick deterioration.

3. The Allied Commission is kindly requested to bring Mr. Arderio Perla's statement to the knowledge of the Yugoslav authorities, A.C.I. *28*



Rome, October 5th, 1946

Copies sent to Poland A.B. for info 1/11/46

Cap. F. 1007 1002

PA 5

(CAP 4)

Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

Ref. : 5609/345/EO

7 October 1946

SUBJECT: Italian Fishing Vessels in Yugoslav hands.

TO : The Secretariat of State of His Holiness the Pope.

I refer to your letter no. 127250/SA dated 25 September 46 on this subject and am pleased to be able to inform you that all the Italian fishermen referred to were repatriated last August.

The Allied Commission is taking all possible steps to obtain the restitution of the craft concerned.

For the Chief Commissioner;

A. W. Knisely.

Brigadier,
Executive Commissioner.

5875



5609 (4)
THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

SEP 27 1946
344

OCT 8 1946

AMERICAN EMBASSY

Rome, September 26, 1946

341
My dear Admiral Stone:

I refer to my letter of July 30, with which I sent you a copy of a Note to this Embassy from the Embassy at Belgrade, enclosing copies of two Notes addressed by the latter to the Yugoslav Ministry of Foreign Affairs, one in regard to the seizure of Italian vessels in the Adriatic and the other in regard to the detention of the motor vessel "Salpa". 340 339 343

I am now enclosing for your information a copy of a further Note from the Embassy at Belgrade, quoting an explanation by the Yugoslav Ministry of Foreign Affairs of the reasons for detention of the "Salpa".

Sincerely yours,

David McK. Key
David McK. Key,
Charge d'Affaires ad interim.

Enclosure:

Copy of Note from the
Embassy at Belgrade, dated
August 16, 1946.

Rear Admiral
Ellery W. Stone,
Chief Commissioner,
HQ Allied Commission,
Rome.

(copy 2)

see p 349

5874

5609

343
Embassy of the
United States of America

1334 The American Embassy at Belgrade presents its compliments to the American Embassy at Rome, and, with reference to its Note of July 3, 1946, (340) has the honor to quote the text of Note No. 9284 dated August 7, 1946, from the Yugoslav Ministry of Foreign Affairs in reply to the Embassy's Note No. 264 of June 29, 1946.

With reference to Note 264 dated 29 June 1946 of the Embassy of the United States of America, concerning the seizure by the Yugoslav naval authorities aboard the vessel "Salpa" of an automobile motor and of spare pieces belonging to the Italian refugee Ugo Baseli, a resident of Trieste, and further to its Note No. 7717 dated 18 July 1946, the Ministry of Foreign Affairs has the honor to inform you of the following:

The Yugoslav Military Authorities administering Zone "B", according to the agreement and the decisions made together with the Common Economic Committee, have as well as the Allied Military Authorities the right of controlling and preventing the illegal traffic and smuggling.

It is to this effect that the vessel "Salpa" has been seized in the waters of Kopra. Since the control of the papers on board did not appear satisfactory, the Yugoslav naval authorities requested the captain of the vessel to enter the port of Kopra. The vessel continued then its trip. But a motor car bearing the matriculation shield M.D.H. (Croat Independent State during 1940-1945) and some spare pieces were unloaded in order to be used for an investigation that was carried out because of some signs which aroused the suspicion that the objects in question had crossed the Yugoslav border illegally.

After the investigation, the car and the spare pieces were returned to their owner in Trieste.

The question was discussed at the Common Economic Committee where explanations were given by the Yugoslav representatives.

The above being in complete agreement with the decisions made together with the Economic Committee and the Allied Military occupation Authorities, the Ministry of Foreign Affairs is surprised about the qualification of "hindrance of permitted navigation" given to this matter.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States the assurance of its highest consideration.

Belgrade, 7 August 1946.

Belgrade, August 16, 1946.

1334-344

5873

C
O
P
Y

Embassy of the
United States of America

342

The American Embassy at Belgrade presents its compliments to the American Embassy at Rome, and, with reference to its Note of July 3, 1946, has the honor to quote the text of Note No. 9284 dated August 7, 1946, from the Yugoslav Ministry of Foreign Affairs in reply to the Embassy's Note No. 264 of June 29, 1946.

Se référant à la note No 264 en date du 29 juin 1946 de l'Ambassade des Etats Unis d'Amerique, concernant la saisie par les autorités navales yougoslaves à bord du bateau "Salpa" d'un moteur d'automobile et de pieces de rechanges, appartenant au ressortissant italien résidant à Trieste, Ugo Baseli, et faisant suit à sa note No. 7717 en date du 18 juillet 1946, le Ministère des Affaires Etrangères a l'honneur de communiquer ce qui suit.

Les Autorités Militaires Yougoslaves qui administrent la Zone "B" de même que les Autorités Militaires Alliées, de commun accord et d'après les décisions apportées de concours avec le Comité Economique Commun ont le droit de controle pour empêcher le trafic illicite et la contrebande.

C'est à cet effet que le bateau "Salpa" a été arraisonné dans les eaux de Kopra. Le contrôle des papiers de bord ne se montrant pas satisfaisant, les autorités navales yougoslaves ont prié le capitaine du bateau de gagner le port Kopra. Le bateau a ensuite continué son voyage. Mais une automobile portant la pancarte d'immatriculation N.D.H. (Etat Indépendant Croate pendant le période de 1940 à 1945) et certaines pièces de rechanges ont été débarquées pour servir à l'enquête qui fut effectuée à la suite de certaines indices donnant à soupçonner que les objets en question ont passé illicitement la frontière yougoslave.

Une fois l'enquête faite, l'automobile et les pièces de rechanges furent rendues à leur propriétaire à Trieste.

La question fut discutée au Comité Economique Commun où les explications furent données par les représentant yougoslaves.

Ce qui est exposé plus haut, n'étant qu'en accord complet avec les décisions apportées en commun avec le Comité Economique et les Autorités Militaires Alliées d'occupation, le Ministère des Affaires Etrangères se trouve surpris de la qualification "d'empêchement de la navigation permise" donnée à cette question.

Le Ministère des Affaires Etrangères saisit cette occasion pour renouveler à l'Ambassade des Etats Unis d'Amerique l'assurance de sa très haute considération.

Beograd, le 7 aut 1946.

Belgrade,

August 16, 1946.

785017

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

239
The American Embassy at Belgrade presents its compliments to the American Embassy at Rome, and, with reference to its Note of July 3, 1946, has the honor to quote the text of Note No. 9284 dated August 7, 1946, from the Yugoslav Ministry of Foreign Affairs in reply to the Embassy's Note No. 264 of June 29, 1946.

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Une fois l'enquête faite, l'automobile et les pièces de rechanges furent rendues à leur propriétaire à Trieste.

La question fut discutée au Comité Economique Commun où les explications furent données par les représentant yougoslaves.

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Beograd, le 7 aut 1946.

Belgrade,

August 16, 1946.

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

785017

CSO

Action as directed. Advise GS

+ consider informing ATB XIII Corps in first demand
5871

+ 9th Galt a second.

DE/18

1324

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

785017



*E.C.
To handle
Advise E-5*

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

341
AUG 3 1946
1215

AMERICAN EMBASSY, Rome

July 30, 1946

Dear Admiral Stone,

With reference to recent correspondence on the subject of Yugoslav seizure of Italian fishing vessels in Adriatic waters, I take pleasure in enclosing copy of a note and enclosures from the American Embassy in Belgrade.

Sincerely yours,

David McK. Key
David McK. Key
Charge d'Affaires ad interim

Enclosure

Rear Admiral Ellery W. Stone,
Chief Commissioner,
Allied Commission,
Rome.

see F 349

5830

331a

see F 344

PA 7/1/46

COPY

The Foreign Service
Of the
United States of America

The American Embassy in Belgrade presents its compliments to the American Embassy in Rome, and, with reference to the latter's note of May 21, 1946, encloses herewith a copy of note No. 278 of June 28, 1946 and a copy of note No. 264 of June 29, 1946 addressed to the Yugoslav Ministry of Foreign Affairs protesting the seizure of Italian fishing vessels by the Yugoslav authorities. These notes were submitted pursuant to instructions of the Department of State and in concert with the British Embassy in Belgrade which presented similar notes simultaneously.

Belgrade,

July 3, 1946.

Enclosures:

1. Copy of Note No. 264
2. Copy of Note No. 278

5889

See 343

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

785017

1325

The American Embassy in Belgrade presents its compliments to the American Embassy in Rome, and, with reference to the latter's note of May 21, 1946, encloses herewith a copy of note No. 278 of June 28, 1946 and a copy of note No. 264 of June 29, 1946 addressed to the Yugoslav Ministry of Foreign Affairs protesting the seizure of Italian fishing vessels by the Yugoslav authorities. These notes were submitted pursuant to instructions of the Department of State and in concert with the British Embassy in Belgrade which presented similar notes simultaneously.

Belgrade,

July 3, 1946.

Enclosures:

1. Copy of Note No. 264
2. Copy of Note No. 278

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100-344

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COPY

No. 264

The American Embassy presents its compliments to the Ministry of Foreign Affairs and has the honour to state that it is directed by its Government to address a vigorous protest to the Government of the Federative People's Republic of Yugoslavia concerning the seizure of the Italian Motor Vessel "Salpa" on March 18, 1946.

During the course of a voyage from Trieste to Pola under the auspices of the Allied Military Government the Motor Vessel "Salpa" was stopped by machine gun fire from a Yugoslav motor boat off Punto Grossa and was boarded by men in plain clothes. The vessel was ordered to Capo d'Istria where an automobile and spare parts belonging to Ugo Baseli, an Italian resident of Trieste, were removed allegedly by order of the Yugoslav military authorities. A receipt for the property removed was given and the vessel was permitted to proceed on its voyage. Representations made to the Yugoslav delegation on the Venezia Giulia Joint Economic Committee resulted in the return of the property but no apology or assurance that there would be no repetition of the incident was given.

In view of the above circumstances, the United States Government requests the Yugoslav Government to provide a full explanation of the incident, including a statement of the identity of the Yugoslav boat and of the authority under which action was taken, as well as an assurance that the Yugoslav Government will take steps to ensure that no similar acts of interference with legitimate shipping will occur in the future.

The Embassy takes this occasion to renew to the Ministry of Foreign Affairs the assurances of its high consideration.

Belgrade, June 29, 1946

public of Yugoslavia concerning the seizure of the Italian Motor Vessel "Salpa" on March 18, 1946.

During the course of a voyage from Trieste to Pola under the auspices of the Allied Military Government the Motor Vessel "Salpa" was stopped by machine gun fire from a Yugoslav motor boat off Punto Grossa and was boarded by men in plain clothes. The vessel was ordered to Capo d'Istria where an automobile and spare parts belonging to Ugo Baseli, an Italian resident of Trieste, were removed allegedly by order of the Yugoslav military authorities. A receipt for the property removed was given and the vessel was permitted to proceed on its voyage. Representations made to the Yugoslav delegation on the Venezia Giulia Joint Economic Committee resulted in the return of the property but no apology or assurance that there would be no repetition of the incident was given.

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The Embassy takes this occasion to renew to the Ministry of Foreign Affairs the assurances of its high consideration.

Belgrade, June 29, 1946

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See 342 6343

(321)a

See 342 6344

COPY

No. 278

The American Embassy presents its compliments to the Ministry of Foreign Affairs and under instructions of its Government has the honor to protest to the Ministry of Foreign Affairs against the recurring seizures of Italian vessels in the Adriatic by Yugoslav naval forces. Up to March 23, 1946, a total of thirteen ships of varying tonnage was reported seized. A list of these vessels is appended. On May 19, 1946 previous seizures were climaxed by the seizure of twelve Italian fishing smacks which were outside Yugoslav territorial waters and which were fishing for the account of the Allied Command in Italy to which they were obliged by contract to furnish fish.

These seizures by Yugoslav authorities are clearly in violation of international law and in fact constitute interference with the operations of the Allied Military Authorities. The United States Government therefore expects that the Yugoslav Government will return the vessels seized and will take immediate steps to ensure against repetitions of these incidents.

The American Embassy takes this occasion to renew to the Ministry of Foreign Affairs the assurances of its high consideration.

Belgrade,

June 28, 1946

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

785017

5367

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These seizures by Yugoslav authorities are clearly in violation of international law and in fact constitute interference with the operations of the Allied Military Authorities. The United States Government therefore expects that the Yugoslav Government will return the vessels seized and will take immediate steps to ensure against repetitions of these incidents.

The American Embassy takes this occasion to renew to the Ministry of Foreign Affairs the assurances of its high consideration.

Belgrade,

June 28, 1946

COPY

337

LIST OF VESSELS

Schooner ERNESTO LEONI of Porto Empedocle, seized at Parenzo.

Motor-schooner NUOVA PROVVIDENZA of Venice Maritime Division, seized at Fiume.

Motor-schooner VOLANO of Comacchio Maritime Division, seized at Arsia.

Motor-schooner LIBERTA E ANTONIO M. of Comacchio Maritime Division, seized at Fianona.

Vessel GIUSEPPE of Comacchio, seized at Rovigno.

Vessel FLORIDO of Ravenna, seized at Parenzo.

Vessel DIVINA MADRE of Ravenna, seized at Parenzo.

Vessel NICOLETTA of Chioggia, seized at Parenzo.

Vessel ARDITO PESCATORE of Chioggia, seized at Parenzo.

Vessel ROMANO B (or Z) of Chioggia, seized at Parenzo.

Vessel REMO of Chioggia, seized at Parenzo.

Vessel MOTOVELIERO SICILIANO, seized at Parenzo.

Motor-schooner SALVINO, seized at Lussinpiccoli.

5866

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

785017

Parenzo.

Motor-schooner NUOVA PROVVIDENZA of Venice Maritime Division, seized at Fiume.

Motor-schooner VOLANO of Comacchio Maritime Division, seized at Arsia.

Motor-schooner LIBERTA E ANTONIO M. of Comacchio Maritime Division, seized at Fianona.

Vessel GIUSEPPE of Comacchio, seized at Rovigno.

Vessel FLORIDO of Ravenna, seized at Parenzo.

Vessel DIVINA MADRE of Ravenna, seized at Parenzo.

Vessel NICOLETTA of Chioggia, seized at Parenzo.

Vessel ARDITO PESCATORE of Chioggia, seized at Parenzo.

Vessel ROMANO B (or Z) of Chioggia, seized at Parenzo.

Vessel REMO of Chioggia, seized at Parenzo.

Vessel MOTOVELIERO SICILIANO, seized at Parenzo.

Motor-schooner SALVINO, seized at Lussinpiccoli.

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

785017

1332

331a

Declassified E.O. 12356 Section 3.3/NND No. 785017

336

File

Ref. : 5609/336/EO

4 October 1946.

SUBJECT: M/S "Citta di Marsala".

TO : The Ministry of Foreign Affairs,
Rome.

1. Reference is made to your memorandum No. 6/2309/1172 dated 27 Aug 46, on this subject.

2. The Venezia Giulia War Booty Committee states that they have never received a claim from the Yugoslav War Booty Delegation for this vessel.

For the Chief Commissioner:

A. W. Knisely.

Brigadier,
Executive Commissioner.

Copy to: Polad A
Polad B

5805

Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

APO 794

Office of the Executive Commissioner

334
File

Ref.: 5609/334/30

3 October 1946

My dear Mr. Key,

330

I thank you for your letter dated 26 September 1946 on the subject of the seizure by the Yugoslav Authorities of the Auxiliary Schooner "Florida".

I regret that no mention was made in my letter no. 5609/325/30 of 20 September, of this vessel being already listed in an earlier letter, and on making enquiries to confirm that there is only one ship involved.

Sincerely yours,

ME

Brigadier,
Executive Commissioner.

Mr. David M. Key,
Chargé d'Affaires ad interim,
American Embassy,
ROUL.

See 17-335

5804

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

785017

5609 ⁴⁰

333

SEP 30 1946

60/175/46

30th September, 1946.

To: H.Q. Allied Commission, Office of the Executive
Commissioner, Rome.

From: British Embassy, Rome.

Your letter No. 5609/327/EC of 24th September 1946.

The British Embassy agree that as the S.S. "REX"
is lying in Zone B waters, the Italian Government should
be informed that for that reason the matter should be
taken up direct with the Yugoslav authorities.

H.A. Hankey

H.A. Hankey.

(Capt. K)

See also 4.354

5853

CA 7.9.46
J

Declassified E.O. 12356 Section 3.3/NND No. 785017

5609. *HT*

332

60/174/46

30th September, 1946.

To: H.Q. Allied Commission, Office of the
Executive Commissioner.

From: British Embassy, Rome.

321

325

With reference to your letter No. 5609/325/EC of September 20th regarding the seizure of Italian fishing vessels it would seem that the vessel "FLORIDO", appearing as it does in the enclosure to your previous letter 5609/318/EC of September 13th on this subject, has already been the subject of communications to the Yugoslav Government.

It is proposed therefore to suspend action in the sense requested in your letter under reference of September 20th until a reply has been received from the Ministry of Foreign Affairs to your letter to them No. 5609/329/EC of September 27th.

329

H.A. Hankey

H.A. Hankey.

AWB
(Capt L)

5592
PA 9/10/46

Declassified E.O. 12356 Section 3.3/NND No. 785017



5609.

pp.

331

Vatican City, September 25, 1946

SEP 30 1946

N. 127250/SA

Dear Sir,

227

In a communication to the Liaison Division, dated June 6, 1946, the Secretariat of State of His Holiness requested the good offices of the Allied Commission for information relative to the Italian nationals, who, together with their fishing vessels, were seized by the Yugoslav authorities during the month of May.

Appeals for news of these men from their families have meanwhile reached the Holy See.

It would be greatly appreciated if the Secretariat of State could be informed if any information is obtainable as to their present situation.

With kind personal regards, I am

Very sincerely yours,

Walter S. Carroll.

Rt. Rev. Mons. Walter S. Carroll
Secretariat of State of His Holiness

Officer in Charge
Liaison Division
Allied Commission
Via Veneto

Rome

(Capt L).

See 345. 5861

11. 10. 1946



THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

SEP 27 1946

AMERICAN EMBASSY

Rome, September 26, 1946.

My dear Brigadier Lush:

I refer to the Acting Executive Commissioner's letter of September 20 (Reference 5609/325/EC) requesting that the seizure by the Yugoslavs of the Auxiliary Schooner "Florido" be taken up with the Yugoslav authorities with a view to having this boat and its crew returned.

I note that the name of this vessel was included in the list of Italian vessels seized in the Adriatic, which you sent to AFHQ, G-5, with your letter of June 4, 1946, (Reference 5609/EC). It was also included in a list of vessels forwarded to the Yugoslav Ministry of Foreign Affairs by the American Embassy at Belgrade with a Note dated June 28, 1946, protesting at such seizures and stating the expectation of the United States Government that the Yugoslav Government will return the vessels seized. I sent a copy of this Note to Admiral Stone in a letter dated July 30, 1946.

Inasmuch as the vessel with which your letter of September 20 deals has already been taken up with the Yugoslav authorities, I do not believe any useful purpose would be served by further representations at this time.

Sincerely yours,

David McK. Key
David McK. Key,
Charge d'Affaires ad interim.

Brigadier M. S. Lush,
Executive Commissioner,
HQ Allied Commission,
Rome.

(Capt L)

See L. 334

5880
P.A. 3/15/46

1339

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

785017

HEADQUARTERS ALLIED COMMISSION

APO 794

Office of the Executive Commissioner

329

File

Ref. : 5609/329/33

27 September 1946

SUBJECT: Seizure of Italian craft by
Yugoslav Authorities.

TO : The Ministry of Foreign Affairs,
Rome.

With reference to your memorandum no. 6/3104/1313 dated
13 September regarding the seizure of the schooner "WELING", may
I please be informed if this is the same craft as is referred to
in para 4 of your memorandum no. 6/1883/795 dated 27 April 46 on
this subject.

323

FOR THE CHIEF COMMISSIONER:

147

A. W. Knisely

Brigadier,
Executive Commissioner.

Copy to: G-5 Section
Polad A
" B

5859 11/1/46
P.A.

see 7-32

1340

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

785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

328

File

Ref. : 5609/328/30

26 September 1946

SUBJECT: Seizure of Italian Fishing Vessels.

TO : The Representative of Yugoslavia
to the A.C.I.

With reference to previous correspondence on this subject.

The Italian Ministry of Foreign Affairs has now advised this Commission that the Auxiliary Schooner "Florida" owned by Aldo PALISATTI, while en route from TRIESTE to VENICE with a cargo of salt, was seized by the Yugoslav Navy on March 14th, 1946.

All hands on board, Asorigo PALISATTI, Ruggiero PALISATTI, Argo PALISATTI, Vincenzo GHIRARIELLO, Cesare BARONI and Aldo BARONI, all from Porto GARIBOLDI (COMACCHIO), were interned by the Yugoslav Authorities and have not been heard of since.

It is requested that this matter be taken up with your Government with a view to having this boat and its crew returned.

FOR THE CHIEF COMMISSIONER:

A. W. Kneisel

Brigadier,
Executive Commissioner.

Copy to: Poland. H
Poland. B.

See # 125, 403

5858

P.A. 24/9/46

1341

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

785017

REX 4

1342

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

785017

327
File

Ref. : 5609/327/EC

24 September 1946.

SUBJECT: S/S "REX"

TO : Polad A
Polad B

315

1. With reference to my letter No. 5609/315/EC dated 10 Sept addressed to the Venezia Giulia War booty Committee, copy to you, on this subject.

2. An answer has now been received to the effect that the S/S "REX" is lying in some "F" waters and has not been the subject of a claim before that Committee.

3. Do you please agree to the Italian Government being informed that as this vessel is in some "F" waters, the matter should be taken up direct with the Yugoslav authorities.

For the Chief Commissioner:

A. W. Knisely

Brigadier,
Executive Commissioner.

Copy to: C.C.
Legal S/C
Navy S/C

585 20/9/46
P.A.

See 7-333,354

1343

785017

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

326

3609

6/3150/1229

SEP 23 1946



Via/To

Ministero degli Affari Esteri

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Seizure by Yugoslav Authorities of the Italian fishing boat "SALVINO".

1. On April 12th 1946, the Italian fishing boat "SALVINO" with a displacement of 34, 33 tons, registered at n. 287 in the register of the Harbor Master's offices at Chioggia, while fishing off the Sansego island, has been captured by a Yugoslav armed motor-boat.

2. All members of the crew, who were interned in a Yugoslav concentration camp, have this month been repatriated by S/3 PLAVNIK. The foregoing crew has been allowed to reach its residence at Chioggia after its disembarkation in Venice.

3. Also the crews, in full number, of ten fishing boats which have been seized by the Yugoslavs on May 19th, 1943, off the rock of Pomo and belonging to S. Benedetto del Tronto's craft, have been brought to Italy by the a/m steamship and disembarked in Venice. The names of said captured vessels are, once again, listed here below:

- LUIGI 30, PRIMAVERA, ALBA, LA VITTORIA, NUOVA ROSINA, ILVA,
- SANTA RITA SECONDA, ANTONIA LABILE, GORCONA, INVERNIGO.

4. The Ministry for Foreign Affairs would be much obliged to the Allied Commission if they could take the proper steps with the competent Allied authorities, in order that the fishing boat "SALVINO" be handed over to the Italian Government.

5. It would also be much appreciated if the Allied Commission could renew action with the Yugoslav Government for restitution to Italy of the ten fishing-boats listed above.



Rome, September 23rd, 1946.

F 367

(Cont'd)

ORIGIN: ITALY, COMMISSION: ALLIED

Ministero degli Affari Esteri

SEP 23 1946

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Seizure by Yugoslav Authorities of the Italian fishing boat "SALVINO".

1. On April 12th 1946, the Italian fishing boat "SALVINO" with a displacement of 34, 33 tons, registered at n. 287 in the register of the Harbor Master's offices at Chioggia, while fishing off the Sarsago island, has been captured by a Yugoslav armed motor-boat.

2. All members of the crew, who were interned in a Yugoslav concentration camp, have this month been repatriated by S/S PLAVNIK. The foregoing crew has been allowed to reach its residence at Chioggia after its disembarkation in Venice.

3. Also the crews, in full number, of ten fishing boats which have been seized by the Yugoslavs on May 16th, 1946, off the rock of Ponc and belonging to S. Benegatto del Trionfo's craft, have been brought to Italy by the a/m steamship and disembarked in Venice. The names of said captured vessels are, once again, listed here below:

LUIGI 30, PHILAVERA, AMBA, LA VITTORIA, NUOVA REGINA, DIVA, SANTA RITA SECONDA, ANTONIA MADRE, GORDONA, INTERPIDO.

4. The Ministry for Foreign Affairs would be much obliged to the Allied Commission if they could take the proper steps with the competent Allied Authorities, in order that the fishing boat SALVINO be handed over to the Italian Government.

5. It would also be much appreciated if the Allied Commission could renew action with the Yugoslav Government for restitution to Italy of the ten fishing-boats listed above.

Rome, September 23rd, 1946.



1-347

(init L)

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

785017

325

file

Ref. : 5609/323/20

20 September 1946.

SUBJECT: Seizure of Italian Fishing Vessels.

TO : C-5 Section,
A.P.H.C.

British Embassy, Rome.

U.S. Embassy, Rome.

With reference to previous correspondence on this subject.

323

The Italian Ministry of Foreign Affairs has now advised this Commission that the Auxiliary Schooner "Florida" owned by Aldo PELISATTI, while en route from TRIESTE to VENICE with a cargo of salt, was seized by the Yugoslav Navy on March 14th, 1946.

All hands on board, Amerigo PELISATTI, Ruggiero PELISATTI, Argo PELISATTI, Vincenzo GHIRARDELLI, Cesare BARONI and Aldo BARONI, all from Porto GARIBOLDI (COMACCHIO), were interned by the Yugoslav Authorities and have not been heard of since.

It is requested that this matter be taken up with the Yugoslav Authorities with a view to having this boat and its crew returned.

For the Chief Commissioner:

See 330

A. W. Kinsley.

Brigadier,
Acting Executive Commissioner. 5855

Copy to: Polad A
Polad B
Navy S/O

P.A. 23/9/46

See F-332

Declassified E.O. 12356 Section 3.3/NND No. 785017

5609
WAR BOOTY COMMITTEE
HQ AMG 13 CORPS
CMF.

Ex Commr

334

SEP 19 1946

REF : WBC/4-145A.

SUBJECT: S/S "REX".

16 SEP 46

TO : Headquarters,
Allied Commission,
AFD 794.

- 315
1. Reference your 5609/315/EC dated 10 SEP 46.
 2. The s/s "REX" is lying in Zone "B" waters and has not been the subject of a claim before the War Booty Committee. 5854

T G R Burrows

T.G.R BURROWS,
Major, Secretary,
War Booty Committee.

TGRB/LVN

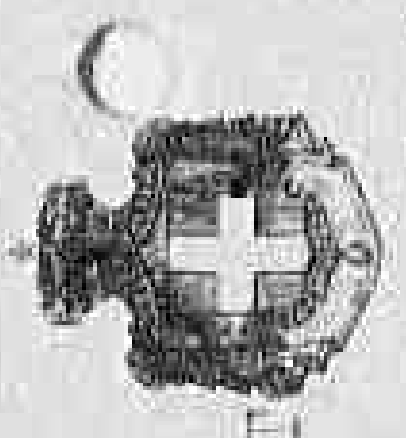
1 s/s REX (3)

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

5009 323
6/24/1213



ROE/T

Ministero degli Affari Esteri

10 SET. 1943

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Seizure of Italian craft by Yugoslav authorities.

1. The Ministry for Foreign Affairs have been apprised by the Prefecture of Ferrara that the auxiliary-schooner "FLORIDO", owned by Aldo FELISARTI, while en route from Trieste to Venice with a cargo of salt, was seized by the Yugoslav navy on March 14th, 1943.
2. All hands on board: Amerigo FELISARTI, Ruggero FELISARTI, Arco FELISARTI, Vincenzo GHIRARDELLI, Cesare BARONI and Aldo BARONI - all from Porto GARIBOLDI (COMACCHIO), were interned by the Yugoslav authorities and not heard of since.
3. The Ministry for Foreign Affairs would be obliged to the Allied Commission if they could take the proper steps with the competent Yugoslav authorities for a speedy release of the a/n vessel and crew.
4. Moreover the Ministry for Foreign Affairs would be obliged to the Allied Commission if they could forward any reply which may have been received in connection with the Italian vessels arbitrarily seized by the Yugoslav authorities, as per the Ministry's memorandum n. 2/2333/795 dated April 27th, 1943.

5853



April 27th, 1943.

Rome, September 13th, 1943.

82356328

Ministero degli Affari Esteri

6 SET. 1943

MEMORANDUM FOR THE ALLIED COMMISSION

SUBJECT: Seizure of Italian craft by Yugoslav authorities.

1. The Ministry for Foreign Affairs have been apprised by the Prefecture of Ferrara that the auxiliary-schooner "FLORIDO", owned by Aldo FELISATTI, while en route from Trieste to Venice with a cargo of salt, was seized by the Yugoslav navy on March 14th, 1943.
2. All hands on board: Amerigo FELISATTI, Ruggero FELISATTI, Argo FELISATTI, Vincenzo GHIRARDELLI, Cesare BARONI and Aldo BARONI - all from Porto GARIBOLDI (COMACCHIO), were interned by the Yugoslav authorities and not heard of since.
3. The Ministry for Foreign Affairs would be obliged to the Allied Commission if they could take the proper steps with the competent Yugoslav authorities for a speedy release of the a/n vessel and crew.

4. Moreover the Ministry for Foreign Affairs would be obliged to the Allied Commission if they could forward any reply which may have been received in connection with the Italian vessels arbitrarily seized by the Yugoslav authorities, as per this Ministry's memorandum N. 5/1223/793 dated April 27th, 1943.



Roma, September 13th, 1943.

Folios 325-328
See 7. 329,406

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

5609

WAR BOOTY COMMITTEE
HQ AMG 13 CORPS
CMF.

EX. COMMR 322
~~44~~
1558

REF : WBC/4-137A.
SUBJECT : M/S "Citta' di Marsala".
TO : HQ. Allied Commission,
APO 794.

10 SEP 46

309

Reference your 5609/309/EC dated 4 SEP 46.

1. The War Booty Committee has never received a war booty claim from the Yugoslav War Booty Delegation for the M/S "Citta' di Marsala".
2. It is known that several other vessels that have not come before the War Booty Committee have also been declared war prize by the Yugoslav Maritime Court (Prize Court).

T G R Burrows

T.G.R. BURROWS,
Major, DAQMG,
Secretary,
War Booty Committee.

TGRB/LVW

(Capt R)

4.336 refers

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

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

321

Ref. : 5609/318/21

13 September 1946

SUBJECT: Seizure by Italian Vessels by Yugoslavs.

TO : The British Embassy
Rome.

308

Reference your letter no. 60/183/45 dated 26 August 1946 addressed to Captain Knisely on this subject.

I enclose two copies of a list giving details of all seizures by the Jugoslav authorities of Italian fishing craft as reported officially to this Commission by the Italian Government.

These are the details upon which the Allied Commission has acted and which have been forwarded to the S.C.C. in Washington and which might, I think, be classed as the 'official' information.

FOR THE CHIEF COMMISSIONER:

A. W. Knisely

Brigadier,
Executive Commissioner

Copy to: Poland A
" B
Navy S/C

5851

See 7-332

PA 13/9/46
H. P.

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

785017

DATE	ITEM No.	NAME OF SHIP	ACTION
25/5/45	1	DELFINO	Called from MOLFETTA for deep sea fishing, not heard of since
25/5/45	2	SAN NICOLA	Called from BARI " " " " " " " "
29/5/45	3	SAN VINCENZO AMBRASCOLO	Whilst fishing 5 miles NORTH of MELAGNA, was followed and attacked with machine gun by Slav motor boat from ORZZA. Boat escaped by abandoning its nets.
30/5/45	4	NUOVA MARIA	Called from MOLFETTA to fish, not heard of since.
17/6/45	5	SANTA TERESA	South of MELAGNA fishing with regulation lights, was seized by a Yugoslav motor boat and taken towards the West coast of the ADRIATIC. Incident witnessed by crew of launch "LADIANA" that was close but being without lights, escaped.
NOTE The Italian Government have reasons to believe that the aforementioned "DELFINO", "SAN NICOLA", "NUOVA MARIA" have also been captured by Yugoslav Units.			
8/45	6	DIANA	Ordered, whilst fishing in the Adriatic to proceed to Yugoslavia.
4/45	7	ITALIA	Soon after the occupation of the city by Yugoslav forces, the crew of this vessel was compelled to land and replaced by a Yugoslav crew. To the Italian's complaints it was opposed that "everything in the Trieste Harbour was considered as being war-prize", while the Yugoslav flag was hoisted on the ship.
4/45	8	ARBITA	Seized from TRIESTE harbour by the Yugoslavs.
4/45	9	ARMANDO BARTOLINI	
?	10	DANE	Whilst under repair at ARONA seized by Yugoslavs and sent to DUBROVICA.
30/5/45	11	NUOVA ITALIA	Left MOLFETTA and not heard of since
3/45	12	GIUSEPPE P.	At Rovigo, destined for Piave to load wood, sequestered by Yugoslavs.
3/45	13	VOLANO	At Arca, loaded with coal and making for Venice, sequestered by Yugoslavs.

5850

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

785017

DATE	ITEM No.	NAME OF SHIP	ACTION	319
3/46	14	LIBERTY	(Pianosa, loaded with wood and maring for Venice, seized by Yugoslavs.	
3/46	15	ANTONIO	" " " " " " " " " "	
3/46	16	NUOVA PROVVIDENZA	of Venice Maritime Division seized in Piana.	
3/46	17	VILANO	Of Genoa Maritime Division seized in Arsa.	
3/46	18	LIBERTY ANTONIO M.	Of Genoa Maritime Division seized in Pianosa.	
NOTE: The cargo of these ships (firewood and coal) was unloaded and the ships have been used for transport of coal from Arsa to Piana on account of the Yugoslav Maritime Inspectorate of Piana.				
3/46	19	CHIERRE	Of Genoa, empty, seized in Ravenna.	
3/46	20	FLORIDO	Of Ravenna, cargo of salt bound to Venice, seized in Farenze	
3/46	21	DIVINA MADRE	Of Ravenna, cargo of coal bound to Venice, " " "	
3/46	22	NICOLETTA	Of Chioggia, cargo of cement bound to Chioggia, " " "	
3/46	23	ARMATO FRESCATORE	Of Chioggia, cargo of silicate bound to Venice, " " "	
3/46	24	ROMANO B	Of Chioggia, cargo of firewood bound to Chioggia " " "	
3/46	25	RIZZO	Of Chioggia, cargo of firewood bound to Chioggia " " "	
3/46	26	MONTIVELLIERO SICILLANO	Cargo of wine bound to Venice, seized in Arsa.	

1353

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

785017

DATE	ITEM NO.	NAME OF VESSEL	ACTION
3/46	27	Two wharries and one tug-boat, cargo of coal bound to Venice, seized in Arvia.	

N.B. Vessels Nos. 16-27 were seized as a countermeasure for the supposed Allied Requisitioning of the vessels EVIR and LAMON (see my 5609/154/EC dated 7 May 1946).

Finally, 12 vessels seized 25 miles off the Slav coast and compelled to enter CATTARO. 110 Italian sailors are missing. *(Sailors now repatriated)*

5848

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785017

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

INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSION

Ex. Comm. 317
SEP 10 1946

Originator's Reference: FY 77610
Date/Time of Origin: SEPT 091328H

Message Centre No: 4/6-16
Date Time Rec'd: SEPT 100900
Precedence: PRIORITY

FROM: AMIR, SIGNED SACRED CITY MESS
TO : ACTUAR WASHINGTON CABINET OFFICERS WHITEHALL, INFO: ALCON HOME SIRC MED
MAIN 15 COME FOR COS. DUE PCS

RESTRICTED

RESTRICTED:

Subject is seizure by Yugoslavs of Italian fishing vessels. Reference NAF 1158.
This is NAF 1211.

1. Notified for information that Italian Government confirm that all fishermen captured by Yugoslavs on 19 May 1946 have been repatriated.
2. The vessels have not been returned.

AC DIST

INFO ACTION - EX COMMR 2

INFO - CHIEF COMMISSIONER

ROOM 2

CAS

POLAD (A)

POLAD (B)

FILE

SKELTON

INFO - ACTION

5847

RESTRICTED

HEADQUARTERS
10 SEP 1946
A. P. C.
10

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785017

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

315

File

Ref. : 5609/315/20

10 September 1946.

SUBJECT: 5/3 "REF".

TO : The Venezia Giulia War Relief Committee,
c/o A.M.C.
XIII Corps.

314

1. I enclose for your information a copy of memorandum No. 6/5057/1192 dated 4 September 46 from the Italian Ministry of Foreign Affairs to this Commission on this Subject.
2. I would be grateful if you would advise me if this vessel has come up before your Committee for disposal and if so, with what result.

For the Chief Commissioner:

M. S. LUSH

Brigadier,
Executive Commissioner.

See 324, 327

Encl : as above.

Copy to: U.S. Embassy
British Embassy
Navy S/C
Legal S/C.

See 11-316

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P.A. 572100

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785017

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

314

5609

6/3037/1192



Ministero degli Affari Esteri

SEP 5 1946

MEMORANDUM FOR THE ALLIED COMMISSION

1. The "ITALIA" shipping company has informed the Italian Government that the Yugoslav Government have announced through the Belgrade Official Gazette n.50 dated June 21st, that the liner "REX" is to be considered a war prize and therefore sequestered.

2. The a/m liner lies sunk in waters east of the Morcan Line, off Capo d'Istria. However, owing to the fact that all waters around Venezia Giulia are Italian, whoever the temporary occupant of the line may be, it appears that the Yugoslav claim should be considered illegal.

3. It is to be pointed out that for some time the Yugoslav have been systematically stripping the liner "REX".

4. The Italian Government wishes to make it clear that they reject any admission of such groundless claims, and denounce any past, present or future direct action on the part of the Yugoslav Authorities. The Ministry for Foreign Affairs would be grateful if the Allied Commission could take up the question with the A.M.C. Authorities in Trieste.

Rome, September 4th, 1945.



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Lu 77-316 v. 7. 315

(Celt L)

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

785017



Ministero degli Affari Esteri

SEP 3 1946

MEMORANDUM FOR THE ALLIED COMMISSION

Subject: Seizure by Yugoslav Authorities of Italian fishing boats.

1. Reference is made to the Allied Commission's note n° 5609/277/EC dated August 7th, 1946.

2. The attached letter is forwarded to you for onward transmission to the Yugoslav Government.

Encl.

Rome, August 28th, 1946



[Handwritten signature]

P.R. 5/9/46

1358

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

785017

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

File
313

Ref: 5609/313/21

8 September 1946

SUBJECT: Alleged Seizure of Italian Fishing
boats by the Yugoslav Authorities.

TO : The Acting Representatives of Yugoslavia
to the Advisory Council for Italy.

311

1. The attached Memorandum is forwarded at the request
of the Italian Ministry of Foreign Affairs.
2. The Allied Commission will be happy to transmit your
reply.

For the Chief Commissioner:

A. W. Kinsley

Brigadier,
Executive Commissioner.

1 Encl.

5844

PA 9/14/46

311
Rome, August 28th, 1946

SUBJECT: Seizure by Yugoslav Authorities of Italian.

1. During the night of May 24th and May 25th, 1945, a tug-boat, flying the Yugoslav navy's flag, removed from the port of Trieste the fishing motor-boats "SOCOPESCA C.4." and "SOCOPESCA C.5.", gross displacement 32 tons.

2. The above ships, which have been launched at the shipyard "Istria" (Capodistria) in early November 1944, were transferred by the Germans to Trieste and should have been equipped as vedette-boats. When the Allied forces liberated the city they were found still without motor or armament.

3. Previous to the capture, the owners Bruno Bonetti & Co., of Trieste, made a regular request for the a/m boats to the "Pomoersha Olaleka Komanda Trst - Via Cadorna 11 - which, on May 24th, put the motor-boats in question to the owners' disposal.

4. Since the a/m vessels are the property of a co-belligerent Nation, application is made herewith on behalf of the Italian Government for an intervention of the Allied Authorities to the Yugoslav Delegation, Advisory Council for Italy, in order that the a/m fishing motor-boats be handed over to the Italian Authorities.



5843

See 4. 1/3

785017

SUBJECT: Seizure by Yugoslav Authorities of Italian.

1. During the night of May 24th and May 25th, 1945, a tug-boat, flying the Yugoslav navy's flag, removed from the port of Trieste the fishing motor-boats "SOCOPESCA C.4." and "SOCOPESCA C.5.", gross displacement 32 yons.

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See 4313

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

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

309

Ref. : 5509/309/30

4 Sept.
August 1946

SUBJECT: M/V "Vitta" di Marsala.

TO : The Venezia Italian War Booty Committee
C/o 38
13 Corps.

307

1. I enclose for your information a copy of memorandum No. 6/2302/1172 dated 27 August 1946 from the Italian Ministry of Foreign Affairs to this Commission on this subject.

2. As this vessel is in zone "A" it cannot be claimed as War Booty by the Yugoslav Authorities unless it has been awarded by your Committee.

3. I do not know whether the Yugoslav Authorities, during their occupation of Trieste, took any steps in accordance with Maritime International Law to take over this vessel or whether they, at that time, declared it officially a War Prize.

4. I would therefore be grateful if you will advise me if this vessel has come up for disposal and if so with what result.

FOR THE CHIEF COMMISSIONER:

M. S. LUSH

Brigadier,
Executive Commissioner.

Encls. as above.

Copy to: U.S. Embassy
Br.
Navy B/C
Legal B/C

See 17-310

5842

See 7-322

P.A.
10-8-46

1362

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

785017

5609.81

BV ~ 308
feliThe British Embassy,
Rome.

60/128/16

26th August, 1946.

AUG 29 1946

My dear Kinsley,

I have been examining the question of our representations to the Yugoslavs regarding their seizures of Italian fishing vessels in the Adriatic, and I find, from a study of various documents in our possession from A.F.N.W. and from yourselves, that it is not at all clear how many vessels have in fact been seized. Moreover, it appears that the seizure of 12 vessels reported as having taken place on the 12th May is, in fact, the same incident as that reported by the Allied Commission on the 5th June as to the seizure of 10 ships on the 19th May.

In the report received from our Ambassador in Belgrade on their representations to the Yugoslav Government, it is clear that they have been considerably confused by the manner in which the various claims have been reported to them, and I therefore feel that it would be very valuable if we could obtain from the Italian authorities a final and consolidated list of all vessels definitely known to have been seized by the Yugoslavs in the Adriatic, together with the exact date, as far as possible, on which seizure is known to have taken place.

Capt. A.W. Kinsely,
Allied Commission.

Chas
(Capt K)

See 4.321

/While

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

785017

While I do not suppose that we shall
ever obtain any great satisfaction in this matter, I
feel that it will be useful to have ourselves
properly documented in case an occasion should
arise when we could obtain redress for the Italians.

Yours sincerely
R. S. Sarell
R. Sarell.



Ministero degli Affari Esteri

AUG 29 1946

MEMORANDUM FOR THE ALLIED COMMISSION

Subject: M/S "Città di Marsala".

1. According to a report received from the Ministry of Merchant Marine, the Steamship Company "Tirrenia", owner of the M/S "Città di Marsala", has informed that the Yugoslav Authorities have declared that the ship is to be considered a war prize. This is confirmed by the enclosed excerpt of the Belgrade Official Gazette dated June 7th, 1946.
2. It is to be pointed out that the ship in question is out of the Yugoslav territorial waters as it has been docked for repairs in Trieste since October 1942. The same is registered in the naval register of Palermo and is the property of a Company whose offices are out of Venezia Giulia's territory.
3. As the capture of the ship implies a taking of possession on the part of the Yugoslav forces, it is not understood on what grounds is based the Yugoslav claim. The fact that Trieste was first occupied by Yugoslav forces is of no relevant importance in as much as the territory of the "A" Zone has been evacuated and subsequently occupied by the Allies. The Yugoslav authorities, therefore, can in no way claim a symbolic seizure of the ship.
4. The M/S "Città di Marsala" has been, moreover, uninter- ruptedly owned by the Tirrenia Company and this is proved by the fact that the Company so far has been effecting the necessary re- pairs on the ship.
5. The admission of such a preposterous claim is to be re- jected by the Italian Government not only because groundless, but also because, should the claim be recognized by the Allied Authorities, it would constitute a dangerous precedent for Italian vessels which were in Trieste at the moment of the Slav occupation.

p.v.o.

See 4. 336

Encl.

Ally

P. B. 4/9/46

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5609.48

6/2309/1172

Ministero degli Affari Esteri

AUG 29 1946

MEMORANDUM FOR THE ALLIED COMMISSION

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Encl.
(Capt. H.)

See 4.336

P.T.O.

P.A. 4/6/46

785017

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Declassified E.O. 12356 Section 3.3/NND No. 785017

6. Herewith enclosed is a translation of copy of letter dispatched by the "Mitrreia" to the Ministry of Merchant Marine.

7. The Ministry for Foreign Affairs would be much obliged to the Allied Commission for all the urgent steps they may deem necessary to take on the matter. **A**

Rome, August 27th 1946



1367

785017

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

Translation

306

" T I B E R I A "

Soc. Anonima di Navigazione

Napoli 3 agosto 1946

Via Santa Maria in Portico
n° 58

Oggetto: M/n "C. MARSALA" Preda bellica.

N° 757/SA/171

Spett. Direzione Generale - Marina Mercantile
Div. III - Off. Meleggi

R O M A

e per conoscenza:

Ispettorato Servizi Marittimi

R O M A

Our Branch-Office in Trieste has advised us that the Yugoslav Government, with sentence passed by the Tribunal for Maritime War Prizes, have declared the S/S "Città di Marsala" a war prize.

Herewith enclosed the translation of an excerpt of the sentence which appeared in the Official Gazette of Belgrade n° 46 of June 6th 1946.

As you are aware, the a/n ship is docked for repairs in Trieste since October 27th 1942. Such repairs, which were suspended owing to circumstances, are now to be resumed.

The following repairs are now to be undertaken:

- 1) repairs to the hull to be effected in dry-dock, repairs which are already under way;
- 2) installation of the main engine, which is now en route from Legnano;
- 3) general overhaul of all auxiliary engines and fittings.

5839

We beg to submit therefore the following suggestions:

- 1) to effect those repairs necessary for the floating of the ship;
- 2) send the main engine to Venice instead of Trieste;
- 3) examine whether is convenient to fit up the ship into seaworthy conditions.

1368

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

785017

Translation

305

EXCERPT FROM THE OFFICIAL GAZETTE OF BELGRADE

№ 46 - June 7th 1946

SHIPS DECLARED WAR PRIZES

DATE AND NUMBER OF SENTENCE

Vessel type

"C. MARSAIA" passenger

16/5/46

25/46/4

Representative of the Ship

Dr. Bruno Jelencich - Split

5838

