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

ACC

10000/142/819
(VOL. 1)

0508

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

42/819
)

POLICY REGARDING JUGOSLAVS
JAN. 1944 - APR. 1946

0509

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

BEST COPY POSSIBLE

FILMED AS FOUND

IN COLLECTION

56

AC/4132/L.

VOL. 1

OPENED : 29 JANUARY 1944

CLOSED : ~~March~~ 3 April 1946

Secret

Secret changed to Confidential

SUBJECT : POLICY REGARDING JUGOSLAVS

10000 / 142 / 819

Declassified E.O. 12356 Section 3.3/NND No. 795016

SUBJECT : POLICY REGARDING JUGOSLAVS

10000 / 142 / 819

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CONTAINS PAPERS
FROM JAN. 44
TO APR. 46

READY FOR ARCHIVES:

Declassified E.O. 12356 Section 3.3/NND No. 859016

TO : Executive Commissioner (Through Polad A and B).

1. The cases of Gherbaz and the villa of Pavelic are typical of the present attitude of the Jugoslav representatives.

2. This Sub-Commission in bombarded with requests for liberation of prisoners, arrests of alleged war criminals, sequestration in favour of Jugoslavia of private property situated in Italy, fishing rights, etc. etc.

3. These requests are based on one foundation only, the determination of the Jugoslav Authorities to get what they want. They are generally legally fantastic and are giving considerable extra and useless work.

4. Could not some representations be made to the Jugoslav representative in order that he limits his requests to genuine ones and not wast the time, labour and goodwill of the members of this already much depleted Sub-Commission.

G. G. Hamilton

G.G. HAMILTON,
Lt.Col.,
Deputy Chief Legal Advisor

4 April 1946.

Ef Comm:

Draft at 158A seems alright to me. I'm afraid not much can be done to meet Col. Hamilton's suggestions in para 4 above.

22

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

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor

4 April 1946.

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Ex Comm:

Draft at 158A seems alright to me. I'm afraid not much can be done to meet Col. Hannaford's suggestions in para 4 above.

Apr. 5/46

Wesley Jones - Policy (A)

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

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

FO : Executive Commissioner.

1. A Jugo-Slav, by the name of Harun Redyepovic, killed an Italian near Perugia on 22 April 1941. There appears to be no doubt that he did the killing, but the motives are in dispute between the Italian and Jugoslav Governments.

2. Redyepovic is at present held in gaol by the Italians who wish to bring him to trial.

3. The Italians say that he is of the status of prisoner of war, because they captured him in Slovenia in 1941. They therefore wish to try him, in accordance with Italian law, before the Italian Military Court in Florence.

4. The Jugoslavs say that he escaped from the prisoner of war camp, became a partisan fighter on the side of the Allies, and is therefore, under the Armistice Terms, outside the jurisdiction of the Italian Courts. They demand that he be given up to them, in which case they say that they will try him.

5. The Italian Minister of Justice does not place too much confidence in the proposed trial by a Jugoslav court; the Minister of Justice is ready to hand him over for trial by an AMG court in Italy but has at present refused to accept the demand of the Jugoslavs.

6. This Sub-Commission has so far stalled, and has taken the non-committal line that the Jugoslavs have not proved that he was a prisoner of war or a member of the Jugoslav forces. However it appears that this comedy cannot be played any longer as both the Italians and Jugoslavs are more or less agreed on the point.

7. Legally the Italians are wrong in claiming a right to try him themselves. Their municipal law which gives them jurisdiction over POWs is subordinate to the Armistice Terms. Morally, I feel little doubt of the result of a trial by the Jugoslavs. It is not certain what status Redyepovic acquired when he escaped from Italian custody; I think AMG might very possibly have jurisdiction to try him, but I do not think that this would be a happy solution in existing conditions.

8. I presume that an order will have to be given to the Italian Government to hand Redyepovic over, but I am referring the question to you before preparing the necessary letter for CC's signature.

18 September 1945.
LEGAL SUB-COMMISSION

W. E. BEHRENS,
Colonel,
Chief Legal Advisor.

0515

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

Ref Folio 23 the opinion of this sub-commission is as follows:

1. An accurate determination of the status of the "Yugoslav Red Cross Sub-Committee" and its relationship with the official Yugoslav Red Cross would require a knowledge of the constitution of the Yugoslav Red Cross and of Yugoslav law which is not available.

2. It appears that the "Sub-Committee" came into existence at the beginning of Sept 1944 shortly after the appointment of Dr. Smodlaka as YS delegate to the ACI. The "Sub-Committee" continued to function as such under the presidency of Mr. Smiljanic, then Deputy YS Delegate to ACI, until about the end of Nov 1944 when Dr. Smodlaka arrived in Rome. During this period the Deputy Delegate to ACI (Mr. Smiljanic) apparently authorized the payment by the YS delegation to or for account of the "Sub-Committee" (Mr. Smiljanic) of some L. 67000.

3. The Articles of Incorporation of the Society are at Folio 25. These were deposited at some date with Displaced Persons and Repatriation Sub-Commission. The exact date of this deposit is not clear and in any event the circumstances surrounding the inauguration and operation of the "Sub-Committee" are so suspect that little value is to be attached to these Articles.

4. It appears that the YS Government in London did genuinely regard the "Sub-Committee" as part of the YS Red Cross and subject to the rules of that Society. This fact, however, does not, in English or Italian law, constitute the "Sub-Committee" as part of the Red Cross, nor does the fact that the YS Government was misled into advancing funds to the "Sub-Committee" for the purposes of its work. Such an advance may well give a right of action against the "Sub-Committee", if it is a juridical body, or against some of its members, but cannot alter the juridical status of that "Sub-Committee."

5. For what they are worth, the Articles of Incorporation do not create a body which is part of the Red Cross.

6. Subject to para 1, therefore, it appears that there is no real evidence to support the contention of the present YS Government that the "Sub-Committee" was a branch of the YS Red Cross.

7. It remains to answer the second half of your first question. The YS State may well have a right of action against the "Sub-Committee" or its members, but under Italian law, which is the law applicable, the YS State has no right to direct the affairs of the "Sub-Committee."

W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

LEGAL S/C
5 April 1945
WEB/rlp.

5

To Displaced Persons.

1500 h. 5 Tues 10

Will you consider invite 4 please and arrange a meeting in my office at which Mr Halford (Br Political Advisor) should be present to consider our next step.

6 Apr 45

Completed.

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0516

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D. P. & R. S/C.

Ref 23 para 1 (b). May we have the Articles please.

3 Apl. 45

for D.C.W.A.

Legal Sk., A.C.

Reference 23 para 1(c). Articles requested herewith (Vol 25).

4 April 1945

W. E. Simcock
MAJOR.
G. II

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CAS
In Political Section

1

1. It is the opinion of the Italian legal advisers of this Sub Commission that members of the Yonge Slav Welfare Committee may be tried under Italian law for refusing to hand back the funds provided to them in their previous capacity of representatives of the Yonge Slav Red Cross, by the Yonge Slav Delegation to the Advisory Council.

2. Arts 209 and 210 of the "Legge di Pubblica Sicurezza" appear to cover the other point raised by the Yonge Slav delegate. These provisions would entitle Italian authorities to dissolve the association, close its premises, seize its assets and sentence the members of this association to prison and fine if:
   a/ such authorities can be persuaded to act and
   b/ if the members of the Welfare ~~Committee~~ Association are found guilty by an Italian Court.

Legal
6 March 45

G. E. Hamilton
Hqtrs

2.

To. V.P CAS.

Think I above does not seem very satisfactory
I have instructed Maj. Rankin to prepare the Brief
at 22. of file.

May I have yr instructions as to whether the legal
opinion above should be passed on to Political Advisor
or any other action to be taken.

CAS.

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

FILE CLOSED 3 April 1946.

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

158A

HEADQUARTERS ALLIED COMMISSION
APO 791
LEGAL SUB COMMISSION

AC/A132/L

MT/ns
3 April 1946.

SUBJECT : GHERBAZ Mariano; sentenced by the Court of Fiume - Application for Pardon.

TO : The Ministry of Pardon and Justice.

1. Reference your letter from the Ufficio Collegamento Prot.No.VC/4722-3 of 16th March 1946.

2. Gherbaz Mariano was sentenced in July 1942 and January 1943, to terms of imprisonment which have not yet expired. On 7th January 1946 the Military Administration of the Jugoslav Army in the Istria, Fiume, and Slovene Coast Area issued an Order of Pardon for the remainder of the sentence passed upon Gherbaz Mariano.

3. This Sub Commission concurs in the opinions expressed by Dott. Bonelli in the letter of 16th March that

(1) an occupying power has not the right to pardon sentences imposed by the judicial authorities of the occupied territory prior to the occupation, when the persons sentenced are outside such territory;

(2) that the case in question being one for sentences for ordinary crimes imposed by an Italian Court at Fiume before the armistice, the right of pardon is vested in the Head of the Italian State; and

(3) that while the Jugoslav authorities could remit the sentences and liberate prisoners in territory occupied by them, such liberation would not under Italian law prevent the persons released from being again committed to prison to serve the remain of sentences imposed by an Italian Court; and

(4) that with regard to the procedure to be adopted dealing with applications for pardon by persons sentenced by Italian Tribunals situated in Zone B of Venezia Giulia this

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Sub Commission fully concurs in the view of the Ministry of Justice that the same principles should be applied as in the case of pardons granted by the Italian Government to those who were sentenced before the Armistice by Tribunals in Northern Italy and who were in liberated Italy at the time the application was made, although the territory of the authority that imposed the sentence was under de facto of the pseudo Fascist Government.

4. The letter of the Ufficio Grazie enclosed in your letter is returned herewith.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

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

1574

HEADQUARTERS ALLIED COMMISSION
APO 394
ALLIED SUB-COMMISSION

CGV/mda.

2 April 1946.

AC/4132/1.

SUBJECT : Requisitration of the villa "Poggio Olivo" at S. Domenico di Fiesole, property of Dr. Ante Pavelic.

TO : Dr. Slavco J. MACHARA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

1. One of the oldest principle of law is known as the "lex situs" and "Forum Rei Sitae".

2. Under this legal concept "real property is governed exclusively by the laws of the country in which it is situated".

3. Your request has therefore been passed to the Italian Government for whatever action they may think appropriate.

C.C. HANNAFORD,
Lt.Colonel,
Deputy Chief Legal Advisor.

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Copy to: Executive Commissioner
Polish (A) and (B).

Forwarded with reference letter to the Minister of Justice
Rome SCA 4/4/46

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4132

HEADQUARTERS ALLIED COMMISSION
Office of the Executive Commissioner
LIAISON DIVISION
APO 394

PHT/fb

156A

Ref.9009/82/EC

30 March 1946

SUBJECT: Sequestration of the villa "Poggio Olivo" property of Dr.Ante Pavelic.

TO : Legal Sub Commission
Hq.AC.

The attached letter has been received from the Jugoslav Delegation and is passed to you for action.

Please answer direct with a copy to this section.

P.H. Turnbull Capt

Brigadier
Executive Commissioner

Encl. ltr Jugoslav Delegation

1 One of the chief principles of law is known as the "lex situs" or "Law of the situs".

2. Under this legal concept real property is governed exclusively by the laws of the country in which it is situated".

3. "Law of the situs" has therefore been passed to the Italian Government for submission which they think appropriate (cpd to F.O. Law. Polmin(A). (B) —

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-COPY-

Jugoslav Delegation
To the Advisory Council for Italy

Pov.br. 334/46 27 March 1946

SUBJECT: Sequestration of the villa " Poggio Olivo" at S.Domenico di Fiesole, property of Dr.Ante Pavelic.

TO : Chief Commissioner
Allied Commission

By instructions of the Jugoslav Government we have the honour to state as follows:

1. The well known Jugoslav traitor and war criminal Dr.Ante Pavelic, ex chief of the Quisling Independent State of Croatia, has bought in 1942 in Italy a villa named "Poggio Olivo" at S.Domenico di Fiesole, Via del Salviatino n.6, near Florence. The villa was purchased from Signor Donatella Donati. It contains 13 rooms, accessories, a garden and orchard, about 4000 m2 large. The ground of the villa was denounced under Ante Pavelic's name. We do not know if the building did remain registered under the name of the previous proprietor or pass formally on Mara Pavelic, Ante Pavelic's wife or daughter. Bills for electricity are addressed partly to the Croat (Pavelic's) consulate , partly to Angelina Fedeli, a friend of the Pavelic family. Administrator of the villa is Signor Olga Zannoni, born, Licini, dwelling in Florence, 2 Via Duca d'Aosta, ex consular agent of Pavelic's Quisling Independent State of Croatia.

The villa was occupied by Allied Forces as an empty building, without having been properly requisitioned. The owner is therefore trying to sell it.

2. Application is made that necessary steps be taken in order to sequester the Villa immediately in favor of Jugoslavia and to impede at the same time any further disposition with the villa by the actual proprietor.

3. The subject is of great importance for the Jugoslav Government and it is therefore courteously requested that necessary measures be taken urgently and that this Delegation be informed about steps taken in regard.

Sgd/
Dr.Sloven J. Smodlaka
Deputy Representative of Jugoslavia
Advisory Council for Italy

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

5403

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

E/RV 155A

LEGAL DIVISION

Date 27 March 1946

FILE REF.: 13C/AMG/LD 162/804

SUBJECT: **Piro Seruej - Jugoslav Citizen.**

TO: Allied Commission liaison Officer, Venezia
Villa Taverna - Preganziol - Nr.TREVISO

Copy to: Headquarters Allied Commission
(Attn. Legal Sub-Commission)
A.P.O. 394

1. Reference the attached AC/4132/L received from Headquarters Allied Commission.

2. No details of Piro Seruej are known by either the Courts or the Prisons of Trieste.

3. In view of the information that the he is at present held at Treviso, can you please supply the details requested by Headquarters Allied Commission.

For the Acting Senior Civil Affairs Officer.

R.H. Ettenridge
for A.E. GOLD
Major A.U.S.
Chief Legal Officer

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERK
30 March 46

Enclosures : 1

No action required until further details are received from Treviso

4/4

0525

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

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/-

MF/ns
29 March 1946.

SUBJECT : Release of persons claimed as Jugoslav nationals.

TO : H.Q., 3 District.

1. I enclose copies of two letters with enclosures addressed by this Sub Commission to the Public Safety Sub Commission who have replied that "the Chetnik Camp at Aboli is under the control of HQ, 3 District to whom any application for release or supply of information should be addressed." I should be obliged if you would kindly supply the information and take the action requested in the above mentioned letters.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

0526

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

ALLIED [redacted] COMMISSION

1534

INTER-OFFICE MEMORANDUM

Public Safety Sub-Commission

SUBJECT: Yugoslav Citizens. FILE No. AA/211/PS.

TO : Legal Sub-Commission. 26 March 1946

Your two letters of 26 March are returned herewith.

The Chetnik Camp at Eboli is under the control of HQ, 3 District to whom any application for release or supply of information should be addressed.

John W. Chapman

JOHN W. CHAPMAN
Colonel, JAGD
Director.

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

1524

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. MT/pa.
28 Mar 46.

SUBJECT : Kukin Bova, Nemcev Vasa, Vojinov Ivan, Ranisavljiev Sava, Dobriwoje Zarabac.

TO : The Yugoslav Delegation to the Advisory Council for Italy.

1. Reference your No.Br.80/46 and Br.113/46 of 23rd and 29th January 1946.

2. I enclose herewith a copy of a letter from the Ministry of Justice containing a report from the Questura of Arezzo regarding Zarabac Dobrivoje. As regards the other above-named persons the Ministry is awaiting further information from the Procuratore of the Court of Appeal, Naples.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incl.

0528

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

Mod. 102

MINISTERO DI GRAZIA E GIVSTIZIA

Direzione Generale degli Affari Penali
delle Grazie della Statistica e del Casellario

Ufficio IIIo A.P.
Prot. N° 449.31.230
Risposta al f. N° AC.4132
del 13 Febbraio 1946
OGGETTO: LOBRIVOJE Zarabac.-

Roma, 23 Marzo 1946

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

e per conoscenza:
ALL'UFFICIO COLLEGAMENTO
S E D E

In riporto al foglio suindicato si porta a conoscenza di codesta On.le Commissione che il Procuratore del Regno in Arezzo ha comunicato il seguente rapporto della locale Questura:

"""In relazione alla nota sopra distinta, comunicasi che ZARABAC Lobrivoje di MADAN e di Zivka Lekic, nato a Veliko Crasne il 16-2-1925, venne fermato il 28 ottobre 1945 in questa stazione ferroviaria dalla polizia inglese, perchè sprovvisto di documenti e distretto nelle locali carceri.-

Dopochè detta polizia, successivamente, dichiarava di disinteressarsi di lui, venne posto a disposizione di questo Ufficio, che provvide ad interrogarlo ed avvisarlo, il 30 gennaio u.s., a Roma, con l'obbligo di presentarsi a quella Questura entro giorni due. Lo ZARABAC, però, non ha adempiuto all'obbligo di cui trattasi, rendendosi irreperibile.- Pertanto, nei di lui confronti venivano disposte ricerche nel Regno.-

Egli, all'atto dell'interrogatorio, confermava le generalità sopra accennate; di essere jugoslavo, di aver combattuto sotto il Re Pietro di Jugoslavia; di essere entrato nel Regno nell'aprile 1945; di essere stato nel campo di concentramento di Palmanova (Udine) e poi in quello di Forlì.-

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./.

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Richiareva, inoltre, di non voler ritornare in Jugo-lavia, in con-iderazione della -ituazione politica colà e-i-tente"""

In merito poi alla richie-ta contenuta nella -te-a nota cui -i ri-pondo, e relative a' KUMIN Bera, NEMCEV Ve-a, VOJINOV Ivan e HAJDJAVLJK Sava, interna-ti in Eboli, si attendono le ne-e-arie informazioni del Procuratore Generale pre-so la Corte di Appello in Napoli, di cui -arà data notizia appena po-sibile.-

d'ordine del MINISTRO

LEGAL SUBCOMMISSION
CLO
DCLO
Chief Counsel
CJ)
Top Secret Section
CLERKS
29 March 46

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 357/46

25 March 1946

SUBJECT: Peterlin Milan

TO: H.Q.A.C.
Legal Sub Commission

1. Reference your letter AC/4132/L of 6 March 1946.

2. We have the honour to inform you that the a/n has been taken over from Regina Coeli prison by this Delegation on 19 February 1946.

CEDOMIL VELJACIC,
Secretary
Jugoslav Delegation A.C.I.

LEG SUB-COMMISION
CLO
DCLO
Chief Counsel

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

19 February 1946.

CEDOMIL VELJACIC,
Secretary
Jugoslav Delegation A.C.I.

20c

LEG SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
26 March 46

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

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

(149)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 26 March 1946.

SUBJECT : Ostojic Slavko, Miodrag Camdzic, Ognjen C. Dukic, Martinovic Milorad, Stankovic Milan, Stepanovic Momcilo, Milovanovic Dragomir, Ercegovcevic Milorad, Eric Milorad, Ilic Obrad, Malestic Ostoja.

D. 1884

TO : Public Safety Sub-Commission.

1. This Sub-Commission has been requested by the Jugoslav Delegation to take necessary measures for the release of the above mentioned who are claimed to be Jugoslav citizens.

2. The Jugoslav Delegation claims that these persons were forcibly mobilized by Authorities collaborating with the Occupant Forces in Jugoslav during the war and that they were taken in Italy with the retreating troops.

3. It appears that the above mentioned are at present being held at the Chetnik Camp of Eboli.

4. Please inform this Sub-Commission if there persons are still in said Concentration Camp at Eboli and if any charge is being brought against them.

5. Would you also kindly state whether there is any objection as to their repatriation.

6. The Jugoslav Delegation requests also that one copy of the letters which are enclosed herewith be forwarded to the person concerned and that the other one, duly signed by the recipient, be returned to the said Jugoslav Delegation through this Sub-Commission.

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7. It would be very much appreciated if you will inform the Ministry of Interior of your action and ask for their advise as to the release of the above mentioned.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Encls.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mdn.

AC/4132/L. 26 March 1946.

SUBJECT : Pavlovic Bozo, Radolovic Petar, Vivoda Bogomir, Koris Aurelio, Persan Martin.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Reference is made to your letter 92/46 dated 25 January 1946.

2. This Sub-Commission has transmitted to you with covering letter AC/4132/L dated 29 January 1946 the reply given by the Ministry of Pardon and Justice to your request. (Letter Br. 1413 of 14 October 1945 refers).

3. As the reply of the Ministry was complete and satisfactory from the legal point of view the question is to be considered settled.

4. Herewith returned your request of 25 January 1946.

G.G. HARTAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Encl.

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

C-o-p-y

148B

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
93/46.

25 January 1946.

SUBJECT : Pavlovic Bozo
Radolovic Petar
Vivoda Bogomir
Koris Aurelio (not Karis Anelio, as wrongly stated before).
Persan Martin.

TO : HQ. A.C.
Legal Sub-Commission.

1) Reference our Br. 1413 of 14 October 1945 and your letter AC/4132/L of 15 January 1946.

2) The Jugoslav Delegation A.C.I. takes the liberty to renew the request that the investigations concerning the above mentioned be speeded.

Sgd. ? ? ?

for DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

20.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 26 March 1946.

SUBJECT : Martinovic Milorad, Ilic Obrad, Dukic Ognjen, Cambric Miodrag, Ercegovcevic Milorad.

TO : Public Safety Sub-Commission.

1. This Sub-Commission has been requested by the Jugoslav Delegation to the A.C.I. to forward the enclosed letters to the persons concerned, and have the other copy signed by the recipient as well as to speed up their repatriation.

2. The Jugoslav Delegation claims that the above mentioned have been forcibly mobilized during the war and taken to Italy with the retreating German troops.

3. It is understood that the above mentioned are at present held in the Concentration Camp of Eboli.

4. Would you please consider the matter and take any action you think fit.

5. This Sub-Commission is of the opinion that the Ministry of Interior should be consulted.

6. Letters with relative translation are enclosed herewith.

G.G. HANLAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Encls.

A/ Fc 4132

COPIA

Le Plenc AFZ.

22 Gennaio 1946

1416A

Delegazione Jugoslava
presso il Consiglio di Consulenza per
l'Italia.

OGGETTO : ~~Martinovic Milorad~~, ~~Ilic Jurad~~, ~~Danic Ognjen~~
~~Cambric Miodrag~~, Ercegovcevic Milorad.

Al : Quartier Gen.Comm.Alleata
Sottocommissione Legale.

La Delegazione Jugoslava presso il Consiglio di Consulenza per l'Italia ha l'onore di trasmettere alla Sottocommissione Legale le accluse 5 richieste, con le rispettive traduzioni, indirizzate originariamente al Ministero Jugoslavo degli Affari Esteri da 5 cittadini Jugoslavi in cui si dichiara che i loro figli erano stati presi con la forza dalle Autorità che collaboravano con le forze di occupazione in Jugoslavia durante la guerra.
Così essi vennero portati in Italia con le Forze tedesche e collaborazioniste in ritirata e finalmente trasferiti al Campo Cetnico di Eboli.

Si richiede cortesemente alla Sottocommissione Legale perchè voglia passare una copia di ogni richiesta ai rispettivi nazionali Jugoslavi internati ad Eboli per loro informazione e chiedere loro allo stesso tempo di firmare l'altra, che dovrebbe esserci restituita.

Si prega la Sottocommissione di prendere le necessarie misure per la loro liberazione, in modo da poter effettuare il loro rimpatrio.

Sgd ? ? ?

Dott.SLOVEN J.SMODLAKA.

Ministero di Grazia e Giustizia
Gabinetto
Posta Tradotta

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

vano con le forze di occupazione [illegible]
Così essi vennero portati in Italia con le Forze tedesche e collaborazioni-
stiche in ritirata e finalmente trasferiti al Campo Cetnico di Eboli.

Si richiede cortesemente alla Sottocommissione Legale perchè vo-
glia passare una copia di ogni richiesta ai rispettivi nazionali Jugoslavi
internati ad Eboli per loro informazione e chiedere loro allo stesso tempo
di firmare l'altra, che dovrebbe esserci restituita.

Si prega la Sottocommissione di prendere le necessarie misure
per la loro liberazione, in modo da poter effettuare il loro rimpatrio.

Sgd ? ? ?

Dott. SLOVEN J. SMODLAKA.

Ministero di Grazia e Giustizia
Gabinetto
Posta Tradotta

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23-2-46

OCCUPAZIONE ALLEATA
Sottocommissione Legale 15 Febbraio 1946

AC/4132/L.

OGGETTO : Nazionali jugoslavi internati ad Aosta.
Martinovic Milorad, Ilic Obrad, Davic Ognjen.
Cumbric Miodrag, Dragojevic Milorad.

Al : Ministro di Grazia e Giustizia.

Accludo copia di una lettera pervenuta dalla Delegazione Jugoslava presso il Consiglio di Consulenza per l'Italia, nella quale si fa domanda che siano rilasciati le persone di cui in oggetto che si pretende siano Nazionali Jugoslavi, e nella quale si chiede anche che la unita lettera venga ad essi trasmessa.

Firmato
Musgrave Thomas.

GABINETTO DEL MINISTRO

Posta Tradotta

202

0539

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

Traduzione

Al

Ministero degli Affari Esteri

Belgrado

Mio figlio Milorad Camdric di Klenja venne a forza mobilitato dalle forze reazionarie, prima dell'arrivo dell'Esercito Nazionale di Liberazione.

Dato che sono stato informato da Cedomir Ponic di Zmirci, distretto di Nacvanski che il summenzionato viene ristretto nel Campo di Concentramento di Eboli, Italia Meridionale, chiedo al Ministero di informare mio figlio e di invitarlo a ritornare a casa dato che tutto va bene e che tutti in casa stanno bene e sono vivi.

Rispettosamente
Milovan Camdric
Distretto Klenje Nacvanski

Beograd 14 Dicembre 1945.

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0540

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

Traduzione

Al Ministero degli Affari Esteri

Belgrado.

Mio nipote MILORAD ERCEGOVCEVIC di Klenj è stato mobilitato a forza dalle Autorità reazionarie, prima dell'arrivo dell'Esercito N.di Liberazione, nel 1944.

Come sono stato informato da Sedomir Panic di Zminjek del Distretto di Mucva, il summenzionato viene tenuto nel Campo di Concentramento di Eboli, Italia Meridionale.

Chiedo che mio nipote sia informato al riguardo ed invotato a ritornare a casa, dato che a casa va tutto bene e tutti della famiglia stanno bene e tutti vivi.

Rispettosamente
Mihailo Ercegovcevic
Klein Mucva Distretto.

Belgrado 14 Dicembre 1945.

Ministero di Grazia e Giustizia
Gabinetto
Posta Tradotta

200

Traduzione

Al Ministero degli Affari Esteri

Belgrado.

Mio figlio Martinovic Milorad di Bogatici venne a forza mobilitato dalle Forze Occupazionarie nel Febbraio 1944. Sono stato sempre considerato dalle dette autorità come un nemico, perchè sono un repubblicano sin dal 1924 e come tale sono stato sempre sorvegliato da coloro che volevano vendicarsi di me.

Chiedo al Ministero di voler intervenire presso le Autorità Alleate e la Legazione a Roma in modo poter rimpatriare mio figlio.

Sono stato informato da Cedomir Panic di Zmirci(distretto di Macvanski) che il summenzionato trovasi nel Campo di Concentramento di Ebcli'Italia Meridionale.

Chiedo al Ministero perchè voglia informare mio figlio ed invitarlo a tornare a casa dato che tutti va bene e che tutti in famiglia sono vivi e stanno bene.

Belgrado 14 Dicembre 1945.

Rispettosamente

Djuradj M.Martinovic.
Bogatici, Distretto Macvanski

Ministero [illegible]
Gabinetto
Posta Diplomatica

Borelli

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

Chiedo al Ministero perchè voglia informare mio figlio ed invitarlo a tornare a casa dato che tutto va bene e che tutti in famiglia sono vivi e stanno bene.

Belgrado 14 Dicembre 1945.

Rispettosamente

Djuradj M.Martinovic.
Bogatici,Distretto Macvanski

Ministero
Gabinet
Posta Fiaccola

Bonelli

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

Traduzione

Al

Ministero degli Affari Esteri

Belgrado

Mio figlio Dukic Ognjen di Bogatici venne mobilitato dalle Forze reazionarie a forza nel Settembre 1944,8 giorni prima dell'arrivo delle'Esercito Nazionale della Liberazione.

Dato che venni trattato malamente dalle Autorità della vecchia Jugoslavia e che l'altro mio figlio Zivojin,che fu con i partigiani sin dal 1941,fu catturato a Sabac e ucciso nel Campo,chiedo che il Ministero voglia intervenire presso il Comando Alleato e la Legazione a Roma in modo da poter ottenere il suo rimpatrio.

Sono stato informato da Cedomir Panic di Zmirci(distretto Macvanski) che il summenzionato viene tenuto ristretto nel Campo di Concentramento di Eboli,Italia Meridionale).

Chiedo al Ministero che mio figlio venga avvertito e chiesto di venire a casa,dato che in casa tutto va bene,sono tutti vivi e stanno bene.

Cortesemente

Cedomir Dukic

Bogatici,Dietretto Macvanski

Belgrado 14 Dicembre 1945

Ministero d...
...
Posta ...

Bonelli

198

0543

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

Traduzione

Al Ministero degli Affari Esteri

Belgrado

Mio figlio Corad ILIC di Krenj venne mobilitato a forza dalle Autorità reazionarie nel 1944 prima dell'arrivo dell'Esercito Nazionale di Liberazione.

Dato che sono stato informato da Panic Cedomir di Zmirak,del distretto di Macvanski che il summenzionato trovasi attualmente ristretto nel Campo di Concentramento di Eboli,Italia Meridionale,chiedo al Ministero perchè voglia informare mio figlio e dir lui di ritornare a casa dato che tutto va bene e che in famiglia sono tutti vivi e stanno bene.

Rispettosamente

Miograd Ilic

Krenj ,Distretto Macvanski.

Belgrado 14 Dicembre 1945

Posta Trasc

Bari

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

distretto di Macvanski che il summenzionato trovasi attualmente ristretto nel Campo di Concentramento di Ebcli,Italia Meridionale,chiedo al Ministero perchè voglia informare mio figlio e dir lui di ritornare a casa dato che tutto va bene e che in famiglia sono tutti vivi e stanno bene.

Rispettosamente

Miograd Ilic

Krenj ,Distretto Macvanski.

Belgrado 14 Dicembre 1945

Posta Tradotta

Bari

0545

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

TRANSLATION

TO:
The Ministry of Foreign Affaires

B E L G R A D E

My son Obrad ILIC,from Krenj,had been mobilized forcibly by the reactionary authorities before the National Liberation Army arrived. in 1944.

As I have been informed by Panic Cedomir from Zmirak,district Macvanski,the a/n; is actually in the concentration Camp at Eboli in South Italy.

I request the Ministry to inform my son and to call him to ~~co~~ return home,since it is good here with us and everybodi in the family is living and well.

Respectfully

Miodrag Ilic,
Krenj,district Macvanski

Beograd,14 December 1945.

196

0546
Declassified E.O. 12356 Section 3.3/NND No. 935016

Taksa 1o Dinara

marka

Politicko Odjelenje
Sekretarijat
Promljeno 14/XII.1945.

MINISTARSTVU INOSTRANIH POSLOVA

B eo g r a d

Moj sin MARTINOVIC MILORAD iz Bogatica mobilisan je od strane reakcionarnih vlasti februara meseca 1944 god.namerno ,kako ja smatram od gore navedenih vlasti smatram kao njihov neprijatelj zato sto sam bio Republikanac jos od 1924 god. i kao takvog uvek su me ima i na oku i gledali da mi se osvete:

Molim gore imenovano Ministarstvo za dejstvo da posreduje kod Saveznih Komandi i Poslanstva u Rimu da ga repatrira.

Po saznanju Cedomira Panica iz Zminjaka srez macvanski da se imenovani sada nalazi u Koncentracionom logoru u Eboli Juzna Italija.

Molim Ministarstvo da mom sinu saopsti i pozove ga da dodje svojoj kuci jer je kod kuce sve dobro ,a porodica svi zivi i zdravi,

17/XII/1945 god.

Be ograd

Uctiv molioc
Djuradj M. Martinovic
iz Bogatica srez Macvanski.

Demokratska Federativna Jugoslavija
Ministarstvo Inostranih Poslova O.br. 10370
17 -XII-1945 god.

B eo g r a d

19

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

[illegal] ,kako ja smatram od
ii da mi se osvete:

Molim gore imenovano Ministarstvo za dejstvo da posreduje kod Saveznih Komandi i Poslanstva u Rimu da ga repatrira.

Po saznanju Cedomira Panica iz Zminjaka srez macvanski da se imenovani sada nalazi u Koncentracionom logoru u Eboli Juzna Italija.

Molim Ministarstvo da mom sinu saopsti i pozove ga da dodje svojoj kuci jer je kod kuce sve dobro ,a porodica svi zivi i zdravi,

17/XII/1945 god.

Be ograd

Uctiv molioc
Djuradj M. Martinovic
iz Bogatica srez Macvanski.

Demokratska Federativna Jugoslavig
Ministarstvo Inostranih Poslova O.br. 10570
17 -XII-1945 god.

B eo g r a d

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

TRANSLATION

TO:

The Ministry of Foreign Affaires

BELGRADE

My son Dukic Ognjen from Bogatici has been mobilized by the reactionary authorities and forcibly in September 1944,8 days before the National Liberation Army arrived.

Since I have been treated by the authorities of the old rotten Jugoslavia in a bad way ,and my other son Zivojin,who was with the Partisans since 1941,was captured at Sabac and shot in the Camp,I request that the Ministry may intervene at The Allied Head= Quarters and Legations in Rome,in order to have my son repatriated.

I have been informed by Cedomir Panic from Zmirci (district Macvanski) that the a/n is actually being kept in the Concentration Camp at Eboli ,Southern Italy.

I request the Ministry hereby that my son be informed about and called to return home,since everything is going well at home, and everybody in the family is well and alive.

Courteously

Cedomir Dukic,
Bogatici,District Macvanski

Belgrade ,14 December 1945.

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0586

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

TRANSLATION

TO: THE MINISTRY OF FOREIGN AFFAIRES
B E L G R A D E

My nephew MILORAD ERCEGOVCEVIC from Klenj has been mobilized forcibly by the reactionary authorities, before the National Liberation Army arrived, in 1944.

As I have been informed by Cedomir Panic from Zminjak Macva district, the a/m is kept in the Concentration Camp at Eboli, Southern Italy.

I request the Ministry that my nephew be informed about and invited to return home, since everything is going well at home, and everybody in the family is well and alive.

Belgrade, 14 December 1945

Respectfully
Mihailo Ecegovcevic
Klenj, Macva district

0550
Declassified E.O. 12356 Section 3.3/NND No. 785016

0551

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

Belgrade, 14 December 1945

Respectfully
Mihailo Ecegovcevic
Klenj, Macva district

0552

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

145A

AC/4132/L. MP/es
25 March 1946

SUBJECT : Repatriation of Jugoslav citizens.

TO : Jugoslav Delegation to the Advisory Council for Italy.

137A

1. Reference your letter Br/244/46 dated 22 February 1946.

2. Upon receipt of your a/m letter this Sub- Commission had taken necessary steps to speed up the repatriation of all Jugoslav citizens mentioned in said letter.

G.G. HAMILTON,
Lt. Col.,
Deputy Chief Legal Advisor.

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0553

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 25 March 1946.

SUBJECT : Cucek Sakov.

TO : Ministry of Pardon and Justice.

1. Reference is made to yours UC/4139 dated 29 Dec. 1946 on the same subject.

2. The Jugoslav Delegation A.C.I. is pressing this Sub-Commission to obtain the hand over of the above mentioned to the Jugoslav Authorities.

3. Cucek is at present held in the Regina Coeli prison - Rome-.

4. It would be very much appreciated if you advise this Sub-Commission of your final decision at the earliest possible date.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 82/46

20

file please

20 January 1946. /434

SUBJECT: Cucek Jakov.

TO: H.Q.A.C.
Legal Sub Commission.

91A

With reference to your letter AC/4132/1 of 7 Jan.1946 the Jugoslav Delegation A.C.I. has the honour to state that:

a) Cucek Jakov is actually detained in the prison "Regina Coeli", Rome,
b) he is resident in the zone "B", under Jugoslav military administration and should be handed over to the competent Jugoslav military authorities in his district.

Č. A. Vidmar

15

DR.SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

19

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

0555

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 25 March 1946.

SUBJECT : Bora Stanisich.

TO : Ministry of Pardon and Justice.

1. Reference your letter dated 10 November 1945 Ufficio I.AP Prot. No. 131/796/2733 Direzione Generale Affari Penali.

2. This Sub-Commission has been again requested by the Jugoslav Delegation to ~~detain~~ obtain the release of the above mentioned.

3. It would be very much appreciated if advice on the legal position of the above mentioned could be obtained so as to inform the Jugoslav Delegation accordingly.

3. Please consider the matter at your earliest convenience.

G.G. HAMMAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

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JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 94/46. 25 January 1946.

(1414)

SUBJECT: Bora Stanisic, member of the Jugoslav Army.

TO: H.Q. A.C.
Legal Sub Commission.

1) Ref. your AC/4132L of 19 November 1945.

2) The Jugoslav Delegation A.C.I. takes the liberty to renew the request that handing over of the a/n member of the Jugoslav Army, sentenced by Italian Military Court for his antifascist activity, be speeded.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

0557

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

1402

AC/4132/L. MF/cs
25 March 1946

SUBJECT : Pilipovic Stojan.

TO : Ministry of Foreign and Justice.

1. Reference our letter AC/4132/L dated 11 December 1945.

2. The Jugoslav Delegation is pressing this Sub-Commission for a reply to their communications copies of which were transmitted to you with our letter AC/4132/L of 17 November 1945. (Sepic Ivo, Stojan Pilipovic, Dr Francis Vinko).

3. An early action would be appreciated.

G.C. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

file please

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 91/46

25 January 1946.

1894

SUBJECT: Pilipovic Stojan.

TO: H.Q.A.C.
Legal Sub Commission.

1) With reference to our Br. 1558 of November 14th, 1945. the Jugoslav Delegation to the Advisory Council for Italy has the honour to request again that the release of the a/n Jugoslav Citizen be speeded.

2) Since many persons from Forli have been transferred to Eboli, it is possible that Pilipovic was transferred too. We point out this possibility in order to make easier your finding him out and enabling his release and repatriation.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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4/52

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 244/46

22 February 1946

fole Pleas 087.

138A

SUBJECT: Ostojic Slavko
Camdzic Miodrag
Dukic Ognjen
Martinovic Milorad
Stankovic Milan
Stepanovic Momcilo
Milovanovic Dragomir
Ercegovcevic Milorad
Eric Milorad
Ilic Obrad
Maletic Ostoja , Jugoslav citizens - Repatriation

TO: H.Q.A.C.
Legal Sub Commission

1) The Jugoslav Delegation to the Advisory Council for Italy has the honour to forward to the Legal Sub Commission the included 5 requests, with their translations, adressed originally to tje Jugoslav Ministry of Foreign Affairs by 11 Jugoslav citizens stating that their sons were forcibly mobilized by Authorities collaborating with the Occupant Forces in Jugoslavia during the war. Thus they were taken in Italy with the retreating German and collaborationist troops and finally transferred into the Chetnik Camp at Eboli.

2) The Legal Sub Commission is herewith courteously requested to forward one copy of each request to the a/n Jugoslav nationals interned at Eboli for their information and to ask them at the same time to sign the other one, which should be returned to us.

3) It is requested that necessary measures be taken for the release of the a/n Jugoslav citizens, in order to enable their repatriation.

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LEGAL SUB COMMISSION
CLO

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

Eric Milorad
Ilic Obrad
Maletic Ostoja , Jugoslav citizens = Repatriation

TO: H.Q.A.C.
Legal Sub Commission

1) The Jugoslav Delegation to the Advisory Council for Italy has the honour to forward to the Legal Sub Commission the included 5 requests, with their translations, adressed originally to tje Jugoslav Minister of Foreign Affairs by 11 Jugoslav citizens stating that their sons were forcibly mobilized by Authorities collaborating with the Occupant Forces in Jugoslavia during the war. Thus they were taken in Italy with the retreating German and collaborationist troops and finally transferred into the Chetnik Camp at Eboli.

2) The Legal Sub Commission is herewith courteously requested to forward one copy of each request to the a/n Jugoslav nationals interned at Eboli for their information and to ask them at the same time to sign the other one, which should be returned to us.

3) It is requested that necessary measures be taken for the release of the a/n Jugoslav citizens, in order to enable their repatriation.

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LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
27.2.46

Dr. Slovan J. Smodlaka

Dr.SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

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

0561

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

TRANSLATION

TO: Ministry of Foreign Affairs

Beograd

My son Slavko OSTOJIC from Selas Crnobarski, was mobilized by Occupant and Collaborationist Authorities as Fields Guard in Beograd (Banjica) on 14 February 1944, as it results from the enclosed certificate.

I apply to the Ministry for the repatriation of my son, through our Delegation and the Allied Authorities. He may be returned home, in his country.

The s/n is actualy in the Jugoslav Camp at Forli. I know it, because I have received a letter from my son therefrom.

1 January 1946
Beograd

Respectfully
Zivadin Ostojic
Selas Crnobarski = Macva

TRANSLATION

8

TO : Ministry of Foreign Affairs
Beograd

My son Miodrag M. CAMDZIC from Klenje, born in 1921, was mobilized in the Volunteers Corps = Ljotic's Army. Actually he is at Eboli, South Italy, in the Concentration Camp.

I request the Ministry that my son be repatriated through our Legation and the Allied Headquarters, and that he be sent home, in his country.

1 January 1946
Beograd

Respectfully

Milovan Camdzic
Klenje= Macva

18.

0562

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

TRANSLATION

1

TO : Ministry of Foreign Affairs

Beograd

My son Ognjen C. Dukic from Bogatici, born in 1923, was mobilized by occupant and collaborationist authorities to the 3rd Volunteers Corps at Sabac. It was against his will, as it can be seen from the enclosed certificate, issued by the local N.L. Committe of Bogatici.

It is pointed out that they had done so, because my son was suspected for political reasons, since my second son Zivorad had joined the Partisan Army in 1941 and was killed in the camp at Sabac.

I apply to the Ministry for the repatriation of my son through our Delegation and the Allied Authorities. He may be sent home, in his country.

1 January 1946
Beograd

Respectfully
Cedomir K. Dukic
Bogatici = Macva.

P.S. The a/n is actually at Eboli, South Italy, in the Concentration Camp.

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

N.L. Committe of Bogatici.

It is pointed out that they had done so,because my son was suspected for political reasons,since my second son Zivorad had joined the Partisan Army in 1941 and was killed in the camp at Sabac.

I apply to the Ministry for the repatriation of my son through our Delegation and the Allied Authorities.He may be sent home,in his country.

1 January 1946
Beograd

Respectfully
Cedomir K. Dukic
Bogatici = Macva.

P.S. The a/n is actually at Eboli,South Italy,in the Concentration Camp.

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

TRANSLATION

10

TO: Ministry of Foreign Affairs

Beograd

My son Milorad Dz.MARTINOVIC from Bogatici,born on 3 May 1923,was mobilized by Collaborationist Authorities to the 3rd Volunteers Corps at Sabac.It was against his will, as it may be seen from the certificate issued by the local N.L.Committee of Bogatici,enclosed herewith.

The reason for the mobilization of my son in Medic's army is the following: I belonged to the Republican Party since 1924.Therefore the Occupant Authorities took vengence on me mobilizing my son in 1944.

I apply to the Ministry for repatriation of my son trough our Delegation in Rome and the Allied Authorities.He may be sent home,in his country.

1 January 1946
Beograd

Respectfully
Djuradj M.Martinovic
Bogatici Macva

P.S. The a/n is actually at Eboli,South Italy,in the Concentration Camp.

18

0565
Declassified E.O. 12356 Section 3.3/NND No. 785016

TRANSLATION

11

TO : Ministry of Foreifn Affairs

Beograd

My son Milan S. Stankovic from Salas Crnobarski, born 1922 was mobilized by Occupant Authorities and their Collaborationists on 1 May 1944.

I apply to the Ministry of Foreign Affairs that my son Milan be repatriated through our Delegation and the Allied Authorities and that he be sent home, in his country.

1 January 1946
Beograd

Respectfully
Stanoje Stankovic
Salas Crnobarski = Macva

18

0566

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

TRANSLEATION

TO : Ministry of Foreifn Affairs

Beograd

My son Momcilo Z.STEPANOVIC from Petkovica,born in 1923 was mobilized by Occupant and Collaborationist Authorities in June 1944 to the Cetnik Army against his will,as it results from the certificate ,issued by the local N.L.Committe of Petkovica,herewith enclosed.

I apply to the Ministry for the repatriation of my son through our Delegation and the Allied Authorities in Rome.

1 January 1946
Beograd

Respectfully
Zivojin T. Stepanovic
Petkovica = Macva

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

TRANSLATION

13

TO: Ministry of Foreign Affairs
Beograd

My son Dragomir, born in 1924, at Ribari was forcibly mobilized by the Collaborationist Forces in the III. Volunteers Corps at Sabac in May 1944. It was against his will, as it may be proved by the certificate enclosed to the application.

I request herewith that the Ministry take necessary steps through our Legation and Allied Headquarters in order to enable to my son to return home in his country.

1 January 1946
Beograd

Respectfully
Dobrosav Milovanovic,
Ribari = Macva

176

0 5 6 8 1

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

TRANSLATION

14

TO: Ministry of Foreign Affairs
Beograd

My nephew Milorad M. Ercegovcevic from Klenje, born 1923 was mobilized forcibly by Collaborationist Authorities in 1944 in the Volunteers Corps = Ljotic's Army.

The a/n is actually detained in the concentration camp Eboli, South Italy.

I request herewith the Ministry that necessary measures be taken trough our Legation and the Allied Headquarters in order to enable the repatriation of my nephew Milorad.

1 January 1946
Beograd

Respectfully

Mihajlo S. Ercegovcevic
Klenje = Macva

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

TRANSLATION

= 15

TO: Ministry of Foreign Affairs
Beograd

My son Milorad A. Eric from Metkovic was mobilized by the Occupant and Collaborationist Authorities in September 1944 in the 3rd Volunteers Corps at Sabac, as it may be seen from the certificate issued by the National Liberation Committee, enclosed to this application.

I request herewith the Minisry and Allied Headquarters in Rome to take necessary measures in order to repatriate my son.

1 January 1946, Beograd

Respectfully
Andrija I. Eric,
Metkovic-Kacva

176

Declassified E.O. 12356 Section 3.3/NND No. 785014

TRANSLATION

16

TO : Ministry of Foreign Affairs
Beograd

My son Ostoja Maletic, from Ribari, born in 1925, was mobilized by Collaborationist Authorities in May 1944 to the 3rd Volunteers Corps at Sabac, against his will, as it may be seen from the enclosed certificate issued by the local N.L.Committe at Ribari, enclosed herewith.

I request the Ministry to take necessary measures through our Legation and the Allied Headquarters in Rome that my son be repatriated.

1 January 1946
Beograd

Respectfully
Milutin Miletic,
Ribarí-Macva.

173

0 5 7 11

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

TRANSLATION

14

TO: Ministry of Foreign Affairs
Beograd

My son Obrad Ilic from Klenje, born in 1922, was mobilized in the Volunteers Corps. = Ljotic's Army.

As I have been informed the a/n is actually at Eboli, South Italy.

I request herewith that the Ministry trough our Legation and the Allied Headquarters may enable the repatriation of my son Obrad.

1 January 1946
Beograd

Respectfully
Milorad Ilic
Klenje= Macva

174

0572
Declassified E.O. 12356 Section 3.3/NND No. 785016

0573

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

1372

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 23 March 1946.

SUBJECT : Piro Sernej.

TO : Ministry of Pardon and Justice.

1. This Sub-Commission has been requested by the Jugoslav Delegation to obtain the release of the above mentioned who is stated to be a Jugoslav national.

2. It appears that Piro Sernej, born on 24 August 1896, resident in Ljubljana left this town and arrived in Trieste with his car.

3. On the next day of his arrival he was arrested and his car sequestrated. The Jugoslav Delegation states that he is at present held in the Carcere Giudiziario of Treviso where he was transferred from the prison Sestiere di S. Croce n. 324 after spending a month in the prison of Portoguaro.

4. Please inform this Sub-Commission of the reasons of his arrest, the place where he is actually detained and of the fate of his motor car.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

175

0574

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

1361

MF/mda.

AC/4132/L. 22 March 1946.

SUBJECT : Draušic Mato - repatriation.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Ref. yours Nr. 242/46 dated 20 February 1946.

2. Upon your request this Sub-Commission has approached the appropriate Italian Authorities in order to obtain the release of the above mentioned.

3. It is regretted that despite every effort made by this Sub-Commission no result could be obtained due to the fact that your information was quite insufficient.

4. Would you therefore advise this Sub-Commission of the correct and full name of Draušic (Mato or Sorip ?) as well as the place where he is actually being held as Via Nuliano 42 is not listed as an Italian jail.

5. As soon as said information is obtained this Sub-Commission will take the requested action.

G.G. HAMMAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

172

0575

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

1854

MF/mda.

AC/4132/L. 22 March 1946.

SUBJECT : Vukotic B. Djordje.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Ref. is made to your Br. 247/46 dated 22 February 1946 on the same subject.

2. Upon receipt of your letter this Sub-Commission has requested the appropriate Italian Authorities to make all possible inquiries in regard to the above mentioned.

3. You will be informed of the outcome.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

171

0576

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

file

(1344)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 22 March 1946.

SUBJECT : Pirc Sercej - Jugoslav citizen.

TO : SCAO (Attn: Chief Legal Officer)
VENEZIA GIULIA.

1. This Sub-Commission has been requested by the Jugoslav Delegation to obtain the release of the above mentioned.

2. It appears that Pirc Sercej left Ljubljana with his motor car Oppel Kapitan L B 270 on 15 August 1945 and arrived in Trieste where he was arrested and his car seized.

3. The Jugoslav Delegation states that he was kept in prison at Portogruaro from where he was later transferred to the prison Sestiere di S.Croce n. 324. At present he is held at the "Carcere Giudiziario" of Treviso.

4. Would you kindly inform this Sub-Commission for what reasons he was arrested as well as the place where his car is at present kept so the Jugoslav Delegation may be accordingly informed.

By Command of Rear Admiral STONE.

G.G. HAMMAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

171

0577

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

153A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 22 March 1946.

SUBJECT : Corkalo Cedamir, Ilic Dogolfredo, Ilic Iliea, Ranisavljevic Aleksandar, Vujisic Radofa.

TO : Public Safety Sub-Commission.

1. This Sub-Commission has been requested by the Jugoslav Delegation to take proper measures in order to ensure the repatriation of the above mentioned, claimed as Jugoslav citizens.

2. It appears that the said persons left the Chetnik Camp at Eboli but were subsequently arrested by the Italian Police who handed them over to the 312 FSS III District.

3. The Ministry of Justice has no record on the above mentioned and states that the matter is within the province of the Ministry of Interior.

4. It would be very much appreciated if you will approach the Ministry of Interior and 312 FSS III District to obtain any available information.

5. It would be very much appreciated if you would consider this matter at your earliest convenience as much time has been lost in corresponding with the Ministry of Justice.

G.G. HANFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

0578

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

4-16

1324

HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

AC/4132/L. MF/mbl.

22 March 1946.

SUBJECT : Vukotic T. Djuradje.

TO : Ministry of Justice and Justice.

1. Herewith enclosed copy of a letter from the Jugoslav Delegation which speaks for itself.

2. Would you be good enough to make all possible inquiries in regard to this matter and inform this Sub-Commission of the outcome.

C.C. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Adviser.

Incl.: 1

Copy to Min. Interior.

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 247/46

22 februara 1946

131A

SUBJECT: Vukotic B.Djordje, Jugoslav citizen.

TO: A.C.A.C.
Legal Sub Commission

This Delegation was informed from the Jugoslav Government about the following:

1) VUKOTIC B. Djordje, born at Niksic (Monte Negro, Jugoslavia) in 1912, had been interned in 1942 by Italian Occupant Authorities for political reasons and transferred from Pec (Monte Negro), where he was living, first to Ustica (Palermo) and later on to Padova or Arezzo.= After the capitulation of Italy Vukotic's family did not receive any more news from him.

2) It is courteously requested that Vukotic's case be investigated and this Delegation informed about the results. In case that Vukotic might be still detained in Italy, application is made that necessary measures be taken for his repatriation.

Dr. SLOVEN SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

LEGAL SUB-COMMISION
CLO
DCLO

167

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

1) VUKOTIC B. Djordje, born at Niksic (Monte Negro, Jugoslavia) in 1912, had been interned in 1942 by Italian Occupant Authorities for political reasons and transferred from Pec (Monte Negro), where he was living, first to Ustica (Palermo) and later on to Padova or Arezzo.= After the capitulation of Italy Vukotic's family did not receive any more news from him.

2) It is courteously requested that Vukotic's case be investigated and this Delegation informed about the results. In case that Vukotic might be still detained in Italy, application is made that necessary measures be taken for his repatriation.

Dr. SLOVEN SKODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

167

LEGAL SUB-COMMISION
CLO
DCLO
Chief
CJO
Italy
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27.2.46

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 241/46 20 February 1946

SUBJECT: Pirc Jernej, Jugoslav citizen from Ljubljana, arrested in Italy.

TO: H.Q.A.C.
Legal Sub Commission

1) This Delegation has been informed from the Jugoslav Government that PIRC Jernej, born on 24 August 1896, resident in Ljubljana (Jugoslavia), driver, owner of a motor car Oppel Kapitan LB 270, had left Ljubljana on 15 Aug. 45 going by his car to Trieste. Arrived to Trieste, Pirc was arrested the next day and his car was taken away too. One month later he wrote a letter to his wife from the prison Sestiere di S.Croce no 324, where he was transferred from Portoguara, and wherefrom he was transferred again later on (16 Sept.45) to Treviso, "Carcere Giudiziario", Piazza del Duomo N°20, as he wrote to his wife in January 46.- Since that time nothing else was known neither about him nor about his motor car, which probably might have been left either in Triest or at Portoguaro .

2) It is herewith courteously requested that necessary measures be taken in order to find out the reasons of his arresting, the place where he is actually detained, the destiny of his motor car and to sollicitate his returning in Jugoslavia.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel

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

(16 Sept.45) to Treviso, Circolo Ferroviario, [illegible]
as he wrote to his wife in January 46.= Since that time nothing else was known neither about him nor about his motor car, which probably might have been left either in Triest or at Portoguaro .

2) It is herewith courteously requested that necessary measures be taken in order to find out the reasons of his arresting, the place where he is actually detained, the destiny of his motor car and to sollicitate his returning in Jugoslavia.

See 137A

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

101.

LEG[illegible] SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
[illegible]
C
27.2.46

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

413/2

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 242/46

20 February 1946

129A

SUBJECT: DRANDIC Mate , repatriation.

TO: H.Q.A.C.
Legal S/Commission

1) This Delegation has been informed from the Jugoslav Government that DRANDIC Josip, born at Krmed in 1918, is actually being kept as prisoner in Rome, Via Rulican 42.

2) Since the a/n is Jugoslav citizen, you are coutreously requested that necessary measures be taken in order to hand him over to this Delegation who will take care of his repatriation .

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Yugoslavia
Advisory Council for Italy

CLO
DCLO

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

over to this Prosecution and [illegible]

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Yugoslavia
Advisory Council for Italy

10

CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERK
27.2.46

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

4/Pa

Acta Tabu II. 12/II

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 251/46

26 February 1946

SUBJECT: Corkalo Cedomir
Ilic Bogoljub
Ilic Ilija
Manisavljevic Aleksandar
Vujisic Radoje,
Jugoslav citizens = Repatriation

TO: H.Q.A.C.
Legal Sub Commission

1. The Jugoslav Delegation A.C.I. was informed that the a/m Jugoslav citizens ,wishing to be repatriated,had left the Chetnik Camp Eboli,where they were detained. Subsequently they were arrested by Italian Authorities and were handed over to the 312 FSS III District.

2. Application is made herewith that necessary measures be taken in order to enable their repatriation.

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

CLO
DCLO

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

Jugoslav citizens ,wishing to [illegible]
Eboli,where they were detained. Subsequently they were arrested by Italian Authorities and were handed over to the 312 FSS III District.

2. Application is made herewith that necessary measures be taken in order to enable their repatriation.

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

101

CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
27.2.46

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

0587

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

194A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/L

MF/ns
1st March 1946.

SUBJECT : Djonovic Stevo, Mavrinak Stanko, Stipcevic Eugen, Tantalovic Dusan, Tibovic Petar, Bacelic Ante, Duplancic Vinko.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Herewith enclosed copy of a letter sent by the Ministry of Pardon and Justice which speaks for itself.

ANTHONY P. NUGENT,
Major, Aus.,
Chief Counsel,
for Chief Legal Advisor.

0582

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

4732

Mod 302

Roma, 12 [illegible] 1946

12° Reparto

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Ufficio 7° A.P.

Prot. N° 731.2/3.368.46

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Risposta al foglio T e 21/7/1946
Div. 5a Sez. N° 4732/L.

OGGETTO: LUKOVIC Steve, MATIJAN Stanko, STEFU-
VIC Evgen, MANDALOVIC Evan, TRBOVIC Petar, PAVE-
LIC Ante, IVELANCIC Vinko.-

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

R O M A

In relazione alla nota sopradetta, si informa che in pari data sono state richieste alle Autorità Giudiziarie competenti le opportune informazioni sul conto degli individui in oggetto.-

Si riserva pertanto ulteriori comunicazioni al riguardo.-

Il SUB COMMISSARIO

per il MINISTRO

CLO
DCLO
Chief
CJO

Ital 16 March 46.

10 2

0589

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. AP/mda.

14 March 1946.

SUBJECT : Sepic Ivo, Stoyan Pilopovic, Duplancic Vinko.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Reference is made to your Br. 76/46 dated 23 January 1946.

2. Subsequent to your request this Sub-Commission has promptly approached the proper Italian Authorities in order to obtain information on the above mentioned persons.

3. The Ministry of Pardon and Justice has now informed this Sub-Commission that Duplancic Vinko who was sentenced to 20 years imprisonment by an Extraordinary Military Tribunal on 14 October 1941 succeeded in escaping but was re-arrested sometime in August 1945 and is now being held in Cuneo Prison.

4. The Ministry has also advised that a penal proceeding is being initiated against Duplancic for aggravated theft, extortion, and unlawful carrying of arms. Such offences were committed both before and after the liberation. It is further stated that Duplancic has declared to have committed such acts as a member of the partisan forces and for the benefit of the partisan's cause. For these reasons the Procuratore Generale is sending the file in question to the appropriate Military Tribunal for action.

5. Copy of the letter received from the Ministry in enclosed.

6. Further information will be furnished as soon as available.

ANTHONY F. NUGENT,
Major, AUS,
Chief Counsel,
for Chief Legal Advisor.

Incls.

Also V.Lep a copy and enclosure.

Mod 402

R4B

Roma, 4 Marzo 1946

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

4 DA

Ufficio 1°A.P. Prot. N.° 137.873.2905.45 Risposta al foglio N.° AC.4132/L.
del 17 Novembre 1945

OGGETTO SEPIC Ivo, STOYAN Pilopovic, DUPLANCIC Vinko, nazionali jugoslavi.-

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

Facendo seguito a precedente corrispondenza relativa all'oggetto, si informa che il Procuratore Generale del Regno presso la Corte di Appello di Torino ha comunicato che DUPLANCIC Vinko, condannato con sentenza 14 ottobre 1941 del Tribunale Straordinario di Guerra di Spalato ad anni 20 di reclusione, per appartenenza ad associazione comunista, evase dalla Casa Penale di Fossano l'11 settembre 1943, ed il agosto 1945 venne riarrestato e ristretto nel carcere sussidiario di Cuneo, ove attualmente trovasi.-

Il DUPLANCIC è sottoposto a procedimento penale per concorso nei delitti di rapina a mano armata, commessi nel periodo anteriore alla liberazione, e nei reati di estorsione, detenzione abusiva di armi e rapine commessi nel periodo posteriore alla libera-

ISTITUTO POLIGRAFICO DELLO STATO

Declassified E.O. 12356 Section 3.3/NND No. 985016

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

Facendo seguito a precedente corrispondenza relativa all'oggetto, si informa che il Procuratore Generale del Regno presso la Corte di Appello di Torino ha comunicato che DUPLANCIC Vinko, condannato con sentenza 14 ottobre 1941 del Tribunale Straordinario di Guerra di Spalato ad anni 20 di reclusione, per appartenenza ad associazione comunista, evase dalla Casa Penale di Fossano l'11 settembre 1943, ed il agosto 1945 venne riarrestato e ristretto nel carcere sussidiario di Cuneo, ove attualmente trovasi.-

Il DUPLANCIC è sottoposto a procedimento penale per concorso nei delitti di rapina a mano armata, commessi nel periodo anteriore alla liberazione, e nei reati di estorsione, detenzione abusiva di armi e rapine commessi nel periodo posteriore alla liberazione.-

Il predetto Procuratore Generale ha infine reso noto che avendo il DUPLANCIC dichiarato di aver commesso i fatti attribuitigli quale partigiano e per le necessità della lotta partigiana, dovrà ESSERE DEFERITO A SUB COMMISSIONE per l'esame e la trasmissione degli atti processuali all'Autorità Giudiziaria Militare.-

CLO
DCLO
Chief
CJO 7 March 46.

pel MINISTRO

ISTITUTO POLIGRAFICO DELLO STATO

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

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

HEADQUARTERS ALLIED COMMISSION

Office of the Vice President Civil Affairs Section

[redacted]

4132

123A

To Chief Legal Advisor.

Attached is copy of letter from AFHQ on the subject of correspondence with Swedish.

No instructions have yet been sent to Swedish because another letter is expected from AFHQ on the subject. In the meantime the attached should be taken as a general guide in dealing with Swedish. Please ensure that para 3 of AFHQ letter is adhered to.

12/3/46

V.P.C.A.S.

0593

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

41321

Copy

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 383.7-2

27 February 1946

SUBJECT: Release of Jugoslav Nationals.

TO : Headquarters, Allied Commission
APO 394

1. Will you please inform Dr. Smodlaka that apart from questions as to War Criminals as to which instructions have already been issued he will only refer to Alcom questions relating to matters which are within the province of the Advisory Council and that if the matter is one not within the province of that Council his proper course, if he wishes to make any representation, is to make it through diplomatic channels for which Alcom is not a substitute.

2. The allegation that the Allies have wrongfully detained a Jugoslav is not a matter for the Advisory Council which deals with the affairs of Italy. So far as his letter of the 20 January is concerned representations had already been made through the proper channels and the persons mentioned had already been returned to Jugoslavia. The matter referred to in his letter of the 23 January was also already in hand and instructions forthe repatriation of the persons named had already been issued.

Legal S/C letters

3. Will you please note that matters which are not within Alcom's province of the affairs of Italy should not be forwarded to this Headquarters.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

F. G. A. PARSONS,
Brigadier,
Acting Assistance Chief of Staff, G-5.

156

Copy to: 'A'
BR POLAD
US POLAD

LEG. SUBCOMMISSION
CLO
DCLO
Legal Counsel
CJO
Italian Section
CLERKS
14 March 46

0594

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

F-la

123

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: AC/4132/L. 9 Mar 46

SUBJECT: Release of Jugoslav Nationals.

TO : Dr SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia,
Advisory Council for Italy.

1. Ref is made to your letters 58/46 and 79/46 of 20 and 23 Jan. respectively, addressed to Legal Sub-Commission.

2. This HQ is instructed to inform you that the subject matter of the above quoted letters had already been dealt with through proper channels. The persons named in your letter of 20 Jan have already been returned to Jugoslavia, and as regards those mentioned in your letter of 23rd Jan. instructions for their repatriation have already been issued.

M. CARR, Brigadier,
VP CA Section.

Copy to : AC File 4/29.8/CA.

137

Aforesaid based on letter AFHQ-G.S. dy/27 Feb. 4-56
in CA/AC 4/29.8/CA.

0595

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

1221A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 8 March 1946.

SUBJECT : SEPIC Ivo, STOYAN Pilopovic,
DUPLANCIC Vinko.

TO : Ministry of Pardon and Justice.

1. Reference yours I A.P. Prot. No. 131-873. 2905.45 dated 4 March 1946.

2. This is to acknowledge receipt of your letter of 4th ult.

3. Would you be good enough as to inform this Sub-Commission of any development which may occur on this matter.

4. All documents are returned herewith.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Incl.

0596

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

122 A

AC/4132/L. MF/mda.

6 March 1946.

SUBJECT : Persons claimed as Jugoslav nationals.
Transmittal of Documents.

TO : Ministry of Pardon and Justice.

1. Reference yesterday's conversation (Dr. BONELLI - Dr. FIORE).

2. Herewith enclosed several requests from the Jugoslav Delegation Advisory Council for Italy.

3. May this Sub-Commission please be informed of your action and final decision in order to be able to advise Jugoslav Authorities of it.

4. Please acknowledge receipt and return documents as soon as action is taken.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Incls.

155

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

1211

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 6 March 1946.

SUBJECT : PETERLIN Milan.

TO : Jugoslav Delegation for the
Advisory Council for Italy.

1. Reference yours Br. 80/46 dated 24 January 1946.

2. Herewith enclosed copy of a letter from the Ministry of Pardon and Justice in which it is stated that PETERLIN is at present being held in Regina Coeli jail at the disposal of Jugoslav Authorities.

3. It will be very much appreciated if you could inform this Sub-Commission of the exact date and time you wish the prisoner be handed over to a Jugoslav escort so as to enable us to advise Italian Authorities of your decision.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chie Legal Advisor.

Encl.

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0598

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

Roma, 26 Febbraio 1946

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio T° A.P.
Div. N° 137/626/2352

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Risposta al f. del 8/2/1945
Div. AC. Sez. N° 4132/5.

OGGETTO PETERLIN Milan - Suddito Jugoslavo
Internato.-

e per conoscenza:
ALL'UFFICIO COLLEGAMENTO
S E D E

ALLA DIREZIONE GENERALE ISTITUTI DI PREVENZIONE E DI PENA
S E D E

In riscontro all'indicata richiesta, si conferma la precedente nota del 9 corr., di cui sopra, e cioè che il Procuratore Generale di Firenze assicura di avere provveduto, fin dall'8 gennaio corr. anno, a far tradurre il PETERLIN nel carcere locale di Regina Coeli, donde le Autorità Jugoslave Chiederanno prelevarlo.-

CIC
Italian Section
CL RKS

d'ordine del MINISTRO

(15)

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

119A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L. 6 March 1946.

SUBJECT : SEPIC Ivo, STOJAN Pilipovic, DUPLACIC Vinko.

TO : Jugoslav Delegation to the Advisory Council for Italy.

Herewith enclosed copy of a letter from the Ministry of Pardon and Justice giving full details on the matter as requested by your precedent letters.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Encl.

0600

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

Roma 7 Dicembre 1945 - Anno 24°

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio To I.P.
Sez. N° 1??? 103.?80?/45

Risposta al f.° del ??-??-1945
Div. Sez. 10 N° 1132 I.

Al COMMISSIONE ALLEATA
Sottocommissione Italia
R O M A

OGGETTO: Corpo Ivo, Giorgi Pierantonio, Italiano
Tenente Marina Jugoslavia.-

e, per conoscenza: ALL'UFFICIO COLLEGAMENTO
S E D E

In relazione alla nota sopra richiamata, si informa che la Procura Generale presso la Corte di Appello di Bologna, ai cui atti è allegata la informativa del caso in merito alla posizione giuridica del condannato GIORGI Filipovic, ha testè comunicato che non è stata possibile addivenire ad ulteriori sviluppi nonostante minuziose indagini svolte all'uopo dalla R. Questura di Forlì.-

Il predetto Ufficio ha inoltre fatto presente che i cenni di riconoscimento prodotti a carico dei militari addetti nella zona di Forlì sono

./.

13

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stati estinti da circa due mesi.-

d'ordine del MINISTRO

0602

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

117

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4132/L.

25 February 1946.

SUBJECT : Released of alleged Jugoslav Nationals.

TO : Ministry of Pardon and Justice.

1. Herewith are returned all documents concerning the subject.

2. May this Sub-Commission please be informed of your decision in order to advise Jugoslav Authorities.

ANTHONY P. NUGENT,
Major, AUS,
Chief Counsel,
for Chief Legal Advisor.

Encl.

0603.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

HF/rada.

AG/4132/1.

21 February 1946.

SUBJECT : Alleged members of Jugoslav Army
Bacolic Ante
Duplancic Vinko
Tatalovic Dusan
Trbovic Petar
Stipcevic Eugen.

TO : Ministry of Pardon and Justice.

1. The Jugoslav Delegation to the Advisory Council for Italy by letter of 18 ult. has requested this Sub-Commission to take necessary steps in order to obtain the release of the above mentioned claimed to be members of the Jugoslav Army.

2. It appears that the above mentioned are awaiting trial before the Tribunale Militare Territoriale di Torino.

3. A copy of the request is enclosed herewith for your consideration.

4. Please acknowledge receipt.

C.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Encl.

41320

Can I have a copy please?

1163

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br.254/46

18 February 1946

SUBJECT: Member of the Jugoslav Army:
Bacelic Ante
Duplancic Vinko
Tatalovic Dusan
Trbovic Petar
Stipcevic Eugen.

TO: Headquarters Allied Commission
Legal Sub Commission

1) Reference our letters Br.71,72,73,75 and 76 of 23 Jan.46.

2) We have been informed that the a/n Jugoslav citizens and members of the Jugoslav Army were recently transferred from the prison at Cuneo to the "Carceri Giudiziarie" in Turin and put on disposition of the "Tribunale Militare Territoriale di Torino".

3) It is pointed out again that all the a/n are members of the Jugoslav Army. All they were born and resident in Jugoslavia, except Stipcevic Eugen, who is also of pure Jugoslav extraction and was resident at Arbanasi (Borgo Rizza near Zara in Dalmatia). As Stipcevic's loyalty is concerned, we consider it opportune to remind that even Signor De Gasperi personally and on behalf of the Italian Government declared on several occasions that Italy does not claim any longer Zadar (Zara) as a part of its territory, and that the territory in question is actually under the Jugoslav Military Administration.

4) It is therefore courteously requested that necessary steps be taken in order to hand over all the a/n members of the Jugoslav Army to proper Jugoslav Authorities and that the matter be considered as very urgent, since "Tribunale Militare Territoriale di Torino" is not competent to try members of the Jugoslav Army.

FOR SUB-COMMISION
CLO
DCLO
Chief Counsel

Dr Sloven Smodlaka

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia,
Advisory Council for Italy.

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

1) Reference our letters Br.71,72,73,75 and 76 of 23 Jan.46.

2) We have been informed that the a/n Jugoslav citizens and members of the Jugoslav Army were recently transferred from the prison at Cuneo to the "Carceri Giudiziarie" in Turin and put on disposition of the "Tribunale Militare Territoriale di Torino".

3) It is pointed out again that all the a/n are members of the Jugoslav Army. All they were born and resident in Jugoslavia, except Stipcevic Eugen, who is also of pure Jugoslav extraction and was resident at Arbanasi (Borgo Rizza near Zara in Dalmatia). As Stipcevic's loyalty is concerned, we consider it opportune to remind that even Signor De Gasperi personally and on behalf of the Italian Government declared on several occasions that Italy does not claim any longer Zadar (Zara) as a part of its territory, and that the territory in question is actually under the Jugoslav Military Administration.

4) It is therefore courteously requested that necessary steps be taken in order to hand over all the a/n members of the Jugoslav Army to proper Jugoslav authorities and that the matter be considered as very urgent, since "Tribunale Militare Territoriale di Torino" is not competent to try members of the Jugoslav Army.

Dr Sloven Smodlaka

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia,
Advisory Council for Italy.

142

SUB-COMMISION

CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
19 Jan 46.

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

0606

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

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB COMMISSION

AC/4132/4 AC/ns
21 February 1946.

SUBJECT : Trial against Cecelic Ante, Diplancic Vinko, Tatalovic Dusen, Pebovic Peter and Stipcevic Augen.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Reference your Nr. 234/46 of 13 Feb. 1946.

2. Upon receipt of your Nr. 71, 72 and subsequent letters this Sub Commission informed the proper Italian authorities of your request.

3. Steps are also being taken both through Italian and Allied channels to ascertain the legal status of the persons in question.

4. A special enquiry is being made in the case of Cecelic Ante who, according to your letter of 23 Jan. 1946, was arrested by the Allied Military Police.

5. Further information will be furnished as soon as available.

G.G. HARNAFORD,
Lt.Colonel,
Deputy Chief Legal Advisor.

0607

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

114b

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/es
21 February 1946

AC/4132/L.

SUBJECT : Bacelic Ante.

TO : Public Safety Sub-Commission.

1. Jugoslav Delegation to the Advisory Council for Italy has requested this Sub-Commission to obtain the release from Italian authorities of some individuals claimed as Jugoslav nationals among whom is the a/mentioned.

2. I am informed that Bacelic Ante was arrested on the 21 August by Military Police at Dogliani near Turin while he was awaiting ~~for~~ repatration.

3. May this Sub-Commission please be informed at your earliest convenience whether the a/mentioned is still held by Allied authorities and if any charge has been brought against him.

G.G. HAMPSHIRE,
Lt. Col.,
Deputy Chief Legal Advisor.

114b

0608

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

File

113A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/-

AT/ns
16 February 1946.

SUBJECT : Jugoslav nationals interned at Eboli.

Martinovic Milorad
Ilic Ukrad
Lukic Ognjen
Sambric Miodrag
Hercegovcevic Milorad.

TO : The Minister of Pardon and Justice.

I enclose a copy of a letter from the Jugoslav Delegation to the Advisory Council for Italy making application for the release of the abovenamed persons claimed as Jugoslav nationals, and also requesting that the enclosed letters be delivered to them.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encls.

145

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 70/46

22 January 1946

SUBJECT: Martinovic Milorad
Ilic Obrad
Dukic Ognjen
Cambric Miodrag
Ercegovcevic Milorad.

TO: Headquarters Allied Commission,
Legal Sub Commission.

1) The Jugoslav Delegation to the Advisory Council for Italy has the honour to forward to the Legal Sub Commission the included 5 requests, with resp. translations, adressed originally to the Jugoslav Ministry of Foreign Affaires by five Jugoslav citizens stating that their sons had been forcibly mobilized by authorities collaborating with occupant forces in Jugoslavia during the war. Thus they were brought in Italy with retreating German and collaborationist troops and finally transferred into the Chetnik Camp at Eboli.

2) The Legal Sub Commission is coutreously requested to pass one copy of each request to the resp. Jugoslav Nationals interned at Eboli for their information and to ask them in the same time to sign the other one, that should be returned to us.

3) The Legal Sub Commission is entreated to take necessary measures for their release, in order to enable their repatriation.

Encl.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

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3) The Legal Sub Commission is entreated to take necessary measures for their release, in order to enable their repatriation.

Encl.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

14

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

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

0611

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 000.5-6

14 February 1946

SUBJECT: Jugoslav War Criminals.

TO : Headquarters, Allied Commission,
APO 394.

1. The Allied Governments agree to surrender the following three quislings to the Jugoslavs:-

a. Captain JAKOV JOVOVIC, Chetnik Commander.

b. Doctor ILIJA VUJOVIC, President of the Montenegrin People's Military Tribunal and Court Martial.

c. SAVO POPOVIC, Judge in the same Court Martial.

2. Necessary action is being taken by this Headquarters.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

F. G. A. PARSONS,
Brigadier,
Acting Assistant Chief of Staff, G-5.

LEGAL ADVISER
CLO
DCLO
Chief Counsel
CIC
Foreign Liaison
Action

15.2.46

For action.

143

0612

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

1114

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdn.

15 February 1946.

AC/4132/L.

SUBJECT : Sepic Ivo (Giovanni).

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference your Nr. 93/46 of 25 January.

2. The Ministry of Justice has informed this Sub-Commission that Sepic Giovanni was on 11 October, 1937, sentenced by the Court of Assise of Fiume to 30 years imprisonment for murder and robbery. Further that, as the Ministry is not in a position to communicate with the judicial authorities in Fiume, at present occupied by Jugoslav troops, it cannot obtain the necessary information to deal with applications for pardon in the case of convictions made by the same authorities prior to the said occupation.

3. The Ministry of Justice complains that in an analogous case, viz. in the application for pardon by a certain Perusich Nicolo', sentenced on 26 September 1940 by the Tribunale of Fiume to 4 years and 9 months imprisonment for theft, and detained in the Colonia di Isili (Nuoro), the application itself was sent by the Director of the Colonia on 8 October 1945 to the Procuratore del Regno of Fiume, and by letter No. 4183 of 13 November 1945, the Jugoslav Military Government informed the said Director that it had by a decree of the same date pardoned the remainder of the sentence.

4. So long as the Minister of Justice is not in a position to obtain from the Courts in territory occupied by the Jugoslav forces the necessary particulars it will be unable to deal with any similar applications for pardon. In these circumstances perhaps you would consider the desirability of requesting your Government to instruct the judicial authorities in the territory at present occupied by Jugoslav forces to supply the necessary information without which it will not be possible to deal with similar applications for pardon in the future.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 93/46.

25 January 1946.

111B

SUBJECT: Sepic Ivo.

TO:H.Q.A.C.
Legal Sub Commission.

1) Reference:our letter Br. 1531 of 8 November 1945 and your letter AC/4132/L of 15 January 1946.

2)The Jugoslav Delegation A.C.I. takes the liberty to renew the request that the investigations concerning the case of a/n. be speeded.

3) It is pointed out that Sepic has been transferred in the meantime to the "Casa Penale di Santo Stefano",Provincia di Napoli.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

case of a/n· be speeded.

3) It is pointed out that Sepic has been transferred in the meantime to the "Casa Penale di Santo Stefano", Provincia di Napoli.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

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Roma, 2.2.1946 19 A

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Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Alla Commissione Alleata
Sottocommissione Legale
ROMA

75 C
1013

Ufficio IV Grazie
Prot. N. 5I261 / I945 (Jeo)

Risposta al f.° del
Div. *Sez.* *N.°*

OGGETTO SEPIC Giovanni - Istanza di grazia

Con nota 29 novembre I945, pari numero, questo Ufficio ebbe a trasmettere, per competenza, al governo Militare Alleato - Comando del XIII Corpo d'Armata - la istanza di grazia di SEPIC Giovanni, attualmente detenuto nella Casa di Lavoro di Tramariglio (Alghero) e condannato, con sentenza 11 ottobre I937 della Corte di Assise di Fiume, per omicidio aggravato, e rapina alla pena di anni 30 di reclusione, lire IO mila di multa e ricovero a una Casa di Lavoro per anni 4 .
Con nota S.D.I40 N.N., pervenuta il I2 dicembre I945, codesta Commissione restituì la detta istanza osservando - che essa : "è di competenza di codesto Ministero, dato che il Sepic fu giudicato e condannato da un Tribunale fascista il I3 ottobre I945, e che le Autorità Alleate non hanno giurisdizione su tali condanne" .

Si ritiene opportuno richiamare l'attenzione sulla circo-
stanza che il SEPIC fu condannato l'11 ottobre I937 dalla Cor-

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

Con nota 29 novembre 1945, pari numero, questo Ufficio ebbe a trasmettere, per competenza, al governo Militare Alleato - Comando del XIII Corpo d'Armata - la istanza di grazia di SEPIC Giovanni, attualmente detenuto nella Casa di Lavoro di Tramariglio (Alghero) e condannato, con sentenza 11 ottobre 1937 della Corte di Assise di Fiume, per omicidio aggravato, e rapina alla pena di anni 30 di reclusione, lire 10 mila di multa e ricovero a una Casa di Lavoro per anni 4 .

Con nota S.D.140 N.N., pervenuta il 12 dicembre 1945, codesta Commissione restituì la detta istanza osservando - che essa : "è di competenza di codesto Ministero, dato che il Sepic fu giudicato e condannato da un Tribunale fascista il 13 ottobre 1945, e che le Autorità Alleate non hanno giurisdizione su tali condanne" .

Si ritiene opportuno richiamare l'attenzione sulla circostanza che il SEPIC fu condannato l'11 ottobre 1937 dalla Corte di Assise di Fiume, e non il 13 ottobre 1945 da un Tribunale fascista, e si prega codesta On.le Commissione di tener presente che questo Ministero non è in condizioni di comunicare con le Autorità Giudiziarie di Fiume, occupata attualmente dalle

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

truppe iugoslave, e pertanto non può assumere le informazioni necessarie per provvedere sulle istanze di grazia relative alle condanne emesse dalle stesse Autorità anteriormente alla detta occupazione .

In un caso analogo e precisamente in ordine alla istanza di grazia di tale Perusich Nicolò- condannato con sentenza 26 settembre 1940 del Tribunale di Fiume per furto continuato ad anni 4 e mesi 9 di reclusione e detenuto nella Colonia di Isili (Nuoro) - la istanza stessa venne trasmessa dalla Direzione della detta Colonia l'8 ottobre 1945 al Procuratore del Regno di Fiume, e , con foglio N° 4183 del 13 novembre 1945, il Governo Militare Iugoslavo ebbe a comunicare alla detta Direzione di aver, con decreto in pari data, condonata la residua pena detentiva.

Si prega, pertanto, far conoscere quale Autorità debba provvedere sulla istanza del SEPIC, anche per norma di questo Ufficio in ordine a casi analoghi di istanze di grazia relative a condanne emesse da Autorità Giudiziarie Italiane in territorio Italiano anteriormente alla occupazione Iugoslava.

PEL M I N I S T R O

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

0618

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

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

AC/4132/L. 14 February 1946.

SUBJECT : Peterlin Milan.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference your Br. 80/46 of 24th January '46.

2. We have been informed by the Ministry of Justice that Peterlin Milan has been since 8th January in the local judicial Prison (Regina Coeli) at the disposal of the Jugoslav authorities.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

139

0619

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

N. 04752

Roma, 9 febbraio 1946 - Mod 40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I° A.P.
Prot. N° 137/626/235

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Risposta al f.to del 16/11/1945
Div. AO. Sez. N° 4132/L.

OGGETTO: Peterlin Milan, mandato inquisitorio.-

Si, per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

Il Procuratore Generale di Firenze comunica che il PETERLIN fin dall'8 gennaio u.s. è nelle carceri giudiziarie locali (Regina Coeli) a disposizione della Autorità Inquirente.

CLO
DCLO
Chief Counsel
CJO
Italian Section
CPRKS
14-2-46

p. il MINISTRO
Pinna
136

0201

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

108A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/L

MT/ns
14 February 1946.

SUBJECT : Application for release of persons claimed as Jugoslav nationals:
Capt. Zdravljic Marijan

TO : The Minister of Pardon and Justice.

At the request of the Jugoslav Delegation to the Advisory Council for Italy I forward copy of an application for the release of the Cap. Zdravljic Marijen.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

137

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 87/46

January 24,1945.

SUBJECT: Cap.Zdravljic Marijan,
member of the Jugoslav Army.

TO: H.Q.A.C.
Legal Sub Commission.

1) Zdravljic Marijan,Slovene national,born at Klodic, (Slovene Littoral) on February 27th,1917,student of medicine, joined in September 1943 the ranks of the Jugoslav N.L.Army. Fighting against Germans hehas been appointed Captain and Decorated for gallantry.

2) In June 1945 he went home on sick=leave.He was in pos= session of Jugoslav documents alone,since Allied Travel orders were not yet required at that time.On June 29,1945 he visited Cedat (Cividale),where he intendet to remain for some longer time,in order to perform medical practice in the local hospital. There he was arrested on June 30;1945 first by Italian and then by British police.Since that time he has been detained in the prison at Udine.

3) The Italian Procuratore indicted him:A) For treason of Italy by propagating the annection of his region to Jugoslavia, and his work against the Italian State as a consequence,conside= ring him Italian subject;B) for plunder and murder performed with arms;C) for having performed arbitrary arrests and lesion of private homes;D) for offence of Italian flag;E) for hindering Italian Patriots in their attempt to organize dettachments. Ecc.

4) Cap. Zdravljic denied all those charges as untrue.He confirmed that everything he has done,he did as member of the Jugoslav Army and Jugoslav citizen. He emphasized too that he has been working according instructions of the Antifascist Council for National Liberation of Jugoslavia (A.V.N.O.J.)

5) Cap. Zdravljic is member of the Jugoslav Army and it it is obvious that Italian Tribunals are not competent to try him,particularly not as imputations are concerned for deeds done in the period of his service in the Jugoslav Army and during the war against nazifascism.

6) Allied authorities charged him for not having had a permission issued by Allied Authorities,notwithstanding that he came in the area on 10 June 1945 (and the permits in

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

2) In June 1945 he went home on sick=leave.He was in pos= session of Jugoslav documents alone,since Allied Travel orders were not yet required at that time.On June 29,1945 he visited Cedat (Cividale),where he intendet to remain for some longer time,in order to perform medical practice in the local hospital. There he was arrested on June 30;1945 first by Italian and then by British police.Since that time he has been detained in the prison at Udine.

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5) Cap. Zdravljic is member of the Jugoslav Army and it it is obvious that Italian Tribunals are not competent to try him,particularly not as imputations are concerned for deeds done in the period of his service in the Jugoslav Army and during the war against nazifascism.

6) Allied authorities charged him for not having had a permission issued by Allied Authorities,notwithstanding that he came in the area on 10 June 1945 (and the permits in question were introduced after the agreement of June 20th,1945). He was charged also for having been in possesion of notes about Concentration Camps,prisoners and war damages.It has not been decided as yet whether Italian or Allied Court will try him.

7) Application is made herewith on behalf of the Jugoslav Government that the a/n. be released immediately and handed over to this Delegation.

136

C. A. Vidau

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

0622

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

0623

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

10719

AC/4132/- LT/ns
13 February 1946

SUBJECT : Handing over of persons claimed to be Jugoslav nationals:

Mukin Bora, Nemcev Vasa, Vojinov Ivan, Ivanisavljev Sava, Dobrivoje Zorabac.

TO : The Minister of Pardon and Justice.

I enclose copies of two letters from the Jugoslav Delegation to the Advisory Council for Italy alleging that the abovenamed persons are Jugoslav nationals detained at Bari and Forli' respectively and requesting their release.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

13

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 80/46.

1078

23 January 1946.

SUBJECT: Kukin Bora
Nemcev Vasa
Vojinov Ivan
Ranisavljev Sava,
Jugoslav nationals interned at Eboli.

1) The Jugoslav Delegation A.C.I. has been informed that the a/n Jugoslav nationals had been forcibly mobilized by Serbian Quisling Authorities during the war. Thus they came in Italy with the retreating enemies and were located at the Chetnik Camp first at Forli and later at Eboli, where they still are.

2) The Legal Sub Commission is courteously requested to take necessary measures for their release in order to enable their repatriation.

3) We beg to be informed about measures taken.

Cf. [illegible]

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

13

0624
Declassified E.O. 12356 Section 3.3/NND No. 785016

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 113/46.

29 January 1946

SUBJECT: Dobrivoje Zabarac

TO: H/Q.A.C.
Legal Sub Commission.

1) ZABARAC Dobrivoje, born at Veliko Orazje in Jugoslavia has been kept in prison at Arezzo since 28 October 1945 for non possession of any documents.

2) The Legal Sub Commission is courteously requested to enquire about his case at the competent Italian authorities and to take necessary measures for his handing over to proper Jugoslav authorities.

Dr. Sloven J. Smodlaka,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CJO

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

enquire about his case at the competent Italian authorities and to take necessary measures for his handing over to proper Jugoslav authorities.

C.A. 1/5m

Dr. Sloven J. Smodlaka,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CORKS

→ Judge Thomas
Rec'd 29 Jan 46

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0627

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

106A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

AC/4132/L.

12 February 1946.

SUBJECT : Application for release of Jugoslav nationals.

TO : AFHQ, G-5.

I enclose herewith for necessary action copies of two letters from the Jugoslav Delegation to the Advisory Council for Italy applying for the release of a number of alleged Jugoslav nationals held in Allied custody in Camp Afragola No. 209 and by the Field Security Service at Padova.

For the Chief Commissioner.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

32

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 79/46

1068

23 January 1946.

SUBJECT: Lajnfelner Janez (Slovene)
Kuhar Joze (Slovene)
Korencan Albert (Slovene)
Kijajic Ibrahim (Mussulman from Bosnia)
Kadic Mustafa do
Jalnic Salko do
Manulahovic Alija do
Zeicirovic Salko do
Arnautovic Azim, do
Jugoslav nationals in Camp Afragola 209.

1) The Jugoslav Delegation A.C.I. received a request signed by 9 a/n Jugoslav Civilians, actually interned in Camp Afragola N° 209, with German POW, after they escaped from the Chetnik Camp et Eboli, wishing to return in Jugoslavia.

2) All the a/n Jugoslavs were taken forcibly from their homes by Quisling Authorities in Jugoslavia and obliged to carry arms and amunition. So they were brought in Italy with the retreating German and Collaborationist Armies.

3) The Legal Sub Commission is courteously requested to take necessary measures for their release in order to enable their repatriation ant to prevent their being sent back into the Chetnik Camp at Eboli.

4) We beg to be informed about measures taken.

13

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 58/46

106 c

Rome, 20 January 1946

SUBJECT: DR. MATIJAN Slavko Bronislav and Mr. TASIC SOKOL.

TO : H.Q.A.C.
Legal Sub Commission.

1/ In July 1945 Dr. Slavko Bronislav Matijan was accredited to Capt. Wirchard O.C. Transit Camp Chiesa Nuova at Padova, as Jugoslav official dealing with repatriation of Jugoslav citizens in transit from Milan to Trieste.

2/ Sokol Tasic was accredited as Dr. Matijan's assistent. His duty was to accompany transports from Padova to Trieste.

3/ On. Sept. 12,45 both dr. Matijan and Mr. Tasic have been arrested at Padova by the Field Security Service. They are still kept at the Camp at Padova for imputation of having had with them "propaganda material" proving their connection with the communist PARTY.

4/ Our secretary Mr. Jaksa has seen at Padova this so called "propaganda material" .It consist of three Slovene newspapers and four pamphlets containing articles reprinted from Jugoslav newspapers in free sale.

5/ As There is no reason to keep them any longer in the Camp, specially considering their official rank, application is made herewith, that necessary measures be taken in order to release them and to repatriate them in Jugoslavia.

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

130

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

1/ In July 1945 Dr. Slavko Bronislav Matijan was accredited to Capt. Wirchard O.C. Transit Camp Chiesa Nuova at Padova, as Jugoslav official dealing with repatriation of Jugoslav citizens in transit from Milan to Trieste.

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4/ Our secretary Mr. Jaksa has seen at Padova this so called "propaganda material" .It consist of three Slovene newspapers and four pamphlets containing articles reprinted from Jugoslav newspapers in free sale.

5/ As there is no reason to keep them any longer in the Camp, specially considering their official rank, application is made herewith, that necessary measures be taken in order to release them and to repatriate them in Jugoslavia.

C.A. Vis[illegible]

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy

330

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

0631

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

10574

AC/ 4132/L

MT/ns
8 February 1946.

SUBJECT : Jugoslav Nationals: Peterlin Milan.

TO : Ministry of Pardon and Justice.

1. Reference your Prot. No. 131/626/232/ 1945 of 17th December 1945.

2. I enclose herewith copy of a further application from the Jugoslav Delegation regarding the release of Peterlin Milan.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

1 Enc.

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 80/46

24 January 1946.

84A

Subject: Peterlin Milan.

To: H.Q.A.C.
Legal Sub Commission.

85A

1) Reference your letter AC 4132/L of 21 December 1945.

2) Since Peterlin Milan has not yet been handed over to the Jugoslav authorities, we take the liberty to request again your intervention in order to speed the matter.

3) If we might be informed where Peterlin is actually detained, this Delegation is willing to take care of his transportation from the respective prison directly.

C. A. [illegible]

Dr. Sloven Smodlaka,
Deputy Representative of Jugoslavie
Advisory Council for Italy.

12.

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

Legal Sub Commission.

85A

1) Reference your letter AC 4132/L of 21 December 1949.

2) Since Peterlin Milan has not yet been handed over to the Jugoslav authorities, we take the liberty to request again your intervention in order to speed the matter.

3) If we might be informed where Peterlin is actually detained, this Delegation is willing to take care of his transportation from the respective prison directly.

C.A. 127

Dr. Sloven Smodlaka,
Deputy Representative of Jugoslavie
Advisory Council for Italy.

127

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

0634

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

1048

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/L

MT/ns
8 February 1946.

SUBJECT : Surrender of persons.claimed as Jugoslav Nationals: DUPLANCIC Vinko.

TO : Ministry of Pardon and Justice.

1. Reference to this Sub Commission's letter AC/4132/L of 29th January I forward copy of a letter form the Jugoslav Delegation giving further particulars of the case of DUPLANCIC Vinko.

MEGRAVE THOMAS.
Italian Branch.
for Chief Legal Advisor.

128

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 76/46

23 January 1946.

SUBJECT: Duplancic Vinko.

TO: H.Q.A.C.
Legal Sub Commission.

1) Duplancic Vinko, born in Split on 15th October 1923 is actually detained in the Prison "Caserma Centrum" at Cuneo, waiting for trial to be held by an Italian Court.

2) On August 19th, 1941 Duplancic was arrested by fascist invaders in Split. The Court Martial of the II Italian Army sentenced him to 20 years of jail. for his work on propagating and organizing the Partizan Resistence Movement. Transferred into the jail at Fossano (Cuneo), he remained there until the capitulation of Italy. Escaped together with several politac prisoners, he joined the Italian Partisan Forces, fighting with them until the end of the war. then he applied to the Representative of the Jugo-Slav Red Cross in Turin and waited at Dogliani, near Turin, to be repatriated. There he was arrested on August 21st, 1945 by "Polizia Speciale" and AMG Police.

3) Since that time ha has been kept in prison without being asked or told the reason of his arrest.

4) Application is made herewith that necessary measures be taken to hand him over to the Jugoslav Authorities, who will take care to repatriate him, since Duplancic is member of the Jugoslav NL Army. and was sentenced by Italian Occupant Authorities in Jugoslavia.

121.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

0636

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

103A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdn.

AC/4132/I.

8 February 1946.

SUBJECT : Handing over of persons claimed as Jugoslav Nationals: Knezevic Jovan.

TO : Ministry of Pardon and Justice.

1. Reference your Prot. No. UC/4138 of 29 December 1945.

2. I enclose copy a letter from the Jugoslav Delegation giving further particulars of the case of Knezevic Jovan.

HUGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incl.

125

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 89/46

24 January 1946.

103B

SUBJECT: Knezevic Jovan

TO: H.Q.A.C.
Legal Sub Section.

With reference to our previous request Br. 1679 of 19 Dec. 1945, the Jugoslav Delegation A.C.I. takes the liberty to request again that the handover of this Jugoslav citizen, sentenced by a fascist court in Italy for his antifascist activity, be speeded.

C.A. Velimir

Dr. Sloven J. Smodlaka
Deputy Representative of Jugoslavia
Advisory Council for Italy.

12

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

0638

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /mcb.

SUBJECT : Surrender of persons alleged to be Jugoslav nationals: 1. Djonovic Stevo; 2. Mavrinac Stanko; 3. Stipcevic Eugen; 4. Tantalovic Dusan; 5. Trbovic Petar; 6. Bacolic Ante. 7 February 1946.

TO : The Minister of Pardon and Justice.

1. I enclose copies of letters from the Jugoslav Delegation to the Advisory Council for Italy regarding the six above named persons claimed as Jugoslav nationals.

2. Would you kindly advise this Sub-Commission at your early convenience whether you agree to hand over the above named persons to the Jugoslav authorities in Italy as requested.

MURGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

Incls.

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 77/46

1028

25 January 1946.

SUBJECT: Mavrinac Stanko, Jugoslav National.

TO: H.Q.A.C.
Legal Sub Section.

1) Mavrinac Stanko, born at Pasac Grobnik in Jugoslavia on 15 February 1905 , is being kept at "Casa Penale San Gimignano" for unknown reasons.

2) The Legal Sub Commission is courteously requested to enquire about his case at the competent Italian Authorities and to take necessary measures for his immediate handover to proper Jugoslav Authorities.

3) We beg to be informed about measures taken.

C.A. Vi III

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

1) Martinac Stanko, born at Pasac Grohnik in Jugoslavia on 15 February 1905 , is being kept at "Casa Penale San Gimignano" for unknown reasons.

2) The Legal Sub Commission is courteously requested to enquire about his case at the competent Italian Authorities and to take necessary measures for his immediate handover to proper Jugoslav Authorities.

3) We beg to be informed about measures taken.

ČAVLINI

DR.SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 71

23 January 1946

102 e

SUBJECT: Stipcevic Eugen.

TO: Allied Commission Headquarters
Legal Sub Commission.

1) Stipcevic Eugen, born on 28 February 1908 at Arbanasi (Borgo Rizza) near Zara in Dalmatia, actually detained in the prison "Caserma Centrum" at Cuneo, is waiting for his trial to be held by an Italian Court.

2) Stipcevic is memeber of the Jugoslav National Liberation Army and was arrested for his antifascist activity in Dalmatia. The fascist "Tribunale Speciale per la Difesa dello Stato" sentenced him in April 1943 to 15 years for acts of intelligence and collaboration with Jugoslav Partisans. After the capitulation of Italy Stipcevic escaped from "Casa Penale di Fossano" and joined Italian Partisans. After the end of hostilities in Italy he reported to the Representative of the Jugoslav Red Cross in Turin requesting to be repatriated in his town, occupied by Jugoslav Army. He waited for his repatriation at Dogliani, near Turin, together with his wife and Children and some other Jugoslav nationals. There he was arrested on August 21st by "Polizia Speciale" and AMG Police.

3) Since that time, Stipcevic has been kept in prison without being asked or told about the reason of his arrest.

4) It is a pity that a man who fought Nazifascism with arms in Jugoslavia and in Italy and was sentenced to 15 years jail as a victim of fascism, is still to day being kept in prison.

5) Since Stipcevic is a member of the Jugoslav National Liberation army, and was sentenced as such by fascist authorities in Italy, application is made herewith that necessary measures be taken to hand him over to Jugoslav authorities, who will take care to repatriate him in his town, actually under the Jugoslav military administration.

DR. SLOVEN J. SKOBLAKA,
Deputy Representative of Jugoslavia

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

Italy Stipcevic escaped from "Casa Penale di Fossano" and joined Italian Partisans. After the end of hostilities in Italy he reported to the Representative of the Jugoslav Red Cross in Turin requesting to be repatriated in his town, occupied by Jugoslav Army. He waited for his repatriation at Dogliani, near Turin, together with his wife and children and some other Jugoslav nationals. There he was arrested on August 21st by "Polizia Speciale" and AMG Police.

3) Since that time, Stipcevic has been kept in prison without being asked or told about the reason of his arrest.

4) It is a pity that a man who fought Nazifascism with arms in Jugoslavia and in Italy and was sentenced to 15 years jail as a victim of fascism, is still to day being kept in prison.

5) Since Stipcevic is a member of the Jugoslav National Liberation army, and was sentenced as such by fascist authorities in Italy, application is made herewith that necessary measures be taken to hand him over to Jugoslav authorities, who will take care to repatriate him in his town, actually under the Jugoslav military administration.

12

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 72/46

23 January 1946

SUBJECT: Tatalovic Dusan

TO: H.Q.A.C.
Legal Sub Commission.

1) Tatalovic Dusan,born at Dreznica (Ogulin) in Jugoslavia on 15 October 1913,actually detained in the Prison "Caserma Lentrum" at Cuneo is waiting for trial to be held by an Italian Court.

2) Tatalovic belonged to the Jugoslav National Liberation Army since 1941.On 28 October 1941 he was arrested by Italians and transferred to Fiume.There he was sentenced to 7 years of prison by the Court Martial of the II Italian Army.Transferred to Cuneo,he remained there in jail until September 11th,1943, when he escaped together with several other political prisoners and joined the Italian Partisan forces.Fighting with them till the end of the war,he was anxious to report to the Jugoslav Authorities in Italy.After the end of hostilities he had the occasion to apply in Turin to the Representative of the Jugoslav Red Cross.Since that time he was waiting at Dogliani,near Turin, to be repatriated.,here he was arrested on August 21st ,1945 by "Polizia Speciale" and AMG Police.

3) Since that time he has been kept in prison without being asked or told the teason of his arrest.

4) As Tatalovic is a member of the Jugoslav N.L.Army,sentenced by Fascist authorities in Italy,application is made herewith that necessary measures be taken to hand him over to the Jugoslav Authorities,who will take care to repatriate him.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 73/46

23 January 1946

1020

SUBJECT: Trbovic Petar.

TO: H.Q.A.C.
Legal Sub Commission.

1) Trbovic Petar, born at Dreznice (Ogulin) in Jugoslavia on 12 July 1919 is actually detained in the prison "Caserma Lentrum" at Cuneo and waiting for trial to be held by an Italian Court.

2) Trbovic belonged to the Jugoslav N.L. Army since 1941. On October 28th 1941 he was arrested by Italians and transferred to Fiume, where he was sentenced by the Court Martial of the II Italian Army to 7 years of prison. Transferred to Cuneo, he remained there in jail until September 11th, 1943, when he escaped together with several other political prisoners and joined the Italian Partisan Forces. Fighting with them till the end of the war, he was anxious to report to the Jugoslav Authorities in Italy After the end of hostilities he had the occasion to apply at Turin to the representative of the Jugoslav Red Cross. Since that time he was waiting at Dogliani, near Turin, to be repatriated. There he was arrested on August 21st, 1945 by "Polizia Speciale" and AMG Police.

3) Since that time he has been kept in prison, without being asked or told the reason of his arrest.

As Trbovic is member of the Jugoslav N.L.Army, sentenced by Italian occupant authorities in Jugoslavia, application is made herewith that necessary measures be taken to hand him over to the Jugoslav Authorities, who will take care to repertiate him.

C. A. V.

DR. SLOVEN SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 75/46

23 January 1946.

SUBJECT: Bacelic Ante.

TO: H.A.C.
Legal Sub Commission.

1) Bacelic Ante, born at Grebasnica (Sibenik) in Jugoslavia on May 17th, 1925, actually detained in the Prison "Caserma Centrum" at Cuneo is waiting for trial to be held by an Italian Court.

2) In 1942 Bacelic was arrested by Italian occupant authorities for his collaboration with Jugoslav Partisans. Since he was under age, he was interned at Pordenone till the capitulation of Italy. After the Armistice an Italian officer took him to Raconigi to his home, where Bacelic remained for a certain time. Then he got attached to the Italian Partisans, joined them and remained with them fighting until the end of the war. Twice he was wounded. His wounds are still running and he complains that in the prison he has not got any treatment. =After the end of hostilities Bacelic applied to the Representative of the Jugoslav Red Cross in Turin and remained with some other Jugoslav nationals ar Dogliani, near Turin, waiting to be repatriated. There he was arrested on August 21st, 1945 by "Polizia Speciale" and AMG police.

3) Since that time he has been kept in prison without being asked nor told the reason of his arrest.

4) Application is made herewith that necessary measures be taken for immediate release of this brave jouth, who fought against fascism both with Jugoslav and Italian Partisans and actually lives neglected and mistreated in a prison in the foreign country for whose liberation he has risked his life and been wounded. The Jugoslav Authorities will take care to repatriate him and to ensure medical treatment for his wounds that contributed to the liberation of Italy.

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia

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

2) In 1942 Bacelic was arrested by Italian occupant authorities for his collaboration with Jugoslav Partisans.Since he was under age,he was interned at Pordenone till the capitulation of Italy. After the Armistice an Italian officer took him to Raconigi to his home,where Bacelic remained for a certain time. Then he got attached to the Italian Partisans,joined them and remained with them fighting until the end of the war.Twice he was wounded.His wounds are still running and he complains that in the prison he has not got any treatment. =After the end of hostilities Bacelic applied to the Representative of the Jugoslav Red Cross in Turin and remained with some other Jugoslav nationals ar Dogliani,near Turin,waiting to be repatriated.There he was arrested on August 21st,1945 by "Polizia Speciale" and AMG police.

3) Since that time he has been kept in prison without being asked nor told the reason of his arrest.

4) Application is made herewith that necessary measures be taken for immediate release of this brave jouth,who fought against fascism both with Jugoslav and Italian Partisans and actually lives neglected and mistreated in a prison in the foreign country for whose liberation he has risked his life and been wounded.The Jugoslav Authorities will take care to repatriate him and to ensure medical treatment for his wounds that contributed to the liberation of Italy.

C.A. Velan

DR.SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 78/46

23 January 1946.

1026

SUBJECT: Djonovic Stevo, Jugoslav National.

TO: H.Q.A.C.,
Legal Sub Commission.

1) Djonovic Stevo, 19 years old, born at Bar in Jugoslavia, a member of the Jugoslav N.L.Army was taken by fascists on April 29th, 1942 and interned first in the Concentration Camp at Kavaja in Albania, then returned to Bar, where he still remained in a Camp. At that time he was 16 years. Later they transferred him in Italy, provincia Perugia, where he is still detained and accused for having killed a fascist who used to illtreat him in the Concentration Camp.

2) This Delegation will greatly appreciate any action taken by your Sub Commission upon proper Italian Authorities in order to enable the handing over of the a/n to Jugoslav Authorities as soon as possible.

3) We beg to be informed about measures take.

C. A. V. [illegible]

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

11

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

4132

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 268/46

4 February 1946

1024

SUBJECT: Bacelic Ante
Duplancic Vinko
Tatalovic Dusan
Trbovic Petar
Stipcevic Eugen,

TO: Headquarters Allied Commission
Legal Sub Commission

1. Reference our letter br. 234/46 of 18 February 1946. your AC/41321/L of 21 February 46.

2. This Delegation was informed that the a/n members of the Jugoslav Army have been released on February 19th 46 from Carceri Giudiziarie in Torino and sent to the Allied Camp N° 17 Grugliasco = Turin. Therefrom they were transferred to the Camp I T 77 Milano and were returned again, two days later, back to Turin Camp N° 17 Grugliasco. Awaiting a decision of the Allied Authorities, on Feb. 25th they finally were sent back to the Carceri Giudiziarie Torino and left there on disposition of the F.S.S. 315.

3. It is courteously requested that necessary steps be taken in order that the a/n members of the Jugoslav Army be released definitely from the Italian prison and returned in Jugoslavia as soon as possible. We beg that the matter be considered as urgent.

Č.A. Vejnović

Dr Sloven J.Smodlaka,
Deputy Representative of Jugoslavia
Advisory Council for Italy

116

0548

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

0649

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

AC/4132/L. 29 January 1946.

SUBJECT : SEFIC Ivo, STOYAN Filipovic and DUPLANCIC Vlako.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference your letters Nos. Br. 1531 of 8th November, No. Br. 1557 and 1558 of 14th November 1945.

2. I enclose herewith a copy of a letter from the Ministry of Justice giving particulars of the offences of which SEFIC Ivo was convicted and the terms of imprisonment to which he was sentenced.

3. With regard to the other two prisoners STOYAN Filipovic and DUPLANCIC Vlako the Ministry will furnish information later.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

0650

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

COPIA

MINISTERO DI GRAZIA E GIUSTIZIA
Direzione Generale degli Affari Penali
delle Grazie della Statistica e del Casellario

Ufficio .....I.A.P.
Prot.N.....131.873/2905/45
Risposta al f. N. AC.4132/I..
del.....17.11.945
OGGETTO : ..... SEPIC Ivo, STOJAN Filipovic,
DUPLANCIC Vinko, nazionali jugoslavi.

Roma, 24 gennaio 1946

e per notizia: ALL'UFFICIO COLLEGAMENTO GABINETTO.

In relazione alla nota sopra distinta, si informa che la Procura Generale presso la Corte d'Appello di Cagliari, cui erano state chieste le informazioni del caso in merito alla posizione giuridica del condannato SEPIC Ivo, ha tenle' comunicato che lo stesso trovasi attualmente detenuto nella Casa Penale di Alghero per scontarvi le seguenti condanne:

1) Condanna ad anni 30 di reclusione e £. 10.000 di multa inflittagli con sentenza della Corte d'Assise di Fiume in data 11.10.937, che dichiaro' l'imputato delinquente per tendenza, per i reati di omicidio aggravato (art. 110,575,576 n. 1, 577 n. 3, 61 n. 2 C.P.), tentato omicidio aggravato, rapina aggravata (art. 110,628 C.P.), porto abusivo di armi, concorso in furto aggravato (art. 110,624,625 n.ri 1,2,5, C.P.), usurpazione di pubbliche funzioni, furto aggravato, altro furto aggravato, tentata evasione aggravata (art. 56,385 C.P.), violenza e resistenza a pubblico ufficiale (art. 337, 61 n. 2 C.P.), lesioni volontarie in danno di un agente di custodia (art. 582, 61 n. 2 C.P.);

2) Condanna ad anni 7 e mesi 7 di reclusione inflittagli con sentenza 12.7.944 dalla Corte di Assise di Sassari per ribellione. La pena irrogata al SEPIC con la prima condanna decorre dal 5.12.935 con scadenza il 21.6.966.

Si fa riserva di fornire le informazioni relative a STOJAN Filipovic e DUPLANCIC Vinko non appena perverranno, e si aggiunge che il SEPIC di cui tratta il presente foglio risulta nato in Mattuglie, compresa nella circoscrizione di Fiume, e pertanto e' da considerarsi tuttora cittadino italiano.

per il M I N I S T R O

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

1002

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/-

MT/ns
29 January 1946

SUBJECT : Handing over of Jugoslav Nationals.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference your letter No. Br. 1413 of 14th November 1945.

2. I enclose herewith a copy of a letter from the Ministry of Justice relating to the prisoners VIVODA, PAULOVIC, KARIS and RODOLOVIC.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

110

0652

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

1008

Roma. 29 Gennaio 1946

MINISTERO DI GRAZIA E GIUSTIZIA
Direzione degli Affari Penali
delle Grazia della Statistica e del
Casellario

Ufficio I° A.P. Prot. N. 131/779

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

R O M A

97 A

Risp. al Pro. AC/4132/L
dell' 11 Dicembre 1945

Oggetto: Consegna di cittadini iugoslavi.-

e per conoscenza-

All'Ufficio di Collegamento

S E D E

In relazione al foglio sopradistinto per gli individui oggetto della nota del 23 Ottobre 1945 PAULOVIC, RADOLOVIC, VIVODA, KARIS e PERSAN, il Procuratore Generale presso il Tribunale Supremo Militare, interessato da questo Ministero per gli accertamenti sulla loro nazionalita' ha riferito che gli stessi furono condannati per ammutinamento commesso quali militari cittadini italiani, a bordo di nave italiane, e che di essi quattro e cioe' il VIVODA, il PAULOVIC, il KARIS e il RODOLOVIC risultano ancora in espiazione di pena presso le prigioni Militari di Otranto.-

Quanto sopra premesso, ritiene questo Ministero che, poiche' le persone in oggetto non risultano sudditi iugoslavi, non puo' autorizzarsi la loro consegna alle autorita' Jugoslave in Italia come richiesto, mentre potrebbe solo darsi sollecito corso ad eventuali istanze di grazia.-

Si trasmette per opportuna conoscenza copia della relativa sentenza di condanna.-

per il M I N I S T R O

firmato: firma illeggibile

0653

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

fm

MINISTERO DI GRAZIA E GIVSTIZIA

Direzione Generale degli Affari Penali delle Grazie della Statistica e del Casellario

Ufficio I° A.P.
Prot. N° 131.873/2905/45
Risposta all'f. N° AC.4132/D
del 17.11.945
OGGETTO: SEPIC Ivo, STOYAN Filipovic, DUPLANCIC Vieko, nazionali iugoslavi.

Roma, 14 gennaio 1946

Al LA COMMISSIONE ALLEATA - Sottocommissione Legale
R O M A

e per notizia: All'UFFICIO COLLEGAMENTO
GABINETTO

In relazione alla nota sopra distinta, si informa che la Procura Generale presso la Corte d'Appello di Cagliari, cui erano state chieste le informazioni del caso in merito alla posizione giuridica del condannato SEPICH Ivo, ha testè comunicato che lo stesso trovasi attualmente detenuto nella Casa Penale di Alghero per scontarvi le seguenti condanne:

1) Condanna ad anni 30 di reclusione e £.10.000 di multa inflittagli con sentenza della Corte d'Assise di Fiume in data 11.10.937, che dichiarò l'imputato delinquente per tendenza, per i reati di omicidio aggravato (art.110,575,576 n.1, 577 n.3, 61 n.2 C.P.), tentato omicidio aggravato, rapina aggravata (art.110,628 C.P.), porto abusivo di armi, concorso in furto aggravato (art. 110,624,625 n.ri 1,3,5 C.P.), usurpazione di pubbliche funzioni, furto aggravato, altro furto aggravato, tentata evasione aggravata (art.56,385 C.P.), violenza e resistenza a pubblico ufficiale (art.337,61 n.2 C.P.), lesioni volontarie in danno di un agente di custodia (art.

./.

0654

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

582, 61 n.2 C.P.);

2) condanna ad anni 7 e mesi 7 di reclusione inflittagli con sentenza 12.7.944 della Corte di Assise di Sassari per ribellione. La pena irrogata al SEPICH con la prima condanna decorre dal 3.12.935 con scadenza il 21 6.966.

Si fa riserva di fornire le informazioni relative a STOYAN Pilipovic e DUPLANCIC Vinko non appena perverranno, e si aggiunge che il SEPIC di cui tratta il presente foglio risulta nato in Mattuglie, compreso nella circoscrizione di Fiume, e pertanto da considerarsi tuttora cittadino italiano.-

per il MINISTRO

LEGAL SUBCOMMITTEE
CLO
DCLO
Chief Counsel
CLO
Mr. Thomas
28 Jan 46

0655

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

4132 O E-I-L-H-I-A

O Lucas S/C

Confidential

Headquarters Allied Commission
APO 394
Office of the Executive Commissioner

Ref: G/SC/46

SUBJECT: Visits to Yugoslavia

TO : See Distribution Below

1. This Headquarters has been informed that the officials of the Yugoslav Customs are now liable to open all boxes, parcels and mail that have not got a diplomatic seal or are not enclosed in an official mail bag. Articles carried by visiting personnel are also subject to examination if they have not the diplomatic seal.

2. It is therefore requested that any prospective visitors to Yugoslavia should be informed of these facts and instructed to take precautions to ensure that no documents or packages of a confidential nature be carried other than in official or diplomatic mail bags.

For the Chief Commissioner:

COPY OF ITEM UNCLASSIFIED

Col. Inf.
Chief Judicial Officer.
for Chief Civil Affairs Officer.

Brigadier
Executive Commissioner

External Distribution:
Group 1 List A

Copies to:
AC of S, G-1
Navy
Air Force
G-2
G-3
G-4
Engineer (Railway)
Finance
Ordnance (Motor)
Transportation (Marine)
Theater Judge Advocate
Theater Provost Marshal
Theater Surgeon
Theater Chaplain
Theater Quartermaster
Theater Signal Officer
Theater Chemical Officer
Theater Ordnance Officer
Theater Transportation Officer
Theater Engineer
Theater Finance Officer
Theater Air Officer
Theater Naval Officer
Theater Inspector General
Theater Adjutant General
Theater Historical Officer
Theater Public Relations Officer
Theater Special Service Officer
Theater Civil Affairs Officer
Theater Judge Advocate
Theater Provost Marshal
Theater Surgeon
Theater Chaplain
Theater Quartermaster
Theater Signal Officer
Theater Chemical Officer
Theater Ordnance Officer
Theater Transportation Officer
Theater Engineer
Theater Finance Officer
Theater Air Officer
Theater Naval Officer
Theater Inspector General
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Theater Transportation Officer
Theater Engineer
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Theater Air Officer
Theater Naval Officer
Theater Inspector General
Theater Adjutant General
Theater Historical Officer
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Theater Special Service Officer
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Theater Transportation Officer
Theater Engineer
Theater Finance Officer
Theater Air Officer
Theater Naval Officer
Theater Inspector General
Theater Adjutant General
Theater Historical Officer
Theater Public Relations Officer
Theater Special Service Officer
Theater Civil Affairs Officer

E-I-O-H-I-A

FEC SUB-COMMISSION
CLO
DCLO
Chief Counsel
CJO
Action
Mr. Thomas
28 Jan 46

4132

Mod 402

970

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma: 29 Gennaio 19 46

Ufficio I°A.P. *Prot. N.°* 131/779

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

924

Risposta al f. N.° AC.4132/L.
del 1'11 Dicembre 1945

OGGETTO Consegna di cittadini jugoslavi.-

e per conoscenza:
All'Ufficio Collegamento
S E D E

In relazione al foglio sopradistinto per gli individui oggetto della nota del 23 ottobre 1945 PAULOVIC, RADOLOVIC, VIVODA, KARIS e PERSAN, il Procuratore Generale presso il Tribunale Supremo Militare, interessato da questo Ministero per gli accertamenti sulla loro nazionalità, ha riferito che gli stessi furono condannati per ammutinamento commesso quali militari cittadini italiani, a bordo di nave italiana, e che di essi quattro e cioè il VIVODA, il PAULOVIC, il KARIS e il RODOLOVIC risultano ancora in espiazione di pena presso le prigioni Militari di Otranto.-

Quanto sopra premesso, ritiene questo Ministero che, poichè le persone in oggetto non risultano sudditi jugoslavi, non può autorizzarsi la loro consegna alle autorità jugoslave in Italia come richiesto, mentre potrebbe solo darsi sollecito corso ad even-

ISTITUTO POLIGRAFICO DELLO STATO

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

e per conoscenza:

All'Ufficio Collegamento

S E D E

In relazione al foglio sopradistinto per gli individui oggetto della nota del 23 ottobre 1945 PAULOVIC, RADOLOVIC, VIVODA, KARIS e PERSAN, il Procuratore Generale presso il Tribunale Supremo Militare, interessato da questo Ministero per gli accertamenti sulla loro nazionalità, ha riferito che gli stessi furono condannati per ammutinamento commesso quali militari cittadini italiani, a bordo di nave italiana, e che di essi quattro e cioè il VIVODA, il PAULOVIC, il KARIS e il RODOLOVIC risultano ancora in espiazione di pena presso le prigioni Militari di Otranto.-

Quanto sopra premesso, ritiene questo Ministero che, poichè le persone in oggetto non risultano sudditi jugoslavi, non può autorizzarsi la loro consegna alle autorità jugoslave in Italia come richiesto, mentre potrebbe solo darsi sollecito corso ad eventuali istanze di grazia.-

Si trasmette per opportuna conoscenza copia della relativa sentenza di condanna.-

per il M I N I S T R O

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel

Rec'd 16 Jan 46.

ISTITUTO PIEMONTESE DELLO STATO

Declassified E.O. 12356 Section 3.3/NND No. 935016

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

96A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L

/es
28 January 1946

SUBJECT : Jugoslav Nationals.

TO : POLAD A

1. Reference telephone conversation (Mr. Halford and Col. Hannaford) you will find enclosed copies of the correspondence in regard to the above.

2. Brig. Carr would be very much obliged if you could supply him as soon as possible with the elements of a reply to Dr. Smodlaka, bearing in mind the latter's threat to stop the repatriation of Italian prisoners from Jugoslavia if satisfaction was not given to his request.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

Encl.

837

0659

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

95A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L /es
28 January 1946

SUBJECT : Jugoslav Nationals.

TO : POLAD B

1. Reference telephone conversation (Mr. Halford and Col. Hanraford) you will find enclosed copies of the correspondence in regard to the above.

2. Brig. Carr would be very much obliged if you could supply him as soon as possible with the elements of a reply to Dr. Smodlaka, bearing in mind the latter's threat to stop the repatriation of Italian prisoners from Jugoslavia if satisfaction was not given to his request.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl.

207

0660

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

944

MEDITERRANEAN ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4178/L. /en
18 January 1946

SUBJECT : Alleged arrests of Jugoslavs in Italy.

TO : AMPG. G-5 Section.

1. Reference your G-5: 250.3 of 14 January 1946.

2. Copies of the Minister's letter and our reply on the question of Italian citizenship are attached. The Italian Ministry of Foreign Affairs take the attitude that as most of the persons indicated in the Jugoslav memorandum were born in Istria and served in the Italian Army they are still Italian citizens until such time when, if at all, the place of their birth is ceded to Jugoslavia under the Peace Treaty or some other international agreement.

3. This Sub-Commission is of opinion that the whole case boils down to an attempt by Jugoslav authorities to confuse the issues and to create a precedent by which Allied action might be interpreted as an endorsement of the Jugoslav contention that Istria is already "de facto" integral part of Jugoslavia.

4. With the exception of Duplancic Vinko of whom a memorandum is enclosed, no record is found in the files of this Sub-Commission in regard to the other Jugoslav Nationals allegedly arrested by Allied or Italian authorities.

5. Your letter, therefore, is being passed to Public Safety Sub-Commission, responsible for the detention of the persons referred thereto.

For the Chief Commissioner

G.G. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

Copy to: Chief Comm.
Executive Comm.
Polcon (A) and (B)

ENCL.

0661

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/es

AC/4132/L 15 January 1946

SUBJECT : Handing over of Jugoslav Nationals.

TO : Jugoslav Delegation to the Advisory Council for Italy.

Reference is made to your Br. 1530 of 8 November 1945 and previous correspondence.

1. This Sub-Commission has now been advised that an order has been issued for the transfer of Peterlin Milan to a prison in Rome from where he will be handed over to the Jugoslav authorities. Further information will be supplied as soon as the above mentioned will reach Rome.

2. An investigation is being made in regards to the citizenship status of Paulovic, Bozo, Padlovic Petar, Vivodu Bogomir, Maria Amelio and Persan Martin who were born in Istria and have served in the Italian Army. The Ministry of Pardon and Justice has called the attention of the appropriate authorities to take immediate action on the matter.

3. No advice has yet been received in the cases of Sepic, Stojan, Filipovic and Duplancic Vinko and the attention of the appropriate Procuratori in these cases was again called upon by the Ministry.

G.G. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

105

0662

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

fm

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma 31 dicembre 1945 / +++++++

LA COMMISSIONE ALLEATA
Sottocommissione Legale
ROMA

e per conoscenza: All'UFFICIO DI COLLEGAMENTO
GABINETTO

Ufficio I° A.P.
Div. AC
Sez. N. 131.779-2684
Risposta al foglio del 1°.11.12.945
N. 4132 L.

OGGETTO Consegna di cittadini iugoslavi.

Per gli individui indicati nella nota suindicata si richiamano le lettere di questo Ministero dei 17.10. u.s. n.131.626, 22 novembre u.s. n.131 e 10.12.945 n.131.873.

Con la prima fu comunicato che del PETULIN, riconosciuto come suddito iugoslavo, è stata disposta la traduzione alle carceri giudiziarie di Roma per la consegna alle autorità iugoslave. Si daranno in proposito ulteriori comunicazioni circa l'arrivo del detto PETULIN alle carceri di Roma.

Per gli individui, oggetto della seconda nota, che sarebbero nati in Istria, e che erano militari italiani, e in corso di accertamento la loro cittadinanza. Come fu comunicato si è scritto in proposito al Procuratore Generale Militare presso il Tribunale Supremo Militare, facendogli nota la richiesta delle Autorità Iugoslave. Non è pervenuta finora risposta, ed in pari data si fanno sollecitazioni.

Infine per il SEPIC, lo STOJAN Filipovic e DUPLANCIC Vinko si comunica che non è pervenuta ancora risposta dai Procuratori Generali di Torino e di Cagliari, risposta che in pari data si sollecita.

Si riservano, pertanto, ulteriori notizie.

d'ordine del MINISTRO

2 JAN 1946

3 JAN 1946

0663

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

910

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MT/es
AC/4132/L. 7 January 1946

SUBJECT : Cucek Jakov. (Giacomo Succi).

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Reference your letter No. Br. 1679 of 19 December 1945.

2. I enclose herewith a copy of a letter from the Ministry of Justice stating that inquiries are being made to ascertain in which prison the above named prisoners are at present detained, and pointing out that Cucek is an Italian subject .

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl.

AC

4132/L

91B Mod.2

Ministero di Grazia e Giustizia

Gabinetto di S.E. il Ministro

Roma, 29 Dicembre 1945

SUB COMMISSION
CLO
DCLO
Chief Counsel
CLO
CLERKS.
31 DEC 1945

OGGETTO: Condannato Cucek Jakov.

Alla Commissione Alleata
Sottocommissione Legale
ROMA

88A

Con riferimento al foglio 4132/L del 21 corrente si informa che per quanto riguarda il nominato in oggetto, per il quale si interessa la delegazione Jugoslava, si è provveduto a chiedere informazioni precise del fatto presso lo stabilimento carcerario ove attualmente è detenuto.

Tuttavia si osserva che contrariamente a quanto asserito dalla Delegazione Jugoslava essendo il Cucek nativo a Nova Susica (Zona B) egli è da ritenersi tuttora cittadino italiano, non essendo ancora intervenuto un trattato di pace che modifichi le frontiere tra l'Italia e la Jugoslavia.

0664
Declassified E.O. 12356 Section 3.3/NND No. 785016

Chief Counsel
CJC
Legation Section
CWRKS
31 DEC 1945

Alla Commissione Alleata
Sottocommissione Legale
ROMA

88A

Con riferimento al foglio 4132/L del 21 corrente si informa che per quanto riguarda il nominato in oggetto, per il quale si interessa la delegazione Jugoslava, si è provveduto a chiedere informazioni precise del fatto presso lo stabilimento carcerario ove attualmente è detenuto.

Tuttavia si osserva che contrariamente a quanto asserito dalla Delegazione Jugoslava essendo il Cucek nativo a Nova Susica (Zona B) egli è da ritenersi tuttora cittadino italiano, non essendo ancora intervenuto un trattato di pace che modifichi le frontiere tra l'Italia e la Jugoslavia.

Analoghe informazioni sono state richieste per Knezevic Jovan.

Ci riserva di ulteriori notizie.

Chief Counsel
CJC
Legation Section
CWRKS

L'UFFICIALE DI COLLEGAMENTO
(Dr. Giorgio Bonelli)

Bonelli

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

0664

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

90A

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /pa.
29 Dec 45.

SUBJECT : Hace Antonio.

TO : The Yugoslav Delegation to the Advisory Council for Italy.

1. Reference this Sub-Commission's letter to you No.AC/4132/L of 6th November 1945.

2. I enclose a copy of a letter from the Minister of Justice stating that the prisoner Hace Antonio is at present in the Regina Coeli Prison at your disposition.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

0671

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

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4132 Off

SGA Appeal 402

MINISTERO DI GRAZIA E GIVSTIZIA

Direzione Generale degli Affari Penali delle Grazie della Statistica e del Casellario

Ufficio II° U.P. 35A.

Prot. N° 131.600.2235

Risposta al f. N° C/4132/I.

del 30 agosto c.a.

OGGETTO. HACE Antonio - suddito iugoslavo.

Roma, 20 dicembre 1945

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

52A
90A

e per conoscenza:
all'UFFICIO DI COLLEGAMENTO
S E D E

Ad esito della richiesta di cui all'indicata nota di codesta Sottocommissione Legale, si comunica che l'ex-castolano HACE Antonio è stato tradotto fin dal 9 ottobre scorso alle Carceri Giudiziarie (Regina Coeli) di questa città, a disposizione delle Autorità Iugoslave che ne hanno richiesto la consegna.

Si prega codesta Sottocommissione Legale di voler portare a conoscenza della locale Delegazione Iugoslava quanto sopra, per i provvedimenti di sua competenza.

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
27 DEC 1945

Il Sottosegretario del MINISTRO

100

0668

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

88A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/41 2/L. /pa.
21 Dec 45.

SUBJECT : Knezevic Jovan (Giovanni) and
Cucek Jakov (Giacomo Succi).

TO : The Minister of Pardon and Justice.

1. Your attention is invited to the enclosed copies of two letters of the Yugoslav Delegation to the Advisory Council for Italy.

2. Would you please advise this Sub-Commission of the action taken in this matter.

G. G. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

Incls.

1413 2.

87A

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 1679

R o m e, 19th December 1945.

SUBJECT: Knezevic Jovan (Giovanni).

See 103B

TO: Headquarters Allied Commission
Legal Sub=Commission,

R o m e.

1. Knezevic Jovan (Giovanni), 38 of age, born in Gradjane, actually detained in the prison of Camerino di Macerata, charged with robbery, is waiting his trial to be held by an Italian court.

2. Same belonged to the National Liberation Army of Jugoslavia from July 1941, and was captured by quisling troops operating with Italians, in 1942. He was sentenced by Italian fascist authorities to five years of in=ternment in a concentration camp. Apparently he escaped later on the capitu=lation of Italy and joined the Italian Partisan Forces.

3. Since the a/m was a Jugoslav soldier, captured by the enemy, appli=cation is made herewith in order that necessary measures should be taken to hand him over to proper Jugoslav authorities, who solely are competent to in=vestigate his case and put on trial if necessary.

Niko Jaksa

NIKO JAKSA, Secretary,
Jugoslav Delegation, ACI.

[illegible] COMMISSION
CLO
DCLO
Chief Counsel

98

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

1. Knezevic Jovan (Giovanni), 38 of age, born in Gradjane, actually detained in the prison of Camerino di Macerata, charged with robbery, is waiting his trial to be held by an Italian court.

2. Same belonged to the National Liberation Army of Jugoslavia from July 1941, and was captured by quisling troops operating with Italians, in 1942. He was sentenced by Italian fascist authorities to five years of internment in a concentration camp. Apparently he escaped later on the capitulation of Italy and joined the Italian Partisan Forces.

3. Since the a/m was a Jugoslav soldier, captured by the enemy, application is made herewith in order that necessary measures should be taken to hand him over to proper Jugoslav authorities, who solely are competent to investigate his case and put on trial if necessary.

NIKO JAKSA, Secretary,
Jugoslav Delegation, ACI.

DCLO
Chief Counsel CIO
Italian Section
CLERKS
20 DEC 1945

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br.1681

86A

R o m e, 20th December 1945.

SUBJECT: Cucek Jakov (Succi Giacomo).

TO: Headquarters Allied Commission
Legal Sub=Commission,

R o m e .

1. The a/n, born in Nova Susica (actually zone "B") in 1911, has been sentenced by a fascist court in Trieste on May 18th, 1931 to life imprisonment for having killed a fascist.

2. After the capitulation of Italy same has been located in "Ca=sa Penale di Procida" near Naples. Actually he is living in Regina Coeli, temporarily, on his way to Portolongone near Leighorn.

3. Since in question is a Jugoslav national and it results from reliable sources that here is a case of political crime, may it kindly be requested to effect the handover of the a/n to proper Jugoslav autho=rities (Jugoslav Military Government in Zone "B"), who will be able to renew his trial.

NIKO JAKŠA, Secretary,
Jugoslav Delegation, ACI.

FOR SUBCOMMISSION
CLO
DCLO
Chief Counsel

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

1. The a/n, born in Nova Susica (actually zone "B") in 1911, has been sentenced by a fascist court in Trieste on May 18th, 1931 to life imprisonment for having killed a fascist.

2. After the capitulation of Italy same has been located in "Casa Penale di Procida" near Naples. Actually he is living in Regina Coeli, temporarily, on his way to Portolongone near Leighorn.

3. Since in question is a Jugoslav national and it results from reliable sources that here is a case of political crime, may it kindly be requested to effect the handover of the a/n to proper Jugoslav authorities (Jugoslav Military Government in Zone "B"), who will be able to renew his trial.

NIKO JAKŠA, Secretary,
Jugoslav Delegation, ACI.

LEG. SUBCOMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL. RKS
20 DEC 1945

97

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

0673

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

85A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4132/L

MT/ns
21 December 1945

SUBJECT : Peterlin Milan

TO : The Yugoslav Delegation to the Advisory Council for Italy.

1. Reference your letters No. K.br. 991 of 30th August '45, and No. Br. 1539 of 8th November.

2. The Ministry of Justice has just informed this Sub Commission that the Procura Generale of the Court of Appeal in Firenze has instructed the Procuratore del Regno of Arezzo to take necessary steps for the prompt handing over of Peterlin Milan to the Yugoslav authorities.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

0674

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

Mod 40

4320

Roma 14 Dicembre 1945

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Ufficio I° A.P.
Prot. N° 131/626/2352/1945

Risposta al f. del 16/11/1945
Div. AC Sez. N° 4152/L.

OGGETTO PETERLIN Milan.-

e per conoscenza:
ALL'UFFICIO COLLEGAMENTO
S E D E

In relazione alla nota suindicata, si informa che la Procura Generale presso la Corte di Appello di Firenze ha testè fatto conoscere di aver impartito al Procuratore del Regno di Arezzo le opportune disposizioni per la sollecita consegna del PETERLIN alle Autorità Jugoslave.-

IL MINISTRO

LEGAL DIVISION
CLO
DCLO
Chief Counsel
CIC
Section
20 DEC 1945

93

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

432

Mod.40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma, 10 dicembre 194[illegible]

830

Ufficio I° A.P.
Sect. N° 131.873/2905/45

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Risposta al foglio del 17.11.1945
Div. AC Sez. 14132/L

OGGETTO Sepic Ivo, Stoian Filipovic, Duplancic Vinko - Nazionali iugoslavi.-

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

GABINETTO

Questo Ministero ha preso visione delle tre lettere della Delegazione Iugoslava relative alle persone in oggetto, trasmesse con la nota sopra distinta, e si riserva di fornire a codesta On.le Sottocommissione le informazioni del caso; in pari data richieste alle Autorità Giudiziarie competenti

per il MINISTRO

Brief forwarded on 27 Dec.

ISTITUTO POLIGRAFICO DELLO STATO

COMMISION
HQ
DCI,O
Chief Counsel
CJO
Italian Section
CL RKS

0676

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

82A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

DS/mda

AC/4132/L. 11 December 1945

SUBJECT : Handing over Jugoslav Nationals.

TO : The Minister of Pardon and Justice.

1. The Jugoslav Delegation to the Advisory Council is pressing for reply to their communications copies of which were transmitted to you with letters of this Sub-Commission No. AC/4132/L. of 16 Nov. (Peterlin Milan), 17 Nov. (Sepic Ivo, Stojan Filipovic, Duplancic Vinko) 23 Oct. (Pavlovic, Bozo, Radolovic Petar, Vivoda Bogomir, Furis Amelio, Persan Martin).

2. An early action would be appreciated.

G.G. HANNAFORD
Lt.Col.,
Deputy Chief Legal Advisor.

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

S1A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

FS/rm.
AC/4132/L. 11 Dec. 1945.

SUBJECT : Handing over Jugoslav Nationals.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Reference recent conversation (Mr. JAKŠA - - Lt. Col. HANNAFORD) re above.

2. No record is found in the files of this Sub-Commission of your letters pertaining to STIPCEVIC, TRIPOVIC (detained at Fossano and charged before the Court of Cuneo) and ZAJADIC (Udine).

3. The Ministry of Justice was requested to expedite their action in the remaining cases discussed with Mr. JAKŠA.

G.G. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

92

0678

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

Plante

Pennant

4132/L

Serbia. Ports - Pola.

2 Dec 1 Explosion Torpedo ship
Jomard (Austria)

P. Zeagle - Cividale - Austria

P Paris Steamer - 10 Nov - Paris ✓

68A 67A 75A 72A
P Dauphin 11 Nov - Toulon ✓
75A

P - Lafayette 8th Nov - Smyrna ✓
75A

P Pavlovic Bogatic, Grenade - 14th Dec - Toronto ✓
65A

P Petchili 8 Nov - Athens - Argos ✓
74A
33A

P Skojan - 14th Nov - Paris ✓
75A

x78697

Stipcevic, Tripovic - Austria - Venice - 91
Explosion Coal Cruiser

0679

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

801A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda

AC/4152/L. 6 December 1945

SUBJECT : SURAN Paolo, Yugoslav National.

TO : Yugoslav Delegation to the
Advisory Council for Italy.

Reference your Br. 1265 of September 5, 1945.

Copy of a reply of the Ministry of Justice is enclosed.

G.G. HANNAFORD,
Lt.Col.,
Deputy Chief Legal Advisor.

Encl: Copy Uff. I A.P., Prot. N. 131.579.2205/45.

0 6 8 0 1

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

Mod.1545 M.G.

Fm 4132

Roma 29 novembre 1951 +++++

79A

Ministero di Grazia e Giustizia
Direz.Gener.Affari Penali
Uff.I° A.P.

Sez. I^a 131.579.2205/45

Oggetto SURAN Paolo

Al LA COMMISSIONE ALLEATA
Sottocommissione Legale
40A ROMA

Rispettosamente fa M.G.C.A.
Pos. AC/L. N°4132/L.

e per conoscenza:
All'UFFICIO DI COLLEGAMENTO
GABINETTO

Con riferimento al foglio sopra distinto si informa codesta On.le Commissione che il SURAN Paolo è, come risulta dalla sentenza del Tribunale di Pola, nativo di Vermo (Istria) ed è pertanto cittadino italiano. Risulta peraltro dalla sentenza stessa che il SURAN è stato condannato per omicidio volontario e soppressione di cadavere in danno di SURAN Natale, e che il delitto è stato commesso non per ragioni politiche, ma per motivi personali, essendosi il SURAN Natale opposto al matrimonio della sua figliastra col SURAN Paolo.

Pertanto non può consentirsi alla conse-

./. 89

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

Nota del SURAN Paolo alle Autorità Iugoslave.

IL MINISTRO

Zoppi

CLERK
Court
Section
CL. RK.
6 DEC 1945

0682

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

4132

784 1)

-Confidential-

RIGHTS OF JUGOSLAVS

1. I believe that all United Nations have acquired rights and ~~attainer~~ assumed duties under the long terms.

(a) The preamble specifies that the U.K., U.S. and Soviet Governments are acting on behalf of the United Nations.

(b) United Nations are given the right to "require, direct, specify, permit, prescribe, receive, surrender, exercise all the rights, give orders, order disposal of etc" (Arts 3, 4, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21 (b), 22, 23, 25, 29, 30, 32, 33, 35.)

2. However, both the underlying spirit of the instrument and the practice whereby it has been applied points to the Allied Commander in Chief as the sole supreme enforcing authority. This opinion is also confirmed by the following:

(a) The technical directives to be issued under the instruments were to be issued by the AC in C (Art. 3, 2nd sentence "as may be sanctioned by the AC in C" ; Art. 4 last sentence; Art. 6; Art. 7; Art. 8; Art. 11 2nd sentence "Subject to such use as the AC in C may make of it, the war material will be placed in store etc..."; Art. 16, end of 1st sentence, 2nd and 3rd sentence; Art. 18, end of 2nd sentence; Art. 20, last sentence ; Art 21 (B); Art. 24 end; Art. 26; Art. 28 (D); Art. 30 1st sentence; Art. 31 2nd sentence; Art. 33 (B); Art. 34; Art. 36;

(b) Art. 38 expressly states that the term "United Nations" includes the AC in C.

(c) Art. 37 states that "there will be appointed a control commission representative of the U.N. charged with regulating and executing this instrument under the orders ....of the AC in C.

3. Art. 18 states that "the forces of U.N. will require to occupy certain parts of Italian territory." The territories or areas concerned will from time to time be notified to the U.N. and all

0683

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

Italian Land, Sea and Air Forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the AC in C." Art. 20 gives the U. N. the power to exercise all the rights of an occupying power throughout the territories or areas referred in the Art. 18....Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the AC in C. Consequently the Jugoslav forces as "forces of the U.N." have the right to occupy certain parts of Itulian territory "notified" by Jugoslavia as one of the U.N. However, such occupation would have to be carried out with the consent and under the supreme direction of the AC in C.

4. It is generally known that the original occupation of the entire Venezia Giulia by the Jugoslavs did not take place with the consent and under the supreme direction of the AC in C.

5. This position was not affected by the Belgrade agreement. This agreement in fact liquidated the Jugoslav occupation west of the Morgan line; the only reference to Jugoslav occupation east of the line is made in a negative way: para 7, 2nd sentence, states that such occupation shall not prejudice the ultimate disposal of the Jugoslav occupied area. Obviously this document did not purport to regulate the Jugoslav occupation east of the Morgan line in accordance with the wishes of the AC in C and thus bring this occupation within the terms of surrender.

6. It appears from the "Note by Jugoslavs on Allied Military Government" presented by Jovanovic to Gen. Morgan at Duino on 20 June 1945 that the Jugoslavs themselves do not derive their regime of occupation of Venezia Giulia from the terms of surrender with Italy.

Para 1 of the note states:

"In connection with point 3 of Belgrade agreement and in regard of the fact that the population of the territory has compactly organized an armed resistance movement on the Allied side against the Italian army and authorities before the capitulation of Italy.... It appears from this "Note" and from Gen. Morgan's reply to it that rather than to consider the direction of the AC in C in the area east of the Morgan line the Jugoslavs sought to induce the AC in C to accept their own ideas for the administration to be applied in the zone occupied by Allied Forces.

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

7. The perusal of the agreement itself signed at Duino by Gen. Morgan and Mr. Jovanovic on 20 June 1945 only confirms the above interpretation.

8. Consequently it appears that the Jugoslavs do not occupy Venezia Giulia in accordance with the terms of surrender and can not claim any right thereunder. Their rights and duties are determined solely by the relevant rules of international law of occupation.

S.

0685

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

77A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L.

ES/es
19 November 1945

SUBJECT : BORA Stanisich, member of the Jugoslav Army.

TO : Jugoslav Delegation to the Advisory Council for Italy.

1. Ref. your Nr. 1478 of 27 October 1945 re above.

2. Copy of a letter of the Ministry of Pardon and Justice is enclosed.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl.

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

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76A Mod 40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma, 10 Novembre 1945

Ufficio I° A.P.
Prot. N° 131/796/2733

Risposta al f. del 30/10/1945
Div. AC. Pos. N° 4132/L

Oggetto: BORA Stanisich dell'Esercito Jugoslavo attualmente a Forlì nel Sanatorio Vecchiocane.-

Alla COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE
R O M A

67A

e, per conoscenza:
ALL'UFFICIO COLLEGAMENTO
G A B I N E T T O

Si comunica che la nota cui si risponde ed il relativo allegato sono stati, in pari data, trasmessi alla Procura Generale presso il Tribunale Supremo Militare, risultando che il suddito Jugoslavo in oggetto fu processato e condannato da un Tribunale Militare Italiano.-

per il M I N I S T R O

LEGAL SUB COMMISION
CLO
OCLO
Chief Counsel
JO
Italian Section
CLERKS
17 NOV 1945

ISTITUTO POLIGRAFICO DELLO STATO

0687

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

7.5-A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. ES/es
17 November 1945

SUBJECT : Sepic Ivo (Giovanni), Stojan Pilipovic, Duplancic Vinko, Jugoslav Nationals.

TO : The Minister of Pardon and Justice.

1. Copies of three letters of the Jugoslav Delegation pertaining to the above Jugoslav nationals are enclosed herewith.

2. An early advice in this matter would be appreciated.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

3 encl.

4132.

7.5.75

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br. 1557

R o m e, 14th November 1945.

SUBJECT: Duplancic Vinko, Jugoslav national.

TO: Headquarters Allied Commission
Legal Sub-Commission,

R o m e

The a/m has been arrested on August 19, 1941 by Fascist Italian authorities, then tried and sentenced on October 14, 1941 to 20 years of prison by the fascist Extraordinary Court, because of his antifascist activity.

2. Duplancic was put in the prison of Fossano, where he lived imprisoned until the capitulation of Italy, when he escaped joining the Italian Partisan Forces.

3. According to reliable sources, in August 1945 he tried to go home, but arrested by Italian authorities, he was again put in the same prison at Fossano.

4. It is quite obvious from the above explained that political reasons had been the cause for his rearresting.

5. Application is therefore made herewith on behalf of the Jugoslav Government that necessary steps be taken upon the proper Italian authorities in order to get the a/n released and handed over to Jugoslav authorities.

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

82

LEGAL DIVISION
CLO
DOCS

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

The a/m has been arrested on August 19, 1941 by fascist Italian authorities, then tried and sentenced on October 14, 1941 to 20 years of prison by the fascist Extraordinary Court, because of his antifascist activity.

2. Duplancic was put in the prison of Fossano, where he lived imprisoned until the capitulation of Italy, when he escaped joining the Italian Partisan Forces.

3. According to reliable sources, in August 1945 he tried to go home, but arrested by Italian authorities, he was again put in the same prison at Fossano.

4. It is quite obvious from the above explained that political reasons had been the cause for his rearresting.

5. Application is therefore made herewith on behalf of the Jugoslav Government that necessary steps be taken upon the proper Italian authorities in order to get the a/n released and handed over to Jugoslav authorities.

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

82

HEAD QUARTERS MISSION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CI PWB
13 NOV 1945

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

4132.

750

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br.1531

Rome, 8th November 1945.

SUBJECT: Sepic Ivo (Giovanni), Jugoslav National.

TO: Headquarters Allied Commission
Legal Sub-Commission,

R o m e.

Sepic Giovanni (Ivo) has been sentenced by the fascist court of Fiume to 30 years of prison for alleged homicide. In fact he was a patriot and antifascist, fighting for the freedom of his country.

2. Sepic is actually detained at the "Casa del lavoro all'aperto", Tramariglio, Alghero, Provincia di Sassari.

3. Since the a/n is Jugoslav citizen, sentenced by Fascists, according to fascist legislation, application is made herewith in order to effect the handover of Ivo-Giovanni Sepic to proper Jugoslav authorities.

Dr. SLOVEN J. SKODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

CLO
DCLO
Chief Counsel

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

10. [illegible]
Legal Sub-Commission,

R o m e.

Sepic Giovanni (Ivo) has been sentenced by the fascist court of Fiume to 30 years of prison for alleged homicide. In fact he was a patriot and antifascist, fighting for the freedom of his country.

2. Sepic is actually detained at the "Casa del lavoro all'aperto", Tramariglio, Alghero, Provincia di Sassari.

3. Since the a/n is Jugoslav citizen, sentenced by Fascists, according to fascist legislation, application is made herewith in order to effect the handover of Ivo-Giovanni Sepic to proper Jugoslav authorities.

Dr. SLOVEN J. SHODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

ACC
CLO
DCLO
Chief Control
CJO
Italian Section
Cables
4 NOV 1945

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

4132.

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY
Br.1558

Rome, 14th November 1945.

SUBJECT: Stojan Pilipovic, Jugoslav national.

TO: Headquarters Allied Commission
Legal Sub-Commission,

Rome.

The a/n was captured by the Italians in 1942 during the Invaders offensive against Kozara Mountains.

According to our informations same is actually in a camp at Forli.

Since in question is an honest antifascist and Jugoslav citizen who fought the Germans, may it kindly be requested that action should be taken in order to release the a/n and to direct him in=to Jugoslavia.

Dr. SLOVEN J. SMODLAKA
Deputy Representative of Jugoslavia
Advisory Council for Italy.

LO SUB COMMISSION
CLO
DCLO
Chief Counsel

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

Legal Sub-Commission,

R o m e.

The a/n was captured by the Italians in 1942 during the Invaders offensive against Kozara Mountains.

According to our informations same is actually in a camp at Forli.

Since in question is an honest antifascist and Jugoslav citizen who fought the Germans, may it kindly be requested that action should be taken in order to release the a/n and to direct him in=to Jugoslavia.

Dr. SLOVEN J. SMODLAKA
Deputy Representative of Jugoslavia
Advisory Council for Italy.

CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
1 NOV 1945

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

0694

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

74A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L.

AP/mda

16 November 1945

SUBJECT : PETRELIN Milan.

TO : The Minister of Pardon and Justice.

1. The receipt of your 131/626/2352 (Dir.Gen. Affari Penali) is acknowledged with thanks.

2. The following additional information has now been received from the Jugoslav Delegation to the Advisory Council for Italy:

" According to further informations the a/m participated to the National Liberation Movement in Jugoslavia and as such was taken prisoner by the Italians. "

3. The Delegation request that PETRELIN be handed over to Jugoslav authorities as soon as possible.

MUSGRAVE THOMAS
Italian Branch,
for Chief Legal Advisor.

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4132.

73A

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 1530

R o m e, 8th November 1945.

SUBJECT: Peterlin Milan, Jugoslav National.

TO: Headquarters Allied Commission
Legal Sub-Commission,

61A

R o m e

1. Reference is made to your letter AC/4132/L dated 17th October 1945 and to our letter K.br. 991 dated August 3o, 1945.

2. "According to further informations the a/m participated to the National Liberation Movement in Jugoslavia and as such was taken prisoner by the Italians."

3. This Delegation would greatly appreciate any action taken by your Sub-Commission to proper Italian authorites in order to hand over the a/n to Jugoslav authorities as soon as possible.

76

ALLIED COMMISSION
[illegible]
Chief Counsel

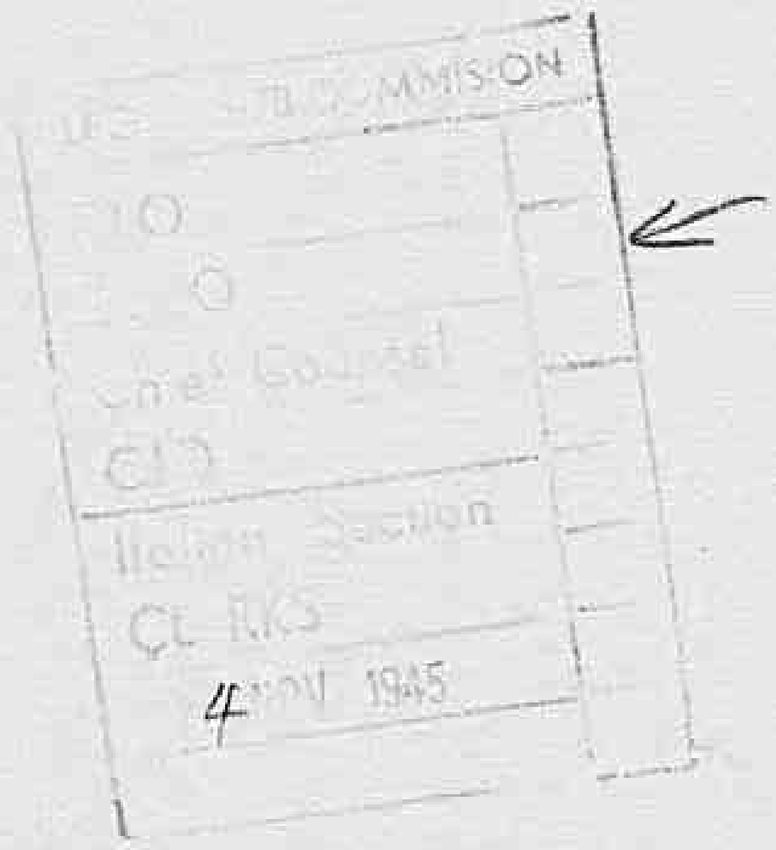
NIKO JAKSA, Secretary,
Jugoslav Delegation to the
Advisory Council for Italy.

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

1. Reference is made to your letter AC/4132/L dated 17th October 1945 and to our letter K.br. 991 dated August 30, 1945.

2. "According to further informations the a/m participated to the National Liberation Movement in Jugoslavia and as such was taken prisoner by the Italians."

3. This Delegation would greatly appreciate any action taken by your Sub-Commission to proper Italian authorites in order to hand over the a/n to Jugoslav authorities as soon as possible.



Niko Jaksa

NIKO JAKSA, Secretary,
Jugoslav Delegation to the
Advisory Council for Italy.

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

0697

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

72A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /es
6 November 1945

SUBJECT : HARUN Redjepovic.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference this Sub-Commission's letter to you No. AC/4132/L of 21th September 1945.

2. I enclose a copy of a letter from the Minister of Justice stating that Harun Redjepovic has been handed over to the Jugoslav authorities, and forwarding a file of documents relating to the case which are sent herewith.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl.

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

Mod.40

Roma, 30 ottobre 1945 - anno +++++

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I A.P.
Sez. N° 131.385/1564/45

Risposta al f. del 30.e 22/8/945
Div. Sez. N° AC/4132/L

Al On.COMMISSIONE ALLEATA - Sottocommissione Legale
R O M A

OGGETTO Procedimento penale contro il suddito iugoslavo HARUN RECIAPOVIC.

All.I fasc.Proc.

e per conoscenza:
All'UFFICIO DI COLLEGAMENTO
GABINETTO

Facendo seguito a precedente corrispondenza ed in relazione ai fogli sopra distinti, si informa che la Procura Generale del Regno presso la Corte d'Appello di Perugia ha assicurato questo Ministero dell'avvenuta consegna alle Autorità iugoslave del detenuto in oggetto indicato, trasmettendo, nel contempo gli atti relativi al procedimento penale istruito a carico del medesimo.

Si comunicano, pertanto, gli atti in parola a codesta On.Sottocommissione per il suc-

./.

0699

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

70A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /es
6 November 1945

SUBJECT : HACE Antonio.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference this Sub-Commission letter to you No. AC/4132/L of 27th September 1945.

2. I enclose a copy of a letter from the Minister of Justice stating that the above named Hace Antonio is now in the course of being transferred to the Jugoslav authorities.

MUSGRAVE THOMAS, 75
Italian Branch,
for Chief Legal Advisor.

Encl.

0700

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

Mod.40

4132

Roma, 27 Ottobre 1945

69A

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio Io A. P.
Prot. N° 131/600/2295

Risposta al f. del 30/8/1945
Div. AC. Pos. N° 4132/L.

Al la COMMISSIONE ALLEATA SOTTOCOMMISSIONE LEGALE
R O M A

OGGETTO H A C E Antonio - suddito jugoslavo.-

357A

e, per conoscenza:
ALL'UFFICIO COLLEGAMENTO
G A B I N E T T O

In realzione all'indicata richiesta il Direttore della Casa Penale di Portolongone con telegramma del 13 corrente ha comunicato che il condannato indicato in oggetto è stato messo in traduzione straordinaria per l'immediata consegna alle Autorità Jugoslave.-

d'ordine del M I N I S T R O

Chief Counsel
War Crimes Section
5 NOV 1945

7.

ISTITUTO POLIGRAFICO DELLO STATO

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

Mod 40

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma 31 ottobre 1945 +++++++

Ufficio I A.P.
Sez. N° 131.385/1564/45

All'On. COMMISSIONE ALLEATA - Sottocommissione Legale
ROMA

Risposta al f.to 30,e 22/8/945
Div. Sez. MAC/4132/L

OGGETTO Procedimento penale contro il suddito iugoslavo HARUN REDZEPOVIC.

All.I fasc.Proc.

e per conoscenza:
All'UFFICIO DI COLLEGAMENTO
GABINETTO

Facendo seguito a precedente corrispondenza ed in relazione ai fogli sopra distinti, si informa che la Procura Generale del Regno presso la Corte d'Appello di Perugia ha assicurato questo Ministero dell'avvenuta consegna alle Autorità iugoslave del detenuto in oggetto indicato, trasmettendo, nel contempo gli atti relativi al procedimento penale istruito a carico del medesimo.

Si comunicano, pertanto, gli atti in parola a codesta On.Sottocommissione per il suc-

./.

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

cessivo inoltro.

pel M I N I S T R O

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

70A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /es
6 November 1945

SUBJECT : HACE Antonio.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

1. Reference this Sub-Commission letter to you No. AC/4132/L of 27th September 1945.

2. I enclose a copy of a letter from the Minister of Justice stating that the above named Hace Antonio is now in the course of being transferred to the Jugoslav authorities.

MUSGRAVE THOMAS, 75
Italian Branch,
for Chief Legal Advisor.

Encl.

0704

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

Mod 40

4132 / Roma 27 Ottobre 1945

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I° A. .
Prot N° 131/600/2295

All'a COMMISSIONE ALLEATA SOTTOCOMMISSIONE LEGALE
R O M A

Risposta al f. del 30/8/1945
Div. AC. Sez. 1° 4132/L.

OGGETTO H A C E Antonio - suddito jugoslavo.-

e, per conoscenza:
ALL'UFFICIO COLLEGAMENTO
G A B I N E T T O

In realzione all'indicata richiesta il Direttore della Casa Penale di Portolongone con telegramma del 13 corrente ha comunicato che il condannato indicato in oggetto è stato messo in traduzione straordinaria per l'immediata consegna alle Autorità Jugoslave.-

d'ordine del M I N I S T R O

Approved for release by the Department of State
Chief Counsel
Declassification
E.O. 12356

0705

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

4132

SECRET

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PRIORITY

AFHQ, SIGNED SAACED
MAIN 13 CORPS INFO ALCOM ROME

SECRET. Confidential

Ref your I 209 of 22 October and I 225 of 27 October from 13 CORPS not to AIOCM. Members of former Royal Jugoslav Military Mission are not allied military personnal and are not exempted from jurisdiction of allied military courts. Neither the mission nor the army to which these persons claim to belong have any recognised status.

HEADQUARTERS
1 NOV 1943
A. C.

DISTRIBUTION:
Info-gation: Diaper S/C
Info: Chief Commissioner 7
CA Sec
Legal S/C
File 2
Floet

SECRET →

LEGAL SECTION
HQ
CMLO
Chief Counsel
CMO
Italian
CLERK
INCI

0706

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

67A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/413²/L. 30 October 1945.

SUBJECT : BORA STANISIC, member of the Yugoslav Army.

TO : The Minister of Pardon & Justice.

1. A copy of a letter from the Yugoslav Delegation is enclosed herewith.

2. Would you kindly advise this Sub-Commission whether you agree to hand-over the above mentioned Yugoslav national to the Yugoslav authorities in Italy as requested.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl. Copy of Yugoslav Delegation Nr.1478 of 27 Oct 45.

9-9 3c

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

4132

Legal 8/L 66A

Br.1478

Rome, 27 October 1945.

Subject: Bora Stanisic, member of the Jugoslav Army

To: HEAD QUARTERS ALLIED COMMISSION

The a/m, fighting in the ranks of the NLAJ has been captured by the Italians, tried and sentenced by Italian Military Court to five years of prison.

Same is actually living at Forli in the Sanatorium Vecchiccane.

Application is made herewith in order to release the a/m and to hand him over to this Delegation, which would repatriate him.

Dr. Sloven Smodlaka
Deputy Representative of Jugoslavia
by the Advisory Council for Italy

7

LEGAL
CLO
DCLO
Chief CLO
CJO
Italian Section

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

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Same is actually living at Forli in the Sanatorium Vecchiocane.

Application is made herewith in order to release the a/m and to hand him over to this Delegation,which would repatriate him.

Dr.Sloven Smodlaka
Deputy Representative of Jugoslavia
by the Advisory Council for Italy

7;

LEGAL
CLO
DCLO
Chief Counsel
CJD
Italian Section
CI RKS
29 DEC

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

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

657A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L.

23 October 1945.

SUBJECT : Pavlovic Bozo, born at Pola.
Radolovic Petar, born at Pola.
Vivoda Bogomir, born at Pinguente.
Karis Amelio, born at Gischianz near Trieste.
Persan Martin, born at Castelnuovo d'Istria.

TO : The Minister of Pardon & Justice.

1. A copy of a letter from the Jugoslav Delegation is enclosed herewith.

2. Would you kindly advise this Sub-Commission at your early convenience whether you agree to hand over the above mentioned Jugoslav nationals to the Jugoslav authorities in Italy as requested.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

70

H132

64A

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br.1413

R o m e, 14th October 1945.

SUBJECT: Pavlovic Bozo, born at Pola,
Radolovic Petar, born at Pola,
Vivoda Bogomir, born at Pinguente,
Karis Amelio, born at Gischianz near Trieste,
Persan Martin, born at Castelnuovo d'Istria.

TO: Headquarters Allied Commission
Legal Sub-Commission

R o m e

1. The a/m Jugoslav nationals, born in Istria, forcibly mobilized by Italian Military authorities had tried to evade in April 1944 in Africa from the Italian Navy in order to join the National Liberation Army of Jugoslavia and fight the Germans. They failed in their attempt and therefore have been sentenced by same Italian authorities to two years of prison for alleged revolt.

2. The present location of the a/m people is as follows: the first three are in the Istituto Volonta at Otrento and the two remainder are at Taranto, according to informations received from Bozo Pavlovic.

3. Accordingly application is made herewith on behalf of the Jugoslav Government requesting that steps be taken to the competent Italian authorities so that the a/m should be released and handed over to Jugoslav authorities in Italy as soon as possible.

(-gd

Dr Sloven J Smodlaka

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

69

LEGAL SUB COMMISION
CLO
DCLO
Chief Counsel
CIO

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

R o m e

1. The a/m Jugoslav nationals, born in Istria, forcibly mobilized by Italian Military authorities had tried to evade in April 1944 in Africa from the Italian Navy in order to join the National Liberation Army of Jugoslavia and fight the Germans. They failed in their attempt and therefore have been sentenced by same Italian authorities to two years of prison for alleged revolt.

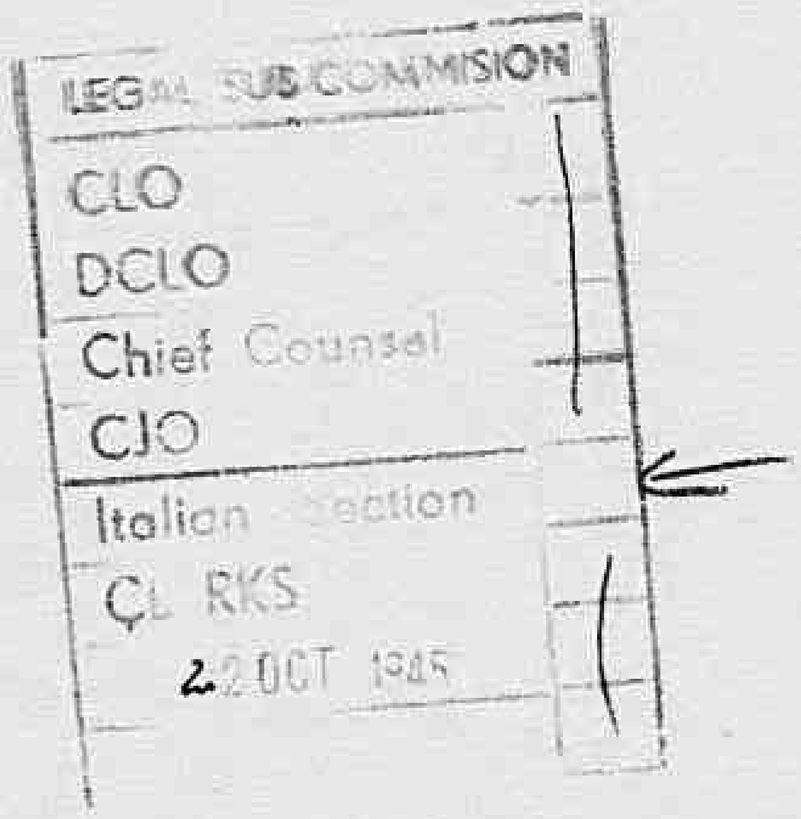
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(sgd) Dr Sloven J. Smodlaka

DR. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

69



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

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

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PRIORITY

Legal 63A

AFHQ SIGNED SACMED CITE FHGEG
ACTION REAR 13 CORPS INFO ALCOM ROME

SECRET

Confidential

Reur Q1534 dated 20th October and ref our F49760(not to ALCOM)
Regret no international legal expert available. In any case doubt advisability of entering into prolonged and fruitless arguments with Jugoslavs which might result. Regardless of arguments private firms will not be blocked by Jugoslav claims. If there is any doubt in your mind about release any item it will not be released. You will permit no action to be taken which will make industry and commerce in your area inoperative. Jugoslavs may at your discretion be forbidden to enter private business areas.

Dist

Info-Action - Econ Sec 2
Info - Chief Commissioner
Exec Comr 2
CA Sect
Legal
File

68

HEADQUARTERS
23 OCT 1945
CAD
CHIEF CLERK
CJD
Italian Sec. C.A.D.
CA. RES.

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

4132 / Legal 62A

SECRET

0 153[illegible]
OCT 20/1945

LEGAL SUB COMMISION
CLO
DCLO
Chief
CO
Italian
CLERKS
2 OCT 1945

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OCT 20/1730

SECRET.

1. Per Potsdam Committee now encountering many legal problems involving international law. Japs are using arguments which are well constructed and must be combatted.

Latest tactics of Japs is to claim as booty the effects of many factories and firms operating in [illegible]. Several more such firms added to existing list by Japs last night. These firms automatically have to be blocked and AFO will soon face position where large part of industry and commerce will be inoperative. This is very serious both economically and politically.

67

2. AFO have no fmr assisted committe with legal advice. But owing redeployment AFO can no longer assist and will not have anyone competent to deal with problem involved.

3. Essential that legal expert able to assist committee is sent here at once. Expert required if possible by 24 October

HEADQUARTERS
21 OCT 1945

SECRET

Ref:

SECRET

INFO-ACTION : POLAD SEC (2)

INFO : CHIEF COMMISSIONER
D. COMMISSIONER (2)
CA SEC
LEGAL SO
FILE

0714

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

HEAD UARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MT/lo.
17 October 1945.

AC/4132/L.

SUBJECT : PETERLIN Milan.

TO : The Jugoslav Delegation to the Advisory Council for Italy.

With reference to the request contained in your letter N°. K.br.991 of 30th August for the handing over of the above-named prisoner the Ministry of Justice informs me that he is making the necessary inquiries from the Procuratore Generale of Florence and will inform this Sub-Commission of the result.

JOHN K. WEBER,
Colonel Infantry,
Chief Legal Advisor.

66

0715

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

Mod 40

4132.

Roma 8 Ottobre 1945 A

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I° A.P.
Prot. N° 131/626/2352

33A
Risposta al f. del 30/8/1945
Div. Sez. N° 4132/L/

Oggetto PETERLIN Mlau

Alla COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE
R O M A

e, per conoscenza:

ALL'UFFICIO COLLEGAMENTO

GABINETTO

Si assicura che sono state chieste al competente Procuratore Generale di Firenze le opportune informazioni sulla condizione giuridica dell'indicato in oggetto PETERLIN, ed a seguito di esse si risponderà alla succitata richiesta.-

per il MINISTRO

Braun

65

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CL RKS
12 OCT 1945

ISTITUTO POLIGRAFICO DELLO STATO

0716

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

4/32

LEGAL

59A

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: 219
Date/Time of Origin: OCT 01 NFT

Message Centre No: F 9775
Date Time Rec'd: OCT 021840A
Precedence: ROUTINE

FROM: REGIONAL LEGAL OFFR PIEMONTE
TO : ALCOM FOR LEGAL SC

UNCLASSIFIED

Reply to 6300 of 29 September. Charge illegal possession of pistol accused released on bail after 6 days and part hearing on 26 September. Bail forfeited today warrant of arrest issued. attached

Dist

Action - Legal SC
Info - Chief Commissioner
CA Sect
File 2 Float

54

HEADQUARTERS
3 - OCT 1945
A. C.

ACTION →

LEG SUB-COMMISION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CLERKS
3 OCT 1945

0717

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

File
4132.

5(A)

REGIONAL COMMISSIONER (ATTN: REGIONAL LEGAL OFFICER)

PIEMONTE REGION

6300 29 SEPT 1945 PRIORITY

UNCLASSIFIED PD

FOLLOWING REQUEST OF JUGOSLAV DELEGATION

PAREN TO REGIONAL COMMISSIONER PAREN ATTENTION REGIONAL LEGAL OFFICER PAREN PIEMONTE REGION FROM HQ ALCOM CITE ACLEG PAREN

PLEASE SIGNAL POSITION IN JUGOSLAV OFFICIAL CASE OF JOZE MORAVEC ALLEGED TO HAVE BEEN ARRESTED IN TORINO BY ALLIED AUTHORITIES FOR TRIAL BEFORE ALLIED MILITARY COURT

63

Legal Sub-Commission

302

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/lc.
AC/4132/L. 2 October 1945.

SUBJECT : Case of HARUN REDYEPOVIC.

TO : Jugoslav Delegation to the Advisory Council for Italy.

Enclosed please find letter from the Minister of Pardon and Justice (Uff.III°A.P. Prot.N°131/385/1564/1945 of 15 September 1945)in connection with the above, as requested.

G. G. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

Incl.

62.

0719

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

Inter-o File

56r

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. GGH/pa.
29 Sept 45.

SUBJECT : Dott.Guido BAISSERO.

TO : SCAO VENEZIA GIULIA Region.

Reference your 13C/AMG/97/A/150 of 11 Sept 45 to CA Sec.

Jugoslav Delegation has informed this Sub-Commission that the procedure by which notary BAISSERO's documents were taken over by the People's Court of Montona is perfectly valid under the present Jugoslav legislation.

By command of Rear Admiral STONE :

G. G. HANNAFORD,
Lt.Colonel,
for Chief Legal Advisor.

P.S. Documents attached.

61

0720

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

CA SECTION

Legal

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

Rep 13C/AMG/97/A/150

15 SET. 1945
11 September 1945

SUBJECT: Correspondence for the Supreme Allied Commander.

TO : Civil Affairs Section, HQ A.C.

In accordance with your letter 44.A/CA of 1 September, the accompanying letter from Dott. Guido Baissero, Notary of Montona, to Field Marshal Alexander, is forwarded to your headquarters for appropriate disposition.

For the Senior Civil Affairs Officer:

for H.P.P. ROBERTSON
Colonel
D/S.C.A.O.

3 Incls:
Incl 1--ltr fr Dott. Baissero to SACMED, 3 Sept 45
Incl 2--Decree of Popular Court of Justice of Montona, 20 Aug 45
Incl 3--Order of Delivery, 30 Aug 45

4132/2
SUBJECT: Dott. Guido Baissero's Property in Montona.
TO: S.C.A.O. Headquarters, Zuglio Republic.

Yugoslav delegation has informed the S/c that the procedure by which Notary Baissero's documents were taken over by the People's Court of Montona is perfectly valid under the present Yugoslav legislation

GU

(3456)

0721

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

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

27 September 1945

TO : Chief Legal Adviser, Legal Sub-Commission, HQ. AC. (for Italian Branch)

SUBJECT : Arrest of Jugoslavs.

FILE No : RXII/LE/VIC/A/05

1. Rference your AC/4132/L of 20 September copy of letter dated 25 September from P.L.O. Vicenza is forwarded herewith.

2. P.L.O. Vicenza has been urgently requested to expedite report.

C.L.P. Gilshenan Major,
Regional Legal Officer,
Venezie Region.

LEGAL SUB COMMISION
1 OCT 1945

59

0722

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

53A

LEGAL DIVISION

Regional Legal Officer Region XII
L/700
Arrest of Jugoslavs

APO 394

25 September 1945

Reference your letter, file, RXII/LE/Vie/A/05 dated 10 September 1945, this matter is being investigated by C.I.C.

For the Provincial Commissioner

John J. Scanlan
1st. Lt. C.M.P.
Provincial Legal Officer

58

0723

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

Foto Polaroid Macro

Usare pellicola 667

1/1083/93/L

57

0724

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

File

52A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L.

GGH/lc.
27 September 1945.

SUBJECT : HACE Antonio.

TO : Jugoslav Delegation to the Advisory Council for Italy.

Copy of Minister of Justice's letter is enclosed.

G. G. HANNAFORD,
Lt. Col.,
for Chief Legal Advisor.

Incl.

56

0725

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

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Ufficio I° A.P.
Prot. N° 131/600/2295

4132.

Roma, 24 Settembre 1945

SIA Mod 40

Al la COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE
R O M A

Risposta al Foglio del 30/8/1945
Div. AC. Sez. N° 4132/I.

OGGETTO: HACE Antonio.-

e, per conoscenza:

ALL'UFFICIO COLLEGAMENTO

GABINETTO

In pari data sono state impartite al competente Procuratore Generale di Firenze, disposizioni per la consegna a quelle Autorità Jugoslave, dell'ergastolano indicato in oggetto.-

Si riservano, per ciò, ulteriori comunicazioni.-

p. IL MINISTRO

55

Copy of Memo to Dillon re Hace Extradition

4/38 495

ALLIED MILITARY COURT

V E N I C E

ARRESTED JUGOSLAV CITIZEN MARIO POLOMBITO SENTENCED TO EIGHTEEN MONTHS STOP SAME IS COMMERCIAL MEMBER DALMATIAN NATIONAL LIBERATION COUNCIL CAME TO VENICE TO PURCHASE SOME SACKS BECAUSE IN TRIESTE HE DID NOT FIND THEM STOP THIS DELEGATION GUARANTEES THAT MARIO POLOMBITO IS HONEST MAN WHOSE FAULT CONSISTED ONLY IN IGNORANCE OF THE FIELD MARSHAL ALEXANDER'S PROCLAMATION STOP AN IMMEDIATE RELEASE OF THE ABOVE MENTIONED WILL BE MUCH APPRECIATED BR.1330 ===

ACTING JUGOSLAV REPRESENTATIVE
ACI
SLOVEN SMODLAKA

Dr. Sloven J. Smodlaka, Acting Representative of Jugoslavia on the Advisory Council for Italy, Rome, Quintino Sella 56.

Rome, 24th Sept. 1945.

Sloven Smodlaka

54

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

ARRESTED JUGOSLAV CITIZEN MARIO POLOMBITO SENTENCED TO EIGHTEEN MONTHS STOP SAME IS COMMERCIAL MEMBER DALMATIAN NATIONAL LIBERATION COUNCIL CAME TO VENICE TO PURCHASE SOME SACKS BECAUSE IN TRIESTE HE DID NOT FIND THEM STOP THIS DELEGATION GUARANTEES THAT MARIO POLOMBITO IS HONEST MAN WHOSE FAULT CONSISTED ONLY IN IGNORANCE OF THE FIELD MARSHAL ALEXANDER'S PROCLAMATION STOP AN IMMEDIATE RELEASE OF THE ABOVE MENTIONED WILL BE MUCH APPRECIATED BR.1330 ===

ACTING JUGOSLAV REPRESENTATIVE
ACI
SLOVEN SMODLAKA

Dr. Sloven J. Smodlaka, Acting Representative of Jugoslavia on the Advisory Council for Italy, Rome, Quintino Sella 56.

Rome, 24th Sept. 1945.

Sloven Smodlaka

(allowance on
this request suspended
to 4083/931

5

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

0728

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

H/32.
7 Ap

H8A Legal

13/3/A
SEP 241715

F/5948
SKF 251530
ROUTINE

GO SUB AREA
2 DISTRICT APHQ ALCOM

UNCLASSIFIED.

Ref 2 DISTRICT AO/300 dated 21 September 45.

As far as can be ascertained there are no YUGOSLAV Military Missions in this Area.

DIST

ACTION P SAFETY S/C
INFO CHIEF COMMISSIONER
CA SEC
LEGAL SC
FILE 2
FLOAT

LEGAL SUB COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
26 SEP 1945

53

HEADQUARTERS
25 SEP 1945

0729

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

4YA

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rlp.
21 September 1945.

AC/4132/I.

SUBJECT : Harun Redjepovic.

TO : Jugoslav Delegation to the Advisory Council for Italy.
(Attn: M. Niko Jaksa)

1. Please find enclosed copy of a letter from the Minister of Justice by which it is ordered to hand over Harun Redjepovic to the Jugoslav authorities.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

0730

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

Ministero di Grazia e Giustizia
Direz Gener Affari Penali
Uff III A P
Prot No. 131.385,1564/45

Rome 15 Sett 1945

478

Alla Commissione Alleata
Sottocommissione Legale
R O M A

Risposta al f del 30 agosto c.a.
Div AC Sez N. 4132/L.

OGGETTO: Procedimento penale contro il suddito iu goslavo Harun Redyepovic.

e per conoscenza:
All'Ufficio di Collegamento
GABINETTO

Con riferimento al foglio sopra distinto si assicura codesta On.le Sottocommissione che in data odierna sono state date disposizioni affinche' il suddito iugoslavo HARUN REDYEPOVIC sia consegnato alle Autorita' iugoslave.

D'ordine del Ministro

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

4137 Vitale

46A

Br.1312

Rome, 20th September 1945.

SUBJECT: Harun Redjepovic.

TO: Officer i/c Italian Branch, Legal Sub-Commission,
Headquarters Allied Commission.

1. Reference is made to the today's conversation.

2. According to reliable sources, Harun Redjepovic, is heavily affected by T.B. and a hospital treatment for him is considered absolutely necessary.

3. Consequently, you are courteously requested, please, to take necessary measures in order that the a/n should be immediately transferred in a hospital.

4. A notice confirming that Redjepovic had been transferred in the hospital would be appreciated.

Niko Jaksa

NIKO JAKSA, Secretary, for
Acting Representative of Jugoslavia
Advisory Council for Italy.

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CIO

50

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

2. According to reliable sources, Harun Redjepovic, is heavily affected by T.B. and a hospital treatment for him is considered absolutely necessary.

3. Consequently, you are courteously requested, please, to take necessary measures in order that the a/n should be immediately transferred in a hospital.

4. A notice confirming that Redjepovic had been transferred in the hospital would be appreciated.

NIKO JAKŠA, Secretary, for
Acting Representative of Jugoslavia
Advisory Council for Italy.

50

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CL RKS
0 SEP 1945

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

0733

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

file

45A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GGH/pa.
20 Sept 45.

AC/4132/L.

SUBJECT : Jugoslavs subjects.Drs. Peterlin, Kuhelj,and Molek, and Mario Palombito.

TO : Regional Commissioner (Attn: R.L.O.), VENEZIE Region.

1. No answer has been received to this Sub-Commission letter 4132/L dated 7 September 1945, copy of which is enclosed.

2. The Jugoslav Delegation is pressing for a reply.

3. Another letter of the Jugoslav Delegation regarding Mario Palombito's case is also enclosed.

4. What is the position in the latter's case?

By command of Rear Admiral STONE:

G. G. HANNAFORD;
Lt.Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls.

45

0734

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

4132.

CONFIDENTIAL

Legal 44A

A/300(O)
SEP 211720A

F/8590
SEP 120930A
ROUTINE

DISTWO

FREEDOM CITE FHGAB INFO AICOM CSI B

INFO
Confidential

CONFIDENTIAL.

Subject Yugoslav personnel.

On 20 September MORAV JOZE Yugoslav arrested at TURIN by AMG Public Safety Dept for carrying pistol without official permit. He was in possession of permit issued by Captain EDWIN PENVANJA (this HQ A312(O) of 18 refers). He was in possession of Yugoslav passport 245/45 issued BELGRADE 6/7/45 valid 2 months and ALLIED FORCE permit 17842 for entry into ITALY from YUGOSLAVIA valid 11 July to 11 August 45. ESO interrogating at request of AMG. Request your instructions.

DIST

ACTION: Pub Safety SC
INFO: Chief Commissioner
CA Sec
Legal SC
File 2
Flost

46

SUB COMMISSION
CO
DCLO
Chief Counsel
CID
Reports Section
2 SEP 1945

CONFIDENTIAL
DOWNGRADED
TO
UNCLASSIFIED

Col. Inf.
Chief Judicial Officer
for Chief Civil Affairs Officer.

HEADQUARTERS
22 SEP 1945

0735

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

fm

Ministero di Grazia e Giustizia
Direz.Gener.Affari Penali
Uff.III° A.P.
Pos. N° 131.385.1564/45

Roma 5 sett. 1945 A.

Mod.545 (43A)

Al LA COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Risposta al foglio del 30 agosto c.a.
Div. AC Pos. N° 4132/L.

OGGETTO: Procedimento penale contro il suddito iugoslavo HARUN REDYEPOVIC.

e per conoscenza:

All'UFFICIO DI COLLEGAMENTO
GABINETTO

Con riferimento al foglio sopra distinto si assicura codesta On.le Sottocommissione che in data odierna sono state date disposizioni affinchè il suddito iugoslavo HARUN REDYEPOVIC sia consegnato alle Autorità iugoslave.

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CIO
Italian
CL RKS

p. il Ministro

41

0736

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

42A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. GGH/pa.
15 Sept 45.

SUBJECT : Case of Harun REDYEPOVIC.

TO : Minister of Pardon and Justice.

1. Your 131.385/1564/45 of 3 Sept 45 is hereby acknowledged.

2. May it be pointed out that at the time the alleged offence took place (22/4/44) REDYEPOVIC under the armistice terms was no longer a prisoner of war. He was ~~on~~ more a member of the Yugoslav Army and therefore covered by the clause of the said armistice which sets out that no member of the Armed Forces of the United Nations fall under the jurisdiction of the Italian Courts.

3. Could therefore the request of the Yugoslav Government be granted please and arrangements be made to hand over REDYEPOVIC to their representative.

which technically he had never ceased to be

G. G. HANNAFORD,
Lt.Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

46

0737

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

fm

41/A

41/A

MINISTERO DI GRAZIA E GIVSTIZIA

Direzione Generale degli Affari Penali
delle Grazie della Statistica e del Casellario

28A

Ufficio Iº A.P. *Roma*, 5 settembre 1945

Prot. N° 131.385/1564/45
Risposta al foglio Iº AG/4132/L.
del 22.8.945

OGGETTO: Procedimento penale contro il suddito iugoslavo HARUN REDYEPOVIC.

Al l'On.COMMISSIONE Alleata - Sottocommissione Legale
ROMA

e per conoscenza:
all'UFFICIO COLLEGAMENTO
GABINETTO

Con riferimento alla nota sopra distinta, si informa che il Procuratore Generale presso la Corte di Appello di Perugia ha così comunicato in merito al procedimento penale di cui all'oggetto:

"""Ho il pregio di riferire che il nominato in oggetto è stato tratto in arresto dai RR.CC.di Gualdo Cattaneo il 18 giugno 1945, in esecuzione di mandato di cattura del Giudice Istruttore di Perugia in data 20 maggio 945, perchè imputato di omicidio volontario aggravato a sensi degli art.li 110, 575, 577 e 61 n. 1 C.P. per avere, il 22 aprile 1944, in concorso con altri, ucciso con premeditazione Martino LEPRI per motivi abietti.

In ottemperanza degli art.12 e 232 C.P.M.G., poichè HARUN REDYEPOVIC era all'epoca del commesso reato ex prigioniero di guerra evaso dai campi di concentramento, è stato richiesto il G.I. di ordinare,con sentenza, il rinvio degli atti al Tribunale Militare di Firenze, competente per materia e territorio a conoscere del reato di cui è caso."""

45

pel MINISTRO

0738

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

40A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ACC/4132/L. /rlp.

7 September 1945.

SUBJECT : Suran Paolo, Jugoslav national.

TO : Minister of Pardon and Justice.

1. A copy of letter just received from the Jugoslav Delegation is forwarded to you for necessary action.

2. Would you please obtain all the necessary information and inform this sub-commission whether or not you agree to the transfer of the above-mentioned Jugoslav national to the Jugoslav authorities.

C. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl: Copy of letter fr Jugoslav Del. to ACI dtd 5 Sep 45.

44

0739

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

39A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /rlp.

7 September 1945.

SUBJECT : Dr. Peterlin, Dr. Kuhelj and Kolek, Jugoslav nationals.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VENEZIA Region.

1. The Jugoslav Delegation has written to this sub-commission with regard to above referred Jugoslav nationals.

2. Before any action in the matter is taken, full particulars in their cases are requested.

3. There is obviously no question of handing these Jugoslav citizens to the Jugoslav authorities if they have committed an offence under the proclamations.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl: Copy of letter fr Jugoslav Del. to ACI dtd 5 Sep 45.

43

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

4132

38A

Br.1267.

Rome, September 5, 1945.

SUBJECT: Dr. Peterlin, Dr. Kuhelj and Kolek, Jugoslav nationals.

TO: Officer i/c Italian Branch, Legal Sub-Commission,
Headquarters Allied Commission.

1. According reliable sources at Vicenza the a/n Jugoslav nationals have been arrest by the Questura on or about August 24, 1945, and the amount of Lit. 3,000.000, - has been taken from them.

2. As pointed out in our letter Br.1258 dated September 3, 1945, we consider that no Jugoslav national can be arrested abroad by foreign authority without the notification to the respective Jugoslav Representative.

3. Application is made herewith that the a/n should be handed over to Jugoslav authorities.

4. A reply informing us about the steps taken in this case would be appreciated.

JUGOSLAV DELEGATION TO THE ADVISORY COUNCIL FOR ITALY

Dr. Slovan J. Smodlaka

Dr. SLOVEN J. SMODLAKA,
Acting Representative of Jugoslavia
Advisory Council for Italy.

42

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

1. According reliable sources at Vicenza the a/n Jugoslav nationals have been arrested by the Questura on or about August 24, 1945, and the amount of Lit. 3,000.000, - has been taken from them.

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3. Application is made herewith that the a/n should be handed over to Jugoslav authorities.

4. A reply informing us about the steps taken in this case would be appreciated.

JUGOSLAV DELEGATION TO THE ADVISORY COUNCIL FOR ITALY

Dr. SLOVEN J. SLODLAKA,
Acting Representative of Jugoslavia
Advisory Council for Italy.

42

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

Br. 1265

37A

4132

Rome, September 5, 1945

SUBJECT: Suran Paolo, Jugoslav national.

TO: Officer i/c Italian Branch, Legal Sub-Commission,
Headquarters Allied Commission.

1. Referring To the conversation on September 4, I beg to inform you, that Suran Paolo, born in Pazin (Istra) on November 10, 1910, Jugoslav national, condemned by the tribunal of Pola to 25 years of prison for alleged murder, applied to this Dele=gation in order to be released from prison.

2. Since many Jugoslav nationals under fascist rule have been tried and condemned - according fascist laws - as criminals in the cases where the crimes have been committed for political reasons, - it is requested herewit that action should be taken, please, in order to hand over the a/n to Jugoslav authorities, who will be able to make proper inve=stigations on the subject.

Niko Jaksa

DELEGATION TO THE ADVISORY COUNCIL FOR ITALY
JUGOSLAV

NIKO JAKSA, Secretary, for the
Acting Representative of Jugo=
slavia, A.C.I.

41

Colonia Levale di Costiadas

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

1. Referring to the conversation on September 4, I beg to inform you, that Suran Paolo, born in Pazin (Istra) on November 10, 1910, Jugoslav national, condemned by the tribunal of Pola to 25 years of prison for alleged murder, applied to this Dele=gation in order to be released from prison.

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Niko Jaksa

DELEGATION TO THE ADVISORY COUNCIL FOR ITALY

NIKO JAKSA, Secretary, for the
Acting Representative of Jugo=
slavia, A.C.I.

Colonia penale di Castiadas
(Cagliari)
Sardegna.

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

0744

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

35A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4139/L. /rlp.

30 August 1945.

SUBJECT : HACE Antonio.

TO : Minister of Pardon and Justice.

1. HACE Antonio was sentenced to penal servitude for life by a court in Lubiana on the first of April 1941. The charge was homicide.

2. HACE was transferred from Lubiana to imprisonment at Portolongone on 31 August 1941 and is at present at Portolongone.

3. HACE Antonio claims that he is a Jugoslav subject and he has requested that he may be transferred to Jugoslavia in order to serve his punishment in that country.

4. The Jugoslav Delegation to the Advisory Council for Italy has requested this sub-commission to approach your Ministry again so that HACE may be handed over as soon as possible to the Jugoslav authorities.

W. E. BEERS,
Colonel,
Chief Legal Adviser.

40

0745

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

34A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AD/4132/L. /rlp.
30 August 1945.

SUBJECT : Harun Redjepovic.

TO : Minister of Pardon and Justice.

1. With further reference to our letter of 33 August 1945 and your letter of the same date reference 131.385/1564/45 we have now received a further letter from the Jugoslav Delegation to the Advisory Council for Italy who state that Harun Redjepovic is carrying with him in prison original documents to prove that he was a prisoner of war and the Delegation guarantees that he was a member of the Jugoslav Army at the time of his being interned.

2. In these circumstances it is requested that arrangements be made that he be released as early as possible and handed over to the Jugoslav authorities.

W. E. BERRIMAN,
Colonel,
Chief Legal Advisor.

39

0746

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

334

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rlp.
30 August 1945.

AC/4132/L.

SUBJECT : Peterlin Milan.

TO : Minister of Pardon and Justice.

1. The Jugoslav Delegation to the Advisory Council for Italy has requested this sub-commission to inform you that a Jugoslav citizen, Peterlin Milan is at present in the Carcere Giudiziario at Arezzo on a charge of murder.

2. The Jugoslav Delegation requested that this man be handed over to the Jugoslav authorities for trial in Jugoslavia.

W. E. BERRIM,
Colonel,
Chief Legal Adviser.

32

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

K.br.991

Rome, Agust 30, 1945

SUBJECT: Peterlin Milan.

TO: Headquarters Allied Commission
Legal Sub-Commission.

1. We have been informed from reliable sources that in the Carcere Giudiziario at Arezzo is detained a Jugoslav citizen, Peterlin Milan, accused for murder.

2. The above named has made an application to this Delegation asserting he has been taken away by Italian authorities and put in various concentration camps in Italy. He was kept there until the capitulation of Italy, when he joined the Italian Partisan Forces, operating on the territory San Sepolcro - Caprese Michelangelo.

3. Since the a/n is Jugoslav citizen, you are kindly requested please, to intervene to the competent Italian authorities for the immediate handover of Milan Peterlin to Jugoslav authorities, who will put him on trial in Jugoslavia.

Dr. Sloven J. Smodlaka
Acting Representative of Jugoslavia
Advisory Council for Italy

37

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

1. We have been informed from reliable sources that in the Carcere Giudiziario at Arezzo is detained a Jugoslav citizen, Peterlin Milan, accused for murder.

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Dr.Sloven J.Smodlaka
Acting Representative of Jugoslavia
Advisory Council for Italy

37

Chief
CIC
Italian
CLERKS
30 AUG 1945

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

4132 ✓ 31A

K.br.990/45

Rome, 30 August 1945

SUBJECT: Harum Redjepović.

TO: Headquarters Allied Commission,
Legal Sub-Commission.

28A

With referense to your letter AC/4132/L dated August 22,1945, we wish to inform you that:

1. Harum Redjepović, as reserve infantry sergeant of the Jugoslav Army was captured in Slovenia about April 10, 1941, and as war prisoner was transferred in Italy and interned in the Prisonners Camp Morniano (Spoleto) where he worked in the mines of Morniano.

2. Harum Redjepović is carrying with him in prison the original documents proving he was war prisoner.

3. In consequence this Delegation guarantées that Harum Redjepović was a member of the Jugoslav Army at the time of his internement, and, accordingly requests that Harum Redjepović, please, be handed over to Jugoslav authorities as soon as possible.

JUGOSLAV DELEGATION TO THE ADVISORY COUNCIL FOR ITALY

Dr.Sloven J.Smodlaka
Acting Representative of Jugoslavia
Advisory Council for Italy.

36

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

With reference to your letter AC/4132/L dated August 22,1945, we wish to inform you that:

1. Harum Redjepović, as reserve infantry sergeant of the Jugoslav Army was captured in Slovenia about April 10, 1941, and as war prisoner was transferred in Italy and interned in the Prisonners Camp Morniano (Spoleto) where he worked in the mines of Morniano.

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3. In consequence this Delegation guarantees that Harum Redjepović was a member of the Jugoslav Army at the time of his internement, and, accordingly requests that Harum Redjepović, please, be handed over to Jugoslav authorities as soon as possible.

JUGOSLAV DELEGATION TO THE ADVISORY COUNCIL FOR ITALY

Dr.Sloven J.Smodlaka
Acting Representative of Jugoslavia
Advisory Council for Italy.

38

DCCO
Chief Censor
CIC
Italian Section

30 AUG 1945

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

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

30A

28 August 45

Ref 4/29.3/CA

SUBJECT : Jugoslav War Crimes

TO : AFHQ, G-5 Section

Reference your G-5: 000.5-1 of 20 Aug.

1 This Commission regrets that it finds it necessary most strongly to oppose the Jugoslav proposals. Para 6 of your letter of the 30 Mar stated that after the proposals had been received a conference would be called to discuss conditions and procedures and this Headquarters was expecting to be summoned to such a conference before any final proposals were circulated.

2 It is impossible in the space of this letter to specify all the objections to the proposals. Reference is made here to only a few of the points.

a) The permission is to investigate suspected war crimes - not a single war crime has been alleged - the request is for a hunting expedition to see if any can be found.

b) The Allied policy is that anti-Tito Jugoslavs who have fought for the Allies shall be protected. The Jugoslav Government has consistently been refused information as to such persons whom they wish to liquidate. If the proposals were accepted, they would have permission "to inspect camps...where... traitors...are located and to collect evidence of their crimes".

c) It is the considered opinion of this HQ that the expenses of this Mission can NOT be treated as part of the expenses of occupation and be paid by the Italian Government. The Allies do not treat analogous expenditure on their own account in this way.

d) On no account should any documents be removed from Italian Archives nor should the Jugoslav Government be allowed a roving commission to examine such Archives. This Commission would find the greatest difficulty in getting the Italian Government even to consider such proposals.

e) The Allies are requested to hold "proved" war criminals. It is not understood what is meant by "proved". This is a unilateral enquiry and not a trial. There is no mention of the sufficiency of or the satisfactory nature of the evidence nor as to the type of crime to which it shall apply. A procedure analogous to extradition should be laid down by which the allegations and evidence should be placed before the Allies who may hand over persons as to whom they are satisfied; a prima facie case has been made out.

f) No single provision has been made to safeguard the proper interests of either the Italian Government or any Italian Nationals who may be concerned.

3 These objections are only a small part of the whole and a conference is considered essential not only to consider the proposals but also to determine under what conditions the Mission shall work and the procedure to be followed.

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

b) The Allied Party [illegible] shall be protected. The Jugoslav Government has consistently [illegible] information as to such persons whom they wish to liquidate. If the proposals were accepted, they would have permission "to inspect camps...where... traitors...are located and to collect evidence of their crimes".

c) It is the considered opinion of this HQ that the expenses of this Mission can NOT be treated as part of the expenses of occupation and be paid by the Italian Government. The Allies do not treat analogous expenditure on their own account in this way.

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f) No single provision has been made to safeguard the proper interests of either the Italian Government or any Italian Nationals who may be concerned.

3 These objections are only a small part of the whole and a conference is considered essential not only to consider the proposals but also to determine under what conditions the Mission shall work and the procedure to be followed.

4 As so many of this Headquarters Sub-Commissions will be involved, it will be a convenience to this HQ if the proposed conference could be called in Rome.

5 It is most strongly represented that the Jugoslav Mission should not arrive in Italy before these matters are settled.

6 Attention is called to para 5 of this HQ letter 383.6-1 of 2 Oct. This HQ is unable to find all the officers which will be necessary for supervision and requests the temporary attachment in due course of two officers with legal training, experienced in dealing with War Crimes.

FOR THE CHIEF COMMISSIONER

M Carr Brigadier

H. CARR,
Brigadier,
VP CA Section.

Copy to : Polad (A)
Polad (B)
Legal S/C

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

0753

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

fm H132

Mod.1345/A

Roma 22.8.1945 - 20/A

Ministero di Grazia e Giustizia
Direz.Gener.Affari Penali
Uff.I° A.P.

Prot. N° 131.385/1564/45

Risposta al foglio
Div. Sez. N°

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

OGGETTO HARUN REDJEPOVIC

e per conoscenza:
All'UFFICIO DI COLLEGAMENTO GABINETTO

In pari data il contenuto della nota di codesta On.Sottocommissione, cui si risponde, viene comunicato al Procuratore Generale presso la Corte di Appello di Perugia, chiedendo informazioni sullo stato attuale del procedimento contro il REDJEPOVIC e notizie circa la posizione giuridica dell'imputato.

Si riservano pertanto ulteriori comunicazioni.

d'ordine del MINISTRO

SUB-COMMISSION
LEGAL
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
25 AUG 1945

3

0754

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

28A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/I..

/rlp.
22 August 1945.

SUBJECT : Harun Redjepovic.

TO : Minister of Pardon and Justice.

26A

1. Further to this sub-commission's letter AC/4132/I. of 6 August 1945 on the above subject, you will find enclosed copy of a letter from the Jugoslav Delegation.

28B

2. Could investigation be expedited please in order that a prompt decision may be taken in this matter.

W. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl: Copy letter fr Jugoslav Delegation to ACI dtd 13 Aug 45.

33

Sec 29A

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

CASE C (Legal)

13 AUG 1945

398
1388

N° Pov. br. 1133/45

The Jugoslav Delegation to the Advisory Council for Italy presents its compliments to the Allied Commission and has the honour to state as follows:

1. HARUM REDJEPOVIĆ, merchant from Tetovo (Macedonia, Jugoslavia) captured in 1941 by the Italian army and as war prisoner kept in Prisoners camps in Italy until the capitulation of Italy. Then as many other internees he joined the ranks of Italian artisan Forces where he commanded a group of 80 men. Among those 80 was a man called LEPRI, in fact a fascist spy, which had very often contact with republican fascist authorities. More-over he tried in two occasions to kill Harum Redjepović. First time failed and second in which occasion he drawed hande-granade he was to late because in the meantime Redjepović took quickly his revolver to safe self-live and so killed him.

After the liberation of Bevagno where the group was operating, the family of the late Lepri accused Redjepović that Lepri was the commander of the said group and that Redjepović killed Lepri because of rivalery.

The Italian authorities arrested Redjepović. Actually he is in the prison of Perugia and until now not yet examined. In his favour there are statements of some eyewitnesses.

2. It is important to point out that Redjepović with his unit helped very much the advance of the Allies constructing destroyed bridges and roads by the fascist before the arrival of the Allies.

3. The viewpoint of the Italian authorities is that Redjepović has to be tried by Italian Military tribunal in Florence (letter of the Italian Giustice Ministry of July 28, 1945, Uff.I° A.P. Prot.N.131.384/(1564) 3 though he was war prisoner, belonging the Jugoslav Army.

4. As according international laws the sole competent tribunal for Harum Redjepović are the Jugoslav Military Courts, the Jugoslav Delegation to the Advisory Council for Italy has the honour to request that the

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tured in 1941 by the Italian army and as war prisoner kept in Prisoners capps in Italy until the capitulation of Italy. Then as many other internees he joined the ranks of Italian artisan Forces where he commanded a group of 80 men. Among those 80 was a man called LEPRI, in fact a fascist spy, which had very often contact with republican fascist authorities. More-over he tried in two occasions to kill Harum Redjepović. First time failed and second in which occasion he drawed hande-granade he was to late because in the meantime Redjepović took quickly his revolver to safe self-live and so killed him.

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4. As according international laws the sole competent tribunal for Harum Redjepović are the Jugoslav Military Courts, the Jugoslav Delegation to the Advisory Council for Italy has the honour to request that the a/m should be immediately handed over to this Delegation.

Rome, 13th August 1945

JUGOSLAV DELEGATION TO THE ADVISORY COUNCIL FOR ITALY

Allied Commission
R o m e

2205

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L. /rlp.
22 August 1945.

SUBJECT : Harun Redjepovic.

TO : Jugoslav delegation to the Advisory Council for Italy.

1. Your letter of 13 August 45 in connection with the above has been received with thanks.

2. This matter has already been taken up with the Italian authorities and there appears to be some doubt in the mind of the Ministry of Justice as to whether or not Redjepovic was a member of the Jugoslav Army at the time of his interment. Should you possess further evidence in this respect, the Minister would be grateful if it could be communicated to him.

3. As soon as the Minister's reply is received it will be forwarded to you.

G. C. HAMMAMORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

0758

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26A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4132/L.

6GH/lc.
6 August 1945.

SUBJECT : HARUN REDJEPOVIC.

TO : The Minister of Pardon and Justice.

1. The case of this Yugoslav subject has been brought to the attention of this Sub-Commission.

2. He allegedly killed an Italian subject in self defence in April 1944.

3. Proceedings against him were stayed by order of AMG, who employed the accused and his wife in their welfare branch for a year. They did very good work in that department.

4. He has now been re-arrested and apparently will be brought to trial before the Court of Perugia in the course of the next few weeks.

5. Would you be good enough to make enquiries in the matter and let this Sub-Commission know what the present position is.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl. So 26B

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268

Roma, 6-VIII-1945

Dear Major Falk,

We haven't heard later anything about you, and we could not write you because we didn't know where you are. Colonel Howard has written us last month sending his regards to you too, and he would be glad to have some news from you. In Perugia everybody remembers you well and many have been sory when you left, but of course that you know well. We are still in Perugia for the moment because as you know I was badly ill a time ago. My husband is well; we are still in "forse" what to do in the future; it is a little dark, as you know, but we hope it wont last for ever. We shall be very pleased to get your news, you could write us c/o Town Major, he will give it to us, we are often together.
I beg you to consider the accluded problem and kindly give your opinion, as it is very important for the Perugia tribunal people (Giudice Mattioli e Proc. Gen. Valerana) what is your view of it. We are often very sad that you and many other exelent people are gone, because some time we really miss you, first, we personnally, because we liked you, and also because some times there are some treatments from the sides of the italian authorities towards foreign people, which some times lack of justice and consideration, not so much because of bad intention as ofnot information. Dear Major Falk, you are quite a great personage now, as Major, and I still use the ton which we had for our friend Capt. Falk, but you know that we liked you very much and I'm sure, that although being Major now, you are still the same. I still keep dearly your promise about being ready to became my partner if I decide to open a restoran after the war "Serbian cooking". That will perhaps happen, and if you wont became partner, you will still be always a dear guest.

My husband and I, we send you all our sincer love and regards,
yours very truly

Tatjana Jelkic - and Zarko

Zarko and Tatjana Jelkic-Perugia
Via XX Sett. 12/II

Rome, the 6 VIII 1945

Ogg.: Yugoslav subject Harum REDJEPOVIÇ ex prisoner of war, accused for having killed in 1944 (before the arrival of the Allied troops LEPRI A, italian sub.; in self-defence

In April 1944 in Madonna della Valle, yugoslav subject Harum Redjepovic was in danger to be killed with a bomb by italian subject Lepri, after what in self defence he shot him with a revolver.
Background of this fact: Harum Redjepovic, jugoslav subject, was brought to Italy in 1942 as prisoner of war, and was working in a concentration camp for prisoners til the armistice day, when all these prisoners escaped and went to woods and mountaignes to join the partisans, not having any chance to return to their country. Harum Redjepovic became head of the partisans' group near Gualdo Catanec and was very known as courageous and brave. In his group was also the LEPRI, who was the cashier of the group; he tried often to become chief himself, and has often tried to make dificulties to Redjepovic. The members of the group didn't have a great confidence in him, specially because in the last time he expressed the wish to some friends to join the Milizia. In his house in Bevagna often the officer of the local Milizia republicana fascista was to be seen and other important republican fascist personalities; and of course the group was in danger to be given over to the milizia. He also took in the name of the band jewels and money and it was possible to suppose that he is trying to make some harm to the band, specially as he tried first to kill the head. The first attempt (there are wittnesses for it) couldn't be carried out, because both of them carried weapons and the Yugoslav was quick enough to pull out his revolver too; on that occasion Lepri told, that he was only joking! He invited the Yugoslav to a conference in a very lonely place, and both of them should have come without any weapons. The Yugoslav was without any, but the Italian produced bombs. Fortunately two other Yugoslav arrived and Harum Redjepovic, taking the revolver of one of them, shot Lepri before the latest could throw the bomb. -Al once after the arrival of the Allied authorities, the Yugoslav Harum Redjepovic sent a relation about the fact to the Patriots Branch AC in Perugia, countresigned by witnesses of the fact, and by other people of that comun proving his really good activity and courage. -The FSS in Foligno, to whom the family of the dead has denonced Redjepovic, wouldn't proceed; and Capt. Falk didn't consider facts from before the liberation, specially as the fact was presented to the Patriot Branch AC and witnesses have proved that he was in self defence and that it was not the first attempt of killing him. -At once the Republican Milizia, two days after the death of Lepri, from Bevagna, Lepri's town, under the direction of the Fascist seen always in Lepri's house, made a expedition (rastrellamento) against the group of Harum and it was astonishing how they exactly knew where to go ecc. - Now the Yugoslav is in jail nearly two moths; because the family of Lepri presented Lepri as head of the group! and presented the fact that the Yugoslav has killed him for gelosia and - the people there, considering that nobody helps to this Yugoslav - they say; Now Allied have gone, this Yugoslav when free, one day may go too, and if we speak to well for him, after he has gone we may get in trouble! And so it happened, that the same wittnesses, who signed the declaration in his absolute favour one year ago, now refuse to speak! Also there are still plenty who are absolutely in his favour. -It is important that they waited until Capt Falk nas left, and the FSS from Foligno and after the family of Lepri declared to everybody: The English have gone, and we can do now what ever we like; besides the English don't like the Jugoslavs and ecc

The Yugoslav Delegation was to day informed about the fact, and also the Legal Dep. AC.

In Perugia The Yugoslav Relief has stopped the proceding in the Tribunal,

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In Perugia the Yugoslav Relief has stopped the proceding in the Tribunal, begging the president (Proc.Gen.Valerana and Mattioli) to give them time to prove that the fact was no matter for the Italian Cililian Tribunal,being the Yugoslav a prinoner of war and as head of the band responsible to Patriot Tribunal, to whom besides the fact was presented in July 1944. If not that,it was a matter for the Yugoslav Military Mission to interfere.The President of the Tribunal is willing to let him free and begs for some information after which regulation or International convantion or whatsoxever can be considered.

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(25)

STATUS OF THE YUGOSLAV BENEVOLENT SOCIETY.

ART. I.

In view of the exceptional conditions of necessity due to the War, a Yugoslav Benevolent Society is founded with its Central Office in Rome.

ART. II.

The object of our Society is as follows:-

(a) To find means of assisting Military and Yugoslav Refugees in Italy, who under the present circumstances badly need assistance.

(b) Organise and maintain by every possible means a Sanitary Service in collaboration with the other Yugoslav Institutions in Italy.

(c) Organise every kind of service or work in accordance with the activities of a benevolent Society.

ART III.

In order to accomplish its tasks, the Society will collaborate with all Yugoslav and Allied Institutions who work for the benefit of the poor.

ART IV.

All Yugoslav Subjects who desire to become members of this Society can do so, providing that they pay a monthly subscription of 50 Lire, and that they are accepted by the Committee of the Society. 27
Every Yugoslav can become an honorary member by paying a subscription which helps the work of the Society.

ART V.

The Committee of this Society is composed of a President, two Vice-Presidents and eight Members who have been elected by the assembly of members.

ART. VI.

The Committee and Sub-Committee are elected at the Annual assembly of the members of this Society. This assembly must be composed of at leadt 2/3 of the members inscribed. In the event of there being insufficient members present at the assembly, the election will be postponed for eight days, when it will be decided with the members who are present.

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27

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ART. VII.

The Committee has the authority to complete the lists of its members with the competetion of 1/3 by nomination if it is necessary.

ART.VIII.

The Committee will appoint its Secretary and Treasurer as well as their assistants, when it is necessary.

ART. IX.

The President directs the work of the Committee, and in the event of His absence it will be carried out by one of the Vice-Presidents.
The Committee has the right of disposing of all materials belonging to this Society until such time as it is decided otherwise.

ART X. over

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ART. X.

The Committee will assemble whenever it is necessary and atleast twice a month. At each meeting reports will be discussed on all the work which has been done.

ART XI.

The Control of the accounts and work of the Society is carried out by the Sub-Committee, whose report must be presented to the Committee at least once every three months, and also at the annual assembly when it is held.

ART. XII.

The work of the Committee and Sub-Committee is entirely voluntary, but the Committee can in case of necessity and according to the means at its disposal, engage a technical person who will be paid for his services.

ART. XIII.

The ordinary assembly of the Society is held once a year and when the Committee or 2/3 of the active members judge it necessary, they can request for an extraordinary assembly to be held.
The Committee presents a general report of all work done and is relieved of its functions by doing so.

ART. XIV.

Where there is a necessity or the possibility of permitting Sub-Sections of this Society, they will be established in other towns in Italy.

ART. XV.

When the Society ceases its activities, the Assembly of the Society will decide the liquidation of its funds and property.

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4132

2.4A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ext : 525

Ref 14/5B/CA

8 March 45

SUBJECT : Alleged Jugoslav deserters

TO : Legal S/C
Public Safety S/C
DP & R S/C

1 Instructions have been received that persons who have deserted actually from the Jugoslav Army, as distinct from nominal deserters who have failed to answer a call-up, are to be apprehended and handed over to the Jugoslav Authorities; but that the liberty of those whose persons may be sought for political or other reasons is to be protected.

2 The procedure to be followed is to be similar to that in use by other Allies in cases of desertion. Full particulars of the alleged desertion, must be supplied and the identity of the alleged deserter must be proved.

3 Prior to any action being taken by this Commission the following information in form of an affidavit will be supplied within 60 days of the date of the alleged desertion:

a) Name and rank of deserter.
b) Military unit from which deserted and location thereof.
c) Date of enlistment or induction.
d) Date and circumstances of desertion.
e) Probable whereabouts.

G.R. UPJOHN Brig,
VP CA Section

Copy to : Land Forces S/C
Pol Adviser

LEGAL SUB COMMISSION
CLO
DCLO
Chief Control
CLO
Italian Sec
Civ Pris

8 MAR 1945

12 Addns.
4 Dup.

2le with CA Sec

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

23

ACC/4132/L. 17 March 1945

SUBJECT: Yugoslav Red Cross.

MEMORANDUM TO: Legal.

1. I have discussed this matter with Mr. Hopkinson. Before we can proceed further I think it is necessary to know the answers to the following questions:

i) Was the Committee which was formed in Rome in September 44 a Committee or Branch of the Yugoslav Red Cross? The answer to this would seem to depend on the true construction of the Articles of Incorporation which have been deposited with Displaced Persons and Repatriation Sub-Commission.

If it was not a Branch of the Yugoslav Red Cross it appears at any rate to have received a subvention from the Yugoslav State (see Folio 16). Does this give the Yugoslav State any right to direct the affairs of the Sub-Committee?

ii) If the Sub-Committee was a Branch of the Yugoslav Red Cross, did it validly cease to be so when it changed its name to the Yugoslav Welfare Society, and has the Yugoslav Red Cross or the Yugoslav State any legal control over its activities.

iii) If the Sub-Committee remains a branch of the Yugoslav Red Cross, is it subject to the direction of the Yugoslav State through its representatives on the Advisory Council or is the Yugoslav Red Cross (as in England) an independent concern.

2. Will you advise please.

G. R. Upjohn

G. R. UPJOHN, Brig.
VP CA SECTION.

GRU/pr

2

BRIEF

on

ownership of funds of the YUGOSLAV Red Cross otherwise YUGOSLAV Welfare Society.

File: 4132/L.

Dated 22nd Jan.

Fol. 16.

1. Note verbale prepared by the YUGOSLAV Delegation to the A.C.I. sets out:

13

(a) In Sep. 44, a JUGOSLAV Red Cross Sub-Committee was constituted in Rome. It was formed at the request of Yugoslavs in ROME and the Ministry of Foreign Affairs, LONDON, was advised on 8 Nov 44.

(b) The Sub-Committee called itself the Yugoslav Red Cross and was using this title.

(c) The Sub-Committee was formed with the agreement of the Yugoslav Delegation to A.C.I. and Mr. SMILJANIC, Minister Plenipotentiary and Acting Representative of Yugoslavia to A.C.I.

16 (para 4)

(d) Funds were supplied by:
(i) Jugoslav State through Jugoslav Delegation to A.C.I. (67045 lire)
(ii) By individual members (50 lire).

(e) Yugoslav Government, LONDON, on 9 Dec 44, removed SMILJANIC and appointed Dr. SMODLAKA as delegate for Yugoslav Red Cross in Italy.

(f) SMILJANIC refused to hand over to SMODLAKA and changed the name of the Sub-Committee to YUGOSLAV WELFARE SOCIETY.

(g) Yugoslav Government, LONDON, on 12 Oct 44, laid down that this Sub-Committee was a branch of the Yugoslav Red Cross and that SMILJANIC's attempt to change the name ~~and~~ was invalid.

(h) ~~SMILJANIC~~ the delegation finally asked for police assistance in taking over the funds, etc., of this organisation's property.

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

Representative of Yugoslavia to A.C.I.

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(h) ~~SMILJANIC~~ the delegation finally asked for police assistance in taking overthe funds, etc., of this organisation's property.

Fol. 17.

2. In reply to Note Verbale Political Section on 3 Feb 45 stated:
(a) that only American and British Red Cross were recognised in Italy.

(b) that the Yugoslav Red Cross has never existed in the official purview of the Commission.

(c) that the organisation established in ROME was a non-political Yugoslav Benevolent Society,

(d) that in effect it was a private benevolent society with the usual rights of members, of electing President, etc.,

(e) that it could not accede to requests for police assistance.

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Fol. 20

3. Second Note Verbale by Yugoslav Delegation dated 20 Feb 45, stating:

(a) that the Sub-Committee formed in ROME is part of the Yugoslav Red Cross.
(b) that the Sub-Committee was acting with funds supplied by the Yugoslav Government,
(c) that the Allied authorities tacitly agreed to activities of the Sub-Committee,
(d) that the Sub-Committee is acting politically under cover of its Welfare activities and trying to introduce a split in the Yugoslav people,
(e) that Displaced Persons recognised the so-called Welfare society by depositing its Acts of Incorporation and granting assistance,
(f) renewed request for police assistance.

Fol. 21

4. Political Section, dated 2 Mar 45, stated:

(a) that British Foreign Office agree that no intervention is possible by AC.
(b) that Dr. SMODLAKA, being the official representative, is entitled to such assistance as A.C., can give him.

Minute

5. Opinion by Legal Sub-Commission dated 6 Mar 45:
(a) that members of the Yugoslav Welfare Committee can be tried under Italian Law for refusing to hand back funds etc.,
(b) that Acts 209 and 210 of Legge di Pubblica Sicurezza would apply and Italian authorities could dissolve the association, close its premises, etc.

File 6/13E/CA.

Folio 76a

6. Displaced Persons in Answer to Categorial questions state:
(a) that Yugoslav Red Cross had no authority to establish itself in Italy,
(b) that the Welfare Organisation was started with their knowledge,
(c) that they have given no supplies nor taken any part in the control of the organisation.

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

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File 6/13E/CA.

Folio 76a

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CONCLUSION:

The question of recovery of funds and dissolution of the organisation is highly political and one which A.C. should avoid. The recovery of the funds and effects is mere side play.

Not having seen the original documents it would appear that acquiescence has been given to the existence of this Welfare Sub-Committee who, through their representative at ACI got themselves made a branch of the Yugoslav Red Cross. I am satisfied that the Allied Authorities never approved of the existence of the Yugoslav Red Cross in Italy as such; they obviously approved of the existence of the Welfare Organisation but gave little attention to what name they went under.

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

4132

5 MAR. 1945

272/45

Vice-President,
Civil Affairs Section, AC.

Please see the attached file regarding the troubles of the Yugoslav Delegation in Italy in connection with the Yugoslav Benevolent Society about which I spoke to you some days ago.

2. The British Foreign Office agree that since the SACMED does not recognise the Yugoslav Red Cross Organisation in Italy, no intervention is possible by the Allied Commission. However, Doctor Smodlaka is the official Representative of the Yugoslav Government which the British Government recognises and is therefore entitled to such assistance as the Allied authorities can properly give him. Doctor Smiljanić, on the other hand, has no official status and therefore no claim on their sympathy.

3. It seems from the foregoing that while the Allied Commission could not accede to Doctor Smodlaka's request to close down the Yugoslav Benevolent Society by force, we should give such supporting assistance as is possible to him. It occurs to me that there might be some legal grounds on the strength of which we could advise the Italian Government to close down the Society. I should be grateful for your opinion.

2nd March 1945

(A. S. HALFORD)
Asst. Political Adviser

LEGAL SUB COMMISSION
CLO
MCLO
Chief Counsel
CLT
Italian Section
CLTAS

5 MAR 1945

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N O T E V E R B A L E .

The Jugoslav Delegation to the Advisory Council for Italy presents its compliments to the Allied Commission and with referance to latter's P/234 dated 3 February 1945 has the honour to inform as follows:

1. The Jugoslav Red Cross is an internationally recognised Institution of the Jugoslav Government.

Accordingly for its juridical existence the mere will of the Jugoslav Government is sufficient. In our case there is no question whether or not at the time being an activity of the Jugoslav Red Cross in Italy has been authorised.

There is no doubt about the fact that early September, 1944 a Jugoslav Red Cross Sub-Committee was constituted in Rome with the agreement of the legal Representative of the Jugoslav Government in Italy, i.e. the Jugoslav Delegation to the Advisory Council for Italy.

Same Red Cross Sub-Committee was officially acting with pecuniary means and assistance of the Jugoslav Delegation to the Advisory Council for Italy until early December, 1944.

Such an official public Institution of the Jugoslav Government could not be turned into a private benevolent society either by decision of individuals or by later deposition of certain Articles of Incorporation with the Displaced Persons and Repatriation Sub-Commission of the Allied Commission.

2. For the existence of an internationally recognised Institution of the Jugoslav Government it is not necessary that same exists in the official purview of the Allied Commission.

Nevertheless Allied Authorities not only knew of the existence of the Jugoslav Red Cross in Rome, not only taciturnly agreed with its activity but also put to its disposal a requisitioned flat of seven premises, and inserted permanently this Institution in their official restricted Telephone Directory (Rome Area Allied Command Telephone Directory, 7th Edition, of 3 February 1945 , Page 66 -and former editions- which reads: "Yugoslavian Red Cross, Military Sanitary Service.....Telephone Nr. 878077.")

or the Jugoslav Government is sufficient. In our case there is no question whether or not at the time being an activity of the Jugoslav Red Cross in Italy has been authorised.

There is no doubt about the fact that early September, 1944 a Jugoslav Red Cross Sub-Committee was constituted in Rome with the agreement of the legal Representative of the Jugoslav Government in Italy, i.e. the Jugoslav Delegation to the Advisory Council for Italy.

Same Red Cross Sub-Committee was officially acting with pecuniary means and assistance of the Jugoslav Delegation to the Advisory Council for Italy until early December, 1944.

Such an official public Institution of the Jugoslav Government could not be turned into a private benevolent society either by decision of individuals or by later deposition of certain Articles of Incorporation with the Displaced Persons and Repatriation Sub-Commission of the Allied Commission.

2. For the existence of an internationally recognised Institution of the Jugoslav Government it is not necessary that same exists in the official purview of the Allied Commission.

Nevertheless Allied Authorities not only knew of the existence of the Jugoslav Red Cross in Rome, not only taciturnly agreed with its activity but also put to its disposal a requisitioned flat of seven premises, and inserted permanently this Institution in their official restricted Telephone Directory (Rome Area Allied Command Telephone Directory, 7th Edition, of 3 February 1945 , Page 66 -and former editions- which reads: "Yugoslavian Red Cross, Military Sanitary Service.....Telephone Nr. 878077.")

This proves that the Jugoslav Red Cross did exist and still does exist even in the official purview of Allied Authorities.

3. It is not correct that in question is a "private non-political benevolent society". On the contrary it is the Jugoslav Red Cross Sub-Committee which is now acting under another name just as a political propaganda institution around which certain Jugoslav emigrants, enemies of the unity of Jugoslavia, of the Jugoslav people and of the Jugoslav Government are gathering. They are through this Institution, now covered with the innocuous name of "Jugoslav Welfare Society" engaged to hamper the mobilisation of Jugoslavs so decreasing the War effort of Jugoslavia; consequently they are also enemies of the common endeavour of the United Nations striving to introduce split into the Jugoslav people who have been for the whole duration of War sacrificing all for fighting the enemy.

These same persons were active against the Jugoslav unity also officially while they were in the Jugoslav Delegation to the Advisory Council for Italy.

(continued)

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When on 29 August 1944 Dr. Josip Smodlaka was appointed Jugoslav Delegate to the Advisory Council for Italy, it became clear to those persons that they would be no more allowed to act from within the Jugoslav Delegation to the Advisory Council for Italy, and therefore a couple of days later, early September, 1944 they constituted the Jugoslav Red Cross Sub-Committee. President became Mr. M. Smiljanic, then Deputy Delegate to the Advisory Council for Italy, and Member of the Committee Mrs. Krek, the wife of the Delegate at that time.

When Dr. Sloven Smodlaka, the Government's Delegate for the Red Cross arrived in Rome late November, 1944 for the purpose of taking over the Sub-Committee in Rome, those same persons in an attempt to avoid the taking over tried to turn it into what they alleged to be a Jugoslav Welfare Society.

The Note of the Political Section of the Allied Commission P/234 dated 3 February 1945 itself quotes as purpose of the alleged p r i v a t e society "assistance of military and civilian Yugoslav Refugees in Italy". How could a "private" society without the approval of the Jugoslav Government carry out such a doubtlessly p u b l i c function as it is the assistance of Jugoslav military personnel? Any public function in respect to Jugoslav subjects (the more if concerning military personnel) is an exclusive competence of the Jugoslav Government, and cannot be carried out under whichever title without the approval of the Jugoslav Government resp. its legal Representatives.

4. When Displaced Persons and Repatriation Sub-Commission of the Allied Commission recognised the so-called Jugoslav Welfare Society by depositing its Articles of Incorporation and by granting assistance to it, the said Sub-Commission paid no attention to the fact that in question was the Jugoslav Red Cross Sub-Committee, which had been active since early September, 1944 and then suddenly disguised under a new name in an illegal attempt of its leaders to retain this public Institution against the will of the Jugoslav Government.

5. The Displaced Persons and Repatriation Sub-Commission of the Allied Commission are not entitled to authorised the existence or activity of a J u g o s l a v society without the approval, and the less against the will of the Jugoslav Government which represents all Jugoslav subjects and has to look after them.

This applies to private societies too. But quite apart from that it is obvious from the function of the so-called Jugoslav Welfare

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Italy". How could a "private" society without the approval of [illegible] Government carry out such a doubtlessly p u b l i c function as it is the assistance of Jugoslav military personnel? Any public function in respect to Jugoslav subjects (the more if concerning military personnel) is an exclusive competence of the Jugoslav Government, and cannot be carried out under whichever title without the approval of the Jugoslav Government resp. its legal Representatives.

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This applies to private societies too. But quite apart from that it is obvious from the function of the so-called Jugoslav Welfare Society, as it is quoted in the mentioned Note P/234 of 3 February 1945 (assistance of military and civilian Yugoslav Refugees), that in question is n o t a private society; for these functions are of prominent public character, and through its Articles of Incorporation being deposited with the Displaced Persons and Repatriation Sub-Commission of the Allied Commission and through granting assistance to this activity by the said Sub-Commission these public functions have received from competent Allied Authorities also a formal recognition.

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6. Summarising it is pointed out that

(a) A Jugoslav Red Cross Sub-Committee in Rome factually exists and is being held by unauthorised persons;

(b) The tangible assets of the above Institution have been acquired with pecunary means of the Jugoslav Government through its legal

(continued)

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Representatives, and they therefore represent the property of the Jugoslav Government; this property is actually in unlawful possession of unauthorised persons;

(c) Formal recognition and assistance have been granted by the Allied Commission to a group of private persons to carry out under the name of Jugoslav Welfare Society public functions in respect to Jugoslav military and civilian subjects against the will of the Jugoslav Government.

7. It is therefore requested please that

(A) Displaced Persons and Repatriation Sub-Commission of the Allied Commission stop with immediate effect any recognition and assistance to the "Jugoslav Welfare Society";

(B) The Jugoslav Delegation to the Advisory Council for Italy be granted necessary police assistance for the purpose of taking over from unauthorised persons the virtually existing Jugoslav Red Cross Sub-Committee at Nr. 19, Via Angelo Secchi, Rome, as well as its inventary besides its official paper and stamps.

DSS

Rome, February 20th, 1945.

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of the Allied [illegible]
assistance to the "Jugoslav Welfare Society";

(B) The Jugoslav Delegation to the Advisory Council for Italy be granted necessary police assistance for the purpose of taking over from unauthorised persons the virtually existing Jugoslav Red Cross Sub-Committee at Nr. 19, Via Angelo Secchi, Rome, as well as its inventary besides its official paper and stamps.

D'SS

Rome, February 20th, 1945.

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Headquarters Allied Commission
Political Section.

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

HEADQUARTERS ALLIED COMMISSION
Political Section
APO 394

REF: P/234

3 February 1945

The Political Section of the Allied Commission presents its compliments to the Yugoslav Delegation to the Advisory Council for Italy and has to refer to the latter's Note Verbale dated January 23, 1945 requesting the Allied Commission to provide a police force for the purpose of taking over from unauthorized persons the premises at No. 19 Via Angelo Secchi and certain effects contained therein said to be the property of the Yugoslav State in its titular position as head of the Yugoslav Red Cross.

At an early date the Supreme Allied Commander, Mediterranean, instructed the Allied Commission that only the American and the British Red Crosses were to be recognized in Italy. In consequence, Red Cross organizations of no other country are recognized and the existence of a Yugoslav Red Cross organization in Italy has never existed in the official purview of the Commission. Some months ago there was established in Rome a non-political Yugoslav Benevolent Society for the assistance of military and civilian Yugoslav Refugees in Italy. From the Articles of Incorporation of this Society, which were deposited with the Displaced Persons and Repatriation Sub-Commission (whose assistance in the Society's activities was requested and given), it appears that all Yugoslav Subjects acceptable to the Committee of the Society and who pay a monthly subscription of 50 lire can become members of the Society. An assembly of the members elects a committee composed of a President, two Vice Presidents and eight members. The other Articles of Incorporation of the Society follow those of a similar private benevolent society anywhere in the World, and one of its intentions to accomplish its tasks is to collaborate with all Yugoslav and Allied Institutions who work for the benefit of the poor.

From this it appears that the organization, for the seizure of whose premises and tangible assets you desire police assistnace, ins private non-political beneveolent society. In consequence, Political Section feels itself unable to comply with your request.

(Initials) W W B

Yugoslav Delegation to the
Advisory Council for Italy,
Via Quintino Sella, 56
Rome, Italy

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

structed the Allied Commission that only the American and the British Red Crosses were to be recognized in Italy. In consequence, Red Cross organizations of no other country are recognized and the existence of a Yugoslav Red Cross organization in Italy has never existed in the official purview of the Commission. Some months ago there was established in Rome a non-political Yugoslav Benevolent Society for the assistance of military and civilian Yugoslav Refugees in Italy. From the Articles of Incorporation of this Society, which were deposited with the Displaced Persons and Repatriation Sub-Commission (whose assistance in the Society's activities was requested and given), it appears that all Yugoslav Subjects acceptable to the Committee of the Society and who pay a monthly subscription of 50 lire can become members of the Society. An assembly of the members elects a committee composed of a President, two Vice Presidents and eight members. The other articles of Incorporation of the Society follow those of a similar private benevolent society anywhere in the World, and one of its intentions to accomplish its tasks is to collaborate with all Yugoslav and Allied Institutions who work for the benefit of the poor.

From this it appears that the organization, for the seizure of whose premises and tangible assets you desire police assistnace, ins private non-political beneveolent society. In consequence, Political Section feels itself unable to comply with your request.

(Initials) W W B

Yugoslav Delegation to the
Advisory Council for Italy,
Via Quintino Sella, 56
Rome, Italy

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COPY

NOTE VERBALE.

The Jugoslav Delegation to the Advisory Council for Italy presents its compliments to the Allied Commission.

The following is stated in the name and on behalf of the Jugoslav Government and the National Liberation Committee of Jugoslavia:

1. Early September 1944 in Rome a Jugoslav Red Cross Sub-Committee was constituted and Allied authorities put to its disposal a requisitioned flat consisting of seven premises at 19, Via Angelo Secchi, Rome.

Evidence: Copy-Extract from an official letter by the Jugoslav Delegation to the Advisory Council for Italy, dated November 8, 1944, Number 709 to the Jugoslav Foreign Office in London, signed by Mr. Miloje Smiljanic, Minister Plenipotentiary and Jugoslav Deputy Delegate to the Advisory Council for Italy. (Annexe "A")

2. This Sub-Committee was using official paper and official stamps of the Jugoslav Red Cross and on the entrance door at 19, Via Angelo Secchi the inscription to the effect that there was the Red Cross of Jugoslavia. Same Sub-Committee was erecting official publications in the premises of the Jugoslav Delegation to the Advisory Council for Italy in Rome, and behaved in every respect as an official Jugoslav Red Cross Sub- Committee.

Evidence: Copy-Notice of the Jugoslav Red Cross Sub-Committee for Italy dated October 23, 1944, which was erected in the premises of the Jugoslav Delegation to the Advisory Council for Italy in Rome. (Annexe "B")

3. The Jugoslav Red Cross Sub-Committee in Rome was constituted with the agreement of the Jugoslav Delegation to the Advisory Council for Italy which exclusively represents the Jugoslav State in Italy; in addition the President of the Jugoslav Red Cross Sub-Committee for Italy was Mr. Miloje Smiljanic, at the same time Minister Plenipotentiary and acting Representative of Jugoslavia to to the Advisory Council for Italy. The Delegation itself was exposing official publication in its own premises through which Jugoslav subjects were informed of the activity of the Jugoslav Red Cross Sub-Committee for Italy.

Evidence: Same as under Para. 1, and copy of a publication issued by the Consular Section of the Jugoslav Delegation to the Advisory Council for Italy dated October 19, 1944 (Annexe "C")

4. Peculiar means for the Jugoslav Red Cross Sub-Committee were given by the Jugoslav State through the Jugoslav Delegation

/to

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4. (continued)

to the Advisory Council for Italy which paid out on October 20th and 23rd, 1944 Lit 40.045. - covering the expenses of a dental ambulance of the Jugoslav Red Cross, besides on November 8th and 9th, 1944 Lit 27.000 - on fees for the personnel of the Jugoslav Red Cross Sub-Committee.

Evidence: Five receipts (Annexes "D", "E", "F", "G", "H")

5. The Jugoslav Delegation to the Advisory Council for Italy received from the Jugoslav Government in London on December 9, 1944 a telegram which reads: "Please inform Miloje Smiljanic that Doctor Sloven Smodlaka is the Government's Delegate for the Jugoslav Red Cross in Italy and that no activity of the Red Cross can be carried out except by him".

Dr. Sloven Smodlaka requested Mr. Miloje Smiljanic as the President of the Jugoslav Red Cross Sub-Committee for Italy to hand the Sub-Committee over to him. Mr. Miloje Smiljanic refused to do so and alleged that the Jugoslav Red Cross in Rome has always been a private society, which in addition decided the day before to transform its name into "Jugoslav Welfare Society", and that consequently no more Jugoslav Red Cross Sub-Committee existed.

6. This is in plain contradiction with the official report of same Mr. Smiljanic, which he had submitted in written to the Jugoslav Government in London as quoted under Para. 1.

So there is no doubt that same Institution was constituted as an official Jugoslav Red Cross Sub-Committee for Italy. The official character of an institution cannot be changed by the will of private persons, the less it can be stopped so.

Merely the fact that besides the Jugoslav Delegation also persons of the Jugoslav colony made suggestions for the constitution of the Jugoslav Red Cross Sub-Committee for Italy has no signification for the judgment of the question what is the character of same Institution, for private persons too can make suggestions for official public institutions to be formed.

The justification of the above mentioned facts will clearly be seen also from an official telegram sent by the Jugoslav Government in London to the Jugoslav Delegation to the Advisory Council for Italy on January 16, 1945 which reads: "By a Governmental decision on October 12, 1944 the Rules on the activity of the Red Cross were agreed with" and para. 5 of same Rules reads: "All representations of the Red Cross abroad have forthwith to be accorded with the organization of the Red Cross of Jugoslavia. The attempt made by Smiljanic after the issuing of these Rules can have no validity. The Red Cross of Jugoslavia in its actual organization is a continuation of the Red Cross in Jugoslavia and it is a member of the International Red Cross." Signed: Prime Minister Subasic,

/Deputy

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Deputy Prime Minister and Resort Minister Kosanovic.

For this reason the Jugoslav Government denies any change in the original character of the Jugoslav Red Cross Sub-Committee for Italy in Rome.

7. Accordingly the actual position is that a Jugoslav official Institution exists in Rome which is being held by unauthorised persons against the will of the Jugoslav Government and that of the National Liberation Committee of Jugoslavia.

By instruction and on behalf of the Jugolav Government and the National Liberation Committee of Jugoslavia the Jugoslav Delegation to the Advisory Council for Italy requests in the name of Jugoslavia that the Allied Commission might as soon as possible put to its disposal necessary police force for the purpose of taking over from unauthorised persons the virtually existing Jugoslav Red Cross Sub-Committee at 19, Via Angelo Secchi, Rome, as well as the inventory acquired with means belonging to the Jugoslav State, besides its official paper and stamps.

Rome, January 22, 1945.

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

Consular Section.

"Annexe "A"

Nr. 161.

Translation from Serbo-Croatian.

JUGOSLAV DELEGATION TO THE
ADVISORY COUNCIL FOR ITALY

ROME, November 8, 1944.

No. 709

To the Ministry of Foreign Affairs,
L O N D O N.

.....

By initiative of our Colony and Emigrants, early September a constitutional meeting was held on which the Sub-Committee of our Red Cross was formed headed by a Direction a list of which members is attached hereto. The Direction has considered its task the following:

1. To organize an Ambulatory Section for the needs of our people living Rome whose actual number amounts 1200-1500 persons;

2. to organize instruction courses for nurses, drivers and teaching English as to enable our people to get easier a job with allied services;

3. to make efforts for assisting our people as far as it concerns improving food and obtaining footwear and clothing.

With the help of Allied authorities the Sub-Committee has received for its use an appartment consisting of 7 premises at Nr. 19, Angelo Secchi Street.

.....

(Signed) Miloje D. Smiljanic
Deputy Representative, Minister Plp.

Original read ovr and translation corroberated.

CONSULAR SECTION OF THE JUGOSLAV DELEGATION TO THE A.C.I.

Rome, January 21st, 1945.

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Major Zvonimir Babic,
Commercial Councillor,
Head of the Consular Section.

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

Consular Section. (Annexe "B")

Nr. 162

Translation from Serbo-Croatian.

YUGOSLAV RED CROSS
SUBCOMMITTEE FOR ITALY.

Red Cross Sign.

19, Via Angelo Secchi
Telephone 878077

N O T I C E.

All Jugoslav subjects are informed that the Ambulatory Section of the Jugoslav Red Cross started working in its premises at 19, Via Angelo Secchi, Int.19, Telephone 878077.

Examination of patietns daily between 10 and 12 hours. Urgent cases are being treated any time.

At the same time it is informed that work started at the Dental Station. Treating by Mr.Dr. Popadic Teodora on Mondays, Wednesdays and Fridays between 9 and 12 hours, and by Dr. Sardoc on Tuesdays, Thursdays and Saturdays between 9 and 12 hours.

Medical assistance is free of charge for all those living on subsidies from the Delegation.

It is further communicated that the Department for the issuing of supplementary food for sick people has been transferred from the Military Mission to the Jugoslav Red Cross, where distribution of food will be made as up to now on every Thrusday between 9 and 12 hours.

Rome, October 23rd, 1944.

The Secretary:

Red Cross Sign. (Sgd) Bokun Branko.
Stamp:
"Yugoslav Red Cross
Subcommittee for
Italy".

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Original read over and translation corroborated.

CONSULAR SECTION OF THE JUGOSLAV DELEGATION TO THE A.C.I.

Rome, January 21st, 1945.

Major Zvonimir Babic,
Commercial Councillor,
Head of the Consular Section.

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

Consular Section. Annexe "C"

Nr. 168

Translation from Serbo-Croatian.

With effect from Thursday, the 19th instant, work will start in the Dental Ambulatory of the Jugoslav Red Cross (19, Via Angelo Secchi 3rd floor) daily on work days from 9 to 12 hours under the leading of Mrs. Dr. Teodora Popadic and Dr. Dorce Sardoc.

Medical assistance will be granted to all Jugoslav subjects on presenting of legitimation.

Rome, 19 October 1944. Stamp: Consulat Royal de Yougoslavie, ROME.

Original read over and translation corroberated.

Consular Section of the Jugoslav Delegation to the A.C.I.

Rome, January 21, 1945.

Major Zvonimir Babic
Commercial Councillor
Head of the Consular Section.

2089

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

Consular Section
Nr. 164

Annexe "D"

Translation from Serbo-Croatian

R e c e i p t

I herewith acknowledge receipt of

Lit. 3.000 - (three thousand lire)

from the R. Delegation to the Advisory Council for Italy covering expenses for acquiring installation material for the Dental Ambulatory of the Jugoslav Red Cross.

Received in cash Lit. 3.000 -

Rome, October 23, 1944

Received by

(Sgd) Dr. Dorce Sardoc,
Dentist.

(Sgd) M.D.S.
(i.e. Mil. D. Smiljanic)

Original read over and translation corroberated.

Consular Section of the Jugoslav Delegation to the A.C.I.

Rome, January 21st, 1945

Major Zvonimir Babic,
Commercial Councillor,
Head of the Consular Section.

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

Consular Section
Nr. 163

Annexe "E"

Translation from Serbo-Croatian

Rome, 20 October 1944.

Dr. Dorce Sardoc, Dentist,
Chief of the Dental Ambulatory
of the Jugoslav Red Cross.

SUMMARY

of expenses for acquiring of material for the Ambulatory (Dental) of the Jugoslav Red Cross:

Bill A.P.D.A. dated	14 October 1944	.....	L.	19.841
Bill A.P.D.A. dated	19 October 1944	.....	L.	9.124
Bill of Chemist's	16 October 1944	.....	L.	350
Bill Alessi	14 October 1944	.....	L.	7.180
Jug and 6 glasses		.....	L.	500
For matches		.....	L.	50
			L.	37.045

With words: Thirty-seven thousand and forty-five lire.

(Sgd) M.D.S.
(i.e. Mil. D. Smiljanic)

Exactness of the a/m is
confirmed by: (Sgd) Dr. Dorce Sardoc

Original read over and translation corroberated.

Consular Section of the Jugoslav Delegation to the A.C.I.

Rome, January 21st, 1945.

Major Zvonimir Babic,
Commercial Councillor.
Head of the Consular Section.

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

Consular Section
Br. 165

Annexe "F"

Translation from Serbo-Croatian

RECEIPT

I herewith acknowledge receipt of

Lit. 8.000. - (eight thousand lire)

from the R. Delegation to the Advisory Council for Italy as my fee for my work during the month of November 1944 as a Dentist in the Ambulatory of the Jugoslav Red Cross at 19, Via Angelo Secchi, Rome.

Received in cash Lit. 8.000

Received by:

Rome, November 9, 1944. (Sgd) Dr. Teodora Popadic

Authorized by: (Sgd) Mil. D. Smiljanic.

Original read over and translation corroberated.

Consular Section of the Jugoslav Delegation to the A.C.I.

Rome, January 21st, 1945.

Major Zvonimir Babic,
Commercial Councillor,
Head of the Consular Section.

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

Consular Section
Nr. 166

Annexe "G"

Translation from Serbo-Croatian.

RECEIPT

I herewith acknowledge receipt of

Lit. 4.000 - (four thousand lire)

from the R. Delegation to the Advisory Council for Italy as my fee for my work during the month of November 1944 with the Jugoslav Red Cross, 19, Via Angelo Secchi, Rome.

Received in cash Lit. 4.000 -

Rome, November 9, 1944.

Received by:
(Sgd) Sonja Ukmar.

Authorised by: (Sgd) Mild. Smiljanic.

Original read over and translation corroberated.

Consular Section of the Jugoslav Delegation to the A.S.I.

Rome, January 21st, 1945.

Major Zvonimir Babic
Commercial Councillor,
Head of the Consular Section.

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

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Consular Section.
Br. 167

Annexe "H"

Translation from Serbo-Croatian.

RECEIPT

I herewith acknowledge receipt of

Lit 15,000. - (fifteen thousand lire)

from the R. Delegation to the Advisory Council in Italy as my fee for my work in the Dental Atelier of the Jugoslav Red Cross, 19, Via Angelo Secchi, int. 9, Rome during the month of November 1944.

Received in cash Lit. 15.000 -

Rome, November 8th, 1944.

Received by:

(Sgd) Dr. Dorce Sardoc

Authorised by: (Sgd) Mild. Smiljanic.

Original read over and translation corroborated.

Consular Section of the Jugoslav Delegation to the A.C.I.

Rome, January 21st, 1945.

Major Zvonimir Babic
Commercial Councillor,
Head of the Consular Section.

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

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

10 June, 1944.

REFERENCE : ACC/4432/1.

SUBJECT : Jugoslav Property.

TO : Political Section.

1. The Displaced Persons Sub-Commission has made inquiry concerning the disposition of property of Jugoslavs who die intestate in Italy with no relatives nearby.

2. Before advising on other means that could be followed, I would like to know whether there is any Jugoslav consul in Italy or expected to be shortly or whether any other consulate has been given powers to act in a situation such as described in paragraph 1.

RICHARD H. WILMER,
Colonel, C.A.C.
Deputy Chief Legal Officer.

RHW/wcw.

CONFIDENTIAL

RAR HEAD QUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommission
APO 394

ACC/4132/L

28 April 1944

SUBJECT: Italian Soldiers of Yugoslav Origin.

TO : MLOs Regions 1, 2, 3, 4, 5, 6 & 7.
SLOs 5th & 8th Armies.

1. Legal Officers are frequently consulted as to the legal position where:

(a) Members of the Italian armed forces, including CCRR, whether of Yugoslav or other racial origin are enticed into desertion from their units usually for the purpose of joining a Yugoslav unit.

(b) Members of the Italian armed forces seek permission to leave their units to join Yugoslav units.

2. The whole question of policy has been referred to higher authority but in the meantime the policy of A.C.C. in handling these matters which are extremely delicate is as follows:

(a) No member of the Italian armed forces, whatever his racial origin, may be approached with a view to his leaving or deserting the Italian armed forces for any purpose.

(b) No member of the Italian armed forces, whatever his racial origin, may be permitted to leave his unit for the purpose of joining a Yugoslav unit.

(c) The only Italian personnel who may be recruited by the Yugoslav authorities are Italians of Slav origin who are NOT in the Italian armed forces and then subject to permission from HQ ACC (thru R.C. & M.C. Section and not this Subcommission).

G. R. UPJOHN,
Colonel,
Chief Legal Officer.

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

SUBJECT: Italian Soldiers of Yugoslav Origin.

TO : MLOs Regions 1, 2, 3, 4, 5, 6 & 7.
SLOs 5th & 8th Armies.

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(b) No member of the Italian armed forces, whatever his racial origin, may be permitted to leave his unit for the purpose of joining a Yugoslav unit.

(c) The only Italian personnel who may be recruited by the Yugoslav authorities are Italians of Slav origin who are NOT in the Italian armed forces and then subject to permission from HQ ACC (thru R.C. & M.C. Section and not this Subcommission).

G. R. UPJOHN,
Colonel,
Chief Legal Officer.

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

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

FILE 4132/4 (Brontrees)

(3)

SUBJECT Italian Deserters & Yugoslavs

To ~~Deputy Chief~~ Commissioner.

1. May authority be given for issue of a circular on the lines of the attached draft please.

2. I have perused the relevant file in your office and the letter from Admiral Morgan & believe the draft to be in accordance with policy already laid down.

C.R.
Gen MacFarlane
OK
GWS

4/27

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

...Lagonegro under S.L.O.Region II.

Napoli, Salerno, Avellino and San Angelo under S.L.O. Region III.

The functioning of the others must depend exclusively on military necessity and local conditions.

Benevento, Santa Maria Capua and Campobasso are reported to be to all intents and purposes destroyed.

4. Steps should be taken at once to co-ordinate the activities of S.L.Os. in Regions II and III, bearing in mind that Region II is also responsible for the seven tribunali under the Court of Appeal of Bari (Bari, Foggia, Lucera and Trani) and the detached section of Lecce (Lecce, Brindisi and Taranto).

5. As S.L.O. in Region II has followed, as far as possible, the directives and general instructions in force in Region I, it is suggested that S.L.Os. of Region III and IV should conform to the set-up already in existence in that Region bearing in mind however that instructions in regard to Procedure and personnel affecting the local courts should always come from the seat of the Court of Appeal on which they depend.

6. Temporary arrangements in connection with Tribunali situated in Regions II and IV, but under the Judicial control of the C.A.Napoli (Region III) should be worked out at an early date to prevent considerable difficulties when it will become possible to bring the existing Italian Judicial System back to normality.

C.G.HANNAFORD, Major,
Legal Division.

P.S. If the Province of Salerno is also under Region II, difficulties will be increased.

Distribution: Region II - (4); Region III - (4); Region IV - (4); AMGOT 15 Army Group-(2); File - (1); Float - (1); Spares - (10)

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

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S E C R E T

/rlp.

23

TRANSLATION

COPY

from the MMIA
1/103/A. = 29 Jan 1944

SUBJECT : Policy regarding Jugoslav Troops.

TO : High Command of the Royal Army
To the Minister of War.

Confidential

1. District No. 1 (Hatania Hq) and District No. 2 have been informed by the Headquarters of the Allied Forces that:

a. the applications cannot be received at present, for the reason that the applicant is of Jugoslav nationality, presented by soldiers on duty with the Italian Armed Forces, for reason of obtaining liberty for having enrolled in the Jugoslav army;

b. soldiers of Jugoslav origin who deserted from units of the Italian Army, will be returned to the latter.

2. The Allied Control Commission sent Colonel Zellars in Sicily to visit the "Sabauda" Division concerning desertions previously verified there.

3. The above is forwarded for your information.

General Brigade Commander
F. to Cap. Butterworth.

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Copy to: Maj Franklin C/o ACC, Palazzo del Governo, Taranto.

TRANSLATION
Dated 25 April 1944--rlp.

2

S E C R E T

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

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COPIA

(1)

SEGRETO

TRADUZIONE

Comando dalla MMIA
1/103/A. = 29 gennaio 1944.

OGGETTO: Politica nei confronti delle truppe jugoslave.

ALLO S.M.R.E.
AL MINISTERO DELLA GUERRA

1. Il N. 1 District (Comando di Catania) ed il N. 2 District sono stati informati dal Comando Forze Alleate che:

a) non possono essere presentemente accolte le domande - motivate dall'avere il richiedente nazionalita' jugoslava - presentate da militari in servizio nelle FF.AA. italiane, tendenti ad ottenere di essere lasciati liberi per essere arruolati nell'Esercito Jugoslavo;

b) i militari di origine jugoslava, che hanno disertato da Unita' dell'Esercito italiano, saranno restituiti a queste ultime.

2. La Commissione Alleata di Controllo ha disposto l'invio in Sicilia del Colonnello Bellars per visitare la Divisione "Sabauda" in relazione alle diserzioni in essa precedentemente verificatesi.

3. Quanto sopra vi viene comunicato per vostra informazione.

P. IL GENERALE DI BRIGATA COMANDANTE
F. to Cap. Butterworth

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Copia per il sig. Magg. FRANKLIN

presso Commissione Controllo Alleata

- Palazzo del Governo -

TARANTO

Col. Inf.
Chief Judicial Officer.
for Chief Civil Affairs Officer.

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SEGRETO

MINISTERO DELLE CORPORAZIONI

appunti su DUCE.

Conversazione N. 3 Corporazioni.

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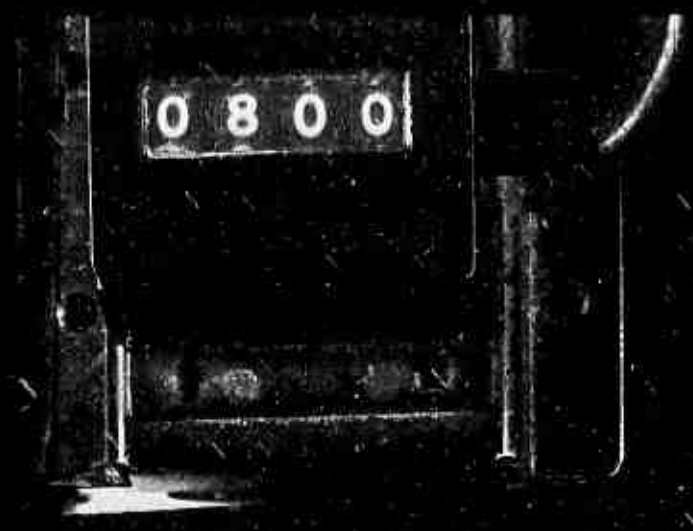
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