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ACC

10000/142/822

JURISDICTION
JUGOSLAVIA
SEPT. 1945

10000/142/822

JURISDICTION OF ALLIED COURTS OVER MEMBERS OF THE ROYAL
JUGOSLAV ARMY
SEPT. 1945 - MAY 1946

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4I32/L

AP/ns
20 May 1946.

SUBJECT : PIRO Sernej.

TO : Yugoslav Delegation to the
Advisory Council for Italy.

1. Reference is made to your Br 24I/46 of
20 February 1946.

2. This Sub Commission has now been advised
that the above mentioned has been held under arrest at
Treviso and for a certain period kept at the disposition of
the P.S.S. and the C.C.N.R. He was released on 26 November 1945.

3. He was arrested at Mestre for unlawful
carrying of arms and also because he was suspected of espionage.
He was released by order of the Allied Military Government
on 26 November 1945 and escorted to Udine. On 27 November
1945 he was handed over to the Frontier Commissariat of Tarvi-
sio in order to be expelled beyond the Morgan Line.

4. No further information could be obtained.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor. 13



MINISTERO DI GRAZIA E GIUSTIZIA

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

Ufficio I° A.P.
Prot. N° 917.131.436 Bis.

Risposta al f. N° 40/4232.I.
del 23.3.1946

OGGETTO: PIRC Sernej - detenuto.-

la COMMISSIONE ALLEATA
Sottocommissione Legale

ROMA

e per conoscenza:
All'UFFICIO COLLEGAMENTO

S E D E

Il Procuratore Generale presso la Corte di Appello in Venezia al quale furono richieste le informazioni richieste da codesta Commissione, ha ora riferito che il capo dell'Ufficio del P.M. presso la Sezione Speciale di Corte di Assise in Treviso ha comunicato quanto segue:

""Il PIRC Sernej fu detenuto in Treviso prima a disposizione delle FSS e poi dell'Arma dei CC.RR. sino al 26 11.1945.-

Era stato arrestato in Mestre per porto d'arma senza licenza e perchè sospetto di spionaggio. A seguito di ordine dell'Autorità Alleata dell'A.M.G. il 26 novembre 1945 preso in consegna da un sottufficiale dell'Arma fu tradotto a Udine e di lì il giorno 27 avviato a Tarvisio dove fu consegnato al Commissariato di frontiera per essere espulso oltre la linea Morgan.-

Altro non risulta""

LEGAL SUB.COMMISSION

LO

DO

Per il MINISTRO

[Signature]

13

18 Maggio

4132/2 ✓

8A

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

Tel. 478895

PSL/T/1/671

Rome, 24th November 1945.

Subject : S/Lt. Ilich PREDRAG of the Royal Yugoslav Army.
To : Legal Sub-Commission, H.Q., A.C.

1. Reference your AC/4132/2/L dated 20th November, 1945.
2. In consideration of your decision that the case of the above named will be tried by an Allied Military Government Court it is requested that the Officer delegated by you to conduct the prosecution will contact this Office in order that he may obtain from the Italian Police full details of the evidence in their possession.

W. L. Wilson Capt.

W. L. Wilson, Capt.
A.C. Public Safety, L.C.

LEGAL SUB COMMISSIO	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Liaison	
CL RKS	
2 NOV 1945	

Phoned AMM here
letter will
be sent
28/12/45

11

478895 - Milham & Co

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

YA

AC/4132/2/L.

/es
20 November 1945

SUBJECT : S/LT. ILICH FREDRAG of Royal Yugoslav Army.
TO : Public Safety Liaison Office; RAAC Questura Bldg.
Via S. Vitale - ROME.

1. Reference your PSL/T/1/671 of 29 September 1945.
2. This Sub-Commission has no objection to this case being tried by a AMG Court as directed by APH, G-5 Section in their G-5: 250. 1-5 of 9 October 1945, copy of which is attached for your information.

By Command of Rear Admiral STONE :

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

Encl.

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6A

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

478895

5 NOV 1945

PSL/T/1/671

Rome, 2nd November 1945.

To : A.C./H.Q. - Legal Sub-Commission.
Subject : Allied forged permit for use of Allied Military
tyres on a civilian vehicle by one S.Lt. Ilich
Predrag of Royal Yugoslav Army.

1A

May we be favoured with an early reply to
letter PSL/T/1/671 of 29th Sept. 1945, regarding a/
subject, please?

Capt. Wilson

704

478895

ALLIED COMMISSION	
C.O.	
DCIO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	
5 NOV 1945	

W.L. Wilson Capt

W.L. Wilson, Capt.

P.S. Liaison Officer.

55A9

Telephoned to Capt. Wilson
Copy of AFHQ's letter, 4A, was sent to
Public Safety on 18 Oct. & given the information
required.
No further reply from Legal S/C is wanted by P/L
8 Nov. 45

4132/2

5-A

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

PSL/A/10/92/

Rome, 31st Oct. 45.

Subject : Mascrid George and other Yugoslav subjects.
To : Questore - Rome.

1B

Ref. your letter No. 012636/14.A.12 dated 27th Sept. 45.

1. This case was referred to Allied Force Headquarters and we are advised that "There is no good reason why members of the former Royal Yugoslav Army should not be tried by Italian Courts unless some Allied interest is involved, in which case they should properly be tried in AMG courts. It is, however, believed to be preferable to make no general ruling but to deal with each case as it arises."
2. A.M.G. Courts, as you are aware, operate in Italian Government Territory only in exceptional cases.
3. It appears, therefore, that the men should be charged in accordance with Italian Laws if it is considered that sufficient evidence exists to warrant such action or alternatively dealt with as suggested by you.

for info.

W.L. Wilson
W.L. Wilson, Capt.
P.S. Liaison Officer.

→

Copy to : Legal S/C., A.C.
(AC/4132/2/L of 5/10/45 refers)

3A

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Legal 3/c

4A

13 OCT. 1945

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 250.1-5

9 October 1945

SUBJECT: Trial of former members of Royal Yugoslav Army in Italian Government territory.

TO : Headquarters, Allied Commission, APO 394.
(Attention: Legal Sub-Commission)

3A

Reference is made to your AG/4132/2/L dated 5 October 1945 subject as above.

There is no good reason why members of the former Royal Yugoslav Army should not be tried by Italian Courts unless some Allied interest is involved, in which case they should properly be tried in AMG courts. It is, however, believed to be preferable to make no general ruling but to deal with each case as it arises.

10 OCT 1945

[Signature]

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

Copy of this letter
passed to Ous. Staff
this day by
Col. Weber.

18 Oct 45. S/Staff J. L. Lelb

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
14 OCT 1945

7

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

NO/4132/2/L.

GCH/ps.
5 Oct 1945.

SUBJECT : Trial of Yugoslav members of Royal Yugoslav Army
in territory restored to Italian administration.

TO : AFHQ, 8-5.

1. A number of officers, allegedly members of the Royal Yugoslav Army, but not recognized as such by the Yugoslav delegation in Rome have been arrested by Allied Military Police and also by the Gendarmerie and charged with offences affecting both Allied and Italian interests.
 2. Public Safety has approached this sub-commission in order to ascertain the military, juridical and political status of the arrested persons. As you are no doubt aware such status would determine whether they should be tried by an Allied or an Italian court.
 3. POLAND have been consulted and although they fully realize the desirability of giving to all Yugoslav citizens equal juridical treatment, they have suggested that the matter be referred to you for decision.
 4. This sub-commission is of opinion that members of the Royal Yugoslav Army, who can give satisfactory evidence of such membership should be tried by Allied Military Courts whether they have rallied to the present Government or on the contrary are loyal to the King but not to Tito.
 5. Trials by Italian Courts of military personnel having at same time or other fought with the United Nations would in the opinion of this sub-commission create an unfortunate precedent which should be avoided if possible.
 6. Could a ruling be given please.
- for the Chief Commissioner :

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

Copy to : HEAD (A)
HEAD (B)
Public Safety W/O. (Attn: Lt. Col. MITCHELL).

4/13/2/2

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

(2A)

PSL/A/10/ 409

To : Col. Hannaford - Legal Sub-Commission -
From : Lt. Col. R.T. Millhouse, L.O.
Subject : Arrest of Yugoslav subjects for criminal activities.-

Rome, 4th Oct. 45.-

Herewith copies of two letters received from
the Questura on the subject of Yugo-Slav.-

Your advice would be appreciated.-

R.T. Millhouse
R.T. Millhouse, Lt. Col.
A.C. Public Safety, L.O.

Enclosures: 2

LEGAL SUB COMMISSION	
CLO	
DCLO	A ←
Chief Counsel	
CJO	
Italian Liaison	
CL 1003	

OCT 1945

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file

Copia

REGIA QUESTURA = ROMA =

N.012636=14.A.12

27 settembre 1945

OGGETTO : Makrid George di Filippo nato a Niksic il 6/5/1920 -
Nikcevic Niko fu Nicola nato a Niksic il 17/1/1899 -
Javanovic Ljubomir di Lazzaro nato a Danilov il 17/10/
1917 -

Al Sig. Col. Millhouse, L.C.

I tre jugoslavi sopraindicati - i quali in questo Ufficio hanno dichiarato di essere stati militari nell'esercito jugoslavo - qualche settimana fa presentavano al Comando Alleato tre distinte domande intese ad ottenere un permesso di viaggio per l'Austria, ove, a loro dire, avrebbero dovuto recarsi per conto della Missione Reale Jugoslava in Italia. - Dette domande scritte in lingua inglese, erano redatte su appositi moduli della Missione Reale Jugoslava in Italia e recavano la firma del Capo Missione Vukotitch nonche il timbro dell'Ufficio. -

Poichè detta Missione si era sciolta ed il Vukotitch era assente, il Comando Alleato non dava corso alle richieste e interessava questo Ufficio per l'interrogatorio di detti jugoslavi, avendo il sospetto trattarsi di falsificazioni. -

Qui accompagnato ed interrogato, Makrid George dichiarava che avendo urgenza di partire per l'Austria insieme con i due suoi connazionali aveva imitato la firma del Colonnello Vukotitch su i tre moduli scritti a macchina e già timbrati, ritenendo il fatto di nessuna entità e confidando nella bontà del Vukotitch. - Aggiungeva che i moduli gli erano stati forniti da un altro Ufficiale di cui non ricordava il nome. -

Il Colonnello Vukotitch, che intanto ha fatto qui ritorno, dichiarandosi attualmente ufficiale di collegamento fra il Comando Alleato ed il Generale Damianovic comandante delle Forze Jugoslave in Italia, con sede ad Eboli, ha reso noto che desidererebbe che previo assenso alleato e delle Autorità Italiane, i tre suoi connazionali fossero avviati al Campo di Eboli dove verrebbero sottoposti a provvedimenti disciplinari. -

Nel comunicare quanto sopra si prega di compiacersi fare conoscere se sia il caso di aderire e come questo Ufficio riterrebbe data la qualifica di ex militari degli jugoslavi di cui trattasi - alla proposta del Colonnello Vukotitch ovvero di procedere penalmente contro i predetti denunciandoli all'Auto-

.../...

rità Giudiziaria per quei reati che ai sensi della nostra legge
i fatti commessi possano configurare.--

F.to IL QUESTORE

TRANSLATION

Letter dated 29/9/45 from R. Questura - Ufficio Stranieri - Roma -

Subject : Signal -

To : Lt. Col. R.T. Millhouse, L.O

For Police enquiries relating to theft of motor cars and black market dealings yesterday following yugoslav subjects have been accompanied to this Office.-

For the further development of the investigation which seems to be a rather intricate one, it is deemed advisable to detain the accused.- Further report will be submitted :

SOPALOVIC Milovan of Milovan - PETROVIC Cedomir of Janko - BRKIC Dragomir of late Milorad - RUZIC Wlastimic of late Velimir - IEVCHENIJVIC Vgislav of Zivojin - MILAN Bradic of Borrovoje - DRASKOVIC Liubisa of late Vidah - IAPCOVIC Liuba of Petar.-

3

Sgn; THE QUESTORE
Solimando

(2d)

Copia

R. QUESTURA DI ROMA
Ufficio Stranieri

652/29/9/45

28/9/45

OGGETTO : Fonogramma

Al : Lt.Col. R.F. Millhouse, L.O.

Ieri sono stati fermati per indagini di Polizia Giudiziaria connessi con sottrazione di alcune auto e per sospetti traffici in borsa nera i sottosegnati jugoslavi.- Per l'ulteriore sviluppo delle investigazioni stesse, che si presentano complesse, si ritiene opportuno mantenere il fermo. Si fa riserva di ulteriori riferimenti.-

SOPALOVIC Milovan di Milovan - Petrovic Cedomir di Janko
BRKIC Dragomir fu Milorad - RUZIC Wlastimic fu Velimir -
IEVGHEMIJVIC Vgislav di Zivojin - MILAN Bradic di Borrovoje -
DRASKOVIC Liubisa fu Vidah - IGMANOVIC LIUBA di Peter.-

F.to IL QUESTORE
Solimando

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

PSL/T/1/671

To : A.C./H.Q. Legal Sub-Commission (for attention of Lt. Col. R.T. Millhouse)
From : Lt. Col. R.T. Millhouse, L.O.
Subject : Allied forged permit for use of Allied Military
tyres on a civilian vehicle by one S/Lt. Ilich
Predrag of Royal Yugoslav Army.-

Rome, 29th Sep. 45.

Provost Marshal R.A.A.C. has requested the advise
of this Office as to further disposal of above case.- Atta-
ched copy of S.I.B. report refers.-

The points raised are :

- a) - Whether S.Lt. Ilich, R.Yugoslav Army, should be conside-
red a member of Allied Forces and as such be tried by a
Military Court, or
- b) - whether the case should be referred to Italian Civil Po-
lice with request that it be dealt with under Italian Law.-

May this Office be favoured with your considered
opinion as to which course is advisable.-

LEGAL SUB-COMMISSION

CLO

CLO

Chief Counsel

CLO

Italian

CLO

R.T. Millhouse, Lt. Col.
A.C. Public Safety, L.O.

Enclosures: 1

30 OCT 1945

Tel. No.
478895

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

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RAPPORTO DEL DUCE

7 novembre XXI

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