

# UNWCC

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NORWAY — YUGOSLAVIA

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PAG - 3/1.3.

File No. 3.21 Y

Series 3. Charges

YUGOSLAVIA  
CORRESPONDENCE  
WITH  
NATIONAL OFFICE



3.21 Y

Yugoslav War Crimes Commission,  
195, Queen's Gate,  
S.W.7.

P. No: 368.

15th  
September,  
1944.

United Nations War  
Crimes Commission.

Seven charges against German and Italian war criminals are submitted on behalf of the Yugoslav Government for registration and examination by the Commission.

Three of the charges relate to German crimes (R/N/1; R/N/2; R/N/3) and four to Italian crimes (R/I/1; R/I/2; R/I/3; R/I/4).

R. Živković

(R. Živkovic)  
Act. Chairman,  
Yugoslav War Crimes Commission.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

YUGOSLAV

National Office of the following <sup>seven</sup> cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/N/1	305/Y/G/1	BADER
R/N/2	306/Y/G/2	MEISSNER, August
R/N/3	307/Y/G/3	Kdr. General und Befehlshaber in Serbien in 1943
R/I/1	308/Y/It/1	TESTA
R/I/2	309/Y/It/2	SPITALERI PASSARELLO, Cosimo
R/I/3	310/Y/It/3	CELLINI, Candido
R/I/4	311/Y/It/4	FIOCHI BRUCCIAMONTE

Date 18th September 1944

Signed

*F. J. Pittendrigh*  
Chief Clerk



No: P 384

September 23, 1944.

The United Nations War Crimes Commission.

Six charges against Italian and German criminals are submitted on behalf of the Yugoslav Government for registration and examination by the Commission.

Five of the charges relate to Italian crimes R/I/5,6,7,8,9) and one to a German crime (R/N/4).

R. Živković

(R. Živković)  
Act. Chairman,  
Yugoslav War Crimes Commission.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
..... YUGOSLAV ..... National Office of the following six cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/N/4	321/Y/G/4	1. DANKELMANN 2. MEISSNER 3. German officer 4. Others
R/I/5	322/Y/It/5	1. FIRZIO-BIROLI, Alessandro 2. Others
R/I/6	323/Y/It/6	1. MAINERI, General 2. O.C. 48th Regimento d'Infanteria 3. Others
R/I/7	324/Y/It/7	1. COCCIA Colonel 2. Italian soldier
R/I/8	325/Y/It/8	RONDONINI
R/I/9	326/Y/It/9	MAROTI & others

Date . 25th Sept. 1944

Signed . F. J. Patterson . . . . .  
Chief Clerk

No. P 390

195, Queen's Gate,  
S.W.7.

29th September, 1944.

The United Nations War Crimes Commission.

One charge (R/M/1) against Hungarian war criminals  
is submitted on behalf of the Yugoslav Government for  
registration and examination by the Commission.

R. Živković

(R. Živković)  
Act. Chairman,  
Yugoslav War Crimes Commission.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAV  
..... National Office of the following <sup>one</sup> cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
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R/M/1

333/Y/H /1

1. KALAY
2. FEKETHALMY-CZEYDNER, Ferencz (or Istvan)
3. BAYOR, Vitez Ferencz
4. NOVAKOVICS, Bela
5. GRASSY, Jozsef
6. DEAK, Ladislaus
7. ZOLDI, Martin
8. ESSO
9. BERECH
10. KUN
11. GUNDE
12. DOMO, Otto
13. ALL officers, N.C.O.s and men of 16th  
Infantry Frontier Reg..
14. SEVERAL Hungarian units
15. ALL Hungarian police officials
16. ZOMBORI, Gyula
17. MIHALOVICS, Dr.
18. RACS, Dr.
19. KONYOKY, Dr. Jozsef
20. GROSZ, Dr.
21. OLAH, Dr. Elemer
22. KANTOR, Dr. Janos
23. KOLTAI, Dr.
24. NEMET, Laszlo
25. HREYI
26. FOLDESI
27. BALOS
28. BAUER
29. BALAS
30. GESZTESI
31. DEAK, Dr. Leo
32. REK, Dr. Ander
33. APATINI FERENBACH (or FAHRENBACH), Peter
34. NAGY (or NADY), Dr. Miklos
35. HORVATH, Dr. Kasper
36. VUKOVARY, Dr.

Date 2nd Oct. 1944

Signed *F. J. P. ...*  
Chief Clerk

No. 403

October 7, 1944.

The United Nations War Crimes Commission.

One charge (R/B/1) against Bulgarian war criminals  
is submitted on behalf of the Yugoslav Government for registration  
and examination by the Commission.

R. Živković

(R. Živković)  
Act. Chairman,  
Yugoslav War Crimes  
Commission.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** National Office of the following one case:

<u>National</u> <u>Office No.</u>	<u>Registered by</u> <u>Secretariat</u> <u>under No.</u>	<u>Name of accused</u>
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R/B/1

331/Y/Bu/1

1. Mitko PISAROV
2. Rado RACEV
3. PETKOV
4. Georgi POPOV
5. PUSKAREV
6. BAJKUSEV
7. VAZAROV
8. CONEV
9. ENEV
10. NAJDANOV
11. GORCILOV
12. Other perpetrators.

I take this opportunity of confirming that the number of the Yugoslav-Hungarian case (National Office No. R/M/1) registered as 333/Y/H/1 has been changed to 327/Y/H/1.

Date 9th Oct. 1944. .

Signed . . .

*F. J. Pittendrigh*  
Chief Clerk

No: P. 413

October 13, 1944.

The United Nations War Crimes Commission.

One charge (R/I/10) against Italian war  
criminals is submitted on behalf of the Yugoslav  
Government for registration and examination by the  
Commission.

R. Živković

(R. Živković)  
Act. Chairman,  
Yugoslav War Crimes Commission.

20th October 1944.

Dear Sir,

In accordance with the decision adopted by Committee I on September 26th, I beg to inform you that a charge has been submitted to the Commission which concerns one or more of your nationals.

The charge relates to:

Ill-treatment of prisoners-of-war at Corinth and on a march from Corinth to Salonika (Reg. No. 336/UK/G/78).

This notice is sent to you in case your Government desires to take any action.

Yours faithfully,

For the Secretary-General,

W.

Monsieur R. Zivkovic,  
X Yugoslav Embassy  
195, Queen's Gate,  
S. W. 7.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** National Office of the following **one** case:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

B/I/10

341/Y/I4/10

GIUNTA, Francesco  
and others

Date . 21st Oct 1944 .

Signed . . .

*F. J. Pittendrigh*

Chief Clerk

No: P. 430

Yugoslav War Crimes Commission,  
195, Queen's Gate,  
S.W.7.

October 25, 1944.

The United Nations War Crimes Commission.

A Charge (R/I/11) against Italian war criminals is submitted  
on behalf of the Yugoslav Government for registration and examination  
by the Commission.

*R. Zimarić*

Act. Chairman,  
Yugoslav War Crimes Commission.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** National Office of the following <sup>one</sup> cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/1/11	364/Y/14/11	1. MUSSOLINI, Benito 2. GRAZIOLI, Emilio 3. ROBOTTI, Mario 4. MADORI 5. Officers in charge of concentration camps. 6. Other perpetrators

Date . . . . . 27th Oct. 1944

Signed . . . . . *F. J. Pittendrigh*  
Chief Clerk

No. P. 457

Yugoslav War Crimes Commission,  
195, Queen's Gate,  
S.W.7.

November 3, 1944.

The United Nations War Crimes Commission.

Three Charges against German war criminals  
(R/N/5, R/N/6 and R/N/7) are submitted on behalf of  
the Yugoslav Government for examination and registration  
by the Commission.

*R. Živnić*

Act. Chairman,  
Yugoslav War Crimes Commission.

No. P. 457

Yugoslav War Crimes Commission,  
195, Queen's Gate,  
S.W.7.

November 3, 1944.

The United Nations War Crimes Commission.

Three Charges against German war criminals  
(R/N/5, R/N/6 and R/N/7) are submitted on behalf of  
the Yugoslav Government for examination and registration  
by the Commission.

*R. Živnić*

Act. Chairman,  
Yugoslav War Crimes Commission.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **three** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/N/5	378/Y/G/5	1. RENDULIC 2. KUM 3. RYBKA 4. Others.
R/N/6	379/Y/G/6	1. DANKELMANN 2. FUCHS, Dr. 3. SCHAEFER, Dr. 4. Others
R/N/7	380/Y/G/7	1. GRAENER 2. WYKLEFF 3. ANTHOESS 4. ENTREST 5. SCHWARZHUBER 6. PALITSCH 7. STIWETZ 8. BOEHM, Arno 9. NEUMANN, Alexander 10. OSTERINGER, Rudi 11. HAEMERLE, Albert 12. BERCHERT, Rudi 13. ZIMMER 14. STAHLER, Alvis 15. KLEIN, Alfred 16. Others.

Date 8th Nov. 1944 . . .

Signed . . . *F. J. Pittendrigh* . . .

Chief Clerk

No: P- 484

November 24, 1944.

The United Nations War Crimes Commission.

Two charges against Hungarian war criminals (R/M/2 and R/M/3), one charge against German war criminals (R/N/8), and one charge against Italian war criminals (R/It/12) are submitted herewith on behalf of the Yugoslav Government for registration and examination by the Commission.

*R. Z. Zverev*

Act. Chairman,  
Yugoslav War Crimes Commission.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **four** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/M/2	395/Y/H/2	1. HAJIAL, Vitez 2. GATARY, Vitez 3. Others
R/M/3	396/Y/H/3	1. NOVAKOVICS, Bela 2. VERES, Vitez Lajos 3. BAYOR, Vitez Ferenc 4. KUN 5. Others.
R/N/8	397/Y/G/8	1. KIEFER 2. An officer of the Wehrmacht 3. HEIMANN 4. EVES 5. ETSCHIED 6. KRANZ 7. RIMER 8. BREITSCHEIDER 9. HELLMANN
R/It/12	398/Y/It/12	1. TUCCI 2. Others

Date . 27th Nov.. 1944 .

Signed . . . . .

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

YUGOSLAV

National Office of the following four cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/M/2	395/Y/H/2	1. HAJNAL, Vitez 2. CATARY, Vitez 3. Others
R/M/3	396/Y/H/3	1. NOVAKOVICS, Bela 2. VERES, Vitez Lajos 3. BAYOR, Vitez Ferenc 4. KUN 5. Others.
R/N/8	397/Y/G/8	1. KIEFER 2. Amiofficer of the Wehrmacht 3. HEIRMANN 4. EWES 5. ETSCHIED 6. KRANZ 7. RIMER 8. BREYTSCHNEIDER 9. HELLMANN
R/It/12	398/Y/It/12	1. TUCCI 2. Others

Date . 27th Nov. 1944 .

Signed . . . . .

Chief Clerk

No: P. 512

December 15, 1944.

The United Nations War Crimes Commission.

Two Charges against German war criminals (R/N/9 and R/N/10)  
and one Charge against Bulgarian war criminals (R/B/2) are  
submitted herewith on behalf of the Yugoslav Government for  
registration and examination by the Commission.

*R. Zovnerić*

Yugoslav Delegate to the  
United Nations War Crimes  
Commission.

3.51  
20th December, 1944.

Dear Monsieur Zivkovic,

I beg to enclose herewith, with apologies for the delay, a copy of the appreciation of the Novi Sad Massacre which Committee I last week decided should be put at the disposal of the Yugoslav National Office à toutes fins utiles.

The quotation comprises the whole section dealing with the actual massacre and not with the part read by Sir Cecil. I am not at liberty to indicate here the document from which it is taken.

Yours sincerely,

*Huck W.*

Monsieur R. Zivkovic,  
195, Queen's Gate,  
London,  
S.W.7.

December 20, 1944.

No: P. 519

The United Nations War Crimes Commission.

Two Charges against Italian war criminals (R/It/13 and R/It/14) and a further addendum to the Yugoslav Charge against Hungarian War Criminals R/M/1-327/Y/H/1 are herewith submitted on behalf of the Yugoslav Government for registration and examination by the Commission.

*R. Zimovic*

Yugoslav Delegate to the  
United Nations War Crimes  
Commission.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

YUGOSLAV

National Office of the following two cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
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R/It/13	461/Y/It/13	BRUNELI (or BRUNELLI) and others
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R/It/14	462/Y/It/14	GAETANI, Giuseppe and others
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Date . 22nd December,

Signed . *F. J. Pittendrigh* . . . . .  
Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
... YUGOSLAV ... National Office of the following three cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

R/B/2 425/Y/Bu/2

1. BELEV Dr. Aleksander
2. BAKRODJLJEV
3. POPOV, Georgi
4. KONSTANTINOV
5. PUSKAREV+
6. RACEV, Raco
7. GORCILOV
8. BAJKUSEV
9. VASAROV
10. KONEV
11. ENEV
12. NAJDANOV
13. KRSTEV
14. Others

R/N/9 426/Y/G/9

1. HESCHE
2. LAMPE
3. Others

R/N/10 427/Y/G/10

1. TERBOVEN, Josef
2. SS. Officer, Camp Commandant  
at Beisfjord
3. Others

Date . 4th January, 1945

Signed . F. J. Pittendrigh . . . . .  
Chief Clerk

P.542

195, Queen's Gate,  
S.W.7.

January 25, 1945.

The United Nations War Crimes Commission

Two Charges against German war criminals (R/N/11 and R/N/12),  
one Charge against Hungarian war criminals (R/M/4) and  
one Charge against Italian war criminals (R/It/15) are herewith  
submitted on behalf of the Yugoslav Government for registration  
and examination by the Commission.

*Lazar Marković*

For Yugoslav Delegate  
to the United Nations War  
Crimes Commission.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
..... National Office of the following . . . cases:  
**YUGOSLAV** **four**

<u>National</u> <u>Office No.</u>	<u>Registered by</u> <u>Secretariat</u> <u>under No.</u>	<u>Name of accused</u>
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R/N/11	544/Y/G/11	Officer o/c the 777 Landesschutzen Battalion and others.
R/N/12	545/Y/G/12	DOLFS, and others
R/M/4	546/Y/H/4	NOVAKOVICS, Bela, and others
R/It/15	547/Y/It/15	CATTELANO Soldier of 11th Batt., Guastatori.

Date  
26th Jan. 1945.

Signed *F. J. Pittendergh*  
Chief Clerk

No: P. 547

195, Queen's Gate,  
S.W.7.

February 1, 1945.

The United Nations War Crimes Commission.

Three Charges against Italian war criminals  
(R/It/16, R/It/17 and R/It/18) and one Charge against  
German war criminals (R/N/13) are herewith submitted on  
behalf of the Yugoslav Government for examination and  
registration by the Commission.

*Lazar Marković*

For Yugoslav Delegate to the  
United Nations War Crimes  
Commission.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAV . . . . . National Office of the following four cases:

<u>National</u> <u>Office No.</u>	<u>Registered by</u> <u>Secretariat</u> <u>under No.</u>	<u>Name of accused</u>
R/N/13	585/Y/G/13	RUELER, and others
R/It/16	586/Y/It/16	CHINICI, Dominico, and others
R/It/17	587/Y/It/17	BANDINI, Atilio, and others
R/It/18	588/Y/It/18	PIZZI, Giuseppe, and others

Date 6th February, 1945

Signed .

*F. S. Pittendrigh*  
Chief Clerk

p. 553

195, Queen's Gate,  
S.W.7.

February 13, 1945.

United Nations War Crimes Commission.

One Charge against German war criminals (R/N/14),  
one Charge against Italian war criminals (R/It/19) and  
an Addendum to the Yugoslav Charge against Italian war  
criminals R/It/11 -364/Y/It/11 are herewith submitted  
on behalf of the Yugoslav Government for examination  
and registration by the Commission.

For Delegate to the Yugoslav  
War Crimes Commission

*Lazar Marković*

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
... YUGOSLAV ... National Office of the following three cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of accused</u>
R/N/14	595/Y/G/14	Officer commanding 118 German Division and others.
R/It/19	596/Y/It/19	ZERBINO, Paolo, and others.
R/It/11 (Addendum)	364/Y/It/11	ROATEA, Mario, and others.

Date 15 Feby. 1945.

Signed . . . . .

*Y. J. Pittendrigh*

Chief Clerk

No. P. 554

195, Queen's Gate,  
S.W.7.

February 16, 1945

The United Nations War Crimes Commission.

Two Charges against Italian war criminals  
(R/It/20 and R/It/21) are submitted herewith on  
behalf of the Yugoslav Government for examination  
and registration by the Commission.

For Yugoslav Delegate to  
the United Nation War  
Crimes Commission.

*Raul Kuip*

6

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAV . . . . . National Office of the following two cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

R/It/20

600/Y/It/20

1. GRAZIANI, Fernando
2. PANICUCCI, Gino
3. GUGLIOTTE
4. Others

R/It/21

601/Y/It/21

1. PARDINI, Giuseppe
2. Others

Date : 19th February, 1945

Signed . . . . .

*F. J. Patterson*

Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV

Cases: Report No. 1

The following decisions were taken on 20 Feb. 1945 by  
Committee I on the cases mentioned below.

Case		Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	Nat. Off. No.	accused No.	
545/Y/G/12	R/N/12	(1 2	A C
595/Y/G/14	R/N/14	1 and 2 3 and 4	A C
600/Y/It/20	R/It/20	1, 2 and 3 4	A C
596/Y/It/19	R/It/19	1-4	A
601/Y/It/21	R/It/21	1 2	A C

- (1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.
- (2) A means that the accused will be listed as a war criminal;  
B means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until  
or Adjourned further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.

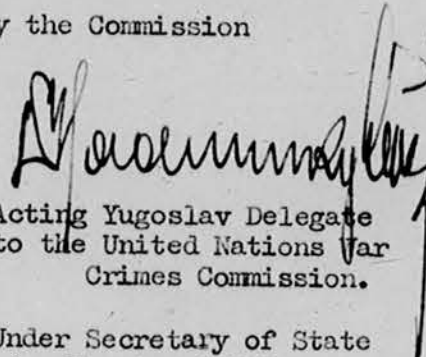
No. 564

195, Queen's Gate,  
S.W.7.

March 2nd, 1945

The United Nations War Crimes Commission.

One Charge against Albanian war criminals (R/Al/1),  
one Charge against Bulgarian war criminals (R/B/3) and  
one Charge against Italian war criminals (R/It/33) are  
herewith submitted on behalf of the Yugoslav Government  
for examination and registration by the Commission



Acting Yugoslav Delegate  
to the United Nations War  
Crimes Commission.

Under Secretary of State  
for Foreign Affairs.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretary of the War Crimes Commission acknowledges receipt from the  
..... National Office of the following ..... cases:

<u>National Office No.</u>	<u>Registered by Secretary under No.</u>	<u>Name of accused</u>
R/It/22	612/Y/It/22	SPIGO, Umberto, and others
R/B/3	613/Y/B/3	PANEV, Petar, and others
R/Al/1	614/Y/Al/1	BOLJOTINAC, Bajasit Isa, and others

8th March, 1945

Date .....

Signed .....

*F. J. Pittendrigh*

Chief Clerk

## UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

**YUGOSLAV**

Cases: Report No. 2

The following decisions were taken on **14 March, 1945** by Committee I on the cases mentioned below.

<u>Case</u>	<u>Person or Unit</u> <sup>(1)</sup>	<u>Classification</u> <sup>(2)</sup>
W.C.C. No.	<u>accused</u>	
Nat. Off. No.	No.	
612/Y/I4/22	1	A
	2	C
613/X/B/3	1 and 2	A
	3	C
614/Y/A1/1	1 and 2	A
	3	C

- (1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.
- (2) A means that the accused will be listed as a war criminal;  
B means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until  
or Adjourned further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
... **YUGOSLAV** ... National Office of the following **three** cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

**R/It/23**

**621/Y/It/23**

**PEDRAZOLI  
and others**

**R/It/24**

**622/Y/It/24**

**ZONI, Francesco  
and others**

**R/It/25**

**623/Y/It/25**

**ROMEO, Pietro  
and others**

Date **16th March 1945**

Signed

*F. J. P. ...*

Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV Cases: Report No. 3.

The following decisions were taken on 21 March, 1945 by Committee I on the cases mentioned below.

Case		Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	Nat. Off. No.	accused	
		No.	
621/Y/I/23	R/I/23	1 and 3	A
		2	C
622/Y/I/24	R/I/24	1, 2, 3 and 6	A
		4 and 5	C
623/Y/I/25	R/I/25	1 to 19	A
		20 and 21	C

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
B means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.

203

April 20th, 1945.

Dear Sir,

The Committee on Facts and Evidence (Committee I) discussed in its meeting held on April 18th, 1945, the question of taking up old cases submitted by the National Offices which had not led to the inclusion of the accused persons on the Commission's List A, and decided to invite the National Offices to inform the Committee of those cases which they wished to have re-opened.

I shall be very grateful if you can communicate this suggestion to your National Office.

Yours faithfully,

(s) H. McK. W.

Secretary General.

Dr. V. Ribarž,  
195 Queen's Gate,  
S.W. 7.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** . . . . . National Office of the following **one** case/

National  
Office No.

Registered by  
Secretary of  
State No.

Name of accused

**R/It/26**

**848/Y/It/26**

**BASTIANINI and others**

Date **22nd May, 1945**

Signed **F. J. Pittendrigh**  
Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION.

CASES DEALT WITH BY COMMITTEE I

**YUGOSLAV**

Cases: Report No.

23rd May 1945

The following decisions were taken on \_\_\_\_\_ by \_\_\_\_\_  
Committee I on the cases mentioned below.

<u>Case</u>	<u>Person or Unit</u> <sup>(1)</sup>	<u>Classification</u> <sup>(2)</sup>
W.C.C. No.	<u>accused</u> No.	
848/Y/It/26	1, 2 and 3	All A

- (1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.
- (2) A means that the accused will be listed as a war criminal;  
E means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until  
or Adjourned further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.



Note: This is a document intended exclusively for the personal use of members of the Commission and their substitutes.

SECRET

II/43  
25 May, 1945

UNITED NATIONS WAR CRIMES COMMISSION

---

SURRENDER OF A WAR CRIMINAL:  
REQUEST BY THE REPRESENTATIVE OF YUGOSLAVIA

The Chairman of the Commission feels that the Commission's competence to grant the requests made in the following communication is sufficiently doubtful to make it desirable for the matter to be examined by Committee II.

Communication from Dr. Zivković  
dated 24 May, 1945

---

- "1. Giuseppe BASTIANINI, who was charged a few days ago on behalf of the Yugoslav Government (Charge R/It/26) has been put on the list of the War Crimes Commission.
2. Information has reached me that BASTIANINI has been given asylum in Switzerland and I have been instructed by my Government to bring this fact to the notice of the Commission and to make an official request for the surrender of BASTIANINI to the Yugoslav Government.
3. In view of the pledge of all the neutral countries not to grant asylum to war criminals, and having regard to an official statement made by the Swiss Government over the radio, a copy of which is attached, from which it appears that the Swiss Government recognize BASTIANINI's presence in Switzerland, the United Nations War Crimes Commission is requested to inform the Allied authorities concerned of this fact, so that they may take action with a view to obtaining the surrender of BASTIANINI to the Yugoslav Government.
4. In any case, the Swiss Government should be authoritatively informed by the United Nations War Crimes Commission that BASTIANINI is on its list, and that the Yugoslav Government have officially requested his surrender through the channels of the Commission.
5. The matter will also in due course be taken up directly by the Yugoslav Government with the Swiss Government, and the other Governments concerned."

/ ANNEX



ANNEX

"It is officially announced: During the past few days some reports have appeared in the Swiss press with regard to the Bastianini case. The facts which are simple, are as follows:

On May 11th, the Yugoslav Legation in Berne, during an official visit informed the Swiss authorities that Bastianini was on the Yugoslav list of war criminals and that it was desirable for him to be watched during his stay in Switzerland in order to prevent him from evading a request for extradition by flight.

At the request of the Political Department, the Yugoslav Minister confirmed these views in writing on May 14.

No request for extradition has been made, either verbally or in writing.

It was clearly stated that the Yugoslav Government would make a special enquiry into the case of Bastianini, reserving for itself the right to take the necessary steps according to the results of the investigations. Attention has been drawn on this occasion to the United Nations' declaration on war crimes.

From these facts it can be gathered that the Yugoslav Government has not yet completed its investigations. At any rate, that Government has not yet made a request for Bastianini's extradition.

Swiss Home Service (in French)  
19.5.45. (20.15)"

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
..... **YUGOSLAV** ..... National Office of the following **three** cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

R/N/16

888/Y/G/15

NEIDHOLDT  
BUEMANN

R/N/15

889/Y/G/16

KRITEL Wilhelm  
von WEIGER Maximilian

R/It/27

890/Y/It/27

ROATTA Mario; and others

Date . . . . . 7th Jun, 1945

Signed . . . . . *X. J. P. [Signature]*  
Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION.

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV

Cases: Report No. 5

The following decisions were taken on 6 June, 1945 by Committee I on the cases mentioned below.

Case		Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	Nat. Off. No.	accused	
		No.	
888/Y/C/15	R/N/16	NETIDHOLT and BURMANN	Both A
889 - - 16	R/N/15	KEITEL, Wilhelm	A
		von WEICHS	A
890 - - 27		ROATTA and others	
		1 - 42	All A
		<u>except</u>	
		LUOI	S

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
E means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
..... **YUGOSLAV** ..... National Office of the following two cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

**R/It/28**

**891/Y/It/28**

**ORLANDO Tadeo; and others**

**R/N/17**

**892/Y/G/17**

**KUTSCHERA Franz; and others**

Date . **8th June, 1945.**

Signed . *F. J. P. [Signature]* . . .  
Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

Cases: Report No.

YUGOSLAV

6

The following decisions were taken on by  
Committee I on the cases mentioned below. 13 June, 1945

Case	Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No. : Nat. Off. No. :	accused No.	
891/Y/It/28	R/It/28 : ORLANDO and others	All A
892/Y/C/17	R/N/17 : KUTSCHERA and others	A
	1 - 27	C
	28	
	Christian names have been added in respect of the following:	
	2. RAIDER, Friedrich	
	7. BAUER, Theo	
	3. FREISLER, Ronald	
	4. Von NAGY, Emerich	

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
E means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until further information is available;  
or Adjourned  
S Listed as a Suspect;  
W Listed as a Witness.



June 4th, 1945.

Sir,

As Chairman of the United Nations War Crimes Commission and at its request, I have the honour to bring to your knowledge that Giuseppe BASTIANINI, Governor of Dalmatia from June, 1941, to February, 1945, now believed to be in Switzerland, has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon its list of war criminals. I enclose a copy of a certificate to this effect which the Commission has issued to the Yugoslav Government for use in its application to the Swiss Government for the surrender of BASTIANINI and of which copies are being sent by me to the other Governments represented on the Commission, and have to add that the Commission recommends that the member Governments should take such action in the matter as they may deem appropriate.

I am, Sir,

Your obedient Servant,

To :-

(s) WRIGHT.

The Hon. The Secretary of State, State Department, Washington, D.C.

The Secretary for External Affairs of Australia.

The Minister for Foreign Affairs of Belgium.

The Secretary of State for External Affairs of Canada.

The Minister for Foreign Affairs of China. *Denmark*

" " " Czechoslovakia

" " " France.

" " " Greece

Diwan Bahadur Sir Samuel Runganadhan.

The Minister for Foreign Affairs of Luxembourg.

" " " the Netherlands.

The Secretary for External Affairs of New Zealand.

The Minister for Foreign Affairs of Norway.

" " " Poland.

The Secretary of State for Foreign Affairs of the U.K.

The United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand, W.C. 2.

June 4th, 1945.

In execution of the decision taken by  
the United Nations War Crimes Commission on  
May 30th, the Secretary General begs to  
request the representative of (14 countries: India &  
Yugoslavia omitted)  
to be so good as to forward to the

Minister for Foreign Affairs (or equivalent)

/. the enclosed letter and accompanying certified  
true copy of the certificate issued to Dr. R.  
Zivkovic.

/. A copy of the letter and a second certified  
true copy of the certificate are enclosed for  
the Delegation's files.

Bastianini  
(Switz)

The United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand, W.C. 2.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Giuseppe BASTIANINI, Governor of Dalmatia from June 1941 to February 1943, now believed to be in Switzerland, in support of charges of criminal responsibility during the period above-mentioned for war crimes, namely murders, massacres, systematic terrorism, killing of hostages, torture, starvation of civilians, pillage, killing of wounded and prisoners of war, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals.

(s) WRIGHT,

Chairman  
of the United Nations  
War Crimes Commission.

June 4th, 1945.

CERTIFIED TRUE COPY



*H. Magnusson Oord*

Secretary General.

X

The United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand, W.C. 2.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Giuseppe BASTIANINI, Governor of Dalmatia from June 1941 to February 1943, now believed to be in Switzerland, in support of charges of criminal responsibility during the period above-mentioned for war crimes, namely murders, massacres, systematic terrorism, killing of hostages, torture, starvation of civilians, pillage, killing of wounded and prisoners of war, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals.

(s) WRIGHT,

Chairman  
of the United Nations  
War Crimes Commission.

June 4th, 1945.

CERTIFIED TRUE COPY



*H. McKim Good*

Secretary General.



X  
Copy.

The United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand, W.C. 2.

June 4th, 1945.

Sir,

As Chairman of the United Nations War Crimes Commission and at its request, I have the honour to bring to your knowledge that Giuseppe BASTIANINI, Governor of Dalmatia from June 1941 to February 1943, now believed to be in Switzerland, has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon its list of war criminals. I enclose a copy of a certificate to this effect which the Commission has issued to the Yugoslav Government for use in its application to the Swiss Government for the surrender of BASTIANINI and of which copies are being sent by me to the other Governments represented on the Commission, and have to add that the Commission recommends that the member Governments should take such action in the matter as they may deem appropriate.

I am, Sir,

Your obedient Servant,

(s) WRIGHT.

To :  
The Minister for Foreign Affairs  
of ...

(see carbon copy)



COPY

June 4th, 1945

Sir,

As Chairman of the United Nations War Crimes Commission and at its request, I have the honour to bring to your knowledge that Giuseppe BASTIANINI, Governor of Dalmatia from June 1941, to February 1943, now believed to be in Switzerland, has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon its list of war criminals.

I enclose a copy of a certificate to this effect which the Commission has issued to the Yugoslav Government for use in its application to the Swiss Government for the surrender of BASTIANINI and of which copies are being sent by me to the other Governments represented on the Commission, and have to add that the Commission recommends that the member Governments should take such action in the matter as they may deem appropriate.

I am, Sir,  
Your obedient Servant,  
(signed) WRIGHT

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Giuseppe BASTIANINI, Governor of Dalmatia from June 1941 to February 1943, now believed to be in Switzerland, in support of charges of criminal responsibility during the period above-mentioned for war crimes, namely murders, massacres, systematic terrorism, killing of hostages, torture, starvation of civilians, pillage, killing of wounded and prisoners of war, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals.

(s) Wright.

Chairman  
of the United Nations  
War Crimes Commission.

June 2nd, 1945.

203

*See letter in this file  
of 8<sup>th</sup> Aug. '45*

4th June, 1945

Sir,

On May 30th last, the United Nations War Crimes Commission decided to issue to you, for transmission to your Government, a Certificate showing that Giuseppe BASTIANINI, Governor of Dalmatia from June 1941 to February 1943, had been placed upon the Commission's List of War Criminals.

/.

I beg to enclose four identical copies of this Certificate signed by the Chairman.

/.

I also enclose a copy of the letter which is being addressed to the other Governments represented on the Commission.

I am,

Yours faithfully,

*(S) H. M. C. W.*

Dr. R. Živković,  
195, Queen's Gate,  
S. W. 7.

Secretary-General

3.21

Jugoslav Delegate to the  
United Nations War Crimes Commission.

195, Queen's Gate,  
S.W.7.

June 7, 1945.

The Secretary General,

The United Nations War Crimes Commission

I have received the following amendments to the names  
of Italian war criminals already submitted to the Commission under  
various charges, and forward them to you so that you may take the  
necessary action.

1. Charge R/It/14 -462/Y/14: GUIDO should read Guido MORIGHI
2. Charge R/It/19: FRANCESCHETTI should read Giocondo FRANCESCHETTI  
-596/Y/It/19
- ✓ 3. Charge R/It/25-623/Y/It/25: Colonel ROCCHI should read Colonel Armando ROCCHI
- ✓ 4. Charge R/It/25-623/Y/It/25: Major CAPOGROSSO CAVAGNIN should read  
Major Pozzi CAPOGROSSO CAVAGNINI
- ✓ 5. Charge R/It/25-623/Y/It/25: BIANCHI should read Giovanni BIANCHI

R. Zirkovic

321 Y

Chinese Embassy,  
49, Portland Place, W.1.

11th June, 1945.

Sir,

I beg to acknowledge the receipt of your communication of June 4th enclosing a letter and certified true copy of the certificate issued to Dr. R. Zivkovic. These will be forwarded to the Chinese Minister of Foreign Affairs as requested.

I also acknowledge receipt of a second copy of the letter and certificate for the Delegation's files.

Yours faithfully,

Wang King

The Secretary General,  
War Crimes Commission,  
L o n d o n .





INDIA HOUSE,  
ALDWYCH,  
LONDON, W.C.2.

11th June 1945.

I write to acknowledge the receipt of your letter dated 4th June enclosing three copies of a certificate which has been issued by the United Nations War Crimes Commission to the Yugoslav Government for use in its application to the Swiss Government for the surrender of Giuseppe Bastianini, whose name has been placed on the Commission's list of war criminals. The recommendation of the Commission that the member governments should take such action in the matter as they deem appropriate will be conveyed to the Government of India.

I am, Sir,

Your obedient servant.

*H. McKinnon Wood*

At. Hon. Lord Wright,  
Chairman,  
United Nations War Crimes Commission,  
Royal Courts of Justice, W.C.2.

208

June 16th, 1945.

Dear Beaumont,

With reference to your very natural curiosity as to the Certificate given by the Commission to the Yugoslav Government in respect of Dr. Bastianini, former Governor of Dalmatia, I enclose a certified true copy of the Certificate, an uncertified copy, and a copy of the letter which was sent to the Foreign Ministers of the Governments represented on the Commission.

Owing to Lord Finlay's being absent today from the office, I am unable to verify my suspicion, but it is possible that the letter to the Secretary of State which should have been transmitted through Lord Finlay was not sent. I had intended to prepare a letter for him giving him his proper style, but forgot to do so. The terms of the letter would, however, have been exactly the same as the enclosed, and perhaps it is unnecessary to pursue the matter any further, as Bastianini has gone from Switzerland to Italy and the Yugoslav Delegate is suggesting to his Government that it should utilise the Certificate to ensure his being treated as a war criminal by the Allied forces in Italy. Possession of the certified copy may, however, be of some use if the Foreign Office is called upon to take any steps.

Dr. Bastianini is not on any <sup>published</sup> list of war criminals, but the Commission has ordered that he shall be put on the list of Italian war criminals which we shall probably start preparing after next Wednesday.

Yours sincerely,

H. McKinnon Wood.

R.A. Beaumont, Esq.,  
Prisoners of War Department,  
Foreign Office,  
Whitehall, S.W.1.





INDIA HOUSE,  
ALDWYCH,  
LONDON, W.C.2.

11th June 1945.

Lord.

I write to acknowledge the receipt of your letter dated 4th June enclosing three copies of a certificate which has been issued by the United Nations War Crimes Commission to the Yugoslav Government for use in its application to the Swiss Government for the surrender of Giuseppe Bastianini, whose name has been placed on the Commission's list of war criminals. The recommendation of the Commission that the member governments should take such action in the matter as they deem appropriate will be conveyed to the Government of India.

I am, Sir,

Your obedient servant.

*P. C. Rungtana*

at. Hon. Lord Wright,  
Chairman,  
United Nations War Crimes Commission,  
Royal Courts of Justice, W.C.2.

208

June 16th, 1945.

Dear Beaumont,

With reference to your very natural curiosity as to the Certificate given by the Commission to the Yugoslav Government in respect of Dr. Bastianini, former Governor of Dalmatia, I enclose a certified true copy of the Certificate, an uncertified copy, and a copy of the letter which was sent to the Foreign Ministers of the Governments represented on the Commission.

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Dr. Bastianini is not on any <sup>published</sup> list of war criminals, but the Commission has ordered that he shall be put on the list of Italian war criminals which we shall probably start preparing after next Wednesday.

Yours sincerely,

H. McKinnon Wood.

R.A. Beaumont, Esq.,  
Prisoners of War Department,  
Foreign Office,  
Whitehall, S.W.1.

324

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **ten**

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/It/29	934/Y/It/29	AMBROSIO, Vittorio; and others
R/It/30	935/Y/It/30	GUELLI, N. and CIERICI, N.
R/It/31	936/Y/It/31	PIAZZONI; and others
R/It/32	937/Y/It/32	DIFRANCESCO, Antonio; and others
R/It/33	938/Y/It/33	VOLPI, Adamo; and others
R/It/34	939/Y/It/34	SALVETELLI
R/It/35	940/Y/It/35	BASTIANINI, Giuseppe; and others
R/It/36	941/Y/It/36	DEMARCHI, Federico; and others
R/It/37	942/Y/It/37	FANSOIA and CERATO
R/It/38	943/Y/It/38	CASU (or CASSU), Giovanni; and others

Date: 18th June, 1945

Signed:

*X. J. Pittendrigh*

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV

Cases: Report No.

7

The following decisions were taken on 20th June, 1945 by Committee I on the cases mentioned below.

Case :		Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	Nat. Off. No.	accused	
		No.	
934 Y/It/29	R/It/29	1 - 4	A
935 - - 30	- - 30	1 and 2	A
936 - - 31	- - 31	1 - 4	A
937 - - 32	- - 32	1 - 17	A
938 - - 33	- - 33	1	A
		2	C
939 - - 34	- - 34	SALVATELLI	A
940 - - 35	- - 35	BASTIANINI and others	Adjourned till 4th July
941 - - 36	- - 36	1 - 7	A
942 - - 37	- - 37	1 and 2	A
943 - - 38	- - 38	1-4	A
397 W/G/3	R/W/3	Now names added; viz.,	
		REINHARD	
		LEIBURG	
		DEIGMILLER	
		ABERSON	All A

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
 B means that the accused's case needs further consideration;  
 C means that the accused's case will not be considered until  
 or Adjourned further information is available;  
 S Listed as a Suspect;  
 W Listed as a Witness.

UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV

Cases: Report No.

7

The following decisions were taken on 20th June, 1945  
Committee I on the cases mentioned below.

by

Case :		Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	Nat. Off. No.	accused	
		No.	
934 Y/It/29	R/It/29	1 - 4	A
935 - - 30	- - 30	1 and 2	A
936 - - 31	- - 31	1 - 4	A
937 - - 32	- - 32	1 - 17	A
938 - - 33	- - 33	1	A
		2	C
939 - - 34	- - 34	SALVATELLI	A
940 - - 35	- - 35	BASTIANINI and others	Adjourned till 4th July
941 - - 36	- - 36	1 - 7	A
942 - - 37	- - 37	1 and 2	A
943 - - 38	- - 38	1-4	A
397 W/G/3	R/W/3	Now names added, viz.,	
		REINHARD	
		LIEBIG	
		DEICHELLER	
		ABELSON	All A

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
B means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until  
or Adjourned further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.



3.2. Y

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** National Office of the following **six** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/It/28 Addendum	891/Y/It/28	GLORIA GIANGRECO, Francesco
R/N/18	953/Y/G/18	DOSSE; and others
R/N/19	954/Y/G/19	UIBERRETTHER, Sigfried. Dr.; and others
R/N/20	955/Y/G/20	PHLEPS, Arthur; and others
R/It/39	956/Y/It/39	MAROTTA, Antonio; and others
R/It/40	957/Y/It/40	di FURIA, Fernando; and others

Date: 23rd June, 1945

Signed:

*F. J. Pittendrigh*

Chief Clerk



3.2. Y

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAV National Office of the following **six** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/It/28 Addendum	891/Y/It/28	GLORIA GIANGRECO, Francesco
R/N/18	953/Y/G/18	DOSSE; and others
R/N/19	954/Y/G/19	UIBERREITHER, Sigfried. Dr.; and others
R/N/20	955/Y/G/20	PHLEPS, Arthur; and others
R/It/39	956/Y/It/39	MAROTTA, Antonio; and others
R/It/40	957/Y/It/40	di FURIA, Fernando; and others

Date: 23rd June, 1945

Signed:

*F. J. Pittendrigh*

Chief Clerk



THE UNITED STATES COMMISSIONER  
UNITED NATIONS WAR CRIMES COMMISSION

ALDFORD HOUSE, PARK LANE, W.1.  
TELEPHONE : GROSVENOR 4631

London, June 28, 1945

Dear Mr. McKinnon-Wood:

Pursuant to your request you will please find enclosed a copy of the cable which I sent to the Supreme Allied Command, Mediterranean, in respect to Giuseppe Bastianini.

This cable was examined by both Lord Wright and Dr. Zivkovic before it was delivered by me for transmission. I understood from Lord Wright that he approved the transmission of the cable and this action was ratified and confirmed by the Commission at its last meeting.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Joseph V. Hodgson", is written over the typed name.

JOSEPH V. HODGSON  
Lt. Col., JAGD, AUS  
United States Commissioner  
United Nations War Crimes Commission.

Hugh McKinnon-Wood, Esq.,  
Secretary General,  
United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand, W. C. 2

CALL

CIRCUIT NO.  
NR.

PRECEDENCE

TRANSMISSION INSTRUCTIONS

SPACES WITHIN HEAVY LINES FOR SIGNAL USE ONLY

## — HQ UK BASE OUTGOING MESSAGE

FROM  
(A)

UNITED NATIONS WAR CRIMES COMMISSION

DATE

JUNE 27, 1945

27 JUN 1945

SACMED

MESSAGE INSTRUCTIONS

GR.

ACTION TO :

REF.  
NO.

43006

CLASSIFICATION

SECRET

INFO TO : (W)

GIUSEPPE BASTIANINI IS ON RECENT WAR CRIMES LIST OF UNITED NATIONS WAR CRIMES COMMISSION AT INSTANCE OF YUGOSLAV GOVERNMENT WHICH CHARGED HIM WITH MURDERS CMA MASSACRES CMA TORTURE CMA STARVATION CMA PILLAGE AND OTHER CRIMES COMMITTED WHILE HE WAS GOVERNOR OF DALMATIA PD COMMISSION HAS FURNISHED YUGOSLAV GOVERNMENT WITH CERTIFICATE SO STATING TO SUPPORT HIS EXTRADITION FROM SWITZERLAND OR SURRENDER BY MILITARY AUTHORITIES TO YUGOSLAVIA FOR TRIAL PD MENTIONED LIST WILL BE DISTRIBUTED SOON PD

SECRET

DISTRIBUTION :

CO-ORDINATED WITH

Originating Division  
U. S. REPRESENTATIVE  
WAR CRIMES COMMISSION  
NAME AND RANK TYPED  
JOSEPH V. HODGSON  
LT. COL. JACD, ABS

Precedence  
ROUTINETEL. NO.  
GROSVENOR 4631

Necessary Staff Co-ordination has been accomplished

Authenticating Signature

THI or TOR

Opr.

TIME CLEARED

AG Cable Br. Form Q-1

UKB L-14467 (5364) Wt. 58560/3 100m 8/45 Q: 2 Co. 745(8)

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

**fifteen**

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/M/5	965/Y/M/5	SZENTGYORGYI
R/N/21	966/Y/G/21	von PAUNWITZ; and others
R/N/23	967/Y/G/22	SCHWARTZ, Ralhard
R/It/41	968/Y/It/41	VERGNA; and others
R/It/42	969/Y/It/42	CINCABILLA Fulvio; and others
R/It/43	970/Y/It/43	AMBROSIO, N.; and others
R/It/44	971/Y/It/44	TOMSO, Giuseppe;
R/It/45	972/Y/It/45	LEOPOARDI, Sergio;
R/It/46	973/Y/It/46	MADOGLIO, Luigi; and others
R/It/47	974/Y/It/47	SPECCHIALE, Francesco BARBA
R/It/48	975/Y/It/48	VERRARI MADILE
R/It/49	976/Y/It/49	Officers serving in 98 Fascist Legion C.C.N.N. " " " 24 Infantry Regt. "Como"
R/It/50	977/Y/It/50	LURUDACI, Palmiro
R/It/51	978/Y/It/51	BISANTI, I., GARDINI, I.
R/It/52	979/Y/It/52	MANCHA; and others

Date: 4th July, 1945

Signed:

*F. J. Pittendrigh*  
Chief Clerk



DUPLICATE.

RPT:JP.

DEPARTMENT OF EXTERNAL AFFAIRS,  
CANBERRA.

16th July, 1945.

Sir,

I have the honour to refer to your letter of June 4th, 1945, concerning the case of Giuseppe Bastianini.

This case does not appear to be of direct interest to the Commonwealth Government, nevertheless I have to inform you that the Commonwealth has approved the action taken by the Commission and has taken note of the fact that Giuseppe Bastianini is wanted by the Yugoslav Government as a war criminal against whom the War Crimes Commission has found there to be a prima facie case.

I am, Sir,  
Your obedient servant,

(Sgd.) J.D.L. HOOD.

Acting Secretary.

The Chairman,  
United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand W.C.2.,  
LONDON.





DEPARTMENT OF EXTERNAL AFFAIRS.

CANBERRA.

16th July, 1945.

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This case does not appear to be of direct interest to the Commonwealth Government, nevertheless I have to inform you that the Commonwealth has approved the action taken by the Commission and has taken note of the fact that Giuseppe Bastianini is wanted by the Yugoslav Government as a war criminal against whom the War Crimes Commission has found there to be a prima facie case.

I am, Sir,  
Your obedient servant,

*W. H. Hall*  
Acting Secretary.

The Chairman,  
United Nations War Crimes Commission,  
Royal Courts of Justice,  
Strand W.C.2.,  
LONDON.

UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV

Cases: Report No.

- 2 -

The following decisions were taken on  
Committee I on the cases mentioned below.

by

Case	Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	accused	
Nat. Off. No.	No.	
1005/Y/It/56	CAROTTO	A
1006 - - 57	BEJUCI and PAVINI	A
1007 - - 58	Duchetti ADOTTO	A
	(? ADOTTO DUCHETTI)	A
1008 - - 59	CUTULI	A
1009 - - 60	1 - 7	W
	8	C
	CASABERO	W
1010 - - 61	1 - 7	A
1011 - - 62	1 - 3	A
1012 - - 63	BOLD	A
1013 - - 64	BREZZI	A
1014/S/S/ 28	1 - 15, 17, 18, 20 and	A
	MEISSNER	A
	16 and 19	Delete
1015 -		

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
B means that the accused's case needs further consideration;  
C means that the accused's case will not be considered until  
or Adjourned further information is available;  
S Listed as a Suspect;  
W Listed as a Witness.

UNITED NATIONS WAR CRIMES COMMISSION

CASES DEALT WITH BY COMMITTEE I

YUGOSLAV

Cases: Report No.

8

The following decisions were taken on 4th and 11th July 1945 by Committee I on the cases mentioned below.

Case :		Person or Unit <sup>(1)</sup>	Classification <sup>(2)</sup>
W.C.C. No.	Nat. Off. No.	accused	
		No.	
940/Y/It/35	R/It/35	BASTIANINI and others	A
		1 - 21	S
		22- 37	A
954/Y/3/19	R/N/19	1 - 31 and WITTRICH	A
965/Y/N/5	R/N/5	SE NGUYENH	A
966/Y/3/21	R/N/21	1	A
		2	C
967 - - 22	R/N/23	SCHWARTZ (Drago ONDRE)	A
968 -It/41	R/It/41	1-3	A
969 -It/42	- - 42	1 and 2, 5 - 19	A
		3 and 4	C
970/Y/It/43	- - 43	1 and 2	A
		3	C
971 - - 44	- - 44	TIBBO	A
972 - - 45	- - 45	LEOPARDI	A
973 - - 46	- - 46	1 - 3	A
		4	C
974 - - 47	- - 47	SPOCHALE and BAKKA	Adjourned
975 - - 48	- - 48	1 and 2	A
976 - - 49	- - 49	PELLEZI and others	All A
977 - - 50	- - 50	LIRIDACI	A
978 - - 51	- - 51	1 and 2	A
979 - - 52	- - 52	1 - 3	A
997 -/3/ 23	R/N/ 24	Hofmann MAULE	A
		(? Michael HOFMANN)	A
998 - - 24	R/N/ 25	SCHMITT	A
999 - - 25	R/N/ 26	1 - 5	A
1000 - - 26	- - 27	1 - 4	A
		5	W
1001 - - 27	- - 28	1 and 2	A
		3	C
1002 -/It/53	R/It/53	PERMA	A
1003 - - 54	- - 52	MICHELI	S
1004 - - 55	- - 55	FAINOCHA-GARAGUTH	A

(1) The numbers assigned to the accused follow the order in which they are listed in the Case. It is desirable that the National Office should attach numbers to persons accused when presenting the Cases.

(2) A means that the accused will be listed as a war criminal;  
 B means that the accused's case needs further consideration;  
 C means that the accused's case will not be considered until further information is available;  
 or Adjourned  
 S Listed as a Suspect;  
 W Listed as a Witness.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAVIA

**eighteen**

National Office of the following

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/24	997/Y/G/23	MAHLE Hofmann
R/N/25	998/Y/G/24	SCHMITT Georg
R/N/26	999/Y/G/25	MELHERS; and others
R/N/27	1000/Y/G/26	BOEHME; and others
R/N/28	1001/Y/G/27	WEISS Adolf; and others
R/It/53	1002/Y/It/53	PERMA, U.
R/It/52	1003/Y/It/54	MICHEL, Mario
R/It/55	1004/Y/It/55	FANFOGNA-GARAGNIN, Nino
R/It/56	1005/Y/It/56	CARETTO, Aminto
R/It/58	1006/Y/It/57	BEQUCCI FANTINI, Ferdinando
R/It/59	1007/Y/It/58	ADOTTO, Duchetti
R/It/60	1008/Y/It/59	GUIULI
R/It/61	1009/Y/It/60	MEZZANA, Cesare; and others
R/It/62	1010/Y/It/61	TESTA, Tenistocle; and others
R/It/63	1011/Y/It/62	PALERMO; and others
R/It/64	1012/Y/It/63	BOLO
R/It/65	1013/Y/It/64	BREZZI
R/N/22	1014/Y/G/28	HERSTERBERG; and others

13th July, 1945

Date:

Signed:

*F. J. Pittendrigh*

Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAVIA** **eighteen**

National Office of the following cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/24	997/Y/G/23	MATHIE Hofmann
R/N/25	993/Y/G/24	SCHMITT Georg
R/N/26	999/Y/G/25	MELHERS; and others
R/N/27	1000/Y/G/26	BOEBBE; and others
R/N/28	1001/Y/G/27	WEISS Adolf; and others
R/It/53	1002/Y/It/53	PERMA, U.
R/It/52	1003/Y/It/54	MICHELII, Mario
R/It/55	1004/Y/It/55	FANFOGNA-GARAGNIN, Nino
R/It/56	1005/Y/It/56	CARETTO, Aminto
R/It/58	1006/Y/It/57	BRUCCI FANTINI, Ferdinando
R/It/59	1007/Y/It/58	ADOTTO, Duchetti
R/It/60	1008/Y/It/59	CUIULI
R/It/61	1009/Y/It/60	MEZZANA, Cesare; and others
R/It/62	1010/Y/It/61	TESTA, Tenistocle; and others
R/It/63	1011/Y/It/62	PALERMO; and others
R/It/64	1012/Y/It/63	BOLO
R/It/65	1013/Y/It/64	BREZZI
R/N/22	1014/Y/G/28	HERSTERBERG; and others

Date: 13th July, 1945

Signed: *F. J. Pittendrigh*  
Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **fifteen** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/4 Additif	321/Y/G/4	HEIM; and others
R/N/29	1061/Y/G/29	ROSENER
R/B/6	1062/Y/B/4	LJUBOV FILIPOV
R/B/7	1063/Y/B/5	NIKOLOV; and others
R/B/8	1064/Y/B/6	KOZAROV, Hristov; and others
R/It/57	1065/Y/It/65	MORTAROTTI
R/It/66	1066/Y/It/66	PERAN, Pietro
R/It/67	1067/Y/It/67	DONATI, Domenico; and others
R/It/68	1068/Y/It/68	PANSINI, I AMEDORO, Francesco
R/It/69	1069/Y/It/69	ROCCAFORTE, Filadelfo
R/It/70	1070/Y/It/70	FORNACIARI, Raul
R/It/71	1071/Y/It/71	CAMELLI, Guido
R/It/72	1072/Y/It/72	DE TURRIS
R/It/73	1073/Y/It/73	GENTILE, Pasquale
R/It/74	1074/Y/It/74	MARTELOTTA

Date:

1y, 1945

Signed:

*F. J. Pittendrigh*

Chief Clerk

## UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV (continued)** National Office of the following cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B/12	1230/Y/B/12	PETRUNOV, Ivan
R/B/13	1231/Y/B/13	DASKALOV, Nikola
R/B/14	1232/Y/B/14	POPOV, Ivan; and others
R/B/15	1233/Y/B/15	VELKOV, Ljubomir; and others
R/B/16	1234/Y/B/16	GOSEV, Goro, POPOV
R/B/17	1235/Y/B/17	GUGOV, Velisko
R/B/18	1236/Y/B/18	PANEV, Milan Nikolov
R/B/19	1237/Y/B/19	KOCHEV
R/B/20	1238/Y/B/20	ZELESKOV, Alexsander
R/B/21	1239/Y/B/21	PETKOV, Angel
R/B/22	1240/Y/B/22	DJUMURDJIJEV, Georgijev Dimitrije
R/B/23	1241/Y/B/23	CANKOV, Hristo
R/N/48	1242/Y/G/48	BLUCKE
R/N/49	1243/Y/G/49	German Military Governor of Naples, Sept. 1943
R/N/50	1244/Y/G/50	LIDDEL
R/N/51	1245/Y/G/51	SCHAEFFER, Dr; and others
R/N/52	1246/Y/G/52	HAFFER
R/N/53	1247/Y/G/53	Befehlshaber der Sicherheitspolizei und des S.D.
R/N/54	1248/Y/G/54	NEUHAUSEN, Franz; and others

Signed:



Chief Clerk

Date: 7th August, 1945

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following sixty-eight cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/6 Additif	379/Y/G/6	WIESER; and others
R/N/15 Additif	889/Y/G/16	HIMMLER
R/It/62 Additif	1010/Y/It/61	PROPERZI, Claudio
R/It/75	1121/Y/It/75	MESSANA, Ettore; and others
R/It/76	1122/Y/It/76	GENOVESI
R/It/77	1123/Y/It/77	TOMASO, David
R/It/78	1124/Y/It/78	CASSABURI, Max
R/It/79	1125/Y/It/79	GARGIULO, Enzo; and others
R/It/80	1126/Y/It/80	TOMASELLI
R/It/81	1127/Y/It/81	BALCONI
R/It/82	1128/Y/It/82	SIMONELLI, MELOCHI, Ernesto.
R/It/83	1129/Y/It/83	SVERKO, Aleksander; and others
R/It/84	1130/Y/It/84	ANCONA, Francesco
R/It/85	1131/Y/It/85	NANI; and others
R/It/86	1132/Y/It/86	TORNARELLI; and others
R/It/87	1133/Y/It/87	DAIMAZZO, Renzo; and others
R/It/88	1134/Y/It/88	ZERBINO, Paolo; UNGHERETTI
R/It/89	1135/Y/It/89	RONNER, Robert
R/B/9	1136/Y/B/7	DELCEV, Nedeljko
R/B/10	1137/Y/B/8	APOSTOLOV, Aleksander Konstantinov
R/B/11	1138/Y/B/9	STOJANOV, Aleksander; and others
R/N/30	1139/Y/G/30	BRAUNER, Josef
R/N/31	1140/Y/G/31	QUASSNY; and others
R/N/32	1141/Y/G/32	FISCHER-SEE WITTIG

(continued)

Signed:

*JP.*

Chief Clerk

Date:

## UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

YUGOSLAV (continued)


National Office of the following

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/33	1142/Y/G/33	BURGER
R/N/34	1143/Y/G/34	STOCKHAUSEN; and others
R/N/35	1144/Y/G/35	von KLEIST
R/N/36	1145/Y/G/36	DAUBENSCHMIDT; and others
R/N/37	1146/Y/G/37	von PANWITZ, Helmut; and others
R/N/38	1147/Y/G/38	HOMSSLIN CHRISTL
R/N/39	1148/Y/G/39	CLAUSEN
R/N/40	1149/Y/G/40	TROMIER
R/N/41	1150/Y/G/41	WILD
R/N/42	1151/Y/G/42	KLEEMANN, WURST
R/N/43	1152/Y/G/43	DIERBING
R/N/45	1153/Y/G/44	HAAS (or HASS)
R/N/44	1154/Y/G/45	KLOEPFEL
R/N/46	1155/Y/G/46	SCHLUT (SCHULTZ); and others
R/N/47	1156/Y/G/47	FISCHER
R/B/4	1157/Y/B/10	PETROV, J. Simeun
R/B/5	1158/Y/B/11	MARINOV, Doko DAKOV
R/It/90	1159/Y/It/90	STALTERI, G.
R/It/91	1160/Y/It/91	SPINELLI
R/It/92	1161/Y/It/92	ROATTA, Mario; and others
R/It/93	1162/Y/It/93	VERZINI (VERGINI?) Guido
R/It/94	1163/Y/It/94	MISCHI, TESTA, Temistock
R/It/95	1227/Y/It/95	BERARDI, Paolo; and others
R/It/96	1228/Y/It/96	NANTIA
R/It/97	1229/Y/It/97	NICOSIA, Salvatore

(continued)

Signed:

  
 Chief Clerk

Date:




## UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV (continued)** National Office of the following cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/33	1142/Y/G/33	BURGER
R/N/34	1143/Y/G/34	STOCKHAUSEN; and others
R/N/35	1144/Y/G/35	von KLEIST
R/N/36	1145/Y/G/36	DAUBENSCHMIDT; and others
R/N/37	1146/Y/G/37	von PANWITZ, Helmut; and others
R/N/38	1147/Y/G/38	HOESSLIN CHRISTL
R/N/39	1148/Y/G/39	CLAUSEN
R/N/40	1149/Y/G/40	TROMIER
R/N/41	1150/Y/G/41	WILD
R/N/42	1151/Y/G/42	KLEEMANN, WURST
R/N/43	1152/Y/G/43	DIERSING
R/N/45	1153/Y/G/44	HAAS (or HASS)
R/N/44	1154/Y/G/45	KLOEPFEL
R/N/46	1155/Y/G/46	SCHLUT (SCHULTZ); and others
R/N/47	1156/Y/G/47	FISCHER
R/B/4	1157/Y/B/10	PETROV, J. Simeon
R/B/5	1158/Y/B/11	MARINOV, Doko DAKOV
R/It/90	1159/Y/It/90	STALTERI, G.
R/It/91	1160/Y/It/91	SPINELLI
R/It/92	1161/Y/It/92	ROATTA, Mario; and others
R/It/93	1162/Y/It/93	VERZINI (VERGINI?) Guido
R/It/94	1163/Y/It/94	MISCHI, TESTA, Tanistock
R/It/95	1227/Y/It/95	BERARDI, Paolo; and others
R/It/96	1228/Y/It/96	NANTA
R/It/97	1229/Y/It/97	NICOSIA, Salvatore

(continued)

Signed:

  
 Chief Clerk

Date:



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAV (continued)

National Office of the following

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B/12	1230/Y/B/12	PETRUNOV, Ivan
R/B/13	1231/Y/B/13	DASKALOV, Nikola
R/B/14	1232/Y/B/14	POPOV, Ivan; and others
R/B/15	1233/Y/B/15	VELKOV, Ljubomir; and others
R/B/16	1234/Y/B/16	GONEV, Gono, POPOV
R/B/17	1235/Y/B/17	GUGOV, Velicko
R/B/18	1236/Y/B/18	PANEV, Milan Nikolov
R/B/19	1237/Y/B/19	KOCOV
R/B/20	1238/Y/B/20	ZELESKOV, Aleksander
R/B/21	1239/Y/B/21	PETKOV, Angel
R/B/22	1240/Y/B/22	DJUMURDJIJEV, Georgijev Dimitrije
R/B/23	1241/Y/B/23	CANKOV, Hristo
R/N/48	1242/Y/G/48	BLUCKE
R/N/49	1243/Y/G/49	German Military Governor of Naples, Sept. 1943
R/N/50	1244/Y/G/50	LIDWEL
R/N/51	1245/Y/G/51	SCHAEFFER, Dr; and others
R/N/52	1246/Y/G/52	HAFFER
R/N/53	1247/Y/G/53	Befehlshaber der Sicherheitspolizei und des S.D.
R/N/54	1248/Y/G/54	NEUHAUSEN, Franz; and others

Signed:

*F. J. P. [Signature]*

Chief Clerk

Date: 7th August, 1945

3.217

8th August, 1945.

Dear Sir,

I beg to inform you that I have received from official sources a copy of a telegram dated 24th July, 1945, relating to Giuseppe Bastianini. The telegram emanates from the Combined Chiefs of Staff and contains instructions to General Alexander of which the following is a paraphrase.

Italians expelled from Switzerland and wanted by the Italian Government may be delivered to the latter except Bastianini who is on a United Nations War Crimes Commission List which will soon be distributed and was placed on the list at the instance of the Yugoslav Government. At present Yugoslavia is seeking his extradition from Switzerland. If this does not occur and he is repatriated to Italy, General Alexander is to take and hold him in custody and report whether he is wanted by the Italian Government. Should this be the case, General Alexander is to report what are the grounds on which the Italian Government wants Bastianini and what he (Alexander) recommends should be done. Thereafter Alexander will receive instructions as to the disposal of Bastianini.

Yours faithfully

Secretary General.

Dr. Zivkovic.,  
195, Queen's Gate.,  
S.W.7.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **twenty-one** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/57	1264/Y/G/55	CLUCKS; and others
R/N/55	1265/Y/G/56	v. KAISENBERG; and others
R/N/56	1266/Y/G/57	SCHOLDER, Dr.
R/B/24	1267/Y/B/24	RIBARSKI, Georgije
R/B/25	1268/Y/B/25	DUSKOV, Petar; and others
R/B/26	1269/Y/B/26	CENEV, N.; and others
R/B/27	1270/Y/B/27	NAJDANOV Georgi; and others
R/B/28	1271/Y/B/28	POFOV, Ivan; and others
R/B/29	1272/Y/B/29	PANAJOTOV, Rusan
R/B/30	1273/Y/B/30	BANKOV, Djordje
R/B/31	1274/Y/B/31	SLAVOV
R/B/32	1275/Y/B/32	MILANOV, Kiril Ivanov
R/It/98	1276/Y/It/98	GABUTI, Aldo
R/It/99	1277/Y/It/99	BELLIONI, Luigi
R/It/100	1278/Y/It/100	LABONIA, Enrico
R/It/101	1279/Y/It/101	SERAPIGLIA Antonio
R/It/102	1280/Y/It/102	SPINELLI, Filippo
R/It/103	1281/Y/It/103	Prefetto di Cattaro
R/It/104	1282/Y/It/104	BARBIERI, Mario; and others
R/It/105	1283/Y/It/105	BOLLO
R/It/106	1284/Y/It/106	ZAPETTI, Bruno; and others

Date: 10th August 1945

Signed:

*L. J. Patterson*

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

**twenty-one** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/57	1264/Y/G/55	GLUCKS; and others
R/N/55	1265/Y/G/56	v. KAISENBERG; and others
R/N/56	1266/Y/G/57	SCHOLDER, Dr.
R/B/24	1267/Y/B/24	RIBARSKI, Georgije
R/B/25	1268/Y/B/25	DUSKOV, Petar; and others
R/B/26	1269/Y/B/26	GENEV, N.; and others
R/B/27	1270/Y/B/27	NAJDANOV Georgi; and others
R/B/28	1271/Y/B/28	POPOV, Ivan; and others
R/B/29	1272/Y/B/29	PANAJOTOV, Rusan
R/B/30	1273/Y/B/30	BANKOV, Djordje
R/B/31	1274/Y/B/31	SLAVOV
R/B/32	1275/Y/B/32	MILANOV, Kiril Ivanov
R/It/98	1276/Y/It/98	GABUTI, Aldo
R/It/99	1277/Y/It/99	BELLIONI, Luigi
R/It/100	1278/Y/It/100	LABONIA, Enrico
R/It/101	1279/Y/It/101	SERAPIGLIA Antonio
R/It/102	1280/Y/It/102	SPINELLI, Filippo
R/It/103	1281/Y/It/103	Prefetto di Cattaro
R/It/104	1282/Y/It/104	BARBIERI, Mario; and others
R/It/105	1283/Y/It/105	BOLLO
R/It/106	1284/Y/It/106	ZAPETTI, Bruno; and others

Date: 10th August 1945

Signed:

*L. J. Pittendrigh*

Chief Clerk



SECRET

I/25  
18th August, 1945.

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE I

REPORT ON THE YUGOSLAV CHARGE NO. 1523  
(PERSONNEL OF THE SPECIAL TRIBUNAL FOR  
THE DEFENCE OF THE STATE, ROME.

By Mr. E. SCHUELB

I.

The present case is to some extent similar to the case No. 940, which dealt, *inter alia*, with the personnel of the Tribunale Speciale della Dalmazia which in the Yugoslav memorandum, presented in the case 940, was described as the "opposite number of the Tribunale Speciale per la Difesa di Stato in Rome" (See Doc. I/15). Committee I decided on July 17th, 1945, to put the personnel of the Tribunale Speciale della Dalmazia on S.

An information on Italian courts in Yugoslavia will be circulated by Col. Wade as Doc. I/26.

II.

This writer, who was greatly interested at the time in Fascist "legal" developments, does not doubt in the least that the Special Court for the Defence of the State in Rome from its very beginning in 1926 has been nothing but an instrument of oppression and a cloak for common crimes committed by the Fascist Government first against Italian opponents of the regime and eventually, during the Second World War, also against citizens of other countries, particularly of inhabitants of Italian occupied Yugoslav territories. In spite of this fact, of which the Committee could, as it were, take judicial notice, it is necessary to scrutinize the charge closely not only because of the necessity of establishing the guilt (*prima facie*) of the individuals charged, but also for the reason that the formulation of the Yugoslav charges implies some conceptions of International law and municipal criminal law which would hardly be acceptable to some other governments. Even if it be admitted (and as a matter of fact there can be no reasonable doubt about it) that the sentences imposed by the Court on Italian citizens of Yugoslav race (members of the Yugoslav minority in the Italy of between the two wars) were unjust, illegal, and even criminal, International Law does not recognise the right of a racial minority to rise against the state under whose jurisdiction it fell under the 1919 Peace Treaties. No exemption of Italian citizens of Yugoslav race from Italian jurisdiction can be claimed for the time when the disputed territory undoubtedly formed part of Italy, both under International law and according to the municipal legal orders of Yugoslavia and Italy. It is well known that as a matter of law Italy had even no obligations towards her minorities analogous to those accepted by other states in 1919/20.



III.

Applying what has been summarily stated sub (II) supra to the "Particulars of alleged crime" in the Yugoslav charge, the following general observations can be made :

- a) The trying of Slovenes and Croats from Istria, Gorizia and Trieste is not illegal. The same may be said of the trial of Yugoslav citizens for alleged offences committed on Italian territory (i.e. territory forming part of Italy under the territorial arrangements of 1919/20). In addition: the so-called territoriality of criminal law "is not an absolute principle of international law" (The Permanent Court of International Justice in the case of S.S. Lotus (France v. Turkey), 1927, Judgment No. 9, Series A, No. 10). Many continental legal systems penalize some crimes, particularly crimes against the security of the state, also if committed by foreigners abroad; as municipal jurisprudence is divided, the Permanent Court held that "it is hardly possible to see in it an indication of the existence of the restrictive rule of international law" (i.e. of a rule restricting the criminal jurisdiction of a state to its territory). Incidentally, it is a consequence of the fact that the jurisdiction of a state is not restricted to its nationals and to its territory, that there exists "universality of jurisdiction over war crimes." (Cp. Willard B. Cowles in California Law Review, June, 1945; and Quincy Wright, Article "War Criminals" in American Journal of International Law, April 1945). We cannot claim for the United Nations universal jurisdiction over war crimes, and simultaneously indict jurisdiction exercised under the so-called "protection principle" as a war crime per se.
- b) The exercise of jurisdiction by courts of the occupying Power over the inhabitants of the occupied territory does not itself constitute "usurpation of sovereignty." Such jurisdiction is compatible with the restraint placed upon the occupant by the Hague Regulations. There was, of course, illegal usurpation of sovereignty over Italian occupied Yugoslavia during the war, but it is doubtful whether it was the judges of the Rome court who committed this contravention of the rules of warfare. It was obviously the Italian Executive and, probably, the Legislature, but not the judiciary, who illegally "annexed" Yugoslav territories.
- c) "Slovenes and Croats from Istria, who left Italy in 1929 and became Yugoslav citizens, were tried and sentenced by this Special Court." The fact that they left Italy in 1929 does not necessarily mean that they ceased to be Italian citizens; nor does the acquisition of Yugoslav citizenship necessarily and automatically bring about the loss of Italian citizenship.
- d) The trial and sentencing of Yugoslav citizens from Dalmatia because they had worked for their liberation is not necessarily a war crime on the part of the judges. Whether or not it constitutes a war crime depends both on what the Yugoslav patriots had done, and how the trial was conducted and what kind of law was applied. If only such activities had been punished after due process of law as the belligerent occupant is entitled to forbid, no crime would have been committed.
- e) What was stated under (d) applies also to the case of Yugoslav citizens from regions not occupied by Italy, if they were tried for alleged offences committed in the Italian occupied parts of Yugoslavia.
- f) The distinction between "reconnaissance duties" and "spying" is subtle. Only after close study of the individual cases could the question be answered whether by sentencing a person who acted on reconnaissance duty as a spy, the members of the court have committed a crime.

IV.

Notes on the instances numbered in the charge No. 1223  
(1) to (6).

(1) Under the presidency of Tringoli-Casanueva (1) the Special Court sentenced to death and to hard labour 91 persons who were Yugoslav citizens belonging to the Yugoslav minority in Gorizia and Istria who had fought for their national liberation from the Italian and fascist yoke. This statement contains an inconsistency: either the victims belonged to the Yugoslav minority in Italy, then they were Italian citizens (nationals). Or they were Yugoslav nationals, then they could not belong to the Yugoslav minority in Italy. In the first case they fought against the state whose citizens they were. In the second case they were foreign nationals fighting on Italian soil against the local sovereign. The fact that politically the struggle of these Yugoslav patriots and of those members of the Yugoslav minority in Italy was favourable to the cause of the United Nations and deserving also in other respects does not alter the fact that in law the Italian courts were competent to try offences, committed on Italian territory to free part of this territory from the Italian yoke. Here a prima facie case of a judicial crime does not seem to be established. \*

(2) General Le Metre (2). No details about the alleged offences of the victims and of the court proceedings are given. The Yugoslav National Office should be asked to furnish further information.

(3) General Griffini (5).

(4) General Suppiej (6).

(5) General Contincelli (3)

(6) General Gattiori (4).

In these cases what was said under (2) applies.

V.

Notes on the instances numbered in the charge No. 1223  
I to XII.

The greatest admiration for the National Liberation movement cannot undo the fact that "in those Yugoslav regions taken by Italy after the first World War" the movement was directed against the legitimate local sovereign and the courts of the local sovereign were, under International and municipal law alike, entitled to punish offences against the local law.

ad I. In my submission part of, but not all the facts stated with regard to the sentence passed on 28th April, 1941, indicate that the court proceeded illegally. The court was, under International law, prima facie not entitled to punish Yugoslav citizens inhabiting occupied Yugoslav territory because they belonged to the Slovene society and because they

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\* While this paper was being typed the Yugoslav National Office informed the Commission's office by telephone that the words "and Yugoslavs" were to be inserted between "Yugoslav citizens" and "belonging". Thus the inconsistency dealt with in the text has been remedied.

conducted propaganda against the unity of the Italian state, but it was entitled to try persons because they encouraged people to sabotage, spy and rebel against the (so. Italian) State. With regard to Italian citizens this restriction did not apply.

ad II. This seems to be a case of unjustified imprisonment. The victim had done nothing which could be properly tried in an Italian court.

ad III. This information seems to need supplementation.

Prima facie persons from Gorizia (a town then belonging to Italy) could be tried for an attack against members of the (Italian) Customs Guard.

ad IV. This is a case of political oppression. The Communist party was prohibited in Italy and under her totalitarian regime membership in the Communist Party was a crime. The sentence passed on Italian citizens for membership in the Communist Party is barbaric, and obnoxious to the Western mind, but it is not a war crime.

ad V. This is a borderline case. As stated in the introduction to this paper (supra III), in cases of offences against the security of the state (and in other cases also, e.g. counterfeiting currency) many continental legal orders allow the punishment of crimes committed by foreigners abroad.

ad VI. Provided that Matkovic and Ban were Yugoslav nationals (Matkovic is stated to have been born in Italy) there seems to be an excess of judicial power.

ad VII. Here the nationality of the victims seems to be relevant. Vico-Gustincic and Cokado appear to have been Italian citizens. If this is so, they could be tried when captured as members of the armed forces of a state with which Italy was at war.. Vrekar appears to have been a Yugoslav national and his serving in the Yugoslav forces did not constitute an act which could properly be made the object of criminal proceedings in an Italian court.

The Yugoslav National Office should be asked to furnish information about the nationality of the 22 Yugoslav soldiers according to the Treaty provisions and municipal rules valid in the period between the two wars.

ad VIII Here it could probably be said that the occupant was not obliged to allow inhabitants of the occupied territory to maintain liaison with the British in order to harm Italian military operations.

ad IX. Here applies what was said under V.

ad X. As to Glorija Jandas the case depends on the legal standing of the Partisan Units in the material time (before November 28, 1942).

Assuming that the Partisans then already had the status of belligerents within the meaning of Art. 1 of the Hague Regulations, Miss Jandas had the right to be treated as a prisoner of war and her trial and punishment was illegal.

The case of the 4, 7 and 2 Slovenes and Croats who were Italian citizens does not constitute a war crime.



ad XI This case rises difficult problems. The victims ought not to have been on the Lipari islands. As they were deported there illegally, it could be maintained that they were entitled to self-help and that they, therefore, ought not to have been punished for taking part in their revolutionary organization.

On the other hand, it could be said that no state is under an obligation to tolerate revolutionary organizations formed by foreigners on its territory and the fact that the foreigners came to the territory against their will does not necessarily alter this position.

ad XII No details about the case of Radovanovic and Vrhinec are given.

VI.

Conclusions

- 1) I submit that the decision on this charge should be adjourned until the Yugoslav National Office kindly furnishes additional information on the different questions which have been mentioned in the earlier chapters of this paper.
- 2) When the charge will thus be supplemented it will probably be possible to list part of the accused on A and part on S.
- 3) But in addition there will remain a large number of crimes which are not war crimes but which fall within the category of "analogous offences", chiefly atrocities committed against Italian citizens. It would be worth considering whether the attention of the Allied Control Commission for Italy should not be drawn to these "crimes against humanity" within the meaning of Section 6(c) of the Charter of the International Military Tribunal.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** **seventeen**

National Office of the following cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B33	1310/Y/B/33	PUSKAREV, Georgi; and others
R/N/22	1014/Y/G/28 Addendum	FIOTOW von, Dr. Hans ; and others
R/N/58	1311/Y/G/58	STOCKHAUSEN; and others
R/N/59	1312/Y/G/59	PAULI, Max; and others
R/N/60	1313/Y/G/60	FELBER; and others
R/N/61	1314/Y/G/61	WINTER
R/N/62	1315/Y/G/62	MUNSTER; and others
R/It/107	1316/Y/It/107	MOSCA
R/It/108	1317/Y/It/108	CIAOCIO, Luigi TERZI, Flaminio
R/It/109	1318/Y/It/109	SIFREDI, G.
R/It/110	1319/Y/It/110	LEOPARDI, Alberto, BORRUZO, Pietro
R/It/111	1320/Y/It/111	PEDRAZZOLI G.; and others
R/It/112	1321/Y/It/112	DESSANTIS; and others
R/It/113	1322/Y/It/113	SIRACUSA
R/It/114	1323/Y/It/114	TRINGALI-CASANUOVA, Antonino; and others
R/It/115	1324/Y/It/115	SANTAMARIA, Giovanni; and others
R/It/118	1325/Y/It/116	PETRICIONI, Domenico; and others

21st August 1945

Date:

Signed:

*Sms.*  
for Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

~~nineteen~~  
**sixteen**

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B55	1333/Y/B/34	NOJEV MINEV, Anastas
R/N/63	1334/Y/G/63	1. STERN 2. STURTZ
R/N/64	1335/Y/G/64	1. FAHNENSCHREIBER, Paul 2. DEBOLT
R/N/65	1336/Y/G/65	KONRAD; and others
R/N/66	1337/Y/G/66	KOENIG; and others
R/It/116	1338/Y/It/117	VILLALBA, G.
R/It/117	1339/Y/It/118	PERLA; and others
R/It/120	1340/Y/It/119	1. CAPITANO, Gino; and others
R/It/121	1341/Y/It/120	BIROLI, Pirzio; and others
R/It/122	1342/Y/It/121	GELOZA, Luigi
R/It/123	1343/Y/It/122	MELINI; and others
R/It/125	1344/Y/It/123	MONTUORO, Vittoria; and others
R/It/13 Addendum	461/Y/It/13	CAPRIOLO, Georgio
R/It/20 Addendum	600/Y/It/20	BAZZOCCHI, Carlo; and others
R/It/21 Addendum	601/Y/It/21	SANTOLINI; and others
R/N/43 Addendum	1152/Y/G/43	DIERLING
<del>R/It/119</del> R/It/119	1364/Y/It/124	CENTONZE, Francesco PILOTTI, Ugo
R/N/49 Additional information	1243/Y/G/49	German Military Governor of Naples
R/N/55	1265/Y/G/56	v. KAISENBERG; and others

Signed:

*SmS.*  
for Chief Clerk

Date: 27th August 1945

SECRET

3-21 Y  
I/24  
17th August, 1945.

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE I

NOTE ON THE YUGOSLAV CASE NO. 1281  
(PREFETTO DI CATTARO; TAKING OF  
HOSTAGES.)

By Mr. E. SCHUELB

I.

In the meeting of Committee I, held on August 15th, 1945, the case against the "prefetto di Cattaro" was adjourned for further consideration.

The accused, whose name is unknown but whose identity as head of the administration of an important town and harbour it should be possible to establish, is charged with having committed the crime of "Internment of Civilians under inhuman conditions".

It is stated that "he selected hostages from the above-mentioned villages and arrested them with the intention of having them shot if any disturbances occurred in that district. This action caused the imprisonment of innocent men and women and the terrorisation of the civilian population."

"Evidence is based on the original document in which the order was issued. The signature on the document is illegible except for the title - IL PREFETTO. This document is now filed in the archives of the Yugoslav State Commission."

Under "References to relevant provisions of international law" the Yugoslav charge alleges a violation of Articles 4 and 5 of the Hague Regulations, 1907. These are not relevant to the problem because they deal with prisoners of war, while the victims of the crime, which the charge indicts, were civilian inhabitants of occupied territory.

II.

The question, therefore, arises whether what the accused is alleged to have done, is a war crime.

The Commission, in its meeting held on May 9th, 1944, adopted the proposal, embodied in Doc. C.15(1) and added the following to the List of War Crimes which had been provisionally adopted by the Commission on 2nd December, 1943 (Doc. C.1) :

"Indiscriminate mass arrests for the purpose of terrorising the population, whether described as taking of hostages or not."

It appears that the statement of facts contained in the charge No. 1281 does not establish the facts of this Resolution.

In the present case the arrests are not stated to have been "mass arrests" and "indiscriminate". On the contrary: the prefetto is accused of having selected hostages.

Nor is the purpose of terrorising the population established. It is stated that the intention was to shoot the hostages "if any disturbances occurred in that district."

Nor does the statement of facts bear out the description "Internment of civilians under inhuman conditions."

### III.

The decision on this charge therefore depends on the question whether the taking of hostages is criminal per se.

The present state of International Law on this problem is thus stated in Oppenheim-Lauterpacht Vol. II, Revised Sixth Edition (1944):

"A new practice of taking hostages was resorted to by the Germans in 1870 during the Franco-German War for the purpose of securing the safety of forces against possible hostile acts by private inhabitants of occupied enemy territory. Well-known men were seized and detained, in the expectation that the population would refrain from hostile acts out of regard for the fate of the hostages. Thus, when unknown people frequently wrecked the trains transporting troops, the Germans seized prominent enemy citizens and put them on the engines, a device which always proved effective, and soon put a stop to further train wrecking. The same practice was resorted to, although for a short time only, by Lord Roberts in 1900 during the South African war. It has been condemned by the majority of writers. But it may be difficult to agree with their opinion. Matters would be different if hostages were seized, and exposed to dangers, for the purpose of preventing legitimate hostilities on the part of members of the armed forces of the enemy. But no one can deny that train-wrecking on occupied enemy territory by private enemy individuals is an act which a belligerent is justified in considering and punishing as war treason. It is for the purpose of guarding against an act of illegitimate warfare that these hostages are put on the engines. The danger to which they are exposed comes from their fellow-citizens, who are informed that hostages are on the engines, and ought therefore to refrain from wrecking the trains. It cannot, and will not, be denied that the measure is a harsh one, and that it makes individuals liable to suffer for acts for which they are not responsible. But the safety of the troops and lines of communication of the occupying belligerent is at stake, and it seems doubtful, therefore, whether even the most humane commanders will always be able to dispense with this measure, since it alone has proved effective.

During the first World War, Germany adopted a terrible practice of taking hostages in the territories occupied by her armies, and shooting them when she believed that civilians had fired upon German troops. During the Second World War she followed the practice of mass shooting of hostages on such unprecedented scale as to bring it prominently within the category of war crimes, the punishment of which was declared by the United Nations to constitute a major purpose of the war."

The British Manual (Chapter XIV, para. 461 et seq.) though not considering the taking of hostages commendable, does not go as far as declaring it illegal. Para. 461 recognises the right to take hostages with the proviso that all they have to suffer is captivity, and not death. According to para. 464 it would appear legitimate to take inhabitants as hostages for the proper treatment of wounded and sick. A similar course might become necessary, if prisoners have fallen into the hands of irregular troops, or of inhabitants who have risen in arms, since there might be fear for their maltreatment.



IV.

Time did not allow the present writer to place before the Committee a complete survey of the modern literature dealing with the legality of the taking of hostages; but what has been quoted under III supports the view expressed by members of Committee I that the taking of hostages is not as such a war crime.



- 5 -

IV.

Time did not allow the present writer to place before the Committee a complete survey of the modern literature dealing with the legality of the taking of hostages; but what has been quoted under III supports the view expressed by members of Committee I that the taking of hostages is not as such a war crime.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **thirteen** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B/34	1430/Y/B/35	MANASIEV, Gira
R/B/36	1431/Y/B/36	PANEV, N.
R/N/67	1432/Y/G/67	NEUHAUSEN, Franz; and others
R/N/68	1433/Y/G/68	PHLEPS, Arthur; and others
R/It/124	1434/Y/It/124	GIUNTA, Francesco; and others
R/It/126	1435/Y/It/125	MORI Mario, ISASCA
R/It/127	1436/Y/It/126	PIRZIO-BIROLI, Alessandro; and others
R/It/128	1437/Y/It/127	KLJUNAK, Jakov KLJUNAK, Emalija
R/It/129	1438/Y/It/128	TUCCI, Carlo; and others
R/It/130	1439/Y/It/129	CICHETTI; and others
R/It/131	1440/Y/It/130	ALONGI, Francesco; and others
R/It/132	1441/Y/It/131	DAVELA, Giuseppe
R/It/24 Addendum	622/Y/It/24	TORSIELLO, Mario

Date: 31st August, 1945

Signed:

*F. J. Pittendrigh*

Chief Clerk

I/30  
September 5, 1945

UNITED NATIONS WAR CRIMES COMMISSION

REPORT

on the Yugoslav Charges No: 1323 (R/It/114) and No: 1359 (R/It/117)

by Dr. R. ŽIVKOVIC

I.

Preliminary Remarks

The above charges were submitted to Committee I and adjourned for re-examination.

Both charges have raised a question of principle, namely, whether criminal offences committed by Italians against Yugoslavs of Italian citizenship can be regarded as war crimes, or even as crimes at all.

In respect of the charge No: 1323, against members of the "Tribunale Speciale per la Difesa dello Stato", the Legal Officer produced a report (Doc. I/25) and underlined the right of the courts of an occupying Power to exercise jurisdiction over their own citizens (Yugoslavs from Italy) and also over the citizens of the occupied country (Yugoslavia). He, therefore, reached the conclusions that "the trying of Slovenes and Croats from Istria, Gorizia and Trieste is not illegal"; that "the same may be said of the trial of Yugoslav citizens for alleged offences committed on Italian territory"; and that, as to the trial of Yugoslav citizens for offences committed in the occupied territories (Yugoslavia), "many continental legal systems penalise some crimes, particularly crimes against the security of the State, also if committed by foreigners abroad", (page 2, III, a).

In respect of the charge No: 1359, members of Committee I expressed the view that it was related to "crimes perpetrated by Italians against Italians."

So, it appears that the question of citizenship is the chief legal problem to be considered in regard to the above two charges, and that prior to their acceptance or non-acceptance by Committee I, it should be solved as a matter of principle.

The other question of importance is the question of the right of an occupying Power to exercise its jurisdiction in an occupied country over the citizens of that country.

My purpose in this paper is to analyse both these items with concrete reference to the position existing during the present war between the Italian authorities and the Yugoslavs, both of Yugoslav and Italian citizenship.

Since the question of citizenship is a more complicated one, which will, therefore, require more extensive consideration, the question of jurisdiction will be dealt with in the first place.

II.

Right to Exercise Jurisdiction in Occupied Territory

1. There was a very important point in concrete which was overlooked



When the following views were expressed in Doc. I/25, page 2, 6: "The exercise of jurisdiction by courts of the occupying Power over the inhabitants of the occupied territory does not itself constitute 'usurpation of sovereignty', - and that (under d): 'The trial and sentencing of Yugoslav citizens from Dalmatia because they had worked for their liberation is not necessarily a war crime on the part of the judges'".

It was never said in the charge No: 1323 that the exercise of jurisdiction by the Italian courts over the Yugoslav citizens was itself an usurpation of sovereignty. This was said in concreto for the Tribunale Speciale per la Difesa dello Stato in Rome.

According to Article 43 of the Hague Regulations, 1907, an occupying Power is entitled to "restore and ensure, as far as possible, public order and safety" in the occupied country, but it is at the same time bound to "respect, unless absolutely prevented, the laws in force in the country". According to Article 42, "the occupation extends only to the territory where such authority has been established and is in a position to assert itself." Thus, an occupying Power is entitled to exercise its own jurisdiction only in so far as this is absolutely necessary in order to maintain public order and safety in the occupied territory. This, for instance, entitles the occupying Power to have its military tribunals operating for offences committed by non-belligerent individuals against members of the occupying forces and other authorities. But, -and here is the main point, - this is a restrictive rule, the spirit of which has been clearly defined in Article 43, and which can never authorise an occupying Power to extend its jurisdiction beyond the limits imposed by the purpose of occupation.

This being so, the trial of Yugoslav citizens by the Tribunale Speciale in Rome represents a conspicuous instance of usurpation of sovereignty in violation of Article 43. Namely, the Tribunale Speciale in Rome is a court which was set up for the protection of the Fascist Regime in Italy, against Italian anti-fascists, and this in peace time. It was an instrument of Italian home policy, of internal Italian political affairs, which, both with regard to its constitution and its jurisdiction, had nothing to do with the occupation of another country in war-time, and which could never, therefore, be extended beyond the borders of Italy, and never be applied to inhabitants and citizens of a country temporarily occupied by the Italian forces.

In other words, the Tribunale Speciale in Rome was not one of the courts that could have been put into operation according to Article 43.

For this reason, the very fact that this court exercised its jurisdiction over Yugoslav subjects under Italian occupation represents in se a violation of the existing Treaties. A violation which in International Law we are accustomed to classify as acts of "usurpation of sovereignty."

The relevant legal consequence of such a situation is that sentences passed by this court on Yugoslav subjects under Italian occupation were illegal, and that, as a further consequence, they represented crimes perpetrated through the channel of this particular judicial instrument of political oppression and persecution.

So, all death sentences passed on Yugoslav citizens by this court are tantamount to murders, the court lacking any legal authority to



pass such sentences. All sentences of life imprisonment or shorter terms are likewise tantamount to illegal internment and deportation, for the same reason.

In this lies the true legal significance of the exercise of jurisdiction by the Tribunale Speciale in Rome over Yugoslav subjects, and it is an issue that emerges not only from contemporary International Law, but also from the International Law of the last century. Therefore, all remarks made in Doc. I/25 as to the possible validity of the sentences pronounced by the Tribunale Speciale in Rome on Yugoslav citizens, are irrelevant.

As a final point of importance, it should be pointed out that, the task of the Tribunale Speciale in Rome being focussed on the protection of the Italian Fascist Regime as such, it represented even in Italy, in regard to Italian born subjects, an arbitrary instrument of unlimited power to crush any semblance of non-compliance with the Fascist Regime. It is, therefore, quite easy to realise what guarantee it could give when applied to subjects of an occupied country, and more particularly to subjects of territories which the Italian Fascist Regime occupied with the undisguised intention of annexing and forcibly incorporating it into Italian land proper.

In view of the above described position, the following sentences passed by the Tribunale Speciale in Rome, as described in the charge No: 1323, can already at this stage of my analysis be considered as war crimes:

1. The sentences mentioned on page 4 under 1 and 2, insofar as they were passed on Yugoslav or Yugoslav citizenship.
2. The sentence passed on Leopold Lado CERVELLI, born in Trieste in 1889, but a Yugoslav citizen since 1920, i.e. the time of the incorporation of Trieste, Istria and Gorizia into Italy; and that passed on Josef ZIDARIC, born in Trieste in 1919, but a Yugoslav citizen since after that time (page 4, under I).
3. The sentence passed on Bruno GACINA, a Yugoslav citizen since 1918, who always lived in Yugoslavia, for reconnaissance work while on military duty the day before the Italian attack against Yugoslavia, i.e. before the state of war between Italy and Yugoslavia existed, both de facto and de jure (page 4, under II).
4. The sentence passed on Franc PRIMOZIC, a Yugoslav citizen since 1918, who had always lived in Yugoslavia, because he performed his military duty 1933-1935, whilst on military service, as a Gendarme on the Italo-Yugoslav border (page 4, under V).
5. The sentence passed on Eugen MATCOVIC and Venceslav BAN, Yugoslav citizens from the beginning, because they approached the U.S. Consul General in Zagreb with a view to obtaining protection for four ships belonging to MATCOVIC (pages 4-5, under VI).
6. The sentences passed on Josip ZNIDARSIC and Ivo STERGAR, both Yugoslav citizens from the beginning, for having given military information about the Italian Army before the war, in 1938 and later - (page 5, under IX).
7. The sentences described on pages 5 and 6 under XI and XII,

passed on Yugoslav citizens interned or imprisoned by the Italians during the war, for having "formed a revolutionary organization" in the internment camp (XI), or for having expressed anti-fascist views before the war (XII).

### III.

#### Italian Citizenship of Yugoslavs as an Alleged Legal Basis for Exculpating Individuals Guilty of War Crimes

This appears to be the chief objection raised in regard to the charges No: 1323 and No: 1339:

(a) As to the charge No: 1323, the objection is formulated as follows in Doc. I/25 (page 1, II)

"No exemption of Italian citizens of Yugoslav race from Italian jurisdiction can be claimed for the time when the disputed territory undoubtedly formed part of Italy, both under International Law and according to the municipal legal orders of Yugoslavia and Italy."

This means that Yugoslavs of Italian citizenship could lawfully be tried and sentenced by the Tribunale Speciale in Rome because they were Italian subjects, and that members of this court are, accordingly, completely exculpated on account of such a legal position.

(b) As to the charge No: 1339, the beating and torture of Yugoslavs of Italian citizenship in the prison prior to their trial by the Tribunale Speciale appear, likewise, not to represent war crimes, because the victims were Italian, and not Yugoslav subjects.

So, the sole fact that the Yugoslavs in question happened to hold Italian citizenship seems to prevent Committee I from recognising that crimes committed against them in exactly the same circumstances and in the same way as those perpetrated against Yugoslavs of Yugoslav citizenship are war crimes which entail punishment.

This is a far-reaching conclusion that deserves a very careful analysis, with regard to its consequences, - and these are manifold:

1. First of all, to decide upon the legal nature of an offence solely according to the citizenship of the victims means operating on a purely formalistic basis, which is not only typical of the schools of thought of the past, but is in contradiction to the most recent developments in International Law. In our particular case, this formalism is displayed in that a legal status, which was created over a quarter of a century ago (1918-1919), is taken for granted and is automatically considered as being still valid nowadays, without any consideration of the changes that have occurred since that time.

In other words, this means isolating a legal phenomenon from its surroundings, i.e. from the complex of facts which preceded it and rendered possible its appearance in the world of law, and after having done so, applying it mechanically to any particular situation in the world of realities, regardless of the time and of new facts and circumstances.

One of the consequences of such a way of legal thinking is that if it were justified at all as a general principle, we would have never witnessed the sweeping developments which took place during this war in International Law. Moreover, we ourselves, of the United Nations War Crimes Commission, would never have been in a position to contribute to these developments.

I refer here to the Agreement for the Prosecution and Punishment of the Major War Criminals, with the Charter embodied in it. According to the Agreement and the Charter many deeds accomplished long before the war (1939 onwards), and which up to the present were not considered as criminal acts, have definitely been recognised as crimes in International Law.

Such a recognition, related to acts performed between the two wars and during this war, was dictated by the changes which occurred during that period of time, changes so profound and significant that they literally revolutionised the legal concepts existing hitherto. Thus:

(a) The aggressive war prepared by the European Axis from 1933 onwards and launched in 1939 was in 1945 classified as a crime against peace, - a legal concept in respect of which, only a year ago, Committee III said it could not be accepted lege lata (Doc. III/9, 15 Sept. 44, I).

(b) Heads of State were taken as penally responsible for the preparation and launching of aggressive war;

(c) No automatic exculpation was recognised in respect of offences committed upon superior orders.

(d) The concept of criminal organisation was introduced as being liable to be applied to official State bodies bearing all the external requisites of legality.

(e) And, finally, - for the purpose of this report, the most important issue is that "murder, extermination, enslavement, deportation, and other inhuman acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds....whether or not in violation of the domestic law of the country where perpetrated" were also recognised as being crimes in International Law. They were classified as "crimes against humanity". Further considerations on this issue will be given later on.

It is quite evident that all these legal issues could never have been arrived at, had we abided by, and were we to abide by the sacrosanct principles of pre-1939 International Law, considering them automatically valid for the state of affairs of our present days.

However, this is the very thing that is being done when the citizenship of a class of victims of war crimes is raised as a legal obstacle for dealing with these crimes. This again a reference to the lex lata of the past, as if International Law had the magic property of being an immutable quality per se, emanating from a transcendental power once and for all.

2. Therefore, to put forward such an argument as this does not yet mean at all that it is really still valid. The answer to this question depends entirely on whether the present existing circumstances permit us



to persist in using the argument, or whether they lead us to revise it or possibly even to abandon it.

<sup>03.</sup> Reference was made above, para. 1 (c), to the recent recognition that in International Law there are "crimes against humanity".

This recognition (Charter of International Military Tribunal, Article 6, (c)) was made to cover a series of criminal acts regardless of the citizenship of the victims, including crimes committed by the Government and authorities of the European Axis against their own citizens, both before, and during this war. Moreover, as a point of direct concern in connection with both charges No: 1323 and 1339, this was recognised expressly regardless of "whether or not" such crimes were committed "in violation of the domestic law of the country where perpetrated." So, the fact that a "crime" was committed in compliance with and in pursuance of the domestic law of the European Axis, is also definitely irrelevant having regard to the criminal nature of the acts committed.

In Doc. I/25, page 5, VI, it was to a certain extent visualised that many of the crimes described in the Charge No: 1323 fall within this category, but with the wrong opinion that they should be referred to the Allied Control Commission for Italy and, therefore not dealt with by the Commission.

This opinion is wrong for the following reasons:

The crimes provided for in Article 6 of the Charter are of three kinds: crimes against peace, war crimes, and crimes against humanity. But from this enumeration it does not follow that the work of the United Nations War Crimes Commission is confined solely to the second of the three categories, nor that the perpetrators of the "crimes against humanity" have to be tried only by the International Tribunal.

We are particularly concerned here with the category of "crimes against humanity", because it has very close connections with that of war crimes proper. Sometimes, as we shall now see, it merges entirely with war crimes in the narrower sense.

As far as "crimes against humanity" were perpetrated by the Axis Government against their own subjects ("civilian population" as it is defined in Article 6 (c)), they represent within the borders of the Axis countries the same kind of crimes which they perpetrated outside their borders, against the civilian population and subjects of the countries occupied by their armed forces. Here the "crimes against humanity" are exact counterparts of "war crimes", with the sole difference that instead of having been committed against alien citizens in an occupied country, they were perpetrated against the citizens of those very Axis countries.

On the other hand, as far as "crimes against humanity" were perpetrated against citizens of an occupied country, they represent not only a separate class of crimes to be dealt with in addition to the class of war crimes, but they then represent an extension of the very concept of war crimes. In other words, they are then nothing more nor less than war crimes.

Such a close connection between the groups of crimes classified separately in Article 6 is indicated in para. (c), where reference is made to the "persecutions on political, racial or religious grounds". Whereas "crimes against humanity" - such as "murder, extermination, enslavement, deportation and other inhuman acts committed against any civilian population, before or during the war have their separate counterparts in the category of "war crimes" (Article 6, para. c), this is not the case with the above mentioned persecutions. These are crimes which fall only into the category of "crimes against humanity", but as such they are offences which have been perpetrated both in the Axis and the



occupied countries. That is why Article 6 (c) refers to them as offences which were perpetrated "in execution of or in connection with any crime" falling within the category of either "crimes against peace" or "war crimes" or even the other kind of "crimes against humanity" mentioned in the first part of para. (c).

It thus appears that at least some "crimes against humanity" merge with "war crimes", and that then no distinction can be drawn between them.

This indicates sufficiently clearly that the classification of crimes in Article 6 of the Charter, particularly the separate classification of "war crimes and crimes against humanity" should not and cannot be taken rigidly, as if these were quite distinct classes of international crimes.

It is on account of such a close relationship between all these categories of crimes that the major war criminals are regarded as being guilty not only of "war crimes", but also of the other two categories. And it is for the same reason that the Tribunal set up for the punishment of major war criminals is competent to try them for all the three classes of crimes.

If we, now, look at the question of jurisdiction, the following are the issues deriving from the provisions of the Agreement and of the Charter.

Crimes against peace, being the exclusive responsibility of the major war criminals, it is obvious that, as to this category of crimes, they can and will be tried only by the International Military Tribunal.

But this is not the case where "war crimes" and "crimes against humanity" are concerned. As to these two categories, there are also two categories of criminals: the master organisers and instigators, i.e. the major war criminals, and the perpetrators, i.e. the lesser or ordinary war criminals. It is obvious that not only perpetrators of "war crimes" but also perpetrators of "crimes against humanity" must be tried for their misdeeds. Since they do not fall within the category of major war criminals, they cannot and will not be tried by the International Tribunal. They will have to be tried according to the principles laid down in Articles 4 and 6 of the Agreement, which cover all the crimes provided for in Article 6 of the Charter insofar as they were perpetrated by criminals other than those defined as "major war criminals." This means that they have to be tried by the national courts of the countries affected.

Now, whether "crimes against humanity" perpetrated by the Italians against Yugoslavs of Italian citizenship, will eventually be tried by Yugoslav or Italian courts or by some sort of mixed courts, has nothing to do with the right of the Yugoslav Government or any Government to bring such cases before the War Crimes Commission for examination and registration. The only relevant point is whether these cases fall within the competence of the War Crimes Commission. The answer leaves us in no doubt: the War Crimes Commission dealt with all the three categories of crimes long before they were formulated and classified as they are in Article 6 of the Charter. It registered or prepared evidence regarding the criminal plans of the major criminals; the persecution and extermination of Jews in the Axis countries; the crimes perpetrated by nationals of one Axis country against the nationals of other Axis countries, such as crimes committed by Germans against Italians; and the like. Thus, the War Crimes Commission is undoubtedly the competent body to examine and register any case related to any of the crimes which were re-classified in Article 6 of the Charter, and there is no other body that could possibly be substituted for it.

Therefore, the Yugoslav charges No: 1323 and 1339 or any other similar charge should be dealt with by the Commission in precisely the same way as other charges. That is to say, the criminals should be listed on prima facie evidence, and this could be done without prejudice to the question of jurisdiction and trial, exactly as is being done in regard to charges related to major war criminals, or to criminals wanted by two or more countries, or eventually to criminals who will be tried by Allied courts in enemy territory.

The question of jurisdiction does not interfere at all with the competence of the War Crimes Commission.

4. As a matter of particular legal interest, I wish to point out that, even if the recently signed Agreement and Charter had not made quite clear that the citizenship of the victims of war crimes is not a relevant legal question, the War Crimes Commission would have been entitled to create a precedent of this sort on its own.

It could have done so on the basis of the new facts and circumstances which I have mentioned previously as determining alterations of International Law.

What are these new facts in our particular case, i.e. in the case of Yugoslavs of Italian citizenship being persecuted by the Italian authorities?

In Doc. I/25, it is stated: "It is well known that as a matter of law, Italy had even no obligation towards her minorities analogous to those accepted by other States in 1919/20". But it is also well known that at that time Italy undertook no such obligations on the grounds that she was "a civilised country", which, for this particular reason, had not to bind itself in respect of minorities. This was the matter of fact that lay behind the matter of law, so that this "matter of law" is to be recognised only so long as the "matter of fact" which justifies it is still in existence.

It is not my purpose here to argue over the persecution of the Yugoslavs under Italian rule between the two wars, for this is also "a well known" fact. What matters here is the persecution of these Yugoslavs during the present war, the facts described in the charges No: 1323 and 1339 being related to that period of time.

Here are the facts in brief:

When Italy attacked Yugoslavia in April 1941, the Italian Government openly abolished any distinction between Yugoslavs under her pre-war rule and Yugoslavs in the newly occupied territories. They, de facto, applied the same treatment to all of them. For the Yugoslavs of pre-war Italy this meant an increase in terror, and for those from Yugoslavia proper it meant the introduction of systematic terrorism.

The reasons for such an action were very simple:

Italy launched an aggressive war against Yugoslavia because her Government wanted to annex a very large proportion of Yugoslav territory. This was an avowed policy, conducted openly long before the war; the assassination of King Alexander in 1934; the active assistance given by the Italian Government to Croat irredentists known as "Ustashi" and led by the quisling Pavelic before and after 1934; and the Italian claims for Dalmatia are well-known facts.

The avowed means of attaining such an aim consisted of literally annihilating the "Slav" population in the coveted territories, either through biological extermination or by forcible "Italianisation" (denationalisation), in both cases by means of systematic terrorism and persecution.

In this connection the Italian Government had all the more reason for wanting to get rid, once and for all, of the "Slavs" from Italy, and to prevent Yugoslavs from both territories, whom they united by their occupation, from uniting on their own initiative as a fighting nation against the Italian invaders and oppressors. Having invaded Yugoslavia, they felt that they were definitely relieved of any fear of Yugoslav interference, and then openly and ruthlessly started persecuting the Yugoslavs under their pre-war rule.

So, the Italian Government treated all the Yugoslavs from both territories on an exactly identical basis, i.e. as a compact national community which stood in the way of their imperialistic aims. And in doing so - and this is the first important point, - they not only overstepped the measures which they could have been entitled to introduce in accordance with the treaties, but unleashed a reign of terror which can be compared only with that which has been conducted by the Nazis.

From this fact emerge further relevant developments.

In imposing the original treatment on Yugoslavs from both sides, the Italian Government recognised in fact that they either never had or at least no longer considered and treated Yugoslavs in Italy as their subjects. They themselves rejected this "legal form" by acting in contradiction to it. It is out of the unilateral rejection, deliberately accomplished by the Italian Government, that emerges the chief feature relevant from the legal point of view.

By treating Yugoslavs from Italy as if they were Yugoslav citizens, and this in concreto meant as enemies of Italy, the Italian Government assimilated them in every respect to Yugoslavs from Yugoslavia proper and thus abolished de facto the last legal link existing between them and those Yugoslavs. In other words, they de facto deprived them of their citizenship and of the rights attached to it, and - again de facto - attributed to them Yugoslav citizenship.

It is only thus that one can understand that there was no mercy for the "Slavs" in Italy: they were always considered as aliens, in spite of their Italian citizenship, and for a comparatively long time before the war and during the war, they were openly treated as nothing else but enemies.

This is a fact that cannot be ignored, because it entirely reverses the position which, all through Doc. I/25, it is assumed still existed before and during this war, as it was supposed to have existed in 1918-1919. If we had to ignore it in spite of the facts, this would result in a ridiculous position, similar to that of the stubborn theoretician who, seeing his theory negated by facts, replied: "Tant pis pour les faits".

We are thus confronted with a determined de facto status which has in an appropriate way to be treated de jure.

The answer de jure is very simple and already determined by the general principles discussed above, with regard to Article 6 (c) of the Charter.



When a European Axis Government and their officials treat a whole racial (national) community as outlaws and persecute them on the sole basis that they belong to a non-Italian race, whose motherland happens to be a neighbouring state at war with that Axis Government, - there is no doubt that there can be no exculpation in respect of crimes committed against that community on the sole grounds that the victims were "citizens" of the persecuting State.

To raise and insist upon such an argument would mean nothing less than giving hypocritical legal cover to a series of despicable crimes.

That is why, the War Crimes Commission, confronted with the facts described in the foregoing paragraphs, could and should have, even without reference to the recently signed Agreement, created the precedent required in view of the above facts, exactly as it has done in respect of many most important principles which were subsequently adopted in the Agreement of August 8, 1945.

6. Connected with these last remarks is a final important point, particularly in respect of the charge No: 1323. This point is related to the following views expressed in Doc. I/25, page 1, II:

"Even if it be admitted (and as a matter of fact there can be no reasonable doubt about it) that the sentence imposed by the Court on the Italian citizens of Yugoslav race...were unjust, illegal and even criminal, International Law does not recognise the right of a racial minority to rise against the State under whose jurisdiction it fell under the 1919 Peace Treaties."

The opinion that "International Law does not recognise the right of a racial minority to rise against the State under whose jurisdiction it came under the 1919 Peace Treaties", in spite of the admitted illegality and criminality on the part of the State, is as formalistic and as strong as the opinion expressed as to the legal effect of "citizenship".

In times when all the leading Allied Powers have fostered and given direct help to any individual or group of individuals in the territories belonging to or occupied by the Axis in conducting active operations against the foes of the Allies, and when Allied liaison officers were sent to assist Yugoslavs from Istria and Trieste to rise against Italy and material supplies were given to them by the armed forces of these Allied countries, - is it not obsolete to talk about "the right to rise" in the name of International Law?

Here again, reference should be made to the facts that precede Law and determine its principles.

It is true that many Yugoslavs from Italy organised guerilla detachments and later joined the ranks of the regular Yugoslav Army of National Liberation. But it is also true that:

(a) these very Yugoslavs belonged to units which were an integral part of the Allied forces fighting against Italy, officially recognised as such and officially carrying out operations combined with those conducted by the Allied Supreme Command.

(b) these very Yugoslavs were literally driven by the Italian authorities themselves to react in self-defence against the terror to which they were subjected.



In such circumstances, is it still possible to deny to members of this racial community and of those armed forces the right of all the Allies affected by war crimes to call for just retribution through the appropriate Allied body, on the sole grounds that they were "Italian citizens"? Is it possible to treat them as Italian subjects any longer, after they have been de facto deprived of their citizenship? And is it still possible to consider that an instrument of political and racial persecution, such as the Tribunale Speciale in Rome, was entitled to condemn these people criminally merely because they were of Yugoslav race, as was implied in the above quoted paragraph of Doc. I/25?

I submit these questions to the Commission.

#### IV.

##### Conclusions

7. (a) As a matter of principle, I am of the opinion that in estimating the relevant legal position in respect of the two charges, the Commission should refer to and base its conclusions upon the legal status de facto created by the Italian authorities before and during this war, and not upon the formal status de jure which was created in 1919.

(b) It should, further, apply the issues provided for in Article 6 (c) of the Charter of the International Military Tribunal.

(c) According to both these legal bases the Commission should recognise that offences committed against the Yugoslavs of Italian citizenship on political or racial grounds are crimes coming within the provisions of Article 6 (c) of the above Charter, regardless of the Italian citizenship of the Yugoslavs concerned, and regardless of whether these crimes were committed through the judicial machinery or otherwise.

It should also recognise that, according to the said Article 6 (c), the fact that the Italian authorities and courts might have committed these crimes in compliance with the Italian domestic law is irrelevant.

(d) It should recognise as a further relevant point that acts committed by Yugoslavs of Italian citizenship in self-defence against the persecution and terror carried out against them on political or racial grounds, such as their joining the ranks of the Yugoslav Army, does not justify the Italian authorities in their application of further persecution and terror on the sole basis that these Yugoslavs escaped persecution by taking refuge in the ranks of the Yugoslav Army. Having de facto outlawed the whole Yugoslav community, and exposed its members to terror, the Italians cannot, at the same time, claim the right to punish them for having taken steps in order to escape the consequences of such an outlawry and terror.

8. With regard to the aforesaid, the Commission should:

(a) Inscribe on List A all the individuals accused in the charge No: 1339 for having beaten and tortured in the prison the Yugoslavs concerned, prior to their trial by the Tribunale Speciale per la Difesa dello Stato.

(b) Inscribe on List A all the accused named in the charge No: 1323 on account of the crimes discussed in this document, I. and enumerated on page 3 from 1 to 7, - as well as an account of the other crimes described in the charge No: 1323, subsequently supplemented by new details in the Addendum presented to the Commission.

(c) All the criminals, who have committed offences against Yugoslav citizens, should be entered on List A as being guilty of war crimes, and those who have committed offences against Yugoslavs of Italian citizenship should be entered on List A as being guilty of crimes against humanity, namely, persecution on political or racial grounds.

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3,217

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAVIA 13  
National Office of the following cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/It/133	1461/I/It/132	CORTE, Giovanni and others
" 134	1462 " 133	BERGOMI, A. " "
" 135	1463 " 134	CANINO, Ignazio " "
" 136	1464 " 135	BERTELLI " "
" 137	1465 " 136	RABAGIOLI " "
" 138	1466 " 137	CONCINA, Roberto " "
" 139	1467 " 138	FIVANO
" 140	1468 " 139	VILLASANTA, Carlo " "
" 141	1469 " 140	SCASSELATI, Franco "
" 142	1470 " 141	PEZZANO
R/N/69	1471/I/G/69	HOSS " "
" 70	1472 " 70	SCHOLDER " "
" 19	954 " 19 Add.	HUMMITSCH " "

Date: 10 Sept. 1945

Signed:

*JP*

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **nine**

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B/37	1503/Y/B/37	JANKOV, Pop MARKOV NIRCEV MANEV IVANOV KRSTEV MIHOV DECEV POBORNIKOV PETROV
R/It/143	1504/Y/It/142	PIRZIO-BIROLI FRANCESCHINI ROSCIOLI BOCCA GERMANO and others
R/It/144	1505/Y/It/143	ESPOSITO OGIONI CIPRIANI and others
R/It/145	1506/Y/It/144	CIPOLETTI
R/It/146	1507/Y/It/145	VIDOVICH
R/It/147	1508/Y/It/146	MENTASTI BONINI
R/It/148	1509/Y/It/147	CIROTTI PANATELLO and others
R/It/149	1510/Y/It/148	ADAMO and others
R/N/71	1511/Y/G/71	WALTER

Date: 13th September, 1945

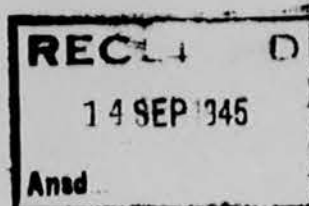
Signed:

*F. J. Pittendugh*

Chief Clerk



P. No: 251



A-8  
3.21 Y  
(R/G/14/9)  
Jugoslav Delegate to the United Nations  
War Crimes Commission.

195, Queen's Gate,  
S.W.7.

September 15, 1945

Dear Colonel Wade,

I have received information from Belgrade regarding a large number of Yugoslav children, who were taken away by the Germans and transported to Germany.

National-  
Sozialistische  
Volkswohlfahrt  
These children were handed over by the German military authorities to the care of the women's organisation known as NSV. Subsequently they were allocated by the NSV to German families.

These were mostly the children of Yugoslav soldiers and political internees whom the Germans had murdered in Yugoslavia, and in many cases they were forcibly taken away from their mothers.

As you will appreciate, I am now concerned with the identification of those responsible for such a criminal activity.

Could you assist me in finding out who was in charge of the NSV in Yugoslavia and in Germany, and possibly some more details about their activities in regard to the children mentioned above.

All the children concerned are still in Germany, and the whereabouts of the majority of them is still unknown. Therefore, any other information which could help the Yugoslav authorities responsible for their repatriation would also be welcome.

Yours sincerely

DR. Zimmer

Lieut. Colonel H.H. Wade,  
United Nations War Crimes Commission,  
Church House,  
Gt. Smith Street,  
S.W.1.

Nat. Soz. Volkswohlfahrt

A-8

3.21 7

217.  
(R/G/14/9)

17th September, 1945.

Dear Dr. Zivkovic,

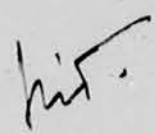
I thank you for your letter of the 13th instant, asking me to help you in finding out who was in charge of the NSV organisation (National Sozialistische Volkswohlfahrt) in Yugoslavia and in Germany.

/ In order to endeavour to answer your request to the best of my ability, I enclose herewith a list of German personalities connected with the Hauptamt für Volkswohlfahrt in Berlin and of officials of the NSV in parts of Yugoslavia incorporated in Germany.

Unfortunately I have no information concerning the activities of the NSV in Yugoslavia.

I hope the enclosed list will be of some use and help to you.

Yours sincerely,



pp. H.H. Wade.

Dr. R. Zivkovic,  
Yugoslav Delegate to the United  
Nations War Crimes Commission,  
195, Queen's Gate,  
S.W. 7.

ENCLOSURE.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

Yugoslav National Office of the following four cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/B/38	1549/Y/B/38	COLAKOV, Sava and another
R/B/39	1550/Y/B/39	KOZAROV, Hristo and others
R/B/40	1551/Y/B/40	KAROLIJEV and others
R/It/150	1552/Y/It/149	BUTTI, Giuseppe, and others
and Addenda to:		
R/It/114	1323/Y/It/114	
R/It/135	1463/Y/It/134	

Date: 19th September 1945

Signed:

*F. J. Pittendrigh*  
Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

Yugoslav

National Office of the following four

cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
--------------------------------	--	------------------------

R/B/38	1549/Y/B/38	COLAKOV, Sava and another
R/B/39	1550/Y/B/39	KOZAROV, Hristo and others
R/B/40	1551/Y/B/40	KAROLIJEV and others
R/It/150	1552/Y/It/149	BUTTI Giuseppe, and others

and Addenda to:

R/It/114	1323/Y/It/114
R/It/135	1463/Y/It/134

Date: 19th September, 1945.

Signed:

*F. J. Pittendrigh*

Chief Clerk



KINGDOM OF GREECE  
MINISTRY FOR FOREIGN AFFAIRS

August 29th, 1945

19134

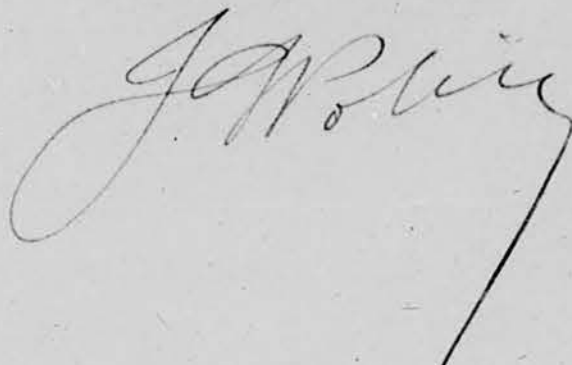
Sir,

I beg to acknowledge receipt of your letter N° 8 dated June the 4th, by which you have been kind enough to inform me that Giuseppe Bastianini, former Governor of Dalmatia from June 1941 to February 1943, now believed to be in Switzerland has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon the list of war Criminals.

In thanking you for this kind communication, I have taken note of your recommendation for the Royal Government to take such action in the matter as they deem appropriate.

I am, Sir

Your obedient servant



The Rt. Hon. Lord Wright, P.C.  
Chairman of the United Nations War Crimes Commission.  
Royal Courts of Justice

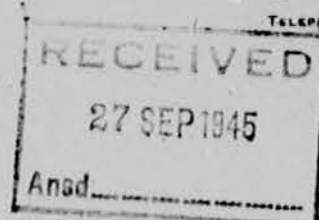
Strand, W.C. 2.

*Mr. R. R. R.*  
*EWI*

THE REPRESENTATIVE OF GREECE  
UNITED NATIONS WAR CRIMES COMMISSION

8, ALDFORD HOUSE, PARK LANE, W.1.  
TELEPHONE: GROSVENOR 2862

Ref. No. 79.



26th September, 1945.

My Lord,

In reply to your letter No. 8 dated June 4th 1945, I beg to send you herewith letter No. 19134 by Monsieur J. Politis, Minister for Foreign Affairs of Greece, addressed to your Lordship.

I have the honour to be, my Lord,  
your Lordship's obedient servant,

*Ch. H. H. H.*

The Rt. Hon. Lord Wright of Durley, P.C., LL.D.,  
Chairman of the United Nations War Crimes Commission,  
Church House,  
Great Smith Street,  
S.W.1.

Corrections to Names of Italian Criminals

D'AUTILIO (or D'ANTILIO) Salvatore should read D'AUTIGLIA (R/It/38-943/Y/It/38) 12/19

FABBRI, General should read FABBRI, Brigadier General Umberto (R/It/28-891/Y/It/28  
and R/It/62-1010/Y/It/61

Adj. [ NICOLETTI, Dr. Tulio (R/It/124) and NICOLETTI Tulio (R/It/35-940/Y/It/35)  
are the same man. 12/72

Regts & Balts.

*Corrections (next list)*  
*Italians*

*The name is*

- R/It/13-461/Y/It/13 --Major BRUNELI should read Major Robert BRUNELLI. 5/73
- R/It/16 -586/Y/It/16 --Pietro LOTI should read LOTTI. 5/95
- R/It/16-586/Y/It/16 --Franco SCA/SELATI should read Franco SCASSELATI. 5/108
- R/It/16 -586/Y/It/16 -Lieutenant Enrico GALTERIO should be described  
also as Giudice del Tribunale Militare di  
Guerra di Cettigne. 5/87
- R/It/16-586/Y/It/16 -Captain Antonio CESI should read Captain Antonio CESSI  
and should also be described as Giudice del  
Tribunale Militare di Guerra di Cettigne. 5/78
- R/It/2-309/Y/It/2 -Major SPITALERI should read Major Salvatore SPITALIERI. 2/43
- R/It/7-324/Y/It/7 - Colonnello COCCIA should read Colonnello Angelo COCCIA 2/32
- R/It/21-60/Y/It/21 -Lieutenant of Carabinieri Giuseppe PARDINI should  
be described as of the "Ferrara" Division. 5/102
- R/It/12-398/Y/It/12 -General TUCCI should read General Carlo TUCCI. 2/45  
(card ?)



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

National Office of the following

cases:

<u>National</u> <u>Office No.</u>	<u>YUGOSLAV</u> <u>Registered by</u> <u>Secretariat</u> <u>under No.</u>	<u>seven</u> <u>Name of Accused</u>
R/It/39	956/Y/It/39 Addendum	SCARPA, Giuseppe PIZZILIO, Giovanni
R/N/72	1592/Y/G/72	STAGE, Kurt; and others
R/N/73	1593/Y/G/73	GREINER
R/N/74	1594/Y/G/74	GRANDKE, Helmut
R/N/75	1595/Y/G/75	TRISCHLER
R/N/76	1596/Y/G/76	KUPKE, Harry
R/N/77	1597/Y/G/77	ROESNER; and others

Date:

8th October, 1945

Signed:

*F. J. Pittendrigh*

Chief Clerk

217.

18th October, 1945.

Dear Walmsley,

The Yugoslav member of this Commission has asked us if we can obtain for him information about the activities of the N.S.V. organisation in Yugoslavia and in Germany during the war.

Can you give us any information or say where it can be found?

Yours sincerely,

H.H. Wade.  
Chief Research Officer.

Walmsley, Esq.,  
Political Intelligence Department,  
Bush House (Central Block),  
Aldwych, W.C.2.

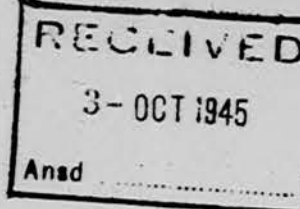


321.57  
OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.

KEN. 4903. 6505.

P. No: 260



October 1, 1945.

Dear Colonel Wade,

Thank you for the particulars you sent me regarding the N.S.V. organizations in Yugoslavia and Germany.

I should be very appreciative if you could obtain some information with regard to the activities of these organizations in Yugoslavia.

Yours sincerely,

*Dr. Zivkovic*

Lieut. Colonel H.H. Wade,  
United Nations War Crimes Commission,  
Church House,  
Gt. Smith Street,  
S.W.1.

644

3217

POLITICAL INTELLIGENCE DEPARTMENT OF THE FOREIGN OFFICE



TEMPLE BAR 1581

Ref: GAD/C/131

GERMAN AND AUSTRIAN DIVISION  
CENTRAL BLOCK, BUSH HOUSE  
ALDWYCH, LONDON, W.C.2

RECEIVED  
19th October 1945  
22 OCT 1945  
Ans

Dear Col. Wade,

Thank you for your letter of 18th October. The best place to look for information on the activities of the NSV organisation in Yugoslavia and in Germany during the war is in the P.I.D. Basic Handbooks for Germany and Yugoslavia. If this is not adequate the Research Department of the Foreign Office might be able to help you in the case of Yugoslavia.

Yours sincerely,

*A.R. Walmsley*  
A.R. Walmsley.

Col. H.H. Wade,  
Chief Research Officer,  
United Nations War Crimes Commission,  
Church House,  
Gt. Smith Street, S.W.1.

217.

3217

22nd October, 1945.

Dear Mr. Walmsley,

I have received your letter of October 19th (GAD/C/131), and thank you for the information you have kindly given in regard to the best place to obtain further particulars concerning the NSV organisation in Yugoslavia.

Yours sincerely,

*h*

pp. H.H. Wade.

A.R. Walmsley, Esq.,  
Political Intelligence Department,  
German and Austrian Division,  
Central Block  
Bush House, Aldwych, W.C. 2.

Suspense

COLONEL WADE.

Mr. Walmsley's letter has been acknowledged, but as Mrs. Braid failed to find any information in the Basic Handbook, it is possible you may wish to get in touch with F.O. Research Dept. before passing on the contents of the letter to M. Zivkovic.

REME.

23. 10. 45.

*File*

*McGowan*

*Dear Mr. Wade*

*Shake Mr. Jaffan's  
secretary (FORD)*

*25-10*

*She will search  
(He is away)*

*Note sent HW  
25-10  
been forwarded  
a copy filed  
MUE*



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **three** cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/It/151

1736/Y/It/150

BIANCO, Ferruccio; and others

R/It/152

1737/Y/It/151

CASTELLANI, Leopoldo; and others

R/N/78

1738/Y/N/78

SCHUTTE

Date: 26th October, 1945

Signed:

*F. J. Patterson*

Chief Clerk

The United Nations War Crimes Commission begs to transmit to the Yugoslav National Office, for information, a copy of a communication\* which has been received from the Central Registry of War Criminals and Security Suspects, relating to the death of Colonel Angelo COCCIA.

\* See file 324/Y/X/7

29th October, 1945

The Yugoslav National  
War Crimes Office,  
195 Queen's Gate,  
S. W. 7.

P

R 6/24/100

Social Welfare among the Serbs and Croats was controlled by the Ministry of Health and Social Policy in the respective puppet Governments. The Volksdeutsche had their own organizations: the "Deutsche Volkshilfe" in Croatia, and the "Amt für Volkswohlfahrt" in Serbia and the Banat, which were responsible for the welfare of the local Germans but not of any other nationality.

The only part of Yugoslavia which could possibly have come within the sphere of activity of the NSV was German-occupied Slovenia, i.e. Lower Styria and Upper Carinthia, which were formally annexed to the Reich in 1941, and Upper Carniola and the Slovene Primorje which the Germans occupied after the Italian collapse in September 1943. But in Lower Styria social welfare was the concern of the Welfare Section of the Steirisches Heimatbund. Upper Carniola was incorporated in the special administrative zone, "the Adriatic Littoral", which had its own Social Welfare Organization set up by the High Commissioner, Dr. Rainer. Presumably, therefore, it was only in Upper Carinthia that the NSV operated.

There is, however, one case in which the NSV may have been active in Lower Styria and that was in connection with the settlement of Germans, transferred from Kočevje, Bukovina and Dobrudja, on frontier land vacated by deported Slovenes. It was one of the jobs of the National Socialist Women's Organization in connection with the NSV to run transit camps, canteens etc. for these Germans.

The activities of all the Social Welfare Organizations mentioned seem to have been confined to Winter Help Collections, the feeding and clothing of refugees from the devastated areas of Yugoslavia, and in a few cases to the organization of communal kitchens. Certainly Winter Help Collections are open to abuse and the administration of relief was undoubtedly subject to political considerations.

In Carinthia in fact, the Gauleiter, Dr. Rainer, stated at Jesenice in December 1942 (Kärntner Zeitung, 7 Dec. 1942) that the various social reforms and benefits which he was instituting would be withheld from those who were "unworthy of these privileges ... for the man displaying a disloyal or negative attitude towards the State has no right to exploit his privileges to the detriment of the community. If, when these measures come to be applied, we meet with difficulties caused by a deficiency of political and national groundwork, I shall not hesitate to initiate appropriate modifications on a large scale".

The Social Welfare Organization in the Adriatic Littoral was more directly connected with labour. According to Donauzeitung (24 April 1944) its task was to distribute additional benefits to workers who were most in need of it and to set up factory canteens, and to provide air-raid relief. But it is interesting that the fulfilment of the first of these functions of the Organization necessitated very careful investigations into the circumstances etc. of the workers and their families.

26th October, 1945.

Research Department,  
Foreign Office.





Research Department,  
Foreign Office,  
Princes Street, S.W.1.

26th October, 1945.

Dear Colonel Wade,

With regard to your inquiry over the telephone yesterday, concerning evidence of criminal activity by the German Social Welfare Organization, NSV, in Yugoslavia, I'm afraid I cannot give you a very satisfactory reply. After having searched our files and having consulted the German Section I have found no direct evidence of such activity. I am informed by the German Section that the NSV was a Reichs organization which did not, except in such cases as the repatriation of Germans abroad, operate outside the German frontier. It is, therefore, unlikely that the NSV could have been active in any part of Yugoslavia except those areas in Slovenia which were annexed to Germany. The local German Communities had their own organizations, and I have found no direct connection between these and the NSV.

However, I enclose a few notes on the subject as the result of my search and hope they may be of some use.

Yours sincerely,

*Laurie Jackson*  
*ack.*

Colonel Wade,  
War Crimes Commission,  
Church House,  
Dean's Yard, S.W.1.

217.

(R/G/29/10 C)

30th October, 1945.

Dear Monsieur Zivkovic,

In regard to your enquiry (Reference: P. No. 260) of October 1st, 1945, I have only been able to obtain the attached information, which I fear will not greatly help you.

My informant writes:

"I am informed by the German Section that the NSV was a Reichs organisation which did not, except in such cases as the repatriation of Germans abroad, operate outside the German frontier. It is, therefore, unlikely that the NSV could have been active in any part of Yugoslavia except those areas in Slovenia which were annexed to Germany. The local German Communities had their own organisations, and I have found no direct connection between these and the NSV."

Yours sincerely,

H.H. Wade.  
Chief Research Officer.

Dr. R. Zivkovic,  
Yugoslav Embassy,  
195, Queen's Gate,  
S.W. 7.

ENCLOSURE.



217

HM/HC

(W/29/10 C)

2nd November 1945.

Dear Miss Jackson,

Many thanks for your note of the 26th  
October on NSV in Yugoslavia.

Yours sincerely,

H. E. Wade,  
Chief Research Officer.

Miss Sarah Jackson,  
F.C.R.D.,  
Princes Street,  
S.W.1.

3.21 Y

Copy.

The United Nations War Crimes Commission,  
Church House,  
Gt. Smith St., S.W.1.

13th November, 1945

Sir,

As Chairman of the United Nations War Crimes Commission and at its request, I have the honour to bring to your knowledge that ~~Franco~~ SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy, now believed to be in Switzerland, has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon its list of war criminals. I enclose a copy of a certificate to this effect which the Commission has issued to the Yugoslav Government for use in its application to the Swiss Government for the surrender of SCASSELATI, and of which copies are being sent by me to the other Governments represented on the Commission, and have to add that the Commission recommends that the member Governments should take such action in the matter as they may deem appropriate.

I am, Sir,

Your obedient Servant,

(s) WRIGHT

To:  
The Minister for Foreign Affairs  
of ...

The United Nations War Crimes Commission,  
Church House,  
Gt. Smith St., S.W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Franco SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy, now believed to be in Switzerland, in support of charges of criminal responsibility during the period above-mentioned for war crimes, namely murders, massacres, systematic terrorism, torture, deportation of civilians, wanton devastation and destruction of property, pillage, illegal arrests and mass internment, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals.

(s) WRIGHT

Chairman  
of the United Nations  
War Crimes Commission

13th November, 1945.

CERTIFIED TRUE COPY



G.A. LEDINGHAM

Secretary General

- / EMS

13th November, 1945.

Dear Sir,

At a meeting held on 8th November, 1945, the United Nations War Crimes Commission decided to issue to you for transmission to your Government, a Certificate showing that Franco SCASSEIATI, Prefect of Kotor from 1941 until the capitulation of Italy, had been placed upon the Commission's list of war criminals.

— I enclose four identical copies of the certificate signed by  
— the Chairman. I enclose also a copy of the letter which is being addressed to the other Governments represented on the Commission.

Yours faithfully

G.A.L.

Secretary-General

Dr. R. Zivković,  
Yugoslav Embassy,  
195, Queen's Gate,  
S.W.7.

Copy.

The United Nations War Crimes Commission,  
Church House,  
Gt. Smith St., S.W.1.

13th November, 1945

Sir,

As Chairman of the United Nations War Crimes Commission and at its request, I have the honour to bring to your knowledge that Franco SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy, now believed to be in Switzerland, has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon its list of war criminals. I enclose a copy of a certificate to this effect which the Commission has issued to the Yugoslav Government for use in its application to the Swiss Government for the surrender of SCASSELATI, and of which copies are being sent by me to the other Governments represented on the Commission, and have to add that the Commission recommends that the member Governments should take such action in the matter as they may deem appropriate.

I am, Sir,

Your obedient Servant,

(s) WRIGHT

To:  
The Minister for Foreign Affairs  
of ...

The United Nations War Crimes Commission,  
Church House,  
Gt. Smith St., S.W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Franco SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy, now believed to be in Switzerland, in support of charges of criminal responsibility during the period above-mentioned for war crimes, namely murders, massacres, systematic terrorism, torture, deportation of civilians, wanton devastation and destruction of property, pillage, illegal arrests and mass internment, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals.

(s) WRIGHT

Chairman  
of the United Nations  
War Crimes Commission

13th November, 1945.

CERTIFIED TRUE COPY

G.A. LEDINGHAM

Secretary General





- /EMS

13th November, 1945.

Sir,

As Chairman of the United Nations War Crimes Commission and at its request, I have the honour to bring to your knowledge that Franco SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy, now believed to be in Switzerland, has been accused by the Yugoslav Government of grave war crimes on evidence which has caused the Commission to place him upon its list of war criminals. I enclose a copy of a certificate to this effect which the Commission has issued to the Yugoslav Government for use in its application to the Swiss Government for the surrender of SCASSELATI, and of which copies are being sent by me to the other Governments represented on the Commission, and have to add that the Commission recommends that the member Governments should take such action in the matter as they may deem appropriate.

I am, Sir,

Your obedient Servant,

(s) WRIGHT

The Hon. The Secretary of State, State Department, Washington, D.C. ✓ X

The Secretary for External Affairs of Australia ✓ X

The Minister for Foreign Affairs of Belgium ✓ X

The Secretary of State for External Affairs of Canada ✓ X

The Minister for Foreign Affairs of Denmark ✓ X

The Minister for Foreign Affairs of China ✓ X

The Minister for Foreign Affairs of Czechoslovakia ✓

The Minister for Foreign Affairs of France ✓

The Minister for Foreign Affairs of Greece ✓ X

Diwan Bahadur Sir Samuel Rungenadhan ✓ X

The Minister for Foreign Affairs of Luxembourg ✓ X

The Minister for Foreign Affairs of the Netherlands ✓

The Secretary for External Affairs of New Zealand ✓

The Minister for Foreign Affairs of Norway ✓

The Minister for Foreign Affairs of Poland

His Britannic Majesty's Principal Secretary of State for Foreign Affairs of the United Kingdom ✓ X

*Mr. H. C. G. [unclear] [unclear]*

Copy of Certificate

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Franco SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy now believed to be in Switzerland, in support of charges of criminal responsibility during the period above-mentioned for war crimes, namely murders, massacres, systematic terrorism, torture, deportation of civilians, wanton devastation and destruction of property, pillage, illegal arrests and mass internment, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals.

WRIGHT

Chairman  
of the United Nations  
War Crimes Commission

13th November, 1945

3.214

The United Nations War Crimes Commission,  
Church House,  
Gt. Smith St., S.W.1.

13th November, 1945.

In execution of the decision taken by the United Nations War Crimes Commission on November 8th, the Secretary-General begs to request the representative of 15 countries (India & Yugoslavia omitted) to be so good as to forward to the Minister for Foreign Affairs (or equivalent)

— the enclosed letter and accompanying certified true copy of the certificate issued to Dr. R. Zivković.

— A copy of the letter and a second certified true copy of the certificate are enclosed for the Delegation's files.



3.214

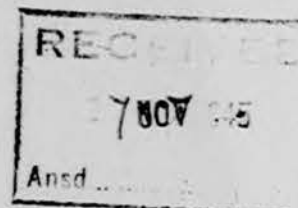
OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.  
KEN. 4903, 6505.

P.298.

16th October, 1945.

*Report to the Commission*  
*5/11/45*  
The Secretary General,  
United Nations War Crimes Commission,  
Church House,  
Great Smith Street.



*This is a request*  
The Yugoslav Minister in Switzerland informs me that Franco SCASSELATI, an Italian War Criminal whose name appears in List No. 5 of the United Nations War Crimes Commission, Serial No. 108, is now in Switzerland where he has taken refuge.

In order to be able to submit a request for the extradition of SCASSELATI, the Yugoslav Minister in Berne is asking me to provide a certificate of the United Nations War Crimes Commission, similar to the one which the War Crimes Commission issued in respect of Bastianini.

I would therefore appreciate it if the War Crimes Commission would issue, at the earliest opportunity, the necessary certificate, in quadruplicate, and send it to me.

*Dr R. Zivkovic*

3.214  
X  
JL/MC.

13th November 1945.

Dear Sir,

At the meeting held on 8th November 1945, the United Nations War Crimes Commission decided to issue to you for transmission to your Government, Certificate showing that Franco SCASSELATI, Prefect of Kotor from 1941 until the capitulation of Italy, had been placed upon the Commission's list of war criminals.

I enclose four identical copies of the certificate signed by the Chairman. I enclose also a copy of the letter which is being addressed to the other Governments represented on the Commission.

Yours faithfully,

GAL.

Secretary General.

Dr. R. Zivković,  
Yugoslav Embassy,  
195, Queen's Gate,  
London, S.W.7.



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following **nine** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/13	585/Y/G/13 Addendum	TSCHRESNER; and others
R/It/115	1324/Y/It/115 Addendum	LO TURGO, DE LITLIA; and others
R/N/79	1819/Y/G/79	SCHAFER Robert
R/N/80	1820/Y/G/80	DENCKE Sepp
R/N/81	1821/Y/G/81	STOBE
R/N/82	1822/Y/G/82	SCHULZ and WINNECKE
R/N/83	1823/Y/G/83	SCHUSTER Hans
R/It/153	1824/Y/It/152	GIACOMBELLI Ettore; and others
R/It/154	1825/Y/It/153	STRACCA

Date: 16th November, 1945

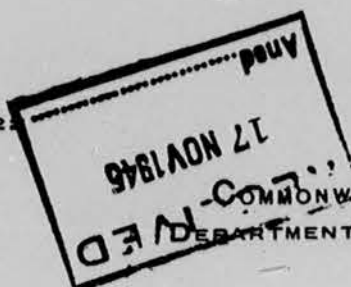
Signed:

*F. J. Patterson*

Chief Clerk

CW

WHITEHALL 542



OFFICES OF THE WAR CABINET,  
GREAT GEORGE STREET,  
WHITEHALL,  
LONDON, S.W. 1.

COMMONWEALTH OF AUSTRALIA.

DEPARTMENT OF EXTERNAL AFFAIRS. 16th November, 1945.

Dear Sir,

This is to acknowledge receipt of your circular letter of November 13th, the enclosed letter addressed by the Chairman to the Secretary of the Australian Department of External Affairs and the attached certified true copy of a certificate provided to the Yugoslav Government.

The Chairman's letter and copy of the certificate have been forwarded to Australia.

Yours faithfully,

*GB Bridgland.*

The Secretary-General,  
United Nations War Crimes Commission,  
Church House,  
Gt. Smith Street,  
LONDON, S.W.1.



RECEIVED

27, WILTON CRESCENT,

SLOANE 6231.

S.W.1.

17th November 1945

Dear Lord Chairman,

I thank you for your letter of the 13th November with the enclosures concerning Franco SCASSELATI, which I have duly transmitted to my Foreign Minister.

*Yours sincerely  
A. Class*

Lbrd Wright,  
United Nations War Crimes Commission,  
Church House,  
Gt. Smith Street,  
S.W. 1.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV** National Office of the following **two** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
R/N/84	1967/Y/G/84	TOMBROWSKI; and others
R/N/85	1968/Y/G/85	Leader of Working Unit, area of VIII Wehrkreis Rom.

Date: 30th November 1945

Signed:

Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV** National Office of the following **three** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
--------------------------------	--	------------------------

<b>R/N/86</b>	<b>2042/Y/G/86</b>	<b>BELL Alfons; and others</b>
---------------	--------------------	--------------------------------

<b>- 87</b>	<b>2043 - 87</b>	<b>IRMER Joachim; and others</b>
-------------	------------------	----------------------------------

<b>- 88</b>	<b>2044 - 88</b>	<b>GROSS and NEUHAUSEN Frans</b>
-------------	------------------	----------------------------------

Date: **17th December, 1945**

Signed:

*em.s.*  
Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

**six**

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/G/89	2058/Y/G/89	BENZ Heinrich; and others
- 90	2059 - 90	FISCHER; and others
R/It/155	2060/Y/It/154	MUSSOLINI Benito; and others
- 156	2061 - 155	GAMBERINI
- 157	2062 - 156	AMATO Attilio
- 158	2063 - 157	ADDARI Renieri

Date: 29th December, 1945

Signed:

*Emil*  
*Emil*

Corrections to Names of German Criminals

HECHT, Sergeant Major, should read HOCKT (R/N/66 -1337/Y/G/66) *Impresso letter*

X RUBLER, Major General should read KUBLER (R/N/14 -585/Y/G/13) 8/541.

Jan 30  
14 Feb  
X Captain BÖRNER (R/N/66-1337/Y/G/66) and Hauptmann Albin BOERNER (R/N/60-1313/Y/G/60)  
✓ are the same man. Name should read Hauptmann Albin BÖRNER. 14/610

Novak Spasov SINDERLOV

List 14 (German)

Ser. No: 735 a.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV** National Office of the following **four** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
--------------------------------	--	------------------------

R/M/6	2138/Y/H/6	HORTHY AND WERTH
R/N/91	2139/Y/G/91	KEIPER
R/N/92	2140 - 92	BADER Paul and others
R/N/93	2141 - 93	Company of SS. men

Date: **14th January 1946**

Signed:

*E.M.S.*  
*Chairman*



2733

3.21 Y

JL/MG.

24th January 1946.

Dear Dr. Zivkovic,

At the meeting of Committee I. held on 24th October 1945, it was decided to list on 'A' and on 'S' an Italian called PALMERI, charged in case No.1323. (Minutes No.35, paras. I and XI respectively).

In the above charge, there are two men with the family name of PALMERI contained in the list of accused, namely No.19, Guitano, and No.30, Alessandro Palmeri, and Committee I. decided therefore, to ask your National Office to indicate who of these two persons was involved in the particular crimes.

As a new Commission's list of Italian war criminals is now in preparation, I would very much appreciate it if you could advise me as soon as possible which of the two PALMERI's should be finally listed.

Yours sincerely,

JL.

Secretary to Committee I.

Dr. R. Zivkovic,  
Yugoslav Embassy,  
195, Queen's Gate,  
London, S.W.7.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

National Office of the following cases:

YUGOSLAV

one

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

**R/N/13**

**585/Y/G/13**  
Addendum

**FUCHS and others**

Date: 25th January 1946

Signed:

*EmS.*  
Chief Clerk



3.21 Y  
OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.

RECEIVED

31 JAN 1946

January 25, 1946.

Dear Dr. Litawski,

In reply to your letter of January 24 concerning  
an Italian called PALMERI, charged in case No. 1323, our  
records show that it was Gaetano PALMERI whom Committee I  
decided to place on the 'A' and 'S' lists at the meeting  
held on 24th October, 1945.

Yours sincerely,

MR. Zimone

Dr. J. Litawski,  
United Nations War Crimes  
Commission,  
Lansdowne House,  
Berkeley Square,  
W.1.

*Miss Jack  
Index 2  
and as per list  
as accused No. 19.  
4 Re this letter  
into the charge file.*



OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.

RECEIVED

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Yours sincerely,

MR. Zimone

Dr. J. Litawski,  
United Nations War Crimes  
Commission,  
Lansdowne House,  
Berkeley Square,  
W.1.

*Miss Jach*  
*1) index 2*  
*and as per list*  
*as accused No. 19.*  
*2) file this letter*  
*into the charge file.*



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
**YUGOSLAV** National Office of the following **four** cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
<b>R/W/7</b>	<b>2245/I/H/7</b>	<b>HARKAI and BAJU</b>
<b>- 8</b>	<b>2246 - 8</b>	<b>MAJOR Vitez</b>
<b>- 9</b>	<b>2247 - 9</b>	<b>GORONDY-NOVAK Elemer</b>
<b>-10</b>	<b>2248 - 10</b>	<b>KALLAY Miklos</b>

Date: **1st February 1946**

Signed:

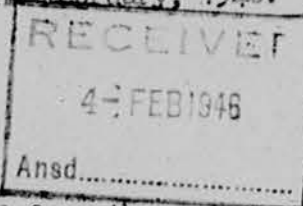
*E.M.S.*  
Chief Clerk



OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.  
KEN. 4903, 6505.

3.21 Y  
2nd February, 1946.



Re the Yugoslav Charge R/N/66.

The Yugoslav Delegation has received from the State Commission in Belgrade the following corrections in the spelling of the surnames, and in some cases the addition of the christian names, of the German war criminals named in the above charge R/N/66, and has the honour to beg the Commission to put the correct names in the new lists :

X ✓	List No.16. Ser.No.1069. KAEMPFE(R)	Should be KAEMPFE(R) or KOEMPFE(R), Wilhelm
✓	List No.14. Ser.No.646. HECHT.	HOECKT
X ✓	List No.14. Ser.No.657. HOMPL	HOEMPL, Wilhelm
X ✓	List No.14. Ser.No.664. JUNG	JUNG, Wilhelm (Wili)
X ✓	List No.13. Ser.No.952 ✓ List No.14. Ser.No.758 ✓ WAGNER	WAGNER, Karl

14 Feb.  
R/N/22

*Dr. R. Živković*  
(Dr. R. Živković)

The United Nations War Crimes Commission,  
Lansdowne House, Berkeley Square, W.1.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

YUGOSLAV

National Office of the following

**two**

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

**R/N/66**

**1337/Y/G/66**  
**Addendum**

**R/N/94**

**2416/Y/G/94**

Date: **8th Feb. 1946**

Signed:

*Emil*  
Chief Clerk



3 21 ✓  
OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION ✓

195, QUEEN'S GATE, LONDON, S.W. 7.

KEN. 4903X 6505: 34.00

Ext: 34.

February 21, 1946.

RECEIVED

22 FEB 1946

Ansd.....

Dear Miss Sirey,

Here with the lists which I have checked over  
as promised: I hope they are in time.

The following three Italians have been omitted  
from the A list:

IX ✓ Carlo BERGAMASCHI - Charge 1523<sup>3</sup>  
Alessandro ALVISI - " " (who does appear  
on the S list)  
Lussorio CAU - " "

IX ✓ They all appeared on one of those very involved  
charges which are not easy to sort out, but  
I have again gone very carefully over the notes  
which Dr. Zivkovic brought back from the relevant  
meeting of Committee I, and I think you will find  
that they were all put on "A".

It rather looks as if you have made us a  
present of GATTI (Serial 61) - I find no trace of  
him in our index!

Yours sincerely,

Elizabeth Rickman





3.21 Y ✓

**OFFICE OF THE REPRESENTATIVE OF YUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION**

195, QUEEN'S GATE, LONDON, S.W.7.

RECEIVED

KEN. 490300630300 3400

Ext: 39

25 FEB 1946

P. No: 538

Ans.....

February 22, 1946.

The Secretary General,  
United Nations War Crimes Commission,  
Lansdowne House,  
Berkeley Square,  
W.1.

1. With reference to the ruling adopted by the plenary session of the United Nations War Crimes Commission at its meeting held on January 30, 1946 to the effect that:

"Crimes against peace and against humanity, as referred to in the Four Power Agreement of August 8, 1945, are war crimes within the jurisdiction of the Commission" (Ref. Document M. 93, p.4).

the Commission is requested that the following charges which were adjourned by Committee I be re-examined by that Committee:

R/It/114 -1323; R/It/133- 1461 ; R/It/134 -1462.

2. The above charges were adjourned by Committee I at its meeting on October 24, 1945 until the Report of Committee III on the case of Sepp Dietz was brought before Committee I (See Notes No: 35 on the Meetings of Committee I, p.4, para. 6) on the understanding that this meant until the Commission had adopted a general ruling on how to deal with charges concerning crimes against humanity.

3. Since such a general ruling was adopted by the Commission as mentioned above, para 1, it is desired that the above charges are accordingly disposed of by Committee I.

*Dr. R. Zivkovic*

(Dr. R. Zivkovic)

Yugoslav Representative on  
the United Nations War  
Crimes Commission.

*See  
25.2.46  
hmv.*



OFFICE OF THE REPRESENTATIVE OF YUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.

KEN. 450330630303 3400

Ext: 39

RECEIVED

25 FEB 1946

Aned.....

February 22, 1946.

P. No: 538

The Secretary General,  
United Nations War Crimes Commission,  
Lansdowne House,  
Berkeley Square,  
W.1.

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*DR. Zivkovic*

(Dr. R. Zivkovic)

Yugoslav Representative on  
the United Nations War  
Crimes Commission.

*See  
25.2.46  
hnt.*

3.21 Y ✓

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

**2/1/97**

**2506/1/6/95**

Signed:

*Emil*

Chief Clerk

Date: **23rd February 1946**



OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.

KEN. ~~2900000000~~ 3400

Ext: 34

February 27, 1946.

Dear Miss Sirey,

Would you be kind enough to arrange for Dr. Zivkovic  
to get the following documents:

- ✓ -Misc. No: 12 -Synopsis of Trial Reports -3 copies
- ✓ -Doc. Series No: 26 - 3 copies, and if possible 2 copies in French.
- ✓ -Military Government Gazette, Germany  
British Zone of Control , No: 4 - 2 copies
- ✓ -Special Army Order, Regulations for the Trial of War  
Criminals, Amendments No: 2 - 2 copies,

and if possible Amendment No: 1 (which Dr.  
Zivkovic has not received) - 3 copies.

- ✓ -Doc. Series 23 - 2 copies.

Yours sincerely,

*Elizabeth Rickman*



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/N/95      2565/X/G/96

R/N/96      2566/X/G/97

R/N/98      2567/X/G/98

Date:      1st March, 1946.

Signed:

*ems.*  
~~Chief Clerk~~

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/It/159	2596/Y/It/158
- 160	2597 - 159
- 161	2598 - 160
- 162	2599 - 161
- 163	2560 - 162

Date: 8th March, 1946.

Signed:

*ems.*  
Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/It/159      2596/Y/It/158

- 160      2597 - 159

- 161      2598 - 160

- 162      2599 - 161

- 163      2560 - 162

Date: 8th March, 1946.

Signed:

*EMS.*

Chief Clerk

DRAFT CERTIFICATE AS REQUESTED BY DR. ZIVKOVIC  
IN CONNECTION WITH CHARGE NO. 2506

N O T E

At the Committee I meeting held on 28th February, 1946, it was decided to list on 'A' Robert KRONHOLZ, former Director General of "Schenker A.D." in Belgrade and former Austrian Consul General in Belgrade, for murder and systematic terrorism.

In connection with the above decision, Dr. Zivković stated that the accused is detained by the French authorities and that the Yugoslav Government would like to apply for his surrender at once without waiting for his name to be published on the Commission's List. In order to enable his Government to do so he asked for a certificate showing that the accused has been listed by the Commission as a war criminal.

The Committee decided to submit the matter to the Commission at its next meeting.

The following is a draft certificate to be issued to the Yugoslav Government:-

"The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Robert KRONHOLZ, former Director-General of "Schenker A.D." in Belgrade and former Austrian Consul-General in Belgrade, a member of the Nazi Party and a secret agent of the Gestapo, now believed to be in the hands of the French authorities, in support of charges of criminal responsibility during the period between April, 1941, and October, 1944, for war crimes, namely, murder and systematic terrorism, and has found there



to be a prima facie case against him in respect of these charges and accordingly has placed him upon its List of persons who ought to be brought to trial as war criminals. "

In connection with the above, the Commission has been informed that the accused is a member of the German military and that the German Government would like to see him transferred to Germany as soon as possible for his trial. On the Commission's part, it is not possible to transfer to Germany any person who is not a member of the German military. It is therefore suggested that the accused be transferred to Germany as soon as possible for his trial.

The Commission has been informed that the accused is a member of the German military and that the German Government would like to see him transferred to Germany as soon as possible for his trial.

The following is a list of persons who are members of the German military and who are being transferred to Germany for trial:

"The United Nations War Crimes Commission has been informed that the accused is a member of the German military and that the German Government would like to see him transferred to Germany as soon as possible for his trial. On the Commission's part, it is not possible to transfer to Germany any person who is not a member of the German military. It is therefore suggested that the accused be transferred to Germany as soon as possible for his trial."

Tel: GROSVENOR 4060

Ext. 3724  
Room 302.

UNITED NATIONS WAR CRIMES COMMISSION **B**

~~CHURCH HOUSE~~ LANSDOWNE HOUSE,  
~~GREAT SMITH STREET, W.1.~~  
BERKELEY SQUARE,  
LONDON, W.1.

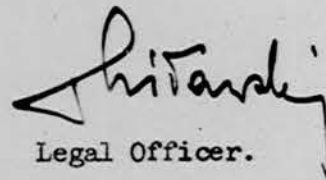
5th March, 1946.

Dear Lord Wright,

Enclosed I submit a draft certificate as requested by Dr. Zivkovic showing that Robert KRONHOLZ has been listed by the Commission.

The matter has been placed on the agenda of to-morrow's Commission meeting.

Yours sincerely,

  
Legal Officer.

The Rt.Hon. The Lord Wright of Durley, P.C., LL.D.,  
United Nations War Crimes Commission,  
Lansdowne House,  
Berkeley Square,  
London, W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Robert KRONHOLZ, former Director-General of "Schenker A.G." in Belgrade and former Austrian Consul-General in Belgrade, a member of the Nazi Party and a secret agent of the Gestapo, now believed to be in the hands of the French authorities in support of charges of criminal responsibility during the period between April, 1941, and October, 1944, for war crimes, namely, murder and systematic terrorism, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its Lists of persons who ought to be brought to trial as war criminals.

Secretary General  
United Nations War Crimes Commission.

London  
March 8th 1946.

3.21Y.

H.M.G.A./H.P.W.

8th March, 1946.

Sir,

On March 6th last the United Nations War Crimes Commission decided to issue to you, for transmission to your Government a certificate showing that Robert KROCHULE former Director-General of "Schenker A.G." in Belgrade and former Austrian Consul-General in Belgrade had been placed upon the Commission's List of War Criminals.

I therefore beg to enclose three identical copies of this certificate.

I am,

Yours faithfully,

Colonel  
Secretary General.

Mr. Radomir Sivkovic,  
Yugoslav Embassy,  
195, Queen's Gate, S.W.7.



OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W.7.

KEN. ~~XEROX~~ 3400

Ext: 34

March 11, 1946

Dear Miss Sirey,

I return the Yugoslav part of the German List you sent me to check.

There is one slip. Mihailo HASS is shown as having been put on List 13 Ser. No. 873. But you will find that the HASS listed under that number is a different person. He was interpreter at the Gestapo at KRUSEVAC, while Mihailo HASS was interpreter at the Ortskommandantur at KRAGUJEVAC.

Yours sincerely,

*Elizabeth Rickman*

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/N/8

397/Y/G/8  
Second Addendum

R/It/150

1552/Y/It/149  
Corrigendum

R/It/164

1644/Y/It/163

- 165 1645 - 164

- 166 1646 - 165

- 167 1647 - 166

Date: 16th March, 1946

Signed:

*S.M.S.*  
Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAVIA**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

**R/It/19**

**596/Y/It/19  
Addendum**

**R/N/99**

**2691/Y/G/99**

**- 100**

**2692 - 100**

**- 101**

**2693 - 101**

**- 102**

**2694 - 102**

**- 103**

**2695 - 103**

Date: **26th March, 1946**

Signed:

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/N/104	2744/Y/G/104
- 105	2745 - 105
- 106	2746 - 106
- 107	2747 - 107
- 108	2748 - 108
- 109	2749 - 109
- 110	2750 - 110
- 111	2751 - 111

Date:

Signed:

*em.s.*  
Chief Clerk



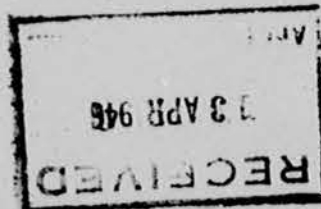
OFFICE OF THE REPRESENTATIVE OF JUGOSLAVIA  
ON THE  
UNITED NATIONS WAR CRIMES COMMISSION

195, QUEEN'S GATE, LONDON, S.W. 7.  
KEN. ~~XXXXXX~~ 3400

P. No. 681

April 12, 1946.

The Secretary General,  
United Nations War Crimes Commission,  
Lansdowne House,  
Berkeley Square, W.1.



This Office has been advised by the War Crimes Branch, Treasury Solicitor's Department that GHQ CMF have established the identity of the Camp Commandant of the CHIESANUOVA Civilian Internee Camp who was charged by the Yugoslav Government under Charge No R/It/11 -364/Y/It/11, and placed on List 2 Ser. No.47.

His name is Lieutenant Colonel Dante CAFORALI.

I enclose for your information a copy of a letter, intercepted by the censorship authorities in Italy, which relates to CAFORALI. It was forwarded to this Office by the War Crimes Branch, Treasury Solicitor's Department.

*Lazar Marković*

(Dr. Lazar Markovic)

*To go on next  
Italian list.*

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
National Office of the following cases:

YUGOSLAV

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
--------------------------------	--	------------------------

R/It/11 Addendum	364/Y/It/11	
R/N/96 Addendum	2566/Y/G/97	
R/N/112	2982/Y/G/112	
R/N/113	2983/Y/G/113	
R/N/114	2984/Y/G/114	
R/N/115	2985/Y/G/115	
R/N/116	2986/Y/G/116	
R/It/168	3037/Y/It/167	
R/N/117	3038/Y/G/117	
R/N/118	3039/Y/G/118	
R/N/119	3040/Y/G/119	

Date: 27 April 1946

Signed:

*em.s.*  
Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

**YUGOSLAV**

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/N/120

3086/Y/G/120

- 121

3087 - 121

R/It/169

3088/Y/It/168

Date: 6 May 1946

Signed:

*W.S.*

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

YUGOSLAV

National Office of the following

cases:

National  
Office No.

Registered by  
Secretariat  
under No.

Name of accused

R/It/170	3118/Y/It/169
- 171	3119 - 170
- 172	3120 - 171
- 173	3121 - 172
- 174	3122 - 173
- 175	3123 - 174

Date: 14 May, 1946

Signed:



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

National Office of the following

cases:

YUGOSLAV

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/It/176	3126/Y/It/175
- 177	3127 - 176
- 178	3128 - 177
R/N/122	3129/Y/G/122
- 127	3130 - 123

Date:

16 May 1946

Signed:



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the

National Office of the following

cases:

YUGOSLAV

National  
Office No.

Registered by  
Secretariat  
under No.

Name of Accused

R/It/179' 3179/Y/It/178

- 180 3180 - 179

- 181 3181 - 180

R/N/123 3182/Y/G/124

- 124 3183 - 125

- 125 3184 - 126

- 126 3185 - 127

- 128 3186 - 128

- 129 3187 - 129

Date:

27 May, 1946

Signed:



Chief Clerk



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat of the War Crimes Commission acknowledges receipt from the  
YUGOSLAV National Office of the following cases:

<u>National Office No.</u>	<u>Registered by Secretariat under No.</u>	<u>Name of Accused</u>
--------------------------------	--	------------------------

R/N/84 Addendum	1967/Y/G/84	
--------------------	-------------	--

R/It/182	3211/Y/It/181	
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- 183	3212 - 182	
-------	------------	--

- 184	3213 - 183	
-------	------------	--

R/N/130	3214/Y/G/130	
---------	--------------	--

- 131	3215 - 131	
-------	------------	--

Date: 3 June, 1946

Signed:

Chief Clerk

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the  
YUGOSLAV National Office of the following cases

National Office No.

U.N.W.C.C. Registry No.

R/It/17	Addendum	587/Y/It/17
- 28	Addendum II	891 - 28
- 169	Addendum	3088 - 168
R/It/185		3251/Y/It/184
- 186		3252 - 185
- 187		3253 - 186
R/N/132		3254/Y/G/132
- 133		3255 - 133
- 134		3256 - 134

Date: 12 June, 1946

Signed: *EM.S.*

Letter dated 13th June from  
Yugoslav National Office -  
see case 2567/YG/98.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the  
YUGOSLAV National Office of the following cases

National Office No.

U.N.W.C.C. Registry No.

R/It/188

3296/ /It/187

R/N/135

3297/Y/G/135

- 136

3298 - 136

- 137

3299 - 137

- 138

3300 - 138

- 139

3301 - 139

- 140

3302 - 140

- 141

3303 - 141

Date: 24 June, 1946

Signed:

*EMS.*



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the  
YUGOSLAVIA National Office of the following cases

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National Office No.

U.N.W.C.C. Registry No.

R/N/142

3461/Y/C/142

- 143

3462 - 143

- 144

3463 - 144

- 145

3464 - 145

- 146

3465 - 146

- 147

3466 - 147

Date: 1st July, 1946

Signed:



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the  
YUGOSLAV National Office of the following cases

National Office No.

U.N.W.C.C. Registry No.

R/N/148

3470/Y/G/148

- 149

3471 - 149

R/It/190

3472/Y/It/188

- 191

3473/ - 189

Date:

6. 7. 46.

Signed: *U*



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the  
YUGOSLAV National Office of the following cases

National Office No.

U.N.W.C.C. Registry No.

R/N/151

3518/Y/G/150

R/N/150

3519 - 151 (URGENT: for consideration 10.7.46)

R/It/193

3520/Y/It/190

(191-197) 20/7

Date: 9th July, 1946

Signed:




Tel. : GROSVENOR 4060

UNITED NATIONS WAR CRIMES COMMISSION

LANSDOWNE HOUSE,  
BERKELEY SQUARE,  
LONDON, W.1.

*3 copies sent to National Office*

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Karl Benno DIETGES, born 19th November, 1899 at Dusseldorf, former S.S. Hauptsturmführer and Kriminalrat, chief of a Gestapo section in Belgrade from May, 1942, to August, 1943, and Gestapo chief at Petrovgrad from August to November, 1943, in support of charges of criminal responsibility during the period between 1942 and 1943, for war crimes, namely, murder and massacres, putting hostages to death, deportation, forced labour and internment of civilians, pillage, and wanton devastation and destruction of property, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its Lists of persons who ought to be brought to trial as war criminals.

  
COLONEL  
SECRETARY-GENERAL  
UNITED NATIONS WAR CRIMES COMMISSION

London,  
15th July, 1946.





E

LANSDOWNE HOUSE,  
BERKELEY SQUARE,  
LONDON, W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Karl Benno DIETGES, born 19th November, 1899 at Dusseldorf, former S.S. Hauptsturmführer and Kriminalrat, chief of a Gestapo section in Belgrade from May, 1942, to August, 1943, and Gestapo chief at Petrovgrad from August to November, 1943, in support of charges of criminal responsibility during the period between 1942 and 1943, for war crimes, namely, murder and massacres, putting hostages to death, deportation, forced labour and internment of civilians, pillage, and wanton devastation and destruction of property, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its Lists of persons who ought to be brought to trial as war criminals.

*Heanishan* COLONEL  
SECRETARY-GENERAL  
UNITED NATIONS WAR CRIMES COMMISSION

London,  
15th July, 1946.



JL/IS

15th July, 1946.

Sir,

In accordance with your recent request I enclose for transmission to your Government three identical copies of a certificate showing that Karl Benno DITGES, former S.S. Hauptsturmführer and Kriminalrat, chief of a Gestapo section in Belgrade from May, 1942, to August, 1943, and Gestapo chief at Petrovgrad from August to November, 1943, has been placed upon the Commission's List of War Criminals.

I am,

Yours faithfully,

Dr. Radomir, Zivkovic,  
Yugoslav Embassy,  
195 Queen's Gate, S.W.7

Colonel.  
Secretary General

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the

National Office of the following cases

YUGOSLAV

National Office No.

U.N.W.C.C. Registry No.

R/M/1	327/Y/M/1 Addendum.III.
R/N/146	3465/Y/G/146 Addendum.
R/N/153	/ 3610 <del>3556</del> /Y/G/152
R/N/154	/ 3611 <del>3557</del> - 153
R/N/155	/ 3612 <del>3558</del> - 154
R/N/157	3613 <del>3559</del> - 155
R/N/158	3614 <del>3560</del> - 156
R/N/159	/ 3615 <del>3561</del> - 157
R/N/160	3616 <del>3562</del> - 158
R/N/161	/ 3617 <del>3563</del> - 159
R/N/162	/ 3618 <del>3564</del> - 160
R/N/163	/ 3619 <del>3565</del> - 161
R/N/164	/ 3620 <del>3566</del> - 162

19th July, 1946.



Date:

Signed:

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the

YUGOSLAV

National Office of the following cases

National Office No.

U.N.W.C.C. Registry No.

R/M/1	327/Y/H/1 Addendum.III.
R/N/146	3465/Y/G/146 Addendum.
R/N/153	/ 3610 <del>3536</del> /Y/G/152
R/N/154	/ 3611 <del>3537</del> - 153
R/N/155	/ 3612 <del>3538</del> - 154
R/N/157	3613 <del>3539</del> - 155
R/N/158	3614 <del>3540</del> - 156
R/N/159	/ 3615 <del>3541</del> - 157
R/N/160	3616 <del>3542</del> - 158
R/N/161	/ 3617 <del>3543</del> - 159
R/N/162	/ 3618 <del>3544</del> - 160
R/N/163	/ 3619 <del>3545</del> - 161
R/N/164	/ 3620 <del>3546</del> - 162

(163) 3617

19th July, 1946.



Date:

Signed:



UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the  
YUGOSLAV National Office of the following cases

<u>National Office No.</u>	<u>U.N.W.C.C. Registry No.</u>
R/E/152	3542/Y/G/163
R/It/192	3543/Y/It/191
R/It/194	3544 - 192
R/It/195	3545 - 193
R/It/196	3546 - 194
R/It/197	3547 - 195
R/It/198	3548 - 196
R/It/199	3549 - 197

20th July, 1946.



Date:

Signed:

Tel.: GROSVENOR 4060

Ext.

UNITED NATIONS WAR CRIMES COMMISSION

LANDSDOWNE HOUSE,

BERKELEY SQUARE,

LONDON, W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Willy HEMPEL, born Dec. 3, 1907, at Harlang, SS Sturmbannführer, 13th SS Division "Handjar", now held at No. 1 C.I.C., Roumenster, in support of charges of criminal responsibility for war crimes, namely, murder and massacre; pillage, wanton devastation and destruction of property, directions to give no quarter, committed in March, 1944, at Srebrenica Baza (Srem), and at the village of Gikota in Bosnia in May and July, 1944, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its lists of persons who ought to be brought to trial as war criminals.

G.A.L.

London,  
23rd July, 1946.



Tel. : GROSVENOR 4060

Ext.

UNITED NATIONS WAR CRIMES COMMISSION

LANSDOWNE HOUSE,

BERKELEY SQUARE,

LONDON, W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against SAIBERZASIC, born Sept. 1, 1899, at Wismar, Generalleutnant des Heeres, SS Obergruppenführer, Commandant of the 13 SS "Handgar" (Dagger), now at No. 1 IW Hospital at Ostend, Belgium, in support of charges of criminal responsibility for war crimes, namely, murder and massacre; pillage, wanton devastation and destruction of property, directions to give no quarter, committed in March, 1944, at Srebrenica Race (Sren) and at the village of Gikota in Bosnia in May and July, 1944, and has found there to be a prima facie case against him in respect of those charges and accordingly has placed him upon its lists of persons who ought to be brought to trial as war criminals.

G. A. L.

London,  
23rd July, 1946.



Tel. : GROSVENOR 4060

Ext.

UNITED NATIONS WAR CRIMES COMMISSION

LANSDOWNE HOUSE,  
BERKELEY SQUARE,  
LONDON, W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Richard BOECKLER, born on April 15, 1900 at Luebeck, Kriminalsekretar, deputy Gestapo Chief at Zagreb and Sarajevo, now in 6 C.I.C. Neugamme, in support of charges of criminal responsibility for war crimes, namely, putting hostages to death, torture of civilians, deportation of civilians, committed during 1943 and 1944, in Zagreb and Sarajevo, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its lists of persons who ought to be brought to trial as war criminals.

G.A.L.

London,  
23rd July, 1946.





Tel. : GROSVENOR 4060

Ext.

UNITED NATIONS WAR CRIMES COMMISSION

LANSDOWNE HOUSE,

BERKELEY SQUARE,

LONDON, W.1.

The United Nations War Crimes Commission hereby certifies to all whom it may concern that it has examined the evidence brought by the Yugoslav Government against Richard BOECKLER, born on April 15, 1900 at Luebeck, Kriminalsekretar, deputy Gestapo Chief at Zagreb and Sarajevo, now in 6 C.I.C. Neugamme, in support of charges of criminal responsibility for war crimes, namely, putting hostages to death, torture of civilians, deportation of civilians, committed during 1943 and 1944, in Zagreb and Sarajevo, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed him upon its Lists of persons who ought to be brought to trial as war criminals.

G.A.L.

London,  
23rd July, 1946.

