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COMMITTEE I

MINUTES

No. 62-100

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No. 62.

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE I

Summary Minutes of the Meeting of Committee I held on 30th May, 1946,  
at 10-30 a.m.

In the Chair:

Monsieur de BAER (Belgium)

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting  
Sir Robert Cragie  
Lieut. Kintner

Czechoslovakia  
United Kingdom  
United States of America

Members of the Commission, not Members of Committee I,  
and Representatives of the National Offices:

Mlle. Capiomont  
Commander Mouton  
Major Palmström  
Colonel Halse  
Dr. Zivković

France  
Netherlands  
Norway  
United Kingdom  
Yugoslavia

I. Minutes No. 61:

Minutes of the meeting held on the 16th May, 1946 were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of Norwegian, United Kingdom, Yugoslav, Netherlands, French, Czechoslovak and Belgian cases, as follows:-

1) Norwegian Cases:

3188	1 and 2 on 'A'
3189	On 'A'
3190	On 'A'
3191	On 'A'
3192	On 'A'
3193	1 - 7 on 'A'
3194	

After Major PALMSTRÖM had explained that the victims were members of the Resistance Movement, suspected of sabotage, and were shot on the spot in order to terrorise the population, the Committee decided to list the accused 1 and 2 on 'A'.

The Committee requested that more particulars as to the origin of the alleged crimes be submitted in future cases of this type.

Norwegian Cases contd/...

3195 On 'A'

3196 1 - 5 on 'A'

2) United Kingdom Cases:

a) Addenda

343 1 - 5 on 'A'.  
DINO CASTELLI reclassified from 'C' to 'A'.

847 HILDEMAN on 'A'

2684 1 - 4 on 'A'

2777 1 and 3 on 'A';  
2 and 4 on 'S'

2958 1 on 'S';  
2 and 3 on 'A'

2959 11, 12, 15 on 'A';  
13, 16 and 17 on 'S';  
14 on 'W'

b) New Cases:

3160 1 and 2 on 'S';  
3 on 'C'.  
The name of the second accused should read 'UNRAU'.

3161 On 'A' for scuttling of enemy submarine after  
surrender. (Article 41 of the Hague Regulations.)

3162 1 - 8 on 'A'

3163 On 'A'

3164 On 'A'

3165 On 'A'

3166 On 'A'

3168 On 'A'

3169 On 'A'

c) Cases involving crimes against non-British Nationals:

3029 (Addendum) 1 on 'A'.  
The second accused had already been listed on  
the original case.

3167 1 - 10 on 'A';  
11 - 17 on 'S'



3) Yugoslav Cases:

- 3119 After Dr. ZIVKOVIC had stated that the first accused had been charged as responsible for having organised the Fascist mob which demolished the property in question, it was decided to list that accused on 'A'.
- 3126 1 - 3 on 'A'
- 3127 In accordance with the action taken previously in regard to other similar Yugoslav cases this case was also adjourned in order that the National Office might be asked for more particulars as to the circumstances in which the alleged crimes were committed and, especially, as to whether or not the bombardment was effected while military operations against regular or partisan forces were in progress, or was directed at any military objectives.
- 3128 1 and 2 on 'A'
- 3129 1 - 3 on 'A'
- 3130 1 - 3 on 'A'
- 3179 1 - 3 on 'A'
- 3180 1 - 21 on 'A';  
22 on 'C'
- 3181 1 on 'A';  
2 on 'C'
- 3182 1 - 3 on 'A';  
4 on 'C'
- 3183 1 - 3 on 'A'
- 3184 1 and 2 on 'A';  
3 on 'C'
- 3185 1 - 3 on 'A' for complicity in transportation.
- 3186 On 'A'
- 3187 On 'A'

4) Netherlands Cases:

- 3156 On 'A' on the first and second counts.  
As there was no prima facie case with regard to the charge of destruction of property, the case was adjourned as to that count until further particulars be submitted by the National Office.
- 3157 1 and 2 on 'S' as it was not sufficiently clear whether the goods were in fact requisitioned or simply stolen.
- 3158 On 'A'



- 3159 On 'A'
- 3197 On 'S' for complicity in looting of artistic property as indicated in Abetz' letter, submitted as evidence. No action was taken in regard to the charge of seizing by the accused of documents and archives of the Netherlands Foreign Office.
- 3198 This case was withdrawn by the Netherlands Representative as the alleged crimes were committed in Germany and no information was available to the effect that any Dutch nationals were among the victims. It was decided to transmit a copy of this charge to the Control Council for Germany for further action.
- 3199 On 'A'  
The National Office was asked to ascertain the proper spelling of the accused's name.
- 3200 1 and 2 on 'A' for ill-treatment.  
3 - 5 on 'W'.
- 3201 On 'A' for pillage.

5) French Cases:

a) Addenda

- 438 (2) On 'A'
- 550 (Rect.) JANSSEN on 'A' in lieu of LAUTZER listed on the original charge. The latter to be removed from the Commission's List.
- 646 (1) On 'A'

b) New Cases:

- 3131 On 'A'
- 3132 On 'A'
- 3133 1 - 3 on 'A'
- 3134 1 on 'A';  
2 - 14 on 'S'
- 3135 On 'A'
- 3136 On 'A'
- 3137 On 'A'
- 3138 1 - 4, 6 - 14, 16, 17, 22 and 23 on 'A';  
5, 15, 18 - 21 and 24 on 'S'
- 3139 1 and 2 on 'A';  
3 on 'S'
- 3140 On 'A'

5) b) contd./..

3141

This case was adjourned in order that the National Office might be asked for more particulars as to the circumstances of the alleged crimes, and especially as to what were the reasons for the victim's arrest effected by the accused and as to whether the accused was in fact personally responsible for deporting that victim.

3142

On 'A'

3143

On 'A'

3144

On 'A'

3145

On 'A'

3146

On 'A'

3147

On 'A'

3148

On 'A'

3149

On 'A'

3150

On 'A'

3151

On 'A'

3152

On 'A'

3153

1 - 3 on 'A'

3154

On 'A'

3155

On 'A'

6) Czechoslovak Cases:a) Addenda

952 (5)

On 'W'

1792 (2)

Dr. MAYR-HARTING stated that, although the person indicated in this addendum was an allied national (Czechoslovak), he requested listing him on 'W' as his Government were in doubt whether this witness would make himself voluntarily available for interrogation.

The Committee decided to list him on 'W'.

b) New Cases:

3170

1 on 'A';  
2 on 'O'

3171

1 and 2 on 'A';  
3 on 'O';  
J. STANEK on 'W'.

7) Belgian Cases:

a) Addenda

- 1092 (2) 1 - 31, 33 - 176, 178 - 190 on 'S'.  
In regard to the accused 32 and 177, the case was adjourned as their names appear to be incorrectly spelt.
- 1109 (4) On 'A'
- 1109 (5) 1 and 2 on 'A'
- 1109 (6) 1 - 4 on 'A'
- 1109 (7) 1 - 3 on 'A';  
4 - 6 on 'C' as their identification was not sufficient.
- 1803 (9) Chief of Block No. 15 on 'A';  
KAPOS on 'C'.
- 1892 (11) As both of the accused had already been listed, no further action was necessary.
- 1892 (12) 1 - 3 on 'A'
- 1892 (13) On 'A'
- 1892 (14) On 'A'
- 1894 (5) 3, 9, 11 and 12 had already been listed and no further action was necessary;  
1, 2, 4 - 8 on 'S';  
10 and 13 on 'A'.
- 1896 (1) 1 on 'A';  
2 on 'C' (not sufficiently identified).
- 2103 (1) Already listed - no action was necessary.
- 2113 (1) 1 - 3 on 'A';  
4 and 5 on 'W'
- 2581 (1) The previous decision as to listing the two accused on 'S' was confirmed.

b) New Cases:

- 3172 1 - 4 on 'A'
- 3173 1 - 4 on 'S'
- 3174 2 and 3 on 'A';  
1, 4 - 142 on 'S' as the particulars of the case did not provide any indication as to the individual responsibility of those accused.
- 3175 On 'A'
- 3176 1 - 8 and 10 - 13 on 'A';  
9 on 'S'.
- 3177 On 'A'
- 3178 On 'S'



III. Listing by the Commission of Persons already Sentenced:

In view of the suggestion made by Colonel HALSE, the Committee, after some discussion, came to the conclusion that, in order to make the Commission's Lists as complete as possible, it would be desirable to put on the Commission's Lists also persons already sentenced for having committed war crimes but who were not as yet charged before this Commission by any of the Governments concerned.

It was decided to submit the matter to the Commission for consideration at its next meeting.

IV. Reproduction of Five Sub-Commission's Lists of War Criminals:

The Committee decided that the further five Lists of Japanese war criminals, prepared and adopted by the Chungking Sub-Commission, (Nos. 8 - 12), received by the Commission up to date, be reproduced and issued as Commission's Lists Nos. 33 - 37, in one volume.

These Lists will be reproduced without any material changes, except for the omission of Japanese characters and should be submitted to the Commission for approval.

V. Closing of 38th List of War Criminals:

The Committee decided to issue the new Commission's List, No. 38, of German war criminals. This would include cases accepted by the Committee up to 30th May, 1946, inclusive.

VI. Date of the next Meeting:

The Meeting adjourned until the 13th June, 1946.

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UNITED NATIONS WAR CRIMES COMMISSIONCOMMITTEE I

Summary Minutes of the Meeting of Committee I held on 20th June, 1946,  
at 10-30 a.m.

In the Chair:

Monsieur de Baer (Belgium)

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia
Sir Robert Craigie	United Kingdom
Lieut. Kintner	United States of America

Members of the Commission, not members of Committee I,  
 and Representatives of the National Offices:

Major Fanderlik	Czechoslovakia
Mlle. Capiomont	France
Miss Deunk	Netherlands
Major Palmström	Norway
Colonel Halse	United Kingdom
Dr. Marković	Yugoslavia

I. Minutes No. 62:

Minutes of the meeting held on the 30th May, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of Polish, United Kingdom, Norwegian, Yugoslav, Netherlands, French, United States and Belgian cases, as follows:-

1) Polish Case:-

3245 On 'A'

2) United Kingdom cases:-

3202	1 & 3 on 'A', 2 on 'S', 4 on 'W'
3203	On 'A'
3257	1 & 2 on 'A'
3258	On 'A'
3259	On 'A' (Crimes against non-British nationals)
3260	On 'A'
3261	1-10 on 'A'

UNITED NATIONS WAR CRIMES COMMISSIONCOMMITTEE I

Summary Minutes of the Meeting of Committee I held on 20th June, 1946,  
at 10-30 a.m.

In the Chair:

Monsieur de Baer (Belgium)

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia
Sir Robert Craigie	United Kingdom
Lieut. Kintner	United States of America

Members of the Commission, not members of Committee I,  
 and Representatives of the National Offices:

Major Fanderlik	Czechoslovakia
Mlle. Capiomont	France
Miss Deunk	Netherlands
Major Palmström	Norway
Colonel Halse	United Kingdom
Dr. Marković	Yugoslavia

I. Minutes No. 62:

Minutes of the meeting held on the 30th May, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of Polish, United Kingdom, Norwegian, Yugoslav, Netherlands, French, United States and Belgian cases, as follows:-

1) Polish Case:-

3245                      On 'A'

2) United Kingdom cases:-

3202	1 & 3 on 'A', 2 on 'S', 4 on 'W'
3203	On 'A'
3257	1 & 2 on 'A'
3258	On 'A'
3259	On 'A' (Crimes against non-British nationals)
3260	On 'A'
3261	1-10 on 'A'



3262	On 'A'
3263	On 'A'
3264	1-3 on 'A' for murder, 4 on 'A' for ill-treatment only (Crimes against non-British nationals)
3265	1-4 on 'A' (Crimes against non-British nationals)
3266	On 'A'
3267	1-5 on 'A'

3) Norwegian cases:-

3246	On 'A'
3247	1-3 on 'A'
3248	On 'A'
3249	1-6 on 'A'
3250	On 'A'
3286	2 on 'A', 1 & 3-15 on 'S'
3287	1-6 on 'A'
3288	On 'A'
3289	On 'A'

4) Yugoslav cases:-

a) Addenda:

587 (1)	1 on 'A'. As the charge against the second accused was not sufficiently substantiated the case with regard to this accused was adjourned in order that the National Office might be asked for more particulars
891 (2)	As this addendum had no connection with the original case, consideration of it was adjourned in order that the National Office might be asked for more particulars with regard to (a) the alleged compulsory enlistment, and (b) in what territory the compulsory enlistment was effected, and whether or not that territory was annexed by Italy.
1967 (1)	1-52 on 'A'
3088 (1)	1-3 on 'A' (the last one for illegal arrest)

b) New cases:

- 3211 On 'A'
- 3212 17 persons in number on 'A', on all counts respectively, except that of deliberate bombardment which was not sufficiently substantiated.
- 3213 On 'A' for complicity in deportation only
- 3214 1-3 on 'A', plus 3 witnesses (WOLF, DIEGEL, THEISL, on 'W'.
- 3215 1 on 'S', 2 on 'A', 3 on 'C'
- 3251 1 & 2 on 'A'
- 3252 1-5 on 'A'
- 3253 1-4 on 'A'
- 3254 1 on 'A', 2-7 on 'S'
- 3255 After Dr. Marković had stated that the alleged crimes were committed by members of the units indicated in the case on such a scale that it was not possible to identify the actual perpetrators of individual crimes the Committee decided to list all the accused (27 in number) on 'A'.
- 3256 All three on 'A' on all counts except that of compulsory enlistment which was not sufficiently substantiated.

5) Netherlands cases:-

- 2752 (addendum) KOETEMAN or KOELLEMAN on 'A'
- 3268 1 on 'S' for complicity in illegal arrest, in view of the fact that he misrepresented the facts while reporting the victim to German authorities.  
2 on 'W'
- 3269 This case was adjourned for further information to be submitted by the National Office in view of the fact that the alleged crime had not been sufficiently substantiated
- 3270 This case was adjourned in order that the National Office might be asked for more information in view of the fact that from the particulars of the case it appeared that the vehicles had been requisitioned by German military authorities, and the power-house was presumably blown up for military reasons. The Committee was of the opinion that this was not a prima facie case of a war crime.
- 3271 This case was adjourned until the next meeting in order to consider it in the presence of Commander Houston.
- 3272 1-24 on 'A', 25-30 on 'S', 31-35 on 'W'
- 3273 1-3, 5 & 6 on 'A';  
4 adjourned, as the alleged crimes against this accused had not been sufficiently established
- 3274 1-21 on 'S', 22 & 23 on 'W'
- 3275 1-4 on 'A', 5 on 'W'

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3276 1-4 on 'A', 5 on 'S', 6 on 'W'  
3277 1 & 2 on 'A', 3-8 on 'S'  
3278 1 on 'A', 2 on 'W'  
3279 1-3 on 'A'  
3280 1-5 on 'A'  
3281 1 on 'A', 2 on 'S', on all counts except that of murder  
3282 On 'A'  
3283 1 & 2 on 'A'  
3284 On 'A'

6) French cases:-

a) Addenda:

752 (1) On 'A'  
931 (1) WILDE on 'A'. No action was taken in regard to other members of the unit as they had already been listed on the original case.

b) New cases:

3216 1-3 on 'A'  
3217 1 & 2 on 'A'  
3218 1 & 2 on 'A'  
3219 1-5 on 'A'  
3220 On 'A'  
3221 1 & 2 on 'A'  
3222 1-5 on 'A'  
3223 1-3 on 'A'  
3224 1-4 on 'A'  
3225 On 'A'  
3226 1 & 2 on 'C', 3 on 'A'  
3227 On 'A'  
3228 On 'A'  
3229 On 'A' for ill-treatment only as the charge of compulsory enlistment had not been sufficiently substantiated.  
3230 1 & 2 on 'A'  
3231 1-6 on 'A'  
3232 On 'A'  
3233 On 'A'  
3234 On 'A'



366

3235	1 on 'A', 2 on 'S'
3236	On 'A'
3237	1-3 on 'A'
3238	On 'A'
3239	On 'A' for illegal arrest
3240	1 on 'A', 2 on 'W'
3241	1-5 on 'A'
3242	On 'A'
3243	On 'A'
3244	On 'A'

7) United States cases:-

1898 (addendum) 2-5 on 'A'  
As 1 and 6 had already been listed on 'A', no further action was necessary.

3204	1-14 on 'A'
3205	On 'A'
3206	1-32 on 'A'
3207	On 'A'
3208	On 'A'
3209	1-7 on 'A'
3210	1-53 on 'A'

The Committee requested that more particulars as to the alleged crimes, as well as to evidence be submitted by the National Office in future cases.

8) Belgian cases:-

a) Addenda:

1109 (8)	On 'A'
1891 (1)	1-5 on 'A'
do. (2)	1, 2 & 5 on 'A', 3 on 'C', 4 on 'S'

b) New cases:

3285	1-7 and 9-12 on 'A', 8 on 'S'
do. (1)	1-8 on 'A'
do. (2)	On 'A'
do. (3)	1 & 2 on 'A'
do. (4)	On 'A'

3174 At the request of M. de Baer the accused nos. 20-142 previously listed on 'S', and not included as yet in the 38th List now in preparation, were re-classified on 'W'

III. Closing of the 39th List of War Criminals:

The Committee decided to issue the new Commission's List (No. 39) of Italian war criminals. This would include cases accepted by the Committee up to 20th June, 1946, inclusive.

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE I

Summary Minutes of the Meeting of Committee I held on 27th June, 1946  
at 10-30 a.m.

In the Chair:

Sir Robert Craigie - United Kingdom

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting  
Lieut. Kintner

Czechoslovakia  
United States of America

Members of the Commission, not members of Committee I,  
and Representatives of the National Offices:

Dr. van den Bergh  
Major Palmström  
Major Fletcher  
Dr. Marković

Netherlands  
Norway  
United Kingdom  
Yugoslavia

In the absence of M. de Baer, Sir Robert Craigie  
took the Chair

I. Minutes No. 63:

Minutes of the meeting held on the 20th June, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of United Kingdom, Yugoslav, Netherlands, Czechoslovak, United States and Norwegian cases, as follows:-

1) UNITED KINGDOM Cases:

3290	1-29 on 'A'
3291	On 'A'
3304-3321	All persons found guilty and sentenced - on 'A'. The information as to the Courts and dates of sentences will be supplemented by the Secretariat in order to show this data on the Commission's Lists.
3322	1-3 on 'A'
3323	1-9 on 'S' until such time as further information is submitted by the National Office as to specific charges against the individuals accused.

2) YUGOSLAV Cases:

3296	As this case alleges crimes against humanity (crimes were committed by Italians against Italians of Yugoslav origin in Italy), it was decided to refer the case to Committee III for its opinion as to whether or not the alleged crimes should be considered as crimes against humanity and for what reasons.
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See No. 64 (a) attached.

- X 3297 All persons out of 149 charged individually - on 'A'; all others on 'A' or 'S' according to which category they had already been listed upon other Governments' charges, with the proviso that persons belonging to this second group and now listed for the first time will go on 'S' List.
- 3298 1-2 on 'A'
- 3299 1-2 on 'A'
- 3300 1-3 on 'A', 4 on 'C'
- 3301 1 on 'A', 2 on 'C'
- 3302 On 'A'
- 3303 1-5 on 'A', 6 on 'C'

3) NETHERLANDS Cases:

- 3378 As the Committee had doubt as to whether the facts as alleged constituted a war crime, it was decided to adjourn the case until next week in order to consider it in the presence of Commander Mouton.
- 3379 This case was adjourned in order that the National Office might be asked for further information as to (a) complicity of the accused in general policy and measures introduced by German authorities in expropriating Jews in Holland, and (b) the real value of the property acquired by the accused.
- 3380 1 on 'A' - only for ill-treatment resulting in death;  
2 on 'W'
- 3381 On 'A'
- 3382 1-2 on 'A'
- 3383 On 'S'
- 3384 1 on 'A', 2 on 'C'
- 3385 1 on 'S', 2 on 'W'
- 3386 On 'A'
- 3387 This case was adjourned for further information to be submitted by the National Office in order to substantiate the allegation as to the exorbitant character of the requisitions, and to supplement the case by a statement to the effect that the requisitions were carried out by German authorities without having regard to the necessary needs of the population.

4) CZECHOSLOVAK Case :

3324            On 'A' on the first count.  
                 With regard to the second count the case was  
                 adjourned in order to ask the National Office for  
                 more particulars as to the alleged crime.

5) UNITED STATES Cases:

3292            1-2 on 'A'  
3293            On 'A'  
3294            On 'A'  
3295            1-16 on 'A'

6) NORWEGIAN Cases:

3443            On 'A'  
3444            On 'A'  
3445            1-5 on 'A'

7) FRENCH Cases:        Consideration of these cases was adjourned as no  
                                 representative of the National Office was present.

III. Closing of 40th List of War Criminals:

The Committee decided to issue the new Commission's List (No. 40) of German war criminals. This would include cases accepted by the Committee up to 27th June, 1946, inclusive.

IV. Statistical Progress Report (Doc. I/65):

After some consideration and discussion the Report, as submitted by the Secretary, was accepted. It was decided that, provided Monsieur de Baer had no observations or reservations as to its contents, the Report should be circulated as a Commission document.

The Secretary submitted that some minor alterations of his will be made in the final text, and one note added to Table V before the report be issued.

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No. 64 (a)  
Supplement to Page 2

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE I

Supplement  
to the Summary Minutes of the Meeting  
held on 27th June, 1946

The following is the final classification of persons  
charged in the Yugoslav case 3297, as decided upon at the  
meeting of 27 June, 1946:-

On 'A': 1-55, 57-72, 74, 75, 77-81, 85-87, 89, 92,  
95, 97-101, 103, 104, 106, 108-149.

On 'S': 56, 73, 76, 82, 83, 84, 88, 90, 91, 93, 94,  
96, 102, 105, 107.



UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 4th July, 1946,  
at 10-30 a.m.

In the Chair: M. de Baer - Belgium.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia
Sir Robert Craigie	United Kingdom
Lieut. Kintner	United States of America

Members of the Commission, not members of Committee I,  
and Representatives of the National Offices:

Commander Mouton	Netherlands
Dr. Markovic	Yugoslavia

I. Minute No. 64:

Minutes of the Meeting held on the 27th June, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of United Kingdom, Yugoslav, Netherlands, Czechoslovak and Belgian cases.

1) UNITED KINGDOM Cases.

3457	1-5 on 'A'
3458	1-3 on 'A'
	With regard to the first accused, the Committee were of opinion that the case against this accused was a minor one. Sir Robert Craigie pointed out that were Colonel Halse present at the meeting he would have asked him to withdraw the case in order not to overload the Commission's Lists with minor cases.
3459	1-2 on 'A'
3460	1-4 on 'A'

2) YUGOSLAV Cases.

3461	3 on 'A' for deportation only.
	As regards the accused 1, 2 and 4, the case was adjourned in order that the National Office might be asked for further information as to their S.S. ranks, as well as to their responsibility for deporting the victims.

3461 (contd)

Sir Robert Craigie expressed the view that in cases of this kind only the head of the Gestapo Office concerned should be made responsible. This case was also adjourned as to the first count as the charge of illegal arrest had not been sufficiently substantiated.

3462

1 on 'S' as there was doubt as to whether this accused was present at the place of the commission of the alleged crime.  
2 on 'C'

3463

This case was adjourned in order to ask the National Office for additional information as to who imposed the fine upon the victim and also on what grounds the National Office considers the alleged action of the accused as constituting illegal arrest.

3464

On 'A' for indiscriminate mass arrest and deportation, not for taking hostages.

3465

On 'S' on the same grounds as Case 3462

3466

This was adjourned in order to enable the National Office to submit additional information as to the contents of the general directives issued by the accused.

3) NETHERLANDS Cases.

3271

Document I/66 was considered. In order to give the members more opportunity for studying the case the final decision was adjourned until the next Meeting.

3378

This was adjourned in order that the National Office might be asked for further information as to the identity of the persons who actually sentenced the victims. The Committee were of the opinion that this case is a prima facie case of a war crime but not attributable to the accused.

3446

This case was adjourned in order to enable Commander Mouton to submit a new proposal as to the classification of the persons charged therein as it appeared that either no charges at all or not directly connected with the present case had been brought against them.

3447

1-2 on 'A'  
3, 4, 8 and 9 on 'S'  
The case was adjourned with regard to the accused 5-7 as their complicity with regard to the alleged crimes had not been sufficiently established.

3448

This was adjourned in order to ask the National Office for additional information sufficient to establish a prima facie case of a war crime as from the particulars of the case it appeared that the accused's actions were permissible and justified in view of Article 24 of the Hague Regulations. The Committee requested also to be supplied with more particulars as to the kind of trial held against the victim.

356

- 3449 This case was adjourned for further information as to whether the requisitioned (or stolen) horses were in fact used for military purposes or personal profit of the accused.
- 3450 1 on 'A', 2 on 'W', 3-4 on 'C'
- 3451 On 'A'
- 3452 1-2 on 'A', 3 on 'S'
- 3453 1-2 on 'A', 3 on 'W'
- 3454 1 on 'A', 2-4 on 'W'
- 3455 On 'A'
- 3456 1 on 'C', 2-3 on 'A', 4-5 on 'W'

4) FRENCH Cases.

Consideration of these cases was adjourned as no representative of the National Office was present.

5) CZECHOSLOVAK Cases.

- 424 (addendum 2). BESSELMANN was reclassified from 'S' to 'A'
- 3467 On 'A'
- 3468 On 'A'
- 3469 On 'A'

6) BELGIAN Cases.

A) Addenda

- 1802 (3) 6, 14, 25, 28, 29 and 35 on 'S'  
No action was taken with regard to the other accused as they had already been listed.
- 2584 (i) 1 on 'A'  
2-3 already listed - no action was necessary.
- do (2) 1 already listed - no action was necessary.  
2-3 on 'S'
- do (3) As all the accused had already been listed, no further action was necessary.
- do (4) 2-3 on 'A'  
4-5 already listed - no action was necessary.  
1 on 'S'

B) New Cases.

- 3438 On 'W'
- 3439 1-2 on 'S', 3 on 'W', 4 on 'C'
- 3440 1-2 on 'A', 3 on 'W'



3449	This case was adjourned for further information as to whether the requisitioned (or stolen) horses were in fact used for military purposes or personal profit of the accused.
3450	1 on 'A', 2 on 'W', 3-4 on 'C'
3451	On 'A'
3452	1-2 on 'A', 3 on 'S'
3453	1-2 on 'A', 3 on 'W'
3454	1 on 'A', 2-4 on 'W'
3455	On 'A'
3456	1 on 'C', 2-3 on 'A', 4-5 on 'W'

4) FRENCH Cases.

Consideration of these cases was adjourned as no representative of the National Office was present.

5) CZECHOSLOVAK Cases.

424 (addendum 2).	BESSELMANN was reclassified from 'S' to 'A'
3467	On 'A'
3468	On 'A'
3469	On 'A'

6) BELGIAN Cases.

A) Addenda

1802 (3)	6, 14, 25, 28, 29 and 35 on 'S' No action was taken with regard to the other accused as they had already been listed.
2584 (i)	1 on 'A' 2-3 already listed - no action was necessary.
do (2)	1 already listed - no action was necessary. 2-3 on 'S'
do (3)	As all the accused had already been listed, no further action was necessary.
do (4)	2-3 on 'A' 4-5 already listed - no action was necessary. 1 on 'S'

B) New Cases.

3438	On 'W'
3439	1-2 on 'S', 3 on 'W', 4 on 'C'
3440	1-2 on 'A', 3 on 'W'

-4-

3441

This case was adjourned for further information as to whether or not the military operations were in fact in progress at the material time

3442

This was adjourned for additional information as to whether the unit involved belonged to the Hitler Jugend Division.

III. Listing of persons already sentenced. (Australian List).

The Secretary reported that List No. 1. of Japanese war criminals (188 in number) charged under the War Crimes Act, 1945, and sentenced by Australian Military Authorities, had been received from the Australian representative and asked for a ruling as to whether these persons should be listed by the Commission on its own initiative in view of the decision taken at the Commission's Meeting on June 5th, 1946, (M.107), as no request in this respect had been submitted by Australia.

The Committee decided that the Commission's decision referred to above should be considered in a restrictive sense and that persons of that category should be listed only upon individual charges submitted by the National Office.

UNITED NATIONS WAR CRIMES COMMISSION.

Summary Minutes of the Meeting of Committee I held on 10th July 1946  
at 3 p.m.

In the Chair: M. de Baer - Belgium.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia
Sir Robert Craigie	United Kingdom
Lieut. Kintner	United States of America

Members of the Commission, not members of Committee I,  
and Representatives of the National Offices:

Commander Mouton	Netherlands
Dr. Markovic	Yugoslavia

I. MinutesNo. 65:

Minutes of the Meeting held on the 4th July, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of Yugoslav, Netherlands, and French cases, as follows:

1) YUGOSLAV Cases.

3470	On 'A'
3471	As there was no statement in this case to the effect that crimes were committed against Yugoslav citizens, and Dr. Markovic was not in a position to provide any information in this respect, the Committee decided to communicate the case to the Polish National Office for information and necessary action in view of the fact that the crimes were committed in Poland. The case was accordingly adjourned.
3472	On 'A'
3473	1-3 on 'W' only. The Committee were of opinion that the victims' arrest was not illegal and it had not been established that any of the accused were responsible for the alleged crime.
3518	On 'A'

2) NETHERLANDS Cases.

a) Adjourned Cases.

3273	On the request of the National Office the
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Committee additionally listed the fourth accused on 'W'

- 3269 The request as to listing Irma Goetze as a witness was not complied with as the Committee were of opinion that she could be interrogated by the National Office through the ordinary channels without having her listed by the Commission.
- 3271 Document I/66 was considered.  
Dr. Mayr-Harting expressed doubt as to whether the impropriety of using enemy uniform was quite evident in the present case and whether that was quite clear to the second accused, as he had been ordered to put on the uniform on the evening before the invasion of Holland. As there was no declaration of war by Germany, and therefore the state of war commenced on the next day with the actual attack, it was doubtful whether the second accused was in a position to realise the impropriety and illegality of his act, even if his allegedly criminal action lasted after the beginning of the invasion. He therefore suggested that this accused should be listed on 'W' only.  
After some further discussion, the Committee unanimously decided to list the first accused on 'A'. The second accused was listed on 'S' by a majority vote, Dr. Mayr-Harting voting against.
- 3379 Consideration of this case was adjourned until the next meeting.
- 3446 1-11 on 'A'  
12-15 and 19-26 on 'S'  
16-18 and 27-33 on 'W' only as it appeared that either no charges at all or not directly connected with the present case had been brought against these accused.

b) New Cases.

- 3474 2-4 and 12 (Hess) on 'S' for murder only.  
1, 5-11, 13-26 on 'W' only as the charge against these persons had not been substantiated.  
27-32 left out as these were not material witnesses.
- 3475 1-2 on 'A'
- 3476 This case was adjourned sine die as the Committee were of opinion that the alleged crime could not be regarded as a war crime.
- 3477 1-2 on 'A' for deportation and internment only - not for murder.
- 3478 1 on 'A'  
2-5 on 'W'

FRENCH Cases.

- 3325 On 'A'
- 3326 On 'A'

-3-

(French cases continued)

3327	2, 3 and 5 on 'A' for putting hostages to death. 4 on 'A' for indiscriminate mass arrest. 1 adjourned for further information as the charge against this accused had not been sufficiently substantiated.
3328	On 'A'
3329	1-3 on 'A'
3330	On 'A'
3331	On 'A'
3332	1-10 on 'A'
3333	On 'A'
3334	On 'A'
3335	1-3 on 'A'
3336	On 'A'
3337	On 'A'
3338	1-3 on 'A'
3339	1-3 on 'A'
3340	1-6 on 'A'
3341	1-4 on 'A'
3342	1-12 on 'A'
3343	On 'A'
3344	On 'A' for pillage only, as the second count had not been sufficiently substantiated.
3345	1-3 on 'A'
3346	On 'A'
3347	1-3 on 'A'
3348	1-3 and 14-16 on 'A' 4-13 and 17 on 'S' only, as no individual charges have been submitted against these accused.
3349	1 on 'A', 2 on 'S'
3350	On 'A'
3351	On 'A'
3352	On 'A'
3353	1-2 on 'A'

(French cases continued)

- 3354 1-11 on 'A'
- 3355 1 on 'A' for illegal arrest and deportation.  
2-4 on 'A' for illegal arrest only.
- 3356 On 'A'
- 3357 This case was adjourned in order that the National Office might be asked for additional information in order to establish a prima facie case of a war crime, as from the particulars of the case, some doubt arose as to whether the "stolen" articles were not in fact requisitioned for military purposes.
- 3358 1 on 'A' for murder and other crimes  
2-4 on 'A' for pillage and destruction of property.
- 3359 This case was adjourned for further information to be submitted by the National Office as to whether any military operations were in progress at the relevant time and place.
- 3360 1-3 and 6-7 on 'A'  
Decision as to the fourth and fifth accused was adjourned for further information sufficient to substantiate the responsibility of these accused.
- 3361 This case was adjourned for the same reasons as in the case 3357 (see above).
- 3362 1-3 on 'A'
- 3363 1-3 on 'A'
- 3364 1 and 2 on 'A' on the first count only.  
As to the second count, the case was adjourned for the same reason as in the case 3359 (see above).
- 3365 On 'A'
- 3366 1-5 on 'A'
- 3367 On 'A'
- 3368 On 'A'
- 3369 On 'A'
- 3370 On 'A'
- 3371 1-2 on 'A'
- 3372 1-2 on 'A'
- 3373 On 'A'



(French cases continued).

3374	On 'A'
3375	1-2 on 'A'
3376	1 on 'A', 2 on 'C'
3377	On 'A'
3388	1-4 on 'A'
3389	1-5, 16, 27, 39 and 41 on 'A' 6-15, 17-26, 28-38, 40, 42-52, and 69 on 'S' only, as no individual charges have been brought against these accused. 53-68 and 70-79 on 'W' only as the functions assigned to these accused in the Gestapo Office were not of a nature to justify listing them as war criminals unless individual charges be brought against them.
3390	1-4 on 'A'
3391	1 on 'A' 2 to 25 on 'S'
3392	1-10 on 'A'
3393	On 'A'
3394	1-2 on 'A'
3395	This was adjourned for further information sufficient to establish that the destruction was not justified by military necessity
3396	1-6 on 'A'
3397	1-3 on 'A'
3398	1-23 on 'A'
3399	This was adjourned for the same reasons as in the case 3395 (see above).
3400	As the particulars of the alleged crime created the impression that the destruction was ordered in the course of actual military operations, the case was adjourned in order that the National Office might be asked to com- plete the charge by further information refuting the classification of the act complained of as a military operation.
3401	On 'A'
3402	1 and 2 on 'A'
3403	1-2 on 'A' 3-4 on 'S'

352

(French cases continued)

-6-

- 3404 This case was adjourned for the same reasons as for the case 3357 (see above).
- 3405 On 'A'.  
The Committee deprecated being requested to list such a minor case.
- 3406 On 'A'
- 3407 1-2 on 'A'
- 3408 1-5 on 'S'
- 3409 On 'A'
- 3410 1-3 on 'A'  
Two of these accuseds' names will be listed according to their proper spelling as follows:  
SCHOEN and NEUGEBAUER.
- 3411 1-2 on 'A'
- 3412 1-2 on 'A'
- 3413 This case was adjourned in order to ask the National Office for further information in view of the following considerations:  
The French National Office charges the accused, General Ranke and Major Haberman, with a breach of the rules relating to the Red Cross, but it is not quite clear which provision regarding the Red Cross has been violated in the present case.  
The accused officers are charged with having deposited, at a certain sheltered place, munitions and petrol. It is stated that the place was reserved to the civil population and placed under the protection of the Red Cross, and that the distinctive emblem of the Red Cross was placed there.  
The German Commander maintained the munition depot in spite of protestations by the civilian authorities.  
Under the Geneva Convention 1929 the distinctive flag of the Red Cross shall be hoisted only over medical formations and establishments that are entitled to be respected under the Convention, and with the consent of the military authorities.  
It is not stated who placed the place in question under the protection of the Red Cross, who hoisted the Red Cross flag, and it is therefore difficult to judge whether it can be maintained that there was a situation preventing the German Commanders from depositing munitions there.  
It will be noted that the disaster occurred not as a consequence of a bombardment or other military attack either by the Allies or by the Germans, but as a consequence of the negligence of a German soldier and that in addition to 360 French civilians, 500 Germans perished in the explosion.

UNITED NATIONS WAR CRIMES COMMISSION.

Summary Minutes of the Meeting of Committee I held on 19th July 1946  
at 10.30 p.m.

In the Chair: M. de Baer - Belgium.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia
Sir Robert Craigie	United Kingdom
Lieut. Kintner	United States of America

Members of the Commission, not members of Committee I,  
and Representatives of the National Offices:

Major Fanderlik	Czechoslovakia
Mlle Capimont	France
Commander Mouton	Netherlands
Miss Raag	Norway
Colonel Halse	United Kingdom
Dr. Markovic	Yugoslavia

I. Minutes No. 66.

Minutes of the Meeting held on the 10th July, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of United Kingdom, Yugoslav, Netherlands, French, Belgian, Czechoslovak and Norwegian cases as follows:

1) UNITED KINGDOM Cases.

343 (addendum).	1 on 'A'	
	As the second accused had previously been listed upon this case on 'A' under the name of RAMEZANI no further action was taken.	
3521	1-3 on 'A' for ill-treatment	} (Crimes against non-British - nationals)
	1 and 2 on 'S' for murder	
3522	On 'A'. (Crimes against non-British nationals)	
3523	On 'A'. (Crimes against non-British nationals).	
3524	1 and 2 on 'A'.	
3530	1-8 on 'A'	
3531	1-6 on 'A'	



2) YUGOSLAV Cases.

a) addenda.

327 (3)

On 'A'

3465

As the accused had already been listed on 'S', no further action was taken.

b) New Cases.

3471

After Dr. Markovic supplemented the case with the statement that the victims in this case were Yugoslav Jews, it was decided to list the accused 1, 2, 3, on 'A'

3519

1 on 'S'  
2 on 'A'

3520

1-2 on 'A'

3610

1-2 on 'A'

3611

On 'A'

3612

On 'A'

3613

On 'A'

3614

This case was adjourned in order that the National Office might be asked for additional information as to whether the accused was actually in command of the troops in the field or merely had planned the military operation during which crimes and atrocities were committed.

3615

On 'S'

3616

The accused and HORMAN on 'A'

3617

On 'A'

3618

On 'A'

3619

On 'A'

3620

1 on 'A'  
2 on 'S'

3) NETHERLANDS Cases.

3379

After some additional discussion which was necessitated by the National Office's request to reconsider the Committee's decision of 27th June 1946 the latter was adhered to, with the proviso that after additional information is submitted by the National Office (see Minute No. 64), the case will be automatically referred to Committee III for its opinion as to whether or not the alleged crime should be considered as a war crime and for what reasons.

3387

On 'A'

3525

1-2 on 'A'

3525 (continued)

5 on 'W'

3-4 left out as these persons were not witnesses to the alleged crimes.

3526

1-3 on 'W'

3527

On 'A' for pillage only as the accused's complicity in deportation had not been established.

3528

1-12 on 'W'

3529

1-2 on 'A'

3 on 'W'

## 4) FRENCH Cases.

3480

On 'A'

3481

1 to be reclassified from 'W' to 'A'

2 on 'W'

3-5 on 'A'

3482

On 'A'

3483

This case was adjourned for additional information sufficient to establish the accused's responsibility for the crime committed by two soldiers, as it appeared, on their own initiative.

3484

This was adjourned for further information as the accused's responsibility for deporting the victims had not been sufficiently established.

3485

1-3 on 'A'

3486

On 'A'

3487

On 'A'

3488

1-5 on 'A'

3489

As the acts described in this case were committed during a combat between the German forces and a unit of the F.F.I., the Committee were of opinion that this was not a prima facie evidence of a war crime. The case was accordingly adjourned in order that the National Office might furnish some additional information.

3490

1-3 on 'A'

4 on 'S'

3491

1-2 on 'A'.

3492

1-4 on 'S'

3493

On 'A'

3494

On 'A'

3495

1-2 on 'A'

3496

On 'A'

3497

On 'A'

- 3498 1-6 on 'A'
- 3499 1-2 on 'A'
- 3500 On 'A'
- 3501 1 on 'A'  
2 on 'W'
- 3502 On 'A'
- 3503 On 'W' as it was doubtful whether in this particular case the accused could be made responsible for the crimes committed during a combat and presumably not upon his orders.
- 3504 This was adjourned for additional information as to whether a) the allegedly stolen articles were not in fact requisitioned for military purposes; b) whether the destruction of the property in question was not necessitated by military reasons and c) on what grounds the accused had been made responsible for the alleged crimes.
- 3505 On 'A' for pillage only
- 3506 On 'A'
- 3507 1 on 'A'  
2 on 'S' only as it was not clear whether this accused was aware that no trial against the victim was held.
- 3508 On 'A'
- 3509 On 'S'
- 3510 On 'A'
- 3511 1-5 on 'A'
- 3512 On 'S'
- 3513 On 'A'
- 3514 On 'A'
- 3515 On 'A'
- 3516 1-6 on 'A'
- 3517 On 'S'

5) BELGIAN Case.

3442 (adjourned) On 'A'

6) CZECHOSLOVAK Cases.

952 (6) addendum. The case was adjourned in order that the National Office might rectify the statement as to the concentration camp into which the victims were actually deported, in view of the fact that it was quite obvious that they could not have been deported to



952 (6) addendum (contd) Oswiecim concentration camp at least before  
September 1st 1939.  
3479 1-6 on 'A'

346

7) NORWEGIAN Cases.

3533 On 'A'  
3534 1-2 on 'A'

III. Procedure in issuing Commission's Lists.

In view of technical difficulties in duplicating proofs and the importance of publishing Lists of War Criminals as soon as possible after their closing had been decided upon by Committee I, it was felt necessary to dispense in future with submitting draft Lists to the Commission for sanction prior to printing them.

Such a change in procedure would necessitate that the National Offices concerned would be requested in future to sign immediately after inspection of proofs special forms authorising the Secretariat to publish each current List, provided the necessary corrections were inserted. Then the Lists would be sent direct to the Stationery Office for printing and circulated without delay. The formal sanction of the Commission would be sought only after the printed Lists were circulated and any further corrections and amendments made by the Commission would be inserted in each subsequent List.

As the Committee agreed to the above proposal made by the Chairman, Monsieur de Baer took upon himself to submit the matter to the Commission that afternoon for its consideration and approval.

In connection with this matter Major **FANDERLIK** informed the Committee of his conversations with the British Authorities in Germany on his recent visit to that country, and of the difficulties they were experiencing in checking the identity of persons held by them against all previous Lists of War Criminals circulated by the Commission.

With a view to solving the difficulties encountered, Major **FANDERLIK** submitted whether it would not be possible in future to publish the Commission's Lists in alphabetical order of names instead of dividing them into sections according to the countries submitting charges, as has been the practice hitherto, and stated that a letter to this effect had already been sent to the United Nations War Crimes Commission by Colonel **HARRISON**.

Dr. **MAYR-HARTING** pointed out that if the Lists were arranged alphabetically it would, of course, save work for the War Crimes Investigating Units on the one hand, but add more difficulties to the National Offices on the other.

After some discussion Sir Robert **CRAIGIE** suggested that Colonel **HALSE** who is shortly proceeding to Germany could point out that while the Commission would be ready to adopt the idea of arranging Lists in alphabetical order only, this would create difficulties for the National Offices and that a card index arranged by the Investigating Units might meet the requirements.

M. de **BAER** also suggested that Colonel **HALSE** should be asked by the Committee to investigate all the difficulties on the spot and then kindly report to the Committee in order to arrive at a solution. This was agreed to.

IV. Closing of the 41st List of War Criminals.

The Committee decided to issue the new Commission List (No.41) of German War Criminals. This would include cases accepted by the Committee up to the 19th July 1946 inclusive.

(French cases continued).

3414	On 'A'
3415	1-12 on 'A'
3416	As from the particulars of the case it appeared that the alleged crime was committed by an unknown soldier individually and on his own initiative, and therefore the responsibility of the person accused was not quite clear, the case was adjourned for further information sufficient to establish a <u>prima facie</u> case against the latter.
3417	1-2 on 'A'
3418	1-10 on 'A'
3419	On 'A'
3420	1-2 on 'A'
3421	On 'A'
3422	The case was adjourned for further information as the responsibility of the accused had not been sufficiently established.
3423	On 'A'
3424	On 'S'
3425	On 'A'
3426	On 'A'
3427	On 'A'
3428	This case was adjourned for the same reasons as in the case 3357 (see above).
3429	On 'A'
3430	1-2 on 'A'
3431	1-2 on 'A'
3432	1-4 on 'A'
3433	On 'A'
3434	On 'A'
3435	On 'A'
3436	1-8 on 'A'
3437	On 'A'

UNITED NATIONS WAR CRIMES COMMISSION

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Summary Minutes of the Meeting of Committee I held on 25th July 1946  
at 10.30 a.m.

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In the Chair:

M. de Baer - Belgium.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting  
Sir Robert Craigie  
Lieut. Kintner

Czechoslovakia  
United Kingdom  
United States of America

Members of the Commission, not members of Committee I, and  
Representatives of the National Offices:

Major Fanderlik  
Mlle Capiomont  
Commander Mouton  
Dr. Lachs  
Major Fletcher  
Dr. Marković

Czechoslovakia  
France  
Netherlands  
Poland  
United Kingdom  
Yugoslavia

I. Minutes No. 67.

As the Minutes of the Meeting held on the 19th July 1946 had not been circulated in time, approval of these was adjourned until the next Meeting.

II. Proceedings in Individual Cases:

The Committee decided upon a number of United Kingdom, Polish, Netherlands, Yugoslav, French, and Belgian cases.

1) UNITED KINGDOM Case.

3532            1-2 on 'A'  
                  3 on 'C'

2) POLISH Case.

3535            On 'S'

3) NETHERLANDS Cases.

3536            1-7 on 'A'  
                  8-13 on 'S'

3537            On 'W'

3538            On 'A'

3539            1 on 'A' for ill-treatment and deportation  
                  2 on 'S' for illegal arrest



3540 1-4 and 9 on 'A'  
5-7 on 'C'  
8 on 'W'

3541 1-4 on 'A'

4) YUGOSLAV Cases.

3542 On 'A'

3543 On 'A'

3544 On 'S' for complicity in murder, torture and rape.

3545 This case was adjourned for further information as to the circumstances in which the alleged crimes were committed. It appeared that GRILLO should also have been charged.

3546 1-2 on 'A' for murder, rape and pillage.  
As the other charges had not been sufficiently substantiated and it appeared that they were committed during military operations, the case with regard to them was adjourned for further information.

3547 On 'A'

3548 On 'A'

3549 On 'S'  
The Committee requested that in future for cases of this type, more information and particulars as to the circumstances in which the alleged crimes were committed should be submitted by the National Office.

5) FRENCH Cases.

a) Addenda.

217 (4) 1-16 on 'A'

456 (1) 1-8 on 'A'

502 (2) 1-5 on 'A'

510 (1) 1-4 on 'A'

559 (1) 1-3 on 'A'

649 (2) 1-2 on 'A'

687 (1) 1 on 'A', 2 on 'W'

1193 (1) 1 and 3 on 'A'. As charges against the second accused had not been sufficiently substantiated, the case with regard to him was adjourned for further information.

1196 (1) On 'A': 2-14, 19-38, 42-46, 49, 53-66, 68, 69, 87-95.  
On 'S': 1, 15-18, 39-41, 47, 48, 50-52, 67, 70-86.

1445 (1) 1, 7 and 9 on 'A'  
3-5 on 'S'  
6 and 8 on 'W'.  
The case with regard to the second accused was adjourned in view of the fact that he was dead and no individual charges had been brought against him

1528 (1) On 'A'

1530 (1) 1-3 on 'A'

1716 (4) On 'A'

1833 (1) 1-9 on 'A'

1865 (1) As the additional information now submitted by the National Office was not sufficient to list the accused on the first count, and in view of the fact that he had already been listed on the second count, no further action was taken.

2508 (1) On 'A'

3418 (1) 1-11 on 'S'

b) New Cases.

3550 On 'A': 1-6, 8, 68, 70, 73, 75, 84, 85, and 93.  
 On 'S': 9, 10, 12-43, 45, 47, 49-52, 54, 56-67, 69, 76, 77, 79-81, 83, 86-92, 94-97, 100-105, 108, 109, 112, 114-148.  
 On 'W': 11, 48, 82, 98, 99, 107, 110, 113.

With regard to the accused 7, 44, 46, 53, 55, 71, 72, 74, 78, 106, 111, the case was adjourned for clarification of functions (G.Z.A.) assigned to them in the Gestapo Office.

3551 : 1-3 on 'S'  
 4-12 and SANDEL on 'A'

3552 On 'A'

3553 1-4 on 'A'

3554 1-8 on 'A'

3555 On 'A'

3556 1-3 on 'A'

3557 On 'A'

3558 1-2 on 'A'

3559 On 'A'

3560 On 'A'

3561 PILLICH on 'A'  
 suspects 1-52 on 'S'

3562 On 'A'

3563 1-3 on 'A'

3564 On 'A'

3565 On 'S'

3566 On 'A'

3567 On 'A'

3568 On 'A'

3569 On 'A'

3570 On 'A'

3571 On 'A'

3572 1-2 on 'A'

3573 On 'A'

3574 On 'C'

3575 On 'S'

3576 On 'A'

3577 1-2 on 'A'

3578 On 'A'

3579 1-6 on 'A'

3580 1-3, 7-10, and 24 on 'A' } For murder, deportation and forced  
4-6, 11-23, 25-34, on 'S' } labour respectively.  
With regard to the accused 35 and 36, the case was adjourned  
for further information sufficient to establish their  
responsibility, as it appeared the action taken by them was  
presumably justified by military necessity.

3581 1 on 'A' for pillage of WINTREBERT's apartment only.  
As to the **first count** and the three other accused, the case  
was adjourned for additional information as to whether the  
"pillaged" articles were not in fact requisitioned for  
military purposes.

3582 On 'A'

3583 On 'A'

3584 1-13 on 'S'

3585 On 'A'

3586 On 'A'

3587 1-11 on 'S'

3588 1, 7, 8, 14 and 36 on 'A'  
2-6, 9-13, 15-35 on 'S'

3589 1-2 on 'A'

3590 On 'A'

3591 On 'S'

3592 On 'S'

3593 1-3 on 'A'

3594 On 'A'

3595 On 'A'

3596 On 'A'



- 3597 On 'A'
- 3598 1-4 on 'A'
- 3599 On 'S'
- 3600 On 'A'
- 3601 On 'A'
- 3602 On 'A'
- 3603 This case was adjourned for additional information as the Committee were of opinion that the action taken by the accused was presumably justified by military necessity.

6) BELGIAN Cases.

- 1889 (1)(addendum)  
1 and 2 on 'S'
- New cases:
- 3604 1 on 'C'  
3-8 on 'W'  
The case with regard to the second accused was adjourned for further information as to whether the units of SIPO and SD which committed the crimes were or were not under his command.
- 3605 1 on 'C'  
2 on 'S'
- 3606 1 on 'C'  
2 on 'S'
- 3607 8 and 9 on 'A'  
1-7 on 'S'  
10 on 'C'
- 3608 1 and 5 on 'A'  
2-4 on 'S'
- 3609 1-3 on 'W'

III. Composition of Military Courts trying War Crimes' Cases.

Monsieur de Baer referred to his letter sent by him recently to Sir Robert Craigie in which he raised the question of procedure with regard to war criminals being tried by British Military Courts.

He said that cases had arisen where persons tried by British Military Courts for crimes committed either in the British zone or against British nationals have been or may be acquitted, on those particular charges, but may be wanted by some other countries for crimes committed in those countries or against other nationals.

As it was advisable to avoid multiplication of trials against the same persons he suggested that the judges of countries interested should be in future included in the British Courts in order to try collectively all charges which might be preferred against such persons.

After some discussion Sir Robert Craigie suggested that in order to arrive at any satisfactory arrangement in this respect, it would be

useful and necessary to discuss the matter in more detail with J.A.G. after Colonel Halse returned from Germany. This was agreed upon.

IV. Functioning of CROWCASS.

The question of the functioning of CROWCASS was raised by the Chairman.

In view of the fact that for about two months CROWCASS had been out of action and neither the Commission nor the Governments concerned were being supplied with information as to detention of war criminals listed by the Commission, and in view of there being no prospect of an early opening of CROWCASS offices, it was felt necessary that some provisional machinery and procedure should be arranged in order to remedy the present difficulties.

It was decided that the matter should be submitted to the Commission for consideration at its next meeting but no definite proposal for submission to the Commission was arrived at.

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NO. 69.

UNITED NATIONS WAR CRIMES COMMISSION.

Summary Minutes of the Meeting of Committee I held on  
31st July, 1946, at 10.30 am.

In the Chair

M. de Baer - Belgium.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting  
Sir Robert Craigie  
Lieut. Kintner

Czechoslovakia  
United Kingdom  
United States of America

Members of the Commission, not members of Committee I, and  
Representatives of the National Offices:

Mlle. Capimont  
M. Stavropoulos  
Commander Mouton  
Dr. Lachs  
Dr. Marković  
Dr. Mezulić

France  
Greece  
Netherlands  
Poland  
Yugoslavia  
Yugoslavia

I. Minutes Nos. 67 and 68.

Minutes of the Meetings held on the 19th and 25th July 1946  
were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of United Kingdom,  
Greek, Yugoslav, French, Czechoslovak, Belgian, and Netherlands cases.

1) UNITED KINGDOM Case.

3290 (addendum) On 'A'

2) GREEK Case.

3669 On 'A'

3) YUGOSLAV Cases.

3634

On 'A' for complicity in all crimes indicated  
in the charge, except that of usurpation  
of sovereignty, as this had not been  
sufficiently substantiated.



- 3635 This case was adjourned for further information as to  
a) whether the victim's arrest was illegal and  
b) what part the accused himself took in deporting  
the victim to the concentration camp.
- 3636 On 'A'
- 3637 On 'A' for ill-treatment of P.O.W. and complicity in murder.
- 3638 On 'A'
- 3639 1-2 on 'A'
- 3640 On 'A'
- 3641 On 'A'
- 3642 On 'A'
- 3670 1-2 on 'A' . (The second accused for pillage only).

4) FRENCH Cases.

a) Addenda.

- 405 (1) As the accused had already been listed, no action was  
taken. Additional information and alterations to be  
inserted in the List.
- 1352 (3) 1-3, 5, 8, 10-22 on 'A'  
4, 6, 7, and 9 on 'S'
- 2251 (1) 1-4 on 'A'

b) New Cases.

- 3643 On 'A'
- 3644 1-3 on 'A'  
4-9 on 'S'
- 3645 1 on 'S'  
2 on 'A'
- 3646 On 'A'
- 3647 On 'A'
- 3648 On 'A' for destruction of property only as it was not clear  
whether the accused was responsible in any way for the  
victim's murder.
- 3649 1-3 on 'A'  
4 on 'W'
- 3650 On 'A'
- 3651 2 and 3 on 'A'  
1 and 4 on 'S'

3652	1-2 on 'A'
3653	1-4 on 'S'
3654	1 on 'A'
	2-3 on 'S'
3655	On 'A'
3656	On 'A'
3657	On 'A'
3658	On 'A'
3659	On 'A'
3660	1-2 on 'A'
3661	On 'A'
3662	On 'A'
3663	1-3 on 'A'
3664	1-2 on 'A'
3665	On 'A'
3666	On 'A'
3667	On 'S'
3668	On 'A'

5) CZECHOSLOVAK Cases.

a) Addenda.

952 (7) After Dr. Mayr-Harting stated in addition that the alleged crimes were committed after September 1939, the accused 1-3 were listed on 'A'

1789 (1) The first accused was additionally listed on 'S' on the first count.

b) New Cases.

3621 The Committee decided to consider this case as an addendum (VIII) to Charge No. 952.

Dr. Mayr-Harting amended the case to the effect that the alleged crimes were committed also in 1938 and submitted that those of them which were committed prior to September 1939 should be considered as crimes against humanity. This was unanimously agreed.

In order to enable the National Office to submit definite proposals as to which of the accused should

3621 (continued) be listed for war crimes and which of them for crimes against humanity the case was adjourned sine die.

3622 On 'A'

3623 On 'A'

3624 On 'A'

3625 On 'A'

While considering the cases 3623 and 3625, the Committee requested that in future cases of this type more information and particulars as to the circumstances in which the alleged crimes were committed should be submitted by the National Office.

6) BELGIAN Cases (addenda).

1109 (9) On 'S'

1109 (10) As these accused had already been listed, only alterations as indicated will be inserted in the next Commission List.

3077 (1) On 'W'

3174 (1) 1. 4-10, 12, 16-18 were re-classified from 'S' to 'A'  
20-142 re-classified from 'W' to 'S'  
143 on 'A'  
13 and 19 re-classified from 'S' to 'C', i.e. removed from the List.

7) NETHERLANDS Cases.

3626 On 'A' for ill-treatment of P.O.W.

As the second count had not been sufficiently substantiated, and required clarification as to the legal points involved, the Secretary of the Committee was charged with preparing an explanatory note on the case. The case as to the second count was accordingly adjourned.

3627 This case was adjourned in order that the National Office might be asked for further information as to a) complicity of the accused in general policy and measures introduced by German authorities in expropriating Jews in Holland and b) the real value of the property acquired by the accused.

It was decided that after additional information was submitted by the National Office, the case will be automatically referred to Committee III for its opinion as to whether or not the alleged crime should be considered as a war crime and for what reasons.

3628 1-3 on 'S'  
4-22 on 'A'



- 3629            1 on 'A'
- 2 on 'W'
- 3630            On 'A'
- 3631            On 'S'
- 3632            On 'A'
- 3633            1-2 on 'A'
- 3 on 'C'
- 4 on 'W'

III. Polish Case No. 3018, involving 296 individual charges, prepared by the Jewish Agency for Palestine.

At the request of Dr. Szerer, the Polish representative, the Chairman re-opened a general discussion on the above cases, consideration of which was adjourned in the Meeting of 9th May 1946 (Minutes No. 60). After having summarised the main points of the previous discussion, M. de Baer asked Dr. Lachs whether the Polish Government was prepared to sponsor the cases.

DR. LACHS: Yes. All cases originally received by the Commission from the Jewish Agency had been handed over to the Polish representative on the Commission and after investigation it was found that certain of the cases concerned crimes committed on territories which were no longer Polish territories. This being so the Jewish Agency was asked to withdraw such cases, which they did, and submitted them to the Soviet prosecutor in Nuremberg.

There remained now 296 cases which mainly concerned crimes committed on Polish territory but also concerned several crimes committed in Czechoslovakia, Germany, and Hungary, which the Polish National Office thought should be included because they concerned Polish nationals as victims. The material was then submitted to the Committee in the original form together with the attached list of accused compiled by the National Office.

In reverting to the question which had been in abeyance for so long the Polish National Office submitted that the Committee accept the cases on the understanding that they had been transmitted by the Commission to the Polish Government which accepted them as being true and accepted the statements contained in those cases as corresponding with reality. They were now sponsored by the Polish Government.

SIR ROBERT CRAIGIE: It was not only a question of sponsoring but of having to go into each case in order to be satisfied with the validity of the ~~everything the Jewish Agency said. charge, & to represent it as if it had been formulated by the Polish National Office.~~ *the validity of the*

DR. LACHS: That was practically impossible. Of course the National Office cannot bear full responsibility for these cases but it had been assumed, until the contrary was proved, that all the evidence submitted by the Jewish Agency was correct and corresponded with facts, the more so as several persons had already been listed by the Commission on other Polish charges. This being so the Polish Government sponsor them, not accepting one hundred per cent responsibility, but submitting them as cases worthy of consideration.

M. DE BAER. So far as this Committee could go would be to list them on 'S' in view of the fact that the Government which was presenting the cases cannot really accept one hundred per cent

responsibility for accuracy or truthfulness of statements.

SIR ROBERT CRAIGIE: There was an alternative method. Could not the National Office go through them and pick out the worst cases - say 50, which could be supported by other evidence now in possession of the National Office, and then the Committee would be prepared to consider the charges seriously, but it would not be correct for this Committee to consider charges made by the Jewish Agency with that degree of reservation which Dr. Lachs submitted.

LIEUT. KINTNER supporting Sir Robert Craigie, said that the National Office should be prepared to vouch for all the statements. There should be files and valuable information in the Polish National Office which would in some measure verify these particular charges. If that was done the Committee would have no further difficulty.

DR. MAYR-HARTING also agreed with Sir Robert Craigie. The practice of the Committee was based on the fact that they accept facts stated by a Government Agency without going into the question of whether the statements are correct or not, and it would be dangerous to do the same with statements of facts of a more or less unofficial Agency. A Government has the possibility of going into the evidence and after it is satisfied that the evidence is sufficient, it submits a case. Even if a case is put on 'S' there is a clear statement of facts by the Government. It would be valuable if the Polish National Office could go into the cases and establish the facts as far as possible independently, if only in a limited number of them.

DR. LACHS: From the purely legal point of view the Committee would appreciate that interrogation of witnesses, unless conducted by an official body cannot be taken as one hundred per cent true. Those witnesses which form the material were interrogated by a special Commission set up by the Jewish Agency for interrogating those who escaped from Poland. In order to vouch one hundred per cent one would have to interrogate all those persons over again in Palestine, which is out of the question.

There was a possibility of accepting these statements as bona fide statements in view of the fact that they bear a similarity with other crimes. There was no doubt that those crimes could have been committed and bore similarity of treatment accorded to Jews in Poland during the war. The Polish Government felt that if the Commission did not list those cases there may be ill-feeling among that community which had suffered so much in Poland and the Commission could expose themselves to criticisms of disregarding the claims of a body which is a semi-official Jewish body.

M. DE BAER: It was precisely with that object in view that the cases were received right from the beginning. We did not want to give a body, however unofficial, the opportunity of saying that we did not want to examine their cases.

SIR ROBERT CRAIGIE: A decision taken some time ago, <sup>without special</sup> ~~which had~~ reference to the Jewish Agency, was that this Committee should only consider cases submitted by the National Offices. He did not think the Jewish Agency could have any possible grievance because we ~~are~~ were acting in accordance with the normal procedure of the Commission. It would be hopeless to take up charges put by any <sup>non-official</sup> ~~body~~ which might be <sup>constituted for</sup> ~~responsible and might not be~~ the purpose the Association of German Democratic Lawyers we declined to consider



them here but agreed to forward them to the military authorities in Germany and then revised the procedure and suggested that they should be forwarded direct.

M. DE BAER: The Committee appreciated the fact that the Polish Government was trying to do what it could for the Jewish Agency in bringing the accused to justice. The question was that it did not seem to fit in with the practice of this Committee or the Commission. He pointed out, however, that at a meeting held a long time ago with the representatives of Jewish bodies they were advised to bring up cases before the Commission and promised that this Commission would do what it could, and perhaps, now, it would be going back on what was said at that time.

Further consideration of this matter was adjourned to September and the Secretary was charged with preparing a memorandum on the whole subject discussed with Jewish representatives and the conclusions arrived at in the meeting referred to by M. de Baer.

#### IV. Closing of 42nd List of War Criminals.

The Committee decided to issue a new Commission List (No.42) of German war criminals. This would include cases accepted by the Committee up to the 31st July 1946 inclusive.

#### V. A. Issuing of a General Alphabetical Index of War Criminals. B. Procedure in preparing future Commission's Lists.

Ad. A. With a view to solving the difficulties encountered by the apprehending authorities in checking the identity of persons held by them against all previous Lists of war criminals issued by the Commission (see Minute No. 67), it was decided to issue as soon as practicable a general Alphabetical Index of war criminals. This would cover all the 40 Lists published by the Commission up to now, but should not be a repetition of the Lists, but a kind of directory showing only names of persons listed, their rank and official position and nationality, as well as all necessary reference to the Commission's Lists. As the proposed Index would probably include about 1000 pages it was suggested to publish it in four or five volumes.

Ad. B. With the same purpose in view, it was also decided that all future Commission's Lists should be arranged in one alphabetical order only instead of dividing them into sections according to countries submitting charges and categories of classification, as had been the practice hitherto. In order, however, to preserve the interests of the National Offices, each List will be preceded by a reference section showing by which countries the persons listed therein are wanted.

#### VI. Dates of next Meetings.

The Committee adjourned until August 15th, 1946, and decided that the subsequent Meeting would be held on August 29th, 1946.



6th August, 1946.

Dear Dr. Mayr-Harting,

The following is an excerpt from Minutes of the last Committee I meeting concerning the Czechoslovak case 3621:-

"The Committee decided to consider this case as an addendum (VIII) to charge 952.

"Dr. MAYR-HARTING amended the case to the effect that the alleged crimes were committed also in 1938, and submitted that those of them which were committed prior to September 1939 should be considered as crimes against humanity. This was unanimously agreed.

"In order to enable the National Office to submit definite proposals as to which of the accused should be listed for war crimes, and which for crimes against humanity, the case was adjourned sine die."

Yours sincerely,

J.L.

Secretary of Committee I

Dr. H. Mayr-Harting,  
42, Wilton Crescent,  
S. W. 1.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 15th August 1946  
at 10.30 a.m.

In the Chair:

Sir Robert Craigie (United Kingdom).

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Colonel Springer	United States of America
Lt. Kintner.	United States of America.

Members of the Commission, not Members of Committee I,  
and Representatives of the National Offices:

M. Antonopoulos	Greece
M. Dimitzas	Greece
Commander Mouton	Netherlands
Miss Raag	Norway
Colonel Halse	United Kingdom
Dr. Marković	Yugoslavia.

In the absence of Monsieur de BAER. Sir Robert CRAIGIE  
took the Chair.

I. Minutes No. 69:

Minutes of the meeting held on 31st July, 1946, were approved.

II. Proceedings in Individual Cases:

The Committee decided upon a number of United Kingdom, Yugoslav, Norwegian, Netherlands, Greek, United States, Belgian, and Czechoslovak cases, as follows:-

1) UNITED KINGDOM Cases.

3767	On 'A'. (Crimes against non-British nationals).
3768	On 'A'. (Crimes against non-British nationals).

2) YUGOSLAV Cases.

3635	After Dr. Marković had stated that the accused was personally responsible for indiscriminate mass arrest, carried out during punitive expeditions, it was decided to list him on 'A' for illegal arrest, but not for deportation.
3769	1-2 on 'A'

3770 As the accused's functions were that of a liaison officer and no individual charges against him have been submitted, it was decided to list him on 'S'.

3808 In order to secure M. de BAER's views on this case, it was decided to adjourn its consideration for a month. However, the National Office was requested to submit in the meantime additional information as to whether the victims  
a) belonged to or were connected with properly organised units of the Yugoslav Army of National Liberation, b) whether they acquired or were entitled to acquire the status of P.O.W. and c) on what ground the sentences promulgated by the Italian Special Court should be considered as illegal or excessive.

3845 1-2 on 'A'

3846 On 'A'

3) NORWEGIAN Cases.

3832 1 and 2 on 'A'

3833 On 'A'

4) NETHERLANDS Cases.

3822 On 'A'

3823 1-2 on 'A'

3824 On 'A'

3825 1 on 'S'  
2 on 'W'

3826 1-2 on 'A'

3827 1-2 on 'S'

3828 On 'S' for murder and on 'A' for ill-treatment.

3829 1-6 on 'A'

3830 1-2 on 'A'

3831 1 on 'A'  
2-3 on 'C'

5) GREEK Cases.

3671 On 'A'

3672-3682 All on 'A'

3683 This case was adjourned for clarification as from the information submitted in the main case (3671) under B.3. it appears that this accused held his official position prior to the material time.

3684-3690 All on 'A'



- 3691 In view of the ecclesiastical profession of the accused this case was considered as not sufficiently substantiated and accordingly adjourned for additional information.
- 3692-3695 All on 'A'
- 3696 This case was adjourned for additional information as to the ground on which the accused should be made responsible for the alleged crimes in view of the official position he actually held at the material time.
- 3697, 3698 In view of the judicial profession of the accused, both cases were considered as not sufficiently substantiated and accordingly adjourned for additional information.
- 3699 On 'A'
- 3700 This case was adjourned for additional information as to the ground on which the accused should be made responsible for the alleged crimes in view of the official position he actually held at the material time.
- 3701-3731 All on 'A'
- 3732 As no specific charges have been brought against this accused, and no qualification as to his criminal responsibility submitted, the case was adjourned for further information.
- 3733 1-2 on 'A'
- 3734 1-4 on 'A'
- 3735 On 'A'
- 3736 1-2 on 'A'
- 3737 1-6 on 'A'
- 3738 On 'A'
- 3739 This was adjourned for additional information as to the accused's responsibility.
- 3740 On 'A'
- 3741 On 'A'
- 3742 On 'A'
- 3743 On 'A'
- 3744 On 'A' for murder, confiscation of property and pillage.
- 3745 On 'A' for ill-treatment only.
- 3746-3753 1-8 on 'A'
- 3754 On 'A' for torture resulting in death.
- 3755, 3756 1-2 on 'A'

- 3757 On 'A' for murder, torture and pillage.
- 3758 On 'A'
- 3759 On 'A' for murder, destruction of property, and deportation.
- 3760 On 'A' for ill-treatment and pillage.
- 3761 On 'A' for illegal arrest and pillage.
- 3762 On 'A' for deportation and expropriation.
- 3763 On 'A' for murder and torture.
- 3764 On 'A' for murder and pillage
- 3765 On 'A'
- 3766 On 'A' for expropriation and theft.

6) UNITED STATES Cases.

- 3813 1-3 on 'A'
- 3814 On 'A'
- 3815 1-4 on 'A'
- 3816 1-2 on 'A'
- 3817 On 'A' for ill-treatment of P.O.W.
- 3818 1-4 on 'A'
- 3819 On 'A'
- 3820 1-6 on 'A'
- 3821 1-3 on 'A'

7) BELGIAN Cases.

- 3809 On 'A'
- 3810 As the responsibility of the accused for the alleged crimes had not been established in any way, the case was adjourned for additional information.
- 3811 As it was not stated on what grounds the accused have been charged, the case was adjourned for further information.
- 3812 On 'S'

8) CZECHOSLOVAK Case.

952 (Addendum VIII). With regard to this case Sir Robert CRAIGIE said that it would be difficult for him to accept any date before September 1939 as a basis for listing persons for war crimes proper, taking them on the scale submitted in this addendum. It is true that the Committee did agree in one case to regard crimes committed prior to that time as war crimes, though rather special circumstances attached to the particular case; but he should have to take the whole matter up again with the United Kingdom Government before he could agree to something which would carry the implication that the war between Germany and Czechoslovakia began as from 15th March, 1939.

Dr. Mayr-Harting: I would not object to amending the case to the effect that all crimes committed prior to 3rd September 1939 should be accepted as crimes against humanity, but the Czechoslovak Government could not change the view that Czechoslovakia considered herself at war with Germany as from 17th September, 1938.

Lt. Kintner: I can only re-state the view that the U.S. delegation do not feel they can vote for the listing of any crime against humanity pending a decision at the Nuremberg Trials, unless they have specific instructions from their Government; and I am willing to ask for those instructions on the basis of the individual case, but it will take some time to get them.

Dr. Mayr-Harting: A similar promise - that special instructions will be asked for from the United States Government - had been given for almost every case involving crimes against humanity, and no answer has ever been heard, so I do not think we should adjourn the case for this reason. During a former discussion on a special case Colonel Hodgson's objections were only against the concrete case, and I remember he distinctly denied that there is a general objection against the listing for any crime against humanity.

Lt. Kintner: Our view is that a crime against humanity had not been judicially defined. We hope that it will be at Nuremberg, and pending actual judicial definition of crimes against humanity our Government desires to review every case individually. That was done in the Sepp Dietz case and I would ask that the same be done in this case.

Sir Robert Craigie: I hope that Lt. Kintner, in putting this case up to his Government, would point out that, in my view at all events, if the Commission is to proceed with crimes against humanity, these particular acts



committed in Czechoslovakia before the outbreak of war constitute the essence of such a charge.

Lt. Kintner: I will take the case to the State Department in Washington when I go there next week. I am just as anxious for this matter to be settled as Dr. Mayr-Harting.

Sir Robert Craigie: Perhaps it would be possible also to assure the State Department that if there were to be any decision at Nuremberg which ran contrary to our interpretation of crimes against humanity, the whole question would have to be reconsidered by Committee III.

The case was accordingly adjourned sine die

### III. Procedure in preparing Commission's Lists.

In addition to the decisions taken at the previous meeting (see Minutes No. 69), it was also decided that as from List No. 42, issuing of separate Lists of Italian, Albanian, Bulgarian, Hungarian and Rumanian war criminals should be discontinued, and that war criminals of all nationalities, except Japanese, would be included in each issue.

The 42nd List, already closed on 31st July 1946, would therefore include all persons of these categories listed by the Commission up to that date inclusive.

See new page

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-5-

8) CZECHOSLOVAK Case.

952 (Addendum VIII).

With regard to this case Sir Robert CRAIGIE said that it would be difficult for him to accept any date before September 1939 as a basis for listing persons for war crimes proper, taking them on the scale submitted in this addendum. It is true that the Committee did agree in one case to regard crimes committed prior to that time as war crimes, though rather special circumstances attached to the particular case; but he should have to take the whole matter up again with the United Kingdom Government before he could agree to something which would carry the implication that the war between Germany and Czechoslovakia began as from 15th March, 1939.

*draft to*  
Dr. Mayr-Harting: I would not mind amending the case to the effect that all crimes committed prior to 3rd September 1939 should be accepted as crimes against humanity, but the Czechoslovak Government could not change the view that Czechoslovakia considered herself at war with Germany as from 1st October, 1938.

17 Sept.

Lt. Kintner: I can only re-state the view that the U.S. delegation do not feel they can vote for the listing of any crime against humanity pending a decision at the Nuremberg Trials, unless they have specific instructions from their Government; and I am willing to ask for those instructions on the basis of the individual case, but it will take some time to get them.

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The 42nd List, already closed on 31st July 1946, would therefore include all persons of these categories listed by the Commission up to that date inclusive.



UNITED NATIONS WAR CRIMES COMMISSION.  
COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 29th August, 1946,  
at 10.30. a.m.

In the chair: Sir Robert Craigie (United Kingdom).

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia
Mlle. Capiomont	France
M. Dimitzas	Greece
Commander Mouton	Netherlands
Miss Raag	Norway
Major Fletcher	United Kingdom
Major Mason	United Kingdom
Dr. Marković	Yugoslavia

In the absence of Monsieur de BAER, Sir Robert CRAIGIE  
took the Chair.

I. Minutes No. 69 and 70.

At the request of Sir Robert CRAIGIE, Minutes of the Meeting held on 31st July 1946 (No. 69), were amended to the effect that his statements on pages 5 and 6 (last paragraph) should read respectively as follows:

Page 5. "SIR ROBERT CRAIGIE: It was not only a question of sponsoring but of having to go into each case in order to be satisfied with the validity of the charge and to represent it as if it had been formulated by the Polish National Office."

Page 6. "SIR ROBERT CRAIGIE: A decision taken some time ago, without special reference to the Jewish Agency, was that this Committee should only consider cases submitted by the National Offices. He did not think the Jewish Agency could have any possible grievance because we were acting in accordance with the normal procedure of the Commission. It would be hopeless to take up charges put up by any non-official body which might be constituted for the purpose. In the case of charges received from the Association of German Democratic Lawyers we declined to consider them here but agreed to forward them to the military authorities in Germany and then revised the procedure and suggested that they should be forwarded direct"

Minutes of the Meeting held on 15th August 1946 (No. 70) were approved, subject to two corrections submitted by Dr. Mayr-Harting, regarding his statement on page 5. These will be incorporated in the final text.

II. Proceedings in Individual Cases.

The Committee decided upon a number of Norwegian, United Kingdom, French, Yugoslav, Greek, Czechoslovak and Netherlands cases, as follows:

1) NORWEGIAN Case.

3913 On 'A' for ill-treatment.

2) UNITED KINGDOM Cases.

3835 1 -2 on 'A'

3836 On 'A'

3870 1-4 on 'A'

3871 1-3 on 'A'

3873 On 'A'

3) FRENCH Cases.

Addenda

686 (1) 1-2 on 'A'  
3 on 'S'

804 (1) On 'A'

830 (1) 1 already listed  
2 on 'A'  
3 on 'S'

1058 (2) 1-44 on 'A'

1192 (2) 1-11, 13, 15, 17-36, 38, 39, 41, 44, 46, 47, on 'A'  
12, 14, 16, 37, 40, 45 on 'S'

1412 (1) On 'A'

1685 (1) On 'A'

4) YUGOSLAV Cases.

3837 1-3 on 'A'

3838 1-3 on 'A'

3839 On 'A'

3840 The Committee were of opinion that this case was not a prima facie case against the accused so far as the particular sentence was concerned. As it appeared that the accused were responsible only for setting up the Military Court in question, which in itself could not be considered a crime, it was agreed to adjourn the

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3873 On 'A'

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- 3840 (contd). case for additional information as to the names of the judges who actually promulgated the death sentence against the victim and also as to the procedure applied by the Court in this case.
- 3841 On 'A'
- 3842 1-8 on 'A'
- 3843 This case was adjourned for further information as the accused's responsibility was not sufficiently established.
- 3844 1 and 3 on 'A'  
The second accused was listed on 'W' only as there was no evidence that this accused had actually taken part in the punitive expedition and committed any crimes.
- 3847 On 'A'
- 3911 On 'A' for pillage, deportation and wanton destruction.
- 3912 1-2 and 4-22 on 'A'  
3 on 'W'.

GREEK Cases.

- 383 (addendum) 1-11 on 'A'
- 3771 1-4 on 'A'
- 3772 1 on 'A'  
2 on 'W'
- 3773 On 'A'
- 3774 On 'A' for deportation and pillage.
- The case as to other counts was adjourned until more elaborated information be submitted by the National Office.
- 3775 As the information submitted in this case was not sufficient to take any definite view as to the criminality of the alleged activities of the accused, the case was adjourned in order to enable the National Office to substantiate the charges by more detailed information.
- 3776 On 'A'
- 3777 On 'A'
- 3778 On 'A'
- 3779 On 'A'
- 3780 On 'A'
- 3781 On 'A'
- 3782 On 'A'
- 3783-3785 1-3 on 'A'

3786 On 'A'

3787 On 'A' for murder only

3788 On 'A'

3789 On 'A'

3790 On 'A'

3791-3798 1-8 on 'A'

3799 1-2 on 'A'

3800 On 'A'

3801 On 'A'

3802 On 'A' for putting hostages to death, ill-treatment and looting.

3803-3805 1-3 on 'A'

3806 On 'A'

3807 On 'A'

3874 On 'A' for sentencing illegally to death.  
(The case will be communicated to the United Kingdom National Office in view of the fact that British nationals were also among the victims).

3875 1-7 on 'A'.  
(The case will be communicated to the United Kingdom National Office in view of the fact that British nationals were also among the victims).

3876 1-4 on 'A'.  
(The case will be communicated to the United Kingdom National Office in view of the fact that British nationals were also among the victims).

3877 1-2 on 'A'

3878 On 'A'

3879 On 'A'

3880 On 'A'

3881 1-2 and 4-6 on 'A'  
3 on 'W'

3882 1-4 on 'A'

3883 1-5 on 'A'

3884 1-6 on 'A'

3885 On 'A'

3886 On 'A'

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3887 On 'A'  
 3888 1-2 on 'A'  
 3889 On 'A' for pillage  
 3890 On 'A'  
 3891 On 'A'  
 3892 On 'A'

6) CZECHOSLOVAK Cases.

1792 (addendum) On 'A'  
 III  
 3621 On 'A' for complicity in deportation.  
 3872 1-23 on 'A'  
 24-27 on 'S'

7) NETHERLANDS Cases.

3626 As the accused in this case had already been listed on 'A' for ill-treatment) at the Meeting on 31st July last, the Committee considered the second charge brought against this accused, namely, that of employing prisoners of war on unauthorized work.

After some discussion, the Committee arrived at the opinion that the case was not sufficiently clear as to whether the accused, in view of his official position, was in fact in any way responsible for the assignment of prisoners to the unauthorized work. It appeared that the probable presumption would be that he, as one of the chiefs of departments of the factory in question, had nothing to do with the allotment of prisoners to the factory, and that the responsibility for that rested exclusively with the military authorities in charge of Prisoners of war camps.

Therefore, no change was made in the previous decision, and the case with regard to this count was adjourned sine die.

3834 With regard to this charge, the Committee was of opinion that the case was not a violation of Article 41 of the Hague Regulations as neither an armistice nor a capitulation had been agreed upon between the belligerent forces at the material time, but that the action as alleged would constitute an abuse of the flag of truce itself as distinguished from abuse of the mission by an authorized flag bearer.

As during the discussion some doubt arose as to the factual circumstances and as to the persons who should



3834 (contd) be held responsible for the alleged act, the case was adjourned in order that the National Office might be asked for additional information as to  
a). what was the wording of the second German ultimatum presented to the Burgomaster of Rotterdam;  
b). whether there was any undertaking by the German Command to suspend the bombing of Rotterdam or not to resort to any other destructive measures during negotiations which had taken place under the flag of truce or before the ultimatum was due to expire.  
c). who was actually responsible for the bombing of Rotterdam: General STUDENT, General SCHMITT, or any other person.

3893 1 on 'A'  
2 on 'C'  
3-4 on 'W'

3894 1 on 'A'  
2-3 on 'S'  
5 on 'W'  
VALTH left out as he was not witness to the crime.

3895 On 'A'

3896 On 'A'

3897 1-4 on 'A'  
5 on 'S'

3898 On 'A'

3899 On 'A'

3900 On 'A'

3901 On 'A'

3902 On 'A' for illegal arrest only.

The second charge preferred against this accused had not been accepted as in view of the fact that the children's parents, who were forced to send them to a German school, were themselves only naturalised Dutch and of German origin, the charge of attempts to denationalise the inhabitants of occupied territory seemed to be not sufficiently substantiated.

3903 1-4 on 'S'  
5-6 on 'C'

3904 1 on 'A'  
2 on 'S'

3905 1-4 on 'A'  
5-7 on 'S'

3906 1-2 on 'A'  
3 on 'S'

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3907	On 'A'
3908	On 'A'
3909	1-2 on 'A'
3910	On 'A'

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No. 70  
Pages 5 and 6 (a)

UNITED NATIONS WAR CRIMES COMMISSION

Pages 5 and 6 of the Summary Minutes (No. 70) of the Meeting  
of Committee I held on 15th August 1946, as amended by the  
decision of Committee I held on 29th August 1946 (Minutes No. 71)



No. 72.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 5th September 1946  
at 10.30 a.m.

In the Chair: Monsieur de Baer (Belgium).

There were also present:

Members of Committee I and their Deputies:

Sir Robert Craigie	United Kingdom.
Dr. Mayr-Harting	Czechoslovakia.
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I. and Representatives  
of the National Offices.

Melle. Capiomont	France
Commander Mouton	Netherlands
Major Mason	United Kingdom
Dr. Marković	Yugoslavia.

I. Minutes No. 71.

Minutes of the Meeting held on the 29th August, 1946, were approved.

II. Procedure regarding persons listed as Suspects.

Sir Robert CRAIGIE referred to Document C. 82, of 12th March, 1945, which clearly showed the original intention of the Commission when deciding to classify certain persons and units as "Suspects". As far as he understood, that recommendation had fallen into abeyance so far as the military authorities were concerned, as in actual practice no distinction now seemed to be made between persons listed as War Criminals and those listed as Suspects, the latter being surrendered on demand in the same way as the former. He thought this practice undesirable in view of the fact that the Committee takes a good deal of trouble in making such distinction.

Sir Robert CRAIGIE proposed, therefore, that the Commission should remind the military holding authorities that Suspects should simply be detained as the evidence at present available is incomplete. They should be surrendered only when the National Offices concerned have forwarded further evidence direct to the holding authorities, which satisfies them that the persons should, in fact, be surrendered.

Dr. MAYR-HARTING agreed that it was unsatisfactory for the Commission to differentiate between War Criminals and Suspects when in actual practice there was no difference, but doubted whether it would be desirable to diminish the value of the present list of Suspects by advising the authorities concerned that such persons should not be surrendered. He entirely agreed with Sir Robert Craigie's proposal, however, in so far as future lists of suspected persons were concerned.

Dr. MAYR-HARTING further pointed out the difficulty with which the

military authorities were and would be confronted, in that they did not know the facts which had to be investigated before surrender was possible. When this question had been raised with investigating teams at a time when no one knew how the military authorities would react to the different lists, it was revealed that the difference between War Criminals and Suspects was not generally known. It would be necessary, therefore, to state in the Commission Lists specifically the facts which must be investigated before surrender was possible.

M. de BAER said that the Governments had, of course, difficulties in carrying out proper investigations during and immediately after the war, and the Commission had to make allowance in that respect, but now that so much more evidence was available and investigating teams were given every facility, the practice with regard to the listing of Suspects should be very much tightened up.

Sir Robert CRAIGIE wondered whether the distinction made between War Criminals and Suspects had any effect in so far as the actual prosecution and trial were concerned.

Major MASON stated that so far as military courts were concerned cases were considered on the actual evidence and material before the courts, irrespective of whether they were listed by the Commission on 'A' or 'S'.

Colonel SPRINGER said that so far as he had been able to observe during the short time he had been a member of the Commission, the Suspect list had seemed to serve a very useful purpose when it had been advisable to list certain cases instead of postponing them for some time. He would therefore hesitate to vote for the elimination of the Suspect list especially in view of the fact that the Committee had followed this practice for some considerable time, and more confusion might arise among those in the field by stopping the practice than by retaining it.

The Committee agreed that any retroactive decision might lead to confusion among the military authorities. With regard to future cases, it was decided that those cases in which, in the past, persons would have been classified as "Suspects" should in future be adjourned and the National Offices concerned asked for further information, and exception made only in certain types of cases where it would seem desirable to emphasise the distinction by listing certain categories of persons as Suspects, i.e., only in cases where members of concentration camps staff, the Gestapo or named members of military units were concerned.

Dr. Litawski was asked to prepare a report embodying the above proposals for circulation to National Offices.

### III. Proceedings in Individual Cases.

The Committee decided upon a number of United Kingdom, Yugoslav, Czechoslovak, French and Netherlands cases, as follows:-

#### 1) UNITED KINGDOM Cases.

1563 (addendum 2). On 'A'

3914

1-4 on 'A'

5-11 on 'W' only as it was not sufficiently clear whether these accused were actually concerned in the shooting of the Canadian airman.

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3968 1-2 on 'A'

3969 1-2 on 'A'

2) YUGOSLAV Cases.

- 3915 1-14 and 17 plus SCHUSTER and LOHRER on 'A'  
on all counts except that of directions to give  
no quarter.  
15 and 16 on 'W'.
- 3916 1 plus BYSCHOFSHAUSEN on 'A' for murder and looting.
- 3917 This was adjourned for further information as to  
the responsibility of the accused and especially as  
to what was in fact the connection between the accused  
and the crimes committed, as they were, by other persons.
- 3918 This was adjourned for additional information as it  
appeared that the accused was probably not responsible  
for the victim's death. Some doubt arose also  
as to whether the alleged action could be considered  
as criminal.
- 3919 On 'A'
- 3920 On 'A'
- 3921 This case was adjourned in order that the National  
Office might be asked for additional information as  
to the grounds on which the charge of illegality of  
the victim's arrest had been based.
- 3922 On 'A'
- 3923 The National Office was requested for more particulars  
as to the alleged responsibility of the accused and  
especially as to whether these accused were present  
when the beating of the victims took place and whether  
the accused were in fact personally responsible for  
sending victims to the concentration camp. Pending  
further investigation the accused 1 and 2 were  
provisionally listed on 'T'
- 3924 This case was adjourned for more particulars as to  
the circumstances of the alleged crime as well as to  
the extent of damage caused by the accused's action.
- 3925 1-8 on 'A'
- 3926 1-3 on 'A'
- 3927 On 'A' for torture.
- 3966 1-3 on 'A'
- 3967 On 'A'



3) CZECHOSLOVAK Case.

1963 (addendum). After Dr. Mayr-Harting had additionally stated that the crimes were committed on 29th August 1944 at Banska Bistrica, it was decided to re-classify the accused 7, 12, 13 and 46 from 'S' to 'A'.

4) FRENCH Cases.

a) Adjourned and addenda.

1684	On 'A'
1394 (1)	1-5 on 'A'
1945	1-3 additionally listed on the second count.
2009 (4)	1-30 on 'A'

b) New Cases.

3848	On 'A'
3849	On 'A':- 1-4, 6, 11, 12, 14-54, 56, 57, 59-64. On 'W':- 58. The case with regard to the accused 5, 7-10, 13 and 55, was adjourned for further information as to the responsibility of the accused in view of the fact that no individual charges had been submitted against them. The National Office was also asked to supplement the case with additional information as to whether or not all the victims shot by the Germans were combatants.
3850	On 'A'
3851	1-3 on 'A' for ill-treatment.
3852	On 'A'
3853	1-2 on 'A'
3854	On 'A'
3855	1-4 on 'A'
3856	On 'A':- 1-5, 7, 8, 13, 14, 17, 23. On 'S':- 6, 9-11, 15, 16, 18-20, 24-32. On 'W':- 12, 21, 22. On all counts except that of internment of civilians.
3857	1-19 on 'A'
3858	1-12 on 'A'
3859	On 'A'
3860	1-2 on 'A'

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3861      On 'A':- 1-3, 6-8, 11, 28, 36, 62 and HOPNER.  
On 'S':- 4, 5, 9, 10, 13-27, 29-35, 37-61, 63, 64.  
On 'W':- 12, 65-67.

3862      1-5 on 'A'

3863      On 'A'

3864      1-9 on 'A'

3865      1-3 on 'A'

3866      1-3 on 'A'

3867      1-5 on 'A'  
6-8 on 'W'

3868      On 'A'

3869      On 'A'

3928      1-2 on 'A'

3929      On 'A':- 1-3, 8, 9, 11, 19, 20, 23, 34-40, 42, 44, 45,  
47-49, 53, 55, 57, 58, 61, 62 and SPUMLER.  
On 'S':- 4-7, 10, 12-18, 21, 24-33, 41, 43, 46, 50-52,  
54, 56, 59, 60.  
On 'W':- 22.

3930      1-10 on 'A'

3931      1-33 on 'A'

3932      1-2 on 'A'

3933      1-2 on 'A'

3934      1-2 on 'A'

3935      On 'A'

3936      On 'A'

3937      On 'A'

3938      On 'A'

3939      1, 3-4 on 'A'  
In regard to the second accused the case was adjourned  
as the responsibility of this accused had not been  
sufficiently established.

3940      On 'A'

3941      1-2 on 'A' for ill-treatment.    The other charge had not  
been substantiated.

3942      On 'A'

3943      On 'A'

- 3944 1 on 'A'  
2-4 on 'W'
- 3945 On 'A'
- 3946 1-2, 6-7 and 10 on 'A'  
3-5 and 8-9 on 'S'  
BANKOFF to be removed from the Commission's List.
- 3947 On 'A'
- 3948 On 'A'
- 3949 On 'A'
- 3950 On 'A'
- 3951 This was adjourned in order that the National Office might be asked to substantiate, in more detail, the allegation that the port installations were blown up without any military necessity.
- 3952 On 'A'
- 3953 On 'A'
- 3954 On 'A'
- 3955 1-2 on 'A'
- 3956 On 'A'
- 3957 On 'A'

5) NETHERLANDS Cases.

- 3958 This case was adjourned sine die as the Committee were of opinion that on the evidence supplied by the National Office the accused's action could not be considered a war crime.
- 3959 1 on 'A'  
2 on 'C'
- 3960 1-2 on 'A'
- 3961 1 on 'A'  
2-5 on 'W'
- 3962 On 'A'
- 3963 1, 4 and 5 on 'W'  
The first accused was listed provisionally on 'W' until the National Office would be able to submit additional information as to what was the original charge against the victim.

With regard to the second and third accused, the case was adjourned and the National Office requested



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to produce the records of proceedings of the German Court relating to the victim's trial.

- 3964            On 'A'
- 3965            1 on 'A' for deportation.  
                 2 on 'W'

IV. Report on present state of CROWCASS (Document I/67).

Consideration of this matter was adjourned until the next Meeting.

V. Closing of 43rd List of War Criminals.

The Committee decided to issue a new Commission's List (No. 43), of War Criminals. This would include all cases accepted by the Committee up to 5th September 1946, inclusive, except those against Japanese War Criminals.

NO. 73.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 12th September  
1946, at 10.30. am.

In the chair: Monsieur de Baer (Belgium).

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Lt. Kintner	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Mlle Capiemont	France
Commander Mouton	Netherlands
Dr. Szerer	Poland
Dr. Marković	Yugoslavia.

I. Minutes No. 72.

Minutes of the Meeting held on 5th September 1946 were approved.

II. Proceedings in Individual Cases.

The Committee decided upon a number of Polish, Yugoslav, French, Netherlands and Czechoslovak cases, as follows:-

1) POLISH Cases.

4001	On 'A' for murders, torture and looting.
4002	On 'A' for mass murder.

2) YUGOSLAV Cases.

3769 (addendum)	SCHRAEDER on 'W'
3970	1-3 on 'A'
3971	On 'W'
3972 (C)	On 'A' for wanton destruction only as the other charge had not been sufficiently substantiated.
3973	On 'A'

3) FRENCH Cases.

a) Addenda.

915 (4) As all the accused have already been listed on 'A' on the original charge, this addendum was accepted as additional information only, and no further action taken.

1959 (2) 1-102 on 'A'

3432 (1) 1 and 2 on 'A'  
3 on 'W'

b) New Cases.

3974 1 on 'A'  
2-3 on 'S'  
4-5 on 'W'

3975 1-2 on 'A'

3976 On 'A'

3977 1-2 on 'A'

3978 On 'A'

3979 On 'W'

3980 1-3 on 'A'

3981 1-2 on 'A'

3982 1-2 on 'A'

3983 1-2 on 'A'

3984 On 'A'

3985 On 'A' for ill-treatment.

3986 This case was adjourned in order that the National Office might be asked for additional information necessary to substantiate the allegation that the destruction of the installations in question were in fact not necessitated by military reasons.

3987 1 on 'W'  
2 on 'A'

3988 This was adjourned for additional information as to which of the accused issued orders for shooting the victim or was in any other way implicated in the victim's murder.

3989 With regard to the accused 2 and 4-7, the case was adjourned for additional information as to which of these accused were present at the time and places when and where the alleged crimes were committed in order to establish their responsibility.

Pending further investigation only the first accused



3989 (contd) had been listed on 'A' for pillage and wanton destruction.

3990 On 'A'

3991 On 'A'

3992 1-2 on 'A'

3993 On 'A'

3994 On 'A'

3995 1-3 on 'A'

3996 1-3 on 'A'  
4 on 'W'

3997 On 'A'

3998 On 'A'

3999 1-6 on 'A'

4000 1 on 'A'  
In view of the fact that the first accused is already in custody, the National Office was requested to interrogate this accused and make further investigation in order to establish whether any of the remaining persons charged in this case were in fact responsible for the alleged crimes or had taken part in their commission. The case with regard to the accused 2-43 was accordingly adjourned.

4008 On 'A'

4) NETHERLANDS Cases.

4003 After Commander Mouton had additionally stated that according to German regulations, the victims were entitled to keep their bicycles, it was decided to list the accused on 'A' for pillage of bicycles only. No action was taken with regard to other charges as they were not sufficiently substantiated.

4004 1 on 'A' for pillage and complicity in deportation.  
2 on 'A' for pillage.

4005 On 'A'

4006 This case was adjourned as the accused's complicity in the alleged crime could not be considered sufficiently established, as it appeared that the crime had actually been committed by members of the Gestapo and not by the accused himself.

4007 On 'A' for pillage.

5) CZECHOSLOVAK Case.

952 (Addendum VIII)

After Lt Kintner had stated that he had no objection to listing the accused in question for crimes against humanity, it was decided to list additionally all the individual accused and units, ~~except those indicated on page 3 of this addendum~~, also for crimes against humanity, <sup>(1)</sup> so far as these accused were in fact in office as from 17th September 1938 to September 3rd 1939, <sup>(3)</sup> with the proviso that the original classification ('A' or 'S') should not be changed.

(1) (indiscriminate mass arrest, illegal arrest + deportation of civilians to various concentration camps),

(2) (individual accused as well as members of the units),

(3) + for war crimes (indiscriminate mass arrest, illegal arrest + deportation of civilians to various concentration camps) as far as they were in office as from the 4th Sept 1939 until the 8th May 1945,

This would practically mean that in the "Alteration Section" of the respective list should only be shown that these accused (to be indicated by reference numbers only) have also been charged with crimes against humanity (indiscriminate mass arrest, illegal arrest and deportation of civilians) committed between <sup>(4)</sup> September 17th 1938 and September 3rd 1939, <sup>(4)</sup> so far as they were in fact in office at that time.

III. Report on present state of CROWCASS. (Document I/67).

The Committee took note of the information submitted in Document I/67 and Monsieur de Baer took upon himself to report to the Commission at its next Meeting on the present state of this organization.

IV. Draft Report on Procedure regarding Persons listed as Suspects. (Document I/68)

Consideration of this matter was adjourned until the next Meeting.

V. Date of next Meeting.

It was decided that the next Committee Meeting should be convened for 26th September 1945.

(4) + for war crimes (indiscriminate mass arrest, illegal arrest + deportation of civilians to various concentration camps) committed between 4th Sept 1939 + 8th May 1945, so far as they were in fact in office at the relevant time.

COMMITTEE I MINUTES.NO. 73. page 4. revised.Meeting on 12th September, 1946.5) CZECHOSLOVAK Case.

952 (Addendum VIII). After Lt. Kintner had stated that he had no objection to listing the accused in question for crimes against humanity, it was decided to list additionally all the individual accused and units also for crimes against humanity, (indiscriminate mass arrest, illegal arrest and deportation of civilians to various concentration camps,) so far as these accused, (individual accused as well as members of units,) were in fact in office as from 1st October 1938 to September 3rd 1939, and for war crimes, (indiscriminate mass arrest, illegal arrest and deportation of civilians to various concentration camps) so far as they were in office as from the 4th September 1939 until the 8th May, 1945 with the proviso that the original classification ('A' or 'S') should not be changed.

This would practically mean that in the "Alteration Section" of the respective list should only be shown that these accused (to be indicated by reference numbers only) have been charged with crimes against humanity (indiscriminate mass arrest, illegal arrest and deportation of civilians) committed between October 1st, 1938, and September 3rd, 1939, and for war crimes (indiscriminate mass arrest, illegal arrest and deportation of civilians to various concentration camps) committed between 4th September, 1939, and 8th May, 1945, so far as they were in fact in office at the relevant time".

III. Report on present state of CROWCASS. (Document I/67).

The Committee took note of the information submitted in Document I/67 and Monsieur de Baer took upon himself to report to the Commission at its next Meeting on the present state of this organization.

IV. Draft Report on Procedure regarding Persons listed as Suspects. (Document I/68).

Consideration of this matter was adjourned until the next Meeting.

V. Date of next Meeting.

It was decided that the next Committee Meeting should be convened for 26th September, 1946.





OFFICE OF THE CZECHOSLOVAK REPRESENTATIVE  
ON THE UNITED NATIONS COMMISSION  
FOR INVESTIGATION OF WAR CRIMES

318  
42, WILTON CRESCENT,  
LONDON, S.W.1  
SLOane 9928 (3 lines).

8th October, 1946.

Reference: -

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

Dear Dr. Litawski,

May I ask you to have the following corrections made to the Minutes of  
Committee I, No. 73, page 4.

5) CZECHOSLOVAK Case

952 (Addendum VIII)

Lines 5 and 6 - delete the words "except those..... of this addendum".

Line 6 - after the words "crimes against humanity" insert  
"(indiscriminate mass arrest, illegal arrest and  
deportation of civilians to various concentration  
camps)".

Line 7 - after the words "these accused" insert  
"(individual accused as well as members of the  
units)".

Line 8 - correct "17th September 1938" to read  
"1st October, 1938".

- after the words "September 3rd 1939" continue  
"and for war crimes (indiscriminate mass arrest,  
illegal arrest and deportation of civilians to  
various concentration camps) as far as they were  
in office as from the 4th September 1939 until  
the 8th May, 1945 with the proviso....."

Line 18 - after the words "September 3rd 1939" continue  
"and for war crimes (indiscriminate mass arrest,  
illegal arrest and deportation of civilians to  
various concentration camps) committed between  
4th September 1939 and 8th May, 1945, so far as  
they were in fact in office at the relevant time."

These alterations have been discussed at the meeting of Committee III  
held on the 26th September and agreed upon.

Yours sincerely,

*Aug. Litawski*  
Dr. J. Litawski

317

(NO. 74.)

See  
Revised  
Text

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Extraordinary Meeting of Committee I  
held on 18th September, 1946, at 3.45 p.m.

In the Chair: Sir Robert Craigie (United Kingdom)

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Mr. Kintner	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Dr. Zivković	Yugoslavia.
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In the absence of Monsieur de Baer, Sir Robert CRAIGIE  
took the Chair.

I. Minutes No. 73.

The consideration of these Minutes was adjourned until the next Meeting.

II. CZECHOSLOVAK Case 952 (Addendum XI).

Dr. MAYR-HARTING: The accused, Dr. Durčanský, was a Czechoslovak national and also a Quisling. The Slovak Puppet Government of which he was a member actually declared war against the Allies; he was therefore a member of an enemy Government. He was mainly responsible for the decree of this "Government" which authorised the establishment of concentration camps in Slovakia. It was clear that the expression "protective custody" signified imprisonment without trial and the sending of people to concentration camps, as it did in Germany. A whole series of such concentration camps had been established in Czechoslovakia on the basis of this decree. At Nuremberg the German leaders had been indicted for being responsible for such acts, even though they did not sign the decrees giving powers to establish concentration camps. The accused was at present in France and could only be quickly secured by means of a certificate. The Czechoslovak Government would only refrain from trying him as a Quisling as well as a war criminal if the French Government insisted on this course as a condition of extradition.

Mr. KINTNER agreed that the accused should be listed on 'A'

in view of what Dr. MAYR-HARTING had said.

The Committee agreed to list the accused on 'A' and to request the Commission to grant a certificate.

III. YUGOSLAV Cases 4031 - 4037.

Dr. ZIVKOVIC: The victims in these cases were technically Italian citizens. He suggested that the cases should be referred to Committee III as had been done in several previous cases of a similar nature.

Sir Robert CRAIGIE agreed to this course. With reference to Case 4037, he enquired whether some measures of repression were not necessary if there was a partisan war in progress. The question was whether these measures exceeded the limits of what could be considered legitimate warfare. Most of the acts alleged seemed to him to be legitimate.

Dr. ZIVKOVIC: It might be that the details supplied were not sufficient to show that the measures used were indiscriminate but he could produce documents from which the Committee could find any other information which it might desire. Since the victims were organised into military units and operated in accordance with the general Allied military plan, he thought that they were entitled to be considered as Allied units and treated as such.

Mr. KINTNER: This information would have to be transmitted to his Government.

As these cases alleged crimes against humanity (the crimes were committed by Italians against Italians of Yugoslav origin in Italy), it was decided to refer them to Committee III for its opinion as to whether or not the alleged crimes should be considered as crimes against humanity and for what reasons.



UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on  
18th September 1946 at 3.45 pm.

(Incorporating the amendments suggested by Dr. Mayr-Harting on 8th October  
1946, )

In the Chair

Sir Robert Craigie (United Kingdom)

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting  
Mr. Kintner

Czechoslovakia.  
United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Dr. Zivković

Yugoslavia.

In the absence of Monsieur de Baer, Sir Robert CRAIGIE took the Chair.

I. Minutes No. 73.

The consideration of these Minutes was adjourned until the next Meeting.

II. CZECHOSLOVAK Case (Addendum XI).

Dr. MAYR-HARTING: The accused, Dr. Durčanský, is a Czechoslovak national. The Slovak Puppet Government of which he was a member actually declared war against the Allies. He was, therefore, a member of an enemy Government. He was mainly responsible for the decree of this "Government" which authorised the "Minister of the Interior for Slovakia" to order "protective custody" and to establish "protective camps" in Slovakia. It was clear that the expression "protective custody" signified imprisonment without trial and the sending of people to camps in which according to the wording of the decree mentioned, the prisoners must "perform commonly useful work". A whole series of such camps were established in Slovakia on the basis of this decree. The Czechoslovak Government intends to try Durčanský as a war criminal and as Quisling and would only refrain from trying him as a Quisling as well if the French Government insists on this course as a condition of extradition. The accused is at present in France and can only be secured by an extradition request. For this extradition request, a certificate would be necessary showing that Durčanský has been listed by the Commission.

Mr. KINTNER agreed that the accused should be listed on 'A' in view of what Dr. Mayr-Harting had said.

The Committee agreed to list the accused on 'A' and to request the Commission to grant a certificate.

III. YUGOSLAV Cases 4031-4037.

Dr. ZIVKOVIC: The victims in these cases were technically Italian citizens. He suggested that the cases should be referred to Committee III as had been done in several previous cases of a similar nature.

Sir Robert CRAIGIE agreed to this course. With reference to Case 4037, he enquired whether some measures of repression were not necessary if there was a partisan war in progress. The question was whether these measures exceeded the limits of what could be considered legitimate warfare. Most of the acts alleged seemed to him to be legitimate.

Dr. ZIVKOVIC: It might be that the details supplied were not sufficient to show that the measures used were indiscriminate but he could produce documents from which the Committee could find any other information which it might desire. Since the victims were organised into military units and operated in accordance with the general Allied military plan, he thought that they were entitled to be considered as Allied units and treated as such.

Mr. KINTNER: This information would have to be transmitted to his Government.

As these cases alleged crimes against humanity (the crimes were committed by Italians against Italians of Yugoslav origin, in Italy), it was decided to refer them to Committee III for its opinion as to whether or not the alleged crimes should be considered as crimes against humanity and for what reasons.



OFFICE OF THE CZECHOSLOVAK REPRESENTATIVE  
ON THE UNITED NATIONS COMMISSION  
FOR INVESTIGATION OF WAR CRIMES

316  
42, WILTON CRESCENT,  
LONDON, S.W.1

SLOane 9928 (3 lines).

8th October, 1946.

Reference: -

Dr. J. Litawski,  
Legal Officer,  
United Nations War Crimes Commission,  
Iansdowne House,  
Berkeley Square, W.1.

Dear Dr. Litawski,

May I ask you to insert the following instead of my statement in the  
Committee I Minutes No. 74. :-

The accused, Dr. Durčanský, is a Czechoslovak national. The Slovak Puppet Government of which he was a member actually declared war against the Allies. He was, therefore, a member of an enemy Government. He was mainly responsible for the decree of this "Government" which authorised the "Minister of the Interior for Slovakia" to order "protective custody" and to establish "protective camps" in Slovakia. It was clear that the expression "protective custody" signified imprisonment without trial and the sending of people to camps in which according to the wording of the decree mentioned, the prisoners must "perform commonly useful work". A whole series of such camps were established in Slovakia on the basis of this decree. The Czechoslovak Government intends to try Durčanský as a war criminal and as Quisling and would only refrain from trying him as a Quisling as well if the French Government insists on this course as a condition of extradition. The accused is at present in France and can only be secured by an extradition request. For this extradition request, a certificate would be necessary showing that Durčanský has been listed by the Commission.

Yours sincerely,

  
Dr. E. Mayer-Harting.



No. 75.

UNITED NATIONS WAR CRIMES COMMISSIONCOMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 26th September, 1946,  
at 10.30 a.m.

In the Chair:           Monsieur de Baer (Belgium)

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Sir Robert Craigie	United Kingdom.
Mr. Kintner	United States of America.

Members of the Commission, not Members of Committee I,  
and Representatives of the National Offices:

Mlle Capiomont	France.
Monsieur Dimitzas	Greece
Commander Mouton	Netherlands.
Dr. Szerer	Poland.
Colonel Halse	United Kingdom.
Dr. Marković	Yugoslavia.

I. Minutes 73 and 74.

Minutes 73 and 74 were approved, subject to certain amendments which would be submitted in writing by Dr. MAYR-HARTING.

II. Consideration of Cases.

The Committee decided upon a number of United Kingdom, French, Netherlands, Yugoslav, Polish, Greek, Belgian, Czechoslovak and United States cases as follows:-

1. UNITED KINGDOM Cases.

4009	1 - 4 on 'A'.
4010	On 'A'.
4011	On 'A'.
4041	1, 2 on 'A'.
4050	On 'A'.

2. FRENCH Cases.

4086	On 'A'.
4087	On 'S'.

3.....

3 NETHERLANDS Cases.

- 4074 On 'A'.  
4075 On 'W'.  
4076 On 'A' for torture of civilians.  
4077 On 'A' for pillage.

Regarding the second count, the case was referred to Committee III for its opinion as to whether or not the alleged crime should be considered as a war crime and for what reasons.

- 4078 1 on 'A' for pillage only.  
2 - 11 on 'W'.  
4079 1 and 2 on 'A' for ill-treatment only.  
4080 1 - 3 on 'A'.  
4081 1, 2 and Hauptmann BORNHOFFT in addition, on 'A'.  
3 and 4 on 'W'.

4. YUGOSLAV Cases.

a) Adjourned

- 3917 1 and 2 on 'A' after Dr. MARKOVIĆ had said that HAGMAYER, whose accomplice was WEIHOLD, had given orders that the crimes were to be committed.

b) Addenda.

- 3118 1 - 4 on 'A' for murder.  
3120 1 - 6 on 'A' for murder.  
3121 1 - 3 on 'A' for murder.  
3123 1 - 3 on 'A' for murder.  
3127 1 and 2 on 'A' for murder.

c) New Cases.

- 4021 1 on 'A'.  
2, 3 and 4 were adjourned and the National Office was asked for further information regarding their guilt.  
4022 1 - 16 on 'A'.  
4082 1 - 3 on 'A' for murder.  
4 and 5 on 'A' for torture.  
6 and 7 on 'W'.

4083 .....

4. YUGOSLAV Cases (continued)

- 4083 On 'A'.
- 4084 On 'A'.
- 4085 1 and 2 were listed on 'A' after Dr. MARKOVIC had said that:-

"MARKEWITZ was in the Prinz Eugen Division from 1942 to 1945. He took part in all operations of the 2nd Battalion, 2nd Regiment of this Division, and he admitted during interrogation that all the men of this Division committed numerous crimes, including the pillage of houses and all inhabited places, and of killing the people;" and

"LIPCZINSKI was in the Prinz Eugen Division from 1942 to 1945. He took part in all operations of the 2nd Battalion, 2nd Regiment, as a platoon commander or adjutant of the 2nd Battalion. He admitted that it was not possible to prevent the soldiers from setting fire to houses and killing the inhabitants".

5. POLISH Cases.

- 4012 Adjourned, and the National Office was asked for further information regarding the link between the position of the accused in Tarnopol and the events in Zbaraz.
- 4013 Adjourned as to charges (a) and (b).  
On 'A' for charges (c) and (d).
- 4014 On 'A'.
- 4015 1 and 2 on 'A'.
- 4016 On 'A'.
- 4017 On 'A'.
- 4018 On 'A'.
- 4019 On 'A'.
- 4020 On 'A'.
- 4042 1 - 10 on 'A'.
- 4043 On 'A'.
- 4044 On 'A'.
- 4045 On 'A'.
- 4046 On 'A'.
- 4047 On 'A'.
- 4048 On 'A' for deportation.
- 4049 On 'A'.



6. GREEK Cases.

a) Addendum.

382 On 'A'.

b) New Cases.

4051 On 'A'.

4052 On 'A'.

4053 On 'A'.

4054 On 'A'.

4055 On 'A'.

4056 On 'A'.

4057 1 and 2 on 'A'.

4058 On 'A'.

4059 On 'A'.

4060 On 'A'.

4061 1 and 2 on 'A'.  
3: adjourned for further information.

4062 1 - 3 on 'A'.

4063 On 'A'.

4064 1 - 7 on 'A'.

4065 On 'A'.

4066 On 'A'.

4067 On 'A'.

4068 On 'A'.

4069 On 'A'.

4070 On 'A'.

4071 On 'A'.

4072 On 'A'.

4073 On 'A'.

7. BELGIAN Cases

4023 On 'A'.

4024 Adjourned for further details connecting the accused  
with the crime alleged.

8.....

- 5 -

8. CZECHOSLOVAK Cases.a) Addendum

952 1 - 4 on 'A'.

b) New Cases.

4025 On 'A'.

4038 On 'A'.

4039 Adjourned to next meeting to allow of further consideration.

4040 On 'A' for ill-treatment only.

9. UNITED STATES Cases.a) Addendum.2354 1, 2, 3, 5, 6 on 'A' as before.  
4, 7, 8, 9, 10 on 'A'.  
11 on 'W'.b) New Cases.

4026 1 - 4 on 'A'.

4027 On 'A'.

4028 1 and 2 on 'A'.

4029 1 - 3 on 'A'.

4030 1 - 3 on 'A'.

III. Report on Procedure regarding Persons listed as Suspects (Doc.I/68).

Consideration of this question was adjourned.

UNITED NATIONS WAR CRIMES COMMISSION.COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 3rd October 1946,  
at 10.30 a.m.

In the Chair:                      Monsieur de Baer (Belgium).

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Sir Robert Craigie	United Kingdom.
Mr. Kintner	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia.
Mlle Capiomont	France
Commander Mouton	Netherlands
Dr. Marković	Yugoslavia.

Apologies for absence were received from Dr. Szerer.

I. Minutes No. 75.

Minutes of the Meeting held on 26th September were approved.

II. Consideration of Cases.

The Committee decided upon a number of Yugoslav, French, Netherlands, Polish, and Czechoslovak cases as follows:-

1) YUGOSLAV Case

4097                      1-19 on 'A'

2) FRENCH Cases.

(a) Addendum.

564(Addendum 3)      On 'A'

(b) New Cases.

4088                      1-3 on 'A'  
                              4-7 on 'W'



- 4089 On 'A'
- 4090 On 'W'
- 4091 1-4 on 'A'
- 4092 On 'A', along with SPITZER in addition.
- 4093 On 'A'
- 4094 1 on 'A' on all four charges. (The accused is already listed on 'S').  
2 on 'A' for murder.  
3 on 'S'.  
4 on 'S'. (This accused is already listed on 'A' for murder, torturing and deporting civilians).  
5-8. On 'S'.  
9 on 'A' for murder.  
10-12 on 'S'.  
13 on 'A' on all four charges.  
14 on 'A' for torturing and devastation.  
15 on 'A' for torturing and pillage.  
16 on 'S'.  
17 on 'A' for torturing.  
18-20 on 'S'.  
21 on 'A' for torturing.  
22-25 on 'S'.  
26 on 'A' on all four charges.  
27 on 'A' for torturing.  
28 on 'A' for murder.  
29 on 'A' for murder.  
30 on 'A' for torturing.  
31 on 'A' for murder.  
32 on 'A' for murder and torturing.  
33 on 'A' for devastation.  
34 on 'S' for murder.
- 4095 On 'A'
- 4096 This case was adjourned for further information.
- 4145 (Addendum) 1 and 2 on 'S'  
2.
- 4131 On 'A'
- 4132 On 'A'

3) NETHERLANDS Cases.

- 4118 On 'A' for deportation of civilians for forced labour.
- 4119 On 'A' for deportation of civilians for forced labour.
- 4120 1-5 on 'A', for ill-treatment of civilians.  
6-7 on 'W'
- 4121 On 'A' for deportation for forced labour.

- 4122 1-2 were adjourned for further information.  
3-5 on 'W'
- 4123 1 on 'A' for torture of civilians.  
2 and 3 on 'W'.
- 4124 1-4 on 'A', for the crimes alleged against each of them.
- 4125 On 'A'.
- 4126 1-2. Consideration of these was adjourned and the  
National Office was asked to produce a copy of a  
deposition by HARTEL.  
3-5 on 'W'.
- 4127 1-4 on 'A'  
5 on 'W'

4) POLISH Cases.

- 4098 This case was adjourned for further information. *See attached Memo.*
- 4099 On 'A' for murder.
- 4100 On 'A' for torture.
- 4101 This case was adjourned for further information. *See attached Memo*
- 4102 This case was adjourned for further information. *See attached Memo*
- 4103 On 'A' for ill-treatment.
- 4104 On 'A' for ill-treatment.
- 4105 On 'A' for deportation for forced labour, and for ill-treatment.
- 4106 On 'A' for ill-treatment.
- 4107 On 'A' for ill-treatment.
- 4108 On 'A' for ill-treatment.
- 4109 On 'A' for murder.
- 4110 On 'A' for ill-treatment.
- 4111 On 'A' for ill-treatment.
- 4112 On 'A' for ill-treatment.
- 4113 On 'A' for ill-treatment.
- 4114 This case was adjourned for further information. *See attached Memo*
- 4117 On 'A' for pillage.

The Committee agreed that it would be helpful if each National Office would provide, in all cases, the title of the alleged crime ("Number and the description of the crime in the War Crimes List").

5) CZECHOSLOVAK Cases.

(a) Adjourned.

4039

1 on 'A' for complicity in deportation, after Dr. Mayr-Harting had pointed out that if one had in mind the whole events it could safely be said that the accused knew the consequences of his denunciations. Anyone who, during the fighting against the partisans, denounced a person as a partisan knew very well that he would not be treated in an ordinary legal way but in an entirely arbitrary inhuman way by the Gestapo. If this had occurred at any other time Dr. Mayr-Harting might have been in some doubt himself, but the date given - Autumn 1944 - was the date of the rising of Slovakia, and methods were ruthless and not at all to do with ordinary administration.

Consideration of No. 2 was adjourned for further information regarding the nature of the incitement mentioned.

Consideration of No. 3 was also adjourned for further information.

4 on 'A' for pillage.

5 and 6 on 'A'.

Consideration of 7 was adjourned for further information regarding (I) the way in which the accused was in a position to compel people to enter the armed forces and (II) the number of people he had thus compelled to enter the armed forces.

(b) New cases

4115

This case was adjourned for three weeks in order to allow of further consideration, particularly in the light of the decisions of the International Military Tribunal in Nuremberg and of the deliberations of Committee III regarding crimes against humanity.

4116

1 and 2 on 'A'

III. Draft Report on Procedure regarding Persons listed as Suspects.  
(Document I/68).

The Committee approved the Draft Report subject to some additions proposed by Monsieur de Baer and some clarifications of the text suggested by Sir Robert Craigie. The Committee decided that the Draft Report should be forwarded to the Commission for approval and circulated to the National Offices.



UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 9th October, 1946  
at 10.30 am.

In the Chair:

Monsieur de Baer.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting  
Mr. Kintner

Czechoslovakia.  
United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik  
Commander Mouton  
Major Mason  
Dr. Marković

Czechoslovakia.  
Netherlands  
United Kingdom  
Yugoslavia.

I. Minutes No. 76.

Minutes of the Meeting held on 3rd October 1946 were approved.

II. Proceedings in Individual Cases.

The Committee decided upon a number of United Kingdom, Yugoslav, Czechoslovak, Belgian and Netherlands cases as follows:-

1) UNITED KINGDOM Cases.

4133 On 'A'

4134 On 'A'. This case was accepted on the understanding that British jurisdiction was based on the grounds that the accused is in United Kingdom custody.

2) YUGOSLAV Cases.

4135 After Dr. Marković had stated that his National Office has not as yet got any substantiated evidence against the individuals charged in this case, it was decided to list the first accused on 'A' and all the others (2-56) on 'S'.

- 4136 DOLP and 2, 3, 7, 20 and 21 on 'A'  
1, 4-6 and 8-19 on 'S'
- 4137 1-3 and DOLP on 'A'

3) CZECHOSLOVAK Cases.

- 4128 On 'A'
- 4129 On 'A' for complicity in deportation.
- 4130 This case was adjourned for further information as the Committee was of opinion that the alleged illegality of the victims' arrest had not been sufficiently substantiated.

4) BELGIAN Cases.

a) Addenda.

- 2113 (2) As this is an exact duplicate of Addendum No. I, on which all the accused have already been listed on 30th May 1946, no further action was necessary.
- 3002 1 on 'A'  
2 on 'C'

b) New Cases.

- 4138 On 'A' on counts 2 and 3 only.
- 4139 On 'A' on counts 1 and 3.
- 4140 On 'A'
- 4141 This case was adjourned for more particulars as to both charges preferred against the accused.
- 4142 As the case was not complete as to facts and particulars of the crimes alleged, it was adjourned for further information.
- 4143 This case was adjourned and the National Office asked for more particulars in order to substantiate the allegation that there was no military necessity for the destruction of the church. The National Office was also asked to substantiate the charge as to the responsibility of the first two accused for the crime alleged.

5) NETHERLANDS Case.

- 4144 1-17 and 19-44 on 'A'  
18 on 'W'

39

SUPPLEMENTARY MEMORANDUM TO COMMITTEE I MINUTES  
NO. 76 OF 3rd OCTOBER, 1946.

CASES NOS. 4098, 4101, 4102, 4114.

4101 was adjourned for further information  
regarding the circumstances of the crime alleged.

I think I would interpret the meaning of  
Committee I correctly by saying that 4098, 4102 and  
4114 were adjourned for further details describing  
the precise nature of the offences alleged.

G. Brand.



-3-

5) NETHERLANDS Cases

- 4149 1-2 on 'A'
- 4150 On 'A'
- 4151 1-2 on 'A' for pillage only.
- 4152 As according to the facts stated in the evidence the cars were not stolen but requisitioned, and the requisition vouchers or similar receipts issued, the case was adjourned as not substantiated.
- 4153 1-5 on 'A'  
6 on 'W'
- 4154 This case was referred to Committee III for its opinion as to whether or not the alleged crime should be considered as a war crime and for what reasons.
- 4155 1-4 on 'A'  
5-6 on 'W'
- 4156 1, 2 and 3 on 'A'  
4 on 'W'
- 4157 1, 2, 4 and 5 on 'A'  
Regarding the third accused, the case was adjourned for a week in order to examine it in the light of the Nuremberg judgements.
- 4158 On 'A'

IV. Polish Case No. 3018, involving 296 individual charges, prepared by the Jewish Agency for Palestine.  
(Continuation of general discussion).

Dr. SZERER, after summarising the main points of the previous discussions on the above case (Minutes No. 60 and 69), stated that, after contacting the London representative of the Jewish Agency, he had reported the case in great detail to Warsaw, where his Government had referred it to the Central Commission for Investigation of German War Crimes in Poland. He was now instructed to endorse all the charges contained in the case.

Sir Robert CRAIGIE pointed out that it was important to know exactly what was inferred by the word "endorse". His own suggestion had been that the Polish National Office should only present those cases in which it would be possible to investigate for itself the facts alleged therein, in order to be quite satisfied with the validity of the charges. The mere fact of "endorsing" the charges without specific investigation did not seem to alter the situation. The Polish National Office should be prepared to put forward the cases on its own behalf and not simply on behalf of an unofficial body; so that all statements would need to be substantiated to the effect that certain crimes had, in fact, been committed, or that documentary evidence was in

the possession of the Polish National Office.

Monsieur de BAER said that if Dr. Szerer's proposal was accepted, the Committee, when examining the cases, would have to bear in mind the fact that they were investigated by an unofficial agency and not by a National Office, and great care would need to be exercised in deciding each case on its merits.

Dr. SZERER said that the Polish National Office proposed to present only those cases concerning concentration camp atrocities and the like which were already notorious.

The Committee agreed to consider such cases presented by the Polish National Office, on the above reservations as proposed by Sir Robert Craigie.

The Committee further decided that it would be prepared to accept about twenty cases at a time. There being only one copy of each case, Dr. Szerer undertook to do what he could to have them duplicated for distribution to members of the Committee. If that proved to be practicable the Committee consented to examine the cases in rotation.

V. Closing of 44th List of War Criminals.

The Committee decided to issue a new Commission's List of War Criminals (No. 44). This would include all cases accepted by the Committee up to 16th October, 1946, except those of Japanese War Criminals.

NO. 78.

UNITED NATIONS WAR CRIMES COMMISSION.COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 16th October, 1946,  
at 10.30 a.m.

In the Chair:                      Monsieur de Baer.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Sir Robert Craigie	United Kingdom.
Mr. Kintner	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia.
Commander Mouton	Netherlands.
Dr. Szerer	Poland.
Major Mason	United Kingdom.
Dr. Marković	Yugoslavia.

I. Minutes No. 77.

Minutes of the Meeting held on 9th October, 1946, were approved.

II. General MARINOF's Case.

Referring to case 3669 Monsieur de BAER said he had received from his Government a copy of a request from General Marinof. As the appropriate channel through which the Commission would receive such a document would be the United Kingdom Foreign Office, he proposed that a decision concerning the matter should be suspended until such official document had been received by the Commission.

The Committee agreed.

Sir Robert CRAIGIE thought that the normal channel would be the Control Commission in Sofia. He understood that such a document had been received by the United Kingdom Foreign Office, which is now considering whether it is in an appropriate form for communication to the Commission.

The Committee decided that its decision be recorded in the Minutes of Committee I, and Monsieur de BAER undertook to transmit a copy of the Minutes to the French Government. It was decided also to forward a copy of the Minutes to Monsieur Stavropoulos, together with a letter drawing his attention to the relevant item.



III. Proceedings in Individual Cases.

The Committee decided upon a number of United Kingdom, Yugoslav, Czechoslovak, Belgian and Netherlands cases, as follows:

1) UNITED KINGDOM Case.

4145 1-4 on 'A'

2) YUGOSLAV Cases.

954 (Addendum 3) On 'A' for confiscation of property.

4146 This case was adjourned and the National Office asked for further information and evidence as to the responsibility of the accused and especially as to whether the accused acted as a principal or merely as an agent in pursuance of orders received from a higher authority instructing him to arrest people, which he did, not knowing the reason for the arrests. The National Office was also asked to submit information as to the attributions the Feldpolizei had during the occupation of Yugoslavia. The Committee expressed also its opinion that the case should be brought into line with the similar Czechoslovak case 952.

4147 On 'A' on the grounds that the accused was adjutant to S.S. Obergruppenführer MEISSNER, Chief of the Gestapo, the latter having already been listed on a different Yugoslav charge for a number of crimes in which the present accused must have been implicated.

3) CZECHOSLOVAK Case.

952 (Addendum XII). After Dr. Mayr-Harting had stated that both of the accused were members of the unit already listed on the original case, further consideration of this Addendum was adjourned for additional information as to the time of the commission of the crimes alleged and also as to the rank of the second accused.

4) BELGIAN Cases.

4148 On 'A': 1, 11, 12, 13, 14, 18, 20, 22, 23.  
On 'S': 6, 8, 9, 10, 21, 24.  
On 'W': 5, 7, 15, 17, 19.

As the accused 2, 3, 4 and 16 have already been listed for the same crimes on cases 2401 and 2402 no further action was necessary.

4161 1-2 on 'A'

5) NETHERLANDS Cases.

- 4149 1-2 on 'A'
- 4150 On 'A'
- 4151 1-2 on 'A' for pillage only.
- 4152 As according to the facts stated in the evidence the cars were not stolen but requisitioned, and the requisition vouchers or similar receipts issued, the case was adjourned as not substantiated.
- 4153 1-5 on 'A'  
6 on 'W'
- 4154 This case was referred to Committee III for its opinion as to whether or not the alleged crime should be considered as a war crime and for what reasons.
- 4155 1-4 on 'A'  
5-6 on 'W'
- 4156 1, 2 and 3 on 'A'  
4 on 'W'
- 4157 1, 2, 4 and 5 on 'A'  
Regarding the third accused, the case was adjourned for a week in order to examine it in the light of the Nuremberg judgements.
- 4158 On 'A'

IV. Polish Case No. 3018, involving 296 individual charges, prepared by the Jewish Agency for Palestine.  
(Continuation of general discussion).

Dr. SZERER, after summarising the main points of the previous discussions on the above case (Minutes No. 60 and 69), stated that, after contacting the London representative of the Jewish Agency, he had reported the case in great detail to Warsaw, where his Government had referred it to the Central Commission for Investigation of German War Crimes in Poland. He was now instructed to endorse all the charges contained in the case.

Sir Robert CRAIGIE pointed out that it was important to know exactly what was inferred by the word "endorse". His own suggestion had been that the Polish National Office should only present those cases in which it would be possible to investigate for itself the facts alleged therein, in order to be quite satisfied with the validity of the charges. The mere fact of "endorsing" the charges without specific investigation did not seem to alter the situation. The Polish National Office should be prepared to put forward the cases on its own behalf and not simply on behalf of an unofficial body; so that all statements would need to be substantiated to the effect that certain crimes had, in fact, been committed, or that documentary evidence was in

the possession of the Polish National Office.

Monsieur de BAER said that if Dr. Szerer's proposal was accepted, the Committee, when examining the cases, would have to bear in mind the fact that they were investigated by an unofficial agency and not by a National Office, and great care would need to be exercised in deciding each case on its merits.

Dr. SZERER said that the Polish National Office proposed to present only those cases concerning concentration camp atrocities and the like which were already notorious.

The Committee agreed to consider such cases presented by the Polish National Office, on the above reservations as proposed by Sir Robert Craigie.

The Committee further decided that it would be prepared to accept about twenty cases at a time. There being only one copy of each case, Dr. Szerer undertook to do what he could to have them duplicated for distribution to members of the Committee. If that proved to be practicable the Committee consented to examine the cases in rotation.

V. Closing of 44th List of War Criminals.

The Committee decided to issue a new Commission's List of War Criminals (No. 44). This would include all cases accepted by the Committee up to 16th October, 1946, except those of Japanese War Criminals.



RESTRICTED.

NO. 79.  
Annex.

Members of Committee I only.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Annex to the Minutes of the Meeting of Committee I  
held on 31st October 1946.

General MARINOV's case - Memorandum and Documents submitted  
by the accused. (Doc.I/70).

In considering the procedure to be adopted with regard to the Memorandum and documents submitted by General Marinov, Sir Robert CRAIGIE reminded members that the matter had first come to the attention of the Committee when the Control Commission in Sofia had transmitted a document to the United Kingdom Foreign Office in London, and, presumably, to the State Department in Washington. The document appeared to be identical with Annex 1 enclosed with General Marinov's Memorandum. The United Kingdom Foreign Office had taken the view that as the document submitted to it contained offensive imputations against a member Government of the United Nations, it was not in an appropriate form for official transmission to the Commission. The Foreign Office had therefore proposed to the United States Government that the document be returned to Sofia with the suggestion that all imputations as to the motives which actuated the Greek Government in putting forward the charges should be eliminated, and only when the document was re-submitted and confined strictly to facts would the Foreign Office be prepared to transmit it to the United Nations War Crimes Commission.

Colonel SPRINGER said he had not heard as yet what were the views of the State Department.

Sir Robert CRAIGIE went on to say that what the Committee had to decide was the procedure which should be adopted with regard to General Marinov's letter addressed to the Chairman of the Commission. The letter itself contained even more offensive imputations as to the motives of the Greek Government. He would suggest that the same line of action should be adopted as that taken by the United Kingdom and the United States Governments, and that if the two Governments decided to return the documents for the reasons already mentioned, then the Chairman of the Commission should be advised to do likewise.

Dr. MAYR-HARTING said that he agreed with the proposal on the whole. If, on the other hand, the Commission went so far as to say that it would be prepared to examine statements made by General Marinov if they were confined strictly to facts, then it seemed to him only fair that the accused should be acquainted with all the points contained

in the actual Greek charge against him, if not already known to him. He agreed that it would be creating a precedent, but, after all, a precedent would even be asserted in going so far as to give General Marinov the opportunity of making his statement to the Commission.

Sir Robert CRAIGIE observed that the possibility of sending a copy of the charge would require very careful consideration on the part of the Commission, as well as the authority of the Greek Government itself. It was not the function of the Commission to supply the accused with copies of charges submitted by member Governments. On the other hand, the Commission should surely be prepared to give a hearing to anyone desirous of refuting the charges against him.

It was suggested that the Secretary-General might in the meantime contact M. Maillard to enquire whether, if the Commission so decided, the French Government would have any objection to the Commission suggesting to General Marinov that he might obtain cognisance of the charges against him by applying to the French Government.

Colonel SPRINGER raised the question of an acknowledgment of General Marinov's letter.

After some discussion the Committee agreed that the Secretary-General should simply acknowledge receipt of the letter and documents, stating that the matter would have the attention of the Chairman. No statement should be made which might convey the intention of submitting the documents to the Commission.

There arose the question of keeping the Commission informed of the deliberations of the Committee. It was agreed that while the letter and documents in their present form should not be circulated to the Commission in view of the imputations against the Greek Government, the Commission should be informed in a general way by M. de Baer when once the Chairman's reply had been transmitted to General Marinov on the lines of the reply communicated by the United Kingdom and the United States Governments.

3.57 Nov.

304

JL/EGC

le 18 octobre, 1946

Mon cher Collègue

Faisant suite à la décision du Comité I, j'ai l'honneur de vous envoyer ci-inclus une copie du procès-verbal de la séance du Comité I du 16 octobre 1946 (No. 78), pour attirer votre attention sur la décision que le Comité a prise en ce qui concerne le Général Marinof (Paragraphe II).

(signed) H. de Baer

Monsieur le Professeur André Gros,  
4, Carlton Gardens,  
S. W. 1.



JL/EGC.

305

18th October, 1946.

*Dear Monsieur Stavropoulos*

In accordance with the decision of Committee I,  
I have the honour to forward to you a copy of the Minutes of  
Committee I Meeting of 16th October, 1946, (No. 78), drawing  
your attention to the decision on General MARINOFF's case,  
(Paragraph II).

*Yours sincerely,*

G.A.L.

Secretary General.

Monsieur C. Stavropoulos,  
8, Aldford House,  
Park Lane,  
W. I.

JL/EGC.

305

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Secretary General.

Monsieur C. Stavropoulos,  
8, Aldford House,  
Park Lane,  
W. I.

NO. 79.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE I.

Summary Minutes of the Meeting of Committee I held on 31st October, 1946, at 10.30 a.m.

In the Chair: Sir Robert Craigie (United Kingdom).

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I, and Representatives of the National Offices.

Miss Goold-Adams	Belgium.
M. Maillard	France.
Mlle Capimont	France.
M. Dimitzas	Greece.
Commander Mouton	Netherlands.
Dr. Szerer	Poland
Lt.Col. Bell-Macdonald	United Kingdom.
Dr. Zivković	Yugoslavia.

In the absence of Monsieur de BAER, Sir Robert CRAIGIE took the Chair.

I. Proceedings in Individual Cases.

The Committee decided upon a number of Greek, United Kingdom, French, Yugoslav, United States, Belgian, Netherlands, and Polish cases as follows:

1) GREEK Cases.

- 4163 On 'A' for putting hostages to death.  
The second charge was withdrawn by the National Office.
- 4164 1-2 on 'A' for indiscriminate mass arrest and putting hostages to death.

2) UNITED KINGDOM Cases.

- 4160 1-18 on 'A'. ~~(Crimes against non-British nationals).~~
- 4162 1-2 and SCHLICHTWEG on 'A'
- 4186 1-10 on 'A' for murder and ill-treatment.  
11-13 on 'A' for ill-treatment resulting in death.  
*(Crimes against non-British nationals)*



3) FRENCH Cases.

686 (Addendum) 1-3 on 'A'  
2  
4159 On 'A'  
1035 (Addendum) 1-6 on 'A'  
7-9 on 'W'

4) YUGOSLAV Cases.

4146

The Committee took note of the Memorandum on the attributions of the Geheime Feldpolizei, of which the accused was member, submitted by Dr. Mayr-Harting, as well as of the explanations given by Dr. Zivković, and decided to adjourn the case for further information as to the following points:

a). Did the accused have complete initiative as to persons who were to be arrested.

b). Were the arrests carried out indiscriminately and against innocent persons.

c). Were the victims sent direct to concentration camps on the responsibility of the accused or were they handed over by him to some other authority.

4170

1-3 on 'A'

4171

On 'A'

4172

On 'A'

4173

On 'A'

4174

1-14 on 'A' for murder and ill-treatment of P.O.W.

4175

1-5 on 'A'.

4193

1-3 on 'A' for ill-treatment of P.O.Ws. (murder, torture, starvation).

4194

After Dr. Zivković had stated that the individual guilt of all the accused had been established by the Yugoslav authorities, it was decided to list the accused 1-67 and General SAUBERZWEIG in addition on 'A'

4195

On 'A'

5) UNITED STATES Case.

4169

1-2 on 'A'

6) BELGIAN Cases.

4165 On 'A'  
4166 1 on 'A'  
2-3 on 'W'  
4167 1-11 on 'A'  
4168 On 'A'

7) NETHERLANDS Cases.

4157 After some additional explanations submitted by  
Commander Mouton, the Committee came to the conclusion  
that there was no military necessity for the  
destruction of the dykes in question. The accused  
was placed on list 'S' only, as it was doubtful whether,  
in view of his subordinate position, he was in a  
position to know at the time that he was committing  
a war crime.

4176 1-4 on 'A'  
4177 1-2 on 'A'  
4178 1 and 3 on 'A', 2 on 'W', on all counts except that  
of forced labour as the accused were not responsible  
for enlisting the victims into the Todt organisation.

4179 1-3 on 'A'  
4180 2 on 'A' for murder and ill-treatment.  
3 on 'A' for murder.  
4 on 'A' for murder.  
1 and 5 on 'W'.  
4181 1-5 on 'A'  
4182 1-4 on 'A' for pillage only.  
5-7 on 'W'  
4183 1-2 on 'A'  
4184 1-13 on 'A'  
17 and 18 on 'W'  
As to the accused 14-16 the case was adjourned for  
further information.

4185 On 'A'  
4196 On 'A' for deportation of civilians.  
4197 1 on 'A'  
2-17 on 'W'  
4198 1-2 on 'A'  
3 on 'S'  
4-5 on 'W'

(NETHERLANDS Cases continued).

4199	1-3 on 'A' 4-5 on 'W'
4200	1-2 on 'A' for pillage 3-6 on 'W'
4201	1-2 on 'A'
4202	1-7 and 13-21 on 'A' 8-12 and 22-25 on 'W'
4203	1-4 on 'A'
4204	1-2 on 'A' 3-5 on 'W'
4205	On 'A'
4206	1-3 on 'A' 4-5 on 'W'

8) POLISH Cases.

The National Office was requested to provide, in all cases, in future, the description of the alleged crime, in the respective section of the Commission forms (page 1, section 3).

4098	On 'A' for ill-treatment and torture.
4101	On 'A' for murder.
4114	On 'A' for murder, ill-treatment and plunder.
4188	1-2 on 'A' for complicity in illegal arrest and deportation on the understanding that the charge was limited to denouncing Jews on racial grounds.
4189	On 'A' for ill-treatment.
4190	On 'A' for ill-treatment only.
4191	1-2 on 'A' for ill-treatment. Dr. Szerer took the opportunity to express on behalf of the Polish Government gratitude for the gallantry with which British P.O.W. defended Polish children victimised by the accused, as shown in this case.
4192	1-51 on 'S'



II. Request of Dr. Barranco. Wanted by France. (Doc. I/69).

M. Maillard asked the Committee if it would agree to the postponement of this matter for one week, explaining that he had sent a copy of the relevant letter to the French Government and was awaiting their reply.

The Committee agreed.

III. General MARINOV's case - Memorandum and Documents submitted by the accused (Doc. I/70).

Dr. ZIVKOVIC said he wished to explain that although his Government was not directly concerned with the case in question, it was nevertheless stated that General Marinov had been in command of a Bulgarian unit operating on Yugoslav territory. Dr. Zivković had therefore made inquiries and had requested his National Office to submit to him any particulars which they might possess concerning the accused. The reply he had received was in the following terms: that the behaviour of General Marinov had not always been correct, but that so far nothing had been established by the Yugoslav National Office against him for acts in Yugoslavia.

Sir Robert CRAIGIE said that if it were possible to ascertain in due course in what respect General Marinov's behaviour was not correct, such information would be helpful to the Committee.

Dr. ZIVKOVIC made the request that any future decisions of the Committee regarding this matter might be presented to the Commission.

M. MAILLARD wished to associate himself with this request. The French Government was concerned only as regards principle. Perhaps it might be possible for Committee I to revise its decision in the light of further evidence.

Sir Robert CRAIGIE observed that the matter was obviously one which would, at the right time, be referred to the Commission; in fact, any final decision must rest with the Commission itself.

M. DIMITSAS wished to say that his Government had all the necessary evidence to support the charge against General Marinov. He had himself interrogated several people in Greece (among whom was a certain Kaltchev, formerly a Bulgarian propaganda agent in Western Macedonia), and he hoped to have the affidavits to hand very shortly.

Sir Robert CRAIGIE said that it seemed particularly important to have at hand the necessary evidence in order to substantiate more fully the material with regard to the atrocities which the accused was alleged to have committed.

The Committee, being anxious to ascertain how the Commission's extradition certificate had been given publicity in Paris, was informed by M. DIMITSAS that the certificate had originally been

presented by M. STAVROPOULOS to the Greek delegation to the Peace Conference in Paris, and it seemed it was then that it was made public.

Sir Robert CRAIGIE, on behalf of the Committee, asked M. DIMITSAS if he would point out to the Greek delegation in Paris that such publicity had caused a great deal of embarrassment to everybody concerned. It would be extremely unfortunate if the habit developed of giving publicity to decisions which should be regarded as strictly confidential.

Dr. MAYR-HARTING asked whether the request for extradition had, in fact, been submitted to the French Government, the sole purpose of a certificate being to enable the requesting Government to ensure the surrender of the wanted person.

M. DIMITSAS replied that the demand for the extradition of General Marinov from France had been sent to the Soviet military authorities in Sofia through the means of communication afforded by the United Kingdom Foreign Office. At the same time a similar demand had been made directly to the French Government.

At this point all Representatives of the National Offices left the meeting in order to enable the Committee to consider the matter in confidence.

The Committee's final decisions were, summarily, to advise the Secretary-General simply to acknowledge receipt of General Marinov's letter and enclosures, saying that the matter would receive the Chairman's attention; to await the joint decision of the United Kingdom and United States Governments; and to keep the Commission informed in a general way of any action taken.

(For particulars of the discussion see Annex circulated only to members of Committee I. )

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(For particulars of the discussion see Annex circulated only to members of Committee I. )



NO. 80.

UNITED NATIONS WAR CRIMES COMMISSION.COMMITTEE I.Summary Minutes of the Meeting of Committee I held on 7th November 1946  
at 10.30 a.m.

In the Chair

Monsieur de Baer.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia
Sir Robert Craigie	United Kingdom
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia
Mlle Capimont	France
M. Dimitzas	Greece
Commander Mouton	Netherlands
Dr. Szerer	Poland
Dr. Zivković	Yugoslavia
M. Zimonjić	Yugoslavia.

I. Minutes No. 78 and No. 79 and Annex to the latter.

Minutes of the Meeting held on 16th October and Minutes of the Meeting held on 31st October, together with the Annex to the latter were approved.

II. Proceedings in Individual Cases.

The Committee decided upon a number of Polish, Yugoslav, Netherlands, French, and Czechoslovak cases as follows:

1) POLISH Cases:

4252 On 'A'  
4253 1-3 on 'A'

2) YUGOSLAV Cases.

4207 1 and 4 on 'A'  
It was decided to ask the National Office for more particulars as to the responsibility of the second and third accused as no particulars were submitted with regard to them. This part of the case was accordingly adjourned.

4208 This case was adjourned for additional information as it was not clear what crimes were alleged against the accused.

3) NETHERLANDS Cases.

2864 1-9, 11, 13-15, 17 and SCHUTZ on 'A'  
10, 12, 16 and 18-20 on 'W'.

The persons classified under 'A' were listed on the grounds that according to the statement made by Commander Mouton there was no evidence that the Resistance Group of which the accused were members carried out any treasonable activities against German interests and therefore the death sentences passed on them were excessive.

4249 1 and 3 on 'A'  
2, 4-16 on 'W' only, as no information as to their responsibility was available.  
17 and 18 on 'W' as submitted by the National Office.

4250 On 'A' for pillage only.  
The charge of unauthorised requisitioning of houses based on the opinion expressed by one of the witnesses was considered as not sufficiently established.

4251 1-12 on 'A'  
13-18 on 'W'

4) FRENCH Cases.

455 (Addendum 3) 1-34 on 'A'

2612 (Addendum 1) On 'A'

4213 On 'A': 3, 8, 25, 27, 28, 50, 71 and COOLING.  
On 'S': 1, 2, 4-7, 9-24, 26, 29-49, 51-65  
On 'W': 66-70 and 72.

4214 On 'A': 1-6, 8, 15, 20, 24, 26, 27, 29, 55, 62-64,  
68, 71, 72, 77.  
On 'S': 7, 9-11, 14, 16-19, 21-23, 25, 28, 31, 35,  
36, 38, 41, 42, 44, 46, 54, 65, 75, 79.  
On 'W': 12, 13, 30, 32-34, 37, 39, 40, 43, 45, 47-53,  
56-61, 66, 67, 69, 70, 73, 74, 76, 78, 80-84.

4215 On 'A': 1-8, 14, 16.  
On 'S': 9, 17, 19, 20.  
On 'W': 10-13, 15, 18.

4216 On 'A'

4217 On 'A'

4218 1-5 on 'A'  
6-8 on 'S'

4219 1-2 on 'A'

-3-

4220 1-2 on 'A' : 3-4 on 'S'. All for pillage  
and wanton devastation.

4221 1 on 'A'  
2 on 'W'

4222 1 on 'A'  
2 on 'C'

4223 1-6, 8-9 on 'A'  
7 on 'S'

4224 1-21 on 'A'

4225 On 'A'

4226 1-3 on 'A' on all counts except that of  
deliberate bombardment.

4227 This case was adjourned sine die as alleging  
an offence which the Committee considered as a  
too minor one.

4228 On 'A'

4229 1-10 on 'A'

4230 1-2 on 'A'  
3-4 on 'S'

4231 1-2 on 'A'

4232 1-3 on 'A'  
All others on 'C'

4233 On 'A'

4234 On 'A'

4235 On 'A' for ill-treatment and deportation.

4236 On 'A'

4237 1-2 on 'A'

4238 On 'A'

4239 1-2 on 'A'

4240 On 'A' for pillage only.

4241 On 'A'

4242 On 'A'

4243 1-3 on 'A'



- 4244 The Committee was of opinion that in view of the amount of goods involved it seemed improbable that these were appropriated by the accused for their own profit. It was therefore decided to ask the National Office for further investigation of this case in order to establish whether these goods were not in fact requisitioned for military purposes, or to substantiate a possible allegation that the requisition, if that was in fact the case, was excessive.
- 4245 1-2 on 'A'
- 4246 On 'W' (in view of the statement made in the last paragraph on page 2).
- 4247 On 'A'
- 4248 This case was adjourned for the same reasons as Case 4244, the National Office being asked for necessary information.

5) CZECHOSLOVAK Cases.

- 424(Addendum 3) On 'A'
- 952 (Addendum XIV) 1-3 on 'A'
- 4209 On 'A' for illegal detention and murder.
- 4210 This was adjourned for additional information as to the reason or activities for which the accused had denounced the victims.
- In connection with this and similar cases it was also decided to refer to Committee III the general question as to what extent and for what reasons denunciation ~~should be regarded as a war crime in international law.~~ *as defined in Czech law*
- 4211 This was adjourned in order to ask the National Office to substantiate the case with particulars of the alleged activities of the accused.
- 4212 This was adjourned on the request of Dr. Mayr-Harting in order to supplement the case as to the place of commission of the alleged crime and as to the evidence.

III. Request of Dr. BARRANCO. (Document I/69).

Consideration of this matter was adjourned until the next Meeting on the request of the French Representative.

IV. The Criminal Organizations in the Nuremberg Judgment. (Document III/64.)

Consideration of this matter was adjourned until the next Meeting.

# V. Closing of 45th List of War Criminals.

The Committee decided to issue a new Commission's List of War Criminals (No. 45). This would include all cases (also against Japanese) accepted by the Committee up to 7th November 1946 inclusive.

# VI. Wanted Reports of Persons listed by the Commission.

Sir Robert CRAIGIE referred to the discussion which had taken place at the Commission meeting the day previously between representatives of CROWCASS and members of the Commission. The Commission had been told that as from List 17 onwards CROWCASS had not automatically transferred the names from those Lists on to its own Wanted Lists, the reason given being that the Commission Lists did not contain all the information which should appear in the Wanted Reports - in particular, descriptions of individuals. The question had been raised as to whether or not it would be practicable for Committee I to request the National Offices always to give descriptions of individuals where known, and whether, in that case, such descriptions could be included in the Commission Lists.

Sir Robert thought it important that the names contained in the Commission Lists should be included automatically and promptly in CROWCASS Wanted Lists. On the other hand, he was not quite sure whether, in the great majority of the cases that came before the Committee, Wanted Reports were being sent to CROWCASS by the National Offices.

The first step, therefore, was to find out from the National Offices whether they were submitting to CROWCASS Wanted Reports of the individuals charged in their cases. If such was found to be the general practice, the next step would be to find out from CROWCASS whether a record was being made, with regard to those Wanted Reports, that such persons are listed by the United Nations War Crimes Commission.

M. de BAER referred to his visit to CROWCASS more than a year ago in order to make similar investigations. It was then the practice to incorporate all the names from the Commission Lists into the CROWCASS Lists. The Commission had been informed that Wanted Reports were essential before any action could be taken, and so all National Offices had been advised to send in Wanted Reports. The Commission might perhaps take up this work itself and send in Wanted Reports of all persons charged on its Lists.

Mlle. CAPIOMONT said that as regards French cases there was very rarely any detailed information as was required in Wanted Reports.

Major FANDERLIK said his experience was that unless detailed description was given - for instance, date of birth - CROWCASS did not pursue their investigations.

Dr. MAYR-HARTING agreed with the proposal that the National Offices should be asked whether or not they submitted Wanted Reports. So far as the Czechoslovak National Office was concerned a Wanted Report was filed in every case, and if that was also the practice of all other National Offices then it was obviously quite unnecessary



to include descriptive details in the Commission Lists. All countries which had investigation teams made a practice of filing Wanted Reports.

Dr. LITAWSKI pointed out that the National Offices had been repeatedly requested to send in Wanted Reports to CROWCASS. It did not follow from that, however, that CROWCASS should disregard the Commission Lists, and all persons listed therein should automatically be filed by CROWCASS. In many cases, where detailed, descriptive information was not known, Wanted Reports would not supply CROWCASS with any additional information than that contained in the Commission Lists.

M. de BAER raised a point of practical procedure as regards classification. CROWCASS could not classify the names appearing in the Commission Lists unless Wanted Reports were actually written out.

Colonel SPRINGER said that it seemed to him to be a matter of co-ordinating the two separate activities of the Commission and of CROWCASS. At the moment CROWCASS simply filed the Commission Lists and nothing further was done. There were two reasons for that: Firstly, the Commission Lists were marked "Secret", and in the United States Army such documents were regarded as strictly confidential and none of their contents could be divulged. Nearly all CROWCASS' staff consisted of Germans, and Germans were prohibited from handling secret papers. Secondly, the complaint had been made that the Commission Lists did not contain sufficient information and descriptive matter. The need for secrecy having been removed, he suggested that before CROWCASS accepts a Wanted Report they should enquire whether the particular case has been placed before and accepted by the Commission.

Sir Robert CRAIGIE thought Colonel Springer's proposal could be taken a step further. First of all, the National Offices should be asked directly whether they were filing Wanted Reports with CROWCASS, and, if such was the case, whether the Wanted Reports were sent in at the same time as the cases were submitted to the Commission, or whether they were sent in after the individuals have been listed.

Assuming that Wanted Reports were submitted, it would be desirable if CROWCASS checked them with the Commission Lists to see whether there was for any individual listed a corresponding Wanted Report. If there was a Wanted Report, a record should be made that such a person appears also on the Commission Lists. If there was no Wanted Report, then CROWCASS itself should add the name to its Wanted Lists. Such procedure would not impose any additional burden either on CROWCASS or on the Commission, and it would avoid duplication of work.

Major FANDERLIK made the further suggestion that, in the case of Wanted Reports filed after such persons have been listed by the Commission, the fact that they have been listed should actually be stated on the Wanted Reports.

The Committee agreed to ask the National Offices for information as suggested by Sir Robert Craigie and to adjourn further discussion until after the replies from the National Offices were received.



NO. 81.

UNITED NATIONS WAR CRIMES COMMISSION.COMMITTEE I.Summary Minutes of the Meeting of Committee I held on 14th November 1946  
at 10.30. a.m.

In the Chair

Monsieur de Baer.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Sir Robert Craigie	United Kingdom.
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia.
Mlle. Capimont	France.
M. Dimitzas	Greece.
Commander Mouton	Netherlands.
Dr. Szerer	Poland.
Dr. Zivković	Yugoslavia.

I. Minutes No. 80.

Minutes of the Meeting held on the 7th November 1946 were approved subject to the following amendment:-

The second paragraph regarding the Committee's decision on the Czechoslovak case No. 4210 on page 4 should read as follows:

"In connection with these and similar cases it was also decided to refer to Committee III for its opinion the general question as to what extent and for what reasons denunciation as defined in Czechoslovak law should be regarded as a war crime in International law. "

II. Proceedings in Individual Cases.

The Committee decided upon a number of Polish, Yugoslav, Belgian, and Netherlands cases as follows:-

1) POLISH Cases.

4261 1-19 and 21-85 on 'A' provided that all descriptions of crimes submitted in this case by the National Office will be brought into line with those in the working list of war crimes as set out in Document C.1.

With regard to the accused No. 20 the case was

.....

.....

(4261 continued) adjourned as it was doubtful whether the charge against him could be regarded as a war crime in view of the fact that the accused was himself a prisoner.

4187 The Committee expressed the unanimous opinion that in this case, as submitted, no war crime was involved. The case was accordingly adjourned in order that Dr. Szerer might obtain further information concerning actual war crimes committed by the accused, if that was in fact the case.

2) YUGOSLAV Cases.

4146 On 'A'

4254 Commenting on this case Dr. Mayr-Harting said that there was no doubt that Yugoslav prisoners of war were killed in camps in Norway but according to a British report and other information available to him, there were mostly Germans in the camp in question and Yugoslav prisoners numbered about 25 only. He therefore could not see how 9000 Yugoslavs could have been held there. His submission was that this particular camp had nothing to do with prisoners of war nor was it an extermination camp but a camp for penal labour for persons convicted for common offences by Criminal Courts and the inmates were mainly Germans and Czechs. This information was strengthened by the fact that the ranks of the persons accused in this case were the ranks of the personnel of an ordinary prison.

Dr. Zivković replied that his National Office is in possession of reports from American sources that also offered evidence of survivors, and the cases exactly as it is stated in the charge. Some of the persons have already been charged with crimes committed in these camps. There were several camps of this type in Norway, and one or two of them were set aside for Yugoslavs who were brought over from Yugoslavia for the express purpose of being killed in these camps. The National Office has also statements from the Norwegian guards in the camps and reports from other sources showing all crimes committed therein. There is also evidence that Yugoslav prisoners were shifted from prisoner of war camps to penal camps for the purpose of killing them there and the accused took part in the killing.

This case is related to cases already accepted by Committee I and concerning crimes in KORGEN and other camps in Norway.

It was decided to adjourn the case pending submission by Dr. Mayr-Harting of the evidence

.....

(4254 continued). mentioned by him as well as of any information Colonel Wade may have on the subject in his research material.

- 4255 On 'A'
- 4256 2-4 on 'A'  
1 and 5 on 'S'
- 4257 On 'A'
- 4258 On 'A'
- 4259 1 on 'A' for forced labour.  
14 on 'A' for torture and ill-treatment.  
As to 2-13 it was decided to ask the National Office for additional information as to which of these accused were concerned in illegal arrests, and for what reasons the latter have been carried out, as well as for further information necessary to substantiate the charge of murder. This part of the case was accordingly adjourned.

### 3) BELGIAN Cases.

- 873 (addendum 1). On 'A' for torture and ill-treatment.  
Previous incorrect spelling of this accused's name should be removed from the Commission List.
- 4242 On 'A' for forced labour and deportation.
- 4260 On 'A' for torture and indiscriminate mass arrest.

### 4) NETHERLANDS Cases.

- 4262 2 on 'A' for pillage.  
1 and 3 adjourned and referred to Committee III for its opinion in connection with other similar Netherlands cases now under consideration by that Committee. In addition, the National Office was also asked to submit a copy of the order issued by the first accused.
- 4263 1 on 'A' for complicity in deportation and pillage.  
2 on 'A' for pillage.  
3 and 4 adjourned as there was nothing in the case to justify putting them on the List of War Criminals.  
5-6 on 'W'
- 4264 On 'A'
- 4265 1, 2, 4-7 on 'W'  
3 on 'A' for illegally sentencing to imprisonment.



- 4266 1-5 on 'A' on all counts.  
6 on 'A' for murder and pillage.  
7 on 'A' on counts III and XIII.  
8-9, 12-15 and 17-20 on 'A' as submitted by the  
National Office.  
11 and 16 on 'W'.
- 4267 On 'A'
- 4268 1-3 on 'A'  
4 on 'W'.

III. Request of Dr. Barranco (Document I/69).

Mademoiselle CAPIOMONT stated that a reply had been received from the French Government that it was not desirable for the Commission to furnish information as requested to war criminals who had not as yet been put under arrest, and drew the Committee's attention to the recent letter from the French Government in connection with other similar matter, and their policy of not supplying information regarding French cases to alleged war criminals.

After some discussion the Committee arrived at the conclusion that a reply to the Solicitors' letter informing them that Dr. Barranco had in fact been listed by the Commission would create an undesirable precedent and therefore decided that a reply should only be sent to the effect that the Commission was not in a position to give them any information on the subject as the matter was now in the hands of the French Authorities, to whom they should apply for further particulars. It was also decided that a copy of the Solicitors' letter should be officially transmitted to the French Government with a communication informing them of the decision taken.

IV. The Criminal Organizations in the Nuremberg Judgement (Document III/64).

Monsieur de BAER congratulated Dr. SCHWELB on the paper he had written and with regard to page 5 of the document, wished to add that the provisions of the Belgian Criminal Code were similar to those of the French Criminal Code, and that he would submit the relevant paragraph to Dr. Schwelb for inclusion.

He had read the document with the greatest interest and would like to know what Dr. Schwelb proposed in respect of the bearing of this part of the Nuremberg Judgement on the activities of Committee I.

Dr. SCHWELB said that though he had written this paper without having primarily in mind the activities of Committee I, he thought that it might be useful if Committee I decided how to proceed in cases where persons falling within the scope of declarations by the International Tribunal as to the criminality of the organisations were concerned. He thought that when cases were presented from which it appeared that the accused had been members of an organization covered by a declaration of the Tribunal and when there was prima facie evidence that they knew of the criminal purpose of the organization, then it would be superfluous for Committee I to ask the National Offices for further information and further proof as to the particular facts alleged if such proof would otherwise appear necessary.

Consideration of this matter was adjourned until the next Meeting.

NO. 82.

UNITED NATIONS WAR CRIMES COMMISSION.COMMITTEE I.Summary Minutes of the Meeting of Committee I held on 21st November 1946  
at 10.30 a.m.

In the Chair

Monsieur de Baer.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Sir Robert Craigie	United Kingdom.
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia.
Mlle. Capionnet	France.
M. Dimitzas	Greece.
Commander Mouton	Netherlands.
Dr. Szerer	Poland.
Lt.-Col. Bell Macdonald	United Kingdom.
Dr. Mezulić	Yugoslavia

I. Minutes No. 81.

Minutes of the Meeting held on 14th November 1946,  
were approved.

II. Proceedings in Individual Cases.

The Committee decided upon a number of Yugoslav, Polish,  
United Kingdom, Netherlands, French and Belgian cases as follows:-

1) YUGOSLAV Cases.

- |      |   |
|------|---|
| 4254 | Consideration of this case was postponed until the next Meeting in accordance with the decision taken in the Meeting of November 14th, 1946, (Minutes No. 81).  |
| 4312 | 1-30 plus LIMBURG on 'A'  |
| 4313 | In view of the fact that the accused's rank as indicated in the charge was equivalent to "Senior Sergeant" and therefore it was highly improbable that a person of such a low standing could have had so much responsibility as submitted, it was decided to adjourn the case for further information as to what was the actual responsibility of this accused and also as to his possible participation in the crimes alleged. |

2) POLISH Cases.

- 4306 On 'A' for ill-treatment of civilians and complicity in deportation.
- 4261 In order to bring this case into line with another Polish case against the personnel of Oswiecim (Auschwitz) concentration camp (No. 4192), it was decided to reconsider the decision taken in the last Meeting and to reclassify all persons except the accused No. 20, from 'A' to 'S'.

3) UNITED KINGDOM Cases.

- 4160 (Addendum) On 'A'.
- 4269 1-8 on 'A'
- 4270 On 'A'
- 4311 1-2 on 'A'

4) NETHERLANDS Cases.

- 4314 1-3 on 'A'
- 4315 1 on 'A'  
2 on 'W'
- 4316 1-2 on 'A'
- 4317 On 'A' for torture only.
- 4318 1-4 on 'A'  
5-6 on 'W'
- 4319 On 'A'
- 4320 On 'A'
- 4321 On 'A'

5) FRENCH Cases.

- 3402 (addendum) On 'A'
- 4271 1-4 on 'A'
- 4272 On 'A' for wanton destruction of property.
- 4273 On 'W' pending further information to be submitted by the National Office as to whether the accused was himself present while the crime was being committed, or whether he should be considered responsible for issuing orders resulting in the commission of that crime.



-3-

(FRENCH Cases continued).

4274	On 'A'
4275	On 'A'
4276	On 'A'
4277	On 'A'
4278	On 'A'
4279	1-3 on 'A'
4280	1-2 on 'W' pending further information as to their direct responsibility for the crimes alleged.
4281	1-2 on 'A'
4282	On 'W' pending further information as to the actual responsibility of this accused.
4283	1 and 2 on 'W' pending further information as to their actual responsibility for the crimes alleged and in particular as to where the interrogation of victims took place: by whom were they conducted and who gave the order for shooting.
4284	1-3 on 'A'
4285	On 'A'
4286	On 'A'
4287	1-10 on 'A'
4288	1-3 on 'A' 4-6 and 8 on 'S' 7 on 'W'
4289	On 'A'
4290	1-3 on 'A'
4291	On 'A'
4292	2 on 'A' for deportation. 4 on 'A' for wanton destruction of property.

In regard to the first accused the case was adjourned for further information as to whether there were any casualties due to military action among the persons compelled to work.

As to the third accused, the case was adjourned for further information as to what actually were the official responsibilities and the correct rank of this accused.

(FRENCH Cases continued).

- 4293      On 'A':-    1-5, 8, 11, 12, 15, 16, 20-22, 25, 27-29,  
31, 36-42, 44, 45, 48-75, 79-81, 83-93,  
122-125, 130, 131.
- On 'S':-    6, 7, 9, 10, 13, 14, 17-19, 23, 24, 26, 30,  
32-35, 43, 46, 47, 76-78, 82, 94-121,  
126-129, 132.
- 4294      1-2 on 'A'
- 4295      1-2 on 'A' for pillage only.
- 4296      1-2 on 'A'
- 4297      1-4 on 'A'
- 4298      1, 3, 4, 6 and 7 on 'A'  
As to 2, 5 and 8 the case was adjourned for more  
particulars.
- 4299      On 'A'
- 4300      1-2 on 'A'
- 4301      1-3 on 'A'  
4-6 on 'W'
- 4302      On 'A'
- 4303      1-3 on 'A'
- 4304      1-4 on 'A'
- 4305      1 on 'A'  
2-3 on 'W'

6) BELGIAN Cases.

- 3174 {Addendum II)    On 'A'  
      {Addendum III)   On 'A'  
      {Addendum IV)   On 'A'
- 4307      On 'A'
- 4308      On 'A'
- 4309      1, 3, 14-19 and 21-24 on 'A'
- As to 2, 4-13 and 20 the case was adjourned  
            for more particulars.
- 4310      1-2 on 'A'

III. Listing of Allied Nationals by CROWCASS.

Referring to the statement of Lieut-Colonel RYAN in the Commission Meeting of 6th November, 1946, Commander MOUTON asked, in connection with the Netherlands charge 4313, what action the Committee would take in view of the fact that CROWCASS is apparently not prepared to include in their Wanted Lists, any allied nationals listed by the Commission as war criminals who at the same time might fall under the category of Quislings or traitors.

After some discussion, it was decided that the matter be put before the Commission for consideration together with the question of Wanted Reports discussed in previous Meetings; and the Secretary was asked to prepare a Memorandum on this subject.

IV. The Criminal Organizations in the Nuremberg Judgement (DocuIII/64).

In elaborating his suggestion put before the Committee in its last Meeting, Dr. SCHWELB submitted for consideration the following. If a person, accused of a particular war crime, (e.g. murder), was described in the charge by his function, which made him fall under one of the groups declared criminal by the Nuremberg Judgement, (e.g. member of the S.D., or Gauleiter) then the charge contained the facts of and implied two crimes: the particular crime (murder) and the crime of aiding and abetting war crimes by having been a member of a criminal organization. If in such a case the Committee found that additional information as to the particular crime charged was necessary, it could adjourn the case as to that crime, but immediately list the accused for the second crime implied in the charge, namely for committing a war crime by being a member of a criminal organization, provided, of course, that the facts brought before the Committee established prima facie evidence that the accused knew of the criminal purposes of the organization.

Dr. MAYR-HARTING said that the question raised by Dr. SCHWELB concerned more the National Offices than this Committee and the fact that a prima facie case of a particular crime had not been established against a certain accused does certainly not justify his being put on the List for some other reason.

Monsieur de BAER pointed out that Dr. SCHWELB's proposal might bring up the general question of whether the Commission should list persons only because of their membership in criminal organizations and such a proposition might lead to a review of Lists 7 and 9.

Dr. MAYR-HARTING thought that the Commission could not take action on the score of criminal membership as the Commission Lists were intended for the purpose of extradition and he doubted whether the Military Authorities on the basis of the law now in force would extradite an individual listed only because he was a member of a criminal organization.

Sir Robert CRAIGIE said that the function of this Committee was to consider individual charges brought by the National Offices and it was rather doubtful whether it should extend that function by taking the view that while it did not consider the individual guilty on a charge submitted by the National Office, he should nevertheless be listed under the Nuremberg Judgement on the ground of his criminal membership. The extent to which the Committee would go on that part of the Nuremberg



Judgement is difficult to establish because the Committee had no criterion for judging whether the accused had any real knowledge of the criminal purpose of the organization.

Colonel SPRINGER was of the opinion that the Committee should continue to ~~examine~~ charges on the same rules as hitherto without changing its policy as this was particularly important from the point of view of extradition.

This was unanimously agreed.

NO. 82.

UNITED NATIONS WAR CRIMES COMMISSION.COMMITTEE I.Summary Minutes of the Meeting of Committee I held on 21st November 1946  
at 10.30 a.m.

In the Chair

Monsieur de Baer.

There were also present:

Members of Committee I and their Deputies:

Dr. Mayr-Harting	Czechoslovakia.
Sir Robert Craigie	United Kingdom.
Colonel Springer	United States of America.

Members of the Commission, not Members of Committee I, and  
Representatives of the National Offices.

Major Fanderlik	Czechoslovakia.
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Dr. Szerer	Poland.
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I. Minutes No. 81.

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United Kingdom, Netherlands, French and Belgian cases as follows:-

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- 4254 Consideration of this case was postponed until the  
next Meeting in accordance with the decision taken  
in the Meeting of November 14th, 1946, (Minutes No. 81).
- 4312 1-30 plus LIMBURG on 'A'
- 4313 In view of the fact that the accused's rank as indicated  
in the charge was equivalent to "Senior Sergeant" and  
therefore it was highly improbable that a person of such  
a low standing could have had so much responsibility as  
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information as to what was the actual responsibility of  
this accused and also as to his possible participation in  
the crimes alleged.

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-3-

(FRENCH Cases continued).

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This was unanimously agreed.