

SWNCC 383.6 - PRISONERS OF WAR, RUSSIA  
(MISCELLANEOUS)

## -LIST OF PAPERS

FILE UNDER NO. 383.6 PRISONERS OF WAR, RUSSIA (Miscellaneous)

Serial No.	From	Date	To	Synopsis
1	J.J. McCloy	1/27/45	SWNCC	Correspondence re U.S.-Soviet Agreement as to care of Soviet citizens and U.S. Prisoners of War.
2				Minutes of SWNCC meeting 2/9 re Agreement between U.S. and USSR re prisoners of war.
3		2/13/45		Memo for Information No. 1 - U.S.-Soviet Agreement as to the care and Reparation of Recovered U.S. and U.S.S.R. Citizens and POW.
4	J.J. McCloy	2/5/45	Under Sec of State	Letter concerning mistreatment of Soviet POW
5				Paraphrase of Comea 185
6	Sec of War	4/20/45	Sec of State	Letter re Soviet POW held in American camps in England.
7	Sec of War	6/19/45	Sec of State	Letter re condition of POW camps for Soviets in Germany.
8				Agreement Relating to Prisoners of War and Civilians Liberated by Forces Operating under Soviet Command and Forces Operating Under U.S. of America Command.

387.6 *Russia* RESTRICTED

AGREEMENT RELATING TO PRISONERS OF WAR AND CIVILIANS  
LIBERATED BY FORCES OPERATING UNDER SOVIET COMMAND AND  
FORCES OPERATING UNDER UNITED STATES OF AMERICA  
COMMAND

The Government of the United States of America on the one hand and the Government of the Union of Soviet Socialist Republics on the other hand, wishing to make arrangements for the care and repatriation of United States citizens freed by forces operating under Soviet command and for Soviet citizens freed by forces operating under United States command, have agreed as follows:-

Article 1.

All Soviet citizens liberated by the forces operating under United States command and all United States citizens liberated by the forces operating under Soviet command will, without delay after their liberation, be separated from enemy prisoners of war and will be maintained separately from them in camps or points of concentration until they have been handed over to the Soviet or United States authorities, as the case may be, at places agreed upon between those authorities.

United States and Soviet military authorities will respectively take the necessary measures for protection of camps, and points of concentration from enemy bombing, artillery fire, etc.

Article 2.

The contracting parties shall ensure that their military authorities shall without delay inform the competent authorities of the other party regarding citizens of the other contracting party found by them, and will at the same time take the necessary steps to implement the provisions of this agreement. Soviet and United States repatriation representatives will have the right of immediate access into the camps and points of concentration where their citizens are located and they will have the right to appoint the internal administration and set up the internal discipline and management in accordance with the military procedure and laws of their country.

RESTRICTED

Facilities (8)

RESTRICTED

- 2 -

Facilities will be given for the despatch or transfer of officers of their own nationality to camps or points of concentration where liberated members of the respective forces are located and there are insufficient officers. The outside protection of and access to and from the camps or points of concentration will be established in accordance with the instructions of the military commander in whose zone they are located, and the military commander shall also appoint a commandant, who shall have the final responsibility for the overall administration and discipline of the camp or point concerned.

The removal of camps as well as the transfer from one camp to another of liberated citizens will be effected by agreement with the competent Soviet or United States authorities. The removal of camps and transfer of liberated citizens may, in exceptional circumstances, also be effected without preliminary agreement provided the competent authorities are immediately notified of such removal or transfer with a statement of the reasons. Hostile propaganda directed against the contracting parties or against any of the United Nations will not be permitted.

Article 3.

The competent United States and Soviet authorities will supply liberated citizens with adequate food, clothing, housing and medical attention both in camps or at points of concentration and en route, and with transport until they are handed over to the Soviet or United States authorities at places agreed upon between those authorities. The standards of such food, clothing, housing and medical attention shall, subject to the provisions of Article 8, be fixed on a basis for privates, non-commissioned officers and officers. The basis fixed for civilians shall as far as possible be the same as that fixed for privates.

The contracting

RESTRICTED

RESTRICTED

- 3 -

The contracting parties will not demand compensation for these or other similar services which their authorities may supply respectively to liberated citizens of the other contracting party.

Article 4.

Each of the contracting parties shall be at liberty to use in agreement with the other party such of its own means of transport as may be available for the repatriation of its citizens held by the other contracting party. Similarly each of the contracting parties shall be at liberty to use in agreement with the other party its own facilities for the delivery of supplies to its citizens held by the other contracting party.

Article 5.

Soviet and United States military authorities shall make such advances on behalf of their respective governments to liberated citizens of the other contracting party as the competent Soviet and United States authorities shall agree upon beforehand.

Advances made in currency of any enemy territory or in currency of their occupation authorities shall not be liable to compensation.

In the case of advances made in currency of liberated non-enemy territory, the Soviet and United States Governments will effect, each for advances made to their citizens necessary settlements with the Governments of the territory concerned, who will be informed of the amount of their currency paid out for this purpose.

Article 6.

Ex-prisoners of war and civilians of each of the contracting parties may, until their repatriation, be employed in the management, maintenance and administration of the camps or billets

in which

RESTRICTED

RESTRICTED

- 4 -

in which they are situated. They may also be employed on a voluntary basis on other work in the vicinity of their camps in furtherance of the common war effort in accordance with agreements to be reached between the competent Soviet and United States authorities. The question of payment and conditions of labour shall be determined by agreement between these authorities. It is understood that liberated members of the respective forces will be employed in accordance with military standards and procedure and under the supervision of their own officers.

Article 7.

The contracting parties shall, wherever necessary, use all practicable means to ensure the evacuation to the rear of these liberated citizens. They also undertake to use all practicable means to transport liberated citizens to places to be agreed upon where they can be handed over to the Soviet or United States authorities respectively. The handing over of these liberated citizens shall in no way be delayed or impeded by the requirements of their temporary employment.

Article 8.

The contracting parties will give the fullest possible effect to the foregoing provisions of this Agreement, subject only to the limitations in detail and from time to time of operational, supply and transport conditions in the several theatres.

Article 9.

This Agreement shall come into force on signature.

Done at the Crimea in duplicate and in the English and Russian languages, both being equally authentic, this eleventh day of February, 1945.

For the Government of the  
United States of America  
.....  
-----

For the Government of the  
Union of Soviet Socialist  
Republics  
.....  
.....

RESTRICTED

WDGAP 383.6 (7 Jun 45)

G-1/7352B  
DWB/vk

The Honorable

JUN 19 1945

The Secretary of State

My dear Mr. Secretary:

I have your letter of 9 June 1945 concerning the allegations made by the Soviet Embassy in its note of 1 June 1945 as to the conditions in certain camps in Germany containing Soviet nationals. Upon receipt of your letter, Supreme Headquarters, Allied Expeditionary Force was directed to make a thorough investigation of this matter. Additionally, that Headquarters was authorized, in its discretion, to invite Soviet representatives to participate in its investigation.

An interim reply has now been received from Supreme Headquarters, in which it is stated that the allegations are believed to be without foundation. In the camps at Dachau and Allach, large numbers of inmates when liberated were found in the last stages of starvation, with typhus, tuberculosis and other infectious diseases likewise present. Within four days after liberation, two evacuation hospitals and one third of a field hospital had been assigned to Dachau and were on duty. Prompt and appropriate medical measures were taken, which included disinfection of the inmates, use of blood plasma and glucose injections, surgical operations and controlled feeding.

For your information, I would add that similar allegations have been made by General Golubev, Deputy Chief of the Soviet Repatriation Commission, to General Beane in Moscow, in addition to charging violations of the Yalta Agreement with respect to the repatriation of Soviet citizens. These allegations are being made the subject of a separate investigation, in which General Prugin, head of the Soviet Repatriation Mission to the Supreme Headquarters, Allied Expeditionary Force, and members of his staff, have been invited to assist.

Sincerely yours,

HENRY L. STIMSON

Secretary of War

COPY FOR SWNCC

~~SECRET~~ 7

34 3/6 Russia  
+ Home

How's the  
country

WDGAP 383.6  
G-1/73528  
CEY/eem

APR 20 1945

The Honorable

The Secretary of State

My dear Mr. Secretary:

There has come to hand a third person note from your Department dated 11 April 1945, SWP, inclosing a copy of a note to you from the Soviet Ambassador, Washington, dated 26 March 1945. This note alleges that the American authorities failed to disclose to the Soviet Government the existence of three American camps in England holding 1600 former Soviet prisoners of war, and charges that such failure is a violation of our agreement with the Soviet Government concerning prisoners of war.

The same complaint was presented at Moscow about 27 March to the Commanding General, U. S. Military Mission, by the Moscow military authorities. In response to inquiries made by General Deane at that time, Supreme Headquarters, Allied Expeditionary Force informed General Deane and the War Department by message dated 1 April that the existence of these camps has been known to the Russian authorities in the United Kingdom since their inception, and that these camps have been visited repeatedly by Soviet officers. The reason why these Soviet nationals were brought to England was in order that the ships which will repatriate them to Odessa may conform to movement schedules. SHAEF's message further states that the theater gives every facility to the Soviet representatives in the carrying out of their mission, and that Soviet participation in the internal management of their camps is granted to the maximum possible degree. The extent of such participation is in some cases, however, limited by a shortage of qualified Soviet officers.

For your further information it may be mentioned that the Commanding General, United Kingdom Base Section, in a message dated 30 March informed the War Department that General Ratov, in an interview with the American military authorities in London on 20 March, requested permission to interview Soviet citizens held in the United Kingdom by the United States, which request was immediately granted. On 30 March 1945 General Ratov and members of his staff began a tour of inspection of installations in which such personnel are held.

300

Copy for SWNCC

6

**The Secretary of State**

**It will be seen from the foregoing that there has been no failure on the part of this Government to keep the accredited Soviet representatives duly informed, as required by the agreement in question.**

**Sincerely yours,**

**(Sgd.) HENRY L. STIMSON**

**Secretary of War**

SECRET

383.6 - Russia

SECRET~~SECRET~~PARAPHRASE OF COMEA 185

The draft directive dealing with the treatment of United Nations Prisoners of War who may be found in Germany upon collapse or surrender has been gladly received. It is assumed that in the absence of other instructions the draft directive at paragraph 7 requires revision to provide for according liaison "to representatives of each of the other three Allied Powers", inasmuch as France, pursuant to Crimea Conference communique, has been admitted to participation in the Control Council.

The draft directive will be applicable now to United Nations Prisoners of War other than British, Soviet and American prisoners, and it is assumed that the making of the British-Soviet and American-Soviet agreements concluded on 11 February will not make any changes in this draft necessary.

SECRET

ENCLOSURE

**SECRET**SECRET

~~ANNEX "A" TO APPENDIX "A"~~  
*Proposed Reply to COMEA 185*

COMEA 185 is reference.

Paragraph 7 of draft directive on United Nations prisoners of war should be amended in manner which you suggest. To do so is merely to carry out in that specific matter the general principle that French participation in Control Council gives her rights and responsibilities identical to those of other participating powers. You are authorized to make any other similar amendments in directives previously issued when purpose and effect of such amendments is merely to give formal expression to that equivalence. Your assumption is correct that U.S. and U.K. agreements with Soviets have not affected directive as it applies to relationships other than those dealt with in the two agreements. Even as to U.S. and Soviet relationships with respect to prisoners of war, directive applies in all such matters not dealt with in those agreements.

**SECRET**

Annex "A" to Appendix "A"

STATE-WAR-NAVY COORDINATING  
COMMITTEE

✓ STATE

- \_\_\_\_\_ Mr. Cox *hp*
- \_\_\_\_\_ Mr. Moseley
- \_\_\_\_\_ Mr. Gardiner

✓ WAR

- \_\_\_\_\_ Col. Whitson *WZ*
- \_\_\_\_\_ Col. McCarthy *WZ*
- \_\_\_\_\_ Major Field *WZ*
- \_\_\_\_\_ Lt. Massa

✓ NAVY

- \_\_\_\_\_ Comdr. Nutting
- \_\_\_\_\_ Comdr. Richardson *WZ*
- \_\_\_\_\_ Lt. Comdr. Rockefeller *WZ*
- \_\_\_\_\_ Lt. Geilfuss *WZ*
- \_\_\_\_\_ Ens. *WZ*

- \_\_\_\_\_ Note
- \_\_\_\_\_ Circulate
- \_\_\_\_\_ File

REMARKS:

---



---



---



---

**SECRET**

5 February 1945

The Honorable

The Under Secretary of State

Dear Mr. Secretary:

I have your memorandum of conversation with Mr. Gromyko, Soviet Ambassador, dated January 11, 1945 in which you discussed the treatment of Soviet prisoners of war who were being held at Camp Rupert, Idaho, during November and December 1944.

The complaint of intolerable treatment of Soviet citizens has been thoroughly investigated by the Office of the Inspector General, War Department.

The specific acts of which the Ambassador complained were that Captain Morton Gwinn, who lined up Soviet citizens ostensibly to give them cigarettes, beat them because, apparently, "he wanted to amuse himself"; and that when the commander was informed of these beatings, he merely observed that he had given no such orders and made no excuse of any kind.

With regard to this complaint, investigation has shown that Captain Morton Gwinn struck one or more prisoners of war. He has been permanently relieved of any further duty at Prisoner of War Camp, Rupert, Idaho, and appropriate disciplinary action is being taken against him.

The complaint against the camp commander's action when informed of these beatings has been found to be without substantiation. An investigation of the matter by the camp commander was in process at the time he was advised that an investigation by the Office of the Inspector General would be made.

In the course of the investigation, the War Department examined a number of other complaints put forward by a group of four Soviet officers who were present at Camp Rupert to interview Soviet prisoners of war for the purpose of facilitating their repatriation to the Union of Soviet Socialist Republics. These complaints were as follows:

- a. That the four Soviet Army officers were not furnished

**SECRET**

(4)

**SECRET**

satisfactory living accommodations at Camp Rupert;

b. That the four Soviet Army officers were not furnished adequate transportation facilities at Camp Rupert;

c. That the four Soviet Army officers were not being permitted to select by name the prisoners to be repatriated and the order in which they were to be transported back to Russia;

d. That no canteen had been provided for the Soviet prisoners of war at Camp Rupert, and that insufficient cigarettes, razors, razor blades, toothbrushes, pillows, mattress covers, and underclothing had been issued to them.

e. That no definite time schedules had been established for prisoners-of-war work details and formations;

f. That Lieutenant John C. Klemek had not adequately performed his duties as liaison officer between the Office of the Provost Marshal General in Washington and the four Soviet Army officers;

g. That Lieutenant Thomas H. Craig had struck a prisoner of war in the face with a pillow;

h. That Lieutenant Craig had caused the destruction by fire of articles of clothing belonging to prisoners of war, and various personal effects contained therein, such as a watch, a wallet, family photographs and similar items;

i. That Soviet prisoners of war were being deprived of adequate medical treatment by virtue of a rule which prevented more than ten prisoners of war in any one company from receiving medical treatment on any one day; and

j. That the Soviet prisoners of war at Camp Rupert received worse treatment than German prisoners of war interned at other camps in the United States.

With reference to these complaints, the investigation disclosed that none of the allegations was substantiated by the evidence, except as follows:

(1) Lieutenant Thomas H. Craig was found to have struck a prisoner of war with a pillow and to have destroyed a few items of personal property of certain prisoners. This officer has been relieved of his

**SECRET**

**SECRET**

duties at Prisoner of War Camp, Rupert, Idaho, and appropriate disciplinary action is being taken against him.

(2) Two enlisted men, Staff Sergeant John E. Mueller and Technician Fifth Grade Robert M. Miller, acting without instruction of higher authority, enforced a rule that no more than ten prisoners from any one company could be received at the camp hospital for treatment in any one day. These enlisted men have been permanently relieved of their duties at Prisoner of War Camp, Rupert, Idaho, and recommendations have been made to the Commanding General, Ninth Service Command, that such disciplinary action as he may deem appropriate be taken against them.

I suggest that the Soviet Ambassador be informed that appropriate measures have been taken in cases where complaints have been found to be substantiated.

I believe that the complaints generally must be considered in the light of a misunderstanding which existed between American officers and the Soviet officers concerning the screening of the Soviet prisoners of war prior to their repatriation. The American officers were acting in accordance with the orders they received regarding the screening processes. The Soviet officers expressed resentment at the presence of American officers and their participation in the screening process. A certain amount of friction arose between them and the Commanding Officer of the Camp, who had no authority to meet the views of the Soviet officers in this respect.

It may be added that the record of investigation in this case indicates a substantial lack of military courtesy on the part of the Soviet officers. I believe that their attitude contributed greatly to the friction which developed and is responsible for many of the complaints which have been lodged, particularly those that related to accommodations for the Soviet officers. The camp commander appears to have done everything in his power to alleviate the situation and the Soviet officers do not appear to have matched his efforts. Specifically, Major Panchenco made disparaging remarks concerning the camp commander in the presence of American enlisted men, and Lieutenant Colonel Rodinov publicly censured the representative of the Provost Marshal General, in the presence of American and Soviet officers. The War Department investigation indicates that Lieutenant Colonel Smith, the camp commander, and First Lieutenant Klemek, the American officer supervising the screening, adequately and properly discharged their duties.

Sincerely,  
[SIGNED] JOHN J. McCLOY

(Signed) JOHN J. McCLOY  
John J. McCloy

Copies to: SWNCC ✓ PMGO  
OCS G-1  
OSW IGO

Since-51

**SECRET**

TOP SECRET**TOP SECRET**COPY NO. 4013 February 1945STATE-WAR-NAVY COORDINATING COMMITTEEMEMORANDUM FOR INFORMATION NO. 1UNITED STATES-SOVIET AGREEMENT AS TO THE CARE AND  
REPATRIATION OF RECOVERED UNITED STATES AND U.S.S.R.  
CITIZENS AND PRISONERS OF WARReference: a. Minutes, SWNCC 8th MeetingNote by the Secretaries

1. At its 8th meeting on 29 January 1945 the State-War-Navy Coordinating Committee:

a. Adopted and approved a report of the Joint Logistics Committee of the Joint Chiefs of Staff (subsequently circulated as J.C.S. 1266), with respect to a proposed "United States-Soviet Agreement as to the Care and Repatriation of Recovered United States and U.S.S.R. Citizens and Prisoners of War".

b. Concurred in the procedure adopted by the Joint Logistics Committee for forwarding the draft agreement and its report to the Joint Chiefs of Staff at the impending conference and noted that the State Department would inform its representatives at the conference of the adoption and approval of the report by the State-War-Navy Coordinating Committee.

c. Noted that representatives of the State-War-Navy Coordinating Committee would endeavor to clear paragraph 7 of the draft with the Attorney General and agreed to communicate such clearance to the State Department, after approval by the State-War-Navy Coordinating Committee, for forwarding to its representatives at the impending conference.

**TOP SECRET**

TOP SECRET

2. Subsequently, a conference between representatives of the State-War-Navy Coordinating Committee and the Attorney General resulted in suggested changes to the Preamble and paragraph 7 of the draft agreement. These changes were approved informally by the State-War-Navy Coordinating Committee and the Joint Logistics Committee and were forwarded together with explanatory comments, by the Assistant Secretary, Joint Chiefs of Staff, to the Secretary, Joint Chiefs of Staff, with a request to bring the message and other messages and papers on the subject to the attention of State Department representatives at the conference. At the instance of the State-War-Navy Coordinating Committee, this message included additional comment for use of the negotiators. The Joint Logistics Committee supplemental report covering these matters and indicating that it is concurred in by the State-War-Navy Coordinating Committee has been circulated as J.C.S. 1266/1.

3. At the ninth meeting of the State-War-Navy Coordinating Committee on 9 February 1945, Mr. Dunn referred to a message dated 7 February 1945 signed by General Marshall and read State Department telegram No. 27, dated 7 February 1945, to Secretary Stettinius with reference to Joint Chiefs of Staff approval of the preliminary British text of the proposed agreement, with certain changes. Paraphrases of these messages are attached hereto as Enclosures "A" and "B".

WALLACE E. WHITSON  
ALVIN F. RICHARDSON  
RAYMOND E. COX  
Secretariat

TOP SECRET

ENCLOSURE "A"

PARAPHRASE

WAR DEPARTMENT INCOMING MESSAGE:

Message from Bull to Eisenhower for Smith signed  
by Marshall for information of War Department,  
dated 7 February.

The British preliminary text concerning a mutual agreement  
in regard to PO/Ws, which was approved by Barker and was con-  
sidered at the meeting, was approved on 7 February by JCS -  
subject to the ensuing changes:

Word "US" is substituted for "Allied" wherever the latter  
appears in the document.

A provision was put in to permit, for the duration of joint  
operations, the transference by US of Russians to British.

A provision was added to allow Russians to be employed in  
their own camps for work without preliminary understanding  
between US and the Soviet Union.

A paragraph which follows the ideas of the first Soviet  
proposal has been put in at the beginning.

The CCS will be likely to discuss this matter on 8 February.

- - - - -

TOP SECRET

ENCLOSURE "B"

PARAPHRASE OF STATE DEPARTMENT TELEGRAM NO. 27  
DATED FEBRUARY 7, TO SECRETARY STETTINIUS

A message dated February 7, from Marshall has just been made available to us by the War Department which indicates that JCS on February 7 approved with certain changes British preliminary text on agreement with Soviet Union for exchange of prisoners of war and apparently also for liberated persons. While it is not definitely clear what preliminary British text is referred to, if it is the preliminary text included in JCS 1266, the agreement would not appear to cover the following specific points which were incorporated in the United States counterproposals forwarded to JCS staff with you:

1. Protection of Geneva Convention which we have informed Soviet Government we will accord to Soviet citizens captured in German uniform who demand such protection.
2. Soviet citizens in the United States not prisoners of war whose cases the Attorney General feels should be dealt with on basis of traditional American policy of asylum.
3. Persons liberated by United States forces no longer in their custody.
4. Question of the liberation and repatriation of other United Nations citizens.
5. Persons claimed as citizens by the Soviet authorities who were not Soviet citizens prior to outbreak of war and do not now claim Soviet citizenship.

In order that consideration may be given to these questions and others referred to in JCS 1266 and 1266/1 before final agreement is reached, these questions, we feel, should be brought to your attention.

STATE-WAR-NAVY COORDINATING  
COMMITTEESTATE

Mr. Cox  
 Mr. Moseley  
 Mr. Gardiner

WAR

Col. Whitson  
 Col. McCarthy  
 Major Field  
 Lt. Massa

NAVY

Comdr. Nutting  
 Comdr. Richardson  
 Lt. Comdr. Rockefeller  
 Lt. Geilfuss  
 Ens. \_\_\_\_\_

Note  
 Circulate  
 File

## REMARKS:

To be reproduced and  
distributed - Submitted  
by Lt Geilfuss who  
cleared w/ Col McCarthy

TOP SECRET

COPY NO. \_\_\_\_\_

13 February 1945STATE-WAR-NAVY COORDINATING COMMITTEEMEMORANDUM FOR INFORMATION NO. 1UNITED STATES-SOVIET AGREEMENT AS TO THE CARE AND  
REPATRIATION OF RECOVERED UNITED STATES AND U.S.S.R.  
CITIZENS AND PRISONERS OF WARReference: a. Minutes, SWNCC 8th MeetingNote by the Secretaries

1. At its 8th meeting on 29 January 1945 the State-War-Navy Coordinating Committee:

a. Adopted and approved a report of the Joint Logistics Committee of the Joint Chiefs of Staff (subsequently circulated as J.C.S. 1266), with respect to a proposed "United States-Soviet Agreement as to the Care and Repatriation of Recovered United States and U.S.S.R. Citizens and Prisoners of War".

b. Concurred in the procedure adopted by the Joint Logistics Committee for forwarding the draft agreement and its report to the Joint Chiefs of Staff at the impending conference and noted that the State Department would inform its representatives at the conference of the adoption and approval of the report by the State-War-Navy Coordinating Committee.

c. Noted that representatives of the State-War-Navy Coordinating Committee would endeavor to clear paragraph 7 of the draft with the Attorney General and agreed to communicate such clearance to the State Department, after approval by the State-War-Navy Coordinating Committee, for forwarding to its representatives at the impending conference.

TOP SECRET

2. Subsequently, a conference between representatives of the State-War-Navy Coordinating Committee and the Attorney General resulted in suggested changes to the Preamble and paragraph 7 of the draft agreement. These changes were approved informally by the State-War-Navy Coordinating Committee and the Joint Logistics Committee and were forwarded together with explanatory comments, by the Assistant Secretary, Joint Chiefs of Staff, to the Secretary, Joint Chiefs of Staff, with a request to bring the message and other messages and papers on the subject to the attention of State Department representatives at the conference. At the instance of the State-War-Navy Coordinating Committee, this message included additional comment for use of the negotiators. The Joint Logistics Committee supplemental report covering these matters and indicating that it is concurred in by the State-War-Navy Coordinating Committee has been circulated as J.C.S. 1266/1.

3. At the ninth meeting of the State-War-Navy Coordinating Committee on 9 February 1945, Mr. Dunn referred to a message dated 7 February 1945 signed by General Marshall and read State Department telegram No. 27, dated 7 February 1945, to Secretary Stettinius with reference to Joint Chiefs of Staff approval of the preliminary British text of the proposed agreement, with certain changes. Paraphrases of these messages are attached hereto as Enclosures "A" and "B".

WALLACE E. WHITSON  
ALVIN F. RICHARDSON  
RAYMOND E. COX  
Secretariat

TOP SECRET

ENCLOSURE "A"

PARAPHRASE

WAR DEPARTMENT INCOMING MESSAGE:

Message from Bull to Eisenhower for Smith signed by Marshall for information of War Department, dated 7 February.

The British preliminary text concerning a mutual agreement in regard to PO/Ws, which was approved by Barker and was considered at the meeting, was approved on 7 February by JCS - subject to the ensuing changes:

Word "US" is substituted for "Allied" wherever the latter appears in the document.

A provision was put in to permit, for the duration of joint operations, the transference by US of Russians to British.

A provision was added to allow Russians to be employed in their own camps for work without preliminary understanding between US and the Soviet Union.

A paragraph which follows the ideas of the first Soviet proposal has been put in at the beginning.

The CCS will be likely to discuss this matter on 8 February.

- - - - -

TOP SECRET

ENCLOSURE "B"

PARAPHRASE OF STATE DEPARTMENT TELEGRAM NO. 27  
DATED FEBRUARY 7, TO SECRETARY STETTINIUS

A message dated February 7, from Marshall has just been made available to us by the War Department which indicates that JCS on February 7 approved with certain changes British preliminary text on agreement with Soviet Union for exchange of prisoners of war and apparently also for liberated persons. While it is not definitely clear what preliminary British text is referred to, if it is the preliminary text included in JCS 1266, the agreement would not appear to cover the following specific points which were incorporated in the United States counterproposals forwarded to JCS staff with you:

1. Protection of Geneva Convention which we have informed Soviet Government we will accord to Soviet citizens captured in German uniform who demand such protection.
2. Soviet citizens in the United States not prisoners of war whose cases the Attorney General feels should be dealt with on basis of traditional American policy of asylum.
3. Persons liberated by United States forces no longer in their custody.
4. Question of the liberation and repatriation of other United Nations citizens.
5. Persons claimed as citizens by the Soviet authorities who were not Soviet citizens prior to outbreak of war and do not now claim Soviet citizenship.

In order that consideration may be given to these questions and others referred to in JCS 1266 and 1266/1 before final agreement is reached, these questions, we feel, should be brought to your attention.

- - - - -

Copy No \_\_\_\_\_

TOP SECRET

SWNCC

13 February 1945

STATE-WAR-NAVY COORDINATING COMMITTEEMemorandum for Information No. 1  
UNITED STATES-SOVIET AGREEMENT AS TO THE CARE AND  
REPATRIATION OF RECOVERED UNITED STATES AND USSR  
CITIZENS AND PRISONERS OF WARNote by the SecretariesRef: 2 ~~3~~ minutes, SWNCC & meeting

1. At its 8th meeting on 29 January 1945 the State-War-Navy Coordinating Committee:
  - a. Adopted and approved a report of the Joint Logistics Committee of the Joint Chiefs of Staff (subsequently circulated as JCS 1266), with respect to a proposed "United States-Soviet Agreement as to the Care and Repatriation of Recovered United States and USSR Citizens and Prisoners of War".
  - b. Concurred in the procedure adopted by the Joint Logistics Committee for forwarding the draft agreement and its report to the Joint Chiefs of Staff at the impending conference and noted that the State Department would inform its representatives at the conference of the adoption and approval of the report by the State-War-Navy Coordinating Committee.
  - c. Noted that representatives of the State-War-Navy Coordinating Committee would endeavor to clear paragraph 7 of the draft with the Attorney General and agreed to communicate such clearance to the State Department, after approval by the State-War-Navy Coordinating Committee, for forwarding to its representatives at the impending conference.
2. Subsequently, a conference between representatives of the State-War-Navy Coordinating Committee and the Attorney General resulted in suggested changes to the Preamble and paragraph 7 of the draft agreement. These changes were approved informally by the State-War-Navy Coordinating

TOP SECRET

Committee and the Joint Logistics Committee and were forwarded, together with explanatory comments, by the Assistant Secretary, Joint Chiefs of Staff to the Secretary, Joint Chiefs of Staff with a request to bring the message and other messages and papers on the subject to the attention of State Department representatives at the conference. At the instance of the State-War-Navy Coordinating Committee, this message included additional comment for use of the negotiators. <sup>24</sup> Joint Logistics Committee supplemental report covering these matters and indicating that it is concurred in by the State-War-Navy Coordinating Committee has been circulated as JCS 1266/1.

3. At ~~the~~ the ninth meeting of the ~~Committee~~ State - War - Navy Coordinating Committee on 9 February 1945 Mr. Quinn read ~~paraphrase~~ referred to a message <sup>dated 7 February 1945</sup> signed by General Marshall ~~and~~ and read State Department telegram NO. 27, dated 7 February 1945, to Secretary Stettinius ~~and~~ with reference to joint chiefs of staff approval of the preliminary British text of ~~the~~ the proposed agreement, with certain changes. ~~Copy~~ ~~of~~ ~~the~~ ~~messages~~ ~~containing~~ ~~paraphrases~~ of these messages, is ~~circulated~~ for ~~reference~~ are attached hereto as ~~appendix~~ "A" and "B".

Appendices  
Enclosures

Wallace E. Whitson  
Alvin F. Richardson  
Raymond E. Cox  
Secretary

①

Enclosure "A"  
APPENDIX "A"

February 8, 1945

No. 2

PARAPHRASE

## WAR DEPARTMENT INCOMING MESSAGE:

Message from Bull to Eisenhower for Smith signed  
by Marshall for information of War Department,  
Dated 7 February.

The British preliminary text concerning a mutual agreement  
in regard to PO/Ws, which was approved by Barker and was considered  
at the meeting, was approved on 7 February by JCS - subject to the  
ensuing changes:

Word "US" is substituted for "Allied" wherever the latter  
appears in the document.

A provision was put in to permit, for the duration of joint  
operations, the transference by US of Russians to British.

A provision was added to allow Russians to be employed in  
their own camps for work without preliminary understanding between  
US and the Soviet Union.

A paragraph which follows the ideas of the first Soviet proposal  
has been put in at the beginning.

The CCS will be likely to discuss this matter on 8 February.

20 APPENDIX "B"  
Enclosure "B" February 8, 1945

NO. 3

PARAPHRASE OF STATE DEPARTMENT TELEGRAM NO. 27  
DATED FEBRUARY 7, TO SECRETARY STETTINIUS

A message dated February 7, from Marshall has just been made available to us by the War Department which indicates that JCS on February 7 approved with certain changes British preliminary text on agreement with Soviet Union for exchange of prisoners of war and apparently also for liberated persons. While it is not definitely clear what preliminary British text is referred to, if it is the preliminary text included in JCS 1266, the agreement would not appear to cover the following specific points which were incorporated in the United States counterproposals forwarded to JCS staff with you:

1. Protection of Geneva Convention which we have informed Soviet Government we will accord to Soviet citizens captured in German uniform who demand such protection.
2. Soviet citizens in the United States not prisoners of war whose cases the Attorney General feels should be dealt with on basis of traditional American policy of asylum.
3. Persons liberated by United States forces no longer in their custody.
4. Question of the liberation and repatriation of other United Nations citizens.
5. Persons claimed as citizens by the Soviet authorities who were not Soviet citizens prior to outbreak of war and do not now claim Soviet citizenship.

In order that consideration may be given to these questions and others referred to in JCS 1266 and 1266/1 before final agreement is reached, these questions, we feel, should be brought to your attention.

TOP SECRET

THE COMMITTEE agreed to change its name to the "Ad Hoc Committee on European Affairs" in order that it may properly consider non-German matters.

9. War and Navy Department Representation at CLAC Meetings.

The SECRETARY reported that, at the suggestion of Assistant Secretary of State Clayton, the War and Navy Departments had agreed to approve the designation of their respective representatives on the Combined Civil Affairs Committee to attend meetings of the Combined Liberated Areas Committee as observers rather than to appoint advisers to the State Department member of that committee as had been agreed at the 5th meeting of the State-War-Navy Coordinating Committee. General HILLDRING stated that he and Rear Admiral Lyal E. Davidson had been designated as War and Navy Department observers, respectively.

10. United States-Soviet Prisoners of War.

Mr. DUNN read a telegram from the State Department to Secretary Stettinius regarding the State Department's views with respect to the proposed agreement with the U. S. S. R. concerning prisoners of war. (Note: This telegram will be circulated by the Secretaries in a Memorandum for Information.)

11. Warning Concerning Treatment of Allied Prisoners of War.

Mr. DUNN read a telegram from the State Department to Secretary Stettinius regarding the French desire to issue a warning to the German Government concerning treatment of Allied Prisoners of War.

12. Internment of Japanese Diplomats in Turkey.

Mr. DUNN reported that the State Department had requested the United States Embassy at Moscow to raise the question with the U. S. S. R. of issuance of Soviet visas for Japanese diplomats interned in Turkey. (Note: Communications on this subject subsequently circulated as enclosures in SWNCC 9/1.)

STATE-WAR-NAVY COORDINATING  
COMMITTEESTATE

\_\_\_\_\_ Mr. Cox  
\_\_\_\_\_ Mr. Moseley  
\_\_\_\_\_ Mr. Gardiner

WAR

✓ \_\_\_\_\_ Col. Whitson  
\_\_\_\_\_ Col. McCarthy *long*  
\_\_\_\_\_ Major Field  
\_\_\_\_\_ Lt. Massa

NAVY

\_\_\_\_\_ Comdr. Nutting  
\_\_\_\_\_ Comdr. Richardson  
\_\_\_\_\_ Lt. Comdr. Rockefeller  
\_\_\_\_\_ Lt. Geilfuss  
\_\_\_\_\_ Ens. \_\_\_\_\_

\_\_\_\_\_ Note  
\_\_\_\_\_ Circulate  
\_\_\_\_\_ File

## REMARKS:

*Cables referred to  
are included in  
the LHC paper considered  
yesterday.  
No further action required.  
NFW*

**SECRET**

WAR DEPARTMENT  
OFFICE OF THE ASSISTANT SECRETARY  
WASHINGTON, D. C.

27 January 1945

MEMORANDUM FOR THE SECRETARIAT, STATE-WAR-NAVY COORDINATING COMMITTEE:

Subject: United States-Soviet Agreement as to the Care and  
Repatriation of Recovered Soviet citizens and U.S.  
Prisoners of War.

There is transmitted to you herewith a copy of a memorandum dated 26 January 1945 on the above subject, received from the Deputy Chief of Staff, U.S. Army. It will be noted that the matter is being studied by a subcommittee of the Joint Logistics Committee as a matter of priority. That subcommittee consists of:

Brigadier General B. M. Bryan, Steering member (Office of  
the Provost Marshal General)  
Captain T. C. Ragan (U.S. Navy)  
Colonel R. A. Cutter (Office Assistant Secretary of War)  
Lt. Colonel C. E. Yudelson (G-1; OPD)  
Lt. Colonel McKenzie (Army Air Forces)

A representative of the State Department (Mr. Gufler) is to be invited to participate in the discussion.

It is suggested that copies of the cable referred to in the memorandum from the Deputy Chief of Staff be obtained and circulated for the information of the members of the Coordinating Committee.

*John J. McCloy*  
John J. McCloy

**SECRET**

④

**SECRET**

JAN 26 1945

**MEMORANDUM FOR THE ASSISTANT SECRETARY OF WAR:**

**Subject: United States-Soviet Agreement as to the Care and Repatriation of Recovered Soviet citizens and U. S. Prisoners of War.**

1. In CM-IN-21262 (23 Jan 45) and CM-IN-21768 (23 Jan 45) General Deane sets forth the text of a proposed agreement which the Soviet Government desires to procure from the United States relative to the care and repatriation of Soviet nationals freed by the Allied troops and American prisoners of war freed by the Red Army, and requests instructions thereon. CM-IN-22674 (23 Jan 45) indicates that nearly identical proposals have been submitted to the British.
2. Inasmuch as the military aspects of the disposition of Soviet nationals captured while serving with the German armed forces have heretofore been acted upon by the Joint Chiefs of Staff, this message has been referred to them for reference to the Joint Logistics Committee for study and recommendation.
3. As noted above, the Soviet proposal contemplates an agreement on a governmental level and the matter is one of priority. It is therefore considered that you may wish to present this matter to the State-War-Navy Coordinating Committee.

(Sgd) THOS. T. HANDEY

Deputy Chief of Staff

**SECRET**

**SECRET**

27 January 1945

**MEMORANDUM FOR THE SECRETARIAT, STATE-WAR-NAVY COORDINATING COMMITTEE:**

**Subject: United States-Soviet Agreement as to the Care and Repatriation of Recovered Soviet citizens and U.S. Prisoners of War.**

There is transmitted to you herewith a copy of a memorandum dated 25 January 1945 on the above subject, received from the Deputy Chief of Staff, U.S. Army. It will be noted that the matter is being studied by a subcommittee of the Joint Logistics Committee as a matter of priority. That subcommittee consists of:

Brigadier General B. M. Bryan, Steering member (Office of the Provost Marshal General).  
Captain T. C. Ragan (U.S. Navy)  
Colonel R. A. Gutter (Office Assistant Secretary of War)  
Lt. Colonel C. E. Yudelson (G-1; OPD)  
Lt. Colonel McKenzie (Army Air Forces)

A representative of the State Department (Mr. Gufler) is to be invited to participate in the discussion.

It is suggested that copies of the cable referred to in the memorandum from the Deputy Chief of Staff be obtained and circulated for the information of the members of the Coordinating Committee.

SIGNED

John J. McCloy

**SECRET**

SW 12-25