

THE STATE-WAR-NAVY COORDINATING COMMITTEE
WASHINGTON, D. C.

- ~~Mr. Wilworth Fairbairn (S-2600)~~
- Mr. Walter C. Downing (S-623)
- Mr. R. L. Fisher, CAD (N-3127)

Capt George A. Suckan (N-2773)

- 3 Dec - State draft circulated for Working Party approval.
- 19 Dec - STATE approved SCF-9

THE STATE-WAR-NAVY COORDINATING COMMITTEE
WASHINGTON, D. C.

13 December 1946

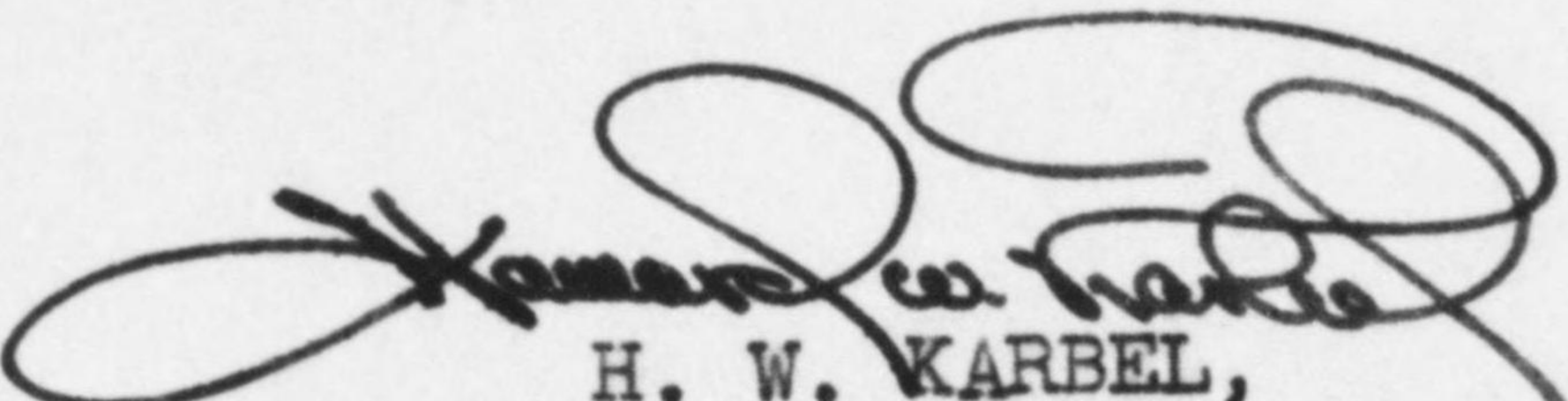
MEMORANDUM FOR THE STATE MEMBER, EUROPEAN SUBCOMMITTEE
WAR MEMBER, EUROPEAN SUBCOMMITTEE
NAVY MEMBER, EUROPEAN SUBCOMMITTEE

SCE 9, dated 13 December 1946, is circulated for consideration by the European Subcommittee.

It is requested that you indicate your concurrence or comment hereon and return to the undersigned, Room 2027 New War Department Building.

I concur:

SE: WD (Dowling)
A-H/R: RCR (Raymond)


H. W. KARBEL,
Acting Secretary,
European Subcommittee

APPROVED: HF Matthews, (~~JDHickerson~~)

DATE: Dec 18, 1946

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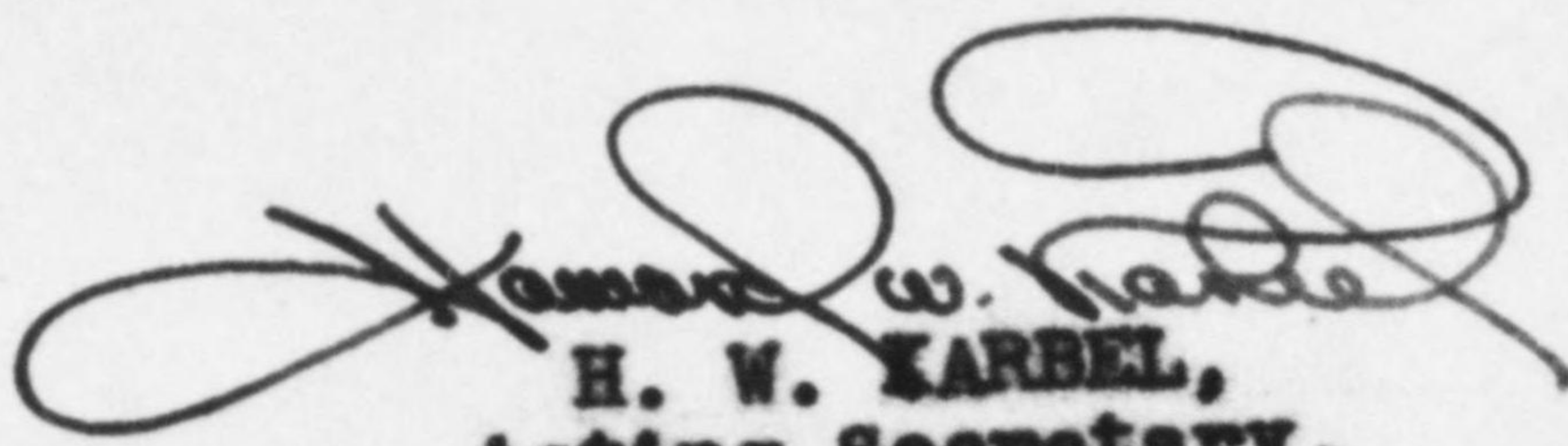
THE STATE-WAR-NAVY COORDINATING COMMITTEE
WASHINGTON, D. C.

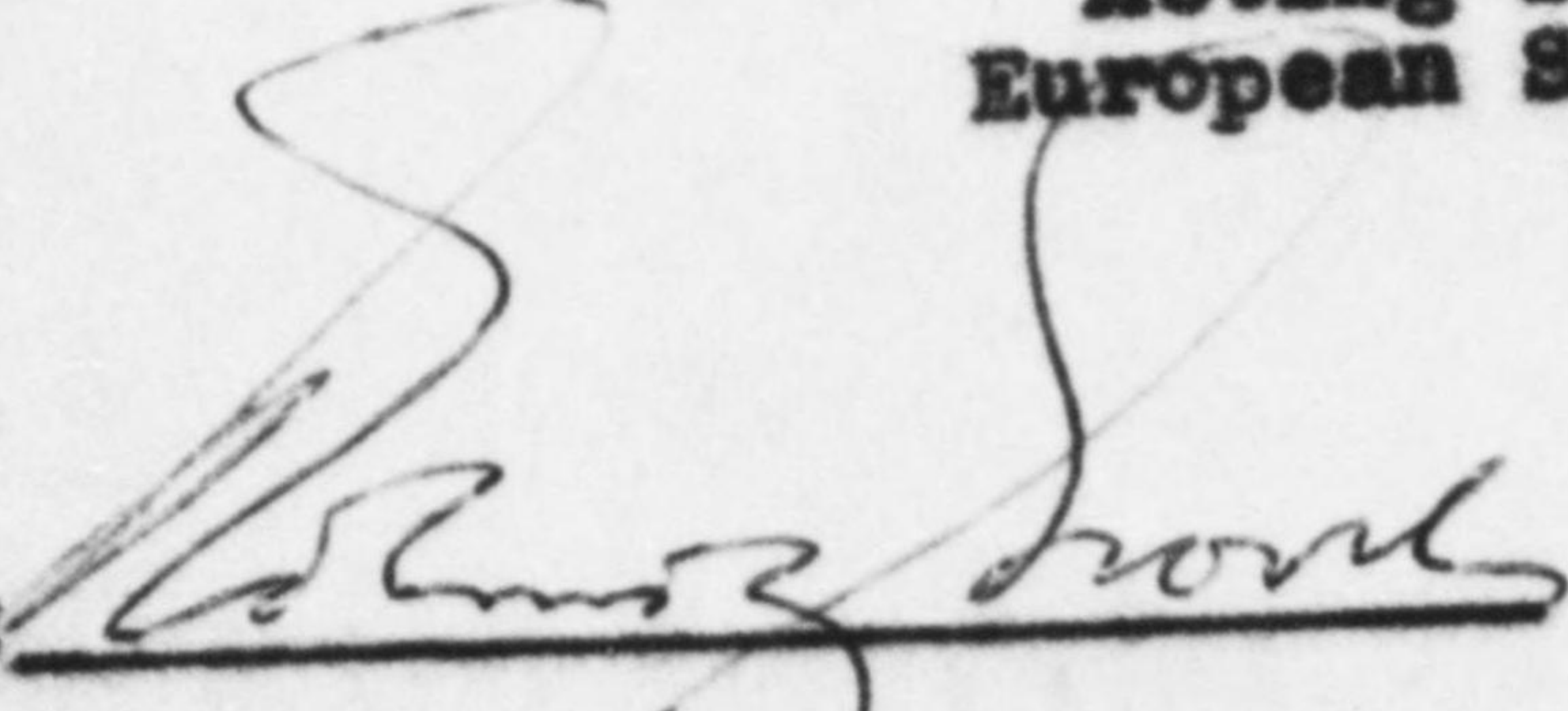
13 December 1946

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European Subcommittee

APPROVED:  Cie SSC

DATE: 18 Dec 46

13 December 1946

MEMORANDUM FOR THE STATE MEMBER, EUROPEAN SUBCOMMITTEE
WAR MEMBER, EUROPEAN SUBCOMMITTEE
NAVY MEMBER, EUROPEAN SUBCOMMITTEE

SEC 9, dated 13 December 1946, is circulated
for consideration by the European Subcommittee.

It is requested that you indicate your con-
currence or comment hereon and return to the under-
signed, Room 2027 New War Department Building.

H. W. KARBEL,
Acting Secretary,
European Subcommittee

APPROVED: _____

DATE: _____

TOP SECRETTOP SECRETCOPY NO. 25SCE 913 December 1946Pages 1 to 4, incl.STATE-WAR-NAVY COORDINATING SUBCOMMITTEE FOR EUROPEDISPOSITION OF YUGOSLAV ARMY DESERTERS
Reference: SWNCC 339/DNote by the Secretary

The enclosure, a report by the Working Party in response to the above reference, is circulated for consideration by the State-War-Navy Coordinating Subcommittee for Europe.

H. W. KARBEL,
Acting Secretary,
European Subcommittee

SCE 9TOP SECRET**TOP SECRET**

TOP SECRETENCLOSUREDISPOSITION OF YUGOSLAV ARMY DESERTERS

Report by the
State-War-Navy Coordinating Subcommittee for Europe

THE PROBLEM

1. To draft a reply to NAF 1124 and NAF 1236 from Supreme Allied Commander, Mediterranean (SACMED) concerning disposition of certain Yugoslav army deserters.

FACTS BEARING ON THE PROBLEM

2. (See enclosures "A" and "B" to SWNCC 339/D).

DISCUSSION

3. The granting of asylum to political refugees is a well recognized practice under comity of nations and, in the absence of a specific agreement with Yugoslavia providing for the return of all Yugoslav deserters, Yugoslav army deserters who are determined to be political refugees are not excepted from this right.

4. In accordance with the firm policy of the United States Government to afford the fullest practicable assistance and protection to political refugees, it is considered imperative that SACMED continue to screen deserters for the purpose of determining which, if any, might be classed as political refugees and that such persons not be forcibly returned to their own military authorities.

CONCLUSIONS

5. It is concluded that:
 - a. The Yugoslav army deserters mentioned in NAF 1236 should not be returned to Yugoslav authorities.
 - b. SACMED should be instructed to continue to screen all alleged deserters from the Yugoslav army to determine the political aspect of their desertion. Those determined

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to be political refugees should be afforded all appropriate protection and their disposition should be in accordance with their status of political refugees.

RECOMMENDATION

6. It is recommended that the memorandum in the Appendix be forwarded to the Joint Chiefs of Staff for presentation to the Combined Chiefs of Staff with a request that upon approval by the Combined Chiefs of Staff, the Annex to Appendix be dispatched to SACMED. ✓

SCE 9

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Enclosure

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A P P E N D I X

COMBINED CHIEFS OF STAFF

MEMORANDUM BY THE UNITED STATES CHIEFS OF STAFF

The United States Chiefs of Staff have considered NAF 1124 and NAF 1236 and are of the opinion that every practicable protection and assistance should be afforded to Yugoslav army deserters determined to be political refugees and that, accordingly, SACMED should continue to screen alleged deserters and should not return those classed as political refugees to Yugoslav authorities.

The United States Chiefs of Staff invite the British Chiefs of Staff to agree to the dispatch of the message in the Annex.

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ANNEX TO APPENDIX

MESSAGE TO THE SUPREME ALLIED COMMANDER, MEDITERRANEAN

The Combined Chiefs of Staff have considered the problem of disposal of Yugoslav army deserters determined to be political refugees (NAF 1124 and NAF 1236). It is considered that these persons should be afforded every practicable protection and assistance ordinarily extended to political refugees and that they should in no circumstances be returned forcibly to the Yugoslav authorities.

The persons referred to in NAF 1236 should, accordingly, not (repeat not) be returned to Yugoslav authorities and disposition should be determined in accordance with their status as political refugees.

You should continue to screen all alleged deserters in order to determine political aspects of their desertion and their ultimate disposition arranged in accordance with the above stated policy.

SCE-9

ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON 25, D. C.

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DEPARTMENT OF STATE
WASHINGTON

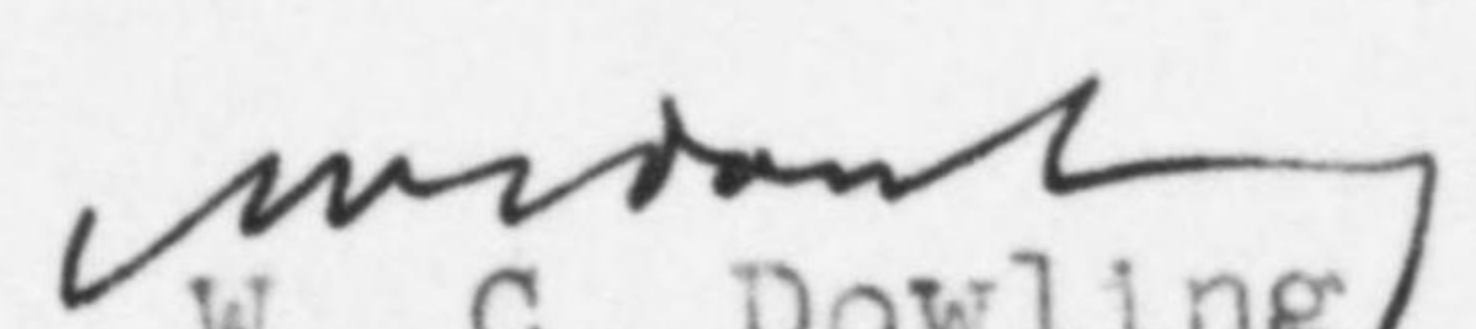


December 12, 1946

MEMORANDUM

SWNCC - Major Karbel
Acting Secretary, European Subcommittee

Herewith is draft reply to SWNCC 339/D as
agreed to by the Working Party designated in your
memorandum of November 29, 1946.


W. C. Dowling

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SWNCC 339/1

4 December 1946

STATE-WAR-NAVY COORDINATING COMMITTEE
REPORT OF SWNC SUBCOMMITTEE FOR EUROPE
DISPOSITION OF YUGOSLAV ARMY DESERTERS

THE PROBLEM

1. To draft a reply to NAF 1124 and NAF 1236 from Supreme Allied Commander, Mediterranean (SACMED) concerning disposition of certain Yugoslav army deserters.

FACTS BEARING ON THE PROBLEM

2. (See enclosures "A" and "B" to SWNCC 339/D)

DISCUSSION

3. The granting of asylum to political refugees is a well recognized practice under comity of nations and, in the absence of a specific agreement with Yugoslavia providing for the return of all Yugoslav deserters, Yugoslav army deserters who are determined to be political refugees are not excepted from this right.

4. In accordance with the firm policy of the United States Government to afford the fullest practicable assistance and protection to political refugees, it is considered imperative that SACMED continue to

screen

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screen deserters for the purpose of determining which, if any, might be classed as political refugees and that such persons not be forcibly returned to their own military authorities.

CONCLUSIONS

5. It is concluded that:

a. The Yugoslav army deserters mentioned in NAF 1236 should not be returned to Yugoslav authorities.

b. SACMED should be instructed to continue to screen all alleged deserters from the Yugoslav army to determine the political aspect of their desertion. Those determined to be political refugees should be afforded all appropriate protection and their disposition should be in accordance with their status of political refugees.

RECOMMENDATIONS

6. It is recommended that:

a. That the memorandum in Enclosure be forwarded to the ^{JCS for presentation to the} Combined Chiefs of Staff. with a request that

b. That upon approval of the Combined Chiefs of Staff, the ^{Annex} Appendix to Enclosure be dispatched to SACMED. ^{Appendix}

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Appendix

COMBINED CHIEFS OF STAFF

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The United States Chiefs of Staff invite the British Chiefs of Staff to agree to the dispatch of the message in the Appendix.

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Enclosure *Appendix*

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ANNEX

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The persons referred to in NAF 1236 should, accordingly, not (repeat not) be returned to Yugoslav authorities and disposition should be determined in accordance with their status as political refugees.

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Annex to Appendix to Enclosure

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SWNCC 339/1

4 December 1946

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RECOMMENDATIONS

7. That the memorandum in Enclosure be forwarded to the Combined Chiefs of Staff.

8. That upon approval of the Combined Chiefs of Staff, the Appendix to Enclosure be dispatched to SACMED.

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Appendix to Enclosure

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SCE-9

ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON 25, D. C.

TOP SECRET
DEPARTMENT OF STATE
WASHINGTON



December 12, 1946

MEMORANDUM

SWNCC - Major Karbel
Acting Secretary, European Subcommittee

Herewith is draft reply to SWNCC 339/D as
agreed to by the Working Party designated in your
memorandum of November 29, 1946.

W. C. Dowling
W. C. Dowling

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December 4, 1946

MEMORANDUM FOR: Mr. R. L. Fisher, CAD
Captain George A. Sinclair, USN

Subject: Draft Report in Reply to SWNCC 339/D
Prepared by State Member Working
Party.

1. The enclosed draft (SWNCC 339/1) is submitted for your concurrence or comments. Please advise Mr. W. B. Sale (State 2736) by telephone concerning your recommendations.

Walter C. Dowling
Steering Member

cc: Acting Secretary
European Subcommittee ✓

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SE:WBSale:smw

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SWNCC 339/1

4 December 1946

STATE-WAR-NAVY COORDINATING COMMITTEE
REPORT OF SWNC SUBCOMMITTEE FOR EUROPE
DISPOSITION OF YUGOSLAV ARMY DESERTERS

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Appendix to Enclosure

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THE STATE-WAR-NAVY COORDINATING COMMITTEE
WASHINGTON, D. C.

29 November 1946

MEMORANDUM FOR: Mr. Walter C. Dowling, State, Steering
Member (S-623)
Mr. R. L. Fisher, CAD (W-3127)
Captain George A. Sinclair, USN
(N-2773)

Subject: Appointment of a Working Party,
SWNCC Subcommittee for Europe.

1. The State, War and Navy Departments have designated the above-named individuals as a Working Party for preparation of a draft reply to the message in the Enclosure to SWNCC 339/D, as a matter of priority.

2. To expedite the clearance of the draft with the members of the European Subcommittee and other interested agencies within your department, it is requested that the final draft agreed upon by the Working Party, be forwarded to the undersigned for reproduction and distribution.

3. Attention is invited to SWNCC Policy Memorandum No. 4 dated 8 November 1946 which states that preparation of reports by working parties on priority matters should not exceed 7 days.

4. A copy of SWNCC 339/D is enclosed herewith.

H. W. KARBEL,
Acting Secretary,
European Subcommittee

Enclosure

SWNCC 339/D, Copy No. 40 - Dowling
41 - Fisher
42 - Sinclair

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COPY NO. 48

SWNCC 339/D

27 November 1946

Pages 1 and 2

STATE-WAR-NAVY COORDINATING COMMITTEE

DIRECTIVE

DISPOSITION OF JUGOSLAV ARMY DESERTERS

Note by the Secretaries

The enclosures, messages from the Supreme Allied Commander, Mediterranean, forwarded by the Joint Chiefs of Staff with a request for the basis of a reply, are referred to the State-War-Navy Coordinating Subcommittee for Europe, as a matter of priority, for preparation of a draft reply.

H. W. MOSELEY

W. A. SCHULGEN

V. L. LOWRANCE

Secretariat

SWNCC 339/D

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By cofems WARS, Date JAN 18 1978

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ENCLOSURE "A"

PARAPHRASE OF CABLE FROM SACMED

1. It has been my policy for the past few months to screen all alleged deserters from the Yugoslav Army for political aspects of their desertion and to return only them whose desertion is not prompted by their political views. I now feel that such action is not compatible to proper relations between allied armies and their commanders. It places us in the difficult position, furthermore, with regard to the return of any United States or British personnel who inadvertently stray into Zone "B" and are taken into custody by authorities of Yugoslavia.

2. Instructions have been issued that deserters from the Yugoslav Army will be returned to authorities of Yugoslavia provided it is proved that (a) they are genuine members of the armed forces of Yugoslavia; (b) they have not been recruited from Venezia Giulia since the end of hostilities in Europe.

3. It is the opinion of my political advisers that I should not undertake to hand break any Yugoslavs who have deserted from the Yugoslav armed forces for political reasons.

In view of my provisos in paragraph 2 and for the reason given in paragraph 1, I am convinced, and General Lee is in complete agreement, that we would not be justified in retaining such deserters from the military point of view, and furthermore, the already difficult military situation in Venezia Giulia would be merely aggravated by their retention.

SWNCC 339/D

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Enclosure "A"

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~~TOP SECRET~~ENCLOSURE "B"

From: AFHQ Caserta Italy sgd SACMED cite FHCOS
 To: War Department for Combined Chiefs of Staff;
 Cabinet Offices Whitehall for British Chiefs of Staff;
 Info: C in C MED and GHQ CMF
 Nr: FX 72400 NAF 1236 23 November 1946

Reference NAF 1124 (Enclosure "A").

1. Because of representation by Foreign Office and State Department thru my political advisers both before and after dispatch of NAF 1124 I have withheld action as indicated in para 2 of NAF 1124.

2. Screening of 123 Yugoslav army deserters now held shows them to be of the following nationalities Italian 4 Austrian 4 Hungarian 1 Yugoslav 89 Pole 1 Albanian 24. All these deserted for political reasons.

3. In view of critical shortage of personnel essential I reduce guard commitment. I, therefore, request earliest disposal instructions.

End

NOTE: NAF 1124 is CM IN 4793 (22 March) CCS

CM IN 4140 (23 Nov 46)

SWNCC 339/D

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Enclosure "B"

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