

PCOG 14/D - Interned Enemy Aircraft

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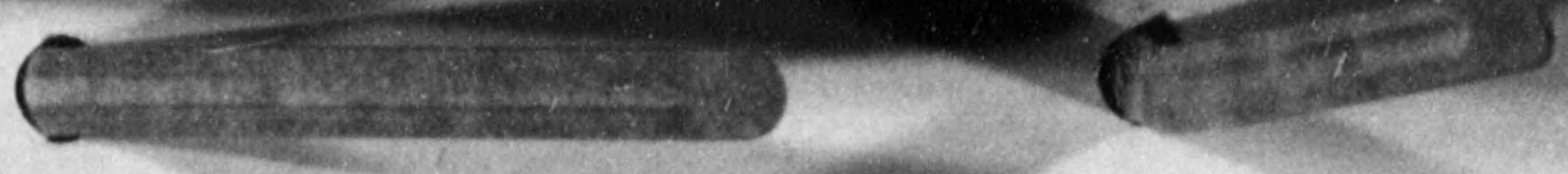
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SECRETCOPY NO. 7IPCOG 14/113 August 1945Pages 5 - 8, incl.INFORMAL POLICY COMMITTEE ON GERMANYINTERNED ENEMY AIRCRAFT
Reference: IPCOG 14/DNote by the Secretaries

The enclosure, a report by the Working Party of IPCOG, is circulated for consideration by the Informal Policy Committee on Germany.

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

DECLASSIFIED
E.O. 11652, Sec. 3(E) and 5(D)
JCS Rescoring Memo 16-71, 1/29/71
By MM, NARS Date 6/8/73

IPCOG 14/1

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ENCLOSURE

INTERNED ENEMY AIRCRAFT

Report by the
Working Party of the Informal Policy Committee on Germany

THE PROBLEM

1. To consider an excerpt from the Minutes of the Air Coordinating Committee Meeting of 27 July 1945 and copy of the Air Coordinating Committee paper No. 35 (IPCOG 14/D) and submit a report to IPCOG on the U.S. policy with respect thereto.

FACTS BEARING ON THE PROBLEM

2. Certain German military aircraft were interned in Sweden. The Swedish Government desires to be relieved of the responsibility for these aircraft and wishes to purchase the commercial models. The U.S. Legation in Sweden has now reported that, on the basis that fifteen of the interned aircraft were flown from the Russian front after the surrender of the German armies there, the USSR has demanded and the Swedish Government has already agreed to deliver to the USSR such fifteen aircraft, but the report does not specify which aircraft are to be so delivered.

3. Article 1 of the Agreement on Control of Machinery in Germany (JCS 1130/1) provides that the supreme authority in Germany will be exercised by the Commanders-in-Chief of the forces of the Occupying Powers. Article 3 provides that the four Commanders-in-Chief, acting together as a body, will constitute the supreme organ of control called the Control Council.

4. The quadripartite Declaration issued at Berlin on 5 June 1945, after reciting the fact that there was no central government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country, and compliance with requirements of the victorious powers, provided as follows:

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"The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any state, municipal, or local government or authority."

5. The section of the public report of the Potsdam Conference dealing with the Political and Economic Principles to Govern the Treatment of Germany in the Initial Period provided at paragraph A 3 (I) (B) as follows:

"All arms, ammunition and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition and implements of war shall be prevented."

DISCUSSION

6. For discussion see Appendix "A".

RECOMMENDATIONS

7. It is recommended that the memorandum at Appendix "B" be forwarded.

S E C R E TAPPENDIX "A"DISCUSSION

1. Normally material of war interned in a neutral country is returned to the country of origin at the end of hostilities. However, there being no German Government and the Control Council having assumed the supreme authority in Germany, the Control Council should be deemed to have succeeded to the rights of the German Government with respect to such aircraft. It should deal with the Swedish Government through appropriate channels in this regard.

2. The policy of the U.S. with respect to captured war material not capable of civilian use is that it should be destroyed provided, however, that the Munitions Board in London should first be notified of the existence of the material for possible re-assignment for use in the war against Japan. The USSR is not represented on the Munitions Board. At the present time captured war material under U.S. control is not being destroyed except where necessary for security reasons. Policies are now in the course of formulation for the disposal of all captured war material.

3. The following position should be taken by the U.S. member of the Control Council with respect to the aircraft not delivered to the U.S.S.R.: to conserve gasoline and shipping space, arrangements should be made by the Control Council for the destruction in Sweden of the combat aircraft and of the other aircraft which require such repairs as to make it unfeasible to return them to Germany. The Control Council should make arrangements to have the aircraft not so destroyed returned to Germany to be placed under the control of the Control Council for disposition in accordance with the overall policies with respect to the disposition of all such material as may be agreed upon by the Control Council or the four Governments represented thereon.

S E C R E TAPPENDIX "B"

MEMORANDUM FOR THE AIR COORDINATING COMMITTEE:

The Informal Policy Committee on Germany has considered the excerpt from the Minutes of your Committee Meeting of 27 July 1945 and your paper No. 35.

Since receipt of the foregoing, the Department of State has reported to this Committee that it has received a telegram from U.S. Legation in Sweden stating that, on the basis that fifteen of the interned aircraft were flown from the Russian front after the surrender of the German armies there, the USSR has demanded and the Swedish Government has already agreed to deliver to the USSR such fifteen aircraft, but the telegram does not specify which aircraft are to be delivered.

The following position should be taken by the U.S. member of the Control Council with respect to the aircraft not delivered to the USSR: To conserve gasoline and shipping space, arrangements should be made by the Control Council for the destruction in Sweden of the combat aircraft and of the other aircraft which require such repairs as to make it unfeasible to return them to Germany. The Control Council should make arrangements to have the aircraft not so destroyed returned to Germany to be placed under the control of the Control Council for disposition in accordance with the over-all policies with respect to the disposition of all such material as may be agreed upon by the Control Council or the four Governments represented thereon.

~~SECRET~~COPY NO. 7 *S*
*452*IPCOG 14/D31 July 1945Pages 1 - 4, Incl.INFORMAL POLICY COMMITTEE ON GERMANYDIRECTIVEINTERNED ENEMY AIRCRAFTNote by the Secretaries

The enclosure, an excerpt from the minutes of the Air Coordinating Committee meeting of 27 July 1945, and a copy of the Air Coordinating Committee Paper Number 35 (Appendix), are circulated to the Working Party, Informal Policy Committee on Germany, for the preparation of a report, so that the Informal Policy Committee on Germany may advise the Air Coordinating Committee in accordance with the request contained in subparagraph (b) of the Enclosure.

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

DECLASSIFIED
E.O. 11652, Sec. 3(E) and 5(D)
JCS Regarding Memo 16-71, 1/29/71
By: *[Signature]* NARS Date: *6/8/83*

IPCOG 14/D

S E C R E TE N C L O S U R EEXCERPT FROM MINUTES OF AIR COORDINATING COMMITTEE
MEETING OF JULY 27, 19455. Interned Enemy Aircraft.

Discussion: ACC Paper No. 35 was presented.

Decision: (a) It is proposed that the 51 German aircraft interned in Sweden, described in Tab A* of ACC Paper No. 35 (Appendix), if not already disposed of or transferred, should be returned to the central pool for disposition in accordance with Control Council Regulations. (b) Since action with respect to aircraft might create a new precedent as to the disposal of other enemy military equipment in neutral countries, the comments of the State-War-Navy Coordinating Committee on the action proposed in (a) above shall be requested and the Air Coordinating Committee shall not take action on the matter until such comments are received.

* Annex to Appendix

S E C R E TA P P E N D I XDISPOSITION OF CAPTURED OR INTERNED ENEMY
AIRCRAFT - INTERNED GERMAN AIRCRAFT - SWEDISH
REQUEST FOR PURCHASE OF COMMERCIAL MODELSPROBLEM

1. The United States Military Attaché, Stockholm, Sweden, at the request of the Swedish Government, has cabled for instructions from the War Department on the disposition of fifty-one (51) German aircraft interned in Sweden, described in Tab A. * Thirty-one (31) of these aircraft are of a cargo or transport type and the remaining twenty (20) are combat types. The Swedish government desires to be relieved of responsibility for these aircraft and wishes, if possible, to purchase the commercial models. Danish airlines flying between Stockholm and Copenhagen which had all their aircraft, with the exception of one (1), requisitioned by the German government, have requested that they be given one (1) of these aircraft of a transport type to extend their service.

DISCUSSION

2. As materiel of war interned in a neutral country is returned to the country of its origin at the end of hostilities, this property, under international law, would normally be returned to the German government. In the present absence of a German government, it would appear that the Allied Control Commission would have jurisdiction over these aircraft.

3. Present policy favors the destruction of German aircraft as the War Department is opposed to their use by allied countries or their sale to neutral countries, since the continued operation of these aircraft would develop an interest in keeping the German aircraft industry in operation to provide parts or replacement types.

RECOMMENDED ACTION

4. It is recommended that the Air Coordinating Committee:
- a. determine United States Government policy in relation to the disposition of these aircraft, and

* Annex to Appendix

S E C R E T

b. that the American member be requested to present the problem to the Control Council for Germany for decision, after he is informed of U. S. policy in this respect.

5. It is further recommended that the Commanding General, Army Air Forces be informed of U. S. policy and of action taken to obtain disposition instructions for these aircraft so that this information may be dispatched to the United States Military Attaché in Sweden.

S E C R E TANNEX TO APPENDIXTAB "A"

Included in the fifty-two (52) German aircraft interned in Sweden are thirty-one (31) transport aircraft of the following types:

19 STORCH - Fiesler Storch 156 - Army Cooperation, Reconnaissance or staff transport; 2 to 3 place, 2-engined.

1 JU 52 DP-FS - Transport (primarily), Glider Tug, sometimes

1 JU 52 R 12 used as a Bomber; 3-engines fitted; carries

1 JU W-34 maximum of 22 men.

1 FW 200 - Bomber; it is the military version of the original Condor Transport; 4-engined; carries a maximum of 25 to 30 men.

1 ME 108 BL - Army Cooperation, also used as light transport and trainer; single-engined.

1 Siebel 204 - Transport; 2-engined; carries about six people.

2 FW 189 A 2 Aerial Mapping - Light Transport and Army Cooperation; 2-engined; carries five men.

1 Blochm and Voss 138 C - Flying Boat; 3-engined; carries up to eight men.

1 DO 245 W-B Unit 42 Seaplane, 3 engine - Not known

2 JU 52 - One badly damaged; one repairable

Also included are twenty-one (21) combat aircraft, of which twelve (12) are flyable and nine (9) repairable.