

DEPARTMENT
OF
STATE

INCOMING
TELEGRAM

8768

DIVISION OF
CENTRAL SERVICES
TELEGRAPH SECTION

PAH-302

This telegram must be
closely paraphrased be-
fore being communicated
to anyone. (SECRET)

Paris

Dated March 21, 1945

52

Rec'd 4:40 p.m., 23rd.

FM

SUR 65

DEF/1

Secretary of State,

Washington.

1342, March 21, 5 p.m.

800.515 2-1945

With reference to question raised in Department's

935 of March 8, 1945, 9 p.m. on definition of looted

property proposed by French for forthcoming legislation

French Government has referred text of ordinance to

Consultative Assembly for consideration. In its session

on March 15 Consultative Assembly approved text by which

legal or physical persons can have nullified as of right

transfers of all property during the occupation even

though consideration was paid provided such transfers

were the result of any of the following measures:

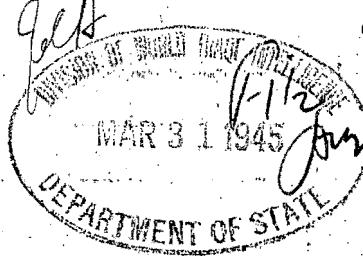
(1) Sequestration, temporary administration,

custodianship, liquidation, confiscation, or any other
extraordinary measures in the light of the common law

in force on June 16, 1940 and

(2) If such transfer was made on the basis of the
pretended legislation rules or decisions of the so-called
Government of the French State or by the enemy at his

order or



800.515-2-1945

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--2- #1342, March 21, 5 p.m., from Paris.

order or under his inspiration.

Therefore it is clear that payment of compensation is no bar to person claiming right of nullification. However, when transfer was made on basis of contract or other written document and defendant can prove that payment for property was made at a just price burden of proof shifts to the plaintiff to prove duress. The proposed ordinance does not apply to shares sold on the stock exchange or by a bank under ordinary market conditions unless the buyer was an enemy subject or knew of the origin of the property. This right also applies to any mortgages servitudes licenses et cetera which would not normally have been given except for the acts of disposition. When nullification is decreed the property is returned to the rightful owner with all increases and additions to its value included exempt from any charges and mortgages which any intermediate holder may have placed upon it. Persons who have acquired such despoiled property are by definition considered as holders in bad faith vis-a-vis the real owner.

Full text of ordinance as finally approved by Consultative Assembly will be sent by pouch.

Embassy is

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-3- #1342, March 21, 5 p.m., from Paris.

Embassy is also taking steps to ascertain date
on which interest in Bor Copper Mines was transferred
to Germany.

CAFFERY

MRM

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Entry DF 1945-49

File 800.515/3-2146

Box 4202

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Department of State

509

No. A-363

Washington

RESTRICTED

TIME

USPOLAD,

BERLIN.

May 6, 1946 509

The following is Paris's A-389, March 21 to the Department,
copied to London:

"In an interview with a member of my staff, Mr. ZAMBEAU, Chief of Cabinet, Ministry of Justice, stated that he hoped to reassemble the files of the German Military Government in France which, during the occupation were kept at the Hotel Majestic, Paris, in about a month's time in Paris. These files are presently at the United States Document Center, Berlin, and were recently turned over to the French by the American Army. The French are now engaged in making a preliminary inventory of the files at the request of General Clay. The files cannot be moved until this work is finished. Zambeau stated that there are about three freight car loads of documents to be transported to Paris, and inquired whether facilities could be made available by the American authorities for this transport.

Zambeau stated that the documents seemed to contain extremely valuable information on German economic penetration of French economy as well as a considerable number of dossiers on British and American assets in France. There are also dossiers concerning Jewish owned properties and companies, dossiers on the participation of France in the supply of the Reich, documents on industrial production and on the different technical services as well as more than 1,200,000 reports concerning the immigration of populations within Germany.

Zambeau hopes to set up a self-staffed German document center in Paris with photostatic equipment and detailed reference catalogue. He indicated these documents would be

DOE - OED Unit

Rev. /S/ *[Signature]* freely

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freely available to the Embassy and that his staff would be glad to assist us in any research we may wish to make involving these documents.

"From preliminary reports received from American sources, we feel that a considerable amount of important Safehaven material is contained in the Hotel Majestic files. Zambeau has promised us a duplicate copy of the inventory of these documents when it is completed. Copies will be forwarded to the Department and London as soon as available.

"According to Zambeau, an even more important series of documents of the German Military Government in France has been reported to be presently located at Schwartzenau, in Lower Austria. Zambeau was not certain whether this was in the Russian or American occupied zone."

USPOLAD is urged to afford the French strong cooperation in obtaining facilities for the transportation of the three freight carloads of documents to Paris.

Schwartzenau is located in the Russian zone and Paris has been advised to suggest that the French deal with the Russians direct, but USPOLAD is urged to do whatever it can to assist in this matter.

Copied to Vienna.

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C/S
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FC, Attn: Mr. Cummings

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RG 57
Entry Central Decimal File
File 1945-1949
Box 4213 800.515/8-2244-
8-2344

AIR MAIL Enclosure No. 1 to Despatch No. 2200, American Legation, Dublin.

Dublin, August 21, 1946.

No. 712

Excellency,

I have the honor to refer to the letter addressed to neutral Powers by the French Government, a copy of which is hereto attached.

I am instructed by my Government to inform Your Excellency that the American Government desires to associate itself with this communication of the French Government.

It is recognized that such heirless funds as may be in Ireland, under international law may rightfully be claimed by the Irish Government. The hope is, however, expressed that in view of the unusual circumstances under which these assets became ownerless Your Excellency's Government may think fit to make such funds available to the international fund referred to in the letter of the French Government for the rehabilitation and resettlement of surviving victims of German criminality.

Accept, Excellency, the renewed assurances of my highest consideration.

Enclosure.

His Excellency
Eamon de Valera,
Minister for External Affairs for the
Government of Ireland,
DUBLIN.

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REPRODUCED AT THE INTERNATIONAL ARCHIVES
RG 54
Entry Central Decimal File
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8-2346

Page 2 of Enclosure No. 1 to Despatch No. 2200, American
AIR MAIL Legation, Dublin

Text of letter from the French Government
dated August 21, 1946.

1. The Paris Conference on Reparations stipulated, in Article 8 of the Final Act that:

"In recognition of the fact that large numbers of persons have suffered heavily at the hands of the Nazis and now stand in dire need of aid to promote their rehabilitation but will be unable to claim the assistance of any Government receiving reparation from Germany, the Governments of the United States of America, France, the United Kingdom, Czechoslovakia and Yugoslavia, in consultation with the Inter-Governmental Committee on Refugees, shall, as soon as possible, work out in common agreement a plan"

for the assistance of these non-repatriable victims of German action.

2. During the five Power Conference on Reparation for Non-Repatriables just concluded in Paris, the designated countries in consultation with the Inter-Governmental Committee on Refugees have worked out a plan and signed an Agreement dated of the 14th of June, a copy of which is attached. The Paris Conference on Reparation, cognizant of the serious plight of the non-repatriable victims of German action, provided that a share of reparation consisting of all the non-monetary gold found by the Allied Armed Forces in Germany and in addition a sum not exceeding 25 million dollars shall be allocated for the "rehabilitation and resettlement of non-repatriable victims of German action."

3. The Paris Conference on Reparation, aware of the Nazi policy of racial extermination also took note of the existence of considerable assets in neutral countries belonging to victims of German action who died without heirs.

4. Although it is recognized that "heirless funds" are not strictly a reparation matter since many individuals who died without heirs were not German nationals, the Paris Conference on Reparation nevertheless charged the Five Power Conference on Reparation for Non-Repatriables to request the neutral countries to make such assets available for the rehabilitation and resettlement of non-repatriable victims of German action. The "heirless funds" having arisen out of a violation of every canon of morality and international law, it appeared proper to the Paris Conference on Reparation

that the

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AIR MAIL Legation, Dublin.

that the neutral countries be requested to make these funds available to help succor non-repatriable victims of German action who, of all the victims of Hitlerite aggression, were most in need of the assistance of sympathetic governments.

5. In accordance with the obligation placed upon it by the Paris Conference on Reparation, the French Government in the name of all the signatory powers to the Paris Conference on Reparation, formally requests the neutral Powers to make available for the rehabilitation and resettlement of non-repatriable victims of German action all assets in their countries of victims of German action who died without heirs, in accordance with the following general plan:

- (a) To take all necessary action as quickly as possible to identify, collect and liquidate all "heirless funds." The Five Power Conference on Reparation for Non-Repatriables recognizes that serious legal, administrative and fiscal obstacles may stand in the way of expeditious action, but it requests the neutral powers to take all necessary steps, including special legislation, to accomplish the stated action. Since "heirless funds" arose out of a condition unique in international affairs, this request for an exceptional solution is justified.
- (b) Because the overwhelming part of the "heirless funds" were the property of Jewish victims of German actions including regimes under Nazi influence, the above-mentioned Agreement of the 14th of June stipulates that 95% of the proceeds should be made available directly and jointly to the Joint Distribution Committee and the Jewish Agency, organizations best fitted to use these funds for the rehabilitation and resettlement of Jewish victims of German action, as soon as the Director of the Inter-Governmental Committee on Refugees or the Director General of the successor Organization certifies that these designated organizations have presented practicable programs for rehabilitation and resettlement in terms of the above-mentioned Agreement. It further stipulates that 5% of the proceeds which it presumes to be a liberal estimate of that portion of "heirless funds" belonging to non-Jewish victims of German action be made available to the Inter-Government Committee on Refugees for the rehabilitation and resettlement of non-Jewish victims of German action, including regimes under Nazi influences.

(c) The

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(c) The signatores to the above-mentioned Agreement have designated the Governments of the United States, France and the United Kingdom to act on their behalf on all further aspects of this problem, in any future negotiations with the neutral countries.

6. In making the foregoing requests the French Government confidently relies on the sense of justice and morality of the neutral Powers to act energetically and sympathetically with respect to the identification, collection, liquidation and distribution of "heirless funds" and thereby to associate themselves with the Powers signatory to the Paris Conference on Reparation in assisting the Non-Repatriable victims of German action to rehabilitate themselves and to find new and permanent homes.

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File 800.58/8-2947

Box 4234

UNITED STATES OF AMERICA
INTER-ALLIED REPARATIONS AGENCYOFFICE OF THE
UNITED STATES REPRESENTATIVE

Brussels, Belgium

15 October 1946

Mr. S. J. Rubin
American Embassy
Lisbon, Portugal

Dear Sy:

I am sending you enclosed for your information copy of a letter which I sent to S.E. M. Henry Spitzmuller of the French Delegation on October 14, 1946.

Very truly yours,

Russell H. Dorr
United States Minister and Delegate
Inter-Allied Reparation Agency

Enclosed:

As stated

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By EK NARA Date 7/8

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Entry Dec-Files
1945-49

File 800.50/9-2997

Box 4234

C O P Y

Brussels

October 14th, 1946

S.E. M. Henry Spitzmuller
 Ministre Plenipotentiare
 Delegue Suppleant
 French Delegation
 Inter-Allied Reparation Agency
 Brussels

My dear Colleague:

I have now been informed of my Government's attitude to the questions raised in your letter of 19 September, No. 381, concerning the disposition of certain gold now held by the Bank for International Settlements.

My Government feels that the French Government should for the time being neither accept nor reject the offer made on August 9th by the Bank for International Settlements. My Government feels that such acceptance might seriously prejudice any additional claims for looted gold which it might be found necessary to make against the Bank for International Settlements, and would be inconsistent with the position taken so far that all such claims should be negotiated on a global, rather than piecemeal, basis. My Government feels further that such claims for restitution are part of the Safehaven program now being carried on jointly by the United States, the United Kingdom, and France, and that it would be unfortunate if this joint program were impaired by unilateral negotiations between the Bank for International Settlements and the Bank of France. Entirely aside from the point made in my letter to you of October 11th it is therefore felt that the question of where this gold is to be deposited is not urgent.

I understand that Mr. Rubin has discussed this matter in Lisbon with M. Panafieu; and that the matter has likewise been raised with M. Valensi of the French Embassy in Washington, who agrees with the position taken by my Government.

I have sent a copy of this note to Sir Desmond Morton.

Faithfully yours,

Russell H. Dorr
 United States Minister and Delegate
 Inter-Allied Reparation Agency

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little delay as possible, a joint approach to the BIS to request the restitution of gold of illegal issuance, acquisition of which by the BIS has now been determined.

(b) that as far as the gold of Belgian origin is concerned, the verification (results of which are set forth in the Report of June 14, 1946 - Enclosure No. 5 to Calvet's letter) shall be held to be conclusive and that, consequently, the figures given in this Report shall be accepted by the three Governments.

M. Calvet, who states he has addressed a similar letter to Sir David Waley at the British Treasury, requests that we let him know whether the United States Government is agreeable to the solution of the problem suggested by the French authorities.

Respectfully yours,

For the Ambassador:

Fred Salter

Fred K. Salter

Second Secretary of Embassy

Enclosures: *WT*

- 1-8. Copy of letter from M. Calvet to Embassy, dated April 9, 1947, and its 7 enclosures.

Copy to American Embassy, Paris

Copy to American Embassy, Brussels

Copy to American Embassy, Moscow for SecDel Reinstein

Heiter
Heiter
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Box 4226

(Copy of M. Calvet's letter to Embassy dated April 9, 1947)

Ambassade de France

4, Carlton Gardens,

A Londres.

S. W. 1.

L'Attaché Financier

Londres, le 9 April 1947

Cher Monsieur Salter,

Lors des entretiens qui se sont déroulés chez Sir David Waley à la fin du mois de janvier et au début du mois de février derniers, au sujet de la restitution de l'or monétaire spolié par l'Allemagne, j'ai exposé que la Banque des Règlements Internationaux avait exprimé à la Banque de France et à la Banque Nationale de Belgique le désir de restituer dans le plus bref délai possible l'or dont elle avait involontairement pris possession, et j'ai indiqué qu'un examen approfondi avait déjà eu lieu entre les représentants de la Banque de France et de la Banque des Règlements Internationaux afin de déterminer la quantité d'or à restituer.

Conformément à la décision prise d'un commun accord entre nos trois délégations lors de la réunion tripartite du 10 février, je vous communique maintenant, sur les instructions du Ministre des Finances, l'ensemble des documents que celui-ci a lui-même reçus de la Banque de France, à la suite des travaux faits par les représentants de l'Institut d'Emission français et de la B.R.I.:

1. - Lettre adressée le 25 septembre 1945 par le Président de la B.R.I. au Gouverneur de la Banque de France par laquelle la B.R.I. se déclare prête à faciliter par tous les moyens en son pouvoir les recherches concernant l'or spolié par l'Allemagne.
2. - Lettre adressée le même jour par le Président de la B.R.I. au Gouverneur de la Banque Nationale de Belgique, dans les mêmes termes.
3. - Lettre du 5 juin adressée par le Gouverneur de la Banque de France, d'accord avec la Banque Nationale de Belgique, au Président de B.R.I.
4. - Lettre du 11 juin 1946 par laquelle le Président de la B.R.I. suggère au Gouverneur de la Banque de France d'envoyer à Bruxelles des représentants munis de toute la documentation nécessaire, qui auraient pour mission de procéder, en commun avec des fonctionnaires de la B.R.I. à un examen détaillé afin d'établir d'une manière probante et définitive les quantités d'or en provenance de la Banque Nationale de Belgique reçues par la B.R.I.

5. -

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(Copy of M. Calvet's letter to Embassy, April 9, 1947)
2nd page.

5. - Procès-verbal du 14 juin 1946, établi par les représentants de la Banque de France et ceux de la B.R.I., faisant apparaître que la B.R.I. a reçu pendant la guerre 129 barres de Kgs. 1.607,38516, provenant de l'or de la Banque Nationale de Belgique, saisi par les autorités allemandes.

6. - Texte en français et en anglais d'une lettre du 9 août 1946, par laquelle la B.R.I. offre à la Banque de France la restitution immédiate d'une quantité d'or égale au chiffre mentionné ci-dessus.

7. - Texte en français et en anglais de la lettre en date du 13 aout 1946 par laquelle la Banque de France répond à la B.R.I. qu'elle est, en ce qui la concerne, d'accord sur le montant arrêté par les représentants des deux banques, mais qu'elle n'est pas qualifiée pour accepter l'offre de la B.R.I., étant donné que, en application de l'accord signé à Paris le 14 janvier 1946, la question est de la seule compétence des trois Gouvernements français, anglais et américain.

En conséquence, la Banque de France a remis tout le dossier au Gouvernement français, et c'est ce dossier que j'ai aujourd'hui l'honneur de vous communiquer.

Le Ministre des Finances me prie en même temps d'appeler votre attention sur les points suivants:

- Le Gouvernement français estime que les travaux faits par les représentants de la Banque de France, d'accord avec la Banque Nationale de Belgique, et ceux de la B.R.I. en vue de déterminer la quantité d'or fin, en provenance de l'or de la Banque Nationale de Belgique, involontairement reçue par la B.R.I. au cours des hostilités, présentent au point de vue technique toutes les garanties d'exactitude, et qu'il serait donc inutile de procéder à un nouvel examen à ce sujet. Le procès-verbal du 14 juin 1946 montre en effet que la vérification a été aussi complète et approfondie qu'il était possible de le faire.

- Cette vérification n'a porté que sur l'or de provenance belge, mais nous croyons savoir que des travaux analogues sont en cours entre la B.R.I. et la Banque de Hollande, afin de déterminer dans les mêmes conditions la quantité d'or hollandais qui a pu, également, être remise à la B.R.I. au cours des hostilités.

- La Banque de France a pris acte le 13 aout 1946 de l'offre de restitution de la B.R.I., mais en même temps, a indiqué de la manière la plus nette qu'elle n'était pas qualifiée pour accepter elle-même cette offre, et que la question était du ressort des trois Gouvernements français, anglais et américain. Le Gouvernement français est, naturellement, pleinement d'accord sur ce point de vue.

- En définitive nous suggérons:

(1) que les trois Gouvernements fassent maintenant, dans le plus bref délai possible, une démarche conjointe auprès de la B.R.I. pour lui demander la restitution de l'or de provenance irrégulière dont l'acquisition par cette dernière a été constatée

(2) qu'en ce qui concerne l'or de provenance belge,

la/

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By EK NARA Date 7/8

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Box 4226

(Copy of M. Calvet's letter to Embassy dated April 9, 1947)

3rd page.

la vérification dont les résultats sont consignés dans le procès-verbal du 14 juin 1946 soit tenue pour définitive et que, en conséquence, les chiffres inscrits dans ce procès-verbal soient entérinés par les trois Gouvernements.

Je vous serais très obligé de vouloir bien me faire savoir si le Gouvernement des Etats-Unis est d'accord sur cette double solution.

J'adresse une lettre analogue à Sir David Waley.

Veuillez agréer, cher Monsieur Salter, l'expression de mes sentiments les plus distingués.

(Signed) Calvet

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(Translation of M. Calvet's letter to Embassy, April 9, 1947)

Dear Mr. Salter:

In the course of the meetings which took place in Sir David Waley's office at the end of January and the beginning of February this year, on the subject of the restitution of monetary gold seized as loot by Germany, I revealed that the Bank for International Settlements had expressed to the Bank of France and the National Bank of Belgium the desire to restore with as little delay as possible the gold of which it had involuntarily taken possession, and I indicated that a detailed survey had already been made by representatives of the Bank of France and the Bank for International Settlements in order to determine the quantity of gold to be restored.

In accordance with the decision made by common agreement among our three delegations on the occasion of the tripartite meeting on the 10th February, I transmit to you herewith, under instructions from the Ministry of Finance, the collection of documents received by the Ministry from the Bank of France following the studies made by the representatives of the French Issuing Institute and of the Bank for International Settlements:

1. Letter, Sept. 25, 1945, addressed by the President of the Bank for International Settlements to the Director of the Bank of France in which the B.I.S. declares itself ready to facilitate by all the means in its power the research concerning the gold looted by Germany.
2. Letter addressed the same day by the President of the B.I.S. to the Director of the National Bank of Belgium, along the same lines.
3. Letter, June 5, 1946, addressed by the Director of the Bank of France, acting jointly with the National Bank of Belgium, to the President of the B.I.S.
4. Letter, June 11, 1946, in which the President of the B.I.S. suggests to the Director of the Bank of France that they send to Basle representatives, furnished with all the necessary background information, who would have as a mission to undertake, in conjunction with officials of the B.I.S., a detailed survey to establish in a definite and conclusive manner the quantities of gold belonging originally to the National Bank of Belgium which were received by the B.I.S.
5. Report of June 14, 1946, drawn up by the representatives of the Bank of France and those of the B.I.S., setting forth that the

B. I.S.

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Box 4226

(Translation of M. Calvet's letter to Embassy, April 9, 1947)

2nd page

B.I.S. received during the war 120 bars of 1,607,38516 kilograms, cast from gold of the National Bank of Belgium, seized by the German authorities.

6. Text, in French and in English, of a letter of August 9, 1946, in which the B.I.S. offers to the Bank of France the immediate restitution of a quantity of gold equal to the figure mentioned above.

7. Text, in French and in English, of a letter dated August 13, 1946, in which the Bank of France replies to the B.I.S. that it is, as far as it is concerned, agreeable to the sum arrived at by the representatives of the two banks, but that it is not qualified to accept the offer of the B.I.S., since, under the terms of the accord signed at Paris January 14, 1946, the question can only be decided by the three Governments - French, English and American.

Consequently, the Bank of France has referred the entire file on the matter to the French Government, and it is this file that I have the honor of transmitting to you today.

The Ministry of Finance requests me at the same time to call your attention to the following points;

- The French Government is of the opinion that the studies made by the representatives of the Bank of France, jointly with the National Bank of Belgium, and those of the B.I.S., with a view to determining the quantity of refined gold, cast from gold of the National Bank of Belgium, involuntarily received by the B.I.S. during the course of hostilities, present, from a technical viewpoint, all the guarantees of exactitude, and that it would, therefore, be useless to undertake a new examination of the subject. The report of June 14, 1946 shows in fact that the verification has been as complete and detailed as it would be possible to make.

- This verification applied only to the gold of Belgian origin, but we believe we are correct in stating that similar studies are in progress between the B.I.S. and the Bank of Holland, in order to determine under the same conditions the quantity of Dutch gold which could likewise have been turned over to the B.I.S. during the hostilities.

- The Bank of France acknowledged on August 13, 1946, the offer of restitution of the B.I.S., but at the same time, indicated in a very frank manner that it was not qualified to accept this offer itself, and that the question was under the jurisdiction of the three Governments - French, English and American. The French Government is, naturally, in full accord with this point of view.

In conclusion/

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Box 4226

(Translation to M. Calvet's letter to Embassy, April 9th 1947)

3rd page.

In conclusion we suggest:

- (1) That the three Governments now make, with as little delay as possible, a joint approach to the B.I.S. to request the restitution of gold of illegal issuance, acquisition of which by the latter has been determined.
- (2) that as far as the gold of Belgian origin is concerned, the verification, the results of which are set forth in the report of June 14, 1946, shall be held to be conclusive and that, consequently, the figures given in this report shall be accepted by the three Governments.

I shall be most obliged to you if you will be kind enough to inform me if the Government of the United States is in agreement with this double solution.

I am addressing a similar letter to Sir David Waley.

Please accept, dear Mr. Salter, the expression of my most distinguished sentiments.

(S) Calvet

Translated by Miss Jean Clark.

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By EK NARA Date 7/8

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Form DS-302

DIVISION OF
COMMUNICATIONS AND RECORDS
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DEPARTMENT OF STATE

INCOMING TELEGRAM

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FROM: Paris

DEPARTMENT OF STATE

TO : Secretary of State

NO : 3727, September 12 7 p.m.

FROM RUBIN

Discussed with Chargueraud and Rousseau today following:
(re DEPTEL 3424, September 11, 3408, September 10).

One. Restitution monetary gold to Austria and Italy. Chargueraud reiterated position already taken by French and indicated unwillingness reconsider on basis more critical position Italy and Austria, small amount actually involved, or basis policy of assisting latter countries. Although he stated more sympathy Austria than Italy, his conclusions were same for each. He reiterated preference for position ascribed to McCombe, that Italy and Austria be allowed to share so far as appearance went, but that figures be adjusted so as to reflect actual exclusion those countries from Swiss recovery. In response to my suggestion that his position was based on recovery solely of Belgian gold and that therefore insistence his position was inconsistent his suggesting that we give Swiss information on Dutch gold to see whether they would not voluntarily make some payment, he stated that he would be willing to recommend to French Government some reconsideration present position in light of satisfactory settlement with Portuguese and on Dutch gold with Switzerland. He also referred to possible pressure by US on Portugal to effect satisfactory settlement mentioning figure of \$25 million. I indicated US would not exert independent pressure on Portugal and that French had primary interest. Also that chances for Swiss payment of Dutch gold on moral claim was slight. Net result was reaffirmation present French position with slight loop hole that if satisfactory Portuguese settlement reached, position might be reconsidered. French position apparently strengthened by belief that during Reinestein talks re gold protocol information on Washington agreement should have been but was not volunteered to the DOB Correction Dept.

then obvious

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800.515/9-1247

SEP 13 1947

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Anthony NND 760050
by EK NARA Date 7/8

RG 59

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1945-49

File 800.515/911-47

Box 4239

AND RECORDS
NAPL BRANCH

DEPARTMENT OF STATE

INCOMING TELEGRAM

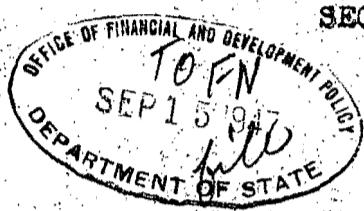
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DIVISION OF FINANCIAL AFFAIRS

SEP 15 1947

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DEPARTMENT OF STATE
CORRECTED PAGE 2
9/14/47, 9 p.m.
CORRECTION underscored

Control 3979

-2- #3727, September 12, 7 p.m., from Paris

then obvious uninformed French negotiators.

Two. Chargueraud and Rousseau stated position that information re German assets settlement with Italy should be given IARA. This thought by them to be non-controversial and to allay IARA suspicion that allies intend withhold all information re German assets from IARA.

Three. Chargueraud stated that he had been informed by French Legation Bern that answers had been submitted to London by British Embassy re 42 questions proposed in IARA. Asked how this tied in with proposal discussed yesterday (EMBTEL 3702, September 11) to formulate new factual statement, I stated my opinion what was meant was not submit answers to questions as such, but to formulate a new statement, to be prepared in concert by allied missions in Bern, which would cover Swiss accord situation, probably unavoidably duplicating in part answers already prepared but not in same form, noncontroversial, etc. This to be submitted to Brussels. Chargueraud agreed, but then added that such statement would be submitted to Brussels "en passage" through Paris, for quick review. This latter represents deviation from yesterday's position, but I did not feel it possible to argue on point whether Paris should trust its Bern and Brussels missions without review. Chargueraud stated instructions would be sent Bern to concert with American and British Legations on preparation report.

Four. Chargueraud asked when Portuguese gold discussions likely to begin, particularly with reference to September 22 date set by Portuguese as possible opening. French wish to send Vaidie, but not merely to wait for opening talks. I thought talks would probably be a week later, in view of my appointment to meet McCombe Brussels September 22, and said I thought Kasper of American Embassy had most of facts, that we could at least begin at any time, but that I would raise with Department and Treasury whether US expert should be sent.

Five. Discussed with Todd on telephone from London today. Department's reference cable 3408 and agreed that in view of my

unfamiliarity

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SECRET

-22-#3727, September 12, 7 p.m. from Paris

unfamiliarity present status non-monetary gold problem, and plans to take few days leave next week. Todd would discuss this with Chargueraud on his arrival here next week. So informed Chargueraud, who agreed. Assume Department agreeable. Chargueraud reiterated French reluctance yield any non-monetary gold in view of claims of French deportees, and mentioned visit this morning of Hungarian representative who had requested transfer to Hungary of French portion Hungarian non-monetary gold. Patton and I stated our belief that statement by Hungarian representative that US had so transferred non-monetary gold to Hungary was not correct.

Sent Department 3727, repeated Bern 65, Brussels for Dorr, and Todd 86 and (by pouch) to London and Lisbon.

CARRIERY

SMD:DGB

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by EK NARA Date 7/8

RG

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1945-49

File 800.5B/9.11-47

Box 4234

Memorandum · UNITED STATES GOVERNMENT

DATE:

18 Sept

TO :

A-E

FROM :

WE:

SUBJECT:

Attached Telegram

The word "notes" which appears above my initials expresses the reservations I entertain concerning both the effectiveness and the feasibility of the proposed approach to Chongming.

We are already committed to press the Portuguese for settlement regardless of the French attitude on the other matter — and Chongming knows it.

W. Hallinan

345716

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By EK NARA Date 7/8

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File 800.515/9.11-47

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WE:

A-T: Please inform
Mr. Fletcher when this
telegram has been
approved by A-T.

345717

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by EK NARA Date 7/8

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PARIS - 4053

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800.515/9-18-17

345718

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Authority NND 760050

By EK NARA Date 7/8

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1945-49

File 800.55/918-47

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INCOMING TELEGRAM

DEPARTMENT OF STATE DIVISION OF COMMUNICATIONS AND RECORDS
DEPARTMENT OF STATE

TELEGRAPH BRANCH

1947 SEP 22 AM 9 19

2

RECEIVED IN BRANCH

CONFIDENTIAL

Action: OPD

Control 6083

Info:

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FROM: Paris

Rec'd September 19, 1947
12:23 p.m.

TO : Secretary of State

NO : 4053, September 19, 11 a.m..

RE FROM TODD

One. Together with Patten and Unwin of British Embassy called upon Chargueraud and De Panafieu to discuss non-monetary gold (REDEPTEL 1294 to Brussels, London 4015). Chargueraud agreed institute investigation in French zone Germany to include valuables other than those containing gold and also to consider possibility using US definition in its entirety for this purpose. He emphasized that the investigation should not be construed as an indication that valuables other than those containing gold would be turned over to PCIRO. Continues insist relating monetary gold to non-monetary gold insofar as application non-monetary gold program in French zone Austria. Stated that portion of Hungarian gold train in French hands was being inventoried and agreed possibility deliver some valuables PCIRO not precluded.

Two. Throughout conversation Chargueraud showed concern over possibility that valuables have been delivered PCIRO which are in fact identifiable and restitutable.

Three. Chargueraud very emphatic that French will insist upon including Salzburg gold in gold pot for purposes calculating shares and making deliveries Austria. Stated that will resort arbitration if necessary but at same time said he would use personal influence secure French agreement US views re Salzburg gold if as much as 30 tons of gold is recovered from Portugal. This in addition is statement re French position on Austrian and Italian

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By EK NARA Date 7/8

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Box 4235

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-2- #4053, September 19, 11 a.m., from Paris

and Italian participation gold recovered from Switzerland reported EMBTEL 3727, September 12. Indicated to him that arbitration of this question would appear rather difficult inasmuch as all decisions would be in connection gold commission's work. He agreed that matter would come up initially in gold commission but assumed sufficient gold could be reserved permit separate arbitration.

Four. De Panafieu who has just returned from Spain stated that accord with Spain could be reached quickly (?) Surrey together with McCombe returned for final negotiation. Recommended October 11 Madrid as most desirable date. Suggested that details Panafieu discussions be given Dept through French Embassy Washington to which Chargueraud agreed. Will inform Rubin upon his arrival Brussels.

Sent Dept; repeated London 761 Brussels for Dorr 90.

CAFFERY

(?) Garble correction to follow

DU:ERA

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Entry Central Decimal File
 File 1945-1949
 Box 4246 800.515/6-1248-
 800.515/6-188

Authority NND 760050
 By WDP NARA Date 7/14/00

DIVISION OF
 COMMUNICATIONS AND RECORDS
 TELEGRAPH BRANCH

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DEPARTMENT OF STATE
 INCOMING TELEGRAM

Todd

8

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Action: OFD
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FROM: Paris
 DEPARTMENT OF STATE
 TO : Secretary of State
 NO : 3222, June 18, 1 p.m.

File Reply drafted
 Control 6599
 POLICY JUN 21 1948 6/22/48 Rec'd June 18, 1948
 2:27 p.m.
 DEPARTMENT OF STATE

OFFICE OF
 FINANCIAL & DEVELOPMENT POLICY
 JUN 21 1948
 DEPARTMENT OF STATE

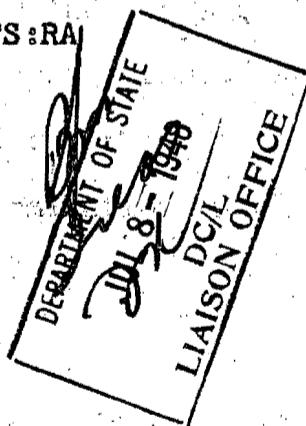
FONOFF informally called Embassy's attention to New York TIMES report May 22 re proposed auction sale in New York of Nazi loot found in Germany (reference EMBTEL 4053, September 19, 1947 and despatch 21, January 6, 1948). Apparently Frenchman having catalogue of proposed sale claims categorically he can recognize one object belonging to him and believes another probably does.

Although FONOFF approach was friendly it is evident that concern is felt re this disposition of assets possibly belonging to French citizens. Embassy would appreciate being informed urgently what provisions have been taken to safeguard interests of individuals who may recognize possessions and suggests unless too late that lists of articles to be auctioned be given widest possible publicity not only in United States but also abroad in order to avoid further spoliation of people who have already lost much through Nazi aggression.

000-515-1848

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WFS:RA



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JUN 29 1948

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EMBASSY OF THE
UNITED STATES OF AMERICA

Arkansas
CONFIDENTIAL

Paris, June 22, 1948.

No. 928

4
4
29 JUN 1948
SUBJ/MATERIALS
FACILITIES BRANCH

Subject: Disposition of Assets belonging to
Victims of Nazi Aggression.

DIVISION OF OCCUPIED AREAS

ECONOMIC AFFAIRS

JUL 1 - 1948

Inst. to Bern
cpd. Paris, Paris
7-8-48
E.M.A.

DEPARTMENT OF STATE

The Ambassador has the honor to transmit, for the information and records of the Department, a copy of the reply from the Ministry of Foreign Affairs, dated June 2, 1948, to the Embassy's note which was presented in accordance with the Department's instruction No. 38 of December 26, 1947.

As will be seen from the enclosure, the French Government does not agree with the Department's proposal to establish a general policy to exempt from the operation of the Safehaven Accords with various neutral countries, the assets belonging to certain categories of Germans resident in Germany. The Ministry of Foreign Affairs points out that the Department's proposal would indicate that the policy of liquidating German assets in foreign countries is a measure taken against German individuals, while in reality it is a measure taken against the German State, and consequently it is the responsibility of the latter to make the just and necessary discriminations when the owners are indemnified. It is also believed that any deviation from the established principle would increase the number of interventions by German nationals who would claim to be persecutees or anti-Nazi by conviction, and that these claims would be almost impossible formally to establish.

The French Government therefore considers that it should adhere to the decisions of IARA in this connection, according to the terms of which the Allied Powers may dispose of the assets of the victims of Nazi aggression provided the latter maintained their residence in Germany.

Enclosure:

Copy of note dated June 2, 1948,
from Ministry of Foreign Affairs.

711.3

WSPatten.sdh

Original and Hectograph to the Department.

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RG	59
Entry	Decimal File, 1945-49
File	800.515/6-1948 to 800.515/6-2448
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Authority	NND 160050
By	EL NARA GEN 7/10

Enclosure No. 1 to despatch No. 928, June 22, 1948, from Paris.

C O P Y

MINISTÈRE
des
AFFAIRES ETRANGÈRES

Direction des Accords
Techniques

Le Ministère des Affaires Etrangères présente ses compliments à l'Ambassade des Etats-Unis et a l'honneur de se référer à sa note No. 32 du 14 Janvier, relative aux propositions du Gouvernement américain à l'égard de la politique à adopter en ce qui concerne les biens à l'étranger des ressortissants allemands anti-nazis ou victimes du nazisme.

Le Gouvernement français considère que les dispositions libérales envisagées par le Département d'Etat en faveur de cette catégorie particulière de ressortissants allemands tendraient à donner aux mesures de saisie et de liquidation applicables à l'ensemble des avoirs allemands à l'étranger, un caractère de sanction contre les personnes, alors qu'elles ne constituent, en réalité, qu'une sanction contre l'Etat allemand à qui il appartient, en définitive, de faire, au moment de l'indemnisation des ayants-droit, les discriminations justes et nécessaires.

Il apparaît, en outre, que toute dérogation consentie à la règle commune n'aurait pour effet que de multiplier les interventions de ressortissants allemands qui se réclameraient de persécutions ou même seulement de convictions anti-nazies, dont il serait quasi impossible d'établir une preuve formelle.

Aussi bien le Gouvernement français croit-il devoir s'en tenir en cette matière aux décisions de l'I.A.R.A. aux termes desquelles les puissances alliées pourront disposer des actifs des victimes du nazisme si celles-ci ont maintenu leur résidence en Allemagne.

2 Juin 1948.

EMBASSADE DES ETATS UNIS

PARIS.

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RG 59
Entry Decimal File, 1945-49
File 800.515 16-1948 to
Box 4247 800.515 16-2448

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Authority NND 160050
By EL NARA Date 7/18

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Authority NND 760050
 By WDP NARA Date 7/1/00

DIVISION OF
 COMMUNICATIONS AND RECORDS
 TELEGRAPH BRANCH

DEPARTMENT OF STATE

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7 P.M.

CONT'D

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Re Embtel 3222 June 18. During 46 and 47 US
 Commanders Germany and Austria turned over to PCIIHQ
 quantities of Nazi loot which had been found unidentifiable
 and therefore impossible to restitute under external
 restitution procedures or internal restitution laws.
 This action taken pursuant to US Directive based on Art 8,
 Paris Separation Agreement and Five-Power Agreement Paris
 1946. Loot transferred PCIIHQ in Germany consisted primarily
 cash, personal items, gold fillings, etc., taken from
 concentration camp victims, having lost any trace identifiability
 and of small value individually. Most precious metals
 this collection have been melted down. Loot transferred
 derived from Eastern Europe and
 in Austria principally contained
 personal property, including household
 objects, taken from Jews in area ~~of concentration~~, and also
 determined be unidentifiable. Dept believes in view
 foregoing almost impossible any French victims Nazis will
 find their property among items to be sold by PCIIHQ.
 Determination of unidentifiability having been made after

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field

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File 1945-1949
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Authority NND 760050
By NIDP NARA Date 7/14/00

X -2- 2300, June 25, 7 pm, to Paris

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-2-

field investigation and in view of fact surviving victims of Nazis now scattered throughout world, not feasible submit this loot to public inspection or claims by possible owners prior to disposition by PCIKO, WHICH IS NOT DONE.
The Govt can state in all sincerity that every reasonable effort has been and being made to restore loot in Amzones Germany and Austria to rightful owners (in Germany we have been able in a few instances to restore even concentration camp) loot where a trace identification remained). You may advise Bonhoff rep of foregoing when appropriate.

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Refer:mig
6/22/48

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