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By 89 NARA Date 10/11/99

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HQ US FORCES EUROPEAN THEATER

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RESTRICTED

RESTRICTED

ROUTINE

-2-

REF NO

: WX-85682 16 NOV 46 USFET: 73/16

2. You will permit property transferred hereunder to be removed from GERMANY or AUSTRIA or to be sold therein. Payment can be made outside GERMANY or AUSTRIA in acceptable foreign currency, notwithstanding any laws for control of foreign exchange, to end that maximum value be obtained therefrom by ICCR.

3. You will seek to obtain control council agreement to disposition pursuant to terms of this directive or any such prior to such agreement you will nevertheless execute directly and you may advise other representatives of control authority that you are doing so pursuant to obligation assumed by your Government in subscribing to PARIS agreement on reparations.

4.1 Expression single "Valuable personal property" as used in paragraph 1 of this directive shall be interpreted to exclude ordinary items of furniture, clothing, and other such items of small intrinsic value and to include any of uncommon value. In determination of impracticability of identification pursuant to paragraph 1, subparagraphs A and B, with other property and difficulty and expense of determination of ownership in comparison with value of property. All property as defined herein will be considered as falling within this directive and will be considered as falling within this directive unless evidence clearly is to contrary. You will establish such administrative machinery as may be necessary to execute this directive promptly and effectively.

WX-85682 NO LONGER HELD IN SMC FILES
WX-9982 NO LONGER HELD IN SMC FILES

ACTION : G-5

INFORMATION : AG RECORDS

SGS

OMGUS (R)

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SWITZERLAND COMM FOR

SMC (1) 6031 17 NOV 46 1060A PRWT RRF Vol/WX-85682V (E-23)

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AUSTRIA NND775059
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HQ US FORCES EUROPEAN THEATER

STAFF MESSAGE CONTROL

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MESSAGE/JSET 53/07C

SECRET

TMO: 071056A

PRIGRITV

TOR: 071818A

FROM : USFA SGD CLARK
 TO FOR ACTION : AGWAR FOR WDSCA
 TO FOR INFO : USFET; OMCUS
 RIF NO : P-6356 DEC 46

CITE: PAACA/F



Reured WX-83898, Austrian National Bank submitted formal statement claiming ownership of \$4,743,809.00 of gold held in UNITED STATES custody at SALZBURG and further claiming that gold never left AUSTRIA.

Evidence clearly shows that above amount of gold is far less than that looted from AUSTRIAN National Bank and that it consists almost entirely of gold coins not subject to positive identification but of types and denominations formerly held by Austrian National Bank.

After a thorough investigation and examination of all evidence that can be uncovered at this late date, it is clear that such evidence as is available is not sufficient to establish with mathematical certainty the validity of the Austrian National Banks claim. On the other hand, no evidence has been found to refute this claim.

There is no doubt in my mind that this gold is part of that formerly owned by the Austrian National Bank and looted by the Germans. In view of the fact that restitution of the gold would benefit the Austrian economy and constitute further proof that the UNITED STATES intends to carry out its announced policies in AUSTRIA, I unhesitatingly recommend that the gold be returned to the Austrian Government. I consider such action all the more advisable because of the publicity which the State Department has already given the matter. In view of this publicity, which was given out

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 PARAPHRASE AR 380-5

AGL (2) 10-46-100000-8874-35471

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BY 89 NND 11/11/91
NARA Date 10/11/91

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REF NO

: P-6356 7 DEC 46

USFET 53/07C

without my previous knowledge, I would be placed in an embarrassing position here if we now fail to carry out the restitution of the gold. On the other hand, if the gold is returned to AUSTRIA with appropriate ceremony, the prestige of the UNITED STATES will be enhanced.

SX-83898 SMC IN 10533 25 OCT 46 G-5

ACTION : G-5

INFORMATION : AG RECORDS
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HQ U.S. FORCES EUROPEAN THEATER

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MESSAGE

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ROUTINE

ECON

FROM

: AGWAR FROM JOINT CHIEFS OF STAFF

TO FOR ACTION : CG US FORCES OF OCCUPATION AUSTRIA MAIN TO CLARK, USFET MAIN TO MCNARNEY

REF ID:

: WX-85965, 30 NOV 1945

File Nr. 910.12

USFET MAIN 736/30

TOR 301730A NOV

BOOK MESSAGE

1. This directive, received from the State, War and Navy Departments, is issued to you as Commander in Chief, US Zone of Occupation, AUSTRIA (GERMANY) and US Member of the Allied Council, AUSTRIA (GERMANY).

You will seek to obtain agreement in the Control Council to the application in the other Zones of Occupation of the policies laid down in this Directive. If, in your judgment, it appears impossible to obtain Quadripartite agreement, you will explore the possibilities of Tripartite agreement applicable to the 3 western zones and make appropriate recommendations to the Joint Chiefs of Staff.

You will proceed with the application of this Directive in your own zone even prior to agreement, provided however, that restitution of property defined in Paragraphs 2 C and 2 D will be effected only when the return of such property is certified by the appropriate representative of the claimant country to be urgently required for the re-

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ARMED FORCES
BY 89 NND 775059
NARA Date 10/11/91

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-2-

REF NO : WX-85965, 30 NOV 1945 (Continued) USFET MAIN 736/30

-habilitation and reconstruction of said country. The resti-
tution shall not be delayed on the ground that items subject
to restitution are needed to meet the military or civilian
requirements in any zone of occupation provided that in the
case of transportation equipment restitution may be so phased
as not to reduce available transportation below that required
for military deployment and for purposes of the occupation,
including the removal of industrial plant and equipment for
reparation.

ITEMS SUBJECT TO RESTITUTION

2. Without prejudice to the formulation of a
definitive restitution program, the following categories of
property shall as an interim measure be subject to resti-
tution in accordance with the provisions of this directive:

A. All currencies of the United Nations
occupied by GERMANY;

B. Works of art and cultural works of
either religious, artistic, documentary, scholastic or his-
toric value including, as well as recognized works of art,
such objects as rare musical instruments, books and manu-
scripts, scientific documents of an historic or cultural na-
ture, and all objects usually found in museums, collections,
libraries, and historic archives, identified as having been
looted or acquired in any way through commercial transactions
or otherwise by Germans from United Nation countries during
German occupation;

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8/83 NARA Date 10/1/99(R6260
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File Nr. 910.12

-3-

REF NO : WX-85965, 30 NOV 1945 (Continued) USFET MAIN 736/30

C. Heavy and power-driven industrial and agricultural machinery and equipment, rolling stock, locomotives, barges and other transportation equipment (other than sea-going vessels) and communication and power equipment identified as having been looted or acquired in any way by Germans from United Nations during German occupation.

D. Other goods, valuables (excluding gold, securities, and foreign currencies other than those mentioned in Paragraph 2 A), materials, equipment, livestock and other property found in storage or otherwise in bulk form and identified as having been looted or acquired in any way by Germans from United Nations during German occupation.

E. In the case of property mentioned in C and D above which was produced during the period of occupation, restitution shall be made only if the claimant government submits adequate proof that the property in question was acquired by GERMANY through an act of force.

X PROCEDURES FOR RESTITUTION X

3. Your Government will transmit to you from the governments of the USSR, FRANCE, BELGIUM, LUXEMBOURG, NETHERLANDS, NORWAY, DENMARK, POLAND, CZECHOSLOVAKIA, YUGOSLAVIA and GREECE lists of property claimed to have been taken from their countries during the period of German invasion or occupation. Such lists will include wherever possible all relevant information which will aid in the identification and location of such property.

4. After examination of these lists you will

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REF ID: NND775D59
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NARA Date 10/11/91

S E C R E T

REF NO : WX-85965, 30 NOV 1945 (continued) USFET MAIN 736/30

indicate to your Government which of these countries should be invited to send missions into your Zone for the purpose of (A) substantiating claims for the restitution of property mentioned in Paragraphs 2 A and D, (B) receiving information regarding the location of property which has been the subject of restitution claims by their government; (C) identifying and receiving any such property to be restored or distributed in accordance with the provisions of this Directive. You will recommend appropriate time and the size of the mission. After approval, details can be arranged by the respective governments direct with you as Commander in Chief of the United States Zone. You will furnish such missions facilities necessary to the proper discharge of their functions in your Zone.

5. You will take steps to deliver all paper currency of United Nation countries invaded or occupied by GERMANY, now in your Zone, to the government of the country of issue without the necessity of proof that it was looted or otherwise acquired from that country during the period of German invasion or occupation.

6. You will take steps in your Zone to uncover and secure possession of property covered by Paragraphs 2 B, 2 C and 2 D, mentioned in lists submitted by claimant governments, and to restore such property to the government of the country from which it was taken.

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ACTION NND 775059
BY (S) NARA Date 10/1/91R6260
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File Nr. 910.12

-5-

REF NO : WX-85965, 30 NOV 1945 (Continued) USFET MAIN 736/30

GENERAL PROVISIONS

7. You will require the claimant governments to give receipts for items received by them in accordance with provisions of the Directive. Those receipts shall contain a brief description of the item received and its condition, and waiver of any further claim as reparation or otherwise based upon the removal of the item concerned by the Germans or the exaction of funds used by the Germans to pay for it.

8. You will keep a complete record of items returned or distributed in accordance with the provisions of this Directive; and you will submit to the Control Council and your Government monthly reports on the progress of the institution program.

9. The cost of administering this program of institution shall be counted as part of the costs of occupation.

10. Any property subject to restitution uncovered in AUSTRIA and subsequently removed to GERMANY shall be regarded as uncovered in Germany.

11. After final determination of the amount and character of reparations removals, to be made by 2 February 1946, there should be no restitution on any items of equipment of key importance to plants retained in GERMANY as essential to minimum peacetime economy.

NOTE: Any action taken on this message must be submitted to the Commanding General through SGS for approval prior to dispatch.

ACTION : MG(U. S. ZONE)

INFORMATION : SGS MR MURPHY *** AG RECORDS

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Author NND775059
By (S) NARA Date 10/11/91

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SHAEF
STAFF MESSAGE CONTROL
INCOMING MESSAGE

WAR OFFICE

REF ID: A31451111

286/4

TO: 041340B JULY

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ROUTINE

FROM : WAR OFFICE

TO FOR ACTION : SHAEF MAIN FOR G-5

FROM INFO : AFHQ

REF ID: 05910-F5, 3 JULY 45

Grateful any information relating to Times report dated 29 Jun that 7 M gold discovered SALZBURG area

Hand by 31 July 45 CIC
Minister 32 - Russia
Gold buried under rocks
that would have
been called treasure
This should not be made public

ACTION : G-5

INFORMATION : G-2

AG RECORDS

Handed by [unclear] from [unclear] Aug
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1945 and appears to have
been written by [unclear] Aug 1945

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BY 89 NARA Date 10/1/91

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1 of 1 sheet 5

W D CRAGGS 10 Cal FD

U.S. FMT, GCS

16 July 45

WGN OFFICE, London

AFFIC) CO Eastern District

UNCLASSIFIED

ROUTINE

REFERENCE CASE 07910 BY 3 July 45, 3RD ARMY REPORTS ABOUT 4
TONS OF GOLD UNDER GUARD AT SALZBURG

SNC out 492

17 July 45

S-C5209

COJ

B MERRITTIN
Colonel CSC
Chief, Financial Branch

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TOC 122000Z JULY

TOC 130118Z JULY

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ENCLOR 127

FROM : AGWAR

TO : SHAFT MAIN, AFHQ, US BASE

REF NO : WX-30877, 12 JULY 1945

GOV-406.

Refer GOVs 437, 440, 523, 532; GOVs 341, 369, 398.

Measures regarding financial and accounting matters upon termination of combined command.

You will take such steps as are necessary.

A. To establish a combined administrative liquidating financial agency having chain of command and channels of communication direct to COS. This agency is hereinafter referred to as "Financial Division" on assumption that this agency will be Financial Division of Combined Administrative Liquidating Agency referred to in VOG 523;

B. To include following in functions of Financial Div which should have branches by country:

1. Accounting and billing for civilian supplies delivered under combined mil authority to recipient governments.

2. Control or custody, as case may be, of gold, foreign currencies, foreign securities, valuable papers, and similar assets now under your control or custody, pending determination of future disposition of such assets.

3. Receipt from SHAFT, upon dissolution thereof, of financial books and records of C-5 SHAFT and custody and maintenance of such books and records.

4. Taking over of such assets and liabilities of respective currency sections of SHAFT Missions to FRANCE, BELGIUM, LUXEMBOURG, NETHERLANDS, DENMARK and NORWAY and of SHAFT Currency Sect for GERMANY as have not been liquidated at time of dissolution of SHAFT.

5. To terminate currency and accounts sects of SHAFT Missions to FRANCE, BELGIUM, LUXEMBOURG, NETHERLANDS, DENMARK and NORWAY and of Financial branch, C-5 SHAFT.

D. To release to Financial Div books and records indicated GOV 369;

E. To effect division of your original stock of approximately 15 billion Allied mil marks and of your stocks of Allied mil mark postage stamps in accordance recommendations contained VOG 532. Before Allied mil mark

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REF NO: WX-30877, 12 JULY 1945

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currency and postage stamps are so furnished to French, latter should assume appropriate share costs production and transportation such currency and stamps;

F. To apply as appropriate, reference para 1 sub-para B sub-subpara 1 above, provisions of GOV 219 relative to accounting and settlement for civilian supplies furnished under combined mil authority to recipient governments or authorities;

G. Not to issue orders, ref para 5 VOG 523, terminating civil affairs expenditures in liberated countries in view continuing civil affairs matters of combined mil interest regarding which the combined administrative liquidating agency will function;

H. To coordinate with SACMED your plans for establishment of above mentioned Financial Div in connection termination of Financial Div of Allied Mil Govt in AUSTRIA.

You are authorized to turn over as you deem preferable exercise of such functions of currency sects of SHAEF country missions, as may still be needed upon dissolution of SHAEF, either directly to Financial Div mentioned in para 1 subpara A above or to such Financial Div through HQ Currency Sect, Financial Div, G-5 SHAEF.

For your information.

A. Instructions will be issued unilaterally by US and British Governments to SHAEF USA and Twenty First Army Group respectively whereby pay services of US and British Forces can draw funds direct from appropriate banks or governmental agencies for requirements of such pay services and account therefor in accordance respective intergovernmental arrangements;

B. Ref para 1 subpara D above, subject of microfilming combined records GOV 398 is being dealt with separately.

VOG 437(FWD-21066) FS OUT 3932, 9/5/45, G-5
 VOG 440(FWD-21111) FS OUT 3977, 10/5/45, G-5
 VOG 523(S-90091) SMC OUT 3432, 1/6/45, G-5
 VOG 532(S-92358) SMC OUT 6193, 24/6/45, G-5
 GOV 941(WX-85014) FS IN 5433, 20/5/45, G-5
 GOV 369(WX-15598) FS IN 3714, 13/6/45, G-5
 GOV 398(WX-28965) SMC IN 13521, 9/7/45, G-5

ACTION : G-5

INFORMATION: G-1

AG RECORDS

SMC IN 15267 13 July 45 0555B EBR/des REF NO: WX-30877

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Entry 605-57-46-59

File 91 B Basic Docs

Box 4

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DEPARTMENT OF STATE

FOR THE PRESS

SEPTEMBER 27, 1946

No. 676

CONFIDENTIAL
FUTURE RELEASE
NOTE DATE

43

**CONFIDENTIAL RELEASE FOR PUBLICATION AT 7:00 P.M., E.S.T.,
 FRIDAY, SEPTEMBER 27, 1946. NOT TO BE PREVIOUSLY
 PUBLISHED, QUOTED FROM OR USED IN ANY WAY.**

The Department of State today released the text of the Terms of Reference of the Tripartite Commission for the Restitution of Monetary Gold. These Terms of Reference have been approved by the Governments of the United Kingdom, France and the United States.

Mr. Russell H. Dorr, with the personal rank of Minister, represents the United States on this Commission. He is also United States Delegate to the Inter-Allied Reparation Agency. Sir Desmond Morton is the representative of the United Kingdom and Mr. Jacques Rueff represents France.

* The text of the Terms of Reference follows:

**TRIPARTITE COMMISSION FOR THE
 RESTITUTION OF MONETARY GOLD**

1. In order to implement Part III of the Agreement on Reparation, signed in Paris on January 14th, 1946, the Government of the United States of America, His Majesty's Government of the United Kingdom and Northern Ireland, and the Government of France have established, on September 27th, 1946, a Commission known as the Tripartite Commission for the Restitution of Monetary Gold.

2. Each of the three Governments will appoint as from September 27th, 1946, a Commissioner as its representative on the Commission.

3. The Tripartite Commission for the Restitution of Monetary Gold shall normally sit in Brussels, but shall be independent of the Inter-Allied Reparation Agency already located there. The Commission is nevertheless empowered to communicate, on behalf of the three Governments concerned, with the Allied Governments, Members of the Inter-Allied Reparation Agency, through the Delegates accredited to the Agency by those Governments, with the Secretariat of the Agency, and, when necessary, with other Governments, on questions arising out of Part III of the Paris Agreement on Reparation.

4. The official languages of the Tripartite Commission for the Restitution of Monetary Gold shall be English and French.

5. The

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5. The functions of the Tripartite Commission for the Restitution of Monetary Gold shall be:

- (a) To request the submission of and to receive from Governments claiming the right to participate in the division of monetary gold found in Germany or which may be recovered from a third country to which it was transferred from Germany, claims for restitution of gold looted by or wrongfully removed to Germany, supported by detailed and verifiable date regarding such losses.
- (b) To scrutinize claims received and to determine the share of each claimant Government in the pool of monetary gold to be distributed by way of restitution in accordance with Part III of the Paris Agreement on Reparation and any other pertinent agreements.
- (c) In due course to announce the total value of the pool of monetary gold which will become available for distribution by way of restitution.
- (d) When all claims for restitution have been received and adjudicated upon, to announce the share in the pool of monetary gold available for restitution to each country entitled to participate in the pool.
- (e) In such other ways as shall be decided by the three Governments establishing the Commission, to assist in the distribution of the pool of monetary gold available for restitution.
- (f) To perform such administrative acts as may be necessary to carry out the functions referred to in sub-paragraphs (a) through (e) above, including, without limiting the generality of the foregoing, the opening and maintaining of bank accounts, and the making of contracts for the performance of necessary services. Expenses of the Commission incident to the carrying out of its functions shall be a first charge against the fund of monetary gold to be distributed.

6. Decisions of the Commission shall be by unanimous agreement of its members.

7. An official publication of the above text is being made in the London Gazette, the State Department Bulletin, and in the Journal Officiel de la République Française.

* * *

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Author: AMG 979014
By: TG NARA Dec 6/23/98

217911

Commission Tripartite
pour la Restitution de l'Or Monétaire.

Tripartite Commission
for the Restitution of Monetary Gold.

QUESTIONNAIRE SUR L'OR

QUESTIONNAIRE ON GOLD

FÉVRIER 1947
FEBRUARY 1947

RG 84 045 2113M
NARA (TGC)
Box 12

Definition of Monetary Gold

Throughout the following descriptive Memorandum and Questionnaire attached the term "Monetary Gold" is defined as in the Note addressed to claimant Governments by the Commission. Viz:

All gold which, at the time of its looting or wrongful removal, was carried as a part of the claimant country's monetary reserve, either in the accounts of the claimant Government itself or in the accounts of the claimant country's central bank or other monetary authority at home or abroad."

Définition de l'Or Monétaire

Dans le mémorandum descriptif suivant et dans le questionnaire qui y est joint, le terme "Or Monétaire" est défini comme dans la note adressée par la Commission aux Gouvernements demandeurs, savoir:

"Tout or qui, au moment de sa spoliation ou de son transfert illégitime, figurait, comme faisant partie de la réserve monétaire du pays demandeur, soit dans les comptes du Gouvernement demandeur lui-même, soit dans ceux de la Banque centrale du pays demandeur ou d'une autre autorité monétaire sur son territoire ou à l'étranger."

Descriptive Memorandum to Questionnaire

In order to carry out effectively and equitably the responsibilities entrusted to it, the Tripartite Commission for the Restitution of Monetary Gold requires the following information from each claimant Government regarding gold movements during the period 12th March, 1938 to 30th June, 1945, both dates inclusive:

- 1) As complete and accurate a list as possible of the quantities of monetary gold involved in each individual act of looting by or wrongful removal to Germany, together with full documentation to substantiate each loss;
- 2) A similar list of quantities of monetary gold recovered from German or German allied control, whether directly or through the medium of a third country; or recovered from a third country on account of losses of monetary gold through looting by or wrongful removal to Germany;
- 3) Summary information concerning other transfers of monetary gold during the war period; and
- 4) A summary and recapitulation of all gold transfers, showing the total amounts involved in the detailed lists.

The attached forms are intended to provide a basis for the assembly and compilation of this needed information in a uniform manner which will facilitate the work of the Commission. It is hoped that the brief explanations which follow will make clear the purpose of each form.

Mémorandum descriptif du questionnaire

Afin d'exécuter d'une façon effective et équitable les tâches qui lui ont été confiées, la Commission Tripartite pour la Restitution de l'or monétaire prie chaque Gouvernement demandeur de lui adresser les renseignements suivants, relatifs aux mouvements d'or effectués pendant la période s'étendant du 12 Mars 1938 au 30 Juin 1945, ces deux dates étant comprises:

1. — Un relevé aussi complet et exact que possible des quantités d'or monétaire objet de chaque acte particulier de spoliation par l'Allemagne ou de transfert illégitime dans ce pays, ainsi qu'une documentation détaillée justifiant chaque perte;
2. — Un relevé analogue des quantités récupérées, soit directement, soit par l'intermédiaire d'un tiers pays, sur de l'or placé sous contrôle soit allemand, soit d'un allié de l'Allemagne, ou de transferts illégitimes dans ce pays;
3. — Des renseignements résumés sur les autres mouvements d'or monétaire pendant la période de guerre;
4. — Un résumé et une récapitulation de tous les mouvements d'or, reprenant les montants totaux indiqués dans les listes détaillées.

Les formules jointes sont destinées à servir de cadre au rassemblement et à la classification de la documentation nécessaire, selon un plan dont l'uniformité facilitera les travaux de la Commission. Les brèves explications qui suivent ont pour but de faire nettement ressortir l'objet de chacune d'elles.

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Information on Losses and other Outflows of Monetary Gold

Form I-A-1. Information Concerning Each Individual Loss of Monetary Gold through Looting by or Wrongful Removal to Germany, on Account of which a Demand for Restitution is being made by the Claimant Government.

Form I-A-1 is intended to provide a basis for the assembly and compilation of information, in as much detail as possible, concerning each individual act of looting by or wrongful removal to Germany of monetary gold since 12 March 1938^a, on account of which loss the claimant Government is submitting a claim for restitution. As stated in the accompanying letter, the Commission can entertain such claims only for losses of monetary gold owned by the claimant Government, or by its Central Bank or other monetary authority, and cannot entertain claims submitted on behalf of a foreign country.

The headings shown on the form are to be considered only as an indication of the minimum information necessary, and the data specifically requested should be supplemented wherever possible by facts which would: (a) substantiate the fact and circumstances of each act of dispossession; and (b) assist any investigation to recover the gold in question. It is important that the information should be as detailed as possible. A separate copy of the form should be completed for each individual loss.

Form I-B-1. Chronological Summary of Losses of Monetary Gold through Looting by or Wrongful Removal to Germany, on Account of which a Demand for Restitution is being made by the Claimant Government.

The detailed information on individual gold losses from the claimant Government, or from its Central Bank or other monetary authority, shown on Form I-A-1, should be summarized and

^a The date of the German occupation of Austria. See Para C, Part III, of the Paris Agreement on Reparation.

Renseignements relatifs aux Pertes et autres Sorties d'or Monétaire

Formule I-A-1. — Renseignements relatifs à chaque perte particulière d'or monétaire, subie du fait de spoliation par l'Allemagne ou de transfert illégitime dans ce pays, au titre de laquelle une demande de restitution est présentée par le Gouvernement demandeur.

La formule I-A-1 est destinée à servir de cadre au rassemblement et à la classification des renseignements, aussi détaillés que possible, relatifs à chaque spoliation par l'Allemagne ou transfert illégitime dans ce pays, d'or monétaire depuis le 12 Mars 1938 (1), perte au titre de laquelle le Gouvernement demandeur présente sa demande de restitution. Ainsi qu'il est indiqué dans la lettre jointe, la Commission ne peut retenir que les demandes relatives à des pertes portant sur de l'or monétaire qui appartenait au Gouvernement demandeur, à sa Banque centrale ou à une autre autorité monétaire, et elle ne peut recevoir les demandes présentées pour le compte d'un autre pays.

Les en-têtes figurant sur les formules ne doivent être considérées que comme la description du minimum des renseignements nécessaires et les indications spécifiquement demandées devront, autant que possible, être complétées par des preuves qui:

- a) confirmeront le fait et les circonstances de chaque acte de dépossession;
- b) aideront à faire toute recherche pour récupérer l'or en question.

Il est important que les renseignements soient aussi détaillés que possible. Il y a lieu de remplir un exemplaire séparé de la formule pour chaque perte particulière.

(1) — Date de l'occupation de l'Autriche par les Allemands. cf. Partie III, Paragraphe C, de l'Accord de Paris sur les Réparations.

recapitulated, on an annual basis, on Form I-B-1. It is most important that the summary data should be in terms of kilograms of fine gold (1000/1000).

Form I-A-2. Information Concerning Each Individual Loss of Monetary Gold, Held for the Account of a Foreign Government, Foreign Central Bank or Other Foreign Monetary Authority, through Looting by or Wrongful Removal to Germany.

The information requested on Form I-A-2 is identical with that required under Form I-A-1, but applies to acts of looting by or wrongful removal to Germany of monetary gold held within the country of the claimant Government or within its colonies, but owned by a foreign Government, a foreign Central Bank or other foreign monetary authority. Even though such losses cannot be included within the claimant Government's claim for restitution, data concerning them are requested in order to secure for the Commission as complete information as possible concerning all acts of looting by or wrongful removal to Germany of monetary gold. A separate copy of the form should be completed for each individual loss.

Form I-B-2. Chronological Summary of Losses of Monetary Gold, Held for the Account of a Foreign Government, Foreign Central Bank or Other Foreign Monetary Authority, through Looting by or Wrongful Removal to Germany.

The detailed information on losses of monetary gold owned by a foreign Government, a foreign Central Bank or other foreign monetary authority should be summarized and recapitulated, on an annual basis, on Form I-B-2. It is most important that the summary data should be in terms of kilograms of fine gold (1000/1000).

Formule I-B-1. — Résumé chronologique des pertes d'or monétaire subies du fait de spoliations par l'Allemagne, ou de transferts illégitimes en Allemagne, au titre desquelles une demande de restitution est présentée par le Gouvernement demandeur.

Les renseignements détaillés fournis, relativement à toutes les pertes particulières d'or subies par le Gouvernement demandeur, sa Banque centrale ou une autre autorité monétaire, sur la formule I-A-1, devront être résumés et récapitulés, par année, sur la formule I-B-1. Il est très important que les renseignements résumés soient exprimés en kilogrammes d'or fin (1000/1000).

Formule I-A-2. — Renseignements relatifs à chaque perte particulière, subie du fait de spoliation par l'Allemagne ou de transfert illégitime dans ce pays, d'or monétaire détenu pour le compte d'un Gouvernement étranger, d'une Banque centrale étrangère ou d'une autre autorité monétaire étrangère.

Les renseignements demandés sur la formule I-A-2 sont identiques à ceux qui sont demandés sur la formule I-A-1, mais s'appliquent à des actes de spoliation ou à des transferts illégitimes d'or monétaire détenu à l'intérieur du territoire du Gouvernement demandeur ou dans ses colonies, mais appartenant à un Gouvernement étranger, à une Banque centrale étrangère ou à une autre autorité monétaire étrangère. Même si de telles pertes ne peuvent être comprises dans la demande de restitution présentée par le Gouvernement demandeur, les renseignements qui s'y rapportent sont indispensables pour fournir à la Commission une documentation aussi complète que possible sur tous les actes de spoliation par l'Allemagne ou sur les transferts illégitimes dans ce pays, d'or monétaire. Il y a lieu de remplir un exemplaire séparé de la formule pour chaque perte particulière.

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Form I-A-3. Information Concerning Other Transfers of Monetary Gold from the Claimant Government Itself, or from its Central Bank or Other Monetary Authority, During the Period 12 March 1938 to 30 June 1945.

Form I-A-3 requests annual data for the period from 12 March, 1938, to 30 June, 1945, on all outflows of gold from the claimant Government itself, or from its Central Bank or other monetary authority, other than those outflows, already shown on Forms I-B-1 and I-B-2, due to acts of looting by or wrongful removal to Germany. It is requested that the data be compiled according to country of destination.

The information requested is required in order to aid in the reconstruction of gold movements into and out of Germany during the period under review. It will be recognized that such reconstruction is important to the recovery of the greatest possible amount of looted gold and is in the common interest of all claimant countries.

Formule I-B-2.— Résumé chronologique des pertes subies du fait de spoliations par l'Allemagne ou de transferts illégitimes, d'or monétaire détenu pour le compte d'un Gouvernement étranger, d'une Banque centrale étrangère ou d'une autre autorité monétaire étrangère.

Les renseignements détaillés relatifs aux pertes d'or monétaire appartenant à un Gouvernement étranger, à une Banque centrale étrangère ou à une autre autorité monétaire étrangère, doivent être résumés et récapitulés, par année, sur la formule I-B-2. Il est très important que les renseignements résumés soient exprimés en kilogrammes d'or fin (1000/1000).

Formule I-A-3. — Renseignements relatifs aux autres transferts d'or monétaire effectués par le Gouvernement demandeur lui-même, par sa Banque centrale ou par une autre autorité monétaire, au cours de la période comprise entre le 12 Mars 1938 et le 30 Juin 1945.

La formule I-A-3 demande des renseignements annuels, pour la période s'étendant du 12 Mars 1938 au 30 Juin 1945, sur toutes les sorties d'or effectuées par le Gouvernement demandeur lui-même, par sa Banque centrale ou une autre autorité monétaire, autres que les sorties dues à des actes de spoliation par l'Allemagne ou à des transferts illégitimes dans ce pays, qui sont déjà indiquées sur les formules I-B-1 et I-B-2. Ces renseignements devront être groupés par destinataires.

Ces renseignements sont demandés pour permettre la reconstitution des mouvements d'or à destination et en provenance de l'Allemagne, pendant la période considérée. Cette reconstitution est d'une grande importance pour tenter de récupérer un montant aussi élevé que possible d'or perdu par spoliation et est de l'intérêt commun de tous les pays demandeurs.

Information on Recoveries and other Acquisitions of Monetary Gold

Form II-A-1. Information Concerning Individual Recoveries or Acquisitions of Monetary Gold from German or German Allied Control, Whether Made Directly or through the Medium of a Third Country.

Form II-A-1 is intended to provide a basis for the assembly and compilation of information, in as much detail as possible, concerning each individual recovery or acquisition of monetary gold from German or German allied control, whether made directly or through the medium of a third country.

The recoveries or acquisitions envisaged comprise essentially two cases:

- a) Recoveries or acquisitions of monetary gold from German or German allied control made directly by the claimant Government or by its nationals; and
- b) Recoveries or acquisitions of monetary gold from German or German allied control made indirectly through the medium of a third country.

Such information is essential in order to ensure that all countries share equitably in the distribution of monetary gold, and to aid in the reconstruction of gold movements into and out of Germany during the war period. It is most important that the amounts of all recoveries or acquisitions by your country of monetary gold which, at or prior to the time of such recovery or acquisition, was under German or German allied control, be stated with precision; and that the full circumstances of the recovery or acquisition be described.

While it is expected that virtually all such recoveries or acquisitions will have been made during the period from 12 March 1938 to 30 June 1945, recoveries or acquisitions

Renseignements relatifs aux Récupérations et autres Acquisitions d'Or Monétaire

Formule II-A-1. — Renseignements relatifs à chaque récupération ou acquisition particulière effectuée, soit directement, soit par l'intermédiaire d'un tiers pays, d'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne.

La formule II-A-1 est destinée à servir de cadre au rassemblement et à la classification des renseignements, aussi détaillés que possible, relatifs à chaque récupération ou acquisition effectuée directement, ou par l'intermédiaire d'un tiers pays, d'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne.

Les récupérations ou acquisitions envisagées se rapportent essentiellement à deux cas:

- a) Récupérations ou acquisitions effectuées directement par le Gouvernement demandeur ou par ses ressortissants sur de l'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne;
- b) Récupérations ou acquisitions effectuées indirectement par l'intermédiaire d'un tiers pays sur de l'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne.

De tels renseignements sont essentiels pour s'assurer que tous les pays participent équitablement à la répartition de l'or monétaire et pour contribuer à la reconstitution des mouvements d'or, en provenance ou à destination de l'Allemagne, pendant la période de guerre. Aussi est-il de la plus haute importance que soit indiqué avec précision le montant de toutes les récupérations ou acquisitions d'or monétaire effectuées par votre pays et qui, au moment de la récupération ou de l'acquisition,

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subsequent to 30 June, 1945, should nevertheless be reported to, and will be taken into account by, the Commission.

A separate copy of the form should be completed for each individual recovery or acquisition.

Form II-B-1. Chronological Summary of Recoveries or Acquisitions of Monetary Gold from German or German Allied Control, Whether Made Directly or through the Medium of a Third Country.

The detailed information on recoveries or acquisitions of monetary gold from German or German allied control, shown on Form II-A-1, should be summarized and recapitulated, on an annual basis, on Form II-B-1. It is most important that the summary data should be in terms of kilograms of fine gold (1000/1000).

Form II-A-2. Information Concerning Acquisitions of Monetary Gold, Other Than Those Included Under Form II-A-1, by the Claimant Government or by its Central Bank or Other Monetary Authorities During the Period 12 March, 1938, to 30 June, 1945.

Form II-A-2 requests annual data, from the period from 12 March, 1938, to 30 June, 1945, on all acquisitions of monetary gold by the claimant Government, or by its central bank or other monetary authority, other than those included under Form II-A-1. It is requested that the data be compiled according to the countries from which the gold was acquired.

It is essential that any acquisitions of gold from a third country made on account of losses of monetary gold through looting by or wrongful removal to Germany should be shown on a separate line of the table; and that, for each such acquisition, the full detailed information requested under Form II-A-1 be provided. Although it is expected that virtually all such acquisitions will have been made during the period from 12 March, 1938, to 30 June, 1945, any made subsequent to 30 June, 1945, should

étaient placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne; toutes les circonstances de la récupération ou de l'acquisition doivent être indiquées.

Bien qu'il faille penser que ces récupérations ou acquisitions ont eu lieu pendant la période comprise entre le 12 Mars 1938 et le 30 Juin 1945, les récupérations ou acquisitions postérieures au 30 Juin 1945 devront cependant être également mentionnées et seront prises en considération par la Commission.

Il y a lieu de remplir un exemplaire séparé de la formule pour chaque récupération ou acquisition particulière.

Formule II-B-1.—Résumé chronologique des récupérations ou acquisitions effectuées directement ou par l'intermédiaire d'un tiers pays d'or monétaire placé sous contrôle, soit allemand, soit d'une allié de l'Allemagne.

Les renseignements détaillés sur les récupérations d'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne, indiqués sur la formule II-A-1, doivent être résumés et récapitulés, par année, sur la formule II-B-1. Il est très important que les renseignements résumés soient exprimés en kilogrammes d'or fin (1000/1000)

Formule II-A-2.—Renseignements relatifs aux acquisitions d'or monétaire, autres que celles qui figurent sur la formule II-A-1, effectuées par le Gouvernement demandeur, sa Banque centrale ou une autre autorité monétaire, durant la période comprise entre le 12 Mars 1938 et le 30 Juin 1945.

La formule II-A-2 est destinée à recevoir l'inscription des renseignements annuels, pour la période comprise entre le 12 Mars 1938 et le 30 Juin 1945, sur toutes les acquisitions d'or monétaire effectuées par le Gouvernement demandeur, sa Banque centrale ou une autre autorité monétaire, autres que celles qui figurent sur la formule II-A-1. Les renseignements devront être groupés par pays où l'or a été acquis.

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nevertheless be reported to, and will be taken into account by, the Commission. A separate sheet, showing the detailed information requested under Form II-A-1, should be provided for each such acquisition.

It is most important that the summary data should be in terms of kilograms of fine gold (1000/1000).

Il est essentiel de faire ressortir sur une ligne spéciale de la formule toute acquisition d'or monétaire effectuée auprès d'un tiers pays, au titre des pertes subies du fait de spoliations par l'Allemagne ou de transferts illégitimes dans ce pays, d'or monétaire, en les accompagnant, dans chaque cas, des mêmes précisions que celles qui sont prévues dans la formule II-A-1.

Bien qu'il faille penser que ces acquisitions ont eu lieu pendant la période comprise entre le 12 Mars 1938 et le 30 Juin 1945, toute acquisition postérieure au 30 Juin 1945 devra cependant être mentionnée et sera prise en considération par la Commission.

Il y a lieu de remplir un exemplaire séparé de la formule pour chaque acquisition, donnant les mêmes précisions que celles qui sont prévues sur la formule II-A-1.

Il est très important que les renseignements résumés soient exprimés en kilogrammes d'or fin (1000/1000).

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Summary Statement

Form III. Summary Statement of Changes in Gold Position of Claimant Country's Central Bank and Other Monetary Authorities between 12 March, 1938, and 30 June, 1945.

A summary statement of the gross and net changes in the consolidated gold position of the claimant country's Central Bank and other monetary authorities should be provided on Form III. Such a summary statement will greatly facilitate the work of the Commission. It is most important that the data be submitted in terms of kilograms of fine gold (1000/1000).

Etat résumé

Formule III.—Etat résumé des modifications intervenues dans les avoirs en or de la Banque centrale du pays demandeur ou d'une autre autorité monétaire entre le 12 Mars 1938 et le 30 Juin 1940.

La formule III est destinée à recevoir un état sommaire des modifications intervenues dans l'ensemble des avoirs en or de la Banque centrale du pays demandeur et des autres autorités monétaires. Cet état résumé facilitera grandement la tâche de la Commission. Il est très important que ces renseignements soient exprimés en kilogrammes d'or fin (1000/1000).

Questionnaire on Gold

**Form I-A-1. Information concerning each Individual loss
of monetary Gold through looting by or Wrongful
removal to Germany, on account of which a demand for
Restitution is being made by the claimant Government.**

A. Owner and Holder of Gold Lost.

1. Owner:

Name:

2. Holder: (if different from owner)

Name: _____

Circumstances under which gold was held:

B. Quantity and Form of Gold Lost.

1. Quantity and form of gold lost:

- a) **For coins:** For each denomination of coin lost, list number of coins, fineness, total face value, and total gross and fine weight.
 - b) **For ingots:** Give total number of ingots, gross weight, fineness, and fine weight for each ingot, and total gross and fine weight of all ingots listed. Any identifying serial numbers or other marks on each ingot at time of loss should be noted.
 - c) **For other forms of gold:** Describe each form of gold lost, and list for each, total gross weight, fineness, and fine weight. List also any identifying marks.

Questionnaire sur l'or

Formule I-A-1. — Renseignements relatifs à chaque perte particulière d'or monétaire, subbie du fait de spoliation par l'Allemagne ou de transfert illégitime dans ce pays, au titre de laquelle une demande de restitution est présentée par le Gouvernement demandeur.

A.- Propriétaire et détenteur de l'~~cor~~ perdu.

1.- Propriétaire

Nom:

2.- Détenteur (si ce n'est pas le même que le propriétaire)

•Nom:

Circonstances dans lesquelles l'or était détenu:

B.- Quantité et forme de l'or perçue

1.- Quantité et forme de l'or produite.

- a) Pour les pièces: Pour chaque sorte de pièces perdues, indiquer le nombre des pièces, leur titre, leur valeur nominale totale, leur poids brut total et leur poids de fin total.

b) Pour les lingots: Indiquer le nombre total de lingots, le poids brut, le titre et le poids de fin de chaque lingot, le poids brut total et le poids de fin total de l'ensemble des lingots en question. Il convient de mentionner tous les numéros d'identification de série ou autres marques figurant sur chaque lingot au moment de la perte.

c) Pour les autres formes d'or: Décrire chaque forme d'or perdu et indiquer, pour chacune d'entre elles, le poids brut total, le titre et le poids de fin. Mentionner également toutes les marques éventuelles d'identification.

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2. Total Weight of Fine Gold Lost (1000/1000, in kg.):

Total

Coins

Ingots

Other gold

C. Circumstances under which the Looting or Wrongful Removal Took Place:

Describe circumstances as fully as possible, including date, time, and place of looting or wrongful removal, and names of persons concerned in the looting or wrongful removal. State by whom the seizure or transfer was ordered and carried out, and the alleged authority therefor.

D. Notification of Looting or Wrongful Removal:

If a German or national authority was notified, what form did the notification take, and when and to whom was it given? (Attach certified copies of such notice and any acknowledgment.)

E. Information as to Destination or Disposal:

Supply any available information as to the destination or disposal of the gold seized. Give any known details of any transfers to which the gold may have been subjected in other countries.

F. Compensation by the Germans in Connection with the Looting or Wrongful Removal:

If Germans made or purported to make any compensation for gold removal, furnish full details of transaction.

2.- Poids total de fin de l'or perdu (en Kgs 1000/1000).

Total:

Pièces:

Lingots:

Or d'autre nature:

C.- Circonstances dans lesquelles a eu lieu la spoliation ou le transfert illégitime:

Décrire les circonstances aussi complètement que possible, y compris la date, le moment et le lieu de la spoliation ou du transfert illégitime, ainsi que les noms des personnes impliquées dans la spoliation ou dans le transfert illégitime. Indiquer par qui la saisie ou le transfert a été ordonné et exécuté, et le pouvoir allégué à cet effet.

D.- Notification de la spoliation ou du transfert illégitime.

Si une autorité allemande ou nationale a été avisée, quelle forme a pris la notification, quand, et à qui a-t-elle été faite? (Joindre des copies certifiées de cette notification et de tout accusé de réception éventuel.)

E.- Renseignements relatifs à la destination donnée à l'or ou à la façon dont il en a été disposé.

Donner tous les renseignements que vous possédez au sujet de la destination donnée à l'or ou à la façon dont il en a été disposé. Mentionner tous les détails connus de tous les transferts dont l'or a pu être l'objet dans d'autres pays.

F.- Compensation donnée par les Allemands en liaison avec la spoliation ou avec le transfert illégitime:

Si les Allemands ont donné, ou estimé donner, une compensation pour l'enlèvement de l'or, donner les détails complets.

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G. Evidence of Ownership and Holding and of Looting or Wrongful Acquisition:

List documentary evidence and source thereof, and attach certified copies. In default of documentary evidence, attach copies of any trustworthy statements considered acceptable as evidence, and state fully the interest in the transaction described of the person making the statement.

H. Other Information bearing on the Loss or Subsequent Disposal of the Gold:

Any other information bearing on the loss or subsequent disposal of the gold should be submitted.

G.- Preuve de la propriété et de la détention, de la spoliation ou de l'acquisition illégitime:

Indiquer les preuves documentaires et leur source et joindre des copies certifiées. A défaut de preuves documentaires, joindre des copies certifiées de toutes déclarations dignes de foi considérées comme étant des preuves acceptables et faire connaître de façon complète à quel titre la personne qui fait la déclaration est intéressée à l'opération.

H.- Autres renseignements relatifs à la perte de l'or, ou à la façon dont il a été disposé ultérieurement de l'or:

Tous autres renseignements éventuels relatifs à la perte de l'or ou à la façon dont il a été disposé ultérieurement de l'or devront être donnés.

Questionnaire on Gold

Form I-B-1. Chronological summary of losses of monetary gold through looting or wrongful removal to Germany, on account of which a claim for restitution is being made by the claimant government

Unit: Kg. of fine gold (1000/1000)

		Time Period					
		12 Mar. 1938 to 31 Dec. 1938	1939	1944	1st Half 1945	Total	
A. Held within Country or Colonies	Coin . . .						
	Ingot . . .						
	Other gold . . .						
	Sub-Total . . .						
B. Held Abroad	Coin . . .						
	Ingot . . .						
	Other gold . . .						
	Sub-Total . . .						
C. Total	Coin . . .						
	Ingot . . .						
	Other gold . . .						
	Total . . .						

Questionnaire sur l'or

Formule I-B-1. — Résumé chronologique des pertes d'or monétaire subies du fait de spoliation par l'Allemagne ou de transferts illégitimes en Allemagne, au titre desquelles une demande de restitution est présentée par le Gouvernement demandeur.

(Unité: Kg d'or fin 1000/1000)

		Du 12 Mars au 31 Déc. 1938	1939	1944	Premier Semestre 1945	Total
A. Stocké à l'intérieur du pays ou dans ses colonies:						
Pièces						
Lingots						
Ord'autre nature						
Total partiel						
B. A l'étranger:						
Pièces						
Lingots						
Ord'autre nature						
Total partiel						
C. Total:						
Pièces						
Lingots						
Ord'autre nature						
TOTAL						

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Questionnaire on Gold

Form I-A-2. Information concerning each individual loss of monetary gold, held for the account of a foreign Government, foreign Central Bank or other foreign monetary authority, through looting by or wrongful removal to Germany*.

A. Owner and Holder of Gold Lost.

1. Owner:

Name:

2. Holder:

Name:

Circumstances under which gold was held:

B. Quantity and Form of Gold Lost.

1. Quantity and form of gold lost:

a) For coins: For each denomination of coin lost, list number of coins, fineness, total face value, and total gross and fine weight.

b) For ingots: Give total number of ingots, gross weight, fineness, and fine weight for each ingot, and total gross and fine weight of all ingots listed. Any identifying serial numbers or other marks on each ingot at time of loss should be noted.

* As stated in the accompanying letter, the Commission can entertain no claim by a Government on account of losses of gold owned by a foreign Government, Central Bank, or other monetary authority. The data called for on this form are requested only for the purpose of securing for the Commission as complete information as possible on all acts of looting or wrongful removal.

Questionnaire sur l'or

Formule I-A-2. — Renseignements relatifs à chaque perte particulière subie du fait de spoliation par l'Allemagne ou de transfert illégitime dans ce pays, d'or monétaire détenu pour le compte d'un Gouvernement étranger, d'une Banque centrale étrangère ou d'une autre autorité monétaire étrangère (1).

A.— Propriétaire et détenteur de l'or perdu:

1.— Propriétaire:

Nom:

2.— Détenteur:

Nom:

Circonstances dans lesquelles l'or était détenu:

B.— Quantité et forme de l'or perdu:

1.— Quantité et forme de l'or perdu:

a) Pour les pièces: Pour chaque sorte de pièces perdues, indiquer le nombre de pièces, leur titre, leur valeur nominale totale, leur poids brut total et leur poids de fin total.

b) Pour les lingots: Indiquer le nombre total de lingots, le poids brut, le titre et le poids de fin de chaque lingot, le poids brut total et le poids de fin total de l'ensemble des lingots en question. Il convient de mentionner tous les numéros d'identification de série ou autres marques figurant sur chaque lingot au moment de la perte.

(1) — Comme il est dit dans la lettre jointe, la Commission ne peut recevoir de revendication de la part d'un Gouvernement au sujet de pertes d'or qui était la propriété d'un Gouvernement étranger, d'une banque centrale étrangère ou d'une autre autorité monétaire étrangère. Les renseignements à porter sur la présente formule ne sont demandés que pour permettre à la Commission de réunir des informations aussi complètes que possible au sujet de tous les actes de spoliation ou de transfert illégitime.

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c) For other forms of gold: Describe each form of gold lost, and list for each, total gross weight, fineness, and fine weight. List also any identifying marks.

2. Total weight of fine gold lost (1000/1000, in kg.):

Total

Coins

Ingots

Other gold

C. Circumstances under which the Looting or Wrongful Removal Took Place:

Describe circumstances as fully as possible, including date, time, and place of looting or wrongful removal, and names of persons concerned in the looting or wrongful removal. State by whom the seizure or transfer was ordered and carried out, and the alleged authority therefor.

D. Notification of Looting or Wrongful Removal:

If a German or national authority was notified, what form did the notification take, and when and to whom was it given? (Attach certified copies of such notice and any acknowledgment.)

E. Information as to Destination or Disposal:

Supply any available information as to the destination or disposal of the gold seized. Give any known details of any transfers to which the gold may have been subjected in other countries.

c) Pour les autres formes d'or: Décrire chaque forme d'or perdu et indiquer, pour chacune d'entre elles, le poids brut total, le titre et le poids de fin. Mentionner également toutes les marques éventuelles d'identification.

2.—Poids de fin total de l'or perdu (en kilogrammes 1000/1000):

Total:

Pièces:

Lingots:

Or d'autre nature:

C. Circonstances dans lesquelles a eu lieu la spoliation ou le transfert illégitime:

Décrire les circonstances aussi complètement que possible, y compris la date, le moment et le lieu de la spoliation ou du transfert illégitime, ainsi que les noms des personnes impliquées dans la spoliation ou dans le transfert illégitime. Indiquer par qui la saisie ou le transfert a été ordonné et exécuté et le pouvoir allégué à cet effet.

D.—Notification de la spoliation ou du transfert illégitime:

Si une autorité allemande ou nationale a été avisée, quelle forme a pris la notification, quand et à qui a-t-elle été faite? (Join dre des copies certifiées de cette notification et de tout accusé de réception éventuel.)

E.—Renseignements relatifs à la destination donnée à l'or ou à la façon dont il en a été disposé:

Donner tous les renseignements que vous possédez au sujet de la destination donnée à l'or ou à la façon dont il en a été disposé. Mentionner tous les détails connus de tous les transferts dont l'or a pu être l'objet dans d'autres pays.

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F. Compensation by the Germans in Connection with the Looting or Wrongful Removal:

If Germans made or purported to make any compensation for gold removal, furnish full details of transaction.

G. Evidence of Ownership and Holding and of Looting or Wrongful Acquisition:

List documentary evidence and source thereof, and attach certified copies. In default of documentary evidence, attach copies of any trustworthy statements considered acceptable as evidence, and state fully the interest in the transaction described of the person making the statement.

H. Other Information Bearing on the Loss of Subsequent Disposal of the Gold:

Any other information bearing on the loss or subsequent disposal of the gold should be submitted.

F. Compensation donnée par les Allemands en liaison avec la spoliation ou avec le transfert illégitime:

Si les Allemands ont donnée, ou estimé donner, une compensation pour l'enlèvement de l'or, donner les détails complets.

G. Preuve de la propriété et de la détention, de la spoliation ou de l'acquisition illégitime:

Indiquer les preuves documentaires et leur source et joindre des copies certifiées. A défaut de preuves documentaires, joindre des copies certifiées de toutes déclarations dignes de foi considérées comme étant des preuves acceptables et faire connaître de façon complète à quel titre la personne qui fait la déclaration, est intéressée à l'opération.

H. Autres renseignements relatifs à la perte de l'or ou à la façon dont il en a été disposé ultérieurement:

Tous autres renseignements éventuels relatifs à la perte de l'or ou à la façon dont il a été disposé ultérieurement de l'or devront être donnés.

Questionnaire on Gold

Form I-B-2. Chronological summary of losses of monetary gold held for the account of a foreign Government, foreign Central Bank or other foreign monetary authority, through looting by or wrongful removal to Germany

Unit: Kg. or fine gold (1000/1000)

		Time Period				
		12 Mar. 1938 to 31 Dec. 1938	1939	1944	1st Half 1945	Total
A. Held within Country or Colonies	Coin . . .					
	Ingot . . .					
	Other gold . . .					
	Sub-Total					
B. Held Abroad	Coin . . .					
	Ingot . . .					
	Other gold . . .					
	Sub-Total					
C. Total	Coin . . .					
	Ingot . . .					
	Other gold . . .					
	Total					

Questionnaire sur l'or

Formule I-B-2. — Résumé chronologique des pertes subies du fait de spoliations par l'Allemagne ou de transferts illégitimes dans ce pays, d'or monétaire détenu pour le compte d'un Gouvernement étranger, d'une Banque centrale étrangère ou d'une autre autorité monétaire étrangère.

(Unité: Kg d'or fin 1000/1000).

		Du 12 mars au 31 Déc. 1938	1939	1944	Premier Semestre 1945	Total
A-Stocké à l'intérieur du pays ou dans ses colonies:						
Pièces						
Lingots						
Or d'autre nature						
Total partiel						
B-A l'étranger:						
Pièces						
Lingots						
Or d'autre nature						
Total partiel						
C. Total:						
Pièces						
Lingots						
Or d'autre nature						
TOTAL						

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Questionnaire on Gold

Form I-A-3. Information concerning other transfers of monetary gold from the claimant country's Government, Central Bank, or other monetary authority, during the period 12 March 1938 to 30 June 1945

(Unit: Kg. of fine gold (1000/1000)

Time Period

Country to which Transferred	12 Mar. 1938 to 31 Dec. 1938	1939			1944	1st Half 1945	Total
		1940	1941	1942			
Country A . . .							
Country B . . .							
Country Z . . .							
Total . . .							

Questionnaire sur l'or

Formule I-A-3. — Renseignements relatifs aux autres transferts d'or monétaire effectués par le Gouvernement demandeur lui-même, par sa Banque centrale ou par une autre autorité monétaire, au cours de la période comprise entre le 12 Mars 1938 et le 30 Juin 1945.

(Unité: Kg d'or fin 1000/1000).

Période sous revue

Pays où l'or a été transféré	Du 12 Mars au 31 Déc. 1938	1939			1944	Premier semestre 1945	Total
		1940	1941	1942			
Pays A . . .							
Pays B . . .							
Pays Z . . .							
Total . . .							

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Questionnaire on Gold

Form II-A-1. Information concerning individual recoveries or acquisitions of monetary gold from German or German allied control, whether made directly or through the medium of a third country.

A. Quantity and Form of Gold Recovered or Acquired.

1. Quantity and Form of Gold Recovered or Acquired:

- a) For coins: For each denomination of coin recovered or acquired, list number of coins, fineness, total face value, and total gross and fine weight.
- b) For ingots: Give total number of ingots, gross weight, fineness and fine weight for each ingot, and total gross and fine weight of all ingots listed. Any identifying serial numbers or other marks on each ingot at time of acquisition or recovery should be noted.
- c) For other forms of gold: Describe each form of gold acquired or recovered, and list for each total gross weight, fineness, and fine weight. List also any identifying marks.

2. Total Weight of Fine Gold (1000/1000) Recovered or Acquired (in kg.):

Total

Coins

Ingots

Other gold

Questionnaire sur l'or

Formule II-A-1. — Renseignements relatifs à chaque récupération ou acquisition particulière effectuée, soit directement, soit par l'intermédiaire d'un tiers pays, d'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne.

A.- Quantité et forme de l'or récupéré ou acquis.

1. Quantité et forme de l'or récupéré ou acquis:

- a) Pièces: Pour chaque nature de pièces récupérées ou acquises, indiquer le nombre de pièces, leur titre, leur valeur nominale totale, leur poids total brut et leur poids de fin.
- b) Lingots: Donner le nombre total de lingots, leur poids brut, le titre et le poids de fin de chaque lingot, ainsi que le poids total brut et le poids de fin de l'ensemble des lingots indiqués. Tous les numéros d'identification de série ou autres marques portées sur les lingots, au moment de leur récupération ou acquisition, doivent être indiqués.
- c) Autres formes d'or: Décrire chaque forme d'or récupéré ou acquis et indiquer pour chacune d'elles leur poids brut total, leur titre et leur poids d'or fin. Indiquer aussi toute marque d'identification.

2. Poids total d'or fin (en Kgs 1000/1000) récupéré ou acquis:

Total:

Pièces:

Lingots:

Autres formes d'or:

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B. Circumstances under which the Recovery or Acquisition Was Made:

A full description of the circumstances surrounding the recovery or acquisition should be provided, including:

- a) The details of the original loss, if the gold recovered can be identified with such a previous loss.
- b) Date of recovery or acquisition.
- c) Place of recovery or acquisition.
- d) Method of recovery or acquisition—military seizure, administrative or police action, negotiation, purchase, etc.
- e) Person or organization from which recovery or acquisition was made, together with any available information concerning possible previous owners or holders of the gold, which might be of use in tracing the history of German gold movements during the period under review.
- f) Other relevant information.

B.- Circonstances de la récupération ou de l'acquisition:

Donner une description complète des circonstances de la récupération, en spécifiant notamment:

- a) les détails de la perte à l'origine, si l'or retrouvé peut être identifié avec une perte antérieure;
- b) la date de la récupération;
- c) le lieu de la récupération;
- d) la méthode utilisée — reprise militaire, administrative ou policière, négociation, achat, etc. . . .;
- e) personne ou organisation auprès desquelles la récupération ou l'acquisition ont été effectuées, ainsi que toutes informations valables relatives aux éventuels détenteurs ou propriétaires antérieurs de l'or, qui pourraient être utilisées pour reconstituer le relevé des mouvements d'or effectués par l'Allemagne pendant la période sous revue;
- f) autres renseignements importants.

Questionnaire on Gold

Form II-B-1. Chronological Summary of Recoveries or Acquisitions of Monetary Gold from German or German allied control, whether made directly or through the medium of a third country.

Unit: Kg. of fine gold (1000/1000)

	12 March to 31 Dec. 1938	Time Period			First Half 1945	After 30 June 1945	Total
		1939	1944				
Coin							
Ingot							
Other gold							
Total							

Questionnaire sur l'or

Formule II-B-1. — Résumé chronologique des récupérations ou acquisitions, effectuées directement ou par l'intermédiaire d'un tiers pays, d'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne.

(Unité: Kg d'or fin à 1000/1000)

Période sous revue

	Du 12 Mars au 31 Dec. 1938	1939		1944	Premier Semestre 1945	Après le 30 Juin 1945	Total
Pièces							
Lingots							
Or d'autre nature							
TOTAL							

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Questionnaire on Gold

Form II-A-2. Information concerning acquisitions of monetary gold, other than those included under Form II-A-1, by the claimant Government or by its Central Bank or other monetary authorities during the period 12 March, 1938, to 30 June, 1945*.

Unit: Kg. of fine gold 1000/1000)

Time period

Where Acquired	12 March to 31 Dec. 1938	1939		1944	First Half 1945	Total
From residents of own country						
From Country A						
From Country B						
From Country Z						
TOTAL						

* Attention is drawn to the special instructions in the Descriptive Memorandum applying to acquisitions of monetary gold from a third country made on account of losses of monetary gold through looting by or wrongful removal to Germany.

Questionnaire sur l'or

Formule II-A-2. — Renseignement relatifs aux acquisitions d'or monétaire, autres que celles qui figurent sur la formule II-A-1, effectuées par le Gouvernement demandeur, sa Banque centrale ou une autre autorité monétaire durant la période comprise entre le 12 Mars 1938 et le 30 Juin 1945. (1).

(Unité: Kg d'or fin à 1000/1000)

Période sous revue

	Du 12 Mars au 31 Déc. 1938	1939		1944	Premier semestre 1945	Total
Provenance de l'or acquis:						
Résidants du Pays lui-même						
Pays A						
Pays B						
Pays Z						
TOTAL						

(1). — L'attention est appelée sur les indications particulières du Memorandum descriptif se rapportant aux acquisitions d'or monétaire effectuées chez un tiers pays, au titre des pertes d'or monétaire subies du fait de spoliations par l'Allemagne ou de transferts illégitimes dans ce pays.

Questionnaire on gold

**Form III. Summary statement of changes in gold position
of claimant country's Central Bank and other monetary
authorities between 12 March, 1938, and 30 June, 1945.**

Unit: Kg. of fine gold (1000/1000)

	Held within Claimant Country or its Colonies	Held Abroad	Total
A. Holdings of Monetary Gold as of 12 March, 1938			
B. Gross Inflows of Monetary Gold between 12 March, 1938, and 30 June, 1945:			
1. Recoveries from German or German Allied Control			
2. Other Acquisitions			
3. Total			
C. Gross Outflows of Monetary Gold between 12 March, 1938, and 30 June, 1945:			
1. Gold looted by or wrongfully removed to Germany			
2. Other outflows			
3. Total			
D. Net Change in Gold Position			
E. Holdings of Monetary Gold as of 30 June, 1945			

Questionnaire sur l'or

Formule III. — Etat résumé des modifications intervenues dans les avoirs en or de la Banque centrale du pays demandeur ou d'une autre autorité monétaire entre le 12 Mars 1938 et le 30 Juin 1945.

(Unité: Kg d'or fin 1000/1000)

	Stocké dans le pays demandeur ou dans ses colonies	A l'étranger	Total
A. Stock d'or monétaire à la date du 12 Mars 1938.			
B. — Entrées brutes d'or monétaire entre le 12 Mars 1938 et le 30 Juin 1945			
1. — Récupérations effectuées sur de l'or monétaire placé sous contrôle, soit allemand, soit d'un allié de l'Allemagne.			
2 — Autres acquisitions			
3 — Total			
C. — Sorties brutes d'or monétaire entre le 12 Mars 1938 et le 30 Juin 1945.			
1 — Or spolié par l'Allemagne ou illégitimement transféré dans ce pays.			
2 — Autres sorties			
3 — Total			
D. — Différence nette dans la situation de l'or			
E. Stock d'or monétaire à la date du 30 Juin 1945			

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Authority NND 968106 By TJ NARA Date 5/21/97		IN BRUSSELS ON LOOTED
MONETARY GOLD MATTERS		
<p>The following representatives of the Governments of the United States, United Kingdom and France have held meetings in Brussels from January 5 to January 10, 1950, on certain matters pertaining to looted monetary gold, for which provision was made in Part III of the Paris Agreement of 1st January, 1946, on Reparation and the Restitution of Monetary Gold:</p> <p>M. de la Grandière, Ministry of Finance (Chairman)</p> <p><u>French Delegation</u></p> <p>M. de la Grandière, Ministry of Finance M. de Peyster, Foreign Affairs M. Chayet, Jurist Foreign Affairs M. Festy, Assistant Financial Counsellor, French Embassy, London.</p> <p><u>Secretariat</u></p> <p>Mlle. Tricou, Secretary Interpreter, French Embassy, London.</p> <p><u>British Delegation</u></p> <p>Mr. D.W.G.L. Haviland, Foreign Office Mr. A. McDougall, Foreign Office Mr. R.C.R. Goodchild, Foreign Office Mr. D.N. Royce, Foreign Office Mr. J.E. Abbott, Treasury.</p> <p><u>American Delegation</u></p> <p>Mr. Otto F. Fletcher, State Dept. Mr. Fly Maurer, State Dept. Legal Mr. Fred B. Smith, Treasury Department, Legal.</p> <p>The Commissioners representing United Kingdom, United States and France on the Tripartite Commission for the Restitution of Monetary Gold, Col. Wingate (Chairman), Mr. Alex Daspit, M. Henri Spitzmueller, were present during part of the proceedings as advisers.</p> <p>The following is the Record of the Conclusions of the Conference:</p> <ol style="list-style-type: none"> I. The Definition of Monetary Gold and its Application to Law 53 Gold. II. Related Instructions to High Commissioners in Germany. III. Bor Mine Gold in British Zone. IV. Gold delivered to the French Government by the American Occupation Authorities in Germany. V. Dollfus-Mieg case. VI. Bank of Albania Gold Formerly in Italy. VII. Danzig Gold. <p>CONFIDENTIAL</p>		

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(Continued)

- VIII. Istcambi Gold.
- IX. Gold Coins found in German Embassies and Legations in Neutral Countries.
- X. Looted Gold in Turkey.
- XI. Additional Claims to Looted Gold in Sweden.
- XII. Completion of Work of Tripartite Gold Commission.
- XIII. Waiver Documents.
- XIV. Press Communiqué.

Appendix

Waiver Documents:

- A. Letter to Claimant Countries.
- B. Announcement to Claimant Countries.
- C. Waiver to be signed by Claimant Countries.

There was an exchange of information and views as to Portuguese gold. The Czech, Polish and Greek claims were mentioned but it was agreed not to discuss these matters since these claims did not raise any other problems than those within the exclusive competence of the Commission to decide.

These documents were drawn up in Brussels on January 10, 1950, in the French and English languages, the two texts being equally authentic.

United Kingdom Delegate United States Delegate French Delegate

J.E. Abbott

Otto E. Fletcher

de la Grandiere

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CONFIDENTIALTHE DEFINITION OF MONETARY GOLD AND ITS APPLICATION TO LAW NO. 53 GOLD

I

The Meeting agreed to recommend to their Governments that for the purpose of the recovery of gold from Germany under paragraph A of Part III of the Paris Agreement on Reparations from Germany and the Restitution of Monetary Gold of January, 1946, monetary gold should be held to include gold which under German Law and regulations was monetary gold. In accordance with this agreement gold which is in the form of fine gold bars, gold alloy bars, or gold coins (except those of numismatic or historical value), including gold in those forms which was surrendered or should have been surrendered under Military Government Law No. 53 in the U.S., British and French Zones of Occupation in Germany, should be made available to the Gold Pool.

As to the definition of monetary gold for redistribution purposes the Meeting considered it to be consistent with the past practice of the Commission to take into account the law of the claimant country in making its decisions whether gold claimed as looted was monetary gold.

It was deemed that this latter practice of the Commission should help the Allied High Commission, if necessary, to justify the transfer of monetary gold collected under Law 53 into the Gold Pool if and when the propriety of such transfer should be questioned in Germany at any later time.

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REUNION INSTRUCTIONS TO HIGH COMMISSIONERS IN GERMANY

II

The Meeting agreed to recommend to their Governments that for reasons of administrative convenience their authorities in Germany be instructed to exclude from the Gold Pool gold other than that referred to in the second sentence of paragraph 1 of the Record of Conclusions No. I of the Conference, even though treated under German Law as monetary gold, unless a substantial quantity of such gold should prove to be in question.

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BOR MINE GOLD IN BRITISH ZONE

III

The United Kingdom Delegation agreed to recommend to their Government that they should instruct the United Kingdom High Commissioner in Germany to treat in accordance with the Record of Conclusions No. I on the definition of monetary gold any gold from the Bor Mines identified in the British Zone. This would mean that no further direct restitution to Yugoslavia would be made and the gold would be turned over to the Gold Pool.

The Meeting agreed to recommend to their Governments that the amount of gold already restituted to Yugoslavia should be set off against the share of Yugoslavia in the Gold Pool.

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By TJ NARA Date 5/21/93GOLD DELIVERED TO THE FRENCH GOVERNMENT BY THE
AMERICAN OCCUPATION AUTHORITIES IN GERMANY

IV

The Meeting agreed that the gold delivered to the French Government by the American Occupation Authorities in Germany should be considered as monetary gold in the terms of the definition of monetary gold as clarified in the Record of Conclusions No. I. Accordingly, the French Delegation agreed to recommend to its Government to put the gold in question at the disposition of the Tripartite Commission for the Restitution of Monetary Gold at Brussels.

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DOLLFUS MIEG CASE

V

The United States and French Delegations expressed their views on the request made to their Governments by His Majesty's Government that the three Governments should give to the Bank of England an indemnity against a possible successful action against the Bank for damages for conversion of the bars of gold claimed by Dollfus Mieg as their property.

The United States and French Delegations were unable to understand the possibility of a successful action for damages and their Delegations could not, as at present advised, agree to such an indemnity.

The United Kingdom Delegation took note of the views of the Delegations of the United States and France and undertook to bring them to the notice of His Majesty's Government.

The United States and United Kingdom Delegations took note of the statement by the French Delegation that although its Government is not desirous of receiving the bars in question, nevertheless the French Government has no intention of refusing to accept them in the event that when distribution is made those bars should be included in the gold delivered.

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CONFIDENTIALBANK OF ALBANIA GOLD FORMERLY IN ITALY

VI.

The Meeting took note that the Gold Commission had under consideration certain information which might be relevant to the claim of the Albanian Government to a share in the Gold Pool on account of the loss of monetary gold through looting suffered by the National Bank of Albania.

The United Kingdom Delegation stated that His Majesty's Government proposed to undertake discussions immediately with the Albanian Government in connection with the implementation by it of a recent judgment of the Hague Court in favour of His Majesty's Government. Pending the Gold Commission's announcement of the result of its consideration of the Albanian case, His Majesty's Government would not, in these discussions, make any explicit reference to any question of gold being received by Albania from the Gold Pool. Should the Albanian Government itself raise this question His Majesty's Government would state that they could not discuss any question of an Albanian share in the Gold Pool until the Gold Commission had announced the result of their current consideration of the Albanian case.

Without wishing to examine the considerations put forward by the British Delegation and without prejudging the merits of the Albanian or Italian claims, which are within the competence of the Tripartite Commission, the French and United States Delegations agreed with the British Delegation to recommend to their Governments that instructions

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VI (Continued)

be sent to their representatives on the Gold Commission to expedite their consideration of the Albanian case and, in the event of the allotment of gold to the Albanian Government being made by the Gold Commission that notification of the Commission's decision could be made to the Albanian Government but that the share of gold should not be delivered for a limited period of time.

The United Kingdom Delegation took note of the wish of the French and United States Delegations that the United Kingdom Government should consider any claims that the Italian Government or its nationals may have put forward occasioned by the rescission of the Bank of Albania concession and that they should take account of these claims in the matter of a settlement of the Hague Court judgment with the Albanian Government. While being unaware of any basis upon which an Italian claim might be erected, the United Kingdom Delegation undertook to recommend to their Government that the above points be considered.

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Authority NND 968106
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VII

The Meeting agreed to recommend to their Governments that the present position whereby the Gold Commission had set aside an amount of gold equivalent to the share in the Gold Pool which would accrue to the ultimate successor to the Free City of Danzig should be maintained until the status of Danzig had been finally decided.

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VIII

The Meeting took note of the advice of the United States Delegation to the effect that the Office of Alien Property of the United States Government is making an investigation to determine whether certain dollars found in the German Embassy in Washington were in fact Italian Property.

The Meeting agreed to recommend to their Governments that the Tripartite Gold Commission be requested to continue to defer consideration of the Italian Istcambi claim, pending receipt of advice by the United States on the conclusion of the investigation.

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By TJ NARA Date 5/21/97CONFIDENTIALGOLD COINS FOUND IN GERMAN EMBASSIES AND LEGATIONS INNEUTRAL COUNTRIES

IX

The French and United States Delegations expressed the view that these coins should be regarded as monetary gold falling within either paragraph A or G of Part III of the Paris Reparations Agreement in accordance with the wording and spirit of the Paris Agreement, and should accordingly go to the Gold Pool.

The British Delegation maintained the view that these coins were part of German State Property in neutral countries and should be disposed of as such. This would mean that (in accordance with the principle already put into practice with regard to bank notes of Allied issue found in the German Embassy in Lisbon) the coins issued by I.A.R.A. countries should be repatriated to them. The balance of non-I.A.R.A. issue should be sold and the proceeds accrue to the appropriate German external asset fund. In deference, however, to the opinions of the French and U.S. Delegations, and with particular reference to the spirit of Part III of the Paris Agreement, the British Delegation agreed to recommend further consideration of the matter by their Government.

*Spirit and intent
Parity of treatment*

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LOOTED GOLD IN TURKEY

X

The Meeting agreed to recommend to their Governments that, after the passage of pending legislation empowering the Turkish executive branch to negotiate a settlement, *inter alia*, for looted gold, a Note should be addressed by the United States, French and United Kingdom Governments through their Embassies in Ankara to the Turkish Government. Such Note would inform the Turkish Government of the readiness of representatives of the three Governments to discuss the question of the restitution of looted monetary gold in Turkey and would formally reiterate the request previously made that gold looted by Germany and held by Turkey be turned over to the three Governments.

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Authority NND 968106
By TJ NARA Date 5/21/77CONFIDENTIALADDITIONAL CLAIM TO LOOTED GOLD IN SWEDEN

XI

The Meeting agreed to recommend to their Governments that a Note should be addressed by the United States, French and United Kingdom Governments to the Swedish Government, asking for a reply to the Note presented to the Swedish Charge d'Affaires in Washington in 1947, which requested the Swedish Government to restitute an additional nine tons of looted monetary gold, the existence of which in Sweden came to the notice of the three Governments after the signing of the Swedish Safe-haven Accord. The United States and French Delegations considered that the request might possibly include the gold found in the German Legation. The timing of and content of the Note should be discussed through the diplomatic channel. The United States Government, which had so far acted as spokesman for the three negotiating powers in negotiations with Swedes, would prepare a draft Note and circulate it for discussion through the French and British Embassies in Washington.

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By TJ NARA Date 5/21/79

CONFIDENTIALCOMPLETION OF WORK OF THE TRIPARTITE GOLD COMMISSION

XII

The Meeting agreed to recommend to their Governments that the "final distribution", for purposes of receipt and waiver, should take place as soon as the remaining claims outstanding have been decided, and the Commission has completed formal hearings on those claims which it proposes to disallow.

It was the consensus of the Meeting

a) that although it is impossible to forecast the timing of the remaining actions with certainty because of a number of factors beyond the Commission's control, it was to be hoped that the Commission would find it possible to effect the "final distribution" by about May first.

b) That a brief statement of the reasons for the Commission's action upon each claim should be available at the time of the "final distribution". As a minimum, it was felt that at such time each country should be given a brief reasoned opinion for the action of the Commission in disallowing any of its claims.

c) That it would be desirable for the Commission to prepare a report giving a complete account of the activities of the Commission including the documented decisions of all cases considered by the Commission and that this report should be submitted to the three Governments at a later date.

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XII (Continued)

d) That following the "final distribution", and the completion of the Report to the three Governments, the remaining tasks involved in the implementation of Part III of the Paris Agreement would consist mainly of the incorporation into the gold pool of possible additional accruals, and the pro rata distribution of such additions and the reserve to recipients on the basis of percentage shares already established. These remaining tasks could conveniently be carried out by the Governments themselves. There would, therefore, appear to be no necessity to maintain the Commission in existence after the "final distribution" and submission of the report to the three Governments.

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By TJ NARA Date 5/21/95CONFIDENTIALWAIVER DOCUMENTS

XIII

The Meeting agreed to recommend to their Governments that the following documents included in Appendix hereto be approved by them for use by the Tripartite Gold Commission:

- (a) Letter to Claimant Countries.
- (b) Announcement to Claimant Countries.
- (c) Waiver to be signed by Claimant Countries.

The Meeting further recommends that there should be further examination of that portion of the waiver which concerns a waiver of claims against Germany in the light of paragraph B of Part III of the Paris Agreement and of the fact that waivers already given by recipients on interim distribution of gold contained the clause in the terms of the draft.

The Meeting understands that the documents above are for use in the case of claimant countries which are to receive a distribution. It is understood that the Tripartite Gold Commission will transmit such of these documents as may be appropriate, with suitable modifications, to other claimant countries.

It is understood that the announcement to claimant countries will be made public as soon as the claimant countries have received separate notification of the announcement.

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Authority NND 968106
By TJ NARA Date 5/21/75CONFIDENTIALPRESS COMMUNIQUETRIPARTITE CONFERENCE ON LOOTED MONETARY
GOLD MATTERS

XIV

In pursuance of Part III of the Paris Reparations Agreement of January, 1946, representatives of the Governments of France, the United Kingdom and the United States have been meeting in Brussels to consider means of expediting the programme concerned with monetary gold looted by the Nazis from the occupied countries during the war. Officials of the three Governments have been giving special attention to technical matters relating to the recovery of looted gold from third countries which acquired it from the Nazis.

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Appendix A 1

Letter to be addressed by the Tripartite Commission for the Restitution of Monetary Gold to each claimant country individually - enclosing the announcement.

Sir,

1. The Tripartite Commission for the Restitution of Monetary Gold has the honour to enclose herewith, pursuant to its terms of reference, its announcement of the total amount of the Pool of Monetary Gold available as at for distribution by way of restitution, and of the share of the Pool of Monetary Gold available for restitution to each country entitled to participate in the Pool.
2. The total of the claims submitted by your Government amounted in kilograms of fine gold, to kgs
3. The Commission's adjudications upon these claims have resulted in the admission in favour of your Government as stated in the enclosed announcement of a total amount in kilograms of fine gold of kgs
4. The share of your Government in the Pool of Monetary Gold as at amounts, in accordance with the enclosed announcement, to kgs or Troy ounces of fine gold.
5. You have received to date deliveries on account of the share mentioned at paragraph 4 above amounting to kgs or Troy ounces of fine gold

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Appendix A 2

6. Consequently, the balance of your Government's share remaining to be delivered as at is kgs

of fine gold

or
Troy ounces of fine gold

7. The Commission has been entrusted by the Governments of the United States, the United Kingdom and France, pursuant to Paragraph 5(e) of its terms of reference, with the task of distributing by the issuance of delivery orders, subject to the accomplishment of the formality mentioned in Paragraph 8 below, for the balance of the shares of the countries entitled to participate in the Pool of Monetary Gold.

8. The Commission will, therefore, be pleased to hand to the duly accredited Representative of your Government in Brussels, as soon as can conveniently be arranged, an order for the delivery of the balance of gold mentioned at paragraph 6 above, against signature of a combined waiver and quittance in the form enclosed herewith.

9. The Commission would appreciate receiving communication of a copy of the powers which will be delivered to your Government's representative in Brussels to execute on its behalf the combined waiver and quittance and to accept the above-mentioned delivery order.

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Appendix B

ANNOUNCEMENT BY THE TRIPARTITE COMMISSION FOR THE RESTITUTION OF MONETARY GOLD TO CLAIMANT COUNTRIES

1. The Tripartite Commission for the Restitution of Monetary Gold has the honour to announce, pursuant to paragraph 5(c) of its terms of reference, that the total amount of the pool of monetary gold which has been made available, in terms of fine gold, as at for distribution by way of restitution, amounts, after deduction of authorized expenses including safe custody, assay, melting and refining charges, and the setting aside of a reserve of kilograms of fine gold, to fine Troy ounces, or kilograms of fine gold.

The amount of the unused balance of the reserve, with the addition of any accruals to the pool subsequent to, such as may be determined by the Governments of the United States, the United Kingdom and France to be available for distribution by way of restitution, will be announced as soon as circumstances permit.

2. The Tripartite Commission for the Restitution of Monetary Gold further has the honour to announce, pursuant to paragraph 5(d) of its terms of reference, that it has determined the share of monetary gold available for restitution to each country entitled to participate in the pool as follows:

Claimant Country	Total, in kgs of fine gold, of the claims admitted	Percentage of the pool of monetary gold to which the claimant country is entitled	Share of the pool of monetary gold available as announced at paragraph 1 above
TOTAL		100%	

Commissioner

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ON BEHALF of the Government of

His Excellency

.....
 the duly accredited Representative of that Government, having full and sufficient powers for the purpose,

HEREBY DECL. RES that,

IN CONSIDERATION OF receiving from the Tripartite Commission for the Restitution of Monetary Gold an Order upon

..... fine Troy
ounces,
..... fine
kilograms

of monetary gold, representing the balance, as at of the share of the Government of as described in the announcement of and the Tripartite Commission for the Restitution of Monetary Gold's letter No. of copies of which are annexed hereto and hereby made part hereof, in the distribution of the Pool of Monetary Gold, established pursuant to the Paris Agreement on Reparation of January 14, 1946, and administered by the Governments of the United States, the United Kingdom and France.

OF WHICH ORDER he hereby acknowledges receipt,

The Government of here and now:

Agrees that receipt by it of the allocation of kilograms of gold specified in the Commission's letter of together with any prior allocations received and receipt by it of the announcement of the Commission that the Government is entitled to percent share of the pool of monetary gold including future accruals to the pool and of

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CONFIDENTIALAPPENDIX C 2

reserves therefrom, constitutes receipt by the Government of
of its full and final share of the pool.

FURTHERMORE

The Government of, on the understanding that its share
in any accruals to the pool of monetary gold and in any reserves released
therefrom, such as shall be determined by the Governments of the United
States, the United Kingdom and France subsequently to the signature of
this document, shall be delivered to it as and when such share shall become
available for distribution,

HEREBY WAIVES

1. Any and all claims for the restitution of monetary gold looted by or wrongfully removed to Germany, or for compensation therefor in the form of damages or otherwise:
 - a) against Germany,
 - b) against any third countries which receive a distribution of gold from the Tripartite Gold Commission or the Governments of the United States, United Kingdom and France, and sign a waiver and quittance similar to the present one,
 - c) against any third countries which may have acquired such monetary gold from Germany, or to which such monetary gold may have been transferred from Germany, but only to the extent that the Tripartite Commission for the Restitution of Monetary Gold or the Governments of the United States, the United Kingdom and France, acting on behalf of the Allied Governments signatories to the Paris Agreement of January 14, 1946, or on behalf of other countries shall have finally waived such claims.

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APPENDIX C 3

2. Any and all claims for the restitution of monetary gold or for compensation in the form of damages or otherwise against the Tripartite Commission for the Restitution of Monetary Gold, or its several members, or the Governments of the United States, the United Kingdom and France, arising out of their execution of the mandate set forth in Part III of the Paris Agreement on Reparation of January 14, 1946, and in Unanimous Resolution No. 2, entitled "Gold transferred to the Neutral Countries", included by the Paris Conference on Reparation, November 9 - December 21, 1945, in its Final Act, [or otherwise], including, but not by way of limitation, any and all claims for the restitution of monetary gold or for compensation in the form of damages or otherwise:
- a) with respect to agreements made with third countries concerning the restitution of looted gold acquired by, or transferred to, such countries from Germany; and
 - b) for any and all acts in connection with the determination of the validity of the claims of the participating countries or the custody, distribution, or administration, of the Pool of Monetary Gold.

FURTHERMORE

The Government of

HEREBY DECLARIES its willingness upon notice from the Tripartite Commission for the Restitution of Monetary Gold or from the Governments of the United States, the United Kingdom and France to deliver to the

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Appendix C 4

Commission or to the said Governments such gold as may be required in proportion to its share as set forth in the announcement of, for the execution of any decision of a competent tribunal, if any, in the event that the amount of gold available at such time for distribution is insufficient to satisfy such decision.

The Government of

ALSO AFFIRMS its understanding that the present waiver cancels and supersedes all other waivers signed in the past on behalf of the Government of in respect of any preliminary distribution of the Pool of Monetary Gold heretofore made.

DONE at Brussels, this day of nineteen hundred and and signed by

His Excellency
Representative of the Government of

IN WITNESS WHEREOF

..... Commissioner of the Government of the United States of America, Commissioner of the Government of the United Kingdom of Great Britain and Northern Ireland, and Commissioner of the Government of the French Republic

have hereunder affixed their respective signatures.

Commissioner

Commissioner

Commissioner

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S E C R E T

FINAL REPORT
ON THE
PARIS CONFERENCE ON REPARATION,
NOVEMBER 9, 1945, TO DECEMBER 21, 1945

SUBMITTED TO
THE SECRETARY OF STATE

BY
JAMES W. ANGELL
UNITED STATES REPRESENTATIVE
ALLIED COMMISSION ON REPARATION - GERMANY

File Nr. 940.21

FEBRUARY 18, 1946

S E C R E T

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Accordingly, the so-called "gold pot" principle of restitution was devised in the Department of State for achieving the purpose stated in the preceding section of this Chapter. This principle recognizes that the countries whose gold was wrongfully taken by Germany are entitled to its restitution. For administrative convenience (since a great deal of the gold is either unidentifiable or bears questionable markings) as well as for reasons of economic policy regarding gold, it was desirable to avoid the restitution of identifiable gold to particular countries. An analogy to explain this seeming departure from the principles of property which normally govern restitution was found in the rule of the Law Maritime regarding losses in a common disaster. This rule is known to legal classicists as the "Lex Rhodae de Jactu" and to the world of marine insurance as the "Rule of the General Average." Briefly stated, the principle is that if A and B both ship cargo on a particular vessel and during a storm or fire A's cargo is jettisoned to save the ship, B's cargo, when it arrives safely in port, must bear a proportionate share of the loss suffered by A. The analogy has proved quite convenient in the presentation of the "gold pot" principle. The importance of the analogy, however, is more than dialectical: the Rule of the General Average is a rule of property and as applied to gold, it emphasizes that restitution rather than reparation is involved, despite the fact that the method of distribution called for by the "gold pot" principle more resembles the reparation type of relief than it does the usual restitution type of relief.

For political and economic reasons the Department of State

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PART III - RESTITUTION OF MONETARY GOLDPURPOSE

The purpose of the Agreement on the Restitution of Monetary gold was to establish, with the consent of the countries having claims against Germany for the return of monetary gold, a method of distribution which would recognize their right to restitution without permitting purely fortuitous circumstances to govern the amount of gold actually returned to them.

MAJOR PRINCIPLES

Soon after the large holdings of monetary gold were found by the United States Army at Merkers, varying suggestions regarding their disposition were made in Washington. Serious consideration was given to the possibility of treating this gold as war booty. It was also suggested that the gold be subsumed under reparation.

A third possibility was restitution. It will be recalled that the United Nations Gold Declaration of February 22, 1944 warned the neutral Countries that Allied studies showed that Germany had exhausted the gold reserve with which she entered the war, with the result that gold offered to the neutrals on or after the date of the Declaration would have, of necessity, been looted. The logical and moral implications of the Gold Declaration were, clearly, that the gold found in Germany by the Allied Forces should be regarded as looted gold and should therefore be restored by way of restitution.

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desired that Italy, Austria, and Hungary participate in the "gold pot". With respect to Italy, the United States Delegate was instructed to take the position that Italy should receive a share of the Italian gold allegedly removed by the Germans from Italy. A great deal of the gold found at Merkers apparently was identifiable Italian gold, and for this reason also it was believed that the "gold pot" principle should be applied to the Italian gold. In the case of Austria, it was the view of the Department that the "strong and independent Austria," envisaged by the Joint Chiefs of Staff directive on Austria, should receive a share of gold.

The Hungarian gold was removed from Hungary by representatives of the Hungarian Government and the National Bank of Hungary and taken to the territory of Austria for surrender to American Forces operating there. This gold was definitely identifiable in terms of the transaction of surrender. The view of the Department of State was that the "gold pot" principle should be applied to the Hungarian gold, because it would permit an early determination of the problem and reduce the amount of gold to be returned to Hungary, to the advantage of the United Nations which lost gold to Germany.

In this connection it had been assumed in the Department that Article 4, Section 10, of the Potsdam Communique referred to all gold captured by Allied Forces operating within what was considered to be enemy territory, including Austria as well as Germany. It will be recalled that the section cited above states that "the Soviet Government makes no claims to gold captured by the Allied troops in Germany."

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Until the Tripartite Conference which preceded the Paris Conference on Reparation, the views of the Department of State regarding the distribution of the gold captured in Germany had not been discussed in any detail with the French and British. Nor, indeed, had the Department's views received final clearance in Washington. They were, however, embodied in Repmem No. 5 with the instructions that the United States Representative bring up the matter at the Tripartite discussions, report the views of his French and British colleagues, and await notification of Inter-Departmental clearance in Washington.

SPECIFIC PROVISIONS

Section A. The term "monetary gold" as used in Part III refers to gold bullion and to gold coins. The distinction is between gold which is in such form as to be a medium of exchange and gold which is in such form as to indicate its use for dental, artistic and adornment purposes. 1/ The reservation of coins of "numismatic or historical value" from the principle of distribution provided by Section A arises from a suggestion made by the Department of State. 2/

"Found in Germany" cannot be definitely asserted to refer to territory other than that which was German before the Anschluse. As will be discussed more fully later, the Yugoslav Delegate asserted that gold found in the territory of Austria was not comprised within the Soviet renunciation, at Potsdam, 3/ of "gold captured by the Allied troops in Germany." The Yugoslav construction was

1/ CPR/CcdD/PV/14, November 23, 1945.
CPR/CcdD/PV/21, December 3, 1945.

2/ Telegram from Department to Paris No. 5401, to Angell No. 32, November 20, 1945.

3/ Potsdam Communiqué, Article 4, Section 10.

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reported to the Department, along with the problem it raised regarding inclusion of the Hungarian gold in the "gold pot". Insofar as the Paris Conference is concerned, the matter was not decided the Department having replied that the question of the restitution of Hungarian gold should be dropped entirely. It is for this reason that the Minutes 4/ contain an explicit statement by the United States Delegate regarding the entire reservation of all matters relating to the ultimate disposition of Hungarian gold.

The phrase "by the Allied Forces" was not specifically discussed at the Paris Conference. It is understood that the USSR does not construe the phrase to include the Red Army. Inasmuch as the bulk of the gold which will be pooled was captured by the United States Army operating under SHAEF command, the unresolved question would not appear to be serious.

The pooling principle established by Section A requires all of the countries participating in the pool to establish their total losses of gold to Germany through looting by Germany or wrongful removal to Germany.

4 / CPR/CcdD/PV/37, December 18, 1945. "The gold delivered by the representatives of the Hungarian Government and of the Hungarian National Bank to the Armed Forces of the United States operating in Austrian territory is completely excluded from the scope of Part III of this Agreement. The following questions are therefore reserved: the question of the method of dividing this gold, the question of which countries shall participate in this division, the question of the right which may ultimately be accorded to Hungary, by virtue of Article 4 of Part III of the Agreement to a share of the sum total. If the gold delivered by the representatives of the Hungarian Government and of the National Bank of Hungary to the armed forces of the United States operating in Austrian territory is not included in the sum to be divided, Hungary shall not have the right to include the value of this gold in her losses of gold for the purpose of Part III of the Agreement."

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The grand total of these losses will be the denominator of a fraction whose numerator will be the proved loss of the particular country.

For each country the fraction thus established will be applied to the total amount of gold available for distribution. The amount of gold to which the various fractions will be applied is not to be determined by formula but rather by objective fact. That is to say, if the gold is monetary gold and if it was found in Germany by Allied Forces, it is available for distribution. From the foregoing the Hungarian gold is entirely excepted, but, being identifiable by the transaction of surrender, creates no administrative problem.

It is important to establish criteria for the admission of claims based upon "looting or wrongful removal". The word "looting" includes all of the connotations of wrong included in the United Nations Declaration against Axis Acts of Dispossession, January 5, 1943, and the United Nations Gold Declaration of February 22, 1944. In particular, there are included such acts as theft and removal by force, fraud or intimidation. The concept of "wrongful removal to Germany" is broader. The phrase was inserted by the United States Delegate for the purpose of affording a basis for the inclusion of Austria and Italy within the distribution system established by the "gold pot" principle. It is not confined to physical taking. A wrongful demand that an invaded country earmark its gold balances abroad for Germany is a wrongful removal within the meaning of Section A. 5/ It is the opinion of the United States Delegation that, as a matter of practical operation, the gold losses of the countries entitled to restitution under Part III should be established by taking the difference between the monetary gold balances of the countries, respectively, at the date

5/ CPR/CeD/PV/21, December 3, 1945. Discussed between the United States and Czechoslovak Delegates.

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of invasion and the balances available after liberation. It is not believed that it will be feasible to engage in exhaustive examination of isolated transactions for the purpose of determining whether they come within definitions of the words "looting" or "wrongful removal".

Section B. Section B is designed to serve the purpose for Part III of the Agreement that is served for Part I by Article 2. Section B of Part III means that countries receiving gold through the "gold pot" distribution can make no further claims against Germany for the restitution of monetary gold. That portion of gold losses not satisfied by restitution is a reparation claim and as such merged into the general reparation claim of the country. As a result of Section B of Part III and Article 2 of Part I, there cannot be any special claims regarding monetary gold on the part of any of the countries signing the Paris Agreement. All such claims must either be restitution and settled by the "gold pot" distribution or reparation and merged into the reparation claim as provided by Article 2 of Part I.

Section C. Section C complements Section A and is designed principally to provide for the participation of Austria and Italy in the "gold pot" distribution. The phrase "each country concerned which adheres to this arrangement" provides for their ultimate participation. The word "arrangement" was used by design instead of the word "agreement" for this reason. The date March 12, 1938, refers to the day preceding the day on which the German forces began the occupation of Austria. The date was selected as the earliest date after which removals to Germany pursuant to occupation could be regarded as wrongful within the meaning of Section A.

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Section D. Section D also relates to the special problems created by the instructions to the United States Delegate to provide for the participation of Italy and Austria. Opposition was encountered at both the Tripartite meetings (from France) and at the Conference 6/ (from France, Yugoslavia, Greece, Albania and Czechoslovakia) regarding a specific provision indicating that Italy and Austria would benefit from the participation. In this connection the Czechoslovak Delegate stated that, regardless of the fact that the "gold pot" formula might actually reduce the ultimate gold recovery of Italy, it would be politically inadvisable in his country for Italy to appear as the possible beneficiary of anything done at a reparation conference. The Yugoslav Delegate took the position that the Paris Conference could not settle the issue of the return of gold to Italy. The United States Delegate made the argument that the inclusion of the Italian gold within the amount to be distributed would, in effect, benefit the United Nations which had lost gold to Germany, inasmuch as the Italian gold would otherwise have to be reserved entirely, pending the determination of whether Italy should receive all of her gold back or not. Section D reflects the resulting compromise. This is, that the gold losses of Italy and Austria to Germany within the meaning of Sections A and C will be included along with the losses of other countries in arriving at the common denominator (grand total of losses) of the fractions to be applied to the total amount of gold available for distribution. The shares of Italy and Austria will be calculated and set aside, pending subsequent determination by their ultimate disposition.

6/ CPR/CcdD/PV/21, December 3, 1945.

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With respect to Italy, Section D means that Italy will not get back as much gold as was wrongfully taken from Italy by the Germans. On the other hand, it was made quite clear by the United States Delegate that Italian gold recovered in Italy by Allied Forces would not be included in the pool. The Department of State expressed itself regarding Italy's obligation to make restitution of gold to Albania; 7/ Italy should make 100 per cent restitution to Albania, notwithstanding the fact that Italy would not get 100 per cent back from Germany. The Department has not expressed itself regarding the similar case of the Yugoslav gold. It is the contention of the Yugoslav Government that Italy should restore, in its entirety, the Yugoslav gold taken by Italy regardless of what may have happened thereafter to Italian gold taken by Germany. However, the amount of gold recovered within Italy will exceed the total gold claims of Yugoslavia and Albania against Italy.

Section E. This Section obtains the agreement of the participating countries to supply the proper proof of their losses of gold. It will be noted that these data are to be supplied to the "occupying powers concerned." They are specifically stated to be the Governments of the United States of America, France, and the United Kingdom. The reason is to be found in Article 4, Section 10 of the Potsdam Communique. It will be noted that the information is to be supplied in the first instance to the Governments of the countries listed above, rather than to their representatives on the Control Council for Germany. The reason for this is, again, that the matter is Tripartite as a result of the

7/ Telegram from Department to Paris No. 5427, to Angell No. 18,
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Potsdam Agreement and hence cannot be taken up through the Control Council. In practice, of course, since most of the gold in question is within the United States Zone, directives will ultimately issue to the United States Zone Commander. The Department of State has indicated that Tripartite discussions of procedures for receiving and analyzing claims should be Inter-Governmental rather than through Control Authority elements. 8/

Section F. See discussion of Section E.

Section G. Section G was inserted at the suggestion of the French Delegate after Tripartite agreement had been reached to joint demands that the neutrals surrender looted gold received by them from Germany. 9/

HISTORY OF NEGOTIATIONS

I. Tripartite Discussions

Although the Agenda originally proposed for the 17-Power Conference did not include the question of gold, the United States Delegate was instructed to advance the "gold pot" principle at the Tripartite discussions in Paris. The proposed Agenda for the Tripartite meetings included this item under the head of Restitution. 10/ At one of the early Tripartite meetings, 11/ the United States Delegate introduced

8/ Ibid.

9/ See in this connection the discussion regarding Unanimous Resolution No. 2. The statement in this Report on Unanimous Resolution No. 2 regarding gold transferred to the neutral countries should be read in connection with the foregoing discussion. Formal reasons separate that provision from the body of the agreement.

10/ Repmem No. 1.

11/ Meeting of October 31, 1945; see the Minutes of Preparatory Conference on Reparations, CRP 4a.

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a paper which outlined the salient provisions of the "gold pot" plan.

In the discussion which ensued the British Delegate inclined at first to prefer solving the current problem via reparation channels. After consulting with his Government, however, he accepted the basic restitution approach and the "gold pot" plan and within a short period of time came to agree with United States suggestions regarding the treatment of Austrian, Italian and Hungarian gold. At one stage there was some hesitancy on the British Delegate's part regarding the avoidance of any implication that Austria and Italy were to be treated as if equally meritorious, the Foreign Office preferring a distinction in favor of Austria.

In the earliest stages of the Tripartite discussions the French Delegation tended to favor restitution of gold on the basis of identifiability. They referred to their lack of information from the British and ourselves regarding the amounts, markings and other data regarding the gold captured in Germany. Telegraphic exchanges between the United States Delegation and the Department established that the French had received as much information from British and United States experts as, in general, was available to the British and United States Governments. The French also indicated their desire to bargain acceptance of the "gold pot" plan by them against United States and United Kingdom agreement to support a proposed French demarche against Switzerland regarding gold, allegedly looted from Belgium by Germany and received by Switzerland after the United Nations Declaration of January 5, 1943, regarding Axis looting generally, but before the Declaration of February 22, 1944, which specifically related to gold. Additionally, the French wished to obtain United States agreement that

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a quantity of gold which Italy demanded France should earmark for Italian purposes in France, after the 1940 Armistice, be the subject of 100 per cent restitution from Italy to France. These matters are fully covered in a telegram to the Department. 12/

The French formalized their position in a so-called statement of "conditions", presented by M. Chargueraud of the Foreign Office at the Tripartite meetings. The French position was reported to the Department. There was evidence that M. Rueff was somewhat embarrassed at the nature of Chargueraud's presentation, especially his unfortunate use of the word "conditions". Pursuant to the Department's response 13/ the United States Delegate wrote a letter to M. Rueff replying to the so-called "conditions". The letter rejected most of the French position, but the "gold pot" plan was, notwithstanding, accepted de facto by the French Delegation and there was not thereafter serious opposition to it by the French.

3. In the Conference

During the course of the Conference the Department of State informed the United States Delegate that the "gold pot" had received Inter-Departmental clearance, and suggested that the United States Delegate might present the proposal to the Conference to obtain the reactions of the interested Governments. Accordingly, restitution of gold was put on the agenda for discussion by the Conference. At the meeting of November 23, 1945, the United States Delegate outlined the provisions which had been agreed to on a Tripartite basis and approved by the Department for 14/

12/ Telegram to Department from Paris No. 6543, from Angell No. 42, November 11, 1945.

13/ Telegram from Department to Paris No. 5423, to Angell No. 34, November 21, 1945.

14/ Telegram from Department to Paris No. 5427, to Angell No. 18, November 21, 1945, footnote 7/ above.

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reference to the Paris Conference. The United States proposal was extremely well received by the Conference. The President and the British Delegate, in gracious statements, remarked on the generosity of the United States, in whose zone most of the gold had been found. This act on the part of the United States came at a time when there was considerable feeling in the Conference regarding the progress on the share negotiations and when rumors were rife that the Inviting Powers were going to leave little by way of reparations for the smaller countries. The United States Delegate in his discussion of the matter explained the economic importance of distributing gold on an equitable basis, rather than according to the pure accident of identifiability and order of German use. He adverted to the basis in law which has been mentioned heretofore. He touched also upon the importance of the question to the Bretton Woods monetary arrangements.

There was no major controversy at the Conference regarding the gold proposals advanced by the United States. Such problems as rose have already been discussed above. A comparison of the mutations of the gold document will reveal their resolution. 15/

15/ CPR/Document No. 24
CPR/Document No. 34
CPR/Document No. 34 (MOD)
Final Act/Draft 1/Amendment II

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Letter, James W. Angell to M. Jacques Rueff, November 27, 1945. Sent to Department in Despatch No. 3877, November 29, 1945.

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RESOLUTION 2. GOLD TRANSFERRED TO THE NEUTRAL COUNTRIESGENERAL PURPOSE

The purpose of this Resolution is to strengthen the positions of France, the United Kingdom and the United States vis-a-vis the neutrals regarding the return of looted gold transferred to the neutrals by Germany, by recording the unanimous support of all the countries represented at the Conference. The provision was of particular interest to the French, who took the initiative at the Conference and suggested that a demarche be made on Switzerland regarding the gold (allegedly Belgian) which was received by Switzerland from Germany after January 5, 1943, but before February 22, 1944.

DISCUSSION

The original United States draft regarding the restitution of monetary gold did not contain the provision which is now Resolution 2. At the Tripartite meetings, the French included a joint United States-United Kingdom-French demarche on Switzerland regarding Belgian gold as one of the "conditions" upon which they would agree to the "gold pot" plan. ^{1/} The Department of State accepted the French proposal on Switzerland. ^{2/} Later it was suggested that agreed Tripartite action would be aided by including in the Conference paper on gold a statement of opinion directed to the neutrals by all the countries represented at the Conference. Such a provision was in the gold recommendation finally approved by the Committee of the Heads of Delegations. After the

^{1/} See discussion of Part III of Final Act

^{2/} Telegram from Department to Paris No. 5426, to Angell No. 34, November 21, 1945.

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decision on the form of the Final Act was taken. the provision was transferred from the body of the Agreement to the section on Unanimous Resolutions.

3/

BIBLIOGRAPHY

See that given for Part III of the Agreement.

/ See the discussion under Unanimous Resolution 1

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Article 13.--Withdrawal.

Any Signatory Government, other than a Government which is responsible for the control of a part of German territory, may withdraw from the Agency after written notice to the Secretariat.

Article 14.--Amendments and Termination.

This Part II of the Agreement can be amended or the Agency terminated by a decision in the Assembly of the majority of the Delegates voting, provided that the Delegates forming the majority represent Governments whose shares constitute collectively not less than 80 per cent. of the aggregate of the percentage shares in Category A.

Article 15.--Legal Capacity. Immunities and Privileges.

The Agency shall enjoy in the territory of each Signatory Government such legal capacity and such privileges, immunities and facilities, as may be necessary for the exercise of its functions and the fulfilment of its purpose. The representatives of the Signatory Governments and the officials of the Agency shall enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connexion with the Agency.

PART III.--RESTITUTION OF MONETARY GOLD.

Single Article.

A. All the monetary gold found in Germany by the Allied Forces and that referred to in paragraph G below (including gold coins, except those of numismatic or historical value which shall be restored directly if identifiable) shall be pooled for distribution as restitution among the countries participating in the pool in proportion to their respective losses of gold through looting or by wrongful removal to Germany.

B. Without prejudice to claims by way of reparation for unrestored gold, the portion of monetary gold thus accruing to each country participating in the pool shall be accepted by that country in full satisfaction of all claims against Germany for restitution of monetary gold.

C. A proportional share of the gold shall be allocated to each country concerned which adheres to this arrangement for the restitution of monetary gold and which can establish that a definite amount of monetary gold belonging to it was looted by Germany, or at any time after the 12th March, 1938, was wrongfully removed into German territory.

D. The question of the eventual participation of countries not represented at the conference (other than Germany but including Austria and Italy) in the above-mentioned distribution shall be reserved, and the equivalent of the total shares which these countries would receive, if they were eventually committed to participate, shall be reserved to be disposed of at a later date in such manner as may be decided by the Allied Governments concerned.

E. The various countries participating in the pool shall supply to the Governments of the United States of America, France and the United Kingdom (as the occupying Powers concerned, detailed and verifiable information regarding the gold losses suffered through looting, or removal to Germany.

F. The Governments of the United States of America, France and the United Kingdom shall take appropriate steps within the zones of Germany occupied by them respectively to implement distribution in accordance with the foregoing provisions.

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G. Any monetary gold which may be recovered from a third country to which it was transferred from Germany shall be distributed in accordance with this arrangement for the restitution of monetary gold.

PART IV. --ENTRY INTO FORCE AND SIGNATURE.

Article 1.--Entry into Force.

This Agreement shall be open for signature on behalf of any Government represented at the Paris Conference on Reparation. As soon as it has been signed on behalf of Governments collectively entitled to not less than 80 per cent. of the aggregate of shares in Category A of German reparation, it shall come into force among such Signatory Governments. The Agreement shall thereafter be in force among such Governments and those Governments on whose behalf it is subsequently signed.

Article 2.--Signature.

The signature of each contracting Government shall be deemed to mean that the effect of the present Agreement extends to the colonies, and overseas territories of such Government, and to territories under its protection or suzerainty or over which it at present exercises a mandate.

In witness whereof, the undersigned, duly authorised by their respective Governments, have signed in Paris the present Agreement, in the English and French Languages, the two texts being equally authentic, in a single original, which shall be deposited in the archives of the Government of the French Republic, a certified copy thereof being furnished by that Government to each Signatory Government.

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UNANIMOUS RESOLUTIONS BY THE CONFERENCE.

The Conference has also unanimously agreed to include the following Resolutions in the final Act:

1.--German Assets in the Neutral Countries.

The Conference unanimously resolves that the countries which remained neutral in the war against Germany, should be prevailed upon by all available means to recognize the reasons of justice and of international security, the policy which motivates the Powers exercising supreme authority in Germany and the other Powers participating in this Conference, in their efforts to extirpate the German holdings in the neutral countries.

2.--Gold transferred to the Neutral Countries.

The Conference unanimously resolves that in conformity with the policy expressed by the United Nations Declaration against Axis Aggression of 5th January 1943, and the United Nations Declaration of Solidarity

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S. D. WALEY,
Delegate of the United Kingdom of Great Britain and
Northern Ireland;

Delegate of Greece;

P. CHANDHURI
Delegate of India;

(These signatures are appended in agreement with
His Britannic Majesty's representative for the exer-
cise of the functions of the Crown in its relations
with the Indian States.)

WEHREP,
Delegate of Luxembourg;

MELGEBY,
Delegate of Norway;

S. D. WALEY,
for the Delegate of New Zealand;

BOISSEVAIN,
Delegate of the Netherlands;

VAVRO HAJDU,
Delegate of Czechoslovakia;

MAURICE POPE,
for the Delegate of the Union of South Africa;

ALES REBLER,
Delegate of Yugoslavia.

ANNEX.

1. Resolution on the subject of Restitution.

The Albanian, Belgian, Czechoslovak, Danish, French, Greek, Indian, Luxembourg, Netherlands and Yugoslav Delegates agree to accept as the basis of a restitution policy the following principles:

- (a) The question of the restitution of property removed by the Germans from the Allied countries must be examined in all cases in the light of the United Nations Declaration of the 5th January, 1943.
- (b) In general, restitution should be confined to identifiable goods which (i) existed at the time of occupation of the country concerned, and were removed with or without payment; (ii) were produced during the occupation and obtained by an act of force.
- (c) In cases where articles removed by the enemy cannot be identified, the claim for replacement should be part of the general reparation claim of the country concerned.
- (d) As an exception to the above principles, objects (including books, manuscripts and documents) of an artistic, historical, scientific (excluding equipment of an industrial character), educational or religious character which have been looted by

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the enemy occupying Power shall so far as possible be replaced by equivalent objects if they are not restored.

- (e) With respect to the restitution of looted goods which were produced during the occupation and which are still in the hands of German concerns or residents of Germany, the burden of proof of the original ownership of the goods shall rest on the claimants and the burden of proof that the goods were acquired by a regular contract shall rest on the holders.
- (f) All necessary facilities under the auspices of the Commanders-in-Chief of the Occupied Zones shall be given to the Allied States to send expert missions into Germany to search for looted property and to identify, store and remove it to its country of origin.
- (g) German holders of looted property shall be compelled to declare it to the control authorities; stringent penalties shall be attached to infractions of this obligation.

2. Resolution on Reparation from Existing Stocks and Current Production.

The Delegates of Albania, Belgium, Czechoslovakia, Denmark, Egypt, France, Greece, India, Luxembourg, the Netherlands, Norway and Yugoslavia,

In view of the decision of the Crimea Conference that Germany shall make compensation to the greatest possible extent for the losses and suffering which she has inflicted on the United Nations,

Considering that it will not be possible to satisfy the diverse needs of the Governments entitled to reparation unless the assets to be allocated are sufficiently varied in nature and the methods of allocation are sufficiently flexible,

Express the hope that no category of economic resources in excess of Germany's requirements as defined in Part III, Article 15, of the Potsdam Declaration, due account being taken of Article 19 of the same Part, shall in principle be excluded from the assets, the sum total of which should serve to meet the reparation claims of the Signatory Governments.

It thus follows that certain special needs of different countries will not be met without recourse in particular to German existing stocks, current production and services, as well as Soviet reciprocal deliveries under Part IV of the Potsdam Declaration.

It goes without saying that the foregoing shall be without prejudice to the necessity of achieving the economic disarmament of Germany.

The above-named Delegates would therefore deem it of advantage were the Control Council to furnish the Inter-Allied Reparation Agency with lists of existing stocks, goods from current production and services, as such stocks, goods or services become available as reparation. The Agency should, at all times, be in a position to advise the Control Council of the special needs of the different Signatory Governments.

3. Resolution regarding Property in Germany belonging to United Nations or their Nationals.

The Delegates of Albania, Belgium, Czechoslovakia, France, Greece, Luxembourg, the Netherlands, Norway and Yugoslavia, taking into account the fact that the burden of reparation should fall on the German people, recommend that the following rules be observed regarding the allocation as reparation of property (other than ships) situated in Germany:

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- (a) To determine the proportion of German property available as reparation, account shall be taken of the sum total of property actually constituting the German economy, including assets belonging to a United Nation or to its nationals, but excluding looted property, which is to be restored.
- (b) In general, property belonging legitimately to a United Nation or to its nationals, whether wholly owned or in the form of a shareholding of more than 48 percent., shall so far as possible be excluded from the part of German property considered to be available as reparation.
- (c) The Control Council shall determine the cases in which minority shareholdings of a United Nation or its nationals shall be treated as forming part of the property of a German juridical person and therefore having the same status as that juridical person.
- (d) The foregoing provisions do not in any way prejudice the removal or destruction of concerns, controlled by interests of a United Nation or of its nationals, when this is necessary for security reasons.
- (e) In cases where an asset which is the legitimate property of one of the United Nations or its nationals has been allocated as reparation, or destroyed, particularly in the cases referred to in paragraphs (b), (c), and (d) above, equitable compensation to the extent of the full value of this asset shall be granted by the Control Council to the United Nation concerned as a charge on the German economy. This compensation shall, when possible, take the form of a shareholding of equal value in German assets of a similar character which have not been allocated as reparation.
- (f) In order to ensure that the property in Germany of persons declared by one of the United Nations to be collaborators or traitors shall be taken from them, the Control Council shall give effect in Germany to legislative measures and juridical decisions by courts of the United Nation concerned in regard to collaborators or traitors who are nationals of that United Nation or were nationals of that United Nation at the date of its occupation or annexation by Germany or entry into the war. The Control Council shall give to the Government of such United Nation facilities to take title to and possession of such assets and to dispose of them.

4. Resolution on captured war material.

The Delegates of Albania, Belgium, Denmark, Luxembourg, Netherlands, Norway, Czechoslovakia and Yugoslavia, taking account of the fact that part of the war material seized by the Allied Armies in Germany is of no use to these Armies but would, on the other hand, be of use to other Allied countries, recommend:

- (a) that, subject to Resolution 1 of this Annex on the subject of restitution, war material which was taken in the Western Zones of Germany and which has neither been put to any use nor destroyed as being of no value, and which is not needed by the Armies of Occupation or is in excess of their requirements, shall be put at the disposal of countries which have a right to receive reparation from the Western Zones of Germany; and
- (b) that the competent authorities shall determine the available types and quantities of this material and shall submit lists to the Inter-Allied Reparation Agency, which shall proceed in accordance with the provisions of Part II of the above Agreement.

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By SA NAPA Date 6/15

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5. Resolution on German assets in the Julian March and the Dodecanese.

The Delegates of Greece, the United Kingdom and Yugoslav (being the Delegates of the countries primarily concerned), agree that:

- (a) The German assets in Venezia Giulia (Julian March) and in the Dodecanese shall be taken into custody by the military authorities in occupation of those parts of the territory which they now occupy, until the territorial questions have been decided; and
 - (b) As soon as a decision on the territorial questions has been reached, the liquidation of the assets shall be undertaken in conformity with the provisions of Paragraph A of Article 6 of Part I of the foregoing Agreement by the countries whose sovereignty over the disputed territories has now been recognised.

6. Resolution on Costs relating to Goods Delivered from Germany as Reparation.

The Delegates of Albion, Australia, Belgium, Canada, Denmark, Egypt, France, Greece, India, Luxembourg, Norway, New Zealand, the Netherlands, Czechoslovakia and Yugoslavia recommend that the costs of dismantling, packing, transporting, handling, loading and all other costs of a general nature relating to goods to be delivered from Germany as reparation, until the goods in question have passed the German frontier, and expenditure incurred in Germany for the account of the Inter-Allied Reparation Agency or of the Delegates of the Agency should, in so far as they are payable in a currency which is legal tender in Germany, be paid as a charge on the German economy.

7. Resolution on the Property of War Criminals.

The Delegates of Albania, Belgium, France, Luxembourg, Czechoslovakia and Yugoslavia express the view that:

- (a) the legislation in force in Germany against German war criminals should provide for the confiscation of the property in Germany of those criminals, if it does not do so already;
 - (b) the property so confiscated, except such as is already available as reparation or restitution, should be liquidated by the Control Council and the net proceeds of the liquidation paid to the Inter-Allied Reparation Agency for division according to the principles set out in the foregoing Agreement.

8. Resolution on Recourse to the International Court of Justice.

The Delegates of Albania, Australia, Belgium, Denmark, France, Luxembourg, the Netherlands, Norway, Czechoslovakia and Yugoslavia recommend that:

Subject to the provisions of Article 3 of Part I of the foregoing Agreement the Signatory Governments agree to have recourse to the International Court of Justice for the solution of every conflict of law or of competence arising out of the provisions of the foregoing Agreement which has not been submitted by the parties concerned to amicable solution or arbitration.

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Authority NINQ978025
By SR NARA Date 10-26-98AMERICAN JEWISH CONFERENCE
521 Fifth Avenue
New York 17, N.Y.COPY

June 19, 1946

The Honorable James F. Byrnes
 Secretary of State
 U. S. Department of State
 Washington, D. C.

Dear Sir:

The Commission on European Jewish Cultural Reconstruction has consulted with us in respect to its letter of June 5, 1946 to General John H. Hilldring, Assistant Secretary of State, setting forth a plan for the preservation and disposition of Jewish religious and cultural treasures located in the American zone in Germany and Austria.

We have this day embodied in a letter to you our over-all proposals and plan for restitution and indemnification arising from claims of Jews and Jewish communities in Europe. We recognize, however, that in view of the emergency situation, the government may wish to take interim measures in respect to the handling of Jewish religious and cultural treasures. In that event, we desire to indicate our approval of the proposals submitted by the Commission on European Jewish Cultural Reconstruction, it being understood, as indicated in such proposals, that if the United States and other occupying powers should subsequently recognize a Jewish body as the trustee of Jewish property in general, and as the agency for restitution and indemnification, the Jewish religious and cultural treasures should also be included in the trust property to be held by that Jewish body.

Respectfully yours,

HENRY MONSKY, Chairman
Interim Committee

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Authority NND978025
By SR NARA Date 10-28-09AMERICAN JEWISH CONFERENCE
521 Fifth Avenue
New York 17, N.Y.COPY

The Honorable James F. Byrnes
 Secretary of State
 U. S. Department of State
 Washington, D. C.

June 19, 1946

Dear Sir:

Reference is made to your letter of May 8, 1946 responding to our telegram of April 12, 1946, inquiring as to what measures were being taken in restitution and indemnification arising from claims of Jews and Jewish communities in Europe. We note with great concern how very little effective action has as yet been taken by the governments concerned.

In accordance with your statement that you would be glad to consider any plan or program which we may submit on these problems, we take this opportunity to submit to you certain suggestions.

We deeply regret, in view of the enormous loss of life and property inflicted on the Jewish people by Nazi Germany and its collaborators, and the need for resettling and rehabilitating the remnant of European Jewish survivors, that the reparation provided for these victims by the Paris Reparations Agreement was so little commensurate with their past despoliation and their present need.

We believe that it is essential that effectively enforced legal measures be taken in former enemy and enemy satellite countries, in neutral countries and in Allied countries, whether or not they were occupied by the enemy, which will restore their property to Jewish victims (or their heirs) of direct or indirect Nazi and Fascist persecution. In cases where restitution in whole or in part is impossible, or where there has been loss or injury to persons, the former enemy and enemy satellite countries should be required to make full indemnification to such Jewish victims or to their heirs.

The property that should be the subject of restitution and indemnification should include not only property now held in Jewish names but also property which was looted or taken under duress from Jews and Jewish communities since the advent of the Nazi regime in Germany, and unclaimed and unidentified property appearing to be of European Jewish private or communal ownership.

Reasonable provisions should be made for the transfer of restituted property or its proceeds or amounts allowed as indemnification to countries where the surviving Jewish victims have emigrated or will be allowed to emigrate in order that these proceeds may be utilized for their rehabilitation and resettlement.

It is assumed that property and indemnification claims of Jews or Jewish communities will be exempted from all measures by way of reparation or otherwise, directed by the Allied authorities against enemy-owned property.

In a number of countries in Europe some measures have been enacted, aimed at partial restitution and indemnification for the Jewish people. Unfortunately, in some of these cases the laws are not in fact being carried out in such a manner as to effect justice to Jewish victims. In other countries, especially Germany and Austria, even such measures have not as yet been enacted. We feel that it is a concern of the great Allied powers to see to it that appropriate measures are taken to deal fairly with this situation.

In particular we are concerned with the large and tragic problem of dealing with the property in former enemy and enemy-occupied countries of European Jewish communities that have been substantially destroyed, and with the property which may be found all over the world belonging to Jewish victims of Nazi and Fascist persecution who have

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died and have left no heirs. Masterless Jewish property may be divided into two categories, namely: the masterless property located in the home country of the Jewish victims, and secondly, masterless property located outside of the home country of the Jewish victims. We feel that in both cases the ordinary rules of escheat to the state should not be followed, and that instead, the property should be made available for the rehabilitation and resettlement of surviving European Jews. This principle has already been recognized by the Allied Powers in the Paris Reparations Agreement of December, 1945, with respect to masterless Jewish property located in neutral countries.

We are also greatly concerned with the problem of priceless and irreplaceable Jewish cultural treasures still existing or to be found in former enemy countries, particularly Germany, and certain liberated countries. These Jewish cultural treasures fall, to a considerable extent, into the categories of masterless property or property belonging to destroyed European Jewish communities or are otherwise unclaimed, unidentified property of Jewish private or communal ownership.

We feel that in the interest of justice, and the preservation of Jewish cultural treasures, and because of the need for funds to effect rehabilitation and resettlement of the surviving European Jews, restitution and indemnification in the circumstances hereafter mentioned for property of destroyed European Jewish communities and of masterless Jewish property should be made to an agency consisting of representatives of Jewish organizations with adequate authority to deal with the whole problem. We are prepared, acting together with other Jewish organizations, to form such a representative agency. Such agency would be known as the Jewish Restitution Commission, or have some comparable name.

The Jewish Restitution Commission may be created under the laws of a particular country, or it may be created as an international body by agreement between certain governments, or by an act of the United Nations. There would be obvious advantages to creating the Jewish Restitution Commission as an international body responsible, for instance, to the Economic and Social Council. The Jewish organizations in the United States and elsewhere which would be represented on the Jewish Restitution Commission would be those which at the present time in fact represent and act for the great mass of Jews in the United States and elsewhere.

We think that, both from the point of view of having an integrated program as well as ease and expediency of operation vis-a-vis the Allied and other nations, it would be preferable to have a single Jewish Restitution Commission handle all phases throughout the world of the problems of masterless Jewish property, and property belonging to substantially destroyed European Jewish communal organizations. We feel that the solution of these problems has been so long delayed that they should no longer be dealt with on a piece-meal basis.

However, if interim arrangements are established for dealing with certain aspects of the problem, for example, Jewish cultural treasures, then such interim arrangements should be terminated and the cultural treasures turned over to the Jewish Restitution Commission, when such Commission is created as herein proposed.

The Jewish Restitution Commission would function in connection with ascertainment of property claims, collection and acquisition of property, receipts of payment of indemnification claims, maintenance of custody over such property and funds, and their ultimate liquidation where appropriate, and conversion into other forms of assets. By and large, the property would be used for the rehabilitation and resettlement of surviving European Jews, wherever such Jews are or will be. In this way it will be possible to use funds and other property located in particular countries even though such property is at present not easily convertible into foreign exchange assets that could be used over a wider area. Existing Jewish organizations will constitute the agency through which such property will be used for Jewish rehabilitation and resettlement purposes. Jewish cultural treasures would be relocated where they would best serve surviving Jewish populations.

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By SR NARA Date 10-26-99

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1. Germany and Austria - Full restitution and indemnification should be made for the property and other claims and losses of Jewish communities that formerly existed in Germany and Austria but are now substantially destroyed, of Jews who were of German nationality and who have died since January 1933 leaving no heirs, and of Jews who were of Austrian nationality and who have died since March 1938 leaving no heirs.

Similar action should be taken with respect to the heirless, unclaimed, and unidentified property brought into Germany and Austria from satellite and from liberated countries, which property appears to be of Jewish private ownership or of Jewish community ownership where the Jewish community has been substantially destroyed.

Property falling within these categories, located within Germany or Austria, should be taken into custody immediately by Allied property control officers in these two countries. As soon as there is established a tribunal to determine title to such property and adjudicate claims for indemnification, the representative Jewish agency should be allowed to prosecute claims in the above described categories and to take over restituted property and to receive indemnification payments. Meanwhile, the Allied authorities should allow into Germany and Austria missions representing Jewish organizations that can gather together the necessary evidence in connection with such claims and take other measures, in conjunction with the Allied authorities, appropriate for the protection of such property and claims, including the identifying, cataloging, and classifying of Jewish books and other articles of Jewish culture.

2. Hungary, Rumania, Bulgaria, and Italy - We will submit in a separate letter to the State Department, our recommendations for provisions to be included in the peace treaties with these countries covering the restoration of property to Jews and Jewish communities. With respect to the facet of the problem here involved, our recommendation is that the property of substantially extinct Jewish communities, as well as masterless and unclaimed property which had belonged to Jews, or its proceeds or indemnification therefor, be turned over and paid to appropriate representatives of the Jewish people for the purpose of rehabilitation and resettlement of surviving Jews. In each of these countries a committee will be formed from the surviving Jews that will proceed to deal with these problems on an interim basis. These committees, as part of the representative Jewish agency described above, will deal with these assets for the rehabilitation and resettlement of surviving Jews.

3. Neutral Countries - The Paris Agreement on Reparations provided that the neutral countries should be requested to make available assets that belonged to victims of Nazi action who have since died and left no heirs. We feel that all such assets belonging to Jews who have been annihilated by Nazism and Fascism and left no heirs, should be turned over to the representative Jewish agency. Representatives of the Jewish communities in the neutral countries will be part of the organization in the neutral country acting for the above mentioned representative Jewish agency.

4. Poland, Czechoslovakia, Yugoslavia, and Greece - By reason of the wholesale annihilation and emigration of Jews from these countries, the governments of these countries are not in a position fully to represent the interests of the Jews who have been forced to emigrate, or the heirs of those Jews who have been annihilated, or the Jewish communities that have been substantially destroyed. Accordingly, it is recommended that the property belonging to the Jewish communities that have been substantially destroyed in these countries, as well as property belonging to Jewish nationals of these countries who have died leaving no heirs, and the proceeds of such property or indemnification therefor, should be turned over to the representative Jewish agency. In each of these countries a committee will be formed from surviving Jews that will proceed to deal with these problems on an interim basis. These committees, as part of the representative Jewish agency described above, will deal with these assets for the rehabilitation and resettlement of surviving Jews.

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By SR NARA Date 10-28-98

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5. United States, Great Britain, and other Allied Countries - Unclaimed, heirless, and unidentified property located in these Allied countries and belonging to Jewish victims of Nazi persecution who have died leaving no heirs should be turned over to the representative Jewish agency. In each of these countries, local Jewish organizations will be represented in the organization that acts in such country on behalf of the representative Jewish agency.

It is recognized that in certain instances some distinction will be made between masterless property located in the home-country of the Jewish victims and masterless property located in a country other than the home-country of the Jewish victims, since a country and a local Jewish community will treat the first category of masterless property as more of a domestic problem than the second category of masterless property. It is also recognized that the disposition of the communal property in particular countries will be affected by the size of the surviving Jewish community and whether a substantial part of that Jewish community is likely to emigrate. However, it is not necessary or even desirable to decide at this time what specific disposition should be made of these categories of property in each country.

We are embodying, in separate letters: A - proposals for allocating a part of Germany's external assets in Latin America as additional reparations to be used for rehabilitating and resettling the surviving victims of Nazi persecution; B - our observations of the proposal by the Commission on European Jewish Cultural Reconstruction, for immediate action to safeguard Jewish cultural treasures.

We feel that prompt measures should be taken by the United States Government and by other Allied governments with respect to the matters referred to herein. We would be available for discussion with the Government of any of the proposals herein made or any other proposals for dealing with the problems discussed herein.

Respectfully,

HENRY MONSKY, Chairman
Interim Committee

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