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UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE III.

Case of the Alleged Alsatian Deserters.

Additional Information (2)

The following is an excerpt from a minute received by Sir Robert Craigie from the Foreign Office in regard to the absence of law for the formal annexation of Alsace-Lorraine by Germany.

" It may be taken as certain that there is no Reich law incorporating Alsace and Lorraine in the German Reich. There is no trace of such a law in the standard collections. It is stated in the 1942 and 1943 editions of the Jahrbuch der Weltpolitik, Deutsches Auslandswissenschaftliches Institut, Berlin, that "formelle Eingliederung" of the newly acquired Western territory would take place after a victorious end of the war.

" There is no trace of a general conferment of German nationality on the inhabitants of Alsace and Lorraine, and, as Dr. Schwelb states, the question was regulated by the Orders of 20 January, 1942 and 23 August, 1942.

" Dr. Schwelb in his paper of 19 March 1946* (page 4, last sentence of the first full paragraph) says: "The acquisition of German nationality was to take effect from the day of joining the Wehrmacht or Waffen SS or from the recognition as a reliable German, as the case may be". The German text of the words underlined is "mit dem Tage des Eintritts in die Wehrmacht oder Waffen SS". It may make some difference in individual cases whether "Eintritt" is defined as "the date of receiving call-up papers", or "date of entry into barracks". "

* Special Ad Hoc Committee paper (for the consideration of the case of the alleged Alsatian Deserters, Additional Information.)