

III/32.
20th March, 1946.

UNITED NATIONS WAR CRIMES COMMISSION.

COMMITTEE III.

The Yugoslav Cases Nos. 1323 and 1462.

1) The Yugoslav Representative on the United Nations War Crimes Commission presented to the Commission charges against certain Italians, including Italian judges, alleging both war crimes in the narrower sense and crimes against humanity.

While the charges, as far as they allege war crimes in the narrower sense, were disposed of by Committee I some time ago, and the charged persons placed on the respective lists of the United Nations War Crimes Commission, those parts of the charges that alleged crimes against humanity only were adjourned.

2) In the meeting of Committee I held on 14th March 1946, Minutes No. 54, Committee I decided to refer to Committee III the question as to whether or not the crimes involved in these particular cases should be considered as crimes against humanity, and for what reasons.

This decision of Committee I concerns paragraphs III, IV, VII, VIII and IX of case No. 1323 and case No. 1462.

3) The Yugoslav representative has kindly made an extract from the charge No. 1323 and the addendum thereto as far as they are relevant at this stage. A copy of this paper by Dr. Zivković is appended to this document.

4) The short statement of facts and the particulars of alleged crime contained in the case No. 1462, are as follows:

" The individuals listed above are guilty of crimes including murder, shooting of hostages and Yugoslav prisoners of war, destruction of villages, illegal arrests and mass deportations.

" This charge deals with a number of crimes committed by the Italians during this war against the Yugoslav population in the provinces known as VENEZIA GIULIA, TRIESTE and ISTRIA.

" It is a known fact that the Italian authorities secretly persecuted the Slav population of the above-named provinces long before this war and, after the occupation of regions within the frontier of Yugoslavia proper, they did not even try to hide their policy of terrorism and denationalisation of the Yugoslav minority in Italy. Encouraged by the initial successes of the Axis, the Italian authorities, both civil and military, deprived the Yugoslavs of Italy of all the protection and rights which the latter should have enjoyed in accordance with the treaties. Moreover, the Italian authorities, after the Yugoslavs of Italy rose to arms in consequence of this Italian policy and became part of the Yugoslav National Army of Liberation, applied to the Yugoslav citizens of Italy the same criminal methods which they had employed in the case of the inhabitants of the conquered parts of Yugoslavia proper.

Investigation of these crimes is far from complete and only a fragmentary picture can be provided so far. However, in this charge there are some cases from which some particulars of Italian criminal methods can be collected.

" BERGONZI, ZICCAVO and FABRONI of the Difesa Territoriale at Videm (Udine) were especially responsible for introducing, during 1941-42, the same drastic measures against the Yugoslav population of Venetia Giulia as those in force against the inhabitants of Yugoslavia proper. They ordered the shooting of hostages and of members of the Yugoslav Army of Liberation the burning down of villages and mass deportations. Units under their command committed the following crimes:-

" In July 1942, Herman FURLAN of Gozza near VIPAVA (Vipaco) a soldier of the Yugoslav Army, was captured and shot.

On the 21st July 1942, seven Yugoslav soldiers were captured during the mopping up operations in the sector Vipava-Nanos and shot on the spot. Their houses were burnt down on the same day.

On the 24th August 1942, the so-called Partisan SASA, a Yugoslav soldier, was captured and shot.

Between the 10th and 15th September 1942, the squadristi burnt down several houses in the village GRAHOVO near GORIZIA in revenge because seven young Slovenes had joined the Partisans in the woods.

On the 28th and 29th September, 67 relatives in all of those who had joined the Yugoslav Army were arrested and sent to concentration camps.

On the 1st October 1942 a number of families, whose members were with the Yugoslav Army, were deported from the municipality of TRNOVO (Montespino). 17 families were also deported from the municipality of St. PETER near Gorizia (Gorica).

On the 7th November 1942, Franc MASLO and Hedvik MASLO, Yugoslav soldiers, of Monforte del Timavo, and a woman Partisan were captured and shot.

On the 26th November 1942, about 50 relatives of Partisans were arrested and deported from PODERDO near Gorizia.

In December 1942 a number of punitive expeditions, so-called "rastrellamenti" were carried out against villages in the area of GORIZIA, TOLMIN and IDRIA. Houses were burnt down and a number of persons were shot or deported.

On the 5th December 1942, 16 more relatives of Partisans were arrested and deported from the "rastrellamento" areas. "

5) Arrangements have been made for the Minutes No. 54 of the meeting of Committee I, held on 14th March 1946, to be sent to members of Committee III for information, as soon as they are available.