

M.J

Confidential

UNITED NATIONS WAR CRIMES COMMISSION

MINUTES OF SEVENTH MEETING

held on

1st February 1944

There were present:

Sir Cecil Hurst (Chairman) - United Kingdom
Mr. Herbert Pell - United States of America
 accompanied by Dr. Lawrence Preuss
Lord Atkin - Australia
Monsieur de Baer - Belgium
Dr. V.K. Wollington Koo - China
 accompanied by Dr. Y. Liang
Dr. B. Eder - Czechoslovakia
Professor René Cassin - France
 accompanied by Monsieur André Gros
M. C. Stavropoulos - Greece
Sir Samuel Ranganadhan - India
Monsieur Victor Bodson - Luxemburg
Dr. J.M. de Moor - Netherlands
Dr. Erik Colban - Norway
 accompanied by Monsieur Finn Hiorthøy
Professor Stefan Glaser - Poland
A.L. Dr. W.T. Kuhar - Yugoslavia
 accompanied by Monsieur Milan Ristitch

APPROVAL OF MINUTES

Reading of the Minutes was dispensed with,
and the Minutes were signed by the Chairman.

EFFECT UPON THE FUNCTIONS OF THE
WAR CRIMES COMMISSION OF THE ABANDONMENT
OF THE TECHNICAL COMMITTEE

Speaking on the Minutes, Dr. de Moor said
that the Chairman's statement at the top of Page 2 - "that the question
of transfer to the War Crimes Commission of problems originally in-
tended for the Technical Committee was reserved" - did not correspond
to his impression of the Commission's attitude.

The Chairman, speaking as the representative of the United Kingdom,
made the following statement on this point, which he asked to have
inserted in the Minutes:

"Having now had an opportunity of studying the Declaration read by
Dr. Eder at the meeting on January 25th 1944, I feel bound to make
a reserve as to some statements made in that Declaration. I am

not satisfied that in all respects the Declaration presents a correct statement of the present position. I refer, particularly to the last sentence of the first paragraph numbered 1, and to the third sub-paragraph of the paragraph numbered 3.

I feel some doubt as to the functions of the Commission in regard to the matters dealt with in the above two passages, and I feel obliged to put in this reserve because of the importance which I attach to the principle of the common policy."

Some discussion ensued as to how the abandonment of the proposal to set up a Technical Committee affected the work of the Commission: a majority of the members considered that the Commission should deal, in an advisory capacity, with questions which would have been dealt with by the Technical Committee, and several stated this to be the desire of their Governments.

It was ultimately proposed by Lord Atkin and ^{Mr.} Colban, and was agreed, that the Chairman should be invited to inform the Secretary of State for Foreign Affairs in the United Kingdom of this fact, and should ascertain whether it was Mr. Eden's intention to convoke another Foreign Office meeting for the purpose of defining more fully the functions of the Commission; and that for the present the Commission should continue to work on the plan adopted at the meeting on January 25th 1944."

APPOINTMENT OF SUB-COMMITTEES

The Chairman presented the proposals of the Nominating Committee which were accepted, subject to the addition of Mr. André Gros, France, to the Committee on Enforcement. The Sub-Committees were accordingly constituted as follows:-

Sub-Committee on Facts and Evidence

Mr. de Baer (Belgium)
Dr. B. Eder (Czechoslovakia)
Dr. Lawrence Preuss (United States of America)

Sub-Committee on Enforcement

Dr. V.K. Wellington Koo (China)
Sir Samuel Runganadhan (India)
~~Dr.~~ Erik Colban (Norway)
Dr. J.M. de Moor (Netherlands)
Mr. Herbert Pell (United States of America)
A.L. Dr. W.K. Kuhar (Yugoslavia)
Lord Atkin (Australia)
Monsieur André Gros (France)

Sub-Committee on Legal Questions

Dr. Y. Liang (China)
 Dr. B. Eder (Czechoslovakia)
 M. C. Stavropoulos (Greece)
 Professor Stefan Glaser (Poland)
 Dr. Lawrence Preuss (United States of America) X

It was agreed that the Chairman could, ex-officio, sit on any of the Sub-Committees at any time.

It was decided that the Committee on Facts and Evidence should meet on Wednesday February 9th at 10.30 a.m. and thereafter on each succeeding Wednesday at the same hour unless otherwise decided.

It was agreed that any delegation whose cases were to be discussed by the Sub-Committee at a particular meeting should be notified in advance by the Secretary General, in order that it might send a representative if not already represented on the Sub-Committee.

Professor Glaser asked whether it might not be expedient to authorise the Sub-Committees to co-opt non-members of the Commission to act as assessors, but it was felt better to await experience of the working of the Sub-Committees.

INDISCRETIONS IN THE PRESS

Reference was made to certain references to the Commission's work in the Press. The Chairman said that as his position as Chairman of the Commission was generally known, he had been frequently approached by the Press, and was taking the line that the Commission had a very difficult task which it must be allowed to pursue without constant attention from the newspapers. He thought the better papers would appreciate that the best way to help the Commission was not to talk too much about its work.

LECTURE BY DR. ECER

Dr. Eder referring to Article III Rule 14 of the Commission's Rules, asked and received the Commission's agreement to his giving a lecture at Birmingham for the League of Nations Union on the Trial of War Criminals.

Cecil B. Hunt
Feb 8/44