An Inter-Allied Commission on War Criminals is now sitting in London. Fell is a member of this, he was eased off. The present member is Colonel Hodgson, who was Fell's deputy.

This Commission was formed about two years ago with fourteen nations represented, not including Russia. From the various nations concerned it has been receiving the names of war criminals. When the committee is convinced it has enough evidence to convict in any given case, it puts the name on the War Criminals List. Most of these to date have been unknown little fellows. Information is now put on this list with the names of some of the top men for eventual trial.

About a year ago the Commission recommended the trial court of all the United Nations to be established by treaty, each nation to have one or more judges. We opposed the idea of a Treaty Court. It was agreed at Yalta to leave the whole matter to Eden, Stettinius and Molotov. The present idea is to have an International Tribunal with four Generals, from the United States, Great Britain, France and Russia. This Tribunal is yet to be established. There will be four prosecuting lawyers who will determine what criminals or what organizations should be tried. Justice Jackson, of the United States Supreme Court, has been named as the prosecutor to represent the United States.

A great many criminals will be reached through the various organizations, such as the SS and the Gestapo. If an organization is convicted of war criminality, it will be assumed that each member thereof is individually a criminal and he may be put in a concentration camp or executed.

A great majority of war criminals, under the Yalta Agreement, will be sent to the countries in which they committed their crimes. The International Tribunal will try only the top men, such as Himmler and Goering, who have no geographical locations.

This much was given out by me at the Press Conference on May 15:

"In our opinion, the determination of who are the top criminals to be tried by an International Court should
be left to the prosecuting lawyers. The United States
has appointed Mr. Justice Jackson as its prosecuting
lawyer and hopes the other three governments — Great
Britain, Russia and France — will appoint theirs as
soon as possible.*

NOTE: Seeitalian communication of February 22, 1945, attached.

(For amplification of the above, see Judge Rossman)

C. C. R.
CONFIDENTIAL

HOLD FOR RELEASE

FEBRUARY 12, 1945

Cablegram: The following statement and report MUST BE HELD IN THE SECRETARY OF STATE UNTIL RELEASED.

NOTE: Release will be simultaneous in Washington, London and Moscow and is automatic at 4:20 P.M. Eastern Time, Monday, February 12, 1945.

The text may be moved from Washington for distribution within the United States, but there MUST BE NO ADVANCE REPORT FROM THE UNITED STATES IN ADVANCE OF PUBLICATION.

Extraordinary precautions must be taken to hold this statement and report absolutely confidential and secret until the hour set for national release.

Radio commentators and news broadcasters are particularly cautioned not to make the statement and report the subject of speculation before the hour of release for publication.

JOHN H. FINLEY
Administrative Assistant to the President

RETURN OF CERSA CONFERENCE

For the past eight days, Winston S. Churchill, Prime Minister of Great Britain; Franklin D. Roosevelt, President of the United States of America; and Marshal Y. V. Stalin, Chairman of the Council of People's Commissars of the Union of Soviet Socialist Republics, have met with the Foreign Secretaries, Chiefs of Staff and other advisers in the Crimea.

In addition to the three heads of government, the following took part in the Conference:

For the United States of America:

Edward R. Stettinius, Jr., Secretary of State;
Fleet Admiral William H. Leahy, U.S.N., Chief of Staff to the President;
Harry L. Hopkins, Special Assistant to the President;
Justice James F. Byrnes, Director, Office of War Mobilization and Reconversion;
General of the Army George C. Marshall, U.S.A., Chief of Staff, U.S. Army;
Fleet Admiral Ernest J. King, U.S.N., Chief of Naval Operations and Commander in Chief, U.S. Navy;
Lieutenant General George C. Kenney, Commanding General, Army Service Forces;
Vice Admiral Ernest J. King, War Shipping Administrator;
Major General L. H.ATER, U.S.A., Staff of Commanding General, U.S. Army Air Forces;
W. Averell Harriman, Ambassador to the U.S.S.R.;
K. Freeman Matthews, Director of European Affairs, State Department;
Alger Hiss, Deputy Director, Office of Special Political Affairs, Department of State;

Charles E. Bohlen, Assistant to the Secretary of State,

together with political, military and technical advisors.

For the United Kingdom:

Anthony Eden, Secretary of State for Foreign Affairs;

Lord Zoumbes, Minister of War Transport;

Sir A. Clark Kerr, R.M., Ambassador at Moscow;

Sir Alexander Cadogan, Permanent Under Secretary of State for Foreign Affairs;

Sir Edward Bridges, Secretary of the War Cabinet;

Field Marshal Sir Alan Brooke, Chief of the Imperial General Staff;

Marshal of the Royal Air Force Sir Charles Portal, Chief of the Air Staff;

Admiral of the Fleet Sir Andrew Cunningham, First Sea Lord;

General Sir Hastings Ismay, Chief of Staff to the Minister of Defense,

together with

Field Marshal Alexander, Supreme Allied Commander, Mediterranean Theatre;

Field Marshal Wilson, Head of the British Joint Staff Mission at Washington;

Admiral Somervell, Joint Staff Mission at Washington,

together with military and diplomatic advisors.

For the Soviet Union:

V. M. Molotov, People's Commissar for Foreign Affairs of the U.S.S.R.;

Admiral Yuzhakov, People's Commissar for the Navy;

Army General Antokhov, Deputy Chief of the General Staff of the Red Army;

A. T. Yenikolski, Deputy People's Commissar for Foreign Affairs of the U.S.S.R.;

I. M. Vissotski, Deputy People's Commissar for Foreign Affairs of the U.S.S.R.;

Marshal of Aviation Khrushchov;

P. T. Gusev, Ambassador to Great Britain;

A. A. Gromyko, Ambassador to U.S.A.
The following statement is made by the Prime Minister of Great Britain, the President of the United States of America, and the Chairman of the Council of People's Commissars of the Union of Soviet Socialist Republics on the results of the Potsdam Conference:

THE DEFEAT OF GERMANY

We have considered and determined the military plans of the three allied powers for the final defeat of the German enemy. The military staffs of the three allied nations have met in daily meetings throughout the Conference. These meetings have been most satisfactory from every point of view and have resulted in closer coordination of the military effort of the three allies than ever before. The fullest information has been shared. The timing, scope and coordination of new and more powerful blows to be launched by our armies and air forces onto the heart of Germany from the East, West, North and South have been fully agreed and planned in detail.

Our combined military plans will be made known only as we execute them, but we believe that the very close working partnership among the three staffs obtained at this Conference will result in shortening the war. Meetings of the three staffs will be continued in the future whenever the need arises.

After Germany is defeated. The German people will only make the cost of their defeat heavier to themselves by attempting to continue a hopeless resistance.

THE OCCUPATION AND CONTROL OF GERMANY

We have agreed on common policies and plans for enforcing the unconditional surrender terms which we shall impose upon Nazi Germany after German armed resistance has been finally crushed. These terms will not be made known until the final defeat of Germany has been accomplished. Under the agreed plan, the forces of the three powers will each occupy a separate zone of Germany. Coordinated administration and control has been provided for under the plan through a central control commission consisting of the Supreme Commanders of the three powers with headquarters in Berlin. It has been agreed that France should be invited by the three powers, if she should so desire, to take over a zone of occupation, and to participate as a fourth member of the control commission. The limits of the French zone will be agreed by the four governments concerned through their representatives on the European Advisory Commission.

It is our invariable purpose to destroy German militarism and militarism, and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disarm all German armed forces; break up for all time the German armed service that has repeatedly endangered the peace of the world; and control all German industry that could be used for military purposes. We also stipulate that the democratic and social institutions, the public offices and the public order and the welfare and social services shall be restored to the German people and to the European and the world.

In this connection, it is our invariable purpose to destroy the people of Germany, but not their industry. It is not our purpose to destroy the German people. We shall do our best to help them to start anew in the community of nations.
SEPARATION BY ORDINARY

We have considered the question of the causes of the war and recognize that.

The commission will be instructed to consider the question of the extent and methods

UNITED NATIONS CONFERENCE

We are resolved upon the earliest possible establishment

The foundations were laid at Dumbarton Oaks. On the

We have agreed that a conference of United Nations should

The Government of China and the Provisional Government of

DECLARATION OF LIBERATED EUROPE

The President of the Union of Soviet Socialist Republics,

The establishment of order in Europe and the rebuilding

To foster the conditions in which the liberated people

openings
of all democratic elements in the population and pledged to the
earliest possible establishment through free elections of govern-
ments responsive to the will of the people; and (2) to facilitate
measures necessary the holding of such elections.

The three governments will consult the other United
Nations and the provisional authorities of other governments in Europe
when matters of direct interest to them are under considera-

tion.

Now, in the opinion of the three governments, conditions
in any European liberated state or any former Axis satellite state
in Europe make such action necessary, they will immediately consult
together on the measure necessary to discharge the joint responsi-
bilities set forth in this declaration.

By this declaration we reaffirm our faith in the principles
of the Atlantic Charter, our pledge to the declaration by the United
Nations, and our determination to build an international cooperation with other
peace-loving nations to work for peace under law, dedicated to peace,
security, freedom and general well-being of all mankind.

In issuing this declaration, the three powers express the
hope that the Provisional Government of the French Republic may be
associated with them in the procedure suggested.

POLAND

A new situation has been created in Poland as a result of
her complete liberation by the Red Army. This calls for the estab-
lishment of a Polish provisional government which can be more broadly
based than was possible before the recent liberation of Western
Poland. The present Polish government which is now functioning in
Poland should therefore be reorganized on a broader democratic basis
with the inclusion of democratic leaders from Poland itself and from
Polish abroad. This new government should then be called the Polish
Provisional Government of National Unity.

K. Haleska, M. Harriman and Sir A. Clark Kerr are author-
ized as a commission to consult with the above powers on the
modernization of the present provisional government of Poland, and with other
Polish democratic leaders from Poland itself and from abroad, with
a view to the reorganization of the present government along the
above lines. This Polish Provisional Government of National Unity
shall be pledged to the holding of free and uncontrolled elections as
soon as possible in liberated territory on the basis of universal suffrage and secret ballot.
In these elections all democratic and anti-Nazi parties shall have
the right to take part and to put forward candidates.

When a Polish Provisional Government of National Unity has
been properly formed in conformity with these principles, the government of
the United States, which now maintains diplomatic relations with the pre-
vious provisional government of Poland, and the government of the United
Kingdom and the government of the U.S.S.R. will establish diplomatic
relations with the new Polish Provisional Government of National
Unity, and will exchange ambassadors by whose representatives the respective
governments will be kept informed about the situation in Poland.

The three heads of government consider that the Eastern
frontier of Poland should follow the Curzon line with determinations
free in compliance with the wishes of Poland, as expressed by the
united three governments. They recognize that Poland must receive substantial
settlements of territory in the North and West. They cordially the
opinion of the new Polish Provisional Government of National Unity
that the new frontier of Poland should be sought in due course, taking into account the
frontier, the economic, and the cultural interests of Poland and her
neighboring states.
We have agreed to recommend to Marshal Tito and Dr. Marshall that the agreement between them should be put into effect immediately, and that a new government should be formed on the basis of that agreement.

We also recommend that as soon as the new government has been formed it should declare that:

(1) The anti-fascist assembly of National Liberation (Assembly) should be extended to include members of the last Yugoslav Parliament (Serbian), who have not compromised themselves by collaboration with the Fascists, thus forming a body to be known as a temporary Parliament; and,

(2) Legislative acts passed by the anti-fascist Assembly of National Liberation will be subject to subsequent ratification by a constituent assembly.

There was also a general review of other Balkan questions.

MEETINGS OF FOREIGN SECRETARIES

Throughout the Conference, besides the daily meetings of the three Foreign Ministers, separate meetings of the three Foreign Secretaries, and their advisers have also been held daily.

These meetings have proved of the utmost value and the Conference agreed that permanent machinery should be set up for regular consultation between the three Foreign Secretaries. They will, therefore, meet as often as may be necessary, probably about every three or four months. These meetings will be held in rotation in the three capitals, the first meeting being held in London, after the United Nations Conference on World Organization.

UNITY FOR PEACE AS FOR WAR

Our meeting here in the British Whitehall has reaffirmed our common determination to maintain and strengthen in the peace as in the war that unity of purpose and of action which has made victory possible and certain for the United Nations in this war. We believe that this is a sacred obligation which our Governments owe to our peoples and to all the peoples of the world.

Only with the continuing and growing cooperation and understanding among our three countries and among all the peace-loving nations can the highest aspiration of humanity be realized - the support of this Atlantic Charter, which affords assurance that all peoples in all the lands may live out their lives in freedom from fear and want.

History in this war and establishment of the proposed international organization will provide the greatest opportunity in all history to create in the years to come the essential conditions of such a peace.

Signed: WINSTON S. CHURCHILL

FRANKLIN D. ROOSEVELT

J. STALIN

February 11, 1945.