

143

GENERAL

W 3286
25 FEB 1943

ALLIED ADMINISTRATIVE
AFFAIRS.

Registry Number } W 3286/8/64

FROM Washington
Chancery to General
No Department.
275/60/43

Dated 13th Feb:1943
Received in Registry } 25th Feb:1943

W: Allied Administrative
Affairs

Inter-Allied Declaration against Axis looting.

Encloses copies of correspondence between the Belgian Counsellor and Mr. Stopford, Financial Counsellor of the Embassy, about the enforcement of the Joint Declaration on forced transfers of property in enemy controlled territory.

Last Paper.

W 3264

References.

(Print.)

(How disposed of.)

of / Washington / Chancery
for for Dept
and Appl.
to Mr. Henriquez (I.W.S.D.)
to Mr. Roubin-Duval (I.G.)
to Mr. Caveling (Belgian Embassy)
(copies) and Appl.
Record of 2nd meeting sent to
W 175 / May 6

(Action completed.)

8/4/43

(Index.)

ALL
48

Next Paper.

W 3351

(Minutes.)

The Belgian Govt on their Embassy in Washington seem, perhaps wilfully, to have got hold of the wrong end of the stick.

M. J. Talbot
26/ii

Yes. Copy to Mr. Henriquez & suggest we explain to Wash ton for their information that the Cttee of Experts, set up by the parties to the 'Decl^{on}', are collecting information on the powers latent in the existing legislation of the various Allied countries to invalidate acts of dispossession. We shd explain that the Cttee has no power to recommend a policy. I think we have sent Wash ton a copy of the Cttee's terms of ref. (this shd be checked).

We/y

2479A 28/42 F.O.P.

We shd. take this matter up with the Belgians here in London, as they have probably circularised all their Missions abroad in this wrong sense. We can ask Mr Henniques if he wd. do this to the Belgian rep. on the Ctee of Experts on the basis that the matter is one of misrepresentation of that Ctee's functions.

JGw
13/III

I think we must send off our own reply to Wash 'ton first. I don't think Mr Henniques wd take this on and I have no time at present to embark on this fangle with the wearisome M. Kaeckenbreeck.

JGw 30/3

See earlier letter from Sir Guy Booth (W'ham) to Gen. Dyer 275/1-3 April 24

NOTHING TO BE WRITTEN ON THIS PAGE.

W 3286

BRITISH EMBASSY,
WASHINGTON, D.C.
February 13th, 1943.

Ref: 275/60/43

Dear Department,

We send you herewith copies of correspondence between the Belgian Counsellor and Stopford, Financial Counsellor at this Embassy, about the enforcement of the Joint Declaration on forced transfers of property in enemy-controlled territory. If there is any way in which the reply sent to the Belgian Counsellor does not correctly interpret the position, will you kindly let us know so that we may inform him?

Yours ever,

WASHINGTON CHANCERY.

General Department,
Foreign Office,
LONDON, S.W.1.

C O P Y

AMBASSADE DE BELGIQUE

Washington, February 3, 1943.

D. 8280/6

No. 632

Dear Mr. Stopford,

According to a cable received from my Government on January 5th, 1943, the British Embassy in Washington, acting on behalf of the various Governments now established in London, has been requested to approach the United States Government in order to ascertain whether they were prepared, in conjunction with the afore-mentioned Governments, to take legislative measures in order to enforce the principles embodied in the "declaration against the seizure of property by the Axis in occupied countries" - text of which was published by the New York Times on January 6th, 1943.

The cable received from London also stated that the British Embassy would keep us informed of the progress made in this respect.

Being in doubt as to the section handling this matter in your Embassy, may I ask you to be kind enough to let me know what has been done thus far on the subject.

Very sincerely yours,

(Signed) B'on. de Gruben.

Mr. R. J. Stopford,
Financial Counsellor,
British Embassy,
Washington, D.C.

BRITISH EMBASSY,
WASHINGTON, D.C.

February 13th, 1943.

Dear Baron de Gruben,

Thank you for your letter No. 632 (D. 8280/6) of the 3rd February about the Joint Declaration concerning forced transfers of property in enemy-controlled territory.

We have received no instructions from the Foreign Office on the lines which you describe. Indeed, as far as I know, the Governments making this Joint Declaration, of which the Belgian Government was one, do not intend at present taking any immediate legislative action to enforce the principles embodied in the Declaration. The intention of the Governments making the Declaration was, as stated in the text, to "reserve all their rights to declare invalid any transfers of or dealings with property" in enemy-controlled territory.

I will, however, let the British Government know of your enquiry in case there is any further comment they might wish me to make.

Yours sincerely,

R. J. Stopford.

Baron Hervé de Gruben,
Counsellor,
Belgian Embassy,
WASHINGTON, D.C.

Registry
No.

W5266/B/64

N.L.

Draft.

Mr. Henriques

T.W.E.D.

March, 1945.

Dear Henriques,

I send you herewith a copy of a despatch from Washington from which it appears that the Belgian Government have given their Embassy there incorrect information about the Inter-Allied Declaration against Axis looting *and the reply which we are sending out*

If you agree, we propose to explain to our Embassy that the Committee of Experts set up by the parties to the Declaration are collecting information on the powers latent in the existing legislation of the various Allied countries to invalidate "acts of dispossession", *and* ~~we propose to~~ send a copy of the Committee's terms of reference drawing attention to the fact that the Committee has no power to recommend on policy.

We also think that the matter should

be/

NOTHING TO BE WRITTEN IN THIS MARGIN.

*From W'lm
To W'fm*

What sent to Wash' Co?

*send W/1080
? minute
27 Nov 45*

be taken up with the Belgians in London as it is probable that they have circularised all their missions abroad in this wrong sense. Would you be prepared to put this to the Belgians through their representative on the Committee of Experts on the basis that the matter is one of misrepresentation of that Committee's functions?

NOTHING TO BE WRITTEN IN THIS MARGIN.

it is stated that the parties
 have decided to set up a Comtee
 of experts to consider the scope
 & sufficiency of existing
 legislation etc. ... and at
 para 2 of the minutes
 of the F.O. meeting of Jan
 13th. You will find the
 terms of reference of that
 Sub-Comtee. These make it
 quite clear that its scope
 is purely one of collecting
 information & that it
 has no power whatever
 either to initiate policy
 or to promote fresh legislation.

4. Consequently the Belgian
 Financial Counsellor is
^{quite} ~~completely~~ in correct in stating
 that either the main Comtee
 or the sub-comtee of experts
 has an authorized right to approach
 the U.S.G. with an invitation
 to take any legislative measures
 at this juncture whatever.

from these
 enclosures
 that the

is confined to

The only
~~under~~ commitment which the
 Gerts concerned
 have assumed
 is, as stated
 in the last
 para of the
 explanatory
 memo on the
 Declaration
 that when the
 sub-cttee of
 experts has
 got out its
 factual report,
 they will
 meet
 again in
 full cttee.
 to ~~review~~
 review the
 whole question

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

Draft.

as we fear that the Belgian
Govt. may have sent in -
which instructions to all its
representatives we are taking
up the matter here through
the Chairman of the ~~Com.~~ Sub.
Committee of Experts.

4. The Belgian Financial
Counsellor is quite off the
rails and we can hardly
believe that his Govt. ~~is~~
deliberately misinformed him
in the sense of the first para
of his letter. We agree
with your reply to him,
except that there is no bar,
of course, to the individual
Allied Govts. enlarging their
national legislation, if they
wish and are competent to
do so, so as to close any ^{legal}
loopholes when the day of
reckoning arrives. Perhaps
you cd. ~~perhaps~~ give
him ~~the gist of~~ an outline
of the real position? We may
have to take the matter up
with the Belgian Govt. here,
but are rather loathe to do
so

in the mean-
time

NOTHING TO BE WRITTEN IN THIS MARGIN.

So, as they were only induced with difficulty to accept the ~~limitations~~ on the ~~a~~ limited mandate given to the sub-cttee. and favoured the immediate formulation of high policy and the adoption of specific measures to reverse "acts of dissemination" all of which seemed to us very premature.

We do not want to set all this ~~going~~ going again, unless it is necessary to correct a deliberate falsification of the position.

Yours ever
General Dept -

JSW
30/3

international

NOTHING TO BE WRITTEN IN THIS MARGIN.

OUT FILE

FOREIGN OFFICE, S.W.1.

1st April, 1943.

(W 3286/8/64).

Dear Chancery,

Your letter of the 13th February (275/60/43) enclosing correspondence between Stopford and the Belgian Counsellor about the Joint Declaration on Axis looting.

2. Printed copies of the Declaration were sent to you on the 14th January, but we think it would help you to have also the enclosed copies of the final (agreed) minutes of the meeting held at the Foreign Office on the 27th November, 1942, at which agreement was reached on the main points connected with the Declaration and of a note on a subsequent less formal meeting of the Representatives of Allied Governments held at the Foreign Office on the 13th January of this year, for the purpose of launching the inter-Allied "sub-committee of experts" which has been given the task of studying the relevant Allied law and the actual methods of dispossession practised by the Axis.

3. You will see from these enclosures that the scope of the "sub-committee of experts" is confined to collecting information and that it has no power whatever either to initiate policy or to promote fresh legislation. The only commitment which the Governments concerned have assumed is, as stated in the last paragraph of the explanatory memorandum on the Declaration that when the sub-committee of experts has got out its factual report, they will meet again in full committee to review the whole question.

4. The Belgian Financial Counsellor is quite off the rails and we can hardly believe that his Government deliberately misinformed him in the sense of the first paragraph of his letter. We agree with your reply to him, except that there is no bar of course, to the individual Allied Governments in the meantime enlarging their national legislation, if they wish and are competent to do so, so as to close any legal loopholes when the day of reckoning arrives.

5. Perhaps you could give him an outline of the real position? We may have to take the matter up with the Belgian Government here, but are rather loath to do so, as they were only induced with difficulty to accept the limited mandate given to the sub-committee and favoured the immediate formulation of high policy and the adoption of specific international measures to reverse "acts of dispossession", all of which seemed to us very premature. We do not want to set all this going again, unless it is necessary to correct a deliberate falsification of the position.

Yours ever,

General Department.

The Chancery,
British Embassy,
Washington.

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British Embassy,
Washington, D.C.,

Ref: 275/-/43

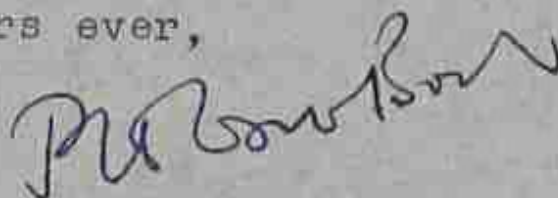
26th April, 1943.

Dear Department,

Thank you for your letter of April 1st, W 3286/8/64, about the correspondence between Stopford and the Belgian Counsellor regarding the joint declaration on Axis looting.

The agreed minutes of the meeting of 27th December, 1942, were enclosed with your letter under reference, but not the note on the less formal meeting of the 13th January. It will be very useful for us to have a copy of the latter. Could you forward it to us in due course?

Yours ever,



Paul H. Gore-Booth.

General Department,
Foreign Office,
London, S.W.1.