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# American Jewish Conference

## Report

OF THE

INTERIM COMMITTEE

AND THE

COMMISSION ON RESCUE

COMMISSION ON PALESTINE

COMMISSION ON POST-WAR

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Report  
OF THE  
INTERIM COMMITTEE  
AND THE  
COMMISSION ON RESCUE  
COMMISSION ON PALESTINE  
COMMISSION ON POST-WAR

TO THE DELEGATES OF THE  
American Jewish Conference

NOVEMBER 1, 1944

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## Interim Committee

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1-Focused on Palestine 2-Rescuing Europe's Jews wasn't originally cited; later it was added when the Bergson Group forced Zionists' hands. When w

# INTERIM COMMITTEE OF THE AMERICAN JEWISH CONFERENCE

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DR. STEPHEN S. WISE

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MEYER W. WEISGAL  
DAVID WERTHEIM

## Report of the Interim Committee

THE AMERICAN JEWISH CONFERENCE was democratically organized in 1943 as a body representative of American Jewry "to consider and recommend action on problems relating to the rights and status of Jews in the post-war world" and "upon all matters looking to the implementation of the rights of the Jewish people with respect to Palestine," and to "elect a delegation to carry out the program of the American Jewish Conference in cooperation with the duly accredited representatives of Jews throughout the world." The agenda was later broadened to include the problem of the rescue of European Jewry.

When the delegates to the first session concluded their deliberations in New York on September 2nd, 1943, they postponed the election of a delegation, but voted to establish an Interim Committee to implement their resolutions and decisions.

The Interim Committee was organized immediately upon recess of the first session, its membership consisting of the nominees of the various groupings in the Conference, in accordance with the Resolution on Organization adopted by the delegates and providing that:

"The Interim Committee shall be selected on the same proportional basis as now prevails among the groupings in the Conference on the 'key of ten' or major fraction thereof, and that a number of members at large, not in excess of eight, shall be chosen by the Interim Committee for addition to its membership."

Later, on October 17th, the Interim Committee established three Commissions "to carry out the mandates of the Conference with respect to rescue, post-war reconstruction, and Palestine."

The Interim Committee herewith submits a report of its own activities and the activities of its three Commissions, descriptive of the work that has been carried on up to November 1st, 1944.

## Membership of the Committee

The membership of the Committee at the outset included the following:

Maurice Bisgyer, David Blumberg, Gedaliah Bublick, Sigmund W. David, J. David Delman, Rabbi William Drazin, Rabbi Maurice N. Eisenrath, Mrs. Moses P. Epstein, Prof. Hyman J. Ettlinger, Rabbi Simon Federbusch, Prof. Hayim Fineman, J. George Fredman, Daniel Frisch, Frank Goldman, Mrs. Maurice L. Goldman, Dr. Solomon Goldman, Mrs. Samuel Goldstein, Mrs. Samuel W. Halprin, Dr. James G. Heller, Herman Hoffman, Edgar J. Kaufmann, Charles P. Kramer, Sidney G. Kusworm, Hon. Louis E. Levinthal, Dr. Louis M. Levitsky, Louis Lipsky, Julius Livingston, Rabbi Irving Miller, Louis J. Moss, Dr. Samuel

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Nirenstein, Harry A. Pine, Dvorah Rothbard, Hon. Morris Rothenberg, Isidor Sack, Louis Segal, Dr. Simon Segal, Hon. Carl Sherman, Rabbi Joseph S. Shubow, Herman Shulman, Dr. Abba Hillel Silver, Hermann Stern, Robert Szold, Mrs. Maurice Turner, David Wertheim, Mrs. Stephen S. Wise, Baruch Zuckerman and the three co-chairmen.

The Resolution on Organization provided for not less than three co-chairmen and accordingly, Dr. Israel Goldstein, Henry Monsky and Dr. Stephen S. Wise were elected.

In addition, the Interim Committee later co-opted for membership Naomi Chertoff, Hayim Greenberg, Mrs. Hugo Hartmann, Mrs. David de Sola Pool, Adolph Rosenberg and Justice Meier Steinbrink. Two places were reserved for representatives of unaffiliated organizations, in the event of their future participation.

A number of changes in the Interim Committee occurred during the year: Benjamin Samuels replaced Mr. Blumberg because of the latter's illness; Leon Gellman served as an alternate for Mr. Bublick because of his illness; Mrs. Archibald Silverman succeeded Rabbi Shubow who entered the army; and Rabbi Robert Gordis, Samuel Rothstein, Mrs. Joseph M. Welt and Benjamin Winter succeeded Dr. Levitsky, Mr. Moss, Mrs. Goldman, and Dr. Segal, respectively. Later, Dr. Samuel Margoshes served as an alternate for Mrs. Silverman when she was overseas and Dr. Joseph Tenenbaum succeeded Mr. Winter (deceased.)

#### Duties of the Interim Committee

The Resolution on Organization adopted by the Conference vested in the Interim Committee the following duties and functions:

"1. To implement the resolutions and decisions adopted by the American Jewish Conference at its session of August 29th to September 2nd, 1943, and in so doing shall cooperate with other organizations and agencies, so far as such cooperation may be deemed desirable.

"2. To reconvene the Conference at such time as it may deem necessary and expedient, but in any event, not later than twelve months following the adjournment of the present session thereof."

#### Executive Agencies

The Interim Committee conceived that its functions were twofold: one, the stimulation of action to assist in the realization of the Conference program and to mobilize public opinion to that end; and two, the establishment of the necessary machinery to implement the Conference resolutions by way of appropriate representations to our own and other governments in the areas of the Conference program.

At a meeting of the Interim Committee on October 17th, 1943, it was agreed to establish three Commissions to act as the executive machinery of the Conference. These were the Commissions on Rescue, the Commission

on Post-War, and the Commission on Palestine. The resolution creating these bodies authorized them "to utilize the service and seek the cooperation of existing agencies in their respective fields." This policy, which had been indicated in the Conference Resolution establishing the Interim Committee (quoted above) has been pursued by the Interim Committee from its inception. The Committee recognized that a number of organizations were engaged in activities in the three areas of the Conference's scope. Manifestly, it was intended that the Conference should stimulate and coordinate their activities. It has been the policy of the Interim Committee to avoid establishing duplicating apparatuses. Where no agency existed for the implementation of the Conference program, the Interim Committee considered it necessary to establish one. Thus, in the fields of rescue and post-war reconstruction, where no over-all agency existed, the Interim Committee, through its Commissions, assumed the initiative in making representations to governments. It was deemed, moreover, the duty of organizations affiliated with the Conference in the interests of a "program of common action" to submit data and information to the Conference and to abide by the principle that representations in these fields shall be made in the name of the Conference.

In the implementation of the Palestine Resolution, the American Zionist Emergency Council, representing the principal Zionist bodies, was engaged in day-to-day political and public relations activities and, accordingly, the Palestine Commission did not seek to duplicate this work. The task of the Palestine Commission was to cooperate with this agency and to make such representations in its own name as the Conference considered advisable from time to time.

The Commissions consisted of nominees of the groupings, in addition to a number of persons co-opted by the Commissions because of their special qualifications. The Commissions have reported regularly to meetings of the Interim Committee for approval and direction, and with this report there are transmitted reviews by each of the three Commissions of their activities and interests during the past year.

In May, 1944, an Administrative Committee was established to prepare for the second session of the Conference, to function as the executive organ of the Interim Committee and to coordinate the work of the Commissions. It is headed by Louis Lipsky, and consists of the following: Maurice Bigsby, Samuel Caplan, Rabbi Maurice N. Eisendrath, Mrs. Moses P. Epstein, Jane Evans, J. George Fredman, Leon Gellman, William Gerber, Hayim Greenberg, Charles P. Kramer, Sidney G. Kusworm, Rabbi Irving Miller, Samuel Rothstein, Max J. Schneider, Herman Shulman, Dr. Abba Hillel Silver, Meyer W. Weisgal, David Wertheim, and the Co-Chairmen.

The Interim Committee held 12 meetings during the 14 months under review. Since its organization in May, the Administrative Committee has met weekly or fortnightly. It has arranged for the implementa-

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tion of the programs of the Commissions. It has carried on the preparation for the second session and has assigned the duties of the staff.

#### Public Relations and Publications

The Interim Committee maintained close contact with the constituency of the Conference throughout the year. Publication of the Conference Record, which was issued as the journal of the proceedings during the first session, was resumed in January on a monthly basis. It has been circulated among the delegates, community leaders, and interested persons. Beginning in May, a Bulletin of activities of the Conference was issued weekly to the delegates. A "Statement on the Organization of the Conference" was published shortly after the recess of the first session and was distributed widely. The public has been informed of Conference activities through the press. **The Proceedings of the First Session of the Conference, a 407-page volume, was published in July.**

#### Finances

**At the first session, the Conference voted that its activities should be financed by the communities. The budget for 1944 was fixed at \$148,500.** The Interim Committee designated Sidney G. Kusworm of Dayton, Ohio, as Chairman, and Max J. Schneider of New York as Co-Chairman of the Finance Committee. A condensed summary of finances appears on Page 10.

#### Convening of the Second Session

At its meeting on May 12th, 1944, the Interim Committee voted to convene the second session of the Conference on September 2nd, 1944, at Chicago. Subsequently, the Office of Defense Transportation requested a postponement and in compliance with this, the Interim Committee voted to convene the second session on December 3rd, changing the location to Pittsburgh because facilities were unavailable on that date in Chicago.

#### Personnel

The Secretariat of the Conference, consisting of Maurice Bisgyer, Jane Evans, Lillie Shultz, and Meyer W. Weisgal, continued to serve the Interim Committee until December 1st, 1943, when staff appointments were made. The Secretariat were invited to continue as members of the Interim Committee without vote. Members of the executive staff include I. L. Kenen, Meir Grossman, Dr. A. S. Kohanski, and Mrs. Ann Jarcho.

#### Adherence of Organizations

Since the recess of the first session, all organizations that participated in the Conference have continued adherence with the exception of the American Jewish Committee, whose Executive Committee voted to with-

draw on October 24th, 1943, setting forth its reasons in a public statement. The Interim Committee published a reply on November 7th, 1943, copies of which were distributed to delegates and to the public.

The Executive Committee of the Jewish Labor Committee on November 30th, 1943 adopted a resolution "to remain in the American Jewish Conference, to work with the Conference on all matters that are within the scope of the activities of the Jewish Labor Committee in accordance with its decisions, but not to participate in the Interim Committee."

#### Agreement with the World Jewish Congress

The World Jewish Congress extended its cooperation to the Commissions and the relationship between the Congress and the Conference was formalized with the adoption of a working agreement on September 12th, 1944. Text of the agreement follows:

"It is agreed that both organizations are to place at their mutual disposition the respective facilities and exchange information to the end that there shall be a constant exchange of confidential information between appropriate departments of the two organizations in all matters touching post-war plans and rescue efforts.

"A joint planning committee is to be set up for the consideration of post-war problems and to advise on the drafting of statements and proposals. The committee is to be composed of an equal number of members from each body and is to have at its disposal the results of the studies made by the Institute of Jewish Affairs. The recommendations of the joint committee are to be submitted to the appropriate organs of the World Jewish Congress and the American Jewish Conference, for their consideration.

"The World Jewish Congress retains its right to represent all the communities and organizations affiliated with it in its dealings with all foreign governments and international agencies. In the case of this country, it is recognized that in any representations to the American Government or any of its departments and agencies within the program of the American Jewish Conference, the American Jewish Conference has a special position as regarding the Jewish Community of the United States of America. Representations to the American Government or its departments or agencies shall be made through the American Jewish Conference unless after consultation it is regarded necessary by either one of the two parties that separate representations be made."

Two committees, a working committee and a joint planning committee, were organized and are functioning under this agreement.

#### Necrology

The Interim Committee records with deep regret the death of four of the delegates to the American Jewish Conference: Edwin J. Schanfarber of Columbus, Ohio; Mrs. Adolph Sieroty of Los Angeles, Calif.; Judge William N. Untermann of Newark, N. J.; and Benjamin Winter of New York.

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### Conclusion

This report and those of the Commissions in the succeeding pages are confined to a review of past action. Recommendations to the second session by the Commissions and the Interim Committee will be submitted to the Conference committees for report to the plenary sessions.

The Interim Committee, during the past year, has been a forum at which Jewish problems on the world scene were considered and discussed. It has received reports continuously from the three Commissions on the progress of their work and it has formulated policies and given directives as new developments called for new decisions.

Because of its representative character and the procedures it adopted, the Interim Committee has served as the Conference in miniature, continuing the democratic and unifying process in American Jewish life begun so auspiciously with the establishment of the American Jewish Conference in 1943.

### FINANCIAL STATEMENT

Balance Sheet—October 31, 1944

Assets		
Cash	\$ 5,153.51	
Furniture and Fixtures	2,419.25	
Petty Cash on Hand	89.68	
Conference Proceedings, a/c receivable	648.60	
Due from Communities*	12,045.00*	
<b>Total Assets</b>		<b>\$20,356.04*</b>
Liabilities		
Loans from Organizations	\$ 6,000.00	
Notes Payable	5,000.00	
Accounts Payable	2,733.36	
<b>Total Liabilities</b>		<b>\$13,733.36</b>
Operating Surplus*		<b>6,622.68*</b>
		<b>\$20,356.04</b>
Operating Statement—January 1, 1944 to October 31, 1944		
Income		
Contributions from Organizations (on a/c of first session)	\$ 1,950.00	
Miscellaneous Receipts	365.05	
Community Fund Raising*	79,562.63*	
Distribution of "Conference Proceedings"	1,444.45	
Meetings—Carnegie Hall (Rescue Commission)	1,536.90	
Contributions from Organizations for Mass Meeting	3,805.00	
<b>Total Income</b>		<b>\$88,664.03*</b>
Disbursements		
Administrative	\$31,181.89	
Public Relations and Publications	22,842.95	
Research	6,397.16	
Community Fund Raising	2,406.19	
Commissions	10,211.26	
Publication of "Conference Proceedings"	5,571.77	
<b>Total Disbursements</b>		<b>\$78,611.22</b>
Deficit—1943		<b>10,052.81</b>
Operating Surplus*		<b>3,430.13</b>
		<b>\$ 6,622.68*</b>

\* The item "Due from Communities" represents allocations from communities. This has not been set up on the books as an asset. However, it has been included in this report to give an overall picture. All items marked \* are materially affected by this item.

MILTON SOLINS Accountant

## Commission on Rescue

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COMMISSION ON RESCUE  
OF THE AMERICAN JEWISH CONFERENCE

*Co-Chairmen*

RABBI IRVING MILLER                      HERMAN SHULMAN

*Executive Committee*

LOUIS FABRICANT	MRS. DAVID DE SOLA POOL
ADOLPH HELD	HON. MEIER STEINBRINK
DR. LOUIS M. LEVITSKY	BARUCH ZUCKERMAN
A. DAVID BENJAMIN	ISIDOR MARGOLIS
RABBI BERNARD BERGMAN	DR. SAMUEL MARGOSHES
JOSEPH BRESLAW	RABBI MORRIS MAX
RUDOLF CALLMANN	DAVID L. MECKLER
RABBI J. M. CHARLOP	JACOB PAT
ABRAHAM COHEN	RABBI MAURICE PERLZWEIG
RABBI MAURICE N. EISENDRATH	HERMAN QUITTMAN
M. MALDWIN FERTIG	DR. JACOB ROBINSON
RABBI ADOLPH H. FINK	CHARLES ROEMER
RABBI SOLOMON B. FREEHOF	MRS. LOUIS A. ROSETT
WILLIAM GERRER	DYORAH ROTHBARD
ISRAEL H. GOLDBERG	CHARLES SONNENREICH
MRS. SAMUEL GOLDING	MRS. BENJAMIN SPITZER
DR. HERBERT GOLDSTEIN	ALEX F. STANTON
MRS. ISRAEL GOLDSTEIN	HERMANN STERN
MRS. SAMUEL GOLDSTEIN	LOUIS STURZ
MOSES H. HOENIG	BENJAMIN TABACHINSKY
HERMAN HOFFMAN	DR. A. TARTAKOWER
RABBI MAX KIRSHBLUM	DR. JOSEPH TENENBAUM
BENJAMIN KOENIGSBERG	HON. RUTH WARTERS
MILTON J. KRENSKY	BENJAMIN WINTER
DR. A. LEON KUBOWITZKI	JAMES WATERMAN WISE
JACOB LEICHTMAN	RABBI MAX J. WOHLGELERNTER
JOEL WOLFSON	

*Secretary*

I. L. KENEN

Why rescuing Jews wasn't on the original agenda and it was added

Report of the Commission on Rescue

I. ORGANIZATION OF THE COMMISSION

WHEN THE call for the American Jewish Conference was issued on May 23rd, 1943, the agenda was limited to "problems relating to the rights and status of the Jews in the post-war world, the implementation of the rights of the Jewish people with respect to Palestine" and the election of "a delegation to carry out the program of the American Jewish Conference in cooperation with the duly accredited representatives of Jews throughout the world."

On the eve of the first session, the agenda was broadened to include the problem of rescuing the surviving Jews of Europe from the Nazis. All through 1942 and 1943, the terror had mounted and millions of Jews had perished, victims of Nazi bestiality. Recognizing that it was idle to speak only of the post-war reconstruction of a people when that people was threatened with total destruction, the first session gave its attention to the immediate tasks of rescue. The resolution adopted by the delegates implied a change in the conception of the Conference as a body concerned solely with the solution of problems to be met in the future. The resolution called for immediate action to expedite the work of rescue. It declared:

"Be it resolved, that in view of the urgent necessity for the rescue of our brethren in Europe, the Committee which shall be appointed to conduct the affairs of this Conference in the interim between adjournment, and the next session of the Conference be authorized to implement and execute the rescue plans of the Conference, and that it should be further authorized, in its discretion, to cooperate with, or to seek the cooperation of, all existing relief agencies and the representatives of European Jewries, and to make representations to governmental authorities."

The Commission on Rescue was the first of the Commissions organized by the Interim Committee; it held its first meeting on October 30th, 1943. Each of the groupings represented at the Conference designated representatives, and, in addition, nominated for cooption persons who, because of their interest in or familiarity with the problem, were in a position to make a contribution to the Commission's work. In February, 1944, a small executive committee was created, consisting of Louis Fabricant, Adolph Held, Rabbi Louis Levitsky, Rabbi Irving Miller, Mrs. David deSola Pool, Herman Shulman, Justice Meier Steinbrink, and Baruch Zuckerman.

The Commission was headed at the outset by Dr. Israel Goldstein, Henry Monsky and Dr. Stephen S. Wise, co-chairmen, and Rabbi Miller, executive vice-chairman. Later, in May, Rabbi Miller and Mr. Shulman,

who had been carrying on a great deal of the Commission's work in Washington, were designated as co-chairmen in place of the three co-chairmen who had been acting theretofore.

## II. THE TASK BEFORE THE COMMISSION

Even as the delegates to the American Jewish Conference met in New York, in September, 1943, cattle cars rumbled eastward, freighted with despairing men, women and children, destined for death in gas chambers, labor colonies and concentration camps. Europe was a vast prison, eastern Europe a charnel-house.

The casualty lists were staggering. Of the 8,324,500 Jews who had lived in 1939 in areas later to be dominated by the Axis, more than 3,000,000 were dead, victims of starvation, of fiendish torture, of mass execution. Of the remainder, it was estimated that some 1,995,600 had been evacuated or had emigrated. More than 1,800,000 of these had been removed to the interior of the Soviet Union. Approximately 3,300,000 were believed still alive. Of these, it was estimated that there were still 1,400,000 in Poland, including some 200,000 who had been deported to that country from western Europe. The Axis-occupied areas of the U.S.S.R. held some 400,000. The Jewish population of Hungary approximated 750,000. There were 270,000 in Rumania, 200,000 in France, perhaps 50,000 in Bulgaria, 47,000 in Italy. The rest were scattered through Europe.

That was the situation in September, 1943. Since that time, the death toll has mounted. In September, 1944, it was estimated that close to another 2,000,000 had perished and that only about 1,500,000 survived in Europe.

The problem of rescue had become one of almost insuperable difficulty. If at one time the obstacle had been the reluctance of democratic lands to admit escaping refugees, the major obstacle in 1943 was the refusal of the Nazis to permit any one to leave Axis-dominated Europe. In all the lands occupied by the Nazis, Jews no longer had freedom of movement. They were either imprisoned in labor colonies or concentration camps, or in hiding. In Hungary, Rumania and Bulgaria, about 1,000,000 Jews were still comparatively free, but the days of their freedom were numbered, for the Nazification of these countries was not far off.

Avenues of escape were few and these were closely guarded. In 1943, there was still a trickle of refugees from France into Spain. The Spanish government permitted entrance to those who could cross the border. There was room for new arrivals because many of the Allied nationals in Spain, including Jews, had been evacuated from Spain by the Polish, Czech, Belgian and Dutch governments. However, in Spain there were some 2,500 stateless Jews, for whom none of the Allied governments had acted.

The attitude of Switzerland was exemplary. It had given hospitality to some 61,000 refugees, of whom 20,000 to 25,000 were Jewish. The majority had entered prior to August, 1942, from Germany and Austria. After that, Switzerland continued to accept fugitives from France and Italy. It placed no obstacles in their way, but the number who could escape dwindled because of the increasing vigilance of the Nazis on the French and Italian borders.

Through the efforts of the underground, a few thousand Polish Jews had been able to escape from concentration camps into Hungary, but this, as it later developed, was to prove but a tragically brief respite. They were soon to be deported to Poland.

Turkey was the only exit from Eastern Europe and the Balkans but, in contrast with the attitude of Sweden, Switzerland and Spain, Turkey at that time offered no sanctuary. Its own Jewish population of 80,000 had been impoverished and degraded. Confiscatory assessments had been exacted from Jews and those who could not pay had been sent to concentration camps. Many Turkish Jews themselves were seeking a refuge in Palestine. The authorities granted a limited number of transit visas, enabling a few families a week to come from the Balkans through Turkey to Palestine. The number of refugees escaping from the Balkans through Turkey early this year was still negligible.

Opportunities for rescue work were thus extremely limited. Stated briefly, there were five major courses of action:

1. Psychological warfare against the Nazi program, on the one hand, to deter the Nazis by threats of punishment and on the other hand, to encourage people within occupied Europe to shelter Jews and assist them to escape;
2. Cooperation with the underground to assist Jews in the ghettos and to smuggle Jews from their places of hiding across borders;
3. Pressure on satellite countries and encouragement to neutral countries to admit and maintain Jews pending their transfer elsewhere;
4. Establishment of new havens of refuge so that refugees might be transferred from the border countries and room made for newcomers; and
5. The transmission of food, medical supplies and clothing to occupied areas.

The attainment of these objectives, however, was not facilitated by the then prevailing attitude of the governments of the United Nations. Although Hitler had singled out the Jewish people for mass extermination as a people and had vowed to destroy all the Jews of Europe, the democratic governments had failed to appreciate the special problem created by the Hitler policy and to distinguish between the problem of the Jews and that of other minorities in Europe.

This was indicated by the text of Secretary of State Cordell Hull's note on February 25th, 1943, preliminary to the Bermuda Conference, which had been devoid of any reference to the Jews as such.

"The refugee problem should not be considered as being confined to persons of any particular race or faith. Nazi measures against minorities have caused the flight of persons of various races and faiths, as well as of other persons because of their political beliefs,"

the Secretary had written.

Moreover, there had been a reluctance to think in terms of rescue. Those governmental agencies which dealt with the problem had confined their attention to refugees who had already escaped from Hitler-dominated territory. Proposals looking to actual rescue work had not been received with any great warmth. The statement issued on May 19th, 1943, by the Department of State following the Bermuda Conference had been limited to refugee problems. And in some quarters, there had existed the conviction that nothing could be done, and that military victory was the sole solution. It was this state of mind which had evoked the statement of the Conference delegates that "military power cannot recall a murdered people from mass graves."

At the inception of the Commission's work, it was clear that it must undertake the task of persuading the governments of the United Nations to adopt a more realistic attitude. The intensification and acceleration of rescue work presupposed the establishment of new political conditions; on the one hand, the creation of governmental agencies prepared and authorized to deal with the problem in its entirety; and on the other, the removal of political barriers which had obstructed relief and rescue work, rendering it extremely difficult in the past.

The Commission conceived this to be its major objective. It was the consensus that the Commission should neither raise funds nor establish any new apparatus to duplicate or compete with established agencies in the execution of rescue work. There was, however, a need for action by the Commission to stimulate governmental activity which would make it possible for these agencies to carry on their work with greater opportunities for success, and, more important, to bring about rescue action by the government itself.

### III. THE PROGRAM OF THE COMMISSION

At one of the early meetings of the Rescue Commission, on November 19th, 1943, a program embracing 13 proposals was adopted as a basis for the Commission's work. Before the organization of the Commission, the rescue resolution adopted at the first session had been presented to Secretary of State Cordell Hull. The more detailed plans were later submitted to

other government officials and subsequently to the War Refugee Board. The program follows:

#### A—Psychological

1. The leaders of the United Nations should again address a solemn warning to the Nazi leaders, their satellites and agents, that they will be held responsible for crimes against the Jews and brought to trial at the earliest opportunity.

2. The Commission on War Crimes now sitting in London should begin to function without delay and should start its public activities at an open session at which representatives of the principal powers should make it clear that their jurisdiction extends to all administrative acts, as well as actual atrocities which have been designed to hasten the extermination of the Jews.

3. These declarations and statements should be continuously broadcast to the German and satellite populations and disseminated through leaflets dropped by airplanes.

#### B—Relief

The deprivation of food and medical supplies constitutes a major factor in the program of extermination. In this respect the Jewish populations are in a far worse situation than the other subject populations; the Jews in Poland, for example, are allotted under the rationing system only about half the amount permitted the Poles; but even this half is rarely available. Supplies sent to the ghettos and concentration camps would save Jews from starvation.

4. Funds should be placed at the disposal of the International Red Cross for the sending of medicines and food packages to those areas in which the International Red Cross can and may operate.

5. Measures should be taken to attain the status of civilian prisoners of war for Jews confined in ghettos and concentration camps so that their friends and relatives may be enabled to send them food and clothing from free countries.

6. Jewish relief organizations should be given the necessary licenses for the transmission of funds to neutral countries bordering on Axis Europe from which supplies may be sent to the ghettos.

#### C—Rescue and Refuge

7. It is urgent that the United Nations publicly state their readiness to receive refugees who may escape. The United States could itself make an immense contribution by adjusting prevailing procedure in the administration of the existing immigration laws so that present quotas may be used in full. Palestine, which is in close proximity to escape routes, should be declared open to any Jewish refugee. If necessary, every refugee reaching territory of the United Nations could be held in specially prepared camps until his bona fides is fully established.

8. Neutral governments should be encouraged to receive refugees

Pay attention 1-Zionists asked the US to take in refugees up to the present quota. Mean

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by the United Nations who should offer food and funds, and who should undertake to facilitate repatriation or resettlement after the war.

9. Machinery should be established in consultation with the military authorities and the underground movements to assist the escape of Jews whose lives are in jeopardy.

10. Pressure should be exercised on satellite countries, particularly in the Balkans, to permit the emigration of their Jewish populations and the transit of Jewish refugees across their territories. In this connection, it is urgent that the Rumanian Government should be pressed to return to Rumania those 75,000 Jews who have been removed to Transnistria, where they are now in danger of extermination by retreating German troops.

11. Measures should be taken by the military authorities to remove Jews from areas of military operation where, in case of reoccupation by the Nazis, they are likely to be destroyed. This applies particularly to such areas as Adriatic islands which have been held for brief intervals by guerrilla troops.

12. Many Jews could be saved by exploring the possibilities of the exchange of Axis nationals and sympathizers now in the territories of the United Nations for Jews under Axis control.

#### D—Machinery

13. It is clear that if this work is to be conducted effectively, some special agency must be established in consultation with the military authorities and in contact with underground movements. As this agency develops its work, new methods of assistance will appear.

Persistent efforts to secure acceptance of these proposals were made throughout the year. They met with some measure of success, following the establishment of the War Refugee Board, creation of which, while the last point on the program, was the first to be pressed.

### IV. WAR REFUGEE BOARD

The Resolution on Rescue adopted by the American Jewish Conference contained the following provision:

"A special intergovernmental agency should be created which, working in consultation with Jewish organizations, should be provided with the resources and armed with the authority to seize every opportunity to send supplies through appropriate channels, provide the means for Jewish self-defense and coordinate and expand the work of rescue through the underground."

This proposal was similar to one made early in 1943 by the Joint Emergency Committee for European Affairs, which represented a number of leading Jewish organizations, and it was included in a twelve-point program for rescue work submitted by that committee on April 19th, 1943 to

the Anglo-American Conference on Refugees in Bermuda. The answer of the Bermuda Conference was to refer the questions of rescue measures and post-war settlement of refugees to the Intergovernmental Committee on Refugees which had been established at the Evian Conference in 1938. The failure of the Intergovernmental Committee to take decisive action—its first meeting was not held until September 30th, 1943—led to the Conference proposal for the establishment of an agency with full power. The Conference had recorded

"its deep concern that four months after the Bermuda Conference, and eight months after the Collective Declaration of the United Nations condemning the mass murder of the Jewish people in Europe, the democracies have as yet failed to institute sustained and vigorous action to rescue those who may yet be saved. The position remains unchanged, save that in the meantime many additional tens of thousands of Jews have been hurried to unnatural death."

Shortly after the Conference recessed, representatives of the Rescue Commission began a series of meetings with government officials urging immediate steps to advance the rescue program. There was a manifest need for some special agency of the government which would be charged with the execution of this work, for as long as specific proposals had to be referred from department to department, time would be sacrificed and opportunities for action would be lost. At these conferences, spokesmen for the Commission urged the creation of a governmental bureau to consist of government officials representing the various departments and lay advisors.

Sometime thereafter, resolutions were introduced in Congress, sponsored by Senator Gillette in the Senate and Representatives Baldwin and Rogers in the House, calling upon the President to create a commission of experts to formulate a program for the rescue of the Jews of Europe. Throughout the pendency of these resolutions in Congress, and up to the time of the creation of the War Refugee Board, negotiations between representatives of the Conference and government officials continued, and various proposals were put forth concerning the character of the proposed agency and the scope of its work.

The Interim Committee considered the Gillette and Baldwin-Rogers Resolutions and on December 2nd, 1943 Dr. Wise testified in behalf of the Conference before the House Committee on Foreign Affairs. He submitted the entire Conference program on rescue to the members of the Committee, suggested the advisability of an amendment which would record Congress as favoring the opening of Palestine to Jewish immigration, and elaborated on rescue measures which could be undertaken by the United Nations without obstructing the war effort. Dr. Wise told the Congressmen the Conference favored the purpose of the resolution, but in discussing the amendment, he pointed out that there could be no decent settlement for the Jewish people unless those who wished were permitted to enter the Jewish National Home. He called attention to the fact that

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thousands of Jewish refugees had been denied escape and had perished simply because their flight had been blocked for want of a destination.

During the course of his testimony, Dr. Wise referred to the widespread disappointment of American Jewry in the outcome of the Bermuda Conference. A number of Congressmen expressed a dissenting point of view. It was later explained that six days earlier, Assistant Secretary of State Breckinridge Long had appeared before the Committee in executive session, had testified on the progress of the Intergovernmental Committee and had presumably made some impression on members of Congress. Then the House Committee later made public a lengthy transcript of Mr. Long's testimony, it drew immediate protests.

The Interim Committee of the Conference, at its meeting on December 11th, reviewed Mr. Long's statement and authorized the Rescue Commission to issue a public statement sharply challenging the accuracy of certain parts of it. The Rescue Commission statement, issued on December 27th (Appendix F-43), asserted that Mr. Long's testimony "can be read only with mixed feelings in which bewilderment and regret predominate over satisfaction." In his testimony, Mr. Long had said that 550,000 refugees had been admitted in a ten-year period, thus giving the public an exaggerated impression of the number of Jewish refugees granted asylum in our country. Moreover, the "550,000" figure referred to visas and not immigrants. The Conference statement cited records of the Immigration and Naturalization Service to show that since the advent of Hitler in 1933, only 163,843 Jews had been admitted from all parts of the world under national quotas and that only 43,080—a number of whom later re-entered under quotas and are thus included in the 163,843 figure—had come in on temporary visas. It was pointed out that in the previous year only 5.9 percent of the norm was used and this was blamed in part on "cumbersome" procedure in the State Department. Criticism was leveled at "harsh and unjustifiable" rules which "weigh heavily against the admission of persons with near quotas in Axis Europe." Mr. Long had contended that shipping facilities do not permit more than the entry of the 200 immigrants who, he said, were arriving monthly. This statement was challenged by the Conference.

Far more serious, however, was the attitude of mind which Mr. Long's testimony revealed. He made the extraordinary statement:

"The State Department's policy, I think, must be that we cannot extend persons from our sympathy and sympathetic attention if they are not Jews."

To what the Conference replied:

"It is difficult to understand Mr. Long's repeated implication that sympathy for Jews excludes help to other people or that there is no distinction between the problem of rescuing Jews from Hitler Europe and aiding refugees in general."

The statement reaffirmed the Conference position which, while emphasizing the uniqueness of the Jewish tragedy in Europe, called nevertheless for aid for all victims of Nazi oppression, irrespective of race or faith, a position always maintained by Conference representatives in their meetings with the government.

The strong reaction which Mr. Long's statement provoked—a reaction shared by Christians and Jews alike—focused attention on what had been apparent to many Jews over a long period: the indifference and apathy of some of the officials of our government, particularly those charged at that time with responsibility for rescue problems.

Thus, for example, it should be recorded that a proposal to facilitate rescue work made to government officials in May, 1943, and approved by high authority in July, had not been cleared as late as last December because while it had quickly obtained the approval of one department, it had been pigeonholed in another. This fact was brought forcibly to the attention of government officials by spokesmen for the Rescue Commission, and as a consequence, these officials recognized the need for some central agency which would be vested with authority to act.

The proposal for the creation of the War Refugee Board gained favor and its establishment announced in an executive order issued by President Roosevelt on January 22nd, 1944, marked a decisive turning point in efforts to save the Jews of Europe.

The executive order directed the Board to "take action for the immediate rescue from the Nazis of as many as possible of the persecuted minorities of Europe, racial, religious or political, all civilian victims of enemy savagery."

The President's statement accompanying the executive order emphasized "that it was urgent that action be taken at once to forestall the plan of the Nazis to exterminate all the Jews and other persecuted minorities in Europe." The rescue of the Jews of Europe was now on the agenda of the government of the United States.

The Board's functions under the President's order were to "include, without limitation, the development of plans and program and the inauguration of effective measures for (a) the rescue, transportation, maintenance and relief of the victims of enemy oppression and (b) the establishment of havens of temporary refuge for such victims."

The Interim Committee of the Conference, at a meeting in New York on January 25th, hailed the establishment of the Board "as an act of great historic significance" in a telegram to President Roosevelt, which declared in part:

"The successful implementation of a program for rescue by this Board will signalize to the oppressed of all peoples on the European continent the high humanitarian purpose and ideals for which this war is being waged, and to which your moral and political leadership is dedicated."

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It should be pointed out that the Board, as constituted by the President's order, is not an advisory body or a commission of experts as was suggested in the Congressional resolutions. It is a body of high authority, composed of Secretary of State Cordell Hull, Secretary of the Treasury Henry Morgenthau, Jr., and Secretary of War Henry Stimson, the cabinet members heading the three departments bearing principal responsibility for the execution of rescue proposals. Furthermore, the authority given the Board was broad and comprehensive, and invested its agents with extraordinary powers. It was not merely a body to make recommendations. It had authority to act.

The staff is composed of a group of officials who, during previous government experience, had evinced a sympathetic interest in the task. It is headed by an able government official, John W. Pehle, Jr., whose previous experience as director of the Foreign Funds Control Division had brought him into contact with rescue problems.

The Board designated special representatives abroad: Ira Hirschmann of New York to Turkey, Dr. Robert C. Dexter of the Unitarian Service Committee to Portugal, Iver C. Olsen of the Treasury Department to Sweden, Roswell McClelland of the American Friends Service Committee to Switzerland and Leonard Ackerman, another Treasury representative, to Italy.

Mr. Pehle surrounded himself with a group of men and women who devoted their energies to the utmost to see that the work was carried out on a broad scale and as expeditiously as possible.

## V. INSIDE THE NAZI WALL

The Conference rescue resolution stated:

"The neutral nations bordering on Axis-occupied territories should be encouraged through financial help, through additional supplies and through appropriate guarantees for the ultimate disposal of the refugees brought into their territories, to secure the release of Jews, especially children, and to give them hospitality in their lands or the right of transit to havens of refuge."

The resolution also urged that every opportunity be seized:

"To send supplies through appropriate channels, provide the means for Jewish self-defense and coordinate and expand the work of rescue through the underground."

Up to last fall, the impression prevailed that the Nazi wall around Europe was impenetrable and that efforts to evacuate Jews from inside Axis Europe or to transmit assistance to them were of no avail. Proposals seeking to ameliorate the plight of Europe's Jews were limited to psychological warfare against the Nazis and efforts to transfer those Jews who had already escaped to places of temporary refuge.

Direct approach to the Nazis was deprecated on the ground that no agreement of any kind could be consummated with the Nazis, for it was feared that any such overtures would be turned to their own use in the prosecution of the war. But the possibility that measures could be taken through neutral intermediaries and international organizations was not adequately explored. Nor was any consideration given to the possibility that Jews might be assisted and rescued through the utilization of the underground.

Some effort had been made with the support of the Intergovernmental Committee on Refugees looking to the evacuation of Jews through the medium of a neutral. Thus Sweden had sought to provide a haven for Jewish children and according to the testimony of Mr. Long before the House Committee, a favorable response could not be elicited from the Nazi government.

Another proposal which Mr. Long disclosed to the House Committee was a plan to remove up to 100,000 children from Axis territory to neutral countries where food would be provided for them so that they might be rehabilitated and then returned after a two or three months' stay. This plan, like the other, fell through.

The first dramatic demonstration that Jews could be evacuated came in September, 1943, when the Swedish government threw open its doors and provided a refuge for 90% of the Jewish population of Denmark. More than 6,000 Jews were rescued in this unprecedented and humanitarian action, which demonstrated that Jews could be saved, if democratic nations were prepared to take action commensurate with the gravity of the situation.

Evidence that extraordinary measures could be effectively undertaken and contact could be established with the underground was brought to the attention of our government in the summer of 1943, and in December, after months of negotiations, official sanction was obtained for the transmission of assistance through the underground. This marked a decisive change in the situation. The work of rescue, carried on with the tactics of guerrilla warfare, went forward. This was facilitated by the Commission in meetings with government officials and was expedited when the creation of the War Refugee Board opened new avenues of communication with representatives of Jewish organizations in neutral countries.

Licenses were issued to permit private agencies to send money to representatives abroad to purchase food for individual parcels to be distributed to internees in enemy territory, and for other purposes.

Following the creation of the Board, the Commission submitted a memorandum outlining specific proposals to that agency. (Appendix, P. 46)

The memorandum called for diplomatic action to provide Jews with exit and transit visas and places of destination or temporary asylum, so that Jews could be brought out of the Balkans by way of Turkey. Special attention was called to the danger menacing Jews who had been deported by

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Rumania to Transnistria, German-occupied areas of Russia, and who were imperiled by retreating Nazi armies.

One of the first actions announced by the Board was that Mr. Hirschmann, its representative in Turkey, had been instrumental in persuading the Rumanian government to break up concentration camps in Transnistria and that arrangements were made to bring Jews back to the Rumanian interior.

The memorandum urged that the International Red Cross be enabled to supply food, clothing and medical attention for persons in the occupied territories, and that it send delegations to investigate the concentration camps, in the hope that such visitations would ameliorate conditions. It was urged that since the Nazis sought to justify their treatment of the Jews on military grounds, the surviving Jews in Nazi Europe should be given the status of civilian prisoners of war and thus receive International Red Cross protection.

Had this been done, it would have been possible to send food and clothing to the Jews in the ghettos. It was not until the height of the Hungarian crisis that the International Red Cross was enabled to send a delegation into Hungary. Moreover, inadequate transportation facilities had hampered rescue work, and the Commission urged that ships be made available to the Red Cross.

The Commission supported a plan to make available to the International Red Cross \$10,000,000 for the purchase of food and medical supplies. This plan had originally been proposed by the World Jewish Congress and at one time, Assistant Secretary of State Long asserted that our government had approved the appropriation of \$4,000,000 as its contribution. This project did not materialize. However, sending of food parcels to the internment camps by Jewish agencies was facilitated through the efforts of the Board.

The Conference memorandum pointed out that Jews might escape from France into Switzerland and Spain in greater numbers if a special apparatus were created to work with underground emissaries in France, if refugees in Spain and Switzerland were removed to other places, if food and financial assistance for refugees were provided in Spain and Switzerland, and if these countries were given assurance that after the war all refugees would be repatriated to their former homes or enabled to find permanent residences in other lands.

Contact was established with the underground, and prior to the liberation of France, groups of children were assisted over the Pyrenees from Occupied France into Spain with the help of the Maquis and guides paid by funds sent from America.

The memorandum appealed for aid to the Jews in Poland, called for a renewal of warnings to the Nazi government and the Nazi people, and

proposed that immigration procedures be revised to permit the entry of refugees into this country and into Palestine.

While the War Refugee Board has not up to this time given an official report of its activities, it is known that it rendered effective political and diplomatic support to the advancement of all these proposals. The Board, however, did not have large appropriations for actual rescue work, which was financed by private agencies.

In that connection, the Conference memorandum urged government financing of rescue projects. The Conference declared:

"The rescue work which should be undertaken at this time is of such great magnitude that it cannot possibly be financed by private philanthropic agencies. Private organizations will undoubtedly contribute to the limit of their means, but the bulk of financial requirements can be met only from government sources.

"We submit that the principles governing the allocation of funds to UNRRA also apply to the War Refugee Board. Both agencies are dedicated to the salvation of human beings. In this task, one must not draw a line of demarcation between people already liberated and those yet to be freed. The salvation of those facing extermination is even more urgent; otherwise, for them rehabilitation will come too late."

Board officials, however, declared that no rescue project would suffer for lack of funds. The policy of reliance on private agencies for financing was explained by Secretary Morgenthau in an address on September 21st, 1944, in which he said:

"When the Board was first established, it was obvious that speed was essential. . . .

"It was quickly apparent that there were honorable, seasoned private organizations in this field who were equipped with everything except the kind of support which could come only from the government of the United States. The main ingredient that was lacking was a vigorous statement of policy by this government, and its application in all possible ways.

"It seemed perfectly logical that a relationship should be established between the private agencies and the government in order that the maximum number of lives should be saved in the minimum time. For its part, the Government could contribute the weight of its prestige, its diplomacy, its communication channels, its licensing and transportation facilities—wherever these did not interfere with the winning of the war. For their part, the private agencies could give detailed knowledge, seasoned personnel, long experience and quickly available funds.

"A partnership was speedily arranged. War Refugee Board originated, expedited, negotiated and enabled; private agencies did most of the financing and operating, and attended to those practical matters in which they were experienced."

Throughout the year, the Board welcomed suggestions and information from the Conference and other agencies which would open up new possi-

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bilities for rescue work, and from time to time communications received by the Conference and its constituent bodies from abroad were brought to the Board's attention.

## VI. ADMISSION TO PALESTINE

The Conference resolution stated:

"There should be public acknowledgment of the right of every Jewish refugee who can reach Palestine not only to find a haven there but to establish his permanent home in that country."

At the time this statement was adopted, the White Paper restricting Jewish immigration into Palestine to 75,000 over the five year period beginning April 1st, 1939, was in effect and all Jewish immigration into Palestine was scheduled to cease after March 31st, 1944. This policy was rigidly enforced throughout the early war years.

In early November, shortly after the first session of the Conference, the provisions of the White Paper, while basically unchanged, were relaxed. The Colonial Office announced that the 31,000 certificates still unused would be available after March 31st, 1944, if they were not exhausted before that deadline.

While there were some 50 refugee camps in Africa and Asia and some 100,000 refugees of all nations had been provided a haven, Palestine's importance as a refuge lay in its accessibility and in the fact that once in Palestine, as distinguished from other havens, Jewish refugees ceased to be refugees and were quickly integrated as permanent residents of the country. Thus every effort has been made during the past year to bring as many refugees as possible into Palestine.

In the spring of 1943, there had been a proposal to remove 4,000 Jewish children and 500 adults from Bulgaria. Certificates for Palestine had been obtained for them. The proposal had been blocked, however, because of the failure to obtain adequate shipping space. Later, the Bulgarian government had guaranteed exit visas to 1,000 Jews. In this instance, it had been possible to secure a ship, but seven weeks had elapsed before British authorities obtained the approval of London. In the meantime, Nazi troops had taken command and the children were unable to leave. There had also been a long delay in the removal of Jewish refugees from Spain and Portugal to Palestine.

When the Mediterranean was reopened to shipping this year, the movement of Jewish refugees to Palestine was undertaken on a larger scale and arrangements were completed to transport a number from camps in Spain.

Through the combined efforts of the Jewish Agency in Palestine and the JDC, about 8,000 Jews were transported from the Balkans, the largest number of them from Rumania and some from Bulgaria, Greece, Hungary

and Poland. In early spring, this mass movement was begun when the S.S. Maritza arrived in Istanbul carrying 244 refugees from Constanza. An effort was then made to transfer a large number from Constanza on a larger vessel, but the Nazi government refused safe conduct. Later, smaller ships which could run the Nazi blockade were used. One of these was sunk by the Nazis, and all but 13 of its 290 passengers were lost. Despite this tragic reverse, the work went forward.

Representatives of the Jewish Agency were instrumental in obtaining the transportation for the refugees while the JDC provided most of the funds, the balance being raised by the Agency.

The War Refugee Board, through its representative, Mr. Hirschmann, and Hon. Laurence A. Steinhardt, U. S. Ambassador to Turkey, rendered valuable service in persuading the Turkish government to permit Jews into that country without Turkish visas and in clearing away other political and diplomatic obstacles in neutral and satellite countries.

No account of the rescue work that has been carried on during the year would be complete without a reference to the efforts made by the Jewish Agency in Palestine. In that country, the Jews united to send effective assistance through the underground. Large sums of money were raised for relief and rescue work. The underground organization established by the Jews of Palestine was able to rescue people from seemingly impossible places.

During this period, the Palestine Administration ruled that certificates for Palestine would be reserved for persons in occupied territory. However, the certificates available for Jews in Hungary and other occupied territories remained unused because of the intervention of the Gestapo. On the other hand, the Jewish refugees in Italy and other liberated areas, who desired to go to Palestine, were denied certificates by the British authorities. As a result, Jewish immigration into Palestine in the last few months was brought to a virtual standstill. At the same time, British officials sought to discourage Jews in Italy from seeking admission to Palestine and urged them to accept citizenship in Italy. It was evident that the Palestine Administration was hoarding the certificates to perpetuate the White Paper policy. This attitude was sharply criticized by the Conference in a memorandum submitted to the British Embassy on September 25th, 1944. (Appendix, P. 51)

In this memorandum, the Conference urged:

1. That Palestine certificates be made available to the Jewish Agency immediately for the use of Jews wherever they might be, so that a maximum Jewish immigration into Palestine might be made possible;
2. That British officials on the Intergovernmental Committee and similar agencies be instructed to refrain from any statements or activities antagonistic to Jewish aspirations in Palestine;
3. That the Jewish refugees now detained in Mauritius be liberated and permitted to enter Palestine as soon as possible.

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Announcement was made on October 27th that the Palestine Administration had revised its policy and that 10,300 Jews would be admitted from neighboring countries and liberated European territories at the rate of 1,500 a month, retroactive to October 1st. The figure may be revised in January, 1945.

In August, 1944 there were introduced in Congress a number of resolutions sponsored by the Hebrew Committee of National Liberation, calling for the establishment of emergency refugee shelters in Palestine similar to the shelter established by our own government at Oswego, New York. These proposals by implication sanctioned the deportation of these refugees from Palestine after the war and were inconsistent with the Conference Rescue Resolution (quoted above), which calls for permanent homes for Jewish refugees in Palestine. These were considered prejudicial to Jewish interests in Palestine by the Palestine Commission of the Conference, and the Congressional sponsors of the resolution were so informed, following action by the Interim Committee on September 12th.

## VII. TEMPORARY SANCTUARY FOR REFUGEES

The Conference Resolution on Rescue declared:

"The democracies should recognize and proclaim the right of temporary asylum for every surviving Jewish man, woman and child who can escape from the Hitlerite fury into the territories of the United Nations."

This had been one of the proposals presented to the Bermuda Conference in April, 1943, but little progress had been made towards its attainment, except in the case of Sweden's rescue of the Jews of Denmark in September, 1943.

The policies of our own government restricting the admission of refugees have already been referred to. These policies placed America at a moral disadvantage in the prosecution of any rescue program; she was hardly in a position to advise others.

Representatives of the Commission reviewed the situation in meetings with officials of the State Department in November. The Conference statement criticizing Assistant Secretary of State Long in December was amplified in a memorandum on immigration procedures, printed in the *Congressional Record* and widely distributed. The Conference memorandum to the War Refugee Board in March appealed for the adoption of a new policy.

Later that month hopes were raised that our own government was now prepared to act more generously and to show the way to other countries, when the President issued his declaration appealing to the "free peoples of Europe and Asia temporarily to open their frontiers to all victims of oppression."

The President's message declared:

"We shall find havens of refuge for them, and we shall find the means for their maintenance and support until the tyrant is driven from their homelands and they may return."

The War Refugee Board was urged to establish a refugee rescue camp shelter in this country. A memorandum (Appendix, P. 53) was filed with the Board by the Commission in which it was pointed out that the establishment of a free port in this country would mean salvation "not only for those who might be brought here but for thousands who might be helped to escape by other countries."

The memorandum declared that the establishment of a refugee camp would constitute a psychological defeat for Hitlerism:

"If there are millions of people in Hitler-occupied Europe who have been opposed to Hitler's war of extermination against the Jews, they will be encouraged in their resistance by the knowledge that America is actively supporting them, by the knowledge that those whom they may help to escape will be assisted to a place of shelter."

A similar plan to establish a "free port" was urged in the *New York Post*, and won endorsement from many newspapers and organizations. On April 18th, the War Refugee Board disclosed that the plan was seriously under consideration.

A resolution endorsing the proposal was adopted the following evening at a mass meeting in New York sponsored by the Conference in connection with the first anniversary of the Battle of the Warsaw Ghetto. Delegates and the organizations affiliated with the Conference were urged by the Commission to assist in marshalling favorable opinion and support was enlisted in many quarters. (Appendix, P. 55)

It was conceded that not many refugees would or could be brought to this country but the project was deemed important for a number of reasons. The envelopment of the Balkan countries by the Nazis rendered escape extremely difficult during this period and only two avenues remained open. The first was the Turkish frontier. While a number of Jews had been able to escape from the Balkans through Turkey to Palestine, this number was extremely limited because the Turkish government was restricting transit visas to nine families a week in Sofia, Bucharest and Budapest, or about 400 a month. Subsequently, it became known that even this was of little avail because those who applied for visas were promptly arrested by the authorities. In view of this, it was hoped that Turkey might open its frontiers and permit refugees to cross without hindrance and remain pending their transfer elsewhere. It was vital that the United States show the way to Turkey.

The other avenue of escape was through Yugoslavia, to Italy. Some 36,000 refugees were in Southern Italy—approximately 5,000 of them were Jewish—and the congestion in these camps grew as hundreds crossed the

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Adriatic in small boats from Yugoslavia. To provide for newcomers and to relieve stress caused by overcrowding, it was necessary to remove some of the refugees from Southern Italy.

This situation was brought to the attention of the President and in June he issued an order establishing a rescue camp at Fort Oswego on Lake Ontario for about 1,000 persons. He also gave orders to enlarge the refugee camps in the Mediterranean area. Some 982 refugees ranging in age from three weeks to 80 years, arrived here in August, more than 90 percent of them Jewish.

While the President's action was welcomed generally, the hope was widely expressed that the Oswego camp, limited as it was to 1,000, was but a first step and that other rescue shelters would be opened here to accommodate much larger numbers, in accordance with America's traditional hospitality to the homeless and the persecuted. This hope has not been fulfilled and it has been announced that no additional shelters are contemplated.

### VIII. WARNINGS

The Rescue Resolution of the Conference declared:

"A solemn warning addressed by the leaders of the democracies to the Axis governments and their satellites must make it clear that the instigators of crimes against the Jews, as well as the accomplices and agents of the criminals, will be brought to justice; that all who prevent the release of Jews from Axis captivity and their departure to havens of refuge will be punished for their complicity in the policy of extermination; and that resistance to the policy of extermination and aid given to victims of the Nazi policy will be taken into consideration on the day of reckoning."

Such a declaration had been issued by the United Nations on December 17th, 1942, when they had pledged that the Axis criminals would be punished for crimes committed against the Jews. This declaration came after representatives of the British Section of the World Jewish Congress had called the attention of the British government to the mass slaughter of the Jews of Europe, first revealed in all its horror in the fall of that year. But little or nothing had been done to implement the warning. The formation of the Allied Commission on War Crimes in London had been announced in the fall of 1942, but up to the time of the convening of the American Jewish Conference, it had not even met.

On November 1st, 1943, following the Moscow Conference, there was issued a statement signed by President Roosevelt, Premier Stalin and Prime Minister Churchill in which the three allied powers took note of the fact that as the Nazis retreated they were "redoubling their ruthless cruelties" and in which the criminals were warned that they would be "brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged. . . ."

"Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done," the statement said.

This declaration specifically referred to invaded countries and to the "wholesale shootings of Italian officers . . . the execution of French, Dutch, Belgium, or Norwegian hostages, . . . Cretan peasants . . . and the people of Poland", but did not refer to the Jews. This strange omission caused grave concern and it was called to the attention of Secretary of State Hull who on November 18th, 1943, in an address to Congress, amplified the Moscow statement, pointing out that it applied to "people of all races and religions, among whom Hitler has reserved for the Jews his most brutal wrath."

It was the belief of the Commission that the Allied governments had not brought these warnings home to the people of the Nazi and satellite countries. The question was raised anew with government officials in Washington last fall, later with officials of the War Refugee Board in February, and again in the Conference memorandum to the Board in March.

Spokesmen for the Conference emphasized that warnings were important primarily to drive a wedge between the Nazi leadership and the people of the Nazi countries, that they would act as a deterrent on many lesser officials, that they would encourage people in the occupied territories to assist Jews and shield them from their persecutors. It was also urged that the facts of the Nazi extermination policy be broadcast, both by radio and by leaflet, to the populations of the occupied countries, for the belief existed in some quarters that the Nazis, while making no secret of the general purpose of their program, had withheld the monstrous details from their own people.

The situation became critical in the middle of March, after the Russian armies crashed through the Nazi defenses and the Nazis occupied Hungary and Rumania. The 750,000 Jews of Hungary and the many thousands who had sought refuge there, were now in grave peril. The puppet government of Hungary launched upon a series of measures, discrimination, confiscation, segregation—all following the familiar Nazi pattern and all pointing inexorably to annihilation.

At a meeting of the Interim Committee on March 21st, it was decided to renew appeals to our government. Inquiry was made in Washington the following day and it was learned that steps were being taken. Three days later, the President issued a most emphatic warning to the people of Hungary and the satellite countries.

The President's warning applied not only to leaders but also to their

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functionaries and their subordinates in Germany and in the satellite countries.

"All who knowingly take part in the deportation of Jews to their death in Poland or Norwegians and French to their death in Germany are equally guilty with the executioner. All who share the guilt shall share the punishment," he said.

That declaration became a powerful weapon in the psychological warfare against the Nazis. It was broadcast to enemy-occupied territories and leaflets were dropped from airplanes over Hungary. The War Refugee Board secured repeated evidence that the appeal to the decent people of Europe found willing listeners and stiffened resistance to the Nazis.

The statement of the President was followed by the unprecedented action of the Senate Foreign Relations Committee which, on June 3rd, publicly condemned the threatened extermination of the Jews of Hungary and urged the people of that country to assist the Jews to escape and to combat the Nazi program. Similar action was taken by the House Foreign Affairs Committee on June 21st, and the following day a resolution to the same effect was introduced in the House by Representative Sol Bloom of New York, the committee chairman.

On June 26th, Secretary Hull asserted that there could not be too many protests and he repeated the warning of the Moscow Conference. On June 27th, Archbishop Francis J. Spellman of New York, in a broadcast to Hungary, called the Nazi persecution of the Jews a contradiction of the Christian doctrines professed by the vast majority of the Hungarian people. On June 29th, the Federal Council of Churches of Christ of America urged "our Christian brethren in Hungary to refuse to be silent in the presence of this crime and to do everything possible to aid and comfort the Jewish victims."

These appeals and warnings were beamed continuously to the people of Hungary and other satellite countries. They were told how to help the Jews to escape, they were warned that the Axis was losing the war; they were urged to keep evidence of Nazi crimes for use in the trials to come.

But the Gestapo was not to be deterred.

## IX. HUNGARY

Despite the warnings of our government, the Nazis, aided by native Quislings, savagely attacked the Jews of Hungary in May. Jews were herded into ghettos situated in areas exposed to air attack and on May 17th it was announced that 323,000 were already in concentration camps located in 34 cities, and by June 24th, all the Jews in Budapest were similarly segregated. Under a series of anti-Jewish regulations, Jews were ousted from industry, trade and the professions, their property confiscated and thou-

sands were arrested. Although Hungarians made no secret of their intention to plunder the Jewish population, they pretended that they did not intend to doom the Jews of Hungary to the fate of the Jews of Poland. On May 24th, the Hungarian Minister of Industry, Lajos Szasz, was quoted as saying: "Nobody is aiming at the extermination or vexation of the Jews. None of the government's regulations gives any indication of such aims which are unworthy of Hungarians."

There were persistent reports, however, that deportations to the death camps at Oswiecim and Birkenau were in preparation, and on June 5th, Mr. Pehle stated that "we are reliably informed that negotiations already are being concluded for deportation to Poland and to death of 300,000 Jews."

The Conference, in collaboration with representatives of the World Jewish Congress, urged that every step be taken by the governments of the United Nations to avert this possibility. Rabbi Miller and Mr. Shulman, the Co-Chairmen of the Commission, met with representatives of the War Refugee Board in April and in May. On May 31st, Dr. A. Leon Kubowitzki of the World Jewish Congress proposed to the War Refugee Board that the Hungarian Government be asked by our Government, through intermediaries, for a statement of its intentions regarding the Hungarian Jews. This proposal was warmly supported by the American Jewish Conference and action was taken by our Government. As of that time and for some days later, the War Refugee Board had no official information that mass deportations were already under way. It was believed then that only foreign refugees were being returned from Hungary to Poland.

Among the many steps that were taken by the Rescue Commission and the World Jewish Congress, acting in consultation, were the following:

A plea was transmitted to the Vatican through the Apostolic delegate urging intervention with the people of Hungary. Later, following the liberation of Rome, this effort was renewed and on the eve of Myron C. Taylor's departure for Italy, he was requested to address His Holiness on the Hungarian situation.

The International Red Cross was urged to induce the Hungarian Government to consider Jews in concentration camps as civilian internees so that they might be visited by Red Cross delegates and receive food parcels. The War Prisoners' Aid of the YMCA was asked to extend its activities to the concentration camps.

Arrangements were made for broadcasts by prominent persons of Hungarian descent, attacking the Hungarian puppet government and appealing to the Hungarian people.

It was suggested that in broadcasts to Hungary, the Jews be urged to refrain from wearing yellow badges and to destroy all registers which might reveal the identity of Jews in hiding.

Establishment of a refugee shelter in this country was advocated in the hope that it would have a psychological effect on the Hungarian

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people, induce Turkey to throw open its frontiers, and make room for additional refugees crossing into Italy from Yugoslavia.

Efforts were made to secure the cooperation of the Yugoslav partisans in assisting Jews to escape from Hungary.

The Jewish Agency was requested to obtain as many Palestine certificates as possible for Hungarian Jews.

Late in June, there came from the War Refugee Board confirmation of reports of the systematic destruction of the Hungarian Jewish community. It was stated that of some 750,000 Jews in Hungary, 400,000 had already been deported, and that almost all of Hungary had been made Judenrein with the exception of Budapest, where it was estimated that 350,000 Jews were held, presumably for purposes of blackmail. Between that time and June 15th, the Hungarian Jews had been deported in sealed freight cars—60 to 70 in a car—at the rate of 12,000 a day. Government officials at Washington now felt that little could be done to halt the deportations, which had begun as far back as May 15th.

At a meeting of the Rescue Commission on July 14th, Rabbi Miller was authorized to summon representatives of all major Jewish organizations in New York for the purpose of arranging a mass demonstration to give expression to the horror of the Jewish community of the United States and to renew the plea that every possible step be taken to rescue those who still survived. In answer to the call of the Commission, representatives of national Jewish bodies and New York Jewish organizations met on July 17th and agreed to join in a demonstration to be held in New York City.

To this meeting came representatives not only of the organizations affiliated with the American Jewish Conference, but also of the American Jewish Committee, Agudas Israel, the Union of Orthodox Rabbis, the New Zionist Organization, the International Workers Order and the Jewish Peoples Committee, as well as observers from the American Jewish Joint Distribution Committee, whose executive vice-chairman, Mr. Joseph C. Hyman, detailed the work of the Joint Distribution Committee in Europe and the cooperation it had received from the War Refugee Board.

The following day, on July 18th, dispatches from Switzerland reported that Admiral Horthy, Regent of Hungary, had promised the International Committee of the Red Cross to suspend the deportations. On the same day, newspaper dispatches from London disclosed that the Nazis were willing to halt the deportation and extermination of Jews providing the Allies would deliver to Germany a quantity of trucks, medical supplies and other war equipment.

In the meantime, following the suggestion submitted by the World Jewish Congress and supported by the American Jewish Conference, the United States Government had transmitted to Hungary on June 26th, an inquiry requesting it to state its intentions towards the Jews. With that note had gone a renewal of the President's March 24th warning. On July 18th, it was reported that Hungary would permit the departure of all

Jews holding entry permits from another state and that passage through occupied areas would be permitted by the Germans. Some time later, it was reported that the Hungarians had halted deportations of the Jews for work abroad, that the Government would release several thousand Jews with Palestine certificates and that it would permit the International Red Cross to arrange for the removal of children under the age of ten and would allow the Red Cross to enter Hungary and assist the Jews there.

On July 31st between 50,000 and 60,000 New York citizens attended the mass demonstration, answering the call of the American Jewish Conference, its 63 affiliated organizations and eight cooperating organizations. That demonstration demanded that the United States and other United Nations move swiftly to rescue the Jews in Axis-dominated Europe who could still be saved. Pointing to the Hungarian Government's offer to release Jewish children under ten as well as adults with Palestine visas, the assembly approved an eight-point program in which it urged the United Nations to adopt immediately all measures leading to the removal of these endangered people. (Appendix, P. 56)

The organizations which cooperated with the Conference in sponsoring the meeting included the American Jewish Committee, the American Federation of Lithuanian Jews, Inc., the Jewish Peoples Committee, the Jewish Peoples Fraternal Order—IWO, the National Organization of Polish Jews, the New Zionist Organization, the Union of Russian Jews and the United Hungarian Jews.

Tens of thousands of workmen in non-war industries stopped work at 4:00 p.m. that day and marched to the Square to participate in the gathering. Messages were received from President Roosevelt and Governor Dewey. Speakers included Assistant U. S. Attorney General Norman M. Littell, Secretary of the National Committee Against Persecution of the Jews, United States Senator Ralph O. Brewster, of Maine, Dr. Geza Takaro of the First Magyar Reformed Church, Henry Monsky, president of the B'nai B'rith and Co-Chairman of the Interim Committee, former Supreme Court Justice Joseph M. Proskauer, president of the American Jewish Committee, Adolph Held, chairman of the Jewish Labor Committee, Baruch Zuckerman of the Labor Zionist Organizations, and Rabbi Isaac Rubinstein, former Chief Rabbi of Vilna. Dr. Wise, Co-Chairman of the Interim Committee and president of the American Jewish Congress, presided, and Rabbi Miller was chairman of the arrangements committee.

At the inter-organization meeting preliminary to the mass meeting, a number of speakers had expressed the desire that concerted action be taken by all Jewish organizations in the field of rescue, and shortly after the Madison Square meeting, representatives of all the organizations participating in that gathering were called together by the Rescue Commission for the purpose of implementing the program.

It was agreed to create an informal actions committee representative of

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the organizations, which would meet frequently for the purpose of coordinating action in connection with the Hungarian situation.

The membership of this actions committee included Rabbi Miller and Mr. Shulman, Co-Chairmen of the Rescue Commission, Rabbi Schabse Frankel of the Agudas Israel World Organization, Mr. Eugene Hevesi of the American Jewish Committee, Rabbi Abraham Kalmanovitz of Vaad Hahatzala, Dr. A. Leon Kubowitzki of the World Jewish Congress, Jacob Pat of the Jewish Labor Committee, Mrs. David de Sola Pool of Hadassah, and I. L. Kenen, secretary of the Rescue Commission. This committee met on August 14th and a sub-committee, consisting of Mr. Hevesi, Rabbi Kalmanovitz, Rabbi Solomon Metz of the Vaad Hahatzala, Dr. Kubowitzki, Mr. B. Sherman of the Jewish Labor Committee, and Mr. Kenen, met with Mr. Pehle of the War Refugee Board on August 16th, to submit a series of proposals which were later incorporated in a memorandum presented to the War Refugee Board on August 23rd. (Appendix, P. 58)

On August 17th, the State Department announced that the governments of the United Kingdom and the United States "had accepted the offer of the Hungarian Government for the release of Jews, and will make arrangements for the care of such Jews leaving Hungary who reach neutral or United Nations territory, and also that they will find temporary havens of refuge where such people may live in safety." It was also announced that "notification of these assurances is being given to the neutral countries, who are being requested to permit entry of Jews who can reach their frontiers from Hungary."

The memorandum which was prepared after a series of meetings of the joint rescue committee, stressed four points for the implementation of the acceptance by the United Nations of the Hungarian Government's offer. It urged that: (1) children be transferred from Hungary and that airplanes be used for that purpose; (2) steps be taken at once to evacuate adults with Palestine certificates; (3) funds be placed by the United Nations at the disposal of the International Committee of the Red Cross; and (4) the Hungarian Government be requested to take action necessary to protect Jewish manpower that had been deported.

The memorandum emphasized the importance of removing Jews from Hungary without delay lest the offer of the Hungarian government be countermanded, and deportations resumed. Such a course was likely in the light of past experience, it was pointed out, and because of the danger that the Nazis might launch reprisals against the Jews as Allied successes mounted. The memorandum declared that evacuation of Jews would signify to the people of Hungary that the Allies were determined to protect the Jewish people, and that any indication on the part of the United Nations that they were not prepared to take full and immediate advantage of the Hungarian offer would be disastrous for it would negate the warnings and appeals previously directed to the people of Hungary.

A full month had elapsed between the announcement of the Hungarian Government's offer and the announcement of its acceptance by the United Nations. By that time, American officials were pessimistic over the possibilities of its implementation. They asserted that the Gestapo had assumed control of the situation in Hungary and were making it impossible for Jewish emigration of any kind unless ransom were paid. Whether the situation might have been different had there been prompt acceptance of the Horthy offer is a matter for speculation. So, too, is the cause of the delay.

Representatives of the rescue actions committee continued to meet with Government officials at Washington, but it became clear that the Nazis were barring all routes of escape and were holding the remaining Jews of Hungary in the hope that ransom in the form of military supplies could be obtained for their release. The outbreak of hostilities between Rumania and Hungary and the subsequent invasion of Hungary by the forces of the Soviet Union brought rescue efforts within Hungary to a virtual standstill. During this period, there were reports that deportation to the death camps in Poland had been resumed.

There can be no doubt, however, that the interventions by our government, by the Red Cross, the Vatican, and the King of Sweden, were effective, at least to arrest the pace of the death march and that tens of thousands of Jews were saved. But their ultimate fate rested on the military defeat of the extremist pro-Nazi government which had assumed control in Budapest after the fall of Admiral Horthy, and which was avowedly determined upon the destruction of the Jews who survived.

## X. PUBLIC OPINION

In the prosecution of its rescue program, the Commission was active in the development of a favorable public opinion in this country and as part of its work, the Commission sought to enlist the sympathy and assistance of public leaders in our country. It has been a fact that public opinion, both in England and in the United States, has been ahead of government in its apprehension of the gravity of the Jewish position in Europe and in its insistence that action be taken by the democracies. Following the adoption of the rescue resolution by the American Jewish Conference, a number of organizations joined in appeals for more vigorous action.

One of the outstanding developments was the establishment of the National Committee Against Persecution of the Jews headed by Associate Justice Frank Murphy of the Supreme Court on January 31st, 1944. Associated with him was the late Wendell L. Willkie, who was vice-chairman. Mr. Norman M. Littell, Assistant United States Attorney General, is secretary. The Committee's announced purpose is to rally "the full force of the public conscience in America against the persecution and

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extermination of the Jews in Nazi-occupied Europe." The Committee declared it would support "sustained and vigorous action by our government and the United Nations to rescue those who may yet be saved," and that it would combat propaganda against Americans of Jewish descent "as a powerful secret Nazi weapon." In announcing the formation of the Committee, Justice Murphy called attention to the appeal of the American Jewish Conference as voiced in its resolutions.

The sponsors of the Committee included Vice-President Henry A. Wallace, Leverett Saltonstall, Governor of Massachusetts; Walter S. Goodland, Governor of Wisconsin; Herbert B. Maw, Governor of Utah; Gifford Pinchot, former Governor of Pennsylvania; Henry St. George Tucker, Presiding Bishop of Protestant Episcopal Church and president of Federal Council of Churches of Christ in America; Bernard J. Sheil, Auxiliary Bishop of Chicago; Henry Sloane Coffin, president of Union Theological Seminary, and Eric A. Johnston, president of the United States Chamber of Commerce.

The Conference welcomed the formation of the Committee "as a significant contribution to the fight for democracy." The Conference declared:

"Millions of our people have fallen to the Nazi terror, and Hitler has vowed extermination of those who are still alive. Their rescue is one of the tasks in democracy's war for civilization. Your enlistment in this fight and the organization of your committee will be hailed by every American consecrated to victory. We shall deem it a privilege to render every possible assistance to your committee."

Early in 1944 there came from Poland the full story of the fate that overwhelmed Polish Jewry. Eye-witnesses brought accounts of the mass extermination. Their estimates of the death toll far exceeded those previously reported. From a survivor who reached Palestine came the report that of Poland's three and one-half million Jews, more than three million had already fallen. From the underground came the dramatic story of the gallant resistance of the Jewish ghetto communities. It told of the outbreak on April 19th, 1943, of the battle in the Warsaw Ghetto where Jewish men and women fought gallantly for more than five weeks against the might of the Nazi army, fighting for the right to die in dignity, fighting to arouse the conscience of an indifferent world.

In March, the Conference called for nation-wide observances in tribute to those who fell in the ghetto battles. These observances held on April 19th on the first anniversary of the ghetto battle were intended as a rededication to the task of rescuing those who could still be saved and for mobilization to speed the day of final victory over Nazism.

In New York, beginning at 11:00 a.m. on April 19th, there was a period of silence lasting two minutes in thousands of homes, shops, factories and offices. With the cooperation of both the central labor bodies of

the C. I. O. and the A. F. of L. hundreds of thousands of Jewish workmen joined by their Christian colleagues, held brief memorial meetings in their factories. On the lower East Side, thousands joined in a solemn march to City Hall. That evening, the Commission sponsored a memorial meeting in Carnegie Hall. The resolution adopted by the assembly urged the democracies to proclaim the right of temporary asylum for all who might escape and to establish refugee rescue camps or free ports in which refugees might find sanctuary until the war ends. (Appendix, P. 55)

The resolution urged continued encouragement to neutral nations to secure the release of Jews and to assist them to refuge and it called for the opening of the gates of Palestine and a reassertion of the right of every Jew who can reach Palestine to find a haven and a permanent home in that country.

National organizations and Conference delegates responded to the call for appropriate tribute to the memory of the ghetto fighters and memorial meetings under the auspices of the local Conference delegates or organizations affiliated with the Conference were held in more than thirty cities.

The Synagogue Council of America proclaimed April 19th as a day of prayer and sorrow and called upon all rabbis to convoke their communities for special services. The Union of American Hebrew Congregations urged spiritual and lay leaders to join in the observance and to dedicate the final Passover service "in commemoration of the valor of our European brethren and to a reconsecration of that freedom which is the essence and hope of our Passover Festival."

The Zionist Organization of America called on every Zionist in the country to join in the tribute. In New York, the Jewish Labor Committee was instrumental in organizing memorial meetings in the shops. Its executive secretary, Jacob Pat, served as chairman of the Conference's Program Committee for the entire observances.

## XI. EFFORTS TOWARDS UNITY

At the outset, the Commission on Rescue, in accordance with the authorization of the Conference "to cooperate with, or to seek the cooperation of all existing relief agencies and the representatives of European Jewries," made attempts to establish a relationship with all organizations unaffiliated with the Conference. It was hoped in this way to create an instrument which could, on the one hand, address itself to our government in behalf of all segments of American Jewry and which could, on the other hand, more speedily and efficiently facilitate the execution of all rescue measures which might be proposed.

Prior to the American Jewish Conference, there existed the Joint Emergency Committee for European Jewish Affairs, which included representatives of a number of Jewish organizations. This was an *ad hoc* body

and on November 5th, it voted to dissolve, a majority of its members expressing the view that its work should now be carried on by the Rescue Commission. The executive committee of the Conference directed the Commission to invite organizations represented on the Emergency Committee to affiliate themselves with the Commission.

Pursuant to this, on November 12th, 1943, an informal meeting was held with representatives of the American Jewish Joint Distribution Committee, attended by Isaac Levy, Joseph C. Hyman and Alexander Kahn for the JDC, and Louis Fabricant, Herman Shulman, Charles P. Kramer and Rabbi Irving Miller for the Conference. At this meeting, the Conference representatives proposed that the JDC become a full member of the Commission and thus give the Commission the "full benefit of its wide experience and ability." In the alternative, it was suggested that the JDC send observers to the Commission's meetings and thus assume the same role it had occupied in the work of the Emergency Committee.

Representatives of the JDC asked that the Commission state its proposals for cooperation in writing, and on November 16th, a communication was sent to the JDC in which it was proposed:

A—That the JDC designate as many members of its board or personnel as it desires to sit as full members of the Commission on Rescue and participate in the formulation of all plans and decisions of the Commission:

B—That whenever any plan formally adopted by the Commission on Rescue requires action which falls within the usual scope of activity of the JDC, the execution of such plans, whenever required, shall be carried out by the JDC as heretofore in an autonomous manner and with complete use and control of the funds and personnel required therefor;

C—That whenever plans are adopted by the Rescue Commission which do not find approval by the JDC for any reason, political, practical or otherwise, such plans shall then be carried out and executed by the Rescue Commission, on behalf of the Conference, and in such instances, only the execution and the financing of the plans shall be undertaken by the Conference and the Rescue Commission. In so doing, the Conference shall be free to cooperate with or use such other existing organizations as may be prepared to deal with such matters.

The communication concluded:

"While the above represents the character of cooperation we should like to see established between the Conference and your organization, we shall, of course, be pleased to receive any suggestions or proposals which you may care to make and to discuss the same with you."

On December 7th, the JDC replied in the negative. It took the position that the acceptance of the Conference proposals would mean that the JDC would become a "part of an organization having as its dominant purpose political objectives."

"Such an eventuality would gravely limit the JDC's ability to be of

service. It would hamper it in its work of relief and rehabilitation and in some instances, would make its work impossible," it said.

Notwithstanding the fact that the JDC did not see fit to participate in the work of the Rescue Commission, the JDC was willing to extend its assistance and cooperation to the Commission whenever a call was made upon it. In December, upon his return from abroad, Dr. Joseph Schwartz, European Director of the JDC, presented a comprehensive report on the JDC's overseas work to a meeting of the Interim Committee. He made a similar presentation in October, 1944, at a meeting of the rescue actions committee, following his return from overseas.

The early efforts of the Conference to secure cooperative action with the American Jewish Committee, the Agudas Israel and the Union of Orthodox Rabbis, were likewise unsuccessful. The Committee's delegates to the Conference had concurred in the Rescue Resolution and at the time of the adoption of the Palestine Resolution, Mr. Proskauer, president of the Committee, had concluded his statement of dissent from the Palestine Resolution by declaring:

"We express the devout hope that we can still cooperate for the cause of Jewry within the agreed area in which we found accord and agreement."

The American Jewish Committee, however, declined the invitation of the Commission to attend its meetings. Its representatives were willing, it was stated, to join with the Conference in support of any proposals in which they were in agreement, but they would not participate in the Commission's deliberations.

The Conference persisted in its efforts to achieve unity. Following the appointment of the War Refugee Board, the Interim Committee took the position that the appointment of a central agency to act for the government in rescue matters imposed an obligation on the part of American Jews to assist the Board by establishing a corresponding agency which would unite all organizations concerned with rescue and relief, and eliminate conflicts, overlapping and duplications.

In order to remove any possible point of friction, the Interim Committee, on January 25th, voted to give the Commission on Rescue complete autonomy and a broad grant of authority. The resolution adopted by the Interim Committee follows:

"We authorize the Commission to extend an invitation to all Jewish organizations not now fully participating in the American Jewish Conference, but interested in and engaged in recognized and approved activities within the scope of the Rescue Commission's authority, to accept membership on, or to cooperate with the Rescue Commission, with the understanding that the Rescue Commission shall continue its operations in the name of the American Jewish Conference, but with delegation to it of full authority in its field of activities as defined in the resolutions

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adopted at the Conference, such authority to be exercised with full freedom of action."

But this action did not bring about the desired result.

The Commission was able from the beginning to establish a close relationship with the World Jewish Congress, whose experts served on the Commission. There was a constant exchange of information and cooperation and a reinforcement of position in representations to the Government. And while the Jewish Labor Committee did not participate in the Interim Committee of the Conference, it sent representatives to the Commission on Rescue and contributed substantially to the advancement of its work.

A measure of unity was achieved in July, 1944 when the Conference took the initiative in summoning all organizations to take common counsel in connection with the Hungarian crisis. Subsequent to that meeting, a joint rescue actions committee was established, as has been recorded above.

## XII. CONCLUSION

Many Jews were saved in 1944.

Thousands were rescued from Hitler-occupied Europe; thousands were kept alive as relief agencies were finally enabled to send them assistance; thousands more behind the Ghetto walls were strengthened and fortified in their hope of deliverance by the efforts that were made in and by our own country.

Every effort was made during the past year to carry out the rescue program formulated by the delegates of the American Jewish Conference at the first session. For the first time since the war began, aggressive measures were carried on by the United Nations to resist Hitler's war of extermination against the Jews. Many obstacles of the past were swept away, and some aid finally reached Hitler's victims. For many thousands, life began anew in the last 12 months.

But all through the year came new reports of Nazi sadism, of the mass murder of entire Jewish communities in Eastern Europe, culminating in the deportation and destruction of many of the Jews of Hungary, carried out in spite of warnings by Allied powers. The death toll mounted.

For it must be recorded that the rescue program, initiated by our government, earnest and vigorous though it was, came late and the difficulties were great. If the work that was done in 1944 had been instituted several years earlier, hundreds of thousands of innocent men, women and children in Europe, now dead, would today be among the living.

## Appendix

### I.

#### STATEMENT

*By the Commission on Rescue of the American Jewish Conference December 27, 1943*

The House Committee on Foreign Affairs has released a statement by the Honorable Breckinridge Long, Assistant Secretary of State, detailing steps that have been taken to rescue the Jewish people from Hitler-Europe. It is the first official report since the Bermuda Conference. It can be read only with mixed feelings in which bewilderment and regret predominate over satisfaction.

We are moved to the following conclusions:

1. The country has been given an exaggerated impression of the number of Jewish refugees admitted into the United States.

2. The State Department is continuing to restrict immigration to a figure far below that permitted by law, adhering to policies and procedures which cannot be defended.

3. Officials of the State Department, Mr. Long among them, still purport, publicly at least, that the plight of the Jews in Hitler-occupied Europe is indistinguishable from the plight of all other peoples, notwithstanding Hitler's ruthless determination to exterminate all the Jews within his grasp.

4. Despite this state of mind, there are encouraging indications that certain extraordinary measures which were demanded by Jewish agencies at Bermuda and which seemed to be then rejected, are now being undertaken. However, confusion still exists as to the powers of the Intergovernmental Committee on Refugees. This requires early clarification.

### I.

In presenting statistics on the number of refugees admitted into the United States, Mr. Long gave the State Department's total—580,000 in a ten year period—of visas issued, quota, non-quota and even transit.

To whom were these visas issued? Mr. Long's testimony tended to create the erroneous impression that all 580,000 were Jews. Of the 580,000 visas issued, only 476,930 were used by immigrants. Of the latter, about 250,000 were refugees from Hitlerism, and not all of them were Jews. Furthermore, it should be pointed out that during the same period, 87,634 aliens were deported from this country, thus reducing further the total number of immigrants accrued in the ten years under consideration.

The official figures of the Immigration and Naturalization Service reveal that in the period between January 1, 1933 and June 30, 1943 the number of Jews who came in under national quotas totaled 166,843. The total number of Jews admitted on emergency visas was 43,089, but some of these were included in the 166,843, since they later re-entered under the national quotas.

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These totals include Jewish immigrants from all over the world, some of whom were not refugees from Hitler.

## II.

The restrictions on immigration imposed by the State Department are a definite hindrance to the rescue program. In the past year, only 5.9 percent of the immigrants permitted under the quota law were admitted. This is due, in part, to the elaborate "screening" process established by the State Department. We agree that every precaution must be taken in the interests of security to prevent the admission of enemy agents, but existing procedure is needlessly cumbersome. In other countries refugees are admitted, interned, and released after complete investigation. A harsh and unjustifiable rule of the visa division weighs very heavily against the admission of persons with near relatives in Axis-Europe. This serves to bar admission to many people in need of a haven.

Mr. Long has declared that "the demands for a wider opening of the United States to refugees cannot be justified for the time being because there just is not any transportation." One may question this argument, for the Spanish and Portuguese vessels to which he referred are not the only ones that might be used. But even these vessels are not used to capacity, as they can accommodate five or six times the 200 immigrants arriving monthly.

## III.

The major problem with respect to the rescue of Europe's Jews is the need for extraordinary steps which must be taken in order to liberate those still within Hitler territory. Speaking for the American Jewish community, the American Jewish Conference has urged such measures because the Jews have been singled out for destruction. Every day's delay adds to the ever mounting death toll.

Mr. Long's position on this issue is extremely disturbing. We quote the following excerpts from his statement: "We have been interested in refugees; and I think there has been some indisposition on the part of some officers to accept the thought that the American government ought to specialize and make it particularly direct that we are interested only in Jews. We have felt from the start that we could not exclude other persons from governmental and official activities." Later, in his testimony, Mr. Long declared: "... the situation has come to a state of publicity today where I think the Jewish interests have emphasized the fate of the Jews as such; ... the State Department's policy, I think, must be that we cannot exclude persons from our sympathy and sympathetic attention if they are not Jews. I think we must treat all persons, irrespective of their race, religion or political beliefs, in the same way. ..."

We deeply regret that our position has been so grossly misunderstood by one in a position to know the facts. Our attitude has been made clear to the State Department.

The resolution adopted by the American Jewish Conference on September 2nd, 1943 declared: "The Conference recognizes that all victims of Nazi oppression, irrespective of race or faith are entitled to aid and succor from the United Nations, but the situation of the Jews in Europe is unique in its tragedy. They have not only been more deeply wounded than any other people, but alone among all the subject communities they have been doomed to total destruction by an act of State. For every one of them—men, women and children—the alternative to rescue is deportation and death."

It is difficult to understand Mr. Long's repeated implication that specific aid to Jews excludes help to other people, or that there is no distinction between the problem of rescuing Jews from Hitler Europe and aiding refugees in general. It should be pointed out that Mr. Long himself stated "that the situation has arrived today ... where something definite ought to be said concerning the Jews." Yet, he studiously avoided making his or his department's position clear on this matter.

## IV.

Mr. Long has released the text of the mandate of the Intergovernmental Committee, and declared that according to this mandate, the Committee was given "plenary authority to do whatever they can within and without Germany and the occupied territories." This statement has been widely interpreted to mean that the Committee is empowered to deal with all phases of the problem of rescue, including direct negotiations with Germany for the release of Jews and other persecuted peoples.

But Mr. Long's interpretation has now been termed "absolutely incorrect" by the headquarters of the Intergovernmental Committee in London, according to cable dispatches. Patrick Malin, American vice-director of the Intergovernmental Committee, denied that the Committee mandate can be interpreted to mean, as Mr. Long said, that the Intergovernmental Committee has been given "the authority to do whatever it can within and without Germany and the occupied territories." Mr. Malin pointed out that the mandate was extended specifically with respect to persons and not countries.

In view of these contradictory interpretations, we urge immediate clarification of the situation. Confusion and conflict of opinion at this late date are inexcusable.

The failure to rescue Jews from the Balkan countries was not attributable entirely to the opposition of the Nazis, as Mr. Long's testimony has indicated. It is known that red tape and delay on the part of the British authorities were responsible for the fact that full advantage was not taken of all the opportunities presented.

From Mr. Long's testimony, however, it is now evident that some progress is being made. For example, we welcome his approval of a project in which the United States and Great Britain would make \$10,000,000 available to the International Red Cross for its use in connection with such measures for assisting surviving groups of Jews in enemy occupied territory as are approved by the Intergovernmental Committee.

The rescue program submitted by the American Jewish Conference includes among other proposals, the following major plans:

1. Efforts to evacuate Jews still entrapped in Nazi-dominated countries by negotiation through neutral countries and other intermediaries with the Axis and satellite governments and by the maximum use of underground movements;
2. Efforts to feed endangered people and provide necessary medical supplies;
3. Efforts to alleviate their position by warnings of retribution.

The Intergovernmental Committee, according to Mr. Long's testimony, has made certain attempts along these lines. We urge an acceleration and intensification of these efforts, in the conviction that as Germany suffers military reverses, the possibilities of effective rescue work are enhanced. This calls for positive and decisive action.

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## II.

## MEMORANDUM TO WAR REFUGEE BOARD

*Submitted by the Commission on Rescue, March 1, 1944*

As we now approach the problem of rescuing the remaining Jews of Europe, we are conscious of the tragic fact that millions have perished because no help has been forthcoming. The last remnants of European Jewry, once totaling 8,250,000, are awaiting their salvation, or else are doomed to destruction. At this late hour, everything humanly possible should be done to rescue those who can still be saved.

## AREAS OF RESCUE

There are five areas in which rescue work is imperative and to the best of our knowledge, possible. These are: (1) Rumania; (2) Bulgaria; (3) France, and related thereto; (4) Spain and Switzerland; and (5) Poland. Each area calls for specific measures to be applied in accordance with particular conditions which now prevail or which may develop in the near future.

Our representatives have on various occasions submitted proposals on rescue work to officials of the War Refugee Board. We now wish to submit an outline of proposals concerning the work to be done in the areas mentioned herein. In the near future, and as occasion arises, we shall present detailed memoranda on each of these areas.

## AVENUES OF RESCUE

## 1. RUMANIA

This area presents two different aspects of rescue, one pertaining to Transnistria and the other to Rumania proper. In Transnistria there are now 75,000 to 80,000 Jews living in most ghastly circumstances, without food, clothing or shelter and in constant threat of annihilation by the retreating Nazi military forces. Of these, some 30,000 to 35,000 (including 4,400 orphans) are Rumanian subjects; they are the surviving remnants of 180,000 Jews who had been deported to Transnistria more than two years ago. Those Jews who are Rumanian subjects, should be immediately transferred back to Rumania proper; the others should be evacuated by way of Turkey. During this process, and before it gets under way, the Jews in Transnistria should be given food, clothing and medical attention by the International Red Cross. (Since clothing cannot be obtained in Turkey for shipment to Rumanian territory, provision should be made for a transport of clothing from the United States, which many private organizations in this country are willing to supply.)

Two major problems concerning the transfer of Jews from Transnistria to Rumania require special consideration. It has been reported: (1) The Rumanian government has allowed the use of only ten trucks for transportation purposes. (2) The transportation fee for each person is the equivalent of third-class railroad fare. The persons to be transferred must first obtain through the Jewish Central Office in Bucharest "registration cards" at the price of 150,000 to 800,000 lei per head. Apart from this ransom money, the Jewish Community in Rumania has been ordered, under threat of deportation, to pay the arrears of

the 1943 collective punitive tax (which totaled four billion lei) and part of a similar tax for the current year.

Both the extremely limited transportation facilities and the exorbitant price that the transferees are compelled to pay for fare and registration cards render the entire undertaking exceedingly difficult.

The Rumanian government must be given to understand, through diplomatic channels, that the ransom money and the punitive taxes which it continues to extort from the Jews will be charged against Rumania's account in the day of reckoning after the Allied victory. At the same time, it should be made to realize that its assistance in accelerating the rescue of the Jewish people from Transnistria will be to Rumania's advantage after the war.

In Rumania proper, there are some 250,000 to 300,000 Jews (out of a pre-war total of close to one million). The exigencies of war in the Balkans may bring about complete Nazi dominance or even occupation of Rumania, in which case the Jewish population there will suffer the same fate of deportation and extermination as in other Nazi-occupied countries. It is therefore of paramount importance to evacuate the Jews from Rumania, especially the women and children. While the Rumanian government does not officially permit emigration, it is known that in practice it does not try to prevent it. The main problem there is to provide the Jews with exit and transit visas and a place of destination, or temporary asylum.

## 2. BULGARIA

In Bulgaria, there are now some 50,000 Jews (out of 60,000 prior to the war), almost all in concentration camps and forced labor battalions. Deportation of Jews from Bulgaria to the "death centers" in Poland started more than a year ago. Those who remain are in imminent danger of deportation, as Nazi pressure on the Bulgarian government may increase. They can be evacuated by way of Turkey, if they are provided with transit visas, and if Bulgaria can be persuaded to give them exit permits. Too many difficulties have been encountered in trying to arrange for transportation. Definite arrangements, for example, were made for the removal of 4,000 children and 500 adults to Palestine, for whom immigration certificates were available. The main obstacles were the lack of exit permits and the failure of British authorities to approve the lease of Turkish boats. In another case, the Bulgarian government had granted exit visas to a thousand Jews on condition that they leave within a certain time. A ship had been secured, but it took seven weeks for the British authorities in London to act. By that time, the exit permits had expired.

The problem of obtaining exit visas or permits, both in Bulgaria and Rumania, requires diplomatic attention. At the same time, every possible means of transportation should be made available without unnecessary delay. The International Red Cross should be provided with boats designated for rescue purposes.

## 3. FRANCE

In 1940, there were 300,000 Jews in France. Estimates vary as to how many of them are still there. Whatever their number is at present, it is being reduced almost daily, as deportations and executions continue unabated. Through organized and coordinated assistance from the underground, thousands can

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manage to escape into Switzerland and Spain. They would be admitted into the latter countries in large numbers if the refugees who are there now were evacuated, making room for others to enter.

There are in France and other parts of Europe some thousands of Sephardic Jews who are Turkish subjects. It is known that they are being rounded up by the Nazi authorities and deported to Poland. The Turkish government is in a position to claim their release from France and Poland.

Thus, the rescue of Jews from France, especially the women and children, depends on three major factors: (1) Creation of a special apparatus designed to organize all possible means of escape to be directed from neutral centers, and with the aid of underground emissaries in France. (2) Representations to the Turkish government that it consent to repatriate its Jewish subjects from France and Poland, and that it exert every pressure on the German Ambassador in Ankara to secure their immediate release. (3) Removal of refugees who are now in Spain and Switzerland to other places of asylum. This leads us to the proposals with respect to the latter two countries.

#### 4. SWITZERLAND AND SPAIN

In Switzerland, there are now some 20,000 Jewish refugees. Spain still holds some 2,000. While no evacuation is now possible from Switzerland, the victorious Allied Armies may soon open the gates of that country. As soon as feasible, therefore, refugees should be removed from Switzerland to make room for others. From Spain, the transfer of refugees to other places of asylum should be accelerated, without delay.

To enable these two countries to admit refugees in large numbers, the Allied Nations will have to guarantee: (1) additional food allowances required for an increased number of refugees; (2) financial support; and (3) assurances that after the war all the refugees will be repatriated to their former homes, or enabled to find permanent residence in other lands.

In connection with the evacuation and transfer of refugees, we wish to call attention to the existing strictures in the visa procedure of the United States Department of State. Under present regulations, the process of admitting alien immigrants into this country is protracted and unnecessarily complicated. More than half the total number of visas issued to refugees since 1933 were never used; apparently they arrived too late. We urge that the visa procedure be simplified to expedite the entry of such refugees who may come into this country within the limits of present immigration laws.

We also wish to point out that Palestine can take in a very large number of evacuees. Restrictions against Jewish immigration into Palestine should be eliminated, and the country opened to all Jews who may seek refuge there.

#### 5. POLAND

The Jews in Poland are entrapped, hermetically sealed, and earmarked for a daily toll of annihilation, until none is left alive. Of the 3,000,000 Jews who remained in that country and of those deported there after the Nazi occupation, only some hundreds of thousands still survive. Optimistic reports place their number at 800,000; the more pessimistic, at 300,000.

These Jews are herded in Ghettos and concentration and labor camps where they exist under the most abject, indescribable conditions. Only those fit to

work are kept alive; those who weaken or take ill are forthwith "liquidated." Their hope lies in extraordinary efforts of a political and diplomatic character. Toward that end, we wish to propose the following measures:

(1) The International Red Cross, supported by all the neutral countries, should make representations to the German government to release the Jews, especially the women and children, from Poland.

(2) These representations should be broadcast and publicized throughout the world, and particularly to the German people, through the Office of War Information and other avenues of propaganda which are at the disposal of the United Nations.

(3) Pending the evacuation of the Jews from Poland the International Red Cross should also request the German authorities for permission to send a delegation to that country, to bring food and supervise its distribution to the Jewish population. The mere presence of the International Red Cross in Poland will have an ameliorating influence on the Jewish position there, and may stave off the death sentence of thousands of people.

(4) The neutral countries, as well as countries bordering on Poland, should be urged and induced to cooperate, especially by providing transit visas.

(5) The general population should be encouraged to aid the Jews who are in hiding. Appeals to that effect should be dropped frequently from airplanes. Financial and other assistance should be given to these Jews through underground channels. Those who may reach the southern borders of Poland should be aided through the underground to escape into Hungary, and the Hungarian people and government should be encouraged to give them every possible assistance.

(6) The lead taken by the United States War Refugee Board in all these measures will have a most salutary influence on all concerned.

#### RENEWAL OF WARNINGS

As a primary step in the rescue process, every pressure must be brought to bear on the German government, compelling it to cease the extermination of Jews in its occupied territories. Now that the Allied Nations near victory, their warning to Germany will no doubt have greater effect. It is important that such warnings be issued repeatedly not only to the German government, but also to the German people, making it clear that the instigators, accomplices and agents of crimes committed against Jews and other peoples will be brought to justice.

It has been reported that the Nazi propaganda machine is giving assurances to the people of Europe that the Allied Nations do not care about the Jews in German occupied countries and that crimes committed against Jews will not be punished in case of Allied victory. On the other hand, it has been further reported that the German people are not fully aware of the actual barbarities carried on by the Nazi extermination squads. In issuing warnings to Germany, therefore, the Allied Nations should apprise the German people of the Jewish situation in Nazi-occupied territories in all its horrible and gruesome detail. If the stark facts are called to their attention, there is at least a possibility that decent elements among the German people may respond with sympathy and exert some pressure on their government in favor of the Jewish victims.

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## AMERICAN JEWISH CONFERENCE

TWO AREAS OF RELIEF  
YUGOSLAVIA

Of the 85,000 Jews in Yugoslavia at the time of occupation, only some 1,200 have remained, having been placed in a concentration camp in Croatia. Given the financial means, the International Red Cross is in a position to distribute food among them. This should be made part of the function of the rescue apparatus to be created in Switzerland.

## SHANGHAI

Some 20,000 Jewish refugees are in Shanghai, denied the means of a livelihood or relief. There is no way of reaching them except through the International Red Cross. It should place them under its supervision and be given the authority to send them money and other relief from the United States.

MEANS OF RESCUE  
MACHINERY

The War Refugee Board will no doubt create the necessary machinery for the various phases of rescue work which it will undertake. We offer a suggestion with respect to the utilization of certain forces now in operation. There are several private organizations, Jewish and Christian, in a position to submit names of persons who have had wide experience in the field of rescue and are presently engaged in this work in Switzerland. We respectfully recommend that the War Refugee Board, in establishing a rescue apparatus in Geneva, Switzerland, invite these persons to cooperate with the Board and to coordinate their efforts under its supervision and guidance.

## FINANCES

The rescue work which should be undertaken at this time is of such great magnitude that it cannot possibly be financed by private philanthropic agencies. Private organizations will undoubtedly contribute to the limit of their means; but the bulk of financial requirements can be met only from government sources.

We submit that the principles governing the allocation of funds to UNRRA also apply to the War Refugee Board. Both agencies are dedicated to the salvation of human beings. In this task, one must not draw a line of demarcation between people already liberated and those yet to be freed. The salvation of those facing extermination is even more urgent; otherwise, for them rehabilitation will come too late.

We trust that the War Refugee Board will give fullest consideration to all the measures proposed herein and that its efforts in behalf of the Jews and other suffering people in Europe will meet with success.

## COMMISSION ON RESCUE

## III.

## MEMORANDUM

*Submitted to the British Embassy September 25, 1944*

On behalf of the American Jewish Conference, we respectfully submit for your consideration our views on:

- I. *Existing Administration policies restricting Jewish immigration into Palestine;*
- II. *The recent statement of Sir Clifford Heathcote-Smith, representative of the Intergovernmental Committee on Refugees in Rome;*
- III. *The plight of Jewish refugees detained in Mauritius.*

## I.

The unalterable opposition of the Jewish people to the Palestine White Paper of 1939 has been made clear to His Majesty's Government from the inception of that policy and it is unnecessary to elaborate on it. We address ourselves here to the current immigration policy of the Palestine Administration, which operates to perpetuate the terms of the White Paper.

In November, 1943, His Majesty's Government extended beyond the deadline of March 31, 1944, the period during which the unused balance of the 75,000 immigration certificates permitted under the White Paper might be made available. The number of immigrants still entitled to enter Palestine under the White Paper today totals approximately 14,000. The Palestine Administration has ruled, however, that it will reserve these remaining certificates, with very few exceptions, exclusively for Jews in Axis-occupied territories. The effect of this policy is virtually to terminate all further Jewish immigration into Palestine. For, on the one hand, there is now only slight possibility of bringing Jews out of Hungary or other Axis-occupied territory, and, on the other, thousands of Jewish refugees in temporary shelters in Italy and elsewhere who are eager to go to Palestine are not eligible for the enabling certificates. These refugees are physically safe but their plight gives cause for grave concern. Morally and materially they are deteriorating, and while Palestine offers perhaps the only prospect of rehabilitation for many of these former victims of oppression, they are refused entry and continue to suffer the effects both of their present abnormal environment and of a corroding uncertainty as to their future.

Moreover, the congestion in the refugee camps in Southern Italy, in particular, has been a problem to the military authorities. The plan to establish temporary refugee shelters for these refugees elsewhere was indeed necessitated largely by the need for relieving this congestion and the barriers erected to prevent Jews from entering Palestine. The further prospects of rescue from Hungary via Yugoslavia might have been and may still be enhanced, were refugees from these camps in Southern Italy removed in larger numbers to make room for newcomers.

It would seem, therefore, that the policy pursued by the Palestine Administration is one of hoarding the remaining Palestine certificates so that while

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nominally there is as yet no complete stoppage of immigration, the policy of the White Paper in that regard is, in fact, already applied with full rigor.

This policy prolongs preventable hardship, fails to take into account the dire needs of the refugees, and is in conflict not only with Britain's undertaking to facilitate Jewish immigration into Palestine, but also with the announced policy of His Majesty's Government to make available the unused balance of the 75,000 immigration certificates under the White Paper.

We urgently plead, accordingly, for a revision of the present ruling whereby, in effect, immigration certificates are reserved for persons who cannot use them and are barred to those who can.

## II.

We respectfully desire to have conveyed to His Majesty's Government our protest against a recent statement of Sir Clifford Heathcote-Smith, British representative of the Intergovernmental Committee on Refugees, on the subject of Jewish immigration into Palestine. According to press dispatches, at a meeting in Rome on August 26th last addressed by Sir Clifford, a large majority of some 150 refugees present expressed their desire to go to Palestine. The British spokesman for the Intergovernmental Committee, however, urged the refugees to accept an offer of Italian citizenship and declared that Palestine is "very limited" and could not receive all those who desired to enter it. He stated that Palestine is no larger than a "pocket handkerchief", which he produced by way of graphic illustration, and that it presented a very special problem.

We submit that this effort to discourage Jewish refugees from seeking to emigrate to Palestine constitutes no part of the duties of a representative of the Intergovernmental Committee. It reflects a policy inimical alike to the interests of the Jewish refugees and to the sentiments of Jews everywhere. We conceive that Sir Clifford Heathcote-Smith's opinion as to the absorptive capacity of Palestine is as erroneous as it is irrelevant and that quite independently of the offensive illustration by which he demonstrated his attitude, it is outside the scope of his functions to adopt a political position against Jewish aspirations in Palestine. Sir Clifford's statement occasioned deep resentment in Palestine, a resentment that is shared by the Jews of this country. We would urge that the problem of Jewish homelessness in the post-war era is one that cannot be treated in the offhand fashion of the meeting at Rome, but must be solved in the light of Jewish needs and Jewish rights.

## III.

We desire to call your attention to the plight of the Jewish refugees who are interned on the Island of Mauritius. These refugees were forcibly transported from Palestine to the Indian Ocean more than three years ago, after they had reached Palestine in their flight from Nazi persecution. They have suffered great hardships since that time. According to a statement made in the House of Commons on June 15th by the Secretary of State for the Colonies, 93 of the original number of 1,500 have died. Despite the efforts of local British officials to ameliorate the conditions of their internment, the refugees have suffered and continue to suffer bitterly from the tropical climate with its

attendant diseases, from the lack of fresh food and proper housing, from their enforced segregation and from the sense that they have been treated as criminals rather than as victims of Hitler and potential workers and fighters in the cause of the United Nations. According to Col. Stanley, no less than 224 of the internees, when given the opportunity, volunteered for service in the armed forces.

At a time when the lights of freedom are being rekindled everywhere in the world, and the armies of the United Nations are liberating hundreds of thousands from Hitler's yoke, it is unconscionable that these first refugees from Hitlerism should be detained in virtual imprisonment by their allies, the United Nations. Long ago, they should have been permitted to turn to Palestine so that they might establish their homes in the country of their choice and rehabilitate themselves economically and socially among their own people.

## CONCLUSION

In summary, we urge:

1. That Palestine certificates be made available to the Jewish Agency immediately for the use of Jews wherever they may be, so that a maximum Jewish immigration into Palestine be made possible;
2. That British officials on the Intergovernmental Committee and similar agencies be instructed to refrain from any statements or activities antagonistic to Jewish aspirations in Palestine;
3. That the Jewish refugees now detained in Mauritius be liberated and permitted to enter Palestine as soon as possible.

We trust that these proposals will receive favorable consideration by His Majesty's Government.

## IV.

## MEMORANDUM

*Submitted to the War Refugee Board by the Executive Committee of the Commission on Rescue April 13, 1944*

WE UNDERSTAND that the War Refugee Board is giving serious consideration to a proposal that a refugee rescue camp be established in the United States to provide an immediate sanctuary for refugees who may be in a position to escape or who have already escaped from Hitler-dominated Europe.

In behalf of the American Jewish Conference, we urge approval of this plan. When the Conference convened in New York last fall, its delegates, representing every major national Jewish organization and every Jewish community in the United States, unanimously adopted a resolution which declared:

"The democracies should recognize and proclaim the right of temporary asylum for every surviving Jewish man, woman and child who can escape from the Hitlerite fury into the territories of the United Nations."

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Establishment of a refugee rescue camp in this country would be a welcome response to this plea and would constitute an instrument of salvation not only for those who might be brought here but for thousands who might be helped to escape by other countries which would be encouraged to follow our country's example.

It is our conviction that many Jews who have perished at the hands of Hitler during the past few years might have been saved had they been permitted a destination. So long as doors remained closed, everywhere, Jews were trapped and were unable to escape the Nazi hangmen.

In the last four weeks, two more doors have been shut. Hitler has occupied Hungary and almost a million Jews there are now in the Nazi trap and may be doomed to die. Escape from Hungary may now be impossible. Simultaneously, the provisions of the White Paper of 1939 have become operative, and Palestine is now closed to all but some 25,000.

This crisis calls for the opening of a new door.

During recent months, our government has assumed the initiative in rescue work. The establishment of the War Refugee Board was recognition of the magnitude of the problem and the need for action. Within the last fortnight, President Roosevelt's warning to the Nazis and his appeal to all nations to assist refugees constituted a declaration to the world that our country had enlisted completely in this humanitarian work and was prepared to adopt the heroic measures which must be carried out if the War Refugee Board is to be effective.

It is our belief that the lifting of administrative restrictions which now bar admission to refugees to this country should occupy a high place on the Board's agenda.

The admission of refugees on a temporary basis is entirely feasible. The refugees can be screened upon arrival. They can be given useful work in the rescue camps and thus be enabled to make a contribution to the war effort of the United Nations. Their temporary settlement here will relieve existing burdens on neutral countries where they are now sheltered and thus make it possible for these countries to admit new refugees.

Above all, the establishment of a refugee camp here would constitute a great psychological defeat for Hitlerism, a moral victory for humanity. If there are millions of people in Hitler occupied Europe who have been opposed to Hitler's barbarous war of extermination against the Jews, they will be encouraged in their resistance by the knowledge that America is actively supporting them, by the knowledge that those whom they may help to escape will be assisted to a place of shelter.

## V. RESOLUTION

*Adopted at American Jewish Conference Meeting, April 19, 1944,  
in New York, Marking the Anniversary of the  
Battle of the Warsaw Ghetto.*

One year ago tonight, the Jews of the Warsaw Ghetto rose in battle against the Nazi terror, threw themselves heroically against the Nazi hangmen, resolved to die fighting for their honor, determined to humble a brutal and barbarous enemy which has scourged all mankind.

For days and nights of fire and flame, the ghetto fighters kept the armies of Hitler at bay. Death and defeat were inevitable, but they did not fight for *their* lives; their fate was sealed. They fought for life for *all* people. And none who fell in that battle will ever die. They live forever in the memory of the Jewish people, their great struggle a symbol of an unconquerable spirit, which will never surrender to oppression and tyranny.

We honor the roll call of resistance. We salute the martyrs of the ghetto. We stand at their graves in humility and reverence.

Millions of Jews have perished, victims of hunger, of torture, of the most fiendish persecution in history. But a small remnant remains—helpless and hunted—doomed to extinction unless the democratic world acts.

Our own country has risen to meet the challenge. President Roosevelt has created the War Refugee Board, a signal advance in the war against Nazism, and the United States now leads the United Nations in the task of liberating an oppressed people.

The heroes of Warsaw who were drilled by Nazi machine guns and crushed by Nazi tanks died with a prayer that humanity might awaken to the horror of the overwhelming disaster that has overtaken the Jewish people.

In their name, in the name of humanity, in the name of the ideals for which the United Nations are fighting, we plead for the speediest possible action by the democracies to rescue those who may yet be saved.

We ask that the democracies recognize and proclaim the right of temporary asylum for every surviving Jewish man, woman and child who can escape from the Hitlerite fury into the territories of the United Nations. In this connection, we strongly urge the establishment of refugee camps or free ports, a proposal now under consideration by the War Refugee Board.

We ask that the gates of Palestine be opened wide and we call for a reassertion of the right of every Jew who can reach Palestine to find a haven and a permanent home in that country.

We ask that continued encouragement be given to neutral nations to secure the release of Jews, especially children, and to grant them hospitality in their lands or the right of transit to havens of refuge.

We address a most earnest appeal to the United Nations not to suffer democracy to go down to moral defeat on the first front opened by Hitler in

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his war on civilization. We pray that democracy may yet deny victory on this front to Hitler and take the fate of the Jewish people out of his hands.

The battle cries that sounded in the ghettos of Warsaw one year ago will echo through the years to come. They spur us to dedicate ourselves anew, to deepen our sacrifice, to mobilize our strength to win the victory that must come to democracy's banner.

On every battle front, Jews fight in the armies of the United Nations. Everywhere in the world, Jews are enlisted in the cause of humanity.

Our people, more deeply wounded than any other in the long struggle against Hitlerism, are pledged to victory for the survival of civilization, are resolved to survive, with civilization, over the forces of despotism and death.

## VI.

### RESCUE PROGRAM

*Adopted at Mass Meeting July 31, 1944, Sponsored by the  
American Jewish Conference in New York.*

Meeting in the shadow of a tragedy unparalleled in human history, this great gathering of American Jews reaffirms its deep faith in the cause for which the Armed Forces of our nation and those of our gallant allies are shedding their blood on all battlefields. As a result of their magnificent achievements, the day of liberation for all the enslaved peoples of the world has been hastened and is almost at hand.

Heartened as we are by these signs of approaching victory, we are nevertheless moved to despair when we contemplate that by the time the war will be won, the largest part of the Jewish populations in Europe may have been exterminated. For millions have already been put to death and those who survive live in danger of a similar fate. The openly avowed threat of the Nazi regime to destroy every last Jew in the territories under its control today assumes gruesome reality.

Meeting under the open sky in this free City of New York, we call Heaven and Earth to witness that civilization will have suffered an overwhelming defeat if Hitler is allowed to achieve his purpose. For the Jew in every land under Nazi control was the first target of Hitler's attack on that land and subsequently on civilization itself. We declare that it is not yet too late to deny victory to Nazism also on this front and thus save thousands upon thousands for the day of liberation.

In the name of God and Humanity, and of those ideals for which the democratic world fights today, we appeal in the first instance to the President and the Government of the United States, and through them to the United Nations

and to the neutral states, to employ the following measures of rescue without further delay:

1. By means of warnings, broadcasts and all other forms of communication, the Hungarian Government and people should be made to realize that they will not be allowed to escape full responsibility for the crimes now being committed on their territory; and that they themselves must make every possible effort to halt the death march and protect the Jews under their control.

2. In the light of Admiral Horthy's recent offer to the International Red Cross to release all Jewish children under ten who can obtain foreign visas, as well as adults with Palestine visas, we urge the United Nations to adopt immediately all measures leading to the evacuation of these people.

3. The protection of the United States and the other United Nations should be formally and openly extended to the helpless victims of Nazi persecution within the occupied territories.

4. Appropriate measures should be taken to induce the Axis government to equalize the status of Jews in Nazi-occupied territories, who are deprived of freedom of movement, with that of prisoners of war, military or civilian, in accordance with the Geneva Convention of 1929.

5. Since Palestine is the nearest country of refuge for Jews in the Balkan countries, its doors should be fully opened to them by the Mandatory power, and Turkey, which is the most available country of transit, should be induced to open its frontiers.

6. The United States and the other United Nations should declare that all territories under their administration are open to all Jews who can be rescued and the neutral nations shall likewise declare that they will facilitate the transit of these people to the aforementioned territories.

7. Since starvation continues to be one of Hitler's most effective weapons of destruction, all means should be taken by the United Nations, consistent with the war effort, to bring food and medicaments to the endangered Jews under the auspices of the International Red Cross.

8. All measures should be taken by the military authorities, with the help of the underground forces, to destroy the implements, facilities, and places where the Nazis have carried out their mass executions.

We solemnly declare that every hour of delay in implementing these measures increases the agony and suffering of those Jews who are still under Axis domination and adds new thousands to the death toll.

We cannot remain silent. We demand and confidently expect that the United States and the other United Nations will move swiftly to rescue those who can still be saved, and punish the guilty for their inhuman crimes.

The civilized world must act before it is too late.

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## VII.

## MEMORANDUM TO WAR REFUGEE BOARD

*Submitted on August 23, 1944*

WE WELCOME with gratitude the announcement by the Governments of the United States and the United Kingdom that "they have accepted the offer of the Hungarian Government for the release of Jews and will make arrangements for the care of such Jews leaving Hungary who reach neutral or United Nations' territory, and also that they will find temporary havens of refuge where such people may live in safety."

We express our appreciation of the untiring efforts of the War Refugee Board, which led to the offer made by the Hungarian Government and its acceptance.

It is our conviction that steps must be taken without delay to implement this announced policy for the following reasons:

1. The offer of the Hungarian Government may be countermanded at any time by the Nazis and the deportation of Jews from Hungary, which we understand is still continuing, may be resumed on a large scale. Such a course is likely in the light of past experience and because of the danger that the Nazis may launch reprisals against the Jews as Allied successes mount.

2. Evacuation of a number of Jews from Hungary will not only mean salvation for those who are removed, but will make it clear to the people of Hungary and other countries in Axis dominated Europe that the Allied powers are determined to protect the Jewish people from further Nazi excesses, and thus ameliorate the conditions of the Jews who cannot be brought out.

3. Any indication on the part of the United Nations that they are not prepared to take full and immediate advantage of the Hungarian offer would have a disastrous effect, for it would negate the warnings and the appeals which have been directed to the people of Hungary since the beginning of the Nazi occupation, and it would discourage neutral nations who have repeatedly demonstrated their willingness to come to the assistance of the victims of Nazi persecution. We therefore urge the immediate adoption of the following measures of rescue:

## I. RESCUE OF CHILDREN

At the outset, we stress the urgency of transferring children from Hungary inasmuch as a number of neutral and Allied governments have expressed a willingness to grant havens to them.

Since the Swedish Government has offered to receive 10,000 children from Hungary, we urge that a number of airplanes be placed at the disposal of the Swedish authorities and that the children be flown from Hungary to Sweden. Planes might also be placed at the disposal of Switzerland, Spain and Turkey should they be willing to undertake similar action.

The fullest cooperation of the International Red Cross should be enlisted to guarantee these planes safe transit.

It is our conviction that public opinion would hail these flights of mercy with gratitude. Moreover, the psychological effect on the people of occupied Europe would be overwhelming, for this would impressively signify the intention of the United Nations to liberate the victims of Nazi tyranny and persecution.

## II. RESCUE OF ADULTS

The possibilities offered by the available Palestine certificates should be utilized to their fullest extent. Rumanian and Bulgarian efforts to win the favor of the United Nations, Turkey's non-belligerency, the reported withdrawal of the German armies from the Turkish-Bulgarian border, call for the utilization of land routes as lifelines of escape. However, transportation should not be limited to railroads. All available vehicles should be employed.

Steps should also be taken at once to provide sea transportation facilities for escaping refugees by placing suitable boats at the disposal of rescue organizations.

## III. THOSE WHO REMAIN IN HUNGARY

As for the Jews who remain in Hungary and who are deprived of their freedom of movement, we urge that the United States and the United Kingdom join in making available to the International Red Cross the necessary means for providing them with food and clothing. In a cable dated August 4, 1944, which has been communicated to us, the International Committee of the Red Cross complains that "for months past" it "has submitted to Allied governments, especially with view to relief measures, concrete proposals which for economic reasons could in part not yet meet with approval." May we recall that on November 26, 1943, Mr. Breckinridge Long, Assistant Secretary of State, informed the House Committee on Foreign Affairs that the United States and Great Britain would each contribute four million dollars to finance the rescue program of the International Committee of the Red Cross? We request that this proposal soon be carried into effect.

## IV. THOSE DEPORTED FROM HUNGARY

The Jews already deported from Hungary must not be written off. According to the Agence Telegraphique Suisse, of July 13, 1944, the Budapest government has contended that no Jews have been deported from Hungary to Germany and Poland, but that actually Jewish manpower has been placed at the disposal of the Reich in accordance with a recently concluded German-Hungarian agreement. May we urge that the Hungarian government be requested by an official note, presented through the protecting power, to state what action it has taken and intends to take to insure that this Jewish manpower will be entitled to the same care and protection as the Hungarian workers of Christian faith who have been sent to Germany. At the same time, suggestions should be made that in the light of the physical danger to Jews in Germany, Jewish manpower be returned from Germany and be utilized for public work in Hungary proper.

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This memorandum is submitted by the American Jewish Conference, in behalf of the national membership affiliates listed below, and by the following non-affiliated organizations:

Agudas Israel of America, American Jewish Committee, Jewish Peoples Committee, Jewish Peoples Fraternal Order, New Zionist Organization, Union of Orthodox Rabbis, Vaad Hahatzala.

The World Jewish Congress joins these American Jewish organizations in the presentation of these proposals.

The organizations affiliated with the American Jewish Conference in whose behalf this memorandum is submitted include:

American Association for Jewish Education, American Federation for Polish Jews, Inc., American Federation of Jews from Central Europe, American Jewish Congress, American Jewish Congress—Women's Division, B'nai B'rith, B'nai B'rith—Women's Supreme Council, B'nai Zion, Central Conference of American Rabbis, Council of Jewish Fraternal Federations, Free Sons of Israel, Hadassah—Women's Zionist Organization of America, Hapoel Hamizrachi of America, Hashomer Hatzair, Histadruth Ivrit, Inc., Independent Order Brith Abraham, Independent Order Brith Sholom, Independent Order Brith Sholom of Baltimore, Jewish National Workers' Alliance, Jewish War Veterans of the United States, League for Labor Palestine, Mizrahi Organization of America, Mizrahi Women's Organization of America, National Council of Jewish Education, National Council of Jewish Women, National Council of Young Israel, National Federation of Hebrew Teachers, National Federation of Jewish Men's Clubs of the United Synagogue of America, National Federation of Temple Brotherhoods, National Federation of Temple Sisterhoods, National Ladies' Auxiliary—Jewish War Veterans, National Women's League of the United Synagogue, Pioneer Women's Organization of America, Poale Zion—Zeire Zion, Progressive Order of the West, Rabbinical Assembly of America, Rabbinical Council of America, Union of American Hebrew Congregations, Union of Orthodox Jewish Congregations, Union of Orthodox Jewish Congregations—Women's Branch, Union of Sephardic Congregations, Inc., United Galician Jews of America, United Roumanian Jews of America, United Synagogue of America, Yiddish P.E.N. Club, Yiddish Writers Union, Zionist Organization of America.

#### YOUTH ORGANIZATIONS

Avukah, A.Z.A. of B'nai B'rith, Hashomer Hadati, Hillel Foundation, Junior Hadassah, Junior Mizrahi Women's Organization, Masada, National Council of Jewish Juniors, National Federation of Temple Youth, Young People's League of the United Synagogue of America.

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COMMISSION ON PALESTINE  
OF THE AMERICAN JEWISH CONFERENCE

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*Secretary*

I. L. KENEN

## Report of the Commission on Palestine

### I. THE CONFERENCE RESOLUTION

THE ADOPTION of the Palestine Resolution by the American Jewish Conference on September 1st, 1943 was the first in a series of events which projected the issues of Palestine into the forefront of discussion in this country. The significance of the Conference decision can now be evaluated in the light of the action which followed the Conference and which was stimulated and reinforced by it.

The gathering in New York in September, 1943, and its clear and decisive pronouncement on the subject of Jewish rights to Palestine, must be regarded as a turning point in the fight for the assertion of those rights in this country. It gave the signal for advance and action—for a nation-wide program of education and enlightenment on the Jewish position, which was climaxed on October 15th, 1944 by President Franklin Delano Roosevelt's historic declaration identifying the American people with the objectives of the Conference Resolution on Palestine and pledging his efforts for their realization.

The Palestine Resolution itself was neither new nor revolutionary. The declaration in favor of the Jewish Commonwealth was, in fact, a reaffirmation of the resolution adopted a quarter of a century ago, when American Jews had assembled in the American Jewish Congress to prepare for the peace that was to follow the first World War. The phrase "Jewish Commonwealth" was one employed by President Wilson on March 2nd, 1919. That reaffirmation of a past resolve was necessitated by the deterioration of the Jewish position. In the twenty-five years between the two wars, the implementation of the first resolution had been obstructed by a continuous abridgment of the rights promised in the Balfour Declaration and incorporated in the Mandate for Palestine.

On the eve of the first session of the American Jewish Conference, Palestine was in the hands of unfriendly administrators determined to arrest the progress of the Jewish development and to congeal the Jewish population into a permanent minority; a policy which would transform the Jewish National Home into a ghetto. This was in accord with the White Paper which was issued by the Chamberlain government in the 1939 era of appeasement and which was being severely enforced. The local authorities had launched a propaganda war to discredit the Jewish people in an effort to alienate the sympathies of the United Nations from the Jews. Jewish contribution to the war effort had been discouraged and later its magnitude and significance had been minimized. Under discussion in the Middle East was a proposal that a statement be issued by the leading

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powers commanding silence on the future of Palestine until the end of the war. This was designed to silence protests and to permit the White Paper to become effective without challenge. It had even been suggested in some quarters that the Conference itself—then on the eve of the first session—refrain from action on Palestine, on the ground of military necessity.

These efforts to frustrate Jewish hopes for reconstruction in the post-war world dictated the reaffirmation which issued from the American Jewish Conference. But that declaration was more than a reaction to external stimuli. It was a clarification and a crystallization of the viewpoint of American Jewry.

That millions of American Jews were interested in the development of Palestine was an accepted fact, but the extent of that interest was not always clear. Some had been moved by sentimental considerations and by philanthropic impulses, by an interest in Jewish education and culture and religion and the need for a Jewish center in which these might have a foundation; and some by a desire to open up new avenues of self-expression for a people whose economic opportunities had been severely restricted in a hazardous existence on the periphery of a contracting economy in Europe. And in the years which followed Hitler's advent to power, there was growing concern over the plight of Jewish refugees and their need for sanctuary.

But there appeared to be a differentiation between those whose interest in Palestine was purely philanthropic, cultural and economic, and those who accepted the classical Zionist position. This apparent gulf between those who were concerned solely with Jewish needs and those who were concerned also with Jewish rights was exploited by forces antagonistic to both. The great significance of the action of the Conference was its recognition that the satisfaction of Jewish needs was predicated on the assertion and establishment of Jewish rights and that the two could not be separated in logic-tight compartments.

Implicit, moreover, in the Conference resolution, was the recognition that conciliatory tactics had been unavailing in the past and that there was a call for a more active approach, not only to the Mandatory Power, but to the United Nations.

## II. REACTION TO THE RESOLUTION

The Conference declaration was a major contribution in the mobilization of American Jewry in support of Jewish aspirations to Palestine. It was, on the whole, warmly received by the Jews of this country and abroad and while, in the debate which ensued, there were inevitably released forces of dissent, these expressions cannot begin to compare in significance with the nation-wide affirmations of approval.

All but a few of the 64 organizations affiliated with the Conference adopted resolutions ratifying the Palestine Resolution. The American Jewish Committee was the only one to withdraw, giving as one of its reasons, its disagreement with respect to the timeliness of the resolution. The Interim Committee, in a statement made public on November 7th, 1943 replied to the Committee, and it is unnecessary to elaborate on the differences in this report. It should be noted, however, that the American Jewish Committee was severely criticized in many communities for its action, and a number of its constituent organizations withdrew from the Committee, including the Rabbinical Assembly of America, the United Synagogue of America, Hadassah, the Independent Order of Brith Abraham, the Free Sons of Israel, the Union of Orthodox Jewish Congregations of America, Union of Orthodox Jewish Congregations of America, Women's Branch, the National Women's League of the United Synagogue of America, and the Grand Lodge of Brith Sholom, a charter member of the Committee. In addition, 49 Committee members resigned, including Rabbi B. L. Levinthal, dean of American orthodox rabbis and one of the five founding members of the Committee in 1906.

At the Conference, delegates of the Jewish Labor Committee and the National Council of Jewish Women had abstained from voting on the Palestine Resolution. Subsequently, the Jewish Labor Committee, while continuing in the Conference and cooperating "in all matters which are within the scope of the Jewish Labor Committee and in accordance with its decisions", did not participate in the Interim Committee or the Palestine Commission.

The National Council of Jewish Women considered the subject of Palestine for the first time in more than half a century at its 17th triennial convention in Chicago in November, 1943. It adopted a resolution calling for the abrogation of the White Paper, favoring unrestricted immigration of Jews into Palestine and the "uninterrupted and continued upbuilding of Palestine in the spirit of the Balfour Declaration." (Appendix, P. 86)

The governing bodies of four organizations, the B'nai B'rith, the Union of American Hebrew Congregations, the National Federation of Temple Sisterhoods and the Central Conference of American Rabbis, refrained as organizations from action on the Palestine Resolution and reaffirmed neutrality. (Appendix, P. 86, 87, 88)

A vigorous endorsement of the Palestine Resolution was recorded at the National Conference of Orthodox Jewry for Palestine and Rescue, which met in New York on January 31st, 1944, and which was attended by 600 rabbis and 1,200 delegates from all parts of the country, speaking in the name of approximately 1,500,000 orthodox Jews in the United States.

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### III. THE BEGINNING OF IMPLEMENTATION

Immediately after the Conference session recessed, a committee, representing the Conference, formally submitted the resolutions adopted by the delegates to Secretary of State Cordell Hull. The committee consisted of Dr. Stephen S. Wise, Dr. Solomon B. Freehof, Frank Goldman, Louis Lipsky, Dr. Abba Hillel Silver, and Jane Evans for the secretariat. A short time later, Dr. Silver, chairman of the Palestine Commission, announced the opening of a campaign for the abrogation of the White Paper.

Spearhead of that attack was the American Zionist Emergency Council, political and public relations instrumentality for the four major Zionist bodies, the Zionist Organization of America, the Hadassah, Women's Zionist Organization of America, the Mizrahi Organization of America, and the Poale-Zion Zeire-Zion. Under the auspices of the Council, which is headed by Dr. Wise, Co-Chairman of the Interim Committee of the American Jewish Conference, and Dr. Silver, there were formed Emergency Committees for Palestine in many cities of the United States. The number of local committees grew rapidly and by the spring of this year, it totalled 215. In addition, many communities were represented in borough, county and state organizations, so that contact was eventually established with 311 communities in 42 states.

These committees consisted not only of Zionist leaders, but also of many community leaders who were in sympathy with the Zionist program, but who had not hitherto been engaged in Zionist activity. Some 2000 leaders in all were enrolled in advancing the program.

But before the struggle against the White Paper policy had even begun, and as if to anticipate it, the Mandatory Power announced a modification of its policy on November 10th, 1943. The March 31st, 1944 deadline of the White Paper was postponed. It was announced that inasmuch as the full 75,000 certificates had not been used during the five year period, the effective date on the ban of Jewish immigration into Palestine would be deferred until the quota was filled. The land restrictions remained unchanged. As of that date, the number of certificates outstanding was 31,078. Basically, while this was the first major concession on the part of the Mandatory since 1939, the White Paper policy had not been changed and the action merely resulted in an intensification of effort against that policy.

At a meeting of the Interim Committee of the Conference on November 23rd, 1943, the following resolution was adopted:

"The Interim Committee of the American Jewish Conference directs its Palestine Commission to undertake immediately a program for the mobilization of American public opinion, against the British White Paper of 1939 on Palestine. The Palestine Commission is authorized to set up such machinery and to take such steps as will reflect the decision of the American Jewish Conference as expressed in its Palestine Resolu-

tion, to use its utmost resources to bring about the withdrawal of the White Paper."

Previously, however, on October 17th, the Interim Committee had determined that the Commissions might "utilize the services and seek the cooperation of existing agencies." Accordingly, at the first meeting of the Palestine Commission held on December 1st, 1943, the Chair was authorized to advise the delegates of the action of the Interim Committee of November 23rd endorsing the work of the Council with respect to the White Paper, and a communication was then sent by the Chairman of the Commission to the Conference delegates, requesting them to serve on their local Emergency Committees for Palestine, and detailing the work to be carried forward.

During this period there was considerable discussion as to the direction of the campaign. There were some who argued that efforts should be concentrated on the fight against the White Paper per se and that for the time being discussion on the ultimate political objective, a Jewish Commonwealth in Palestine, should be deferred. In support of this view, it was contended that there was no conflict in opinion on the issue of the White Paper, that all segments of American Jewry could unite without a dissenting voice to disturb unanimity. It was suggested in addition that this was the immediate question which called for a concentrated attack. Thus, within the Conference, although there was only one Conference resolution and it did not separate the issues, there were some who felt that two commissions should be established, one to concern itself with the White Paper fight and the other to devote its attention to ultimate political objectives. On the other hand, it was not the White Paper itself, for there had been many White Papers, but the White Paper policy which was under attack, and that attack, it was pointed out, should carry with it the affirmation of a positive policy lest there should be substituted for the current White Paper another document differing from it only in degree.

These issues came to a head at a meeting called by the American Zionist Emergency Council in Cleveland in November attended by the leaders of more than 100 Emergency Committees for Palestine, and during the course of a two-day discussion, it was determined by an overwhelming vote to be guided by the position of the American Jewish Conference. It was agreed that only those who subscribed to the Conference resolution would be invited to serve on these committees.

At the meeting of the Palestine Commission of the Conference held on January 3rd in New York, the Commission voted:

"The Palestine Commission shall not do the day-by-day work, but shall do the political and educational work in order to mobilize American Jewry for the support of the Conference program in relation to Palestine. To that end, the American Jewish Conference shall be fully

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utilized for the organization of mass activities in support of legislative action deemed necessary to implement the Palestine Resolution.  
Such legislative action was soon to begin.

#### IV. THE RESOLUTIONS IN CONGRESS

On January 27th, 1944, Representatives James A. Wright (Dem.) of Pennsylvania and Ranulf Compton (Rep.) of Connecticut introduced in the House a resolution calling for a reaffirmation of the declaration of the Sixty-Seventh Congress of the United States on June 30th, 1922, and resolving "that the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country, and that there shall be full opportunity for colonization, so that the Jewish people may ultimately constitute Palestine as a free and democratic Jewish Commonwealth."

On February 2nd, an identical resolution was fathered in the Senate by Senators Robert F. Wagner (Dem.) of New York and Robert A. Taft (Rep.) of Ohio. These resolutions were introduced with auspicious support. Upon their introduction, vigorous endorsements came from Majority Floor Leader John W. McCormack (Dem.) of Massachusetts and Minority Floor Leader Joseph W. Martin, Jr. (Rep.) of Massachusetts, and the leaders of the Senate, United States Senators Alben W. Barkley (Dem.) of Kentucky and Wallace H. White, Jr. (Rep.) of Maine.

The Palestine Commission of the Conference met on January 31st and voted to endorse the resolutions and to urge their support by its delegates and its affiliated national organizations. The Conference issued the following statement:

"The American Jewish Conference is highly gratified with the Palestine resolutions which have been introduced in the Senate and in the House of the Congress of the United States. These resolutions reflect the spirit of the Palestine Resolution which was adopted by an overwhelming vote at the great gathering of the American Jewish Conference held last September. The Congressional resolutions will, if adopted, be of utmost significance in securing the rights of the Jewish people in Palestine and the opening of the doors of Palestine for unrestricted Jewish immigration. The warm reception which the resolutions have received in both branches of Congress and at the hands of the leaders of both parties augurs well for their passage. The American Jewish Conference calls upon all its delegates and all the national organizations affiliated with it to lend their utmost support to these resolutions and to make heard the voice of American Jewry against the White Paper and in behalf of the Jewish Commonwealth in the halls of Congress."

The Co-Chairmen of the Interim Committee sent letters to the authors of the resolutions and to Congressional leaders who were supporting them, expressing the Conference's appreciation. Simultaneously, the Conference

addressed a plea to all members of Congress in which it was pointed out that the resolutions expressed in essence the resolution adopted by the Conference last September and with this communication went the text of the original Palestine Resolution of the Conference. At the same time, communications were addressed to the editors of six hundred leading American newspapers urging editorial endorsement. Letters were sent to the organizations affiliated with the Conference and to the Conference delegates requesting their active support.

Hearings on the resolution were scheduled in the House Committee on Foreign Affairs for February 7th and in advance of this session, the Conference sent telegrams to its affiliated organizations urging them to give expression to their support.

Many organizations and individuals responded and seldom has Congress witnessed an emphatic expression of such volume. Representative Sol Bloom, Chairman of the Committee on Foreign Affairs, asserted that of the thousands of communications and telegrams received, only ten registered opposition.

In the hearings of the House Committee, which were held February 7th and 8th and which were resumed the following week, the position of American Jewry as recorded by the Conference resolution was given special attention. While the issues involved were discussed and debated on their merits, members of Congress were naturally interested in ascertaining the viewpoint of the majority of American Jews, particularly in view of the presentation of the dissenting viewpoints by the American Council for Judaism and the American Jewish Committee. In opening the debate, Dr. Silver declared that he was speaking for the millions of Jews represented in the Conference. The Conference resolution was read into the record by Dr. Israel Goldstein, Co-Chairman of the Conference Interim Committee, who described in detail the action of the Conference and its representative character.

"If there are among American Jews some voices of dissent, be they ever so loud, or so often repeated or emanating from men of wealth and high social position, they must always be evaluated in their true proportion, as representing less than 10 per cent of American Jewry," Dr. Goldstein said.

Others who referred to the Conference position and the action it had taken were Dr. Wise, Dr. James G. Heller of Cincinnati, Herman Shulman and Mr. Lipsky, all members of the Interim Committee of the Conference.

Mr. Lipsky was the concluding spokesman. Meeting the arguments which had been presented in behalf of the American Council for Judaism by Mr. Lessing Rosenwald, Mr. Lipsky said:

"I happen to be an official of the American Jewish Conference that conducted the elections. We devised a system of democratic representation, of proportional group representation within the Conference. We

created a Conference which gave an opportunity to every group to express its opinion. We represented, according to our calculations—two and a half million Jews. All the national organizations with the exception of two were included. It was the most impressive ceremonial act on the part of the Jewish people when they voted on the Palestine Resolution. And the vote on the Palestine Resolution was taken after there had been three days' deliberation in a sub-committee in which some of these men, who subsequently did not vote, participated in the debate. They participated on the floor by making statements and declarations. . . .

"Mr. Rosenwald testified here that he represented, after an effort, after an expenditure of quite a good deal of money, the achievements of 2,500 Jews who had registered with the American Council for Judaism —2,500 as against the 2,500,000 Jews who were in the American Jewish Conference."

The witnesses in behalf of the resolution based their arguments for its adoption on the need for a reaffirmation of the historic American policy on Palestine. Its necessity, they argued, was commanded by the tragedy of the Jews of Europe, its wisdom vindicated by the great development of Palestine in the quarter of a century following the Balfour Declaration, its timeliness emphasized by the threatened repudiation of the Balfour promise, implicit in the White Paper policy.

Among those who spoke for the resolution were: Dr. Carl J. Friedrich, Director of the School for Overseas Administration, Harvard University; Lewis G. Hines, legislative representative, A. F. of L.; Mrs. Moses P. Epstein, President of Hadassah; Dr. Walter C. Lowdermilk, assistant chief, Soil Conservation Service, Department of Agriculture; Dr. Henry Atkinson, President of the Christian Council on Palestine; Rabbi Wolf Gold, honorary president, Mizrahi Organization of America; David Wertheim, national secretary of the Poale Zion, and Dr. Emanuel Neumann.

The opposition to the resolution came mainly from two sources, the American Council for Judaism and the spokesmen for Arab groups. Mr. Rosenwald proposed to eliminate from the resolution references to the "Jewish people." He accepted the first part of the resolution calling for the opening of Palestine's doors to Jews. He was willing to have Palestine constituted as a free and democratic commonwealth, but not as a "Jewish" commonwealth and not by the "Jewish people." His advocacy of Jewish immigration into Palestine was based solely on the proposition that the White Paper was a discrimination against the Jews as such.

Mr. Rosenwald conceded that he represented a minority viewpoint. He estimated the membership of the Council at that time at only 2,500. But Rabbi Louis Wolsey of Philadelphia, who followed him the next day, was not so frank. No one, he maintained, could say where the majority of American Jews stood. He had not taken a "statistic" of American Jewish opinion. Like Mr. Rosenwald, Rabbi Wolsey was fearful of the consequences of Jewish nationhood in Palestine. "Jews," he said, "would be

subject to suspicion and prejudice and," he continued, "my position in America becomes equivocal."

The American Jewish Committee did not make an appearance before the Congressional Committee, but submitted a memorandum in which it urged abrogation of the British White Paper and proposed an amendment to provide "for an international trusteeship responsible to the United Nations." It asked that "final determination of this controversial question [of the Jewish Commonwealth] be deferred."

At the concluding sessions of the House Committee on February 15th and 16th, spokesmen for the Arab position made it clear that Arab opposition to the resolution was directed against not only the declaration in favor of a Jewish Commonwealth, but against relaxation of curbs against Jewish immigration. This testimony and the belligerently-couched protests from the Arab states which came later, rendered untenable the arguments of those who, in urging deletion of the Commonwealth clause from the resolution, had contended that relinquishment of political objectives would induce the Arabs to accept Jewish immigration into Palestine. On the contrary, it strengthened the position of those who asserted that Jewish immigration into Palestine could be predicated logically on the creation of the requisite political conditions, on the assertion that Palestine must in the future become a Jewish Commonwealth and that admission of Jews into that country must be granted as of political right and not vouchsafed as a philanthropic or humanitarian gesture.

Thus the debate on the resolution before the Congressional Committee clarified an issue on which many had been confused. While the Commonwealth in Palestine followed Jewish immigration in time, it preceded it in logic, for mass Jewish immigration into Palestine presupposed acceptance of the principle that Palestine was to become the Jewish National Home.

At the conclusion of the hearings, it was indicated that a great majority of Congressmen favored the adoption of the resolution. Only in a few isolated cases was there any suggestion that the resolutions be amended to eliminate the words "Jewish Commonwealth," as proposed by representatives of the American Council for Judaism.

Before acting on the resolutions, Congressional leaders had moved to ascertain the position of the Executive Branch of the Government. The Chairman of the Senate Foreign Relations Committee wrote to the War and State Departments soliciting their opinion. At an executive session of the Senate Committee on February 23rd, Gen. George C. Marshall, Chief of Staff, presented military objections to action at this time. His testimony was preceded on February 7th by a communication from Secretary of War Henry Stimson and one from Secretary of State Cordell Hull. Secretary Hull's letter, it was reported, was non-committal, referring merely to the position of the War Department. However, he had not offered any objections to the introduction of the resolution when his advice

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was sought by its proponents in advance of the resolution's introduction. The objections of these officials, it was learned on good authority, did not go to the merits of the resolution, but were concerned solely with the question of timeliness.

After the War Department had recorded its objections, there suddenly came a number of seemingly concerted protests against the Congressional resolutions from the Arab States. Although the Arabs in Palestine were silent and, according to some newspaper dispatches from that country, appeared to be indifferent to political developments, the neighboring Arab states, which owed their independence to the first World War and which were perhaps the greatest beneficiaries of the peace that followed that war, were now engaged in a determined effort to deny fulfillment of the pledges which were made to the Jewish people in the 1914-18 conflict.

These communications were reminiscent of the intimidations of the period between 1936 and 1939, when Arab agitators, inspired by the paid propagandists of the Nazi-Fascist machine, succeeded in terrorizing the Mandatory Power into a breach of its trusteeship of Palestine, forcing the issuance of the Chamberlain White Paper of 1939. Their disposition so boldly to threaten the United Nations at this time, in the face of the assured victory of the United Nations, led many to inquire whether they had not been encouraged to pursue this course by those who favored perpetuation of the White Paper.

The intervention of the Arab States on this issue provoked resentment in the Halls of Congress. Senator Wagner met a request to withdraw his resolution with the pointed declaration that "Congress which for more than a century has been able to reach its own conclusions without advice from officials of foreign nations, is fully able to reach a wise conclusion in this matter which will be in accord with the wishes of the American people."

Congressman Ranulf Compton of Connecticut, co-sponsor of the resolution, concurring with Senator Wagner's rejection of the Iraqi protest, observed that "My first thought upon learning of the protests of the Egyptian, Iraqi, Syrian and Lebanon Governments, was that these protests may well have been inspired by the British Government, which is in control in those countries."

This was the situation early in March and the March 31st deadline of the White Paper was fast approaching. There was a clear necessity for some word which would at once reassure the Jewish people that their hopes were not to be crushed and which would, at the same time, disabuse the leaders of the Arab States of the notion that the last word had been spoken on Palestine in 1939. The suggestion that this word might now be delayed might in itself be interpreted as a declaration of policy inimical to the Jews. Continued silence on the part of the United Nations on the subject of Palestine might be construed in some quarters, as acquiescence

in the status quo. Thus, silence itself would become a political act and the forces which were urging it in the name of military expediency were, perhaps unwittingly, forging political policy.

There was a clear analogy between the present situation and that of 1939, when the threat of military disturbance had forced political surrender. Many now turned to President Roosevelt, who had been for millions of oppressed peoples the symbol and standard-bearer for their hopes of post-war reconstruction. From all parts of the United States went pleas to the President for a clarification of United States policy on the promises of the past and the hopes of the future.

### V. THE PRESIDENT'S STATEMENT OF MARCH 9TH

It was following this wide-spread public expression that President Roosevelt received Dr. Wise and Dr. Silver on March 9th and authorized them to issue, on his behalf, a statement in which the United States Government formally asserted its non-concurrence with the Chamberlain White Paper of 1939 and of greater significance, renewed hope that Jewish aspirations to Palestine would be realized in the post-war reconstruction. The statement follows:

"The President authorized us to say that the American Government has never given its approval to the White Paper of 1939.

"The President is happy that the doors of Palestine are today open to Jewish refugees and that when future decisions are reached, full justice will be done to those who seek a Jewish National Home, for which our Government and the American people have always had the deepest sympathy and today more than ever, in view of the tragic plight of hundreds of thousands of homeless Jewish refugees."

The President's statement broke a long silence, averted its prejudicial consequences and opened the door to a clarification of American policy. At no time since the issuance of the White Paper of 1939 had our Government formally registered any objection to it. More recently, there had been a tendency on the part of many officials of our Government to abstain from positive references to the future of the Jewish National Home. The President's statement, which came after all the Arab protests had been received, dispelled the illusion fostered by Near East propagandists that the United States had abandoned the interest it affirmed in 1922, when Congress unanimously approved the establishment of a Jewish National Home in Palestine. It served notice that the liquidation of Jewish rights to Palestine contemplated in the White Paper must be arrested. It strengthened the position of that section of British leadership and public opinion which concurred with Prime Minister Churchill's condemnation of the White Paper as a "breach and repudiation" of the Balfour Declaration of 1917. It relaxed tensions created by the intervention of the Department of War.

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It should be noted that news of the President's statement was censored in the Near East for six days and publication was banned in the Hebrew press, although Arab papers were permitted to print criticism of it.

A number of Congressmen felt that if the President felt free to make such a statement, the ban on Congressional action was unjustified. However, on March 17th, the House Committee on Foreign Affairs formally announced that it would take no action "at this time" on the Wright-Compton resolution. "Advice and information given to us by those responsible for the conduct of the war, have convinced the Committee that action upon the Palestine resolution at this time would be unwise," the Committee stated. This action followed the receipt of a letter from Secretary of War Stimson, dated March 17th, which stated:

"Concerning our conversation with respect to House Resolutions 418 and 419, it is the considered judgment of the War Department that without reference to the merits of these resolutions, further action on them at this time would be prejudicial to the successful prosecution of the war."

Commenting on this action, Representative Wright, co-sponsor of the resolution, said:

"We are not military strategists and we cannot oppose our judgment on military matters to the judgment of our military leaders."

"But this must not be considered a judgment upon the merits. Eventually—and I hope soon—we must decide whether or not we wish to maintain the position we took in the resolution of 1922 and in the convention of 1925. The claim to Palestine is a just one and any objection which the Arabs make to it is invalid. As soon as the military position improves, it is the obligation of the House to take affirmative action on the Palestine resolution."

This, in essence, was the position taken on March 21st by the Interim Committee of the American Jewish Conference. The previous day the Palestine Commission adopted a resolution welcoming the President's March 9th statement and expressing the hope that the military authorities would soon, consistent with the realities of the situation, withdraw their objections so that Congress could act on the resolutions. The resolution was adopted by the Interim Committee on March 21st. (Appendix, P. 88)

At a White House press conference on March 28th, the President asserted that his views on Palestine, as given to Dr. Wise and Dr. Silver on March 9th, conformed to the position of the War Department and did not conflict with it. He accepted the military objection to action at this time as a temporary bar. The political question was one to be worked out in the future in connection with the peace.

The military bar did not continue long. Following inquiries made to the War Department by representatives of the American Zionist Emergency Council and by Senators Wagner and Taft, Secretary Stimson wrote to Senator Taft on October 10th:

"I do feel that the military considerations which led to my previous action opposing the passage of this resolution are not as strong a factor now as they were then. In my judgment, political considerations now outweigh the military, and the issues should be determined upon the political rather than the military."

Thus, action on the resolutions may be expected in the not too distant future.

## VI. PUBLIC OPINION

The introduction of the Palestine resolutions and the discussions which followed served to create throughout the country an awareness of Jewish achievement in Palestine and a sympathetic understanding of Jewish aspirations there. They focused attention on the problem and brought it to the fore. They evoked a mass demonstration on the part of American public opinion. Editorials endorsing the resolutions were printed in hundreds of American newspapers. Many Congressmen became the vigorous advocates of Jewish Palestine and their expressions of support, given to the Conference, to the American Zionist Emergency Council and to local Emergency Committees for Palestine, demonstrate that the resolutions would have been adopted by an overwhelming majority in both Houses had they come to a vote. The volume, "America and Palestine," published by the Council on October 12th, discloses that more than 400 Congressmen, 77 per cent of the 78th Congress, are on record in favor of Jewish aspirations in Palestine.

During the past year, the American Palestine Committee, the vehicle for the expression of the sympathy and good will of Christian America for the movement to re-establish the Jewish National Home in Palestine, tripled its membership and its activities have expanded. The Committee is headed by Senator Robert F. Wagner, Chairman, and Senator Charles L. McNary, Co-Chairman (Deceased). The Executive Council includes Dr. Daniel L. Marsh, Chairman, Professor William F. Albright, Dr. Henry A. Atkinson, J. M. Blalock, Mrs. Walker Ferguson, Dr. Carl J. Friedrich, William Green, Eric A. Johnston, William H. King, Representative John W. McCormack, Philip Murray, Senator Claude Pepper, Judge Frank A. Picard, Dr. Daniel A. Poling, Miss Daphne Robert, Monsignor John A. Ryan, Senator Elbert D. Thomas, Senator Arthur H. Vandenberg, Dr. Carl Herman Voss and Dr. Mary E. Woolley. Director of the Committee is Dean Howard M. Le Sourd. Local chapters of the American Palestine Committee have been formed in a number of cities.

The Christian Council on Palestine, which is headed by Dr. Henry A. Atkinson, has doubled its membership and many outstanding American clergymen are now actively enlisted in its ranks, all over the United States.

Particularly gratifying has been the extent to which persons in liberal and progressive ranks in the United States have become warmly interested

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in Palestine. On March 9th, there was convened in Washington a National Conference on Palestine, which was sponsored by the American Palestine Committee, in cooperation with the American Federation of Labor, the Christian Council on Palestine, the Congress of Industrial Organizations, the Free World Association, the Union for Democratic Action, the Unitarian Fellowship for Social Justice and the United Christian Council for Democracy.

The National Conference, speaking for millions of Americans, identified itself with the program of the Palestine Resolution of the American Jewish Conference. It declared:

"We reaffirm our faith in the spirit as well as the letter of the Balfour Declaration and ask for a maximum Jewish immigration into Palestine and full opportunity for colonization and economic development.

"We reaffirm the traditional policy of our Government and ask for all effective measures to the end that Palestine may be reconstituted by the Jewish people as a free and democratic Jewish Commonwealth."

Adoption of the Congressional resolutions was urged "at the earliest opportunity."

Nearly 150 prominent Christians, who came from 75 communities in 38 states, attended the National Conference, to study economic and political problems in Palestine. The dinner, that evening, was attended by some 800 persons, including many government officials, and was addressed, among others, by Vice-President Henry A. Wallace. A continuing committee, headed by Dr. Daniel L. Marsh of Boston, was created to carry on the Conference's work. Guests of the Conference reported back to their local communities. They have become ambassadors of good will for Jewish Palestine.

Thanks to the efforts of local Emergency Committees for Palestine, there have been hundreds of radio programs, meetings and forums on Palestine. More than 3,000 organizations have adopted sympathetic resolutions of one kind or another. Their activities may be gauged by the fact that in one city alone, Detroit, more than 22,000 postcards, and 19,000 letters are known to have been sent to Congressmen on the Palestine resolution, in addition to some 3,000 telegrams to the President. In the small community of Meriden, Conn., there were 12,000 letters.

As in England, where the British Labor Party recently issued a most vigorous pronouncement in favor of the Jewish position, American labor leaders have come to the front in the battle for Jewish rights. Shortly after the American Jewish Conference recessed, the American Federation of Labor Council, meeting in Boston in October, adopted a resolution urging that the restrictions on Jewish immigration and settlement contained in the British White Paper of 1939 be withdrawn and that the Balfour Declaration be so implemented that the hopes and aspirations of the Jewish people to build their own Commonwealth in Palestine may be realized. The CIO in

its national convention in Philadelphia in 1943 assailed the White Paper as "discriminatory, unfair, unjust and a hindrance to the war effort" and gave its "wholehearted support" to the American Jewish Conference. The United Automobile Workers, the largest union in the world, also condemned the White Paper at its convention, and many other CIO and A. F. of L. internationals have declared themselves emphatically on the question. In the spring, there was formed the American Jewish Trade Union Committee for Palestine, which is headed by Max Zaritzky, and which supports the demand for a Jewish Commonwealth in Palestine. Mr. Green and Mr. Murray are its honorary chairmen. This committee is growing rapidly all over the country.

Much progress has been made in the country's colleges and universities and one of the most impressive demonstrations of sentiment came on May 17th, the anniversary of the promulgation of the White Paper, when 1,700 American university professors joined in a petition urging President Roosevelt to act in behalf of free entry of Jews into Palestine "so that the Jewish people may ultimately constitute Palestine as a free and democratic Jewish Commonwealth." The signers included 150 college presidents and the faculty members of 250 universities and colleges, situated in 44 states.

## VII. OPPOSITION FORCES

Major opposition to Jewish national aspirations in Palestine has come, during the year, from the anti-Zionist American Council for Judaism, which, it will be recalled, used disruptive tactics during the session of the Conference in September, 1943, issuing a statement attacking Jewish nationalism in an apparent effort to distract attention from the Conference and discredit its proceedings. The Council's position on Palestine has been referred to in the report on the Congressional hearing. It bases its antagonism to the White Paper solely on the ground that it is discriminatory. But its position is purely negative. It seeks no affirmative rights for the Jewish people, for it does not recognize its existence as a people. It has carried on an anti-Zionist propaganda campaign among Jews and non-Jews, and its spokesmen in the communities have been hostile to the Conference.

More blatantly disruptive were the tactics of the small group which recently identified itself as the Hebrew Committee of National Liberation. This group, some of whose members were associated with the discredited Irgun Z'vai Leumi in Palestine, which submits to no control or discipline by the legally authorized Jewish bodies in Palestine, has been responsible in recent years for the creation of a series of paper organizations, the American Friends of a Jewish Palestine, the Committee for a Jewish Army, the Emergency Committee to Save the Jewish People of Europe,

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and the American League for a Free Palestine. The nature and identity of this group was first brought to light in a statement issued by the Interim Committee of the Conference in December. In May, the Hebrew Committee opened an "Embassy" in Washington, acting as "trustees" for the "Hebrew Nation." This action was condemned by responsible Jewish organizations in this country.

The Administrative Committee of the Conference issued the following statement on May 19th:

"The so-called 'Hebrew Committee of National Liberation' is an irresponsible adventurer which comes to the American public without credentials and menaces the cause it presumes to espouse.

"The committee pretends to speak in the name of the 'Hebrew nation' in Palestine, but it has no mandate from the Jewish National Assembly, which is the authorized and democratically-elected spokesman of the Jews of Palestine. On the contrary, the leaders of this committee are linked with an extremist clique in Palestine, which amounts to less than one per cent of the Jews of that country, and which has been outlawed by the Jews of Palestine because of its anti-democratic and terroristic tactics. It pretends to see a distinction between 'Jews' and 'Hebrews,' which no Jew would be able to appreciate or understand, but which is intended to divide and disrupt the Jewish people. The real object of the Hebrew Committee is to destroy the Jewish Agency for Palestine, the official and internationally recognized body created by the League of Nations to act with the Mandatory Power to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish National Home."

"The great majority of the Jews of the United States favor the establishment of a Jewish National Home in Palestine as the one positive solution for Jewish homelessness in the post-war world. This was made clear at the American Jewish Conference last September.

"The bizarre ideology of the 'Hebrew Committee of National Liberation' would fragmentize the Jewish people instead of uniting them. Its separatist and undisciplined tactics aim to undermine established Jewish agencies and institutions. The Jewish cause is prejudiced and humiliated by such irresponsible enterprises on the part of a group that pretends to speak for Jews."

"The Jewish Agency for Palestine branded the appearance of the Hebrew Committee of National Liberation as an "unscrupulous piece of political charlatanism," and addressed a warning to "all serious-minded people not to let themselves be misled and confused by freak bodies assuming high-sounding titles and enunciating policies for which none but their unrepresentative authors are responsible."

The opportunistic gyrations of these individuals served to confuse the American public. The line changed frequently and accommodately. At one time aggressive and militant in their espousal of Jewish statehood in Palestine, they suddenly became antagonistic to these purposes in the

Spring of this year, when Congress was considering the Palestine resolutions. They deprecated all such discussion. Then they launched into their latest enterprise, the establishment of the "Hebrew nation" in a "Hebrew state" in Palestine, at the same time seeking to dissociate the Hebrew nation from "Americans of Jewish descent."

Their next action was to sponsor in Congress resolutions calling for the establishment of emergency refugee shelters in Palestine similar to the free port in Oswego, New York. These resolutions, embracing a humiliating compromise and a dangerous concession inasmuch as refugees brought to Palestine under such a proposal could be deported at the conclusion of the war, were not only at variance with the Rescue Resolution of the American Jewish Conference but were held by the Palestine Commission and the Interim Committee to be inimical to Jewish rights in Palestine. The Interim Committee authorized this advice to be communicated to the Congressional sponsors. The statement of the Conference to the Congressmen on September 13th, 1944 declared in part:

"We share your conviction that Palestine must be opened at once to all Jewish refugees who can be brought there. Like yourself, we are emphatically opposed to the appeasement-conceived White Paper which erects a wholly untenable political barrier to Jewish immigration into Palestine. We fear, however, that a suggestion that Jewish refugees now admitted into Palestine shall later be deported is a political concession to that policy, and its espousal by the Congress of the United States may prejudice Jewish rights to and in Palestine both now and in the post-war period, without, under present circumstances, alleviating the position of the Jewish people of Europe. Moreover, we would like to point out that even under the White Paper, there are some 14,000 certificates still available which could and should be used for the rescue of Jewish refugees."

The Congressmen were urged to lend their support to the Wagner-Taft and Wright-Compton resolutions.

### VIII. INSIDE PALESTINE

Within Palestine during the past year, the Yishuv has continued to build resolutely for the future. The Jewish population has increased, industrial and agricultural production has mounted, new colonies have been established and Jews have continued to play a significant and decisive part in the winning of the war.

#### A—Growth

Despite the restrictions on immigration, the number of Jews in Palestine rose from 517,000 in January, 1943 to 585,000 in June, 1944, an increase of 68,000, according to the most recent estimates of the Jewish

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Agency for Palestine. During 1943, the Jewish National Fund acquired about 52,000 dunams of land—figures on private acquisitions are not available—and many new colonies were established during this period.

During the three year period of 1940-42 some 477 new factories of various kinds were established throughout Palestine, and this expansion continued during 1943. The entire industrial output of Jewish Palestine during 1943 was estimated at £P.45,000,000 as compared with £P.9,000,000 in the last year before the war, 1938-39.

#### B—The War Effort

The extent and importance of Jewish Palestine's contribution to the war effort of the United Nations cannot be told in full until the war ends. In January, 1944, it was reported from Jerusalem that 33,000 Jewish men and women were serving in the various armed forces of the British Government and 15,000 Jews were in the local Military Police. In September, 1944, the persistent demand of the Jewish Agency for the establishment of a Jewish Army finally won from British authorities the creation of a Jewish Brigade Group, based on the Jewish Battalions of the Palestine Regiment, a belated recognition of the principle for which the Jewish Agency had long contended.

Agricultural and industrial production mounted to new heights as Palestine furnished a supply base for the armies of the United Nations. The extent of industrial advance is evidenced by the fact that from 1939 to the end of 1942, the number of workers engaged in industry rose from 19,000 to 40,000. The total value of military orders rose from £P.1,000,000 in 1940 to £P.12,000,000 in 1943.

#### C—Political Tension

Progress during the year was marred by conflict between the Palestine Administration and the Jewish community. In the summer of 1943, there had emanated from Palestine exaggerated reports which pictured a state of extreme tension between Arabs and Jews and which were apparently stimulated by propagandists seeking to put a quietus on all political discussion. According to these dispatches, Jews were said to be arming for some future struggle and Jewish eagerness to establish a fighting force was distorted and impugned, for it was attributed to a desire to acquire arms and facility in their use for a revolt in their own national interest. Their interest in victory for the United Nations was alleged to be "secondary."

As if to give color to these reports, the authorities in Palestine began a series of arms trials in a palpable effort to create the impression that Jews were engaged in a military conspiracy against the United Nations. These prosecutions were exaggerated beyond all proportions, and a military courtroom was transformed into a propaganda forum for outrageous slander and defamation against the Jewish Agency. Although government

forces had actually trained Jews for guerrilla warfare, when Palestine was threatened with Nazi invasion, Jews now found to be in possession of arms were sentenced to long prison terms by military tribunals.

In contrast, it was known that the Arabs were buying and smuggling arms and storing them away for the future. But the Arabs who were brought to trial escaped with light punishment in trials conducted in civil courts with a minimum of publicity.

The Yishuv was subjected to a series of arms searches. On November 16th, 1943 a group of Palestinian and Polish police, under the pretext of searching for Polish deserters, surrounded Ramath Hakovesh and instituted a search for arms, arresting 35 settlers. One of the colonists, Samuel Vilinetz, was killed in the altercation. Demonstrations broke out in Jerusalem, Tel Aviv and in many other parts of the country. The government suspended nine Jewish dailies for eleven days because their account of the incident differed from the government communique. The settlers were later released. But on December 8th seven settlers of the village of Hulda, where 17 Jews had been killed in the disturbances between 1936 and 1939, were placed on trial by a military court after a search for Polish deserters instituted on October 3rd. On December 20th they were sentenced from two to six years' imprisonment, and in spite of protests and an appeal to the military commander of Palestine, all the sentences were confirmed.

#### D—Terrorism

Throughout these provocations, the Yishuv maintained the disciplined self-restraint which had characterized its reaction throughout the 1936-1939 Arab riots. However, there were a number of bomb explosions, shootings and other terroristic acts on the part of irresponsible groups, namely, the Irgun Z'vai Leumi and the Sternists, which were perpetrated in an effort to intimidate the government into revising the White Paper policy. The Vaad Leumi, executive committee of the Assefath Hanivcharim (Jewish National Assembly), bitterly repudiated these outrages, characterizing them as the acts of "a gang of lunatics endeavoring to establish a reign of terror." The Jewish Agency for Palestine declared that "the destructive hand which committed these crimes is unwittingly or maliciously helping the enemies of the Jewish people." In this country, the American Zionist Emergency Council joined in this condemnation.

All persons in the Yishuv were called upon to help apprehend the culprits. In October, the Commander in Chief of the Middle Eastern forces, Gen. Sir Bernard C. Paget, and J. V. W. Shaw, the Officer Administering the Palestine Government, issued a joint statement alleging that those responsible for the acts of terror have "active and passive sympathizers... directly impeding the war effort... and assisting the enemy." They called on the Jewish community in Palestine "to recognize and discharge their responsibilities"—an implied accusation against the Yishuv which was

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deeply resented in view of the reiterated condemnation of the terror. Subsequently on October 20th, the Palestine government ordered the deportation of 251 suspected terrorists.

#### E—Political Problems

A major political problem confronting the Yishuv during the year was that of Jewish immigration. Although there were 31,078 certificates available at the time the government extended the March 31st deadline of the White Paper, the government recently was reluctant to grant these certificates to the Agency for immigrants in liberated countries, in Spain, Portugal and Italy. It contended that these must be reserved for victims of Hitlerism, to be rescued from the Axis countries. The Jewish Agency, which played an important part in effecting the speedy rescue of Jews from Axis territory, maintained that those who had already escaped the Nazi yoke must also be brought to Palestine. After continued negotiation with the Colonial Office by Dr. Chaim Weizmann and Moshe Shertok, a number of certificates were granted to Jews outside of Axis territory. The total entering Palestine in the eleven months from October 1st, 1943, to September 1st, 1944, was 14,500.

#### F—The Commonwealth Program

As the war receded from the Near East, Palestine Jewry went to the polls on August 5th, 1944, to elect its Representative Assembly. No elections had been held because of the disturbances between 1936 and 1939 and the outbreak of the war. Most of the parties included a Jewish Commonwealth plank in their programs. More than 70% of the registered voters participated in the elections and of these, more than 85% voted for the Jewish Commonwealth program. A week later, the Histadruth (Palestine Federation of Labor) held elections for its council and again more than 80% of the votes were recorded in favor of the Commonwealth.

#### G—Future Development

The war has transformed Palestine's economy from that of an agricultural country into a semi-industrial one. The country's productivity and the demands upon it have mounted to such an extent that Palestine has suffered from manpower shortages. Continued industrialization of the country has been a striking contradiction of the contention that the country's absorptive capacity would not permit additional settlers. But the reconstruction plan of the Palestine Administration, announced in March, 1943, by the High Commissioner and by Sir Douglas Harris, Commissioner of Reconstruction, was predicated upon a continuation of the White Paper policy, for it proposed to freeze the country's future and it visualized a virtual curtailment of all industrial development. It implied that certain of the new industries would not survive, for it indicated that future development was to be sub-

ject to foreign competition and conditioned on the fortuitous bounty of international finance. The emphasis for the future was to be placed on agricultural development in presumably Arab areas. The social welfare plans of the future were designed to assist the Arabs with the Jews underwriting the cost.

The Yishuv vigorously reacted to this plan and it pointed out that the industrial development should have been the primary concern of the government and that Palestine industry, primarily Jewish, has displayed an extraordinary ability to supply not only the needs of Palestine, but also the military needs of the Middle East. With the improvement of the military situation in the Middle East, the Middle East Supply Center reduced its orders on Palestine industry by more than 50%. Despite this curtailment of military orders, Palestine industries are operating to capacity and there is no unemployment in the country.

The Jewish Agency has its own reconstruction plan for the future, embracing agriculture, industry and commerce, in preparation for the necessary economic conditions for absorbing a mass Jewish immigration after the war. The plans include an international loan, an intensive agricultural development of the country through artificial irrigation and mechanization of agriculture, exploitation of natural resources, development of marine industry, and the rehabilitation of the citrus industry. There is a marked contrast between the post-war planning of the Jews and of the local authorities. One calls for dynamic development, the other for static reconstruction.

The development of new agricultural techniques and the growth of new industries made possible by the mobilization of the productive genius of Jewish workers, farmers, technicians and scientists, have rendered obsolete past estimates of Palestine's capacity for growth. The country has now broken political straight-jackets. Its potentialities as the Jewish National Home must be appraised in the light of its proven capacity for performance now demonstrated in meeting the demands imposed by the war. But only a beginning has been made. The publication, during the year, of "Palestine, Land of Promise," written by Dr. Walter Clay Lowdermilk, noted authority on soil conservation, discloses how Palestine's soil may be reclaimed, large areas opened for settlement, and its industrial plant expanded, if the waters of Palestine are diverted for irrigation purposes, and if hydro-electric power is developed along the lines of the Tennessee Valley Authority. Technical planning based on Dr. Lowdermilk's proposal has already begun; the Commission on Palestine Surveys has been at work on the project for more than a year, using the most able American engineers as its consultants and advisers.

That Palestine will be in a position, properly developed, to accept millions of settlers after the war, is now accepted by men who have examined the problem from an economic and scientific point of view. That Palestine

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will be in a position to do so, politically, is a question that can be answered by the United Nations if they recognize anew the historic connection between the Jewish people and their ancestral home.

### IX. THE POLITICAL PLATFORMS

Concrete manifestation of America's support for the reconstitution of Palestine as a Jewish Commonwealth came at Chicago this summer when for the first time in history, both major political parties adopted pro-Palestine planks in election platforms, approved at their national conventions.

The Republican plank, adopted on June 27th, reads as follows:

"In order to give refuge to millions of distressed Jewish men, women and children driven from their homes by tyranny, we call for the opening of Palestine to their unrestricted immigration and land ownership, so that in accordance with the full intent and purpose of the Balfour Declaration of 1917 and the Resolution of a Republican Congress in 1922, Palestine may be constituted as a free and democratic commonwealth. We condemn the failure of the President to insist that the Mandatory of Palestine carry out the provision of the Balfour Declaration and of the Mandate while he pretends to support them."

On July 20th, the Democratic Party declared:

"We favor the opening of Palestine to unrestricted Jewish immigration and colonization, and such a policy as to result in the establishment there of a free and democratic Jewish commonwealth."

At both conventions, the position of American Jewry, as established at the first session of the Conference, was made clear to the platform builders. The Zionist delegation to the Republican Convention was headed by Dr. Silver. The delegation to the Democratic Convention was headed by Dr. Wise and associated with him were Mr. Shulman and Dr. Goldstein, all of whom addressed the Committee on Resolutions at the public hearings.

On October 12th, in a statement given to Dr. Silver in New York, Governor Thomas E. Dewey forthrightly endorsed his party's platform declaration on Palestine and pledged his support for the reconstitution of Palestine as a free and democratic Jewish Commonwealth. Governor Dewey's statement follows:

"I heartily endorse the Palestine plank in the Republican party platform. Again I repeat what I previously stated to the great leader of the American Zionist movement and distinguished American, Dr. Abba Hillel Silver, that I am for the reconstitution of Palestine as a free and democratic Jewish commonwealth in accordance with the Balfour Declaration of 1917 and the Resolution of the Republican Congress in 1922. I have also stated to Dr. Silver that in order to give refuge to millions of distressed Jews driven from their homes by tyranny, I favor the opening of Palestine to their unlimited immigration and land ownership.

"The American people have time and again declared themselves in favor of these principles. The Republican party has at all times been the traditional friend of the movement.

"As President, I would use my best offices to have our Government working together with Great Britain to achieve this great objective for a people that have suffered so much and deserve so much at the hands of mankind."

### X. THE ROOSEVELT DECLARATION

The culmination of this impressive mobilization of American public opinion in behalf of the Commonwealth Resolution came on October 15th, 1944, when President Roosevelt, who had received Dr. Wise at the White House on October 11th, sent a message to the 47th annual Convention of the Zionist Organization of America, in which he declared that efforts would be made to effectuate the establishment of Palestine as a free and democratic Jewish Commonwealth and pledged his assistance to bring about its realization.

Conveyed by Senator Robert F. Wagner, Chairman of the American Palestine Committee, to the Convention, the message of the President declared:

"Please express my satisfaction that in accord with traditional American policy, and in keeping with the spirit of the four freedoms, the Democratic party at its July convention this year included the following plank in its platform: 'We favor the opening of Palestine to unrestricted Jewish immigration and colonization, and such a policy as to result in the establishment there of a free and democratic Jewish commonwealth.'

"Efforts will be made to find appropriate ways and means of effectuating this policy as soon as practicable. I know how long and ardently the Jewish people have worked and prayed for the establishment of Palestine as a free and democratic Jewish commonwealth. I am convinced that the American people give their support to this aim; and if re-elected, I shall help to bring about its realization."

This declaration by the President, with its clear and explicit language, ended once and for all the misinterpretations of the past position of our government which have beclouded the future of Jewish Palestine.

It raised hopes that Jewish aspirations to Palestine, as voiced by the delegates to the American Jewish Conference on September 1st, 1943, would be achieved and that the promise made to the Jewish people by 52 nations at the end of the first World War would be fully implemented.

*[The Commission desires to acknowledge the cooperation of the research department of the American Zionist Emergency Council and the use of the Esco Foundation Palestine studies material.]*

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## Appendix

### I. RESOLUTION

*Submitted by the Board of Directors and adopted by the Delegates of the National Council of Jewish Women in convention on November 9th, 1943, at Chicago.*

"The program of the National Council of Jewish Women is one which presents a platform upon which all Jewish women can unite.

"It has continuously represented a cross-section of Jewish women of all shades and phases of Jewish thinking. Herein lies its strength.

"In this crisis in the life of all Jewry and of mankind, the Council must speak.

"Therefore, we, the Board of Directors of the National Council of Jewish Women, in solemn and thoughtful conclave assembled have agreed upon the following as a program on which we believe all our members can and should unite:

"1. We record ourselves in favor of and urge the immediate abrogation of the White Paper of 1939.

"2. We record ourselves in favor of the unrestricted immigration of Jews into Palestine.

"3. We record ourselves in favor of the uninterrupted and continued upbuilding of Palestine in the spirit of the Balfour Declaration."

### II. RESOLUTION

*Adopted by the Executive Board of the Union of American Hebrew Congregations, January 18th, 1944, at Chicago.*

"The Union declares that its function is to interpret, maintain and promote Reform Judaism and reaffirms its loyalty to its spiritual purposes.

"The Union, continuing as a member of the American Jewish Conference, declares its sense of fellowship with all Israel and will associate itself with all worthy and practical efforts designed to ameliorate the tragic plight of world Jewry and to assist in reconstructing those communities that have suffered from the ravages of Nazi tyranny.

"Because in the congregation of the Union there are divergent opinions on the question of Zionism, the Union recognizes the right of each individual to determine his own attitude on this controversial question and therefore the Union refrains from taking any action on the Palestine Resolution adopted by the American Jewish Conference.

"We call upon our congregations and members to rally loyally to the support of the Union so that its great and noble work may continue to enrich the spiritual life of American Israel."

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### III. RESOLUTION

*Adopted by the Executive Board of the National Federation of Temple Sisterhoods on May 2nd, 1944, in New York.*

"Mindful of the appalling plight of European Jewry and of the necessity for the voice of the American Jewish community to be heard in alleviating the distress of their brethren, as well as to assist in the post-war reconstruction of their lives, the Executive Board of the National Federation of Temple Sisterhoods concurs in the resolutions on the Rescue of European Jewry and on Post-War Problems adopted by the American Jewish Conference at its historic sessions held August 29-September 2, 1943. Recognizing that the establishment of a Jewish Commonwealth in Palestine is a subject in which the members of the Federation must exercise the right of individual conscience and belief, the Executive Board refrains from action on the Conference's Palestine Resolution. But it calls upon its units and members to cooperate fully in all measures seeking to aid the oppressed, both of our own and other peoples."

### IV. RESOLUTION

*Adopted by the Supreme Lodge of B'nai B'rith on May 6th, 1944, in New York.*

"Be it resolved that the B'nai B'rith shall continue its full participation in the American Jewish Conference and its Interim Committee, and be it further resolved that we fervently express the hope that, through the instrumentality of the American Jewish Conference, complete unity of action may be attained."

No action was taken by the Convention or its Resolutions Committee on a number of resolutions dealing with a Jewish Commonwealth in Palestine. All resolutions on this subject were withdrawn from the Resolutions Committee by their sponsors, in view of the following statement made by Henry Monsky, President of B'nai B'rith and Co-Chairman of the Interim Committee of the American Jewish Conference, before the Resolutions Committee and approved by the Convention:

"There are pending before this Committee on Resolutions several resolutions urging this convention to go on record with respect to the establishment of a Jewish Commonwealth. In my message to the convention (on the subject of B'nai B'rith participation), I stated in part:

"B'nai B'rith has a membership of diverse ideologies. We must not attempt, by the rule of the majority, to regiment the thinking or encroach upon the freedom of action of the minority, however small. . . . The adoption or defeat of these resolutions would be contrary to this principle. I ask that, because in the membership of B'nai B'rith there are divergent opinions on ideological and political issues and because B'nai B'rith as an organization, in accordance with its traditional policy, recognizes the right of each member to determine his own attitude on any such issues, B'nai B'rith as an organization takes no position either for or against the above mentioned resolutions."

## V. STATEMENT

*The Central Conference of American Rabbis in annual convention on June 23rd, 1944, at Cincinnati, ratified the report of the committee on the President's message, which contained the following:*

"With reference to the American Jewish Conference's resolution on Palestine, we beg to state that the CCAR delegates went to the Conference uninstructed and were free to vote in accordance with their individual convictions. They therefore did not commit the Central Conference of American Rabbis to their point of view, and the CCAR's position on neutrality adopted in 1935 remains unimpaired. The committee on the President's message concurs in the action of the CCAR executive board in ratifying the other resolutions of the American Jewish Conference for which our delegates voted."

## VI. RESOLUTION

*Adopted by the Interim Committee, March 21, 1944.*

In the knowledge that the salvation of hundreds of thousands of homeless and hunted European Jews depends on their settlement in Palestine, we call anew for the immediate opening of Palestine to mass Jewish immigration and colonization and the reconstitution of that country as a Jewish Commonwealth.

We renew our plea at this time because the Palestine White Paper of 1939, a document without legal or moral validity and violative of the rights of the Jewish people under the Palestine mandate, goes into effect on March 31 to forbid new Jewish immigration into Palestine in excess of the 25,000 certificates remaining under the quota fixed five years ago.

We warmly welcome President Roosevelt's recent statement that the United States has never approved the White Paper and we are heartened by his declaration that he is "happy that when future decisions are reached full justice will be done to those who seek a Jewish National Home."

We fervently hope that our President's statement may be a forerunner of early action by our ally, Great Britain, looking to the abrogation of the White Paper and the establishment of an affirmative policy to implement fully the intent and purpose of the Balfour Declaration.

Now pending in Congress are the Wagner-Taft and Wright-Compton resolutions which call for the opening of Palestine's doors for the free entry of Jews and full opportunity for colonization so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish Commonwealth. It is clear that American public opinion overwhelmingly favors these resolutions. Action, however, is being deferred for the time being at the instance of the War Department. We hope that military authorities will soon find it possible, consistent with the realities of the situation, to withdraw their objections, so that Congress may proceed to express itself on these resolutions.

We trust that favorable action on these resolutions will be taken at the earliest possible moment. Palestine means life for thousands of refugees who are on Hitler's death list and its reconstitution as a Jewish Commonwealth will be assurance that the Jewish people, dispossessed and uprooted by the war, will be enabled to take its rightful place in the progressive world order to be established in the peace to come.

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COMMISSION ON POST-WAR  
OF THE AMERICAN JEWISH CONFERENCE

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PROF. MAX M. LASERSON  
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PROF. JACOB MARCUS

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DR. JOACHIM PRINZ  
SAMUEL ROTHSTEIN  
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CHARLES B. SHERMAN  
MRS. HERMAN SHULMAN  
MRS. ARCHIBALD SILVERMAN  
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DR. JOSHUA TRACHTENBERG  
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MRS. HERMAN SHULMAN  
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Report of the Commission on Post-War

I. INTRODUCTION

1. Organization

THE COMMISSION on Post-War Problems of European Jewry was formed by the Interim Committee in January 1944 with Rabbi Maurice N. Eisendrath and Dr. Hayim Greenberg, as Co-Chairmen. Its first two sessions, held on January 14th and 26th, were devoted primarily to organizational matters, such as the cooption of additional members and the planning of a program of activities. An outline of a program was adopted by the Commissions and approved by the Interim Committee.

The Commission appointed two sub-committees, one on *Political Status and Reconstruction* under the chairmanship of Dr. Joshua Trachtenberg, and the other on *Relief and Rehabilitation* (in relation with UNRRA) with Jane Evans as chairman. The full Commission held meetings once a month, while the sub-committees met in the interim at frequent intervals.

2. Functions

After the adoption of the Post-War Resolution at the first session of the American Jewish Conference, many important developments took place on the international scene, which called for the re-evaluation of each problem concerning the status of Jews in post-war Europe. As the war turned in favor of the Allies, as large sections of enemy occupied Russian territory were liberated by the Red Army and after North Africa and part of Italy were freed, the post-war policies of the United Nations began to assume more definite shape. Also since the adjournment of the first session of the Conference, there have been among the important international events the establishment of UNRRA, the conferences in Quebec, Moscow, Cairo, Teheran, Bretton Woods, and the concomitant developments among the Governments-in-Exile, whose attitudes are of particular importance to post-war Jewry in Europe. Many declarations and pronouncements have been made by the Allied Nations, by the heads of the big Powers and the Governments-in-Exile, which have a direct or indirect bearing on post-war Jewish reconstruction in Europe. Then came the invasion of Western Europe by the Allied Armies, the liberation of France, Belgium and Luxembourg and the Armistices with Rumania, Finland and Bulgaria; the Dumbarton Oaks meeting, the second Conference in Quebec and the second session of the Council of UNRRA in Montreal.

In the light of these developments, the Commission and its Sub-

committees considered their primary function to be that of analyzing the events in Europe and the declarations and pronouncements of the United Nations, and the import of these declarations for Jewish interests in the post-war period, and of formulating the specific Jewish demands to be presented to governmental authorities at opportune moments. The Commission did not feel called upon to issue statements or make declarations at every turn of events, because the international scene was too much in a state of flux; only recently has it become more or less crystallized.

The general policies of Jewish demands for post-war reconstruction were formulated by the Conference at its first session. The concrete application of these policies to specific situations required careful deliberation, planning and preparation. The actions instituted by the Post-War Commission on certain aspects of Jewish reconstruction, have been in the nature of first steps in a long chain of operations that will continue to occupy the attention of the Conference for some time to come.

### 3. Decisions of the First Session

The Resolution on Reconstruction of Post-War European Jewry, adopted by the American Jewish Conference at its first session, calls upon the United Nations to give full consideration to the specific needs of the Jewish people in post-war Europe, and recommends certain measures toward the solution of the following problems:

A. *Political Status of Jews in Europe*: International Bill of Rights—Outlawing of Anti-Semitism.

B. *Transition from War to Peace*: Immediate abrogation of all measures of discrimination—Indemnification for property—Punishment for war crimes.

C. *Relief, Rehabilitation and Reconstruction*: Liberation of Jews from Ghettos and concentration areas—Attention to the special Jewish needs in the distribution of food, clothing and medical aid and in the provision of shelter—Return of Jews to their former occupations, or their retraining for new occupations—The re-establishment of Jewish religious, educational and welfare organizations—The right of every Jew who desires to settle in Palestine to emigrate there and to take his possessions with him.

D. *Jewish Representation*: "Recognition by the United Nations of the justice of the Jewish claim for representation, for the purpose of advice and cooperation, on agencies that have been and will be set up by the United Nations to deal with the problems of relief, rehabilitation, resettlement, and other post-war reconstruction."

In this report an analysis will be made of the problems discussed and acted upon by the Commission, under the following headings: 1. Political Status of Jews in Europe; 2. Punishment for War Crimes; 3. Return, Repatriation and Resettlement of Displaced Jews; 4. Indemnification for and Restoration of Jewish Property; 5. Jewish Representation. The last two

items, now in final preparation, will not be ready for inclusion in this report. A supplementary report will be presented to the delegates at the second session.

Before discussing in detail each of the topics mentioned above, it will be well to review briefly the activities of the Post-War Commission in the implementation of its program.

### 4. Activities

#### A—Presentations to the State Department

Prior to the formation of this Commission, a delegation of the American Jewish Conference, consisting of Dr. Stephen S. Wise, Dr. Abba Hillel Silver, Louis Lipsky, Dr. Solomon B. Freehof, Miss Evans and Frank Goldman, presented a "Statement of the Organization of the American Jewish Conference and Its Resolutions Adopted at the First Session" to Secretary of State Cordell Hull and discussed with the Secretary the nature of the Jewish claims for the post-war era. This "Statement of Organization and Resolutions" was also submitted on November 26th, 1943, to Honorable Dean Acheson, who was at that time Chairman of the first session of the Council of UNRRA, meeting in Atlantic City. The Council's attention was called to the specific needs in relief and rehabilitation of the Jews in Europe. After its formation, the Post-War Commission proceeded to carry out the program formulated in the Resolutions of the Conference.

A Statement on an "International Bill of Rights" was submitted to Under-Secretary of State Edward R. Stettinius, Jr., by a delegation consisting of Dr. Greenberg, Miss Evans, Dr. Trachtenberg and Dr. Alexander S. Kohanski, Director of Research of the Conference. Acting on the eve of the Dumbarton Oaks Conference, the delegation stressed the import of an international bill of human rights for the social and political security of the world.

The problem of the punishment of war criminals and the Jewish demand for a just and adequate solution, was presented on August 25th, 1944, in a Statement to Secretary Hull. A Statement on the Restoration of Rights to Jews in Europe, which is the first step in the re-establishment of their political status in European countries, was submitted to Mr. Hull on September 14th, 1944. The three Statements, as well as the Resolutions of the Conference, were also transmitted to the Embassies of the various governments in Washington, and to the members of both Houses of the United States Congress.

#### B—Relations with Post-War Planning Organizations

The Commission further sought to establish contacts with national peace planning organizations to inform them of the post-war plans of the American Jewish Conference and to consult with them on problems of

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common interest. Thus, representatives of the Commission—Rabbi Eisendrath, Dr. Greenberg, Miss Evans and Dr. Kohanski—met with a group of leaders of several national organizations engaged in post-war planning activities to discuss the purposes of the Conference and the proposals formulated by the Commission concerning an International Bill of Rights, Punishment of War Criminals and the Restoration of Rights to Jews in Europe. The Statements on these subjects issued by the Commission were also transmitted to some thirty national peace planning bodies. The Commission's Statement on an International Bill of Rights, in particular, was made part of a study-kit distributed by the National Peace Conference, an agency of some forty national constituent organizations interested in world affairs. Further plans to meet with leaders of national post-war planning groups to bring to their attention the work of the American Jewish Conference and to stimulate common action, are now under way and will be carried out in the near future.

#### C—UNRRA

The Commission, through its Sub-committee on Relief and Rehabilitation, adopted a procedure whereby the Conference shall be the spokesman for all its constituent organizations on matters pertaining to the field of UNRRA's activities. Through a questionnaire circulated among the organizations in the Conference, their interests and plans in relation to UNRRA were ascertained. Two of the member groups (Hadassah and the National Council of Jewish Women), because of the nature of their work abroad, are members of the Council of Voluntary Agencies in connection with UNRRA, having direct contact with the latter. The Commission adopted the following policy:

"The organizations that are members of the Council of Voluntary Agencies may continue their direct contacts with UNRRA, but are requested to keep the Conference informed on their contacts and to submit to it copies of their statements and memoranda. In many instances the Conference may incorporate certain aspects of the statements and memoranda submitted by these organizations into its own presentations to UNRRA. It is, however, understood that the Conference shall make presentations on behalf of all its constituent organizations in whatever manner it may see fit."

A major function was performed by the Post-War Commission in making presentations to the second session of the Council of UNRRA, September 15-26, 1944, in Montreal, Canada. Acting in the name of the American Jewish Conference, the two representatives (Miss Evans and Dr. Kohanski) who were sent by the Commission to Montreal submitted a Memorandum, over the signatures of Rabbi Eisendrath and Dr. Greenberg, the Commission's Co-Chairmen, and Louis Lipsky, Chairman of the Administrative Committee, to Honorable Dean Acheson, head of the

American Delegation to UNRRA's second session. Copies of the Memorandum were also distributed in Montreal to some six hundred members of the Delegations of forty-four nations and to the staff of UNRRA. The representatives of the Conference discussed problems concerning victims of Axis persecution, especially the plight and needs of the Jews of Europe, with leading members of the American Delegation, of the Staff of UNRRA and the Intergovernmental Committee on Refugees, urging them to sponsor measures of alleviation. The specific aspects of this Memorandum and of other statements, and the activities of the Conference's representatives at the second session of the Council of UNRRA, are discussed in detail in another section of this report in connection with the problem of Return, Repatriation and Resettlement of Displaced Jews. It should be stated here, however, that the efforts of the Post-War Commission in Montreal, in cooperation with the representatives of the World Jewish Congress, were in large measure instrumental in the adoption of such policies by the Council of UNRRA as to enable the latter to extend its aid to certain groups of displaced persons and to victims of persecution who had previously been excluded from its program of activities. Large numbers of European Jewish survivors fall within these categories.

#### D—Situation in Rumania

The Armistice signed by the Allied Nations with Rumania (September 12th, 1944), which provided for the abrogation of discriminatory racial and religious laws, promised to restore the civil and political rights of the Jews in that country, thus enabling them to rebuild their shattered positions. However, the economic ruin of the Jews in Rumania is so far-reaching that the mere abrogation of discriminatory laws will not enable them to rehabilitate themselves in the life of the country. For this purpose, more positive governmental acts of a political and social-economic nature are required. But such acts have been very slow in forthcoming, despite the fact that almost half of the remaining Jewish population in Rumania is homeless and without means of earning a livelihood—literally starving and dying on the streets.

The Post-War Commission of the Conference, together with the World Jewish Congress, through their Joint Planning Committee, has undertaken immediate steps to bring about the amelioration of the Jewish position in Rumania. The Commission also enlisted the active cooperation of the United Roumanian Jews of America, a constituent organization of the Conference. A special Sub-committee on Rumania was appointed, consisting of Leo Wolfson and Charles Sonnenreich. At this writing, the plans for Rumania are in the process of being carried out by the Commission and it is, therefore, premature to discuss the matter in this report.

As stated above, the activities undertaken and carried out by the Post-War Commission should be regarded as first steps in a process of imple-

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menting the Resolutions of the Conference. This process has been developing with the progress of the war on the European fronts and with the changes in the international scene in general. In the following analysis of each phase of the Commission's activities are discussed some of the intricate and complicated problems that will confront the Jewish people of Europe in the post-war era. For some of the Jewish communities in the countries liberated or occupied by the Allied Armies, as for the general population in those areas, the period of rehabilitation and reconstruction has already begun. But even in these areas, the difficulties are great. It will be the task of the American Jewish Conference, together with other representative bodies of Jews throughout the world not only to help heal the wounds of the remnants of European Jewry but also to assist in rebuilding their lives on a firmer foundation of peace and security.

## II. POLITICAL STATUS OF JEWS IN EUROPE

In analyzing the problems of the future political status of Jews in Europe, the Post-War Commission has recognized the fact that each country presents a different and as yet indeterminate complex of political, social and economic factors. Furthermore, the specific aspects of the rights of Jews, whether as individuals or as a minority group, will have to be weighed against their numerical strength and distribution in each country, which are also unknown as yet for most of the areas of pre-war compact Jewish settlement. In the Western European countries where Jews enjoyed complete equality with the rest of the population, their political status has already been restored by the governments of the liberated areas. The problem is more complicated in Central-Eastern Europe where the Jewish populations possessed also certain minority rights. The Commission has felt that until the national and international situation in that part of Europe is crystallized, there can be no clear formulation of specific demands concerning the post-war political status of Jews in that area. The problem in each country will no doubt require different treatment. However, there are two major principles which are basic to the reconstruction of the Jewish population in all European countries, namely, an international bill of rights and the restoration of rights possessed by Jews in Europe following the first World War.

### 1. Resolutions of the First Session of the Conference

In the Resolutions adopted at the first session of the Conference, the general principles of an International Bill of Rights were formulated as follows:

- "1. Full and complete protection of life and liberty for the inhabitants of all countries without distinction of birth, nationality, language, race or religion.

- "2. Unequivocal equality of rights in law and in fact for all the citizens of every country.

- "3. The inalienable right of all religious, ethnic and cultural groups to maintain and to foster their respective group identities on the basis of equality."

The Resolutions also called for the

- "Immediate abrogation with retroactive effect, of all measures discriminating on racial, religious, or political grounds against any section of the population, including all acts of denaturalization."

### 2. International Bill of Rights

The Post-War Commission elaborated on the foregoing in two separate statements which it submitted to the State Department. In its Statement on an International Bill of Rights, emphasis was placed on the fact that the Jews in certain European countries had suffered disabilities despite constitutional and international guarantees of their rights as individuals and as a group. It was particularly stressed that "the international instrumentality of enforcing those guarantees was defective and in some instances inoperative." The Statement proposed: "In order to secure the dignity of man and his individual human rights against future violation, there must be a Bill of Rights that shall be guaranteed by the nations of the world . . . [through] a universal covenant among [them] . . . or [through] a series of covenants among certain groups of nations." The three principles enumerated above were restated, adding a fourth clause: "The establishment of appropriate and adequate national and international machinery to secure the enforcement of these rights." (Full text in Appendix, P. 121)

Under-Secretary of State Stettinius, to whom the Statement was presented, promised to have his Department give it proper consideration.

The matter of an international bill of rights has been the subject of discussion among leading national peace-planning organizations. The Commission to Study the Organization of Peace, in particular, has published a comprehensive report, in which it recommends that the United Nations establish a Commission on Human Rights. While none of these organizations has formulated the specific instrumentalities whereby such a bill may become operative, there is the general feeling that it is basic to the security of the world and that the makers of peace will have to incorporate it in their security plans for the post-war era.

### 3. Restoration of Rights to Jews in Europe

On the restoration of rights to Jews in Europe, the Post-War Commission of the American Jewish Conference issued a Statement in which it demanded: in the areas liberated or occupied by the Allied forces, all discriminatory laws and measures enacted against the Jewish population shall be abrogated and the constitutional and treaty rights the Jews of those

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areas possessed after World War I shall be restored; "restoration of citizenship shall also be extended to persons displaced from their former countries, unless they themselves refuse such restoration"; the right of communal, religious and cultural organization shall be restored and the governing authorities shall facilitate the re-establishment of Jewish community organization. These demands were made as prerequisites to the rehabilitation of the uprooted Jewish population, and "apart from future measures to improve the status of Jews" in Europe. (Text in Appendix, P. 122)

This Statement was submitted to Secretary Hull. Edwin C. Wilson, Director of the Office of Special Political Affairs, in his reply for the State Department, dated October 7th, 1944, wrote:

"You may be assured that the statement prepared by the Commission on Post-War of your Conference will receive careful and sympathetic consideration. The general problems to which the recommendations in your statement relate are the subject of thorough and continuing study by the Department. With reference to these recommendations, your attention is invited to paragraph 6 of the terms of the Rumanian armistice agreement, the text of which was published in the Department of State *Bulletin* for September 17th, 1944, which provides:

"6. The Rumanian Government will immediately set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favor of the United Nations or because of their sympathies with the cause of the United Nations, or because of their racial origin, and will repeal all discriminatory legislation and restrictions imposed thereunder."

To carry into effect the proposals of this and other Statements, the Conference will have to concentrate its activities on each country separately as the occasion may demand. The Jewish situation in Rumania, for example, as previously indicated is now occupying the attention of the Post-War Commission.

### III. PUNISHMENT FOR WAR CRIMES

The attitudes of the European democratic governments, of their populations, as well as of the other governments among the United Nations toward the problem of re-establishing the Jews after the war in continental Europe, are of utmost importance to any plan of reconstruction that may be formulated by Jewish representative bodies. Such attitudes will reveal themselves in large measure, if not primarily, in the handling of war crimes committed against the Jewish people. The question is not a matter of vengeance, or even of punishment of the guilty in the ordinary sense. It is a matter of great moral and practical import. If the heinous crimes perpetrated by Nazi Germany and its associates against an entire people go unpunished, this will signify the acquiescence of the democratic nations

in the act of Jewish extermination. There are disquieting reports from Europe that the populations of the occupied territories, even in the Western countries, have been greatly infected with the anti-Jewish virus by the Germans. This infection has to be expunged, in order to clear the atmosphere for the return of Jews to their former habitat in Europe. Just punishment will also serve as a warning to other countries, on other continents, that are trying to introduce the Nazi racial theories and methods in public life. The problem of punishment for war crimes is, therefore, of foremost importance to Jewish post-war reconstruction.

#### 1. The United Nations on the Question of Punishment

On October 25th, 1941, President Roosevelt and Prime Minister Churchill issued simultaneous Statements expressing abhorrence at acts of murder practiced by the Nazis in occupied countries. The President's Statement declared, in part: "The practice of executing scores of innocent hostages in reprisal for isolated attacks on Germans in countries temporarily under the Nazi heel revolts a world already inured by suffering and brutality. . . . These are acts of desperate men who know in their hearts that they cannot win. Frightfulness can never bring peace to Europe. It only sows the seeds of hatred which will one day bring fearful retribution." And the Prime Minister's Statement concluded: "Retribution for these crimes must henceforward take its place among the major purposes of the war."

As the German atrocities in occupied Europe continued unabated, the governments of nine occupied countries took the initiative in calling a Conference that was held on January 13th, 1942, at St. James' Palace, in London. The Inter-Allied Declaration issued by these governments read, in part: "Whereas Germany, since the beginning of the present conflict which arose out of her policy of aggression, has instituted in the Occupied countries a regime of terror characterized amongst other things by imprisonments, mass expulsions, the execution of hostages and massacres, and whereas these acts of violence are being similarly committed by the Allies and Associates of the Reich and, in certain countries, by the accomplices of the occupying Power, . . . the undersigned place among their principal war aims the punishment, through the channel of organized justice, of those guilty of or responsible for these crimes, whether they have ordered them, perpetrated them or participated in them; resolve to see to it in a spirit of international solidarity that (a) those guilty or responsible, whatever their nationality, are sought out, handed over to justice and judged, (b) that the sentences pronounced are carried out."

The governments of the United States, Great Britain, the Soviet Union, China, and other of the Allied Nations sent unofficial observers to the St. James's Conference, but made no commitments at the time on a policy of punishment.

In July, 1942, the signatories of the Inter-Allied Declaration for-

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warded collective, or joint, Notes Verbale to the governments of the United States, Great Britain and the Soviet Union, in which they once more called attention to the persecutions of civilians by the German and Italian occupants and their satellites. In response, President Roosevelt declared on August 21st, 1942: "The Government of the United States has been aware for some time of these crimes. . . . When victory has been achieved, it is the purpose of the Government of the United States, as I know it is the purpose of each of the United Nations, to make appropriate use of the information and evidence in respect to these barbaric crimes of the invaders, in Europe and in Asia. It seems only fair that they should have this warning that the time will come when they shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts." Prime Minister Churchill, in a statement in the House of Commons on September 8th, 1942, said: "I wish most particularly to identify the British Government and the House of Commons with the solemn words which have been lately used by the President of the United States, namely, that those who are guilty of the Nazi crimes will have to stand up before tribunals in every land where their atrocities have been committed in order that an indelible warning may be given to future ages and that successive generations of men may say 'So perish all who do the like again'."

In further statements issued simultaneously on October 7th, 1942, by the President of the United States and by the Lord Chancellor on behalf of the British Government in the House of Lords, an announcement was made that the two governments were ready to cooperate with each other and with the rest of the United Nations in the establishment of a United Nations Commission for the Investigation of War Crimes. President Roosevelt's Statement pointed out: "The number of persons eventually found guilty will undoubtedly be extremely small compared to the total enemy populations. It is not the intention of this Government or of the Governments associated with us to resort to mass reprisals. It is our intention that just and sure punishment shall be meted out to the ringleaders responsible for the organized murder of thousands of innocent persons and the commission of atrocities which have violated every tenet of the Christian faith." The Lord Chancellor emphasized the same principle of punishment of the leaders, when he said: "In making this proposal for an investigating Commission, the aim is not to promote the execution of enemy nationals wholesale; the aim is the punishment of individuals, obviously very few in number in relation to the total enemy population—individuals who are proved to be themselves responsible, whether as ringleaders or as actual perpetrators, for atrocities—atrocities which violate every tenet of humanity and have involved the murder of thousands, of tens of thousands of innocent persons."

To make sure that "the fiasco on this matter which followed the

Treaty of Versailles," does not repeat itself at the end of this war, the proposal further stated: "Named criminals wanted for war crimes should be caught and handed over at the time of, and as a condition of, the Armistice, with the right to require the delivery of others as soon as the supplementary investigations are complete."

In several statements (November 25th, 1941, January 6th, and April 27th, 1942), the Government of the U.S.S.R. repeatedly declared "that the Hitlerite Government and its accomplices would not escape responsibility and deserved punishment for all the unprecedented atrocities perpetrated against the peoples of the U.S.S.R. and against all the freedom-loving countries." And in reply, on October 14th, 1942, to the Note Verbale of the nine Governments-in-Exile, V. Molotov, People's Commissar for Foreign Affairs, assured the senders: "The Soviet Government approves and shares the just desire expressed in the collective Note received, that those guilty of the crimes indicated shall be handed over to judicial courts and prosecuted, and that the sentence passed on them shall be put into execution. . . . The Soviet Government is in agreement with the declaration of Mr. Roosevelt, President of the United States of America, . . . on the question of punishing the Nazi leaders, concretely responsible for countless acts of brutality, i.e., that the clique of leaders and their cruel accomplices must be mentioned by name, arrested and tried according to the criminal code."

## 2. Resolutions of the Conference

As stated before, the demand for punishment, as far as the Jewish people is concerned, is based on moral and practical considerations. The American Jewish Conference, in its Resolutions adopted in September, 1943, urged that specific warnings be issued to Germany on crimes committed against the Jews.

"A solemn warning addressed by the leaders of the democracies to the Axis governments and their satellites," one of the Resolutions read in part, "must make it clear that the instigators of crimes against the Jews, as well as the accomplices and agents of the criminals, will be brought to justice. . . . This warning should be given force and substance by the immediate constitution of the Allied Commission on War Crimes in London which, though its formation was announced nearly a year ago, has not yet met. It should be a primary task of the Commission to bring home to the people of Germany not only the enormity of the crimes committed in their name but also the certainty of retribution."

In another Resolution, the Conference demanded

"Detention of persons charged with crimes against international law and humanity. Such crimes are to be understood to include all acts committed by the Nazis and their followers designed to despoil, degrade and destroy civilian populations under their control. Arrangements should be completed for the trial of such persons immediately following the cessation of hostilities in accordance with procedures agreed upon by the Governments of the United Nations."

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The principle of punishment was thus pronounced by the American Jewish Conference as a deterrent against further Jewish extermination, and as a visitation of justice upon those "charged with crimes against international law and humanity." But in order to make punishment an effective deterrent, the machinery of justice must be organized without delay. Furthermore, to give the punishment full moral and practical effect, the trials must start "immediately following the cessation of hostilities", and the procedures of such trials must be worked out and agreed upon in advance by the United Nations.

### 3. Crimes Against the Jewish People

A specific statement on German crimes against the Jewish people was issued by the United Nations in a Joint Declaration dated December 17th, 1942. Calling attention to reports that "the German authorities . . . are now carrying into effect Hitler's oft-repeated intention to exterminate the Jewish people of Europe", and after enumerating some of the atrocities, the Declaration reaffirmed in the name of the United Nations the "solemn resolution to insure that those responsible for these crimes shall not escape retribution, and to press on with the necessary practical measures to this end."

The most forceful declaration on punishment for war crimes, was the one issued on November 1st, 1943, over the signatures of President Roosevelt, Premier Stalin and Prime Minister Churchill. This Statement declared, in part: "At the time of the granting of any armistice to any government which may be set up in Germany, those German officers and men and members of the Nazi Party who have been responsible for, or have taken a consenting part in the above atrocities, massacres, and executions, will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free governments which will be created therein. . . . Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done. The above declaration is without prejudice to the case of the major criminals, whose offenses have no particular geographical localization and who will be punished by the joint decision of the Governments of the Allies."

While this Statement did not mention the Jewish victims specifically, Secretary Hull, in his address before Congress on November 18th, 1943, referred to it as "a solemn declaration by the heads of the three Governments with regard to the perpetrators of the bestial and abominable crimes committed by the Nazi leaders against the harassed and persecuted inhabitants of occupied territories—against people of all races and religions,

among whom Hitler has reserved for the Jews his most brutal wrath. Due punishment will be administered for all these crimes."

In the declaration made on March 24th, 1944, by President Roosevelt, with the approval of Prime Minister Churchill and Premier Stalin, special attention is directed to Jewish sufferings at the hands of the Nazis and their satellites and a warning of retribution for these crimes is stated in unmistakable terms.

### 4. Commission for the Investigation of War Crimes

The United Nations Commission for the Investigation of War Crimes, which started functioning toward the end of last year, has thus far arrived only at some general conclusions on the division of the categories of trials, namely, crimes committed in given countries should be tried in national courts, and those that have no geographical limitations should go before an international court. The majority of cases, the War Crimes Commission found, will be of the first category. It should be pointed out that it is not the function of the Commission for the Investigation of War Crimes to establish a legal procedure for the trials. In the words of the Lord Chancellor, the Commission is to "investigate war crimes committed against nationals of the United Nations recording the testimony available, . . . and to report from time to time to the Governments of those nations cases in which such crimes appear to have been committed, naming and identifying wherever possible the persons responsible. . . . The investigation should cover war crimes of offenders irrespective of rank, and the aim will be to collect material, supported wherever possible by depositions or by other documents, to establish such crimes, especially where they are systematically perpetrated, and to name and identify those responsible for their perpetration."

At the end of August 1944, Sir Cecil Hurst, Chairman of the War Crimes Commission, announced that there was ready a preliminary list of German war criminals whose surrender the Allies will demand, and that the list was "growing every day." (*New York Times*, 8/31/44)

### 5. Public Opinion

While the governments of the United Nations have thus expressly declared on many occasions their intention to punish those who committed crimes against the civilian population in Axis occupied and dominated countries, public opinion in the United States, as well as in Great Britain, has been less articulate. Much that has been written on the subject expresses individual opinion ranging from the severest to the most lenient treatment. An inkling of how the general public reacts to this problem may be gained from an article by F. Harvey Morse in *Read Magazine*, July 1944. Writing on "How People Feel About the Punishment of Germany," Mr. Morse states: "The majority of Americans feel that Ger-

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many *must* be punished for her war guilt, but they have a realistic, constructive approach to the problem. That is my opinion after sampling the first 1,850 letters received in *Read's* contest, 'What Shall be Germany's Punishment?' . . . Sixty-three per cent of the contestants whose entries were studied—a total of 1,163—took more of a 'middle of the road' position. These entries may be summarized into a five-point platform: 1. Germany must be punished, but must also be reconstructed and reformed so that she may become a socially minded country among peace-loving nations. The writers are strongly in favor of education for internationalism, and punishment for *discipline* and not for revenge. 2. Without exception, the writers believe that what Germany has stolen she must return, that is, territory, machinery, fine arts, and the personal property taken from German Jews and others. 3. The leaders of Germany must stand trial for their crimes—before a United Nations tribunal. 4. There must be complete and permanent disarmament of Germany, from the General Staff down. This is virtually a 100 per cent recommendation. 5. There must be long-term United Nations control of German government, German schools, and German industry."

On the extreme ends, there were 436 (of the 1,850 samples) who favor extermination, and 232 "who want to forgive Germany and let her start over again."

"Recent conversations with front line troops from Nancy to Belgium have convinced" Frederick Graham, *New York Times* (10/14/44) correspondent, "that a surprisingly large number of American soldiers in actual combat and in rear echelons are interested in Germany's future." As to their attitude toward the treatment of Germany, this correspondent writes: "Sterilization, elimination of all heavy industry, strict Allied police control and a comprehensive program of democratic education were among steps advocated."

The Commission on a Just and Durable Peace, instituted by the Federal Council of Churches of Christ in America, recently initiated two groups to study the treatment of Germany and Japan. The Statement on Germany, which expresses the individual views of a group of ten persons signing it, declares in part: "One of the guiding principles that has controlled the thought of the American churches so far is that it is contrary to the moral order that nations in their dealings with one another should be motivated by a spirit of revenge and retaliation." (Statement of Guiding Christian Principles, No. 3, adopted by the Protestant Conference at Delaware, Ohio, in March, 1942.) . . . The punishment of those most responsible for such acts of terror as the mass slaughter of the people in conquered countries, and the systematic extermination of the Jews of Europe, is an elementary demand of justice. Indeed crimes have been committed for which no conceivable punishment seems adequate, but such punishment should be limited to those whose responsibility is central and not extend to the

soldiers who were implicated because they carried out orders. Some form of temporary segregation might be devised for those who were mere instruments in crime. For the United Nations to engage in a long continued program of cold-blooded mass executions would debauch the world." (*Post War World*, published by the staff of the Commission on a Just and Durable Peace. New York, June 15, 1944, pp. 1 and 4.)

In an article on "German War-Guilt and Christian Forgiveness" the Editor of *The Modern Churchman* (Oxford, England, September, 1944, pp. 138-144) wrote: "Just as God's forgiveness of man operates solely so as to make the man forgiven a better man, so Man's forgiveness of his fellow-man must be of such a kind as to have the same aim and effect. Any other kind of forgiveness condones evil, makes the forgiver an accomplice in the sin of him whom he forgives, and does an injury to the man forgiven. This is Christ's doctrine of forgiveness. . . . Only when we have a new ruling class in Germany with a new ideology can we rightly and safely forgive the German people and restore them to their former position in the comity of the nations of which their ruthless militarism has deprived them. To do this requires a long process of re-education which cannot be without tears. . . . In thinking of German re-education, we must realize at the very outset the educational value of the public and unflinching execution of justice on those who have outraged all standards of civilized conduct. . . . The German mentality . . . is not going to be either easily or quickly transformed, and least of all by sloppy sentimentalism."

At a recent session in London of the Trade Union Congress, which represents some 10,000,000 British workers, a report was adopted which demanded that "the fascist bandits and their accessories" be punished for their crimes. The report further declared that the German people could not be absolved from all responsibility for these crimes, and called on workers everywhere to fight against any tendency "to mitigate the punishment of the Hitlerite criminals." Sir Walter Citrine, General Secretary of the TUC, answering "the people who assume that only a handful of criminals committed the atrocities," cited the Nazi record of murder in Poland, Russia, Czechoslovakia and France and said that consideration of the record led to only one conclusion—that at the very least the German people had been quiescent and that German troops had been active accessories. (Quoted in part from the *New York Times*, 10/19/44.)

As to the sentiment in Soviet Russia, Maurice Hindus wrote in the *New York Herald Tribune* (9/12/44): "I have been canvassing some Russian writers, novelists, poets and playwrights on their views on the forthcoming peace with Germany. All agreed that this is the time for the Allies to take steps to prevent the war criminals and atrocity makers, from Hitler down to the rank-and-file soldier, from escaping the provisions of the Moscow Conference declaration calling for their trial and punishment in countries where they perpetrated their abuses. Portugal, Spain, Sweden,

Switzerland and Argentina, the Russian writers agree, should now be made to realize they cannot with impunity offer asylum to any of these Germans."

A German view on the subject was expressed by "a group of thirty men and women of all ages and income groups," in Roetgen, near Aachen, Germany, recently occupied by the American forces. Clifton Daniel, writing of this group in the *New York Times* (11/2/44) stated: "... most of the people interviewed in Roetgen claimed to be utterly ignorant of the atrocities committed by German troops in foreign countries. They say the guilty should be punished. 'The first thing you must do is establish your authority,' one man told the Americans. 'The Germans are impressed by discipline and firmness. You can create the best impression by immediately taking strong action against all Nazi criminals.'"

#### 6. Jewish Point of View

It is generally felt that trials of the war criminals will take place and that punishment will certainly be meted out to them. From the Jewish point of view, it is important that in these trials specific charges should be made against the defendants for crimes they committed against the Jews of Europe. It should be pointed out that in three instances of trials of war criminals, two of which took place in Krasnodar and Charkov, respectively, and the third, in Algiers (the Pucheu trial), the crimes against the Jews singled out for wholesale extermination not as Soviet or French citizens, but as Jews, were not mentioned specifically among the charges. Jewish representatives should be admitted for consultation and advice to the authoritative body or bodies which will prepare the documentation as well as the procedure for such trials, and to the courts of trial.

What should be the kind or degree of punishment for these crimes, and who is to be indicted, are matters for the courts of justice to decide. Jews as individuals, like the rest of the population, may have different views on these questions, according to their own moral precepts of justice and equity. These are ultimately a matter of conscience. The Conference, however, does express the sentiment of its constituent organizations and communities in demanding that the indictment against the criminals should also include specific charges for their crimes against the Jews. This demand, it should be emphasized, is made not in a spirit of revenge or vindictiveness, but as a necessary measure in righting a great wrong and in establishing the security of the Jews in Europe.

The Post-War Commission of the American Jewish Conference submitted in writing a Statement to Secretary of State Cordell Hull, emphasizing the following aspects: (a) The crimes committed by the Axis nations and their associates against the Jewish people shall be duly specified in the indictment against the war criminals and made punishable in accordance with the policy announced by the United Nations. (b) Crimes committed

against Jews in given territories shall be tried in the respective national courts, except those committed in Germany and in the territories of her satellites, which shall be tried in international courts. (c) The United Nations shall require the surrender of the criminals by the Axis nations or by other countries to which they may escape. Provision for surrender shall be included in the terms of armistice. (d) The national as well as international courts shall recognize Jewish representatives as *amici curiae*. (e) The Commission for the Investigation of War Crimes, or a similar authority, shall give *locus standi* to a representation of the Jewish people. (The full text of the Statement is given in the Appendix, P. 123)

In its reply, the State Department assured the Conference that "the recommendations contained in the Statement are receiving careful consideration."

### IV. RETURN, REPATRIATION AND RESETTLEMENT

#### I. Displacement of the Jewish Population in Europe

IT IS impossible to estimate the number of Jews in occupied Europe who may survive the war. Those who have been admitted as regular immigrants to overseas lands will be absorbed among the populations of their new countries. The number of those who are in hiding in various countries in Europe is at present indeterminate and will become known only with the cessation of hostilities, or as soon as those countries are liberated by the Allied forces. There is more definite information on the number of refugees who are temporarily sheltered in England, Switzerland, Sweden, Italy, Turkey, Iran, North Africa, East Africa, Mexico, Fort Ontario (U. S. A.), Spain, Portugal, and on Mauritius Island. These are given at a total of 119,000. Some 21,000 Jews are stranded in Shanghai. The number of Jews who were evacuated in 1939 from Poland into the interiors of the Soviet Union is estimated at 400,000. In addition, there are now in Soviet Russia some 160,000 Jews from Bessarabia, Bukovina and adjacent regions, of whom 100,000 were evacuated in 1941 to the interiors of the country, and 60,000 were liberated by the Red Army in those regions. About 1,000,000 Jews from enemy occupied Russian territory were evacuated into the interiors of Russia before that portion of the land was overrun by the Nazis. In liberated France the number of surviving Jews is estimated at 150,000-200,000; in liberated Belgium, 20,000-30,000. The number of Jews in the liberated part of Italy is about 20,000; in Greece, 6,000-10,000; and in Finland, some 2,000. (Population figures are based on Zorach Warhaftig's *Relief and Rehabilitation*, Institute of Jewish Affairs of the American Jewish Congress and World Jewish Congress, New York, 1944, pp. 95-98, 129-132.)

The Jewish population in Rumania is now approximately 300,000, in-

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cluding 17,000 repatriates from "Transnistria" and some 2,500 Polish, Hungarian, German and Austrian refugees. It is estimated that at least half of the Jewish population in Rumania has been dislocated from former homes and sent to large centers or to labor camps. While most of these persons are now returning from forced labor service, they find their former homes occupied or otherwise unavailable to them. Economically they are totally ruined and without the means of earning a livelihood. A similar situation prevails in Bulgaria. Of the 40,000 Jews who have survived there more than two-thirds have been dislocated and all are in the direst need. The Jews of Hungary, if fate does not overtake them before they are liberated, will find themselves in the same tragic condition as the rest of Jewry in occupied Europe.

## 2. Problems of Return and Repatriation

The process of return and repatriation of the displaced Jews from the European territories is fraught with great difficulties. The countries of their asylum or temporary habitation, will no doubt expect these persons to return home, or else move to other places. A major question arises whether all displaced Jews will want to return to former places, and if so, how they will be accepted and re-established. A corollary is the question, where shall those who cannot or do not wish to return find another place of settlement?

In anticipation of these two problems, the Resolution adopted by the American Jewish Conference last year, urged "recognition of the right of all refugees, deportees, and other victims of Axis persecution, if they so desire, to return to their places of *de facto* residence and to the opportunities of which they have been deprived. To this end, provision of enabling financial and other measures must be forthcoming." The Resolution further urged "the United Nations' relief and rehabilitation agencies to give earnest attention" to the Jewish special needs and to "deal with the Jewish population in a spirit of equity and urgency," in "the aiding of deportees in their repatriation and emigration. . . ." Since then, the developments that have taken place among the populations of occupied Europe and among their governments-in-exile, and the continued extermination of the Jews, have further complicated the issue.

As it stands now, the problem of repatriation or emigration must be viewed in the light of the following two factors: (1) the psychological, economic and political conditions of the displaced Jews, and (2) the attitudes toward them of both the non-Jewish populations in the European countries and their respective governments. While the second factor may not be fixed or permanent, it is nonetheless one which must be given proper consideration, especially if desirable changes are to be brought about.

## A—Psychological, Economic and Political Factors

It has been pointed out by observers of the European situation, that many Jews, perhaps the majority, will not wish, for psychological and other reasons, to return to their former homes. They will not want to live in the same places where they and their kinfolk have suffered or witnessed the indescribable horrors of Nazi persecution. This may be particularly true in the Central and East-European countries, where some segments of the non-Jewish population participated or assisted in the extermination of the Jewish people. Another category of displaced Jews may not be able to return to their former places of *de facto* residence because of political complications resulting from their statelessness. Finally, those who will be able and desirous of returning home will be faced with tremendous economic difficulties in re-establishing themselves in their former or new occupations and in regaining their possessions. The question of indemnification for despoiled and lost Jewish property will be dealt with in a subsequent report.

## B—Stateless Persons

Statelessness among the displaced Jews is prevalent in greater proportion than among any other group of the displaced. This is due in part to the fact that in the course of their wanderings many Jews have either failed to secure the necessary legal documents from their countries of origin, or having secured them, have either lost or been deprived of them by their tormentors. A large number of Jews have been denationalized by their countries (Germany, Italy, Hungary and Rumania) or have otherwise lost their citizenship through prolonged absence from their countries of origin. Although many may regain their citizenship after the war, through the revocation of decrees against absentees and through the abrogation of discriminatory measures, there will still be a considerable number of Jews who, either by choice (especially in the case of German citizens) or by circumstances, will remain stateless. The return of such persons to their former places of residence or domicile will depend on the willingness of the respective governments to receive them. If the displaced persons do not wish to return, new places will have to be found for their resettlement. These questions are dealt with below, in relation to the policies of UNRRA.

## C—Location and Registration of Displaced Jews

The Post-War Commission adopted, on July 31st, 1944, the following statement on location and registration of displaced Jews.

"The collection of information concerning displaced Jews, their whereabouts, their family relations and their identification as to place of origin, former residence, citizenship or lack of citizenship, and similar data, is an essential preliminary step to their return, repatriation, resettlement and rehabilitation. Although several international and American agencies, non-Jewish and Jewish, have already undertaken this work, it is evident that it cannot be efficiently and satisfactorily carried out through

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their uncoordinated efforts or on any other than an international scale. It seems advisable, too, that the registration of displaced Jews be carried out, in so far as possible, under Jewish auspices, or with the cooperation and advice of a central Jewish agency.

"Be it therefore resolved that the American Jewish Conference call together representatives of the interested Jewish agencies to consider:

1. The establishment of a central Jewish registry in the United States in cooperation with similar agencies abroad;
2. The establishment of contacts with appropriate national and international agencies operating in the same field;
3. The creation of machinery to gather the required information;
4. The preparation of a registry questionnaire;
5. The participation in a world Jewish registry to be established."

It should be pointed out that the Post-War Commission does not propose that the American Jewish Conference operate a location and registration service, but that it bring together interested agencies in this country and abroad to coordinate their efforts for such a service. In carrying out these proposals, the cooperation of the existing location services here and overseas will be sought.

#### D—Attitudes of Governments

President Eduard Benes, of the Czechoslovakian Government-in-Exile, considered the repatriation of Czechoslovakian Jews after the war as a problem that will confront his regime with difficulties. While admitting the basic principle that Jews should return to their former countries, Mr. Benes felt that the entire question of repatriating deported Jews could be solved only internationally "on the basis of defined and unified principles binding all countries." (JTA, 4/11/44)

Prime Minister Stanislaw Mikolajczyk of the Polish Government-in-Exile, during his visit in Washington in June 1944, gave assurances that Jews returning to Poland after the war would be welcome. (JTA, 6/15/44)

Luxembourg declared its readiness to repatriate Jewish refugees, including former residents and domiciles of the Duchy. Shortly before the liberation of Luxembourg, its Government-in-Exile appointed a committee to arrange for the repatriation of all refugees; and a few days after its liberation, Foreign Minister Joseph Bech declared that Jews, in common with all other residents of the country, are welcome back as soon as possible. (JTA, 8/25 and 9/14/44)

Spokesmen for the Belgian Government have called upon the Belgian Jewish refugees to return home. On the question of repatriation, Deputy Prime Minister De Schryver said in a recent statement: "Those who were here before the Hitler period can be regarded as residents," and there will be no difficulties placed in the way of their returning to the country. "But during the Hitler refugee period, it became clear that we could not hope to assimilate the tens of thousands who were forced to flee, and it was

understood that we would permit them into the country while they sought visas and transportation to the Americas and other regions." (JTA, 10/20/44)

#### 3. UNRRA's Aid to Displaced Persons

The problem of displaced persons in post-war Europe was given considerable attention by the Council of UNRRA, at its first session in Atlantic City and at its second session in Montreal. It will be well to analyze this problem as visualized by UNRRA and to draw some conclusions as to the probable effect on the return, repatriation or resettlement of Jews.

#### A—Categories of Displaced Persons

UNRRA's Subcommittee on Policies With Respect to Assistance of Displaced Persons (Subcommittee 4 of Committee IV of the first session) divided the displaced persons who would be repatriated with UNRRA's aid, into the following categories: (1) "*Nationals of the United Nations who have been obliged to leave their homes by reason of the war and are found in liberated or conquered territory; . . .*" (2) "*nationals of the United Nations who have been displaced within their own (liberated) countries to return to their homes in those countries, if requested to do so by the member government concerned; . . .*" (3) "*nationals of the United Nations in other countries who are exiles as a result of the war, and whose return to their homes in liberated territory is regarded as a matter of urgency; . . .*" (4) "*nationals of the United Nations and those stateless persons who have been driven as a result of the war from their places of settled residence in countries of which they are not nationals, to return to those places; . . .*" (5) any other categories of persons which can be shown to fall within the proper scope of UNRRA's activities in this respect." (Italics are ours)

Two other categories were mentioned, namely, "prisoners of war who served in the armies of the United Nations," and "displaced persons of enemy or ex-enemy nationality." As to the former category, the Subcommittee expressed the view "that UNRRA should not have any responsibility for [their] repatriation . . . unless requested by the member government concerned to undertake such responsibility in respect of any particular group." As for the latter category, the Subcommittee found their case to be "one which presented particular difficulty." Having in mind especially the enemy nationals "who have been intruded into homes from which nationals of the United Nations have been expelled," the Subcommittee recommended that this entire question "be considered as a separate issue at an early meeting of the Council."

#### B—Displacement Before the War

It should be pointed out that three of the five main categories of displaced persons, including stateless persons, whom UNRRA will assist in their return and repatriation, are described in the Report of Subcommittee

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Four as being displaced "by reason of the war." One category, namely, those "who have been displaced within their own (liberated) countries," will be assisted by UNRRA to return to their homes "if requested to do so by the member government concerned." The fifth category (or other categories) consists "of persons which can be shown to fall within the proper scope of UNRRA's activities in this respect."

The problem of the return and repatriation of Jews who were displaced prior to the outbreak of the war, is thus not met by the first four categories, but may fall within the last one. However, this last category, as formulated by UNRRA, is indeterminate; it requires more specific amplification.

#### C—Stateless Persons

UNRRA proposes to assist "stateless persons who have been driven as a result of the war from their places of settled residence in countries of which they are not nationals, to return to those places." Since UNRRA can operate only with the consent of the governments concerned, it will be up to the latter to reach agreements and decide on the procedure concerning the return of stateless people to their former places of settled residence.

#### D—Identification Procedure

The procedure of establishing the identity of displaced persons and the necessary documentation connected with it, are of utmost importance to displaced Jews. UNRRA's Subcommittee recommended "a unified system of identification records . . . and preliminary identity papers for displaced persons in transit," and urged "that preliminary discussions should take place at the earliest possible moment between the competent organizations of UNRRA and the governments concerned." To solve this problem of identification effectively and equitably, underlying principles must be liberalized, and the procedure simplified to the greatest possible extent. An international agreement on the evidence of a person's nationality should be reached along the following lines: the testimony of witnesses should be admitted as evidence; the statement of the person involved even though unsupported by other evidence, should be weighed in his favor; the proof of settled residence in a given country coupled with the person's own statement that he is a national of that country, if not contradicted by other evidence, should be accepted as sufficient evidence of the person's nationality. (Cf. Z. Warhaftig, *op. cit.*, pp. 158-159.)

#### E—Enemy or Ex-Enemy Nationals

A considerable number of displaced Jews fall within the category of enemy or ex-enemy nationals, namely: Jews from Germany, Austria, Italy, Hungary, Bulgaria, Rumania and other countries, who because of racial, religious or political persecution fled these countries, or were deported to various parts of Europe, or displaced within the boundaries of their respec-

tive countries. At the first session in Atlantic City, the Council of UNRRA did not include these nationals within the purview of its program. They might be considered under the fifth category, which includes "persons [who] can be shown to fall within the proper scope of UNRRA's activities in this respect [of repatriation]." They might further be regarded as being within the proper scope of UNRRA, in so far as it will take care of persons who come also under the jurisdiction of the Intergovernmental Committee on Refugees until the latter finds a place of settlement for them. The Intergovernmental Committee, the UNRRA Report pointed out, "has long dealt with those persons who have been obliged to leave their homes for reasons of race, religion, or political belief."

However, as far as UNRRA itself is concerned, it made no distinction, at the first session, between "enemy or ex-enemy subjects," whom it has "no purpose to assist," and those enemy or ex-enemy nationals, who are victims of racial and religious persecution and who should be entitled to UNRRA's aid. Subcommittee Four did take into account the problem of enemy nationals who have been "intruded" in territories of the United Nations, and suggested that "this specific point should be referred to an early meeting of the Council as a separate issue, in order that a broad directive of policy may be laid down for dealing with it."

#### F—Resettlement

The displaced Jews who cannot or do not wish to return to former homes, or, as Sir Herbert Emerson, head of the Intergovernmental Committee, calls them, "long-range refugees," will have to be provided new places of settlement. According to the principles adopted by UNRRA at the first session of its Council, the responsibility of finding countries of immigration for this category of refugees does not rest with UNRRA but with the Intergovernmental Committee. The former will, however, "assist, for a reasonable period of time, in the care of such of these refugees as cannot be repatriated, until the Intergovernmental Committee is prepared to remove them to new places of settlement." The inadequacy of such a policy is discussed below in connection with the representations at the second session of the Council of UNRRA.

#### G—UNRRA's Relation with Governments

The particular role and function, as well as the jurisdiction, of UNRRA in the process of return, repatriation or resettlement of the first five categories of displaced persons, are well defined. "The Subcommittee fully accepted the necessity . . . for the Administration to discharge responsibilities in assisting the return to their homes of the above categories of persons 'in agreement with the appropriate governments, military authorities, or other agencies concerned.'" The government concerned, the Subcommittee further pointed out, "may include the government or government

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authority (other than an enemy or ex-enemy government or government authority) of the country in which the persons to be repatriated are temporarily resident, of any country through which they may have to pass, of the country in which they were formerly residents, and of the country of which they are nationals." In most cases of Jewish repatriates, then, there will be at least three government authorities which will have to agree to UNRRA's procedure. It should be further noted that in the case of persons displaced *within their own countries*, UNRRA will assist in their return to their former homes only if requested to do so by the government concerned. The return of such persons may therefore be entirely outside the jurisdiction of UNRRA. (Italics are ours.)

A determining factor in the return and repatriation of displaced Jews will thus be the governments or government authorities. This will be true not only in the ultimate disposition of the displaced Jews, but also in the speed in which it will be carried out, which may in the final analysis determine the very possibility of their return or repatriation.

#### H—Relation with Intergovernmental Committee

In addition to these four instances of government authority, there is the Intergovernmental Committee on Refugees with which UNRRA will have to deal. This Committee, the report indicated, "has long dealt with those persons who have been obliged to leave their homes for reasons of race, religion, or political belief. UNRRA will assist in the care and repatriation of such of these persons as can and are willing to return to their countries of origin or of former residence. The Intergovernmental Committee has the function of finding places of settlement for such of them as fall within its competence and as cannot or do not desire to be so repatriated." As indicated above, UNRRA will assist "for a reasonable period of time" in the care of such refugees.

#### 4. Representation of the American Jewish Conference at the Second Session of the Council of UNRRA

At the second session, held September 15-26, 1944, in Montreal, Canada, the Council of UNRRA reviewed its policies concerning displaced persons. The Post-War Commission of the American Jewish Conference submitted a Memorandum to Honorable Dean Acheson, head of the American Delegation to UNRRA's second session, and sent two representatives (Miss Evans and Dr. Kohanski) to Montreal to discuss with the American Delegation and members of the UNRRA Administration the problems affecting Jews in Europe.

It appeared from the agenda of the second session that the Council of UNRRA would consider policies relating to displaced persons who are United Nations' nationals in enemy or ex-enemy territory, and enemy or ex-enemy nationals "intruded" in Allied territory. Thus, the agenda originally left out of consideration the treatment of enemy or ex-enemy

nationals who are victims of Nazi persecution, in their own territories or in liberated areas, and aid to displaced persons who have to be resettled in new countries.

#### A—Memorandum of the Conference

The Memorandum submitted by the Post-War Commission to UNRRA reviewed the Resolutions on Post-War Reconstruction adopted by the American Jewish Conference, and urged the American Delegation to support the following recommendations, which in principle and substance were the same as those submitted by the World Jewish Congress:

"(1) The powers of the Director General in the supervision of relief activities in the recipient countries should be strengthened, to insure that UNRRA's principle of nondiscrimination as to race, religious or political belief shall be applied without fail. The system of priorities adopted by UNRRA should be applied with equity and justice to all persons. Jews, who have suffered most from Nazi discrimination and persecution, should be given equitable priorities adequate to their needs.

"(2) Victims of Nazi persecution who are not nationals of the United Nations, should receive UNRRA's assistance regardless of their formal nationality, wherever they may be, even if they reside in enemy or ex-enemy territories.

"(3) UNRRA has accepted the principle that displaced persons who cannot or do not wish to be repatriated, should be aided for a reasonable period of time before their resettlement. It is urged that UNRRA should extend its aid to such displaced persons not only in the form of relief prior to their resettlement, but in their transportation and first stages of adjustment to their new countries of settlement, in the same manner as the aid given by UNRRA to repatriates. . . . As for the resettlement of displaced Jews, it should be borne in mind that Palestine is the most suitable country for their absorption in large numbers.

"(4) Jewish representatives should be granted the status of observers, with the privilege to participate in the discussions on the Council of UNRRA, its Regional Standing Committee on Europe, its Standing Technical Committees on Displaced Persons, Health and Welfare, and the prospective Regional European Subcommittees. Properly trained Jewish social workers should be added to UNRRA's staff to aid in the work with Jewish communities in Europe." (See Appendix, P. 125)

In discussions with leading members of the American Delegation, the representatives of the Conference emphasized points one and two of the above recommendations. Similar conversations were held by representatives of the World Jewish Congress with the Delegations of foreign governments. In a joint communication submitted by the representatives of the Conference and the Congress to the Chairman of the Committee on Displaced Persons and of the Committee on Policy, the following specific proposals (formulated by the Institute of Jewish Affairs of the American Jewish Congress and the World Jewish Congress, and given here in summary) were stressed:

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(1) *Displaced Persons of Enemy Nationality*

UNRRA should also assist in the return, repatriation or resettlement "of persons who have been obliged to leave their homes for reasons of race, religion, or political belief since 1933—regardless of the nationality of such persons."

(2) *Victims of Racial, Religious or Political Persecution in Enemy Territory*

The restrictions against UNRRA's aid in enemy or ex-enemy areas, as stipulated in Resolution No. 1, Part I, paragraph 3 of the first session of the Council, should not apply in those areas to minorities who have been victims of racial, religious or political persecutions. "Aid for these minorities should be given by UNRRA under the same principles as in the liberated areas . . ."

(3) *Resettlement of Displaced Persons*

"It should be the responsibility of UNRRA to care for and assist in the resettlement of such of those refugees as cannot or do not desire to be repatriated."

Passages in the Reports and Resolutions of the first session of the Council referring to UNRRA's assistance in the return or repatriation of displaced persons, should be amended or supplemented to include also assistance in "resettlement." (Full text of proposals in Appendix, P. 127.)

**B—Resolutions Adopted by the Council**

Of the three proposals, only the first two were given consideration by the Council of UNRRA. The resolutions subsequently introduced by the American and British Delegations and adopted by the Council of UNRRA embody the principles of those proposals, as follows:

**"A Resolution Relating To Operations In Enemy And Ex-Enemy Areas With Respect To Displaced Persons And Epidemic Control**

"RESOLVED 1. That, notwithstanding the provisions of Resolution 1, Part I, the Administration shall be authorized without the necessity of obtaining prior approval by the Council to carry out operations in enemy or ex-enemy areas for the care and repatriation or return of displaced persons as contemplated by Resolution 10, and in agreement with the government of the country of which they are nationals, or other persons who have been obliged to leave their country or place of origin or former residence or who have been deported therefrom, by action of the enemy because of race, religion or activities in favor of the United Nations, or for the control of epidemics for the purpose of preventing the spread of such epidemics to United Nations areas or to displaced persons of United Nations nationality found in the particular enemy or ex-enemy area. In carrying out the purposes of this Resolution the Administration will do so only from such a time and for such purposes as may be agreed upon between the military command, the established control authority or duly recognized administration of the area on the one

hand and the Administration on the other, and subject to such control as the military command or the established control authority may find necessary." (Ad Hoc Committee on Policy, Resolution D.)

**"A Resolution Relating to the Care and Return of Certain Persons of Other Than United Nations Nationality, or Stateless Persons, Found in Liberated Territory**

"RESOLVED 1. That, notwithstanding anything to the contrary in other Resolutions of the Council, the Administration shall be authorized to undertake the care and return to their homes of persons of other than United Nations nationality, or stateless persons, who are found in liberated territory and who have been obliged to leave their country or place of origin or former residence or who have been deported therefrom by action of the enemy, because of their race, religion, or activities in favor of the United Nations; provided, however, that nothing in this Resolution shall affect the provisions contained in the preamble and in paragraph 1 and 2 of Part I of Resolution 1 [i.e. in agreement with the Military Command and/or with the Government of the liberated area]." (Ad Hoc Committee on Policy, Resolution G.) (Note: Italics in the texts of these resolutions are ours. See UNRRA Journal, Second Session of the Council, Vol. II, No. 10, pp. 105, 106-107.)

There were representatives of three other organizations at the second session of UNRRA, namely, the Agudas Israel World Organization, American Jewish Committee and the Canadian Jewish Congress. It was felt by every one of the Jewish representatives that the Jewish claims should be presented in a manner indicating united action. Accordingly, the five organizations issued a joint statement, incorporating the three proposals mentioned above, and submitting it to the authorities of UNRRA on Saturday evening, September 23rd. This statement was read into the records of a Select Joint Committee on Health, Welfare and Displaced Persons, and was also distributed to all Delegations and to members of UNRRA's Administrative staff.

**C—Resettlement**

The third proposal in the statement to UNRRA, namely to give the same aid to resettlers as to repatriates, was not taken up by the Council at its second session. UNRRA's policy on this matter thus remains the one adopted at the first session in Atlantic City. This gives rise to several problems.

While the Intergovernmental Committee, in the words of Mr. Acheson, will have the task of negotiating "with the various governments to find a place for new settlers," there is no indication as to which authority, if any, will be responsible for the transportation of the refugees and for the aid in the initial stages of their settlement. From the point of view of fair, humanitarian treatment, which UNRRA has repeatedly emphasized

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in its approach to the problem of displaced persons, it is only just that "long-range refugees" should be treated the same way as repatriates. In the case of the latter, UNRRA has undertaken the responsibility of caring for them not only prior to repatriation, but for their transit and "for the reception, shelter, and temporary maintenance . . . on their arrival at their destination." Refugees to be resettled in new countries should receive the same assistance from UNRRA.

The role of the Intergovernmental Committee on Refugees in aiding the resettlers, was discussed by the representatives of the American Jewish Conference in Montreal with officials of the Committee. The latter indicated that the Committee was ready to expand its activities and that it would start functioning in France and Italy as soon as clearance was obtained from the military authorities. In Italy, it had been of assistance in the transportation of refugees to Palestine and North Africa. While the spokesmen admitted that for the present the Committee had limited resources, they thought that necessary funds were obtainable for whatever definite plans may evolve for the care of refugees, including those of enemy or ex-enemy nationals who are victims of Nazi persecution. The fact was further emphasized that the Intergovernmental Committee has no time limit for its operations, whereas UNRRA is limited to a relatively short period after the cessation of hostilities. In many instances, they stated, the Intergovernmental Committee will operate in given territories before UNRRA steps in; it will also continue its operations after UNRRA will have finished its work. There will thus be a continuity in the assistance to displaced persons even though, they said, such assistance may be inadequate.

While the Intergovernmental Committee is planning to expand its program of activities, the problem of resettlement still requires careful attention and direct aid from UNRRA and the governments concerned. The negotiations with governments to find new places for settlers may be long and protracted; in the meantime displaced persons in their temporary places of refuge will be suffering great hardship. To be sure, UNRRA will "assist, for a reasonable period, in the care of such refugees as cannot be repatriated" until they are removed to new places of settlement. However, "a reasonable period" is an indeterminate interval. UNRRA may thus find at any time that its responsibilities for the caring of these refugees has terminated, even before the Intergovernmental Committee has found a place for them. While no definite time-limit can be set in advance for the placement of these refugees, it should be the function of UNRRA also to participate in the negotiations with governments to find places of new settlement, and to help defray the costs of transportation and of the initial stages of adjustment. Being a party to such negotiations, UNRRA will be in a better position to expedite the final placement of the refugees in an equitable manner.

A further consideration in this matter is the need for concerted action on the part of the governments. The Report of Subcommittee Four directed "attention to the fact that in many cases it will be necessary for UNRRA to deal with a number of governments simultaneously and for the various governments concerned to reach joint decisions or to take joint action." The reaching of a joint decision is particularly important in connection with resettlement. Past experience has shown that each government is reluctant to commit itself separately on the admission of refugees. Unfortunately, even joint conferences, such as those of Evian and Bermuda, did not produce any tangible results. UNRRA has an opportunity, through its new instrumentalities, and particularly through its Regional Committees, to help solve this problem, if not on an international, at least on a regional scale. All the governments concerned, those in whose countries the refugees are temporarily placed, as well as those of their countries of origin and of the countries of their contemplated immigration, should take joint counsel, together with UNRRA and the Intergovernmental Committee, for action in a concerted manner.

Another problem concerning the resettlement of displaced Jews is the type of settlement to be undertaken. Of the numerous projects of mass-settlement proposed in the past decade, none has proved to be feasible or even promising of success. The only sound basis for Jewish mass-settlement is in Palestine, where in the course of many decades the ground has been prepared by pioneering effort. It would be impractical from an economic and sociological point of view, to expect the Jewish people to dissipate their limited energies on new colonization enterprises in many parts of the world.

#### D—Jewish Observers

The representatives of the American Jewish Conference and the World Jewish Congress also discussed with members of the government Delegations the matter of admitting Jewish observers to the Council of UNRRA and its Standing Committees. The representatives of the two bodies subsequently submitted a written request to Director General Herbert H. Lehman for the admission of observers of the Conference and the Congress to UNRRA's Council, its Committee for Europe, and the Committees on Displaced Persons, Health and Welfare. In reply to this communication, Honorable P. W. Kuo, Deputy Director General in Charge of Secretariat, wrote:

"I regret that it was not possible for the Council to take action on your request to have representatives of these organizations admitted as observers at the meetings of the Council.

"Your request to have representatives of your organizations admitted as observers to the meetings of the Committee for Europe and to the Committees on Displaced Persons, on Health and Welfare will be transmitted to the appropriate offices and divisions of the Administration for further action."

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### 5. Conclusions

The task of repatriation or return of the displaced Jews to their former homes cannot be dissociated from the question of indemnification and restoration of Jewish property, and from the prospect of the future political rights of the Jews in Europe. An adequate solution will have to be sought not only by UNRRA but also by the Intergovernmental Committee on Refugees and particularly by the governments.

#### A—UNRRA

UNRRA will play a very important role in assisting displaced persons to find their way back to their former countries. Displaced Jews will be entitled to the same benefits as non-Jewish sufferers. A specific safeguard against discrimination has been incorporated in UNRRA's General Policies, which state (in Resolution No. 2): "... in any area where relief and rehabilitation operations are being conducted through the employment, in whole or in part, of the Administration's resources, relief and rehabilitation in all its aspects shall be distributed or dispensed fairly on the basis of the relative needs of the population in the area, and without discrimination because of race, creed, or political belief." Formulated in these broad terms, the principle of non-discrimination should apply to all cases of returning persons, whether within a given country or from one country to another.

The same Resolution further takes into consideration the possibility of required special care, as it stipulates in paragraph two: "That, in determining the relative needs of the population, there may be taken into account the diverse needs caused by discriminatory treatment by the enemy during its occupation of the area."

Judging from the general spirit in which UNRRA approaches its great task of relief and rehabilitation—a spirit of being helpful in the restoration of uprooted human lives—there is every reason to hope and to believe that as far as the displaced Jews are concerned, they will be given every consideration on an equal basis with the rest. At the same time it is most important to have Jewish observers admitted to the Council and Standing Committees of UNRRA to advise the Administration on specific Jewish needs, thereby facilitating work on behalf of the Jewish population.

#### B—Intergovernmental Committee on Refugees

The Intergovernmental Committee on Refugees which has undertaken to aid the uprooted persons who must look for new countries of settlement, should formulate without delay definite plans of action and should seek to obtain the necessary funds to carry them out. Here too, Jewish observers should be admitted for consultation and advice to serve the best interests of those concerned.

### C—The Governments

The role to be played by the governments in the return, repatriation or resettlement of displaced Jews, has not yet been clearly defined or ascertained. The entire position of Jews in Europe must be considered as exceptional and unique. Unless the receiving countries, their populations as well as their governments, are prepared through definite pre-arranged agreements to handle the Jewish situation, the repatriation and return of displaced Jews will meet with serious obstacles at every turn.

The problems of the Jews in Europe in every aspect—repatriation, return, statelessness, resettlement, property restoration or indemnification and political status—must be placed on the agenda of problems to be solved by the democratic governments of the European countries together with the rest of the United Nations. An authoritative Jewish representation to help the reconstruction of the Jewry of Europe should be admitted as observers and advisers to the councils and agencies that have been or will be established by these governments.

It is the democratic governments which are the primary factors in the process of reconstruction of Jewish life on the European continent. Whatever re-education or reconditioning certain sections of the populations in Europe may require in relation to the Jews, it will be the government authorities who will best be able to facilitate and effect it. These governments can demonstrate, through concerted action, that the problem of the Jews in Europe may be solved in a democratic and equitable manner, and in so doing they can eradicate Nazi theories and practices affecting Jewry. The accomplishment of this aim is in the hands of the powers that are preparing to govern the European countries after the war.

## Appendix

### I.

#### STATEMENT ON INTERNATIONAL BILL OF RIGHTS

**H**ERETOFORE the principle of absolute independence of each state in determining the rights of its inhabitants has permitted certain states to discriminate between one section of its population and another. It has further allowed a condition to develop in which a given state could deprive certain groups of its citizens of their basic human rights in violation of the standards of such rights as accepted by the civilized world.

Until the rise of Nazi rule in Germany, the Jews in Europe enjoyed under Constitutional law equal rights with the rest of the citizens of each state. In the Central-Eastern states of Europe, the Jews as members of a minority group, together with the members of other minority groups, were further guaranteed equal status with the rest of the population, through a system of Minority

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Treaties, Declarations or Conventions. Among the general rights recognized in these Treaties, Declarations or Conventions were: (a) state protection of life, liberty and freedom of worship for all inhabitants; (b) equal treatment before the law and full civil and political rights for all citizens. Each state assumed these obligations as "fundamental law" not to be changed by subsequent legislation or administration, and further recognized them as of "international concern", and subject to the supervision of the League of Nations.

While these guarantees served to a certain degree in actually safeguarding the basic individual human rights of the Jews and other members of minority groups, several states, which were bound by these Treaties, were still able to discriminate against their Jewish populations and to deprive them of many of their basic equal rights. This was particularly due to the fact that the international instrumentality of enforcing those guarantees was defective and in some instances inoperative. The most flagrant breach of human rights has been perpetrated by Germany, since the advent of the Nazi Regime, in its brutal treatment of the Jewish population.

Thus the total disregard of civilized concepts of individual human rights on the part of some states resulted in acts of violence, enslavement and extermination against large sections of the population of Europe. Herein lie the roots of the international anarchy that contributed to the assault of the Axis powers on the civilized world.

In order to secure the dignity of man and his individual human rights against future violation, there must be a Bill of Rights that shall be guaranteed by the nations of the world. Such a Bill and its guarantees may be embodied in a universal covenant among the nations, or in a series of international covenants among certain groups of nations.

The American Jewish Conference, in seeking to safeguard the human rights of Jews on an equal basis with those of all other human beings, therefore urges that the world order which the United Nations are resolved to establish have as one of its foundations an International Bill of Rights expressing the principles of the Four Freedoms and the Atlantic Charter and embodying:

1. Full and complete protection of life, liberty, freedom of worship, and civil rights for the inhabitants of all countries without distinction of birth, nationality, language, race or religion.
2. Unequivocal equality of rights in law and in fact for all the citizens of every country.
3. The inalienable right of all religious, ethnic and cultural groups to maintain and foster their respective group identities on the basis of equality.
4. The establishment of appropriate and adequate national and international machinery to secure the enforcement of these rights.

## II. STATEMENT ON RESTORATION OF RIGHTS TO JEWS IN EUROPE

**A**FTER WORLD WAR I, the Jews in Europe legally possessed equal citizenship status with the rest of the population. They also enjoyed the right of community organization and in some countries certain specific rights that were derived from the Minority Treaties.

In several countries, however, some of these rights were later abridged or abrogated, despite the guarantees stipulated in national constitutions and international treaties. The Nazi regime in Germany in particular has pursued this policy unrelentingly and has destroyed Jewish citizenship and group rights first in Germany and then in those countries which came under its domination or occupation.

Apart from future measures to improve the status of Jews, the American Jewish Conference believes that the immediate restoration of all rights formerly enjoyed by Jews is a prerequisite to the reconstruction of Jewish life in Europe, and it therefore recommends the following measures to the governments of the United Nations:

- a. As soon as an area in Europe is liberated or occupied by the Allied forces, the government or governing authority in that area shall declare null and void, with retroactive effect, all discriminatory laws and measures enacted against the Jewish population by the German civil and military authorities, their allies and their satellites. The governing authorities in the liberated areas shall restore to the Jewish populations in those areas all the constitutional and treaty rights which they formerly enjoyed.
- b. Citizenship shall be restored to all those who have been deprived of it. Restoration of citizenship shall also be extended to persons displaced from their former countries, unless they themselves refuse such restoration.
- c. The governments or governing authorities of the liberated areas shall restore without delay all the rights of communal, religious and cultural organization, which the Jewish populations in those areas enjoyed after the first World War. These authorities shall further facilitate the early re-establishment of Jewish community organization, which is indispensable to the rehabilitation of the uprooted Jewish population.

## III.

### STATEMENT ON PUNISHMENT OF WAR CRIMINALS

**S**INCE THEIR rise to power, the leaders of the Nazi regime in Germany have repeatedly and consistently proclaimed the extermination of the Jewish people as a major aim. Both before and since the beginning of the war, they have pursued this aim with unrelenting vigor and brutality, utilizing every measure of degradation and despoliation, including forced labor, starvation, deportation and mass murder. This campaign of terror and annihilation has been carried out with unexampled bestiality in consort with Axis allies and associates, and with the connivance of Nazi followers and subordinates in their home countries and their collaborators in occupied territories. These crimes cannot go unpunished without destroying the legal and moral foundations upon which our civilization rests.

The United Nations, being aware of the manifold crimes committed by the Axis powers against the Jewish people, have solemnly and officially affirmed as their policy toward all those guilty of these crimes the exaction of full and just retribution.

Thus, the Inter-Allied Declaration signed at St. James' Palace on January

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13, 1942, though not making express reference to the Jews, proclaimed that the signatory powers "place among their principal war aims the punishment, through the channel of organized justice, of those guilty and responsible for these crimes (against civilians), whether they have ordered them, perpetrated them, or in any way participated in them."

Subsequently, in a Joint Declaration issued simultaneously at London and Washington on December 17, 1942, the United Nations took formal cognizance of the fact that "the German authorities . . . are now carrying into effect Hitler's oft-repeated intention to exterminate the Jewish people in Europe," and therefore "reaffirm their solemn resolution to ensure that those responsible for these crimes shall not escape retribution, and to press on with the necessary practical measures to this end."

In conjunction with the historic Moscow Conference, the heads of the governments of the United States, the U.S.S.R., and Great Britain, "speaking in the interests of 32 United Nations," issued on November 1, 1943, "a solemn public declaration." As Secretary of State Cordell Hull stated on November 18, 1943, before a Joint Meeting of the Senate and the House of Representatives, the Declaration promised that "due punishment will be administered . . . to the perpetrators of the bestial and abominable crimes committed by the Nazi leaders against the harassed and persecuted inhabitants of occupied territories—against people of all races and religions, among whom Hitler has reserved for the Jews his most brutal wrath."

On March 24, 1944, this policy was clearly and emphatically reiterated when President Roosevelt, with the approval of Prime Minister Churchill and Premier Stalin, made a public pronouncement calling attention to the fact that the extermination of the Jewish people was "begun by the Nazis in the day of peace and multiplied by them a hundred times in time of war," and stating in part: "we . . . again proclaim our determination that none who participate in these acts of savagery (against Jews and other civilians) shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. . . . All who share the guilt will share the punishment."

In view of the solemn and unequivocal declaration of policy embodied in these and similar official statements, which leave no doubt as to the intention of the United Nations to visit just punishment upon those guilty of crimes against civilian populations, and notably against the Jewish people, the American Jewish Conference, representing the Jewish community of the United States of America, urges that in carrying out this policy the United Nations take cognizance of and proper action upon the following considerations:

1. Among the crimes to be made punishable under this policy, there be expressly included the publicly announced intent of the Axis nations and their allies and associates to annihilate the Jewish people, and all acts whereby they sought to accomplish this aim, before and during the war, within their own and occupied territories.

2. In all trials of those guilty of crimes against civilian populations, criminal acts performed against the Jewish people shall be duly specified as part of the indictment.

3. Those charged with specific crimes against individual Jews; or with acts designed to bring about the ultimate annihilation of Jewish communities, such as deprivation, starvation, deportation, unendurable forced labor, and mass murder by whatever means, in territories occupied by the enemy, shall be prosecuted with the utmost energy and vigor in the national courts of the states where such crimes were committed, irrespective of the nationality of the accused or of the victims.

4. The prosecution of those guilty of these acts against the Jews in Germany and in the territories of her allies and associates, as well as of crimes not confined to single territories, shall be within the jurisdiction of the contemplated international court for the trial of war criminals.

5. The United Nations shall agree among themselves to declare as common criminals, and shall so declare, all those guilty of these acts against the Jews, and shall require the Axis nations, their allies and associates, the neutral nations and any other country where the criminals may seek asylum, to surrender or extradite all persons thus designated. Provision for the surrender of these criminals by the Axis Powers, their allies and associates, shall be included in the terms of the armistice.

6. Representatives of the respective Jewish communities shall be consulted in the preparation of evidence against these criminals, and shall be recognized in the national courts as *amici curiae*, and provision shall be made to this effect.

7. Representatives of the Jewish people shall be officially admitted as *amici curiae* before the contemplated international prosecuting body and the international court for the trial of war criminals. The constituting acts of these bodies shall contain the necessary provisions to this effect.

8. The Commission for the Investigation of War Crimes, or such other body as may be constituted for this purpose by the United Nations, shall receive and give due consideration to all suggestions which may be submitted to it by a representation of the Jewish people, and it shall grant such a representation *a locus standi*.

#### IV.

#### MEMORANDUM

*Submitted to Honorable Dean Acheson, Head American Delegation,  
Second Session, Council of UNRRA, Montreal, Canada*

On November 26, 1943, the American Jewish Conference addressed a communication to the Council of the United Nations Relief and Rehabilitation Administration, then in session at Atlantic City, N. J. At that time the Conference requested that UNRRA frame appropriate policies and establish adequate machinery to meet the special problems confronting the Jews of Europe. In the course of the past year, the position of the Jewish people in European countries has further deteriorated, and their problems of post-war relief and rehabilitation will require even greater attention than might have been necessary a year ago.

The American Jewish Conference, anticipating the problems of post-war European Jewry, adopted at its first session, held in New York August 29-September 2, 1943, resolutions that stated in part:

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"The Conference calls the attention of the United Nations to the distinctive needs for relief, rehabilitation and reconstruction of the Jewish population in the war-stricken areas. These needs result from systematic starvation, forced labor and forced segregation, continuous deportation, appalling housing conditions, the withholding of medical care and the closing of Jewish hospitals, with a consequent spread of disease and epidemics.

"We urge the United Nations' relief and rehabilitation agencies to give earnest attention to these special needs. We are confident that in the feeding, clothing and sheltering of the stricken populations, the checking and preventing the further spread of epidemics and diseases, the caring for orphans and children who are separated from their parents, the reuniting of scattered families and the aiding of deportees in their repatriation and emigration, these agencies will deal with the Jewish populations in a spirit of equity and urgency. We are further confident that provision will be made for such specific Jewish needs as the liberation of Jews from Ghettos, reservations and concentration areas, as well as for the observance of their ritual requirements.

"Moreover, it is clear that in connection with these measures which will be taken with a view to the speedy restoration of normal conditions in every liberated country, the problem must be treated in a spirit of equity. Accordingly we urge that:

"(a) Ample opportunity be given such Jews as may be able to return to their former occupations.

"(b) In the case of those who cannot resume their former occupations, measures should be provided for their economic retraining and reorientation, consideration being given to their special experience and skill.

"(c) Facilities should be provided for the reestablishment of Jewish religious, educational and welfare organizations.

"(d) There must be recognition of the right of every Jew who desires to settle in Palestine to emigrate and to take his possessions with him.

"The Conference requests the recognition by the United Nations of the justice of the Jewish claim for representation, for the purpose of advice and co-operation, on agencies that have been and will be set up by the United Nations to deal with the problem of relief, rehabilitation, resettlement, and other aspects of post-war reconstruction."

The American Jewish Conference is a representative body of American Jews democratically elected by all the major Jewish communities and sixty-four national organizations in the United States. It consists of 502 delegates representing the great majority of the Jewish population, and speaking on its behalf on questions pertaining to the rehabilitation and reconstruction of Jews in the post-war world. The Conference also cooperates with other established, authoritative Jewish organizations in this country and abroad for the promotion of the welfare of Jews throughout the world.

As the Council of UNRRA is now starting its second session, the American Jewish Conference wishes to bring to its attention several recommendations affecting the rehabilitation of Jews in Europe and elsewhere.

(1) The powers of the Director General in the supervision of relief activities in the recipient countries should be strengthened, to insure that UNRRA's principle of non-discrimination as to race, religious or political belief shall be

applied without fail. The system of priorities adopted by UNRRA should be applied with equity and justice to all persons. Jews, who have suffered most from Nazi discrimination and persecution, should be given equitable priorities adequate to their needs.

(2) Victims of Nazi persecution who are not nationals of the United Nations should receive UNRRA's assistance regardless of their formal nationality, wherever they may be, even if they reside in enemy or ex-enemy territories.

(3) UNRRA has accepted the principle that displaced persons who cannot or do not wish to be repatriated, should be aided for a reasonable period of time before their resettlement. It is urged that UNRRA should extend its aid to such displaced persons not only in the form of relief prior to their resettlement, but in their transportation and first stages of adjustment to their new countries of settlement, in the same manner as the aid given by UNRRA to repatriates. This task of materially helping the resettlement of displaced persons should not be left in the hands of the Intergovernmental Committee on Refugees, since it does not possess the necessary means for it. As for the resettlement of displaced Jews, it should be borne in mind that Palestine is the most suitable country for their absorption in large numbers.

(4) Jewish representatives should be granted the status of observers, with the privilege to participate in the discussions on the Council of UNRRA, its Regional Standing Committee on Europe, its Standing Technical Committees on Displaced Persons, Health and Welfare, and the prospective Regional European Subcommittees. Properly trained Jewish social workers should be added to UNRRA's staff to aid in the work with Jewish communities in Europe.

These recommendations are the same in principle and substance as those submitted recently to the Council of UNRRA by the World Jewish Congress. The American Jewish Conference respectfully urges the delegation of the United States to UNRRA's Council meeting to support the recommendations as outlined above, as well as those submitted by the World Jewish Congress.

(signed) LOUIS LIPSKY, *Chairman, Administrative Committee,*  
MAURICE N. EISENDRATH, HAYIM GREENBERG, *Co-Chairmen,*

September 15th, 1944.

V.

#### STATEMENT

*Submitted to Mr. George Warren, Second Session,  
Council of UNRRA, Montreal, Canada.*

Following our conversation this afternoon we take the liberty of submitting in writing several proposals for consideration for inclusion within the policy of UNRRA. These proposals concern the treatment of victims of Nazi persecution in enemy territories and of displaced persons.

##### 1. DISPLACED PERSONS OF ENEMY NATIONALITY

The report of Committee IV, Subcommittee 4 on Policies with Respect to Assistance to Displaced Persons, should be supplemented by the following additional paragraph (5d):

"That UNRRA should also assist in the repatriation to their country of origin or to their places of settled residence and/or in the return to their homes

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in those countries and/or in their resettlement in other countries, of persons who have been obliged to leave their homes for reasons of race, religion, or political belief since 1933—regardless of the nationality of these persons."

The first sentence of paragraph 11 of the same Report should be deleted, and in the second sentence the additional words, *not being themselves victims of racial, religious, or political persecutions*, should be inserted after the clause, "that while it is not the purpose of UNRRA to assist enemy subjects."

2. VICTIMS OF RACIAL, RELIGIOUS OR POLITICAL PERSECUTION  
IN ENEMY TERRITORY

In order to ensure UNRRA aid to those enemy or ex-enemy nationals who have been victims of racial, religious or political persecutions, Resolution No. 1 Relating to the Scope of the Activities of the Administration, Part 1, paragraph 3, should be supplemented at the end by the addition of the following passage:

"These restrictions (regarding relief to be given in enemy or ex-enemy areas) do not apply to the relief and rehabilitation activities of UNRRA for the benefit of those religious, racial and political minorities in enemy or ex-enemy countries who have been subjected during the war to discriminations and persecutions by the Nazis, their allies and their satellites. Aid for these minorities should be given by UNRRA under the same principles as in the liberated areas from such a time and for such purposes as may be agreed upon by the military command and the Administration. The financial cost of this UNRRA relief shall be charged to the account of these countries, to be repaid by them at some future date."

3. RESETTLEMENT OF DISPLACED PERSONS

In order to provide adequate care of displaced persons who will have to be resettled in countries other than those of their residence or citizenship, it is proposed that the last sentence of paragraph 10, of the report of Committee IV, subcommittee 4, be rephrased as follows:

"It should be the responsibility of UNRRA to care for and assist in the resettlement of such of those refugees as cannot or do not desire to be repatriated."

To paragraphs 5a, c, e, there should be added after the word "repatriation" the words *and/or resettlement*.

Paragraph 5d should be rephrased to read as follows:

"(d) UNRRA should also assist those nationals of the United Nations and those stateless persons who have been driven, as a result of war, from their places of settled residence in countries of which they are not nationals, to return to those places, or to be resettled in other countries."

Resolution No. 1, Part II, Paragraph 2 should be supplemented and rephrased as follows:

"Relief services, such as . . . assistance in caring for . . . in securing their repatriation, return, *or resettlement* . . ."

We trust that you will give these proposals your careful consideration and that you will use your good offices in urging their inclusion in the policies to be adopted by the Council of UNRRA at its present session. We express our deep appreciation of your interest and understanding of these grave problems.

(signed) MISS JANE EVANS, DR. A. S. KOHANSKI

Representing the American Jewish Conference

(signed) DR. A. TARTAKOWER

Representing the World Jewish Congress

September 17th, 1944.

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