

SPECIAL CATEGORIES

1. The following paragraphs, which are taken from SHAEF Administrative Memorandum No. 39 revised. Indicate the procedure to be followed in dealing with special categories of displaced persons in Germany.

2. Liberated Soviet Citizens.

Nationals of the USSR liberated after 11 February, 1945, will be treated as other United Nations displaced persons except that the following additional provisions will be made for them:

a. They will in all cases be segregated in centers of their own as soon as the validity of their claims to Soviet citizenship has been accepted by Soviet Repatriation Representatives. Prior to this time they will be cared for as other United Nations displaced persons, except that responsibility for their care and repatriation will, under no circumstances, be transferred to or delegated to the governments of liberated Allied countries.

b. Soviet Repatriation Representatives will have the right to appoint the internal administration and set up the internal discipline and management of centers in accordance with USSR military procedure and USSR law, except that military commanders will, in each case, appoint a military officer as Commandant, who shall have the final responsibility for the overall administration and discipline of the center. Military commanders will be responsible for the outside protection of, and access to and from, these centers.

c. After identification by Soviet Repatriation Representatives, Soviet displaced persons will be repatriated regardless of their individual wishes.

d. Legal. (See Part II, Section 9).

e. The removal of Centers as well as the transfer from one Center to another of Soviet displaced persons will be effected by agreement between military commanders and the senior Soviet Repatriation Representative in their districts. The removal of Centers and the transfer of Soviet displaced persons may, in exceptional circumstances, be effected without such preliminary agreement, provided that the senior Soviet Repatriation Representative is immediately notified of such removal or transfer with a statement of the reasons.

f. When Soviet nationals are employed outside Assembly Centers they will work under the supervision of Soviet officers.

g. Soviet Repatriation Representatives.

SHAEF will procure a limited number of Soviet Repatriation Representatives who will be called forward by military commanders in the same manner as prescribed for Allied Liaison Officers for Repatriation to perform the functions of such representatives as specified in the Yalta Agreements of 11 February, 1945. They will carry on their functions in military zones only under competent military orders issued by SHAEF or subordinate Headquarters.

3. United Nations Displaced Persons Formerly Residing in Countries Other Than Their Own.

a. These persons will be assisted to return to their countries of former residence provided that Liaison Officers for Repatriation concerned issue the necessary visas.

b. If the necessary visas are not issued they will be referred to Liaison or Consular Officers of their own nationality.

4. Persons Claiming United Nations PW or Civilian Internee Status.

a. The following persons will initially be cared for as United Nations displaced persons:

(1) Persons of United Nations nationality found outside PW camps who claim to be PWS.

(2) Members of military forces fighting under Allied command who have escaped or evaded capture by the enemy and are uncovered in the course of military operations.

(3) British/US civilians found outside civilian internment camps who claim to be civilian internees.

b. Persons in categories (1) and (2) above will be reported to Supreme Headquarters, AEF, G-1 Division, PWX Branch or the nearest PWX organization, who will investigate all such cases and determine whether or not the claimants are in fact entitled to that status. The care and repatriation of those found to be so entitled will be a responsibility of PWX. PWS will be evacuated through PW channels direct from these centers under Army Group arrangements.

c. When persons in category (3) above are uncovered, their presence should be notified to PWX. These persons will subsequently be dealt with in accordance with Supreme Headquarters, AEF, G-1 Administrative Memorandum on "The Care and Evacuation of US/British Civilian Internees" dated 30 November 1944.

d. PW Contact Officers will be called forward as necessary to assist in the control, care and identification of PW in Assembly Centers.

e. While in Assembly Centers PW will be maintained in accordance with standards established for United Nations displaced persons.

5. Non-interned Us and British Civilians.

a. Those will be dealt with as United Nations displaced persons and will be reported through channels to the appropriate consular authorities, whose authorization will be required before they can be repatriated.

b. Applications for relief loans may be made to US consular officers by US citizens awaiting repatriation.

6. Wives, Husbands and Children (Legitimate or Otherwise) of United Nations Displaced Persons.

These, even if of different nationality, will be admitted into Assembly Centers for United Nations displaced persons and will be permitted to

accompany them when they are repatriated provided that Liaison Officers for Repatriation issue the appropriate visas. If refused visas they will be dealt with in accordance with provisions made for other persons of their nationality or former residence.

7. Displaced Persons of Doubtful Nationality Claiming United Nations Nationality.

- a. When these persons claim to be of a particular nationality, or opt for it under any arrangement which may be offered by the government of that nationality, they will be referred in the first instance to a Liaison Officer for Repatriation of that nationality.
- b. If the claim of these persons to be of a particular nationality or their option is not accepted by the Liaison Officers for Repatriation concerned, they will be dealt with as indicated in paragraph 10.

8. Non-enemy Displaced Persons Whose Nationality Is Affected By Territorial Changes.

- a. These persons will, in the first instance, be referred to a Liaison Officer for Repatriation of their claimed nationality if available.
- b. If these persons desire to return to their districts of former residence, sovereignty over which has been transferred to an Allied government to which sovereignty has been transferred.
- c. If these persons are denied visas by such Liaison Officers for Repatriation, duplicate copies of their DP 2 cards will be forwarded to Supreme Headquarters, AEF, with a statement of particulars. They will be dealt with as indicated in paragraph 10.
- d. If these persons do not desire to return to their districts of former residence, and a Liaison Officer for Repatriation of their claimed nationality is not available, they will be dealt with as in paragraph 10.

9. United Nations Displaced Persons Refusing To Return To Their Countries or Districts of Nationality or Former Residence.

- a. These persons, unless they have been identified as Soviet citizens by Soviet Repatriation Representatives, will not be returned to their countries of nationality or districts or former residence unless they have committed war crimes, trial for which requires their presence there.
- b. Duplicate DP2 cards of these persons will be forwarded through military channels to Supreme Headquarters, AEF with a statement of the reasons given for such refusal.
- c. Supreme Headquarters will consider each case in the light of the following policies:
 - (1) If the reasons for refusal are substantial, the individuals will be dealt with as indicated in para 10.
 - (2) If the reasons are not considered substantial the individuals will be advised that military authorities can take no further responsibility for their care and maintenance. In either case, the duplicate DP2 cards will be returned to the Assembly Centers concerned with suitable endorsements

d. Supreme Headquarters will issue instructions based on the disposition of such cases to serve as a guide to Assembly Center Directors in dealing with subsequent cases.

Note: Enemy and ex-enemy displaced persons, except those assimilated to United Nations status, will be returned to their countries of nationality or former residence without regard to their personal wishes.

10. Stateless Persons, Including Persons of Enemy and Ex-enemy Origin.

a. Stateless persons may include persons who have been denationalized, whose country of nationality cannot after investigation be determined, who cannot establish their right to the nationality claimed, or who lack the protection of any government.

b. Stateless persons will be accorded the same assistance granted to United Nations displaced persons, when this is authorized by competent Military Government authorities because of their loyalty to the Allied cause. Those who are not authorized will be a responsibility of the German authorities.

c. Duplicate DP2 cards of stateless persons dealt with as United Nations displaced persons will be forwarded to Supreme Headquarters, AEF, when their status as such is determined.

d. Such stateless persons who refuse to accept provision made for their resettlement will be informed that the military authorities can accept no further responsibility for their care and maintenance.

Note: Persons should be relegated to the category of stateless persons only after the failure of every effort made to determine their nationality.

11. Enemy and Ex-Enemy Nationals Persecuted Because of Their Race, Religion or Activities in Favor of the United Nations.

a. These will be accorded the same assistance granted to United Nations displaced persons, provided that their loyalty to the Allies has been determined and this is authorized by competent Military Government authorities.

b. Non-German nationals in this category will be repatriated or disposed of in accordance with para 9.

c. German nationals in this category who do not wish to be returned to their districts of former residence will be dealt with in accordance with para 9.

12. Neutral Displaced Persons.

a. These may be accorded the same assistance granted to United Nations displaced persons. However, they will not be admitted to United Nations Assembly Centers unless authorized by competent military government authorities. Those who are not so authorized will be a responsibility of the German authorities.

b. Their presence will be notified through command channels to the consular officer of their nationality who will make the necessary arrangements for their repatriation.

13. Non-German Nationals Who Have Served or Collaborated With the Enemy.

a. Treatment prior to defeat or surrender:

Those not held as PW or civilian detainees will be treated as displaced persons according to their nationality (See AG 383-2 GAP-AGM, 2 December and 10 December 1944 concerning United Nations nationals in this category).

b. Treatment after defeat or surrender:

(1) Those who have been discharged or released by the demobilizing authorities will be dealt with as displaced persons according to their nationality.

(2) Stragglers, deserters, self-demobilized personnel and others informally discharged from enemy military or para-military organizations will be detained, their presence reported to the appropriate Allied demobilization authority, and arrangements made for their transfer to such authority.

14. Nationals of Ex-Enemy Nations at War With Germany.

Nationals of Italy, Finland, Roumania, Bulgaria and Hungary fall into four categories, and will be dealt with as follows:

a. Those captured by the Allies while fighting under Axis command or collaborating with the enemy. These are a responsibility of G-1.

b. Those captured by the enemy while fighting under Allied command, and uncovered by Allied military forces. These are a responsibility of G-1.

c. Displaced persons. These are a responsibility of DPX, and will be treated as ex-enemy displaced persons except as in para 11.

d. Military internees, i.e. members of ex-enemy armed forces, disarmed and interned by the enemy when their governments surrendered to the Allies. These, when found in organized camps, will initially be a responsibility of G-1 until their status as military internees has been determined. They will then be handed over to DPX and dealt with as ex-enemy displaced persons, except as in para 11.

15. Japanese Nationals.

All Japanese nationals will be handed over to G-1 for detention as PW or civilian internees.