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W.M. (44)

83rd Conclusions.

WAR CABINET 83 (44).

CONCLUSIONS of a Meeting of the War Cabinet held in the Cabinet War Room on Wednesday, 28th June, 1944, at 6 p.m.

Present :

The Right Hon. WINSTON S. CHURCHILL, M.P., Prime Minister (*in the Chair, Items 4-6*).

The Right Hon. C. R. ATTLEE, M.P., Lord President of the Council (*in the Chair, Items 1-3*).

The Right Hon. ANTHONY EDEN, M.P., Secretary of State for Foreign Affairs.

The Right Hon. Sir JOHN ANDERSON, M.P., Chancellor of the Exchequer.

The Right Hon. ERNEST BEVIN, M.P., Minister of Labour and National Service.

The Right Hon. OLIVER LYTTTELTON, M.P., Minister of Production.

The Right Hon. HERBERT MORRISON, M.P., Secretary of State for the Home Department and Minister of Home Security.

The Right Hon. LORD WOOLTON, Minister of Reconstruction.

The following were also present :

The Right Hon. VISCOUNT SIMON, Lord Chancellor.

The Right Hon. VISCOUNT CRANBORNE, Secretary of State for Dominion Affairs.

The Right Hon. LORD BEAVERBROOK, Lord Privy Seal.

Colonel the Right Hon. OLIVER STANLEY, M.P., Secretary of State for the Colonies (*Items 2-5*).

The Right Hon. Sir JAMES GRIGG, M.P., Secretary of State for War (*Items 2-6*).

The Right Hon. Sir ARCHIBALD SINCLAIR, Bt., M.P., Secretary of State for Air.

The Right Hon. Sir STAFFORD CRIPPS, K.C., M.P., Minister of Aircraft Production.

The Right Hon. BRENDAN BRACKEN, M.P., Minister of Information.

The Right Hon. ERNEST BROWN, M.P., Chancellor of the Duchy of Lancaster (*Item 6*).

The Right Hon. RICHARD LAW, M.P., Minister of State (*Items 1-5*).

The Right Hon. LORD CHERWELL, Paymaster-General.

The Right Hon. Sir DONALD SOMERVELL, K.C., M.P., Attorney-General.

The Right Hon. JAMES STUART, M.P., Joint Parliamentary Secretary, Treasury (*Item 6*).

The Right Hon. W. WHITELEY, M.P., Joint Parliamentary Secretary, Treasury (*Item 6*).

Secretariat :

Sir EDWARD BRIDGES.

Sir GILBERT LAITHWAITE.

WAR CABINET 83 (44).

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United Nations Reconstruction and Development Bank.

1. The War Cabinet had before them a Memorandum by the Chancellor of the Exchequer (W.P. (44) 338) on the proposed United Nations Bank of Reconstruction and Development, which was to be discussed at Bretton Woods. There were strong arguments for the organisation of the Reconstruction Bank at a very early date, but the American scheme needed elucidation and amendment in certain essentials.

The Chancellor of the Exchequer said that the Treasury felt that if such a Bank could be established on the terms for which we proposed to press, it might serve a very useful purpose. The main point on which amendment was necessary was to ensure that loans should be completely "untied," and so available for purchase not only in the country in which they were issued, but in any member country. The position of existing bondholders would also need very careful consideration. Subject to these points, and to the remaining points which he had made in paragraph 3 of his Memorandum, he thought the plan a good one.

Points made in discussion :—

(a) *The Minister of Labour and National Service* asked whether the Bank would be required to pay any regard to labour conditions and the importance of raising the general standard of living in making loans. Would the Committee of the Bank consult the I.L.O.? Certain observations had been made on this point in the recent I.L.O. Conference in Philadelphia.

The Chancellor of the Exchequer sympathised with the Minister of Labour's point. The Bank was not compelled to agree to a particular proposition if it did not think it merited approval. He rather doubted the suitability of inserting a stipulation on this point in the charter of the Bank, but he would be very ready to instruct our representatives to see that this point was taken into consideration.

(b) *The Lord President of the Council* suggested that our delegates might keep in mind the desirability of constituting the Bank in such a way that it could be used to maintain a steady as well as a large flow of international investments.

The Chancellor of the Exchequer said that this would accord with the intentions of the scheme.

The War Cabinet—

Agreed that, subject to amendment of the American scheme in the respects described in paragraph 3 of W.P. (44) 338 and to consideration of the point raised by the Minister of Labour and National Service, our delegation to the forthcoming Monetary Conference should be authorised to support the drawing up of a definite scheme for submission to Governments.

Ethiopia.

(Previous Reference: W.M. (43) 167th Conclusions, Minute 1.)

2. The War Cabinet had before them two Memoranda by the Secretary of State for Foreign Affairs :—

(a) W.P. (44) 333.—Policy in Ethiopia.

(b) W.P. (44) 334.—British interests in Ethiopia.

The Secretary of State for Foreign Affairs said that in the first of these Memoranda he had examined the general question of the policy to be adopted by His Majesty's Government in Ethiopia, and had urged the advisability of collaboration with the United States to provide Ethiopia on a joint basis with financial and other assistance. There were many detailed points which called for consideration. He suggested that the issue as a whole might be considered by a Ministerial Committee. He felt that there was a basis for a very reasonable deal at the peace table between Ethiopia and ourselves. The difficulty was to bridge the interim period until the peace, and for that purpose to keep the old Agreement in being pending the negotiation of a new one.

The Secretary of State for the Colonies supported the proposals of the Secretary of State for Foreign Affairs.

The Secretary of State for War suggested that our case might be stronger than appeared on the surface, and thought that the Committee should not be tied down to recommending a policy of strict collaboration with the United States.

After further discussion, the War Cabinet—

Appointed a Committee comprising—

the Chancellor of the Exchequer (in the Chair);
the Secretary of State for Foreign Affairs;
the Secretary of State for the Colonies;
the Secretary of State for War; and
the Minister of State;

to consider and report to the War Cabinet on the questions of policy in Ethiopia set out in W.P. (44) 333 and W.P. (44) 334.

**Arrangements
for
Repatriation
of Certain
Germans.**

3. *The Home Secretary and Minister of Home Security* said that arrangements had now been reached with considerable difficulty for the exchange of 500 Germans now interned in this country for the same number of British subjects interned in Germany. Nearly all were interned in the Isle of Man, but ten were at present at large. He proposed to arrest and intern the ten until they were exchanged. In the interests of preventing up-to-date information from getting back to Germany, he had considered whether all visits to internees in the Isle of Man should not be stopped until the exchange had taken place. Such a decision would be open to the charge that we were behaving in an inhumane fashion, and there was the risk of retaliation.

In reply to questions, *the Home Secretary and Minister of Home Security* undertook to enquire further as to the position of these ten individuals. He emphasised his anxiety that the repatriation of the 500 British internees to be exchanged for the 500 German internees should not be held up if this could be avoided.

The War Cabinet—

Agreed that the Secretary of State for Foreign Affairs and the Home Secretary and Minister of Home Security should discuss the matter with authority to settle any outstanding points.

**War
Criminals.**
Treatment of
Major Enemy
War
Criminals.
(Previous
Reference:
W.M. (44) 34th
Conclusions,
Minute 4.)

4. On the 13th March the War Cabinet had considered the question of the treatment of the major enemy war criminals, namely, those "whose offences have no particular geographical location, and who will be punished by a joint decision of the Governments and their Allies."

The War Cabinet now had before them—

- (i) A Memorandum by the Secretary of State for Foreign Affairs (W.P. (44) 330) to which were attached tentative lists of the major German and Italian criminals;
- (ii) A Memorandum by the Lord President of the Council commenting on this list (W.P. (44) 345); and
- (iii) A Memorandum by the Lord Chancellor (W.P. (44) 294) to which was annexed a revised draft formula to express the proposal which His Majesty's Government should make to the United States and Soviet Russia in defining the procedure to be adopted in dealing with these major criminals (Annex 7).

The following were the main points made in discussion:—

(a) It was urged that the compilation and publication of the list of the 50 or 100 most prominent war criminals would tend to isolate them from the ordinary people in the Axis countries. It could not be denied that the Nazi Leaders had committed terrible crimes which called for the extreme penalty.

(b) It was pointed out that the list compiled by the Secretary of State for Foreign Affairs included a considerable number of persons who occupied prominent posts in the Nazi party, but who were quite unknown to the general public. On the one hand it could be argued that the fact that they had held these posts was, *prima facie*, evidence of guilt. On the other hand, it was argued that what was really called for was a short list of a dozen or so of persons who had exercised supreme power in Germany in the last few years, and who were responsible for the crimes which had been committed.

(c) Some Ministers feared that publication of a list at the present time might result in a threat to put to death, by way of retaliation, a number of men of Allied nationality now in the hands of the enemy. Moreover, such a threat might well be acted upon. It was, therefore, suggested that it would be better to postpone publication of the list until the defeat of the enemy could be seen to be more imminent.

(d) It was important to stress in a public announcement the contrast between war crimes committed in particular localities, and for which specific evidence could be adduced, and the major war criminals whose offences had no geographical location.

(e) Some of the difficulties referred to in (c) might perhaps be avoided by an announcement on the lines of Annex 7 to W.P. (44) 294, which stressed the distinction in (d) and proceeded on the following lines:—

“The inner ring of enemy leaders whose crimes have no geographical location and who have been generally responsible . . . if they fall into the hands of the Armed Forces of the United Nations will be dealt with according to the decision of the United Nations as to their fate. This inner ring would consist, among others, of . . . &c.”

The War Cabinet's decision was as follows:—

- (1) The Lord Chancellor, the Minister of Aircraft Production and the Attorney-General were invited to submit to the War Cabinet revised proposals, prepared in the light of the discussion, for dealing with the major war criminals. This report should include a revised draft formula to express the proposal that His Majesty's Government would make to the United States and Soviet Russia for defining the procedure to be adopted in dealing with these major criminals.
- (2) A decision as to publicity was deferred; bearing in mind that this point would not arise until a later stage.

**War
Criminals.**

United
Nations
War Crimes
Commission.
(Previous

Reference:
W.M. (42)181st
Conclusions,
Minute 7.)

5. The War Cabinet had before them a memorandum by the Lord Chancellor (W.P. (44) 294) reviewing the work of the United Nations War Crimes Commission.

The Lord Chancellor thought that the Commission had put an unduly narrow construction on their terms of reference, and that their work had suffered accordingly. He made a number of suggestions which may be summarised as follows:—

(a) The Commission should be pressed to take a broader view of their functions.

(b) They should be told that His Majesty's Government attached importance to their collecting evidence of the commission of war crimes generally by our enemies.

(c) Sir Cecil Hurst should be informed that His Majesty's Government agreed that further consideration should be given to the suggestion that members of the German organisation that has been administering the various occupied territories might properly be detained pending the further evidence that would be available after the countries were reoccupied.

(d) We should be ready to agree to an extension of the Commission's terms of reference to include crimes committed against Italians and Danes.

(e) We hoped that the Commission would collect evidence of atrocities perpetrated in occupied countries by Germans against Jews.

The War Cabinet—

Approved these proposals, subject to the discussion by the Secretary of State for Foreign Affairs and the Lord Chancellor of certain minor points.

By-Elections.
Suggested
Temporary
Release of
Party Agents
from the
Services.

6. The War Cabinet considered whether authority should be given for the temporary release from one of the Services of the Party Agent in a Constituency in which a by-election would shortly take place.

In favour of this course, it was urged that it was greatly in the public interest to take steps to facilitate the proper working of our democratic institutions. Moreover, as the proposal was limited to by-elections, the number of cases would be small. All the political parties must, of course, be treated alike in this matter.

From the point of view of the man-power situation, *the Minister of Labour and National Service* said that it would be difficult to do more than apply to such cases the machinery which already existed for dealing with persons with special qualifications whose release was asked for. For example, the Party Leaders might make application to his Department through the usual channels, it being understood that no men could be released unless this was compatible with military requirements. Most of the men concerned were of mature age.

On the other hand, it was urged that the needs of the Parties at by-elections could usually be adequately met by officers detached from the central party political organisation; and that temporary release from the Services for political purposes might well be subject to severe criticism.

The War Cabinet—

Agreed that the matter should be the subject of examination and early report by a Committee. The Parliamentary Secretary to the Ministry of Labour would be Chairman of this Committee. The Joint Parliamentary Secretaries to the Treasury would arrange for a representative of each of the main political parties to be associated with the Parliamentary Secretary in this enquiry.

*Offices of the War Cabinet, S.W. 1,
28th June, 1944.*

