

TRANSMITTAL S. P.

TO:

CTIO

BUILDING

ROOM NO.

REMARKS:



FROM:

EE/PPG

BUILDING

ROOM NO.

EXTENSION

FORM NO. 36-8  
SEP 1946

16-65208-1 GPO

DECLASSIFIED AND RELEASED BY  
CENTRAL INTELLIGENCE AGENCY  
SOURCE METHOD EXEMPTION 3829  
NAZI WAR CRIMES DISCLOSURE ACT  
DATE 2007

**SECRET**  
SECURITY INFORMATION

14 August 1952

**MEMORANDUM FOR: THE RECORD**

**SUBJECT: The International Congress of Jurists in Berlin**

1. The International Congress of Jurists concluded its highly successful six-day meeting on 11 July 1952 by accepting unanimously a series of resolutions which censured the tyrannical administration of justice in the Soviet Zone of Germany. The assembled delegates voted the establishment of a standing committee under J. T. Thorsen (Canada) to continue the work of the Congress and to collaborate with the League of Free Jurists in the further examination of systematic violations of accepted legal principles by Communist regimes.

2. The Congress was convened under the auspices of the League of Free Jurists of the Soviet Zone (Wahrnehmungsausschuss Freirechtlicher Juristen der Sowjetzone) for the avowed purpose of studying and publicizing juridical conditions in Soviet-bloc countries. The 115 prominent foreign delegates who accepted the League's invitation included many noted legal experts from western nations and 30 jurists in exile from the USSR and her satellites. Also in attendance as observers were 14 German lawyers and jurists, U. S., British, and French HIGH officials and prominent Berlin personalities. A partial list of the delegates is included as Annex I.

3. In his welcoming speech on 25 July, the League director, Dr. Theo Friedmann, rejected the charges of espionage made by the Communist press against his group and emphasized that his organization is dedicated to the combatting of injustice in the Soviet Zone of Germany. He pointed out that the League collects, examines, and registers information on the administration of law and justice in the Communist-controlled territory - information which should be public knowledge but which the Soviet/German authorities must conceal as it constitutes evidence of their perversion of law. Dr. Heinrich Voegel addressed the Congress on behalf of the West German government and the Berlin Senator for Justice. Dr. Klöninger spoke in place of Mayor Dr. Ernst Reuter of Berlin. The mayor, who had been delayed by a trip to London, appeared before the full assembly later on the same day.

4. The following delegates were named to the Presidium of the Congress:

**SECRET**

**SECRET**  
SECURITY INFORMATION

-4-

J. T. Thorsen, Canada - President  
Per Federspiel, Denmark  
Jose Nabuco, Brazil  
H. B. Tayehji, Pakistan  
E. Zellweger, Switzerland

5. The Indian delegates proposed to broaden the agenda to include human rights in non-colonial areas, particularly South Africa, but the majority decided that this would detract from the values inherent in a compact agenda. The proposal was dropped with the understanding that its sense would be incorporated in the final resolutions of the Congress. The working agenda, as agreed, was:

- a. Lecture on basic philosophy of justice
- b. Lecture on justice in the Soviet Zone of Germany (Dr. Friedmann)
- c. Meetings in committee
- d. Lectures by exiled and emigre jurists
- e. Presentation of committee reports
- f. Lecture on the right to resist injustice
- g. Adoption of final Congress resolutions
- h. Any other business

6. Four working committees were established to examine the evidence presented by the League and other sources in the field of:

Labor Law - Chairman P. H. Moys, U. S. A.  
Vice-Chairman Kreher, France

Civil and Economic Law - Chairman Ekelof, Sweden  
Vice-Chairman Lin, China

Penal Law - Chairman Ballavista, Italy  
Vice-Chairman Bississe, Iraq

Public Law - Chairman Carabajal, Uruguay  
Vice-Chairman Zellweger, Switzerland

7. The third, fourth, and fifth days of the Congress were devoted to committee work. The voluminous records of East Zone injustice which the League has compiled in its three years of activity formed the basis for the committee studies. In addition, professionally qualified emigres submitted reports and testimony on parallel disregard for the rule of law in other Soviet-controlled areas. The committee reports were presented to the full assembly on the final day, 31 July, and, with certain amendments, were accepted by acclamation. Details of the committee reports are included in Annex II.

8. Final resolutions by the Congress declared that: (a) accepted principles of law have been systematically violated in the Soviet Zone; (b) such violations are of direct concern to all jurists throughout the

**SECRET**

**SECRET**  
**SECURITY INFORMATION**

-3-

world; and (c) the administration of justice in the Soviet Zone is a virtual tyranny which even disregards many basic provisions of the East German constitution. Supplementary resolutions (by Van Dal, Netherlands) condemned the kidnapping of Dr. Walter Linse and (by P. Triandaf, India) the Soviet Zone "show" trials of alleged League collaborators.

9. The Congress also acknowledged a massive document entitled "Injustice as a System," which the West German Federal Government placed before it. This document exposes the oppressive workings of the East German legal machinery. The Congress voted to send copies of this document, together with its own resolutions, to the East German Government, to Soviet occupation authorities, and to Secretary General Trygve Lie of the United Nations "for their information and such action as may be appropriate." Copies of the Congress resolutions were also directed to the West German Government.

10. The closing session was addressed by a number of well-known dignitaries including Stefan Gruzky (Czechoslovakia), Leontin J. Constantinescu (Romania), and George Morris (USA). All emphasized the deep impression left by the Congress and expressed the highest regard for the League's preparation of documentary materials. East Zone co-workers of the League were wished success in their struggle against oppression and injustice. The assembly was informed that jurists in exile from the satellite countries will establish a council of independent national free jurists which will seek association with or integration into the International Congress after establishing itself.

11. The permanent standing committee established by the Congress has the following members: J. T. Thurson, Canada (Chairman); A. J. M. Van Dal, Netherlands (Secretary); Federspiel, Denmark; Nabuco, Brazil; Tayabji, Pakistan; and Zellweger, Switzerland. Seat of the committee is The Hague, Netherlands. In addition to maintaining contact with the League of Free Jurists, the committee was directed by resolution to investigate perversion \* by Soviet occupation authorities of Allied Control Council directives.

12. A press conference in three languages was held daily. Twelve Voice of America correspondents, fifteen from Radio Free Europe, and numerous press representatives covered the Congress. Important speeches were broadcast by NWDR, RIAS, RFE, and VOA. Three German and four foreign companies recorded the full assembly proceedings for the newscasts. Coverage by the press in Germany was excellent.

---

\* This is believed to refer specifically to arraignment and conviction in the Soviet Zone of persons classified as activists under Part III of Section A, Article 3, Offenders - ACC Directive No. 38, which reads: "An activist shall also be anyone who after 8 May 1945 has endangered or is likely to endanger the peace of the German people or of the world, through advocating national socialism or militarism or inventing or disseminating malicious rumors."

**SECRET**

**SECRET**  
**SECURITY INFORMATION**

-4-

13. The Communist regime in East Germany attempted to discredit the Congress by denouncing the sponsoring League as an American spy ring and by staging show trials of League collaborators. Dr. Walter Linse, League economic section chief, had been forcibly abducted from West Berlin into the East Zone several weeks previous to the Congress. His kidnapping was widely publicized at the time and the details were known to most of the attending delegates. The Communist authorities also staged a "show" trial in East Berlin on 25-26 July of seven of Linse's co-workers who were arrested in the Soviet Zone of Germany. The accused were charged with furnishing information on the GDR economy and state administration to the League and then sentenced to long prison terms. Specific violations were claimed of Article 6 of the GDR constitution in conjunction with AGO Directive No. 38. Dr. Friedenau countered in a RIAS speech to the East Zone population that the collection of information which should be public knowledge could hardly be called espionage. He gave assurances that the League would continue to expose Soviet exploitation of East Germany.

14. Despite these setbacks, and despite local predictions of even more serious attacks, the work of the Congress and the sponsoring League appears to have been enhanced rather than discredited by the Communist efforts. HICOG Berlin (ref: EE-278 of 29 July, 1952) states that, throughout the trial, the Communists demonstrated extreme sensitivity not only to documentary evidence that would be disclosed at the Jurists Congress but also to the effectiveness of the Free Jurists League and RIAS in disrupting the internal East Zone programs. This telegram concludes:

Although the trial reveals considerable information re scope and functional methods of the Free Jurists' operations and although the number of collaborators falling into the hands of the East German security police may increase ... we believe that this should not shake, as the Soviets desire, the confidence in the Free Jurists. On the contrary, we believe that the trial provides the best evidence of the soundness and effectiveness of this organization which should encourage increased support and every effort to improve operational and security measures to protect the Jurists and their collaborators.

A second HICOG Berlin telegram (ref: 213 of 2 August 1952) states that the Communist tactics boomeranged, inspiring the assembled delegates to pronounce publicly and officially full praise and support for the Free Jurists, its program, and its courageous Soviet Zone collaborators.

15. This same cable reports that preliminary impressions reflect a unanimous opinion that the Congress was an outstanding success despite the many misgivings at the outset. This positive result was attributed by most delegates to the quality and quantity of the evidence prepared by the Free Jurists as well as to the sense of immediacy produced by the Communists' countermeasures such as the kidnapping and the Communist "show" trials. American, British, Rumanian, Swiss, Iranian, Turkish, Chinese, Siamese, and particularly Canadian participants were enthusiastic about the organization and handling of the Congress and its attainment of

**SECRET**

**SECRET**  
**SECURITY INFORMATION**

-5-

positive objectives. British officials in Berlin who had predicted a gloomy failure for the Congress were so impressed by its success that the British High Commissioner requested that arrangements be made for him to meet Dr. Friedanau. An American delegate, Mr. Morris, former President of the American Bar Association, expressed his unbounded admiration for Friedanau, his ability and his accomplishments. The Rumanian delegate, Leon tin Constantinescu stated both publicly and privately that this was far and away the best of the many congresses he has attended in that it had a clear positive objective plus the supporting material and the organizational machinery to keep the attention of the delegates focussed on the attainment of positive results.

16. After the Congress, the delegates exiled from the satellite countries met and agreed unanimously to form a standing committee preparatory to the convening of the constituent assembly of all exiled jurists for the purpose of creating national leagues of exiled free jurists from the Iron Curtain areas. These leagues will be closely affiliated with the standing committee of the Congress, and, eventually, with an international association patterned after and guided by the German League. A meeting in October, probably in Munich, was tentatively scheduled for the foundation of the national Leagues.

FRANK G. WISNER  
Deputy Director

7 August 1952

Attachments

EE/PC/G/RAA/mz

**DISTRIBUTION:**

Addressee - Orig. and 1

[ ] - 1

DU/r - 1

ER - 1

RI/PI - 2

EE/PC/G - 2

[ ] - 1

**SECRET**

**SECRET**  
SECURITY INFORMATION

-6-

Annex I

OFFICIAL LIST OF DELEGATES

Note: This comprises the list of official delegates who accepted invitations to the Congress; their attendance has not been confirmed.

Albania:

Hasan Dosti  
Nasri Kotta  
Selim Danam

Austria:

Professor Dr. G. J. Ebers  
Professor Dr. Erich Sachser

Belgium:

Antoine Braun

Brazil:

Professor Cesarino  
Jose Mabuco

Bulgaria:

Nikola Dolapchiev  
Rada Dolapchievna  
Vladimir Pascaleff

Canada:

Hon. J. T. Thorson  
Hon. L. W. Brockington

Estey

Hon. Roy Lindsay Kellock

China

Francis S. F. Liu

Czechoslovakia:

Dr. Joseph Mikus  
Dr. Stefan Osusky  
Dr. Jaroslav Stransky  
G. Veltrusky

Denmark:

Jens Buhl  
Ove Rasquscen  
Per Federspiel

Egypt:

Saba Rabashy Pasha  
Professor Dr. Mahmoud Abou Afia

Estonia:

Johannes Klesment

France:

Theo Bernard  
Daniel Boisson  
Vincent de Moro Giafferi  
Dr. Jean Kraher  
Gerard Rosenthal

Great Britain:

Sir Alfred Brown  
Professor Dr. E. J. Cohn  
Walter Rseburn  
Sir G. R. Vick

Greece:

Cazis

Iceland:

T. O. Thorarensen

India:

Purshattam Tricandam

Iran:

Dr. Parviz Kazesi  
E. Khaje Nouri

Iraq:

Dr. Sadi Bississo

Ireland:

G. C. Duffy

**SECRET**

Italy:

Professor G. Bellavista  
Professor G. G. Bettiol  
On. Bruno Castellari  
Dr. Vitterio Igotta  
Professor Avv. Luigi de Luca  
Professor Falvio Marol  
Luigi Preti  
Professor Fernando Bella Ressa

Japan:

Shunso Kobayashi  
Takehiro Matsumoto  
Aasa Miyake  
Dr. Kiyoshi Nozi

Korea:

Kyu Heng Chyun  
Shee Had Chun  
Lee Bom No  
Park Hyun Kak

Latvia:

Janis Breikis  
W. Cakste  
Atis Grantskalne

Lebanon:

Phillippe Boulos  
Alfred Naccache

Lithuania:

Magkin Brakas  
Juozas Sakalauskas  
Dr. Anthony Trimakas

Netherlands:

A. J. M. van Dal  
C. van Rijn  
B. W. Stamps  
Dr. Edward v. Saher

Norway:

Sven Arntsen  
Professor Johs. Andenaes  
Sverre Daehli

Norway (Cont'd):

Anton Friele  
Christian L. Jensen  
Jacques Raeder  
Inge Schefle

Pakistan:

Tyabji

Poland:

Titus Komarnicki

Portugal:

Dr. Manuel Fernandes  
Professor Luis Pinto Coelho

Romania:

Dr. Miron Sutarix  
L. J. Constantinescu

Spain:

Alfonso de Arsu  
Dr. Don A. Quintano-Ripellas

Sweden:

Professor Dr. Ekelöf  
Professor Henrik Munktell  
Professor Folke Schmidt

Switzerland:

Professor Dr. Jean Graven  
Dr. E. Zellweger

Thailand:

Seni Pramoj

Turkey:

Fren S. Agaoglu  
Dr. Hikmet Belbes  
Dr. Redat Dicleli

Uruguay:

Dr. Juan Jose Carabajal



**SECRET**  
SECURITY INFORMATION

-8-

United States:

D. H. Bussal  
Professor P. R. Hays  
F. R. Hoyt  
Professor Dr. Heinrich Reenan  
George Morris  
J. G. Rogers  
Robert Storey

USSR:

Gregor Avalliani  
T. N. Davletshin  
Engene Guegatchori  
George Guins  
Professor Nicolas Myuchenkoff  
Nikolaj Semenov

Vietnam:

Pham Van Ba

SECRET

# SECRET

## SECURITY INFORMATION

-9-

### ANNEX XI

#### ORGANIZATIONAL REPORTS

1. The Report of the Committee for Labor Law determined that workers in the Soviet Zone of Germany were denied, by both law and practice, many basic rights which are legally defined in most civilized lands. Specifically, Soviet Zone workers are not free to choose or change their occupations, not free to organize into free labor unions, and not assured adequate medical care and security when employed in nationalized industries. Furthermore, they are frequently discharged without the right of appeal for purely political reasons. The Labor Committee's report was accepted without change by the evening session.
2. The Report of the Committee for Civil and Economic Law concluded that (a) the Soviet Military Administration directives and the continuing Soviet Zone expropriations without compensation had the final aim of establishing a totalitarian system of state capitalism; and (b) that both are illegal to the extent that they exceed the provisions of the East German law governing expropriation of property held by war criminals and former active Nazis. The report further concluded that East German laws concerning expropriation for the purpose of socialization are in conflict with Article 17 of the United Nations Declaration of Human Rights (UNDHR). The committee also found it a matter of fact that expropriation of property without compensation was often decreed by East German courts or administrative bodies without the factual evidence of war criminality or Nazi activity which East German law requires; the denial of legal redress in these cases was in direct conflict with Articles 8 and 10 of the UNDHR. This report was also accepted by the plenary session without amendment.
3. The Report of the Committee for Penal Law affirmed that widespread examples exist in the Soviet Zone of ten basic types of violations of accepted civilized penal procedure. These violations include, among others, arbitrary arrest, torture, blanket denial of appeal from courts or administrative agencies and denial of public trial. The committee concluded that these wholesale violations offend the conscience of mankind and are contrary to Articles 3, 5, 9, 10, 11, 18, and 19 of the UNDHR. The report emphasized that these violations are in deliberate disregard of the East German constitution and of existing legislation. These sections of the report by the Committee on Penal Law were accepted without change. The Congress eliminated a section which recommended incorporation into the legal systems of all nations of the criminal law principles set forth in the UNDHR and which affirmed the responsibility of all Jurists to abide by the rule of law, subject to sanction by a court of law.

SECRET

4. The Committee for Public Law examined the East German constitution of 7 October 1949. It concluded that the SED administrative authorities are deliberately and flagrantly violating not only the constitution but also fundamental laws of humanity and general legal principles as stated in Articles 8, 12, 13, 17, 19, 20, 21, 26, and 27 of the URSR. After hearing reports from emigre jurists from Albania, Georgia, Rumania, Czechoslovakia and the Baltic states, the Committee also found that the conditions prevailing in those countries constitute grave violations of the URSR. The Committee's report urged the necessity of both a constant review of legislation and its administration behind the Iron Curtain, and a continuing investigation of the systematic disregard for established laws by the Communists. The report urged the fullest worldwide publication of the results of these studies as well as active support of the captive populations in the struggle against arbitrary and illegal state actions. On chairman Thorsen's suggestion, the Congress eliminated a section of the Committee's report which recommended enlargement of the jurisdiction of the International Court at the Hague to include violations of the URSR. With this reservation, the Congress accepted the Committee's report.