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NAZI WAR CRIMES DISCLOSURE ACT

TEXT  
SR3

DEPARTMENT FOR EUR/NE. RON NEITZKE, L/EO: ELI MAURER  
E.O. 12356: N/A  
TAGS:  
SUBJECT: TRIPARTITE GOLD COMMISSION: ALLEGATIONS OF  
- MISSING GOLD  
SUMMARY

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1. THE LONDON SUNDAY TIMES HAS WRITTEN TO THE TRIPARTITE GOLD COMMISSION (TGC) SEEKING INFORMATION ON TWO SPECIFIC BARS OF MONETARY GOLD WHICH ALLEGEDLY DISAPPEARED IN 1948 OR THEREAFTER. A SEARCH OF THE TGC FILES SHOWS THAT NO INFORMATION EXISTS THERE WHICH SHOWS THE ORIGINAL NUMBERS ON THE GOLD BARS TURNED OVER TO THE CUSTODY OF THE TGC. THE COMMISSIONERS HAVE AGREED, AD REFERENDUM, ON A RESPONSE TELLING THE TIMES THAT THE COMMISSION HAS NO LIST OF NUMBERS AND THUS CANNOT SPEAK TO THE FATE OF THE ALLEGEDLY LOST BARS. MEANWHILE, THE COMMISSIONERS FEEL THE USG SHOULD DO WHAT IT CAN TO DETERMINE IF THESE PARTICULAR BARS WERE EVER PART OF THE TGC'S GOLD POOL. END SUMMARY.

SUNDAY TIMES ALLEGES TWO GOLD BARS LOST  
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2. FRENCH COMMISSIONER DALBERTO HAS RECEIVED THE FOLLOWING LETTER, DATED APRIL 14, 1983, FROM ALISTAIR J. BRETT, SENIOR LEGAL ASSISTANT OF THE SUNDAY TIMES OF LONDON.

BEGIN TEXT:

DEAR SIR:

WE UNDERSTAND THAT YOU ARE THE CHAIRMAN AND REPRESENTATIVE OF THE FRENCH GOVERNMENT SITTING ON THE COMMITTEE RELATING TO THE TRIPARTITE COMMISSION FOR THE RESTITUTION OF MONETARY GOLD. WE HAVE BEEN IN TOUCH WITH THE U.S. REPRESENTATIVE (MISS MACDONALD) AND THE U.K. REPRESENTATIVE (MR. YOLAND) WHO SUGGESTED THAT WE CONTACT YOU IN CONNECTION WITH SOME RESEARCH WE HAVE BEEN CONDUCTING. AS A RESULT OF OUR ENQUIRIES IT SEEMS THAT THE POSSIBILITY EXISTS THAT TWO BARS OF GOLD (WEIGHING APPROXIMATELY 24.79 KILOS) WHICH SHOULD HAVE BEEN SENT TO THE COMMISSION FOR RESTITUTION AT THE END OF WORLD WAR II (PROBABLY TO THE BELGIAN OR FRENCH GOVERNMENTS) DID NOT ACTUALLY ARRIVE. WE FEEL IT OUR DUTY TO INFORM YOU OF THIS DISCOVERY AND A CHECK OF YOUR RECORDS SHOULD BE ABLE TO VERIFY OUR CURRENT BELIEF. THE FACTS OF THE MATTER ARE AS FOLLOWS:

IN 1945 REPRESENTATIVES OF THE U.S. TREASURY INVENTORIED MONETARY GOLD HELD AT THE FOREIGN EXCHANGE DEPOSITORY IN FRANKFURT WHICH PROVIDED INITIAL ACCOUNTABILITY IN RESPECT OF THE MAJORITY OF GOLD HELD OR COLLECTED BY THE FORMER REICHSBANK DURING THE PERIOD IMMEDIATELY FOLLOWING THE CESSATION OF HOSTILITIES. THIS INVENTORY BECAME KNOWN AS THE HOWARD REPORT. AT ABOUT THE SAME TIME (AUGUST 1945) AN ANALYSIS OF BELGIAN GOLD RECOVERED IN GERMANY AFTER THE CAPITULATION WAS UNDERTAKEN. THIS ESTABLISHED THAT OUT OF A TOTAL OF 11405 BARS LOOTED BY THE GERMANS THEIR DISPOSITION AT THAT TIME WAS AS FOLLOWS:  
9099 BARS -- SHIPPED TO VARIOUS COUNTRIES (MOSTLY SWITZERLAND)  
92 BARS -- LEFT IN GERMANY BUT NO YET FOUND  
2214 BARS -- RECOVERED IN GERMANY AND INCLUDED IN THE

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. HOWARD REPORT

THE FOREIGN EXCHANGE DEPOSITORY (A BRANCH OF THE FINANCE DIVISION OF THE OFFICE OF MILITARY GOVERNMENT U.S.) WERE ONLY RESPONSIBLE FOR DEALING WITH LOOTED GOLD FOUND IN GERMANY AND THEREFORE WOULD NOT HAVE BEEN RESPONSIBLE FOR THE RESTITUTION OF THE 9099 BARS SHIPPED FROM GERMANY TO VARIOUS COUNTRIES PRIOR TO THE SURRENDER. HOWEVER, THROUGH AN OMGUS DIRECTIVE THEY WERE RESPONSIBLE FOR MARSHALLING, INVENTORYING AND EVENTUALLY RELEASING TO THE COMMISSION, ALL MONETARY GOLD BULLION AND GOLD COIN FOUND IN GERMANY, IN ACCORDANCE WITH THE PROVISIONS OF THE PARIS AGREEMENT ON REPARATIONS (MARCH 1946).

ACCORDING TO THE CHIEF OF THE FOREIGN EXCHANGE DEPOSITORY IN FEBRUARY 1948 THE COMMISSION "IS BELIEVED LIMITED OFFICIAL USE SECTION 02 OF 04 BRUSSELS 06668 DEPARTMENT FOR EUR/NE: RON NEITZKE-

GF, L/ECP: ELI MAURER

E.O. 12356: N/A

TAGS:

SUBJECT: TRIPARTITE GOLD COMMISSION: ALLEGATIONS OF TO HAVE THE POWER TO SELECT FROM THE GOLD FOUND AND NOW HELD IN GERMANY, THAT PART WHICH THEY FEEL IS UNDER THEIR DISPOSITION AND JURISDICTION."

IT IS BELIEVED THAT ALL GOLD HELD BY THE FOREIGN EXCHANGE DEPOSITORY FOR THE ACCOUNT OF THE COMMISSION HAD BEEN SHIPPED OUT BY THE 7TH AUGUST 1948. HOWEVER, BY FEBRUARY 1949 THE U.S. AUTHORITIES HAD COLLECTED A FURTHER 241 KILOS OF MONETARY GOLD UPON WHICH THEY CONDUCTED A CHECK TO SEE WHETHER OR NOT IT QUALIFIED TO BE TURNED OVER TO THE COMMISSION. A STUDY OF THE RELEVANT DOCUMENTATION INDICATES THAT THE TWO BARS OF GOLD WHICH ARE THE SUBJECT OF THIS LETTER WERE NOT INCLUDED IN THAT CONSIGNMENT.

THE INVENTORY OF THE FOREIGN EXCHANGE DEPOSITORY HAS BEEN EXHAUSTIVELY CHECKED (FROM ITS INCEPTION IN 1945 UNTIL ITS CLOSURE IN 1949) IN ORDER TO ESTABLISH WHETHER OR NOT THE TWO BARS OF GOLD WERE EVER RECEIVED AND THE ANSWER HAS PROVED NEGATIVE.

DURING 1949 THE FOREIGN EXCHANGE DEPOSITORY CLOSED AND HANDED OVER ITS FUNCTIONS TO THE CARE OF VARIOUS GERMAN BANKS. IT IS THEREFORE POSSIBLE THAT THE TWO BARS OF GOLD MAY HAVE BEEN DESPATCHED BY A GERMAN BANK TO THE COMMISSION AFTER THE CLOSURE OF THE FOREIGN EXCHANGE DEPOSITORY.

THE TWO BARS IN QUESTION WERE ORIGINALLY A PART OF THE 92 BARS ALLEGED TO HAVE BEEN LEFT IN GERMANY "BUT NOT YET FOUND". IN FACT 90 OF THOSE BARS WERE LEFT AT THE BERLIN REICHSBANK AND WERE CAPTURED BY THE RUSSIANS. THE REMAINING TWO BARS ACCORDING TO A 1945 U.S. GROUP CONTROL COUNCIL REPORT WERE "LOST SOMEWHERE IN THE CHAIN OF EVACUATION FROM ERFURT TO WALLGAU." THIS WAS STILL THE OFFICIAL U.S. STORY

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IN JULY OF 1947 AS A MEMO FROM THE CHIEF OF THE FOREIGN EXCHANGE DEPOSITORY TO THE DIRECTOR OF THE FINANCE DIVISION, OMGUS PROVES. IN FACT THE TWO BARS OF GOLD HAD BEEN RECOVERED BY THE U.S. MILITARY GOVERNMENT AT BERCHTESGADEN IN THE SUMMER OF 1945. THEY WERE SUBSEQUENTLY TAKEN TO MUNICH WHERE THEY APPEAR TO HAVE REMAINED IN A GERMAN BANK UNTIL AT LEAST THE LATTER PART OF 1948 DESPITE THE FACT THAT THE GOLD SHOULD HAVE BEEN SHIPPED TO FRANKFURT FOR INVENTORY AND ULTIMATE DISPOSITION BY THE FOREIGN EXCHANGE DEPOSITORY. THE TWO BARS OF GOLD WERE NUMBERED 41919 AND 41920. THEY WEIGHED APPROXIMATELY 24.79 KILOS AND WERE STILL IN U.S. MILITARY GOVERNMENT CUSTODY UNTIL AT LEAST NOVEMBER OF 1948. BOTH BARS WERE ORIGINALLY THE PROPERTY OF THE BELGIAN GOVERNMENT

THERE ARE SEVERAL POSSIBILITIES WHICH EXIST. EITHER THE FOREIGN EXCHANGE DEPOSITORY OR A GERMAN BANK COULD HAVE TRANSMITTED THIS GOLD TO THE COMMISSION SOMETIME AFTER NOVEMBER 1948 IN WHICH CASE A CHECK OF YOUR RECORDS WOULD PROBABLY VERIFY THIS. ALTERNATIVELY THE GOLD MAY HAVE BEEN LOST WHILST UNDER U.S. MILITARY GOVERNMENT CONTROL IN WHICH CASE EITHER THE COMMISSION AND/OR THE BELGIAN GOVERNMENT MAY HAVE A JUSTIFIABLE CLAIM FOR COMPENSATION AGAINST THE U.S. GOVERNMENT. ON THE OTHER HAND IF THE GOLD WAS DISPOSED OF BY A GERMAN BANK (ALL REMAINING UNIDENTIFIABLE GOLD HELD BY GERMAN BANKS IN 1955 WAS DISPOSED OF BY PUBLIC AUCTION AT THAT TIME) IT IS POSSIBLE THAT A CLAIM FOR COMPENSATION AGAINST THE GERMAN FEDERAL GOVERNMENT MAY EXIST. IF YOU WOULD CARE TO CHECK YOUR RECORDS AND LET US KNOW THE OUTCOME OF YOUR DELIBERATIONS WE WOULD BE WILLING TO ASSIST YOU FURTHER BY PROVIDING DOCUMENTARY EVIDENCE IN SUPPORT OF WHAT WE HAVE WRITTEN IN THIS LETTER.  
END TEXT.

SEARCH OF FILES SHEDS NO LIGHT ON FATE OF THE BARS  
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3. FOLLOWING RECEIPT OF THE LETTER, THE TGC'S SECRETARY GENERAL, COLIN HARRIS (SG) SEARCHED THE COMMISSION'S FILES FOR INFORMATION CONCERNING BARS 41919 AND 41920. HE HAS REACHED THE CONCLUSION THAT THERE IS NO INFORMATION CONTAINED WITHIN THE COMMISSDN FILES AS TO WHETHER BARS 41919 AND 41920 WERE EVER PART OF THE GOLD UNDER THE CUSTODY OF THE COMMISSION. HE ALSO MADE INQUIRIES OF THE BANK OF ENGLAND; HE WAS TOLD THAT MOST LIMITED OFFICIAL USE SECTION 03 OF 04 BRUSSELS 06668 DEPARTMENT FOR EUR/NE: RON NEITZKE, L/ECP: ELI MAURER E.O. 12356: N/A

TAGS:

SUBJECT: TRIPARTITE GOLD COMMISSION: ALLEGATIONS OF OF THE MONETARY GOLD TRANSFERRED TO THE BANK OF ENGLAND WAS SUBSEQUENTLY RECAST TO DETERMINE PURITY AND NO LISTS REMAIN OF THE NUMBERS ON THE ORIGINAL GOLD BARS. THUS, THE BANK OF ENGLAND IS UNABLE TO DETERMINE IF IT

EVER HAD THE TWO BARS IN QUESTION FOR THE ACCOUNT OF THE TGC. A COPY OF AN INFORMAL PAPER EXPLAINING THE SG'S FINDINGS IS BEING POUCHED TO EUR/NE.

BUT COMMISSIONERS FEEL LETTER SHOULD BE ANSWERED

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4. THE TGC MEET ON FRIDAY, MAY 6 TO DISCUSS THE RESULTS OF THE SECRETARY GENERAL'S RESEARCH AND A REPLY TO MR. BRETT. AFTER CONSIDERABLE DISCUSSION OF VARIOUS SUGGESTIONS FOR A REPLY, CONSENSUS WAS REACHED AMONG THE COMMISSIONERS ON THE FOLLOWING POINTS:

A) BECAUSE MR. BRETT IS NOT ASSERTING A PRIVATE CLAIM, AND IN VIEW OF THE EXTENSIVE RESEARCH THAT HE HAS DONE, IT WOULD NOT BE APPROPRIATE TO REFUSE TO GIVE HIM A SUBSTANTIVE REPLY ON THE GROUNDS THAT THE COMMISSION DOES NOT COMMUNICATE WITH PRIVATE PARTIES. THUS, A SUBSTANTIVE RESPONSE SHOULD BE SENT.

B) NO REPLY SHOULD BE SENT WITHOUT THE CONCURRENCE OF GOVERNMENTS. THUS, COMMISSIONER YARNOLD UNDERTOOK TO TELEPHONE THE SUNDAY TIMES AND EXPLAIN THAT TGC PRESIDENT DALBERTO WOULD BE AWAY UNTIL THE END OF MAY AND THAT A WRITTEN REPLY WOULD BE SENT TO MR. BRETT AFTER MR. DALBERTO'S RETURN. (MR. YARNOLD TALKED TO MR. BRETT ON MAY 11; MR. BRETT SAID THAT THIS RESEARCH IS FOR USE IN A BOOK NOW BEING WRITTEN.)

C) THE BUSINESS OF THE COMMISSION IS LIMITED TO THE DISTRIBUTION OF MONETARY GOLD COLLECTED AND ENTRUSTED TO ITS CUSTODY BY THE ALLIED GOVERNMENTS. AS A RESULT, THE REPLY TO MR. BRETT SHOULD REFER ONLY TO INFORMATION WITHIN THE COMMISSION'S FILES AND COMPETENCE. THE REPLY SHOULD NOT DISCUSS OR SPECULATE ABOUT THE FATE OF THE PURPORTEDLY MISSING GOLD, NOR SHOULD IT REFER TO ANY INVESTIGATIONS, IN OTHER THAN COMMISSION RECORDS, CONCERNING THESE TWO BARS.

PROPOSED ANSWER TO SUNDAY TIMES

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5. BASED ON THESE GUIDELINES, THE COMMISSIONERS AGREED, AD REFERENDUM TO THEIR GOVERNMENTS, ON THE FOLLOWING DRAFT REPLY TO MR. BRETT: BEGIN TEXT.

DEAR MR. BRETT:

THANK YOU FOR YOUR LETTER OF 14 APRIL REGARDING THE RESEARCH YOU HAVE BEEN CONDUCTING.

IN REPLY, I SHOULD EXPLAIN THAT THE COMMISSION, WHICH DEALS EXCLUSIVELY WITH CLAIMS BY GOVERNMENTS WHO HAVE LOST MONETARY GOLD, DOES NOT, AS A GENERAL RULE, ENTER INTO ANY CORRESPONDENCE EXCEPT WITH GOVERNMENTS.

IT MAY BE OF INTEREST TO YOU TO KNOW THAT, AS THE COMMISSION HAS PERFORMED ITS RESPONSIBILITIES IN TERMS OF WEIGHTS OF FINE GOLD, IT HAS HAD NO REASON TO RECORD THE NUMBERS OF INDIVIDUAL BARS. THEREFORE OUR ARCHIVES CONTAIN NO EVIDENCE TO ESTABLISH WHETHER OR NOT THE TWO BARS IN QUESTION WERE

EVER IN THE CUSTODY OF THE COMMISSION.

YOURS SINCERELY,

J. DALBERTO,  
PRESIDENT

END TEXT.

BUT COMMISSIONERS WOULD LIKE TO KNOW MORE

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6. IN ADDITION, THE COMMISSIONERS AGREED INFORMALLY THAT THE USG SHOULD DO WHAT IT REASONABLY CAN TO INVESTIGATE THE FACTS AND INFERENCES CONTAINED IN MR. BRETT'S LETTER. IN PARTICULAR, THE COMMISSIONERS ARE INTERESTED IN KNOWING IF ANY LIST EXISTS OF THE ORIGINAL NUMBERS OF THE GOLD BARS WHICH WERE COLLECTED IN GERMANY AFTER OCTOBER 1948 AND TRANSFERRED TO THE FEDERAL RESERVE BANK OF NEW YORK IN 1952. ALSO BEING POUCHED TO EUR/NE IS A COPY OF A LETTER DATED LIMITED OFFICIAL USE SECTION 04 OF 04 BRUSSELS 06668 DEPARTMENT FOR EUR/NE: RON NEITZKE, L/ECP: ELI MAURER E.O. 12356: N/A

TAGS:

SUBJECT: TRIPARTITE GOLD COMMISSION: ALLEGATIONS OF JANUARY 10, 1952 TO U.S. COMMISSIONERFOX FROM K.A. KEYSERLINGK OF THE OFFICE OF THE U.S. HIGH COMMISSIONER FOR GERMANY WHICH, AS ATTACHMENTS, CONTAINS INFORMATION ON 17 BOXES OF GOLD COINS AND BARS THEN READY FOR SHIPMENT TO THE UNITED STATES. THERE ARE SEVERAL BARS FROM MUNICH, AS ALLEGED BY MR. BRETT, FOR BARS 41919 AND 41920, WHICH HAVE WEIGHTS SUSPICIOUSLY CLOSE TO THE TOTAL WEIGHT ALLEGED BY BRETT FOR THE MISSING BARS; THESE BARS WERE IN BOX NO. BB 10 AND BB 12, WITH MILITARY (MGAX(2)) NUMBERS 006/07380 AND 006/07380, RESPECTIVELY. THE COMMISSIONERS WOULD LIKE TO KNOW IF A LIST EXISTS OF THE ORIGINAL NUMBERS OF THESE BARS TRANSPORTED IN 1952, EITHER IN THE ARCHIVES OF THE HIGH COMMISSION OR IN THE RECORDS OF THE FEDERAL RESERVE BANK? PLEASE LET US KNOW WHAT STEPS CAN BE TAKEN TO ATTEMPT TO DETERMINE IF, IN FACT, THESE BARS WERE EVER PUT INTO THE CUSTODY OF THE COMMISSION.

SHOULD THE COMMISSION ASK FOR A FORMAL INQUIRY?

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7. COMMISSIONER DALBERTO FAVORS A FORMAL REQUEST FROM THE COMMISSION TO THE USG THAT IT UNDERTAKE SUCH AN INVESTIGATION, PERHAPS EVEN EXTENDING TO AN INVESTIGATION OF WHAT HAPPENED TO THE BARS IF THEY ARE NOT FOUND IN, OR CANNOT BE TRACED TO, THE GOLD EVENTUALLY UNDER THE CONTROL OF THE COMMISSION. HE FEELS THAT THE COMMISSION SHOULD TAKE THIS STEP TO PROTECT ITSELF FROM POSSIBLE ADVERSE PUBLICITY FOR LACK OF ACTION SHOULD THE "CASE OF THE MISSING GOLD" BECOME PUBLIC. THE U.S. COMMISSIONER, ON THE OTHER HAND, FELT THAT BECAUSE OF THE LIKELY EXPENSE AND FUTILITY OF SUCH AN INVESTIGATION, THE USG MIGHT PREFER NOT TO BE ASKED, FORMALLY, BY THE COMMISSION TO INVESTIGATE. NONETHELESS, THE U.S. COMMISSIONER AGREED

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TO RAISE THE QUESTION OF A FORMAL REQUEST BY THE COMMISSION  
TO THE U.S. GOVERNMENT FOR AN INVESTIGATION.  
ACTION REQUESTED

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8. WE REQUEST:

A) APPROVAL OF THE DRAFT RESPONSE TO THE SUNDAY TIMES BEFORE  
THE NEXT MEETING OF THE TGC SET FOR FRIDAY, MAY 27;

B) AN ASSESSMENT OF THE POSSIBILITY OF A SEARCH OF THE FILES  
OF THE U.S. HIGH COMMISSION FOR GERMANY AND OTHER RELEVANT  
FILES TO ASCERTAIN IF THESE BAR NUMBERS ARE TRACEABLE;

C) INFORMATION FROM THE FEDERAL RESERVE BANK OF NEW YORK ON  
WHETHER OR NOT IT WOULD HAVE ANY RECORD OF THE ORIGINAL  
NUMBERS OF THE GOLD BARS THAT IT RECEIVED FOR THE ACCOUNT  
OF THE COMMISSION IN 1952; AND

D) ADVICE BY MAY 27 ON WHETHER OR NOT THE U.S.  
COMMISSIONER SHOULD AGREE TO A FORMAL REQUEST BY THE  
COMMISSION THAT THE USG SEARCH ITS FILES TO DETERMINE IF THE  
BAR NUMBERS IN QUESTION ARE TRACEABLE. PRICE

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