

Official Communiqués

HICOM Meeting of July 13

The 33rd meeting of the Council of the Allied High Commission was held July 13 at the Petersberg, near Bonn. Present were Sir Ivone Kirkpatrick, UK High Commissioner (chairman); Mr. John J. McCloy, US High Commissioner, and Mr. Andre Francois-Poncet, French High Commissioner.

The Council:

1. Decided that economic, political, financial, legal and other experts within the High Commission should prepare replies to the series of questions sent to the High Commission by the study group for the revision of the Occupation Statute set up in London by the Foreign Ministers of the United Kingdom, United States and France.

2. Agreed to take legislative action to bring about the liquidation and transfer to private ownership of the former Reich-owned motion picture industry and its properties and to inform the federal government that in accordance with the provisions of the Occupation Statute this Allied legislation may be replaced where appropriate by federal legislation.

3. Directed the political committee of the High Commission to study and decide upon statutes for a German gymnastics federation proposed by the *Deutscher Arbeitsausschuss Turnen*.

4. Signed an Allied High Commission law on "Reciprocal Assistance in Criminal Matters between Occupation Courts and Authorities." The law establishes procedures to aid law enforcement officers in the apprehension and prosecution of persons who otherwise might escape punishment because of lack of reciprocity agreements in criminal matters between the three occupation zones. (For text, see "Laws and Regulations.")

5. Examined a report on the activities of the Communist press in Germany, particularly with respect to the publication of material in violation of Allied High Commission Law No. 5. The High Commissioners agreed upon the application in appropriate cases of administrative measures under Law No. 5 to deal with such violations including, if necessary, the suspension of the operations of printing plants involved.

6. Decided to hold its next meeting at the Petersberg on July 20.

HICOM Meeting of July 20

The 34th meeting of the Council of the Allied High Commission was held July 20 at the Petersberg, near Bonn. Present were Sir Ivone Kirkpatrick, UK High Commissioner (chairman); Mr. John J. McCloy, US High Commissioner, and Mr. Andre Francois-Poncet, French High Commissioner.

The Council:

1. Agreed to promulgate, as soon as texts had been verified and translations had been completed, an Allied High Commission law to provide for the disposition of motion picture property formerly owned or controlled by the former German Reich. The law is designed to dispose of the former Reich-owned motion picture property in a manner best calculated to foster a sound, privately-owned motion picture industry in Germany, so organized as to preclude ex-

cessive concentration of economic power. The High Commissioners agreed to go forward vigorously with the liquidation of these properties in implementation of the law.

2. Decided to hold its next meeting at the Petersberg on July 27.

HICOM Meeting of July 27

The 35th meeting of the Council of the Allied High Commission was held July 27 at the Petersberg, near Bonn.

Present were Sir Ivone Kirkpatrick, UK High Commissioner (chairman); Mr. John J. McCloy, US High Commissioner, and Mr. Armand Berard, French Deputy High Commissioner, acting for Mr. Andre Francois-Poncet.

The Council:

1. Discussed at length the questions relating to the Occupation Statute sent to the High Commission by the intergovernmental study group which was set up in London by decision of the three foreign ministers in May. After examining replies to the various questions, prepared during the past fortnight by economic, political, financial and legal experts of the High Commission, the Council agreed upon the text of the replies to the study group's questions. These are of a factual nature, bearing principally on the manner in which the Occupation Statute has operated up to the present time.

2. Decided to hold its next meeting in Berlin on Aug. 10.

Laws and Regulations

Bonn Enclave Statute

Article 1

The special area directly under the Allied High Commission which is designated "Bonn Enclave" is composed of the territories of the following localities:

- (1) *Stadtkreis* (city of) Bonn
- (2) Within the *Landkreis* (county) of Bonn: *Stadt* (city of) Bad Godesberg *Amt* (Administrative area of) Villip *Gemeinden* (communities) or *Ortschaften* (localities of) Friesdorf, Arzdorf, Adendorf, Merl, Roettgen, Langsdorf, Witterschlick, Nettekoven, Duisdorf, Heiden, Volmershoven, Impekoven, Oedekoven, Gielsdorf, Messdorf, Lessenich, *Gemeinde* Beuel;
- (3) Within the *Siegbkreis* (county of that name):

Stadt Honnef
Koenigswinter
Gemeinden or *Ortschaften* Mildorf, Hangelar, Niederpleis, Holzlar, Oberkassel, Ober-Dollendorf, Nieder-Dollendorf, Heisterbacherott;

and the waters of the Rhine bordering these localities.

Article 2

Legislation in force in the British Zone of occupation shall be applicable in the Bonn Enclave, subject to any modifications by the Allied High Commission.

Article 3

1. Any member of the US or French Allied Forces present in the Bonn Enclave and charged with having committed an offense shall be reported to the Occupation Authorities to whom he is responsible in order that the latter may take such action as they may deem to be necessary. In cases of arrest by police other than that of his own national element, the person concerned shall be handed over to the authority to whom he is responsible. This paragraph shall also apply to German personnel when the issues to be decided arise out of or in the course of performance of duties or services with the Allied Forces.

2. British occupation courts remain competent in respect of offenses committed within the Bonn Enclave which affect the interest of the occupation. However, when such offense affects the prestige or security of the US or French forces or authorities, the High Commissioner concerned may designate a judge or official of his own nationality to take part in and to sit as an assessor in a consultative capacity at the trial of the case.

3. Subject to any contrary decision of the Allied High Commission, either generally or in specific cases, the British Occupation Authorities are hereby designated with respect to the Bonn Enclave, as the authority mentioned in Article 12 of the Allied High Commission Law No. 13 on judicial powers in the reserved fields.

4. This statute takes effect on the day of its publication.

HICOM Law on Repeal of Legislation Restricting Freedom of Movement within the Territory of the Federal Republic

Article 1

The provisions of Article XI of Control Council Law No. 18 (Housing Law) are hereby deprived of effect in the territory of the Federal Republic and all declarations of critical areas made under the said article are hereby rescinded.

Article 2

All restrictions imposed by Military Government on the movement of persons and the choice of residence within the territory of the Federal Republic are hereby cancelled. (Announcement issued June 20.)

Reciprocal Assistance in Criminal Matters between Occupation Courts and Authorities

The Council of the Allied High Commission enacts as follows:

Article 1

The provisions of this law apply to occupation courts and Occupation Authorities within the territory of the Federal Republic and apply only to criminal proceedings.

Article 2

Where the occupation courts or Occupation Authorities of one zone so request, the appropriate occupation courts or Occupation Authorities in another zone may:

- (a) Execute rogatory commissions.
- (b) Effect the service of documents.
- (c) Make investigations.
- (d) Permit the authorities of the first zone to do any of the foregoing;
- (e) Render any other assistance not contrary to the law in force in their zone.

Article 3

1. Subject to the provisions of Articles 4 and 5, where any person charged with an offense in one zone is located in a second zone, the Occupation Authorities of the second zone will arrest him and deliver him to the Occupation Authorities of the first zone, upon their request, if:

(a) The offense is alleged to have been committed after May 8, 1945;

(b) The request is supported by a warrant or judgment issued by a competent authority of the requesting zone, and a brief statement of the facts constituting the offense.

(c) The person is charged with conduct which would constitute an offense justifying his arrest under the law of the second (arresting) zone.

2. If such person is also subject to charges or is in custody or under sentence in the zone where he is located, the authorities of that zone may either postpone delivery until completion of trial or service of sentence, if any, or deliver him on conditions for his return to them after trial or service of sentence, if any, in the requesting zone.

Article 4

1. The provisions of this article apply to any person in the following categories:

(a) The Occupation Authorities.

(b) Civilian members of the occupation forces.

(c) Civilian nationals of the Occupying Powers who are serving with the Occupation Authorities or forces.

(d) Members of the families of, and civilian nationals of the Occupying Powers in the service of, the persons referred to in paragraphs (a), (b) and (c) above.

2. Where any such person is charged with an offense committed in a zone other than that of his high commissioner, the appropriate authorities of the zone where the offense was committed may prosecute him for the offense, arrest him if he is found in their zone, or request his arrest and delivery if he is located in another zone: provided, however, that the high commissioner having authority over the person charged shall forthwith be notified of any action taken in any zone other than his own in respect of the offense. He may request that further proceedings be transferred to him and that the person charged, if in custody, be delivered to him. Such requests will be complied with, whereupon all proceedings in another zone relating to the offense shall be discontinued.

Article 5

This law shall not apply to any military personnel of the occupation forces who are subject to military, naval or air force law, and shall not affect any agreements now existing or hereafter to be made among the commanders-in-chief of the occupation forces with respect to the exercise of jurisdiction over or the apprehension or delivery of such personnel.

Article 6

Each high commissioner may issue regulations implementing this law in his zone.

Article 7

The provisions of Decision No. 48, dated Jan. 29, 1948, of the French commander-in-chief in Germany, amended by decision No. 122, dated March 26, 1949, shall, on the date of the coming into force of this law, be deprived of effect insofar as the legal relations between the French Zone and the United States and British Zones of occupation are concerned.

Official Announcements

Credit Union Opened

A sub-office of the State Department Federal Credit Union, membership in which is limited to US State Department and ECA employees in Germany, opened Aug. 10 in Room 156 of the Headquarters Building in Frankfurt. The Credit Union will be authorized to accept from and make loans to members only. Shares of stock are valued at \$5 each and membership may be obtained by the purchase of a minimum of one share of stock and the payment of a 25 cent entrance fee. For the present, members are limited to a deposit of not more than \$50 per month.

Employees belonging to the Credit Union in Washington are not entitled to membership in Frankfurt, but may effect a transfer of membership to Frankfurt.

The Credit Union is a co-operative organization designed to encourage thrift and at the same time make loans at reasonable rates of interest. Dividends from the operation of the Credit Union are declared annually. In 1948 and 1949 depositors received a dividend of 3.6 percent.

A member may borrow up to \$300 on his own signature but loans over this amount require collateral, usually in the form of a co-signer. Interest on loans must be paid at the rate of one percent per month on the unpaid balance with slightly less interest (3/4%) on loans of \$600 or more. It is anticipated that loan applications can be processed and the money made available to the applicant within a period of seven days.—from *HICOG Daily Bulletin* Aug. 10.

HICOG Hospitalization Plan

All American HICOG employees now have the opportunity to sign up for pre-paid hospital protection through Hospitalization, Inc., it was announced by the Personnel Division, Office of Administration. It was emphasized, however, that the group plan will not go into effect unless a minimum of 50 percent of the total number of HICOG personnel in Germany enroll in the plan. A representative of Group Hospitalization, Inc., known as Washington's Blue Cross Plan, arrived in Frankfurt recently to assist in establishing the plan among HICOG employees and their dependents.

"As dependents are no longer eligible for hospital care at government expense," Chester E. Beaman of the Personnel Division said, "it is strongly recommended that advantage be taken of the hospitalization insurance offered by this non-profit organization." Since July 1, US Army hospitals have required HICOG personnel and their dependents to pay \$11.25 per day for hospitalization and treatment. While hospital expenses incurred by HICOG personnel are paid from State Department funds, expenses incurred by dependents must be paid in full by their sponsors.

The monthly cost under the hospitalization plan is \$3 for HICOG families, including husbands, wives and all children less than 18 years of age. Single HICOG personnel may enroll for \$1.30 monthly. They will thus receive benefits for nonduty accidents or illness not covered by Foreign Service regulations and also will be assured of protection upon their return to the United States.

Application blanks for enrollment are being distributed to all HICOG administrative officers. Full details of the plan are being explained to administrative officers.

While US Army hospitals charge \$11.25 daily for hospitalization, charges in German and other European hospitals vary. However, the Blue Cross Plan's allowances apply whether hospitalization is in an Army hospital or a German hospital elsewhere in Europe. Allowances provided range from a maximum of \$17.50 for the first day of care to a maximum of \$277 for 30 days.

For a five-day hospital stay, group hospitalization provides a maximum allowance of \$62.50, more than enough to cover the Army's charge of \$56.25; for a 10-day stay, it allows \$107 while the average charge is \$112.50; for a 15-day stay, it allows \$149.50 and the average charge is \$168.25; for a 20-day stay, it allows \$192 and the average charge is \$225, and for a 30-day stay, it allows \$277 and the average charge is \$337.50.

HICOG personnel interested in this protection are requested to communicate with their administrative officers for application blanks and the answers to any questions they may have in regard to the Blue Cross Plan.

When HICOG personnel and their dependents return to the United States, full service benefits will be available if facilities of a participating hospital in the Washington area are used. If residence is elsewhere in the United States, a transfer of the contract to the local Blue Cross Plan may, in most cases, be arranged.

HICOG Travel to US

Effective July 6, HICOG employees on duty travel to the United States or on statutory leave will use commercial carriers, provided space can be secured, it was announced by the Transportation Division, Office of Administration.

Army transportation, either surface or air, will not be utilized in the future except in emergencies. Travel status of dependents will be the same as that for sponsors.

The transportation office also announced that because of lack of space on ocean liners during the rush season, it is preferred that travel be by air.

MATS Transatlantic Flights

Transatlantic flights of Military Air Transport Service have been considerably curtailed due to other temporary commitments. According to a cable received at Headquarters, 1602nd Air Transport Wing, the aircraft will resume normal transatlantic schedules when their present mission is accomplished.

The European Command Air Priority Board in Heidelberg has directed that only passengers with the following categories will be routed through the 7705 Air Returnee Center, Frankfurt, for subsequent movement by air: (1) Emergency leave involving death or possible loss of life; (2) Urgent temporary duty travel.

It is contemplated that the priorities noted above will fill all available space. There will be no airlift for normal rotation or other travel. MATS flights originating at Rhine-Main and Tripoli to points throughout the Mediterranean area remain unchanged. There will be no change in the medical air evacuation flights to the