



Treaty Series No. 77 (1947)

Agreement

between the Government of the United Kingdom
and the Government of Yugoslavia
concerning

Yugoslav Displaced Persons

Bled, 8th September, 1947.

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON
HIS MAJESTY'S STATIONERY OFFICE
THREEPENCE NET

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM AND THE GOVERNMENT OF YUGOSLAVIA CON-
CERNING YUGOSLAV DISPLACED PERSONS

Bled, 8th September, 1947

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federative Peoples' Republic of Yugoslavia have agreed as follows:—

ARTICLE 1

The Government of the United Kingdom and the Government of the Federative Peoples' Republic of Yugoslavia have agreed that their respective authorities in co-operation should make a joint and intensified effort to reach final settlement of the whole question of Yugoslav displaced persons and collaborators on territory under British control.

ARTICLE 2

To secure closest general co-operation the Government of the Federative Peoples' Republic of Yugoslavia will attach a high ranking mission to the Special Refugee Commission. In addition to its principal task of securing general co-operation this mission shall undertake various duties and enjoy various rights as described below. All questions concerning application of this agreement shall be discussed between the two missions.

ARTICLE 3

(a) The Special Refugee Commission shall supply the Yugoslav Liaison Mission with the Screening Report of any Yugoslav national if there is reason to believe that he is identical with a person whose surrender has been demanded by the Government of the Federative Peoples' Republic of Yugoslavia. Members of the Yugoslav Liaison Mission shall not participate in the process of screening but when any Yugoslav national already arrested by the British authorities is interrogated on suspicion of collaboration with the Axis Powers during the war the Yugoslav Liaison Mission shall have the right to participate in such interrogation.

(b) The Yugoslav Liaison Mission for their part will provide the Special Refugee Commission with all available information necessary for the effective screening of Yugoslav nationals in the British Zones of Austria and Germany.

ARTICLE 4

The Government of the Federative Peoples' Republic of Yugoslavia will, as provided in Article 3 (b) above, supply all information in their possession about any Yugoslav organisations hostile to United Nations interests and to repatriation, existing in the British Zones of Germany and Austria. On the receipt of this information the British authorities will take all practical steps in their power to dissolve any such organisations which they are satisfied are engaged in such activities.

The Government of the United Kingdom will, in association with the Government of the Federative Peoples' Republic of Yugoslavia, make repre-

sentations in the proper quarter for the dissolution of any similar organisation which may be shown to exist amongst refugees, in Italy for whom the Government of the United Kingdom have in the past been solely or jointly responsible.

ARTICLE 5

The Special Refugee Commission will give the highest priority to the screening of Yugoslav nationals in the British Zone of Austria. In addition to screening all those in camps, they will make every effort to screen such Yugoslav nationals as are at present outside the camps.

As soon as the screening has been completed all Yugoslav nationals found, whose surrender has been requested by the Government of the Federative Peoples' Republic of Yugoslavia and not finally refused by the Government of the United Kingdom, will be arrested. Those whose arrest or surrender has for any reason been refused will at once be sent to the British Zone of Germany.

The Government of the United Kingdom further undertake to remove as soon as possible from the British Zone of Austria to the British Zone of Germany all Yugoslav nationals in camps who—

- (a) are suspected of actively assisting the enemy during the war;
- (b) can be shown to be members of an organisation having as its purpose the overthrow by armed force of the Government of their country of origin; or
- (c) are actively discouraging their fellow-nationals from returning to their country of origin.

As provided for in Article 6 below, the Yugoslav Liaison Mission will be given every opportunity to represent to all remaining Yugoslavs the advantages of returning to their own country, and all those volunteering for repatriation will be accorded every facility for returning to Yugoslavia.

The Government of the United Kingdom undertake to make every effort to secure the early removal from the British Zone of Austria and the resettlement elsewhere of all such Yugoslavs who do not volunteer for repatriation. They will, in particular, do their best to arrange for this through the International Refugee Organisation or with other Governments direct.

ARTICLE 6

The Government of the United Kingdom will apply in camps under their control the principle accepted by the Council of Foreign Ministers in Moscow that all propaganda directed against United Nations interests or against repatriation will be forbidden in displaced persons camps. So far as is physically possible, the Government of the United Kingdom will segregate Yugoslav nationals who are shown to be engaged in anti-repatriation propaganda. It is agreed that the segregation of such persons will in no way prejudice their subsequent disposal.

ARTICLE 7

The Government of the United Kingdom agree in principle to accord access to Yugoslavs in camps under their control by Yugoslav repatriation officials or, in certain circumstances to be agreed, any other Yugoslav nationals sponsored by the Government of the Federative Peoples' Republic of Yugoslavia. In view, however, of their overriding responsibility for the personal security of visitors, the British authorities must retain the right in all cases, after consultation with the Yugoslav Liaison Mission, to make the final decision concerning any particular visit.

ARTICLE 8

The Government of the United Kingdom agree in principle to facilitate the provision to Yugoslavs in camps under their control of publicity material provided by the Government of the Federative Peoples' Republic of Yugoslavia with the intention of encouraging repatriation. While the British authorities cannot waive their right to censor such materials, it is agreed that this should as far as possible be conducted on the basis of mutual co-operation between the British authorities and the Yugoslav Liaison Mission.

ARTICLE 9.

The Government of the United Kingdom will so far as is practicable make available on an agreed scale technical facilities for repatriation such as transportation.

ARTICLE 10

The Government of the United Kingdom agree that the provisions of Articles 6, 7, 8 and 9 apply equally to Yugoslav nationals serving in British military camps and installations as members of the Civil Mixed Watchmen's Service.

ARTICLE 11

In order further to encourage repatriation the Government of the Federative Peoples' Republic of Yugoslavia will publish a declaration offering, under the terms of the existing amnesty laws, a free return to the following categories, with the exception of persons guilty of specific criminal offences: members of the Croat and Slovene Domobrans, of Cetnik, Nedić, Moslem and Skiptar Units and conscripts into the Ustasha armed forces or into the Russian and Serbian Volunteer Corps.

ARTICLE 12

The Government of the United Kingdom agree to take all possible steps to apprehend Yugoslav nationals whose surrender as collaborators with the Axis forces has been requested by the Government of the Federative Peoples' Republic of Yugoslavia, apart from those whose surrender has been finally refused by the Government of the United Kingdom. The Yugoslav authorities will co-operate in this task by providing information through the agency of their Liaison Mission.

ARTICLE 13

(a) The Government of the United Kingdom will surrender all Yugoslav nationals in their power against whom the Government of the Federative Peoples' Republic of Yugoslavia have established a *prima facie* case of active and wilful collaboration with the Axis Powers.

(b) Persons at present held in detention by the British authorities as suspected collaborators, and other such persons who may subsequently be arrested at the request of the Yugoslav authorities, shall be released if the Government of the United Kingdom are unable to agree that the case against them is sufficient to warrant their surrender to the Yugoslav authorities, unless the Government of the Federative Peoples' Republic of Yugoslavia shall have provided further information bearing on the case against them within two months of their being requested by the Government of the United Kingdom to do so. Should the Government of the United Kingdom on receipt of such further information remain of the opinion that no *prima facie* case of guilt has been established the person in question shall be released.

ARTICLE 14

The Government of the Federative Peoples' Republic of Yugoslavia agree that they do not desire the forcible surrender of any Yugoslav nationals other than those whose surrender has been specifically requested by name. While the Government of the Federative Peoples' Republic of Yugoslavia retain the right to make certain additional requests to the Government of the United Kingdom for surrender by name as further information becomes available to them, they agree that no such further requests shall be made after a period of two months following the signature of this Agreement. While additional information in support of requests already made should be provided through the channel of the Yugoslav Liaison Mission direct to the Special Refugee Commission, additional requests for surrender should be submitted through the channel of the Yugoslav Ambassador in London.

ARTICLE 15

The Government of the United Kingdom and the Government of the Federative Peoples' Republic of Yugoslavia regard it as particularly important that all possible steps should be taken to prevent any movement of Yugoslav nationals which might hinder the fulfilment of this Agreement.

ARTICLE 16

The Government of the United Kingdom and the Government of the Federative Peoples' Republic of Yugoslavia agree that they will actively seek the consent or co-operation of third parties where this is necessary for the implementation of this Agreement.

ARTICLE 17

The present Agreement shall come into force on the date of signature.

ARTICLE 18

The present Agreement shall remain in force for a period of twelve months after its coming into force and shall continue in force thereafter, subject to the right of either contracting Government to terminate it by giving two months' notice of its intentions in advance to the other contracting Government.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

Done in duplicate this 8th day of September, 1947, at Bled in the English and Serbo-Croat languages, both texts being equally authentic.

For the Government of the United Kingdom of Great Britain
and Northern Ireland:

(Sgd.) CHARLES PEAKE.

(Sgd.) J. S. STEELE, *Lieut.-General.*

For the Government of the Federative Peoples' Republic of
Yugoslavia:

(Sgd.) VLADIMIR VELEBIT.

(Sgd.) GEN. LAJT. D. LEKIC.

VLADA Federativne Narodne Republike Jugoslavije i Vlada Ujedinjenog Kraljevstva Velike Britanije i Severne Irske sporazumele su se o sledećem :

ČLAN 1

Vlada Federativne Narodne Republike Jugoslavije i Vlada Ujedinjenog Kraljevstva sporazumele su se da njihove odnosne vlasti treba, u međusobnoj saradnji, da ulože zajednički i pojačan napor kako bi postigle konačno rešenje celokupnog pitanja jugoslovenskih raseljenih lica i kolaboracionista pod britanskom kontrolom.

ČLAN 2

Da bi se obezbedila najuža opšta saradnja, Vlada Federativne Narodne Republike Jugoslavije ataširaće misiju visokog ranga pri Specijalnoj komisiji za izbeglice. Pored svog glavnog zadatka da obezbedi opštu saradnju, ova misija imaće različite dužnosti i uživaće razna prava kako je niže izneseno. Sva pitanja koja se odnose na primenu ovog sporazuma biće prodiskutovana izmedju obeju misija.

ČLAN 3

(a) Specijalna komisija za izbeglice dostaviće Jugoslovenskoj misiji za vezu izveštaj o trijažu za svakog jugoslovenskog državljanina ako postoji razlog da se veruje da je on identičan sa licem čije je izručenje tražila Vlada Federativne Narodne Republike Jugoslavije. Članovi Jugoslovenske misije za vezu neće učestvovati u proceduri trijaža, ali kada neki jugoslovenski državljanin, koga su već uhapsile britanske vlasti, bude ispitivan pod sumnjom da je saradjivao sa silama osovine za vreme rata, Jugoslovenska misija za vezu imaće pravo da sudeluje pri takvom ispitivanju.

(b) Jugoslovenska misija za vezu dostavljaće sa svoje strane Specijalnoj komisiji za izbeglice sva raspoloživa obaveštenja koja su potrebna za uspešan trijaž jugoslovenskih državljana u britanskoj zoni Austrije i Nemačke.

ČLAN 4

Vlada Federativne Narodne Republike Jugoslavije pružiće, kao što je to propisano u članu 3 (b) gore, sva obaveštenja koja joj stoje na raspoloženju o svim jugoslovenskim organizacijama neprijateljski raspoloženim prema interesima Ujedinjenih Nacija i repatrijaciji, a koje postoje u britanskoj zoni Nemačke i Austrije. Po prijemu ovih obaveštenja britanske vlasti preduzeće sve praktične korake u njihovoj moći da raspuste sve one organizacije za koje su uverene da su angažovane u takvoj delatnosti. U saradnji sa Vladom Federativne Narodne Republike Jugoslavije Vlada Ujedinjenog Kraljevstva zauzeće se na nadležnom mestu da se ovakve organizacije rasture, ako se pokaže da one postoje medju izbeglicama u Italiji za koje je Vlada Ujedinjenog Kraljevstva bila u prošlosti sama ili zajednički odgovorna.

ČLAN 5

Specijalna komisija za izbeglice daće najveći prioritet trijažu jugoslovenskih državljana u britanskoj zoni Austrije. Pored trijaža svih lica u logorima, ona će učiniti sve što može u cilju trijaža onih jugoslovenskih državljana koji se sada nalaze izvan logora.

Čim trijaž bude završen, svi pronadjeni jugoslovenski državljani, čije je izručenje tražila Vlada Federativne Narodne Republike Jugoslavije, a što Vlada Ujedinjenog Kraljevstva nije definitivno odbila, biće uhapšeni. Oni čije je hapšenje i izručenje bilo odbijeno iz bilo kojeg razloga biće odmah poslani u britansku zonu Nemačke.

Vlada Ujedinjenog Kraljevstva obavezuje se dalje da što je moguće pre preseli iz britanske zone Austrije u britansku zonu Nemačke sve jugoslovenske državljane koji se nalaze u logorima i to :

- (a) koji su osumnjičeni da su aktivno pomagali neprijatelja za vreme rata;
- (b) za koje se može ustanoviti da su članovi organizacije koja ima za cilj zbacivanje vlade zemlje njihovog porekla oružanom snagom; ili
- (c) koji aktivno odvrtaču svoje sunarodnike od povratka u zemlju njihovog porekla.

Kao što je niže predvidjeno u članu 6, Jugoslovenskoj misiji za vezu biće pružena svaka prilika da izloži svim preostalim Jugoslovenima prednosti povratka u svoju zemlju, a svima onima koji se dobrovoljno prijave za repatrijaciju biće pružena svaka olakšica za povratak u Jugoslaviju.

Vlada Ujedinjenog Kraljevstva obavezuje se da učini sve što može kako bi se obezbedilo hitno uklanjanje iz britanske zone Austrije svih Jugoslovena koji se ne prijave dobrovoljno za repatrijaciju i njihovo naseljavanje na drugom mestu. Ona će naročito učiniti sve što je moguće da to uredi preko Medjunarodne organizacije za izbeglice ili direktno sa drugim vladama.

ČLAN 6

Vlada Ujedinjenog Kraljevstva primeniće u logorima pod svojom kontrolom princip koji je usvojio Savet ministara spoljnih poslova u Moskvi, po kome se u logorima za raseljena lica zabranjuje svaka propaganda upravljena protiv interesa Ujedinjenih Nacija ili protiv repatrijacije. Ukoliko je to fizički moguće, Vlada Ujedinjenog Kraljevstva izdvojiće one jugoslovenske državljane za koje se ustanovi da su angažovani u propagandi protiv repatrijacije. Ugovoreno je da izdvajanje takvih lica ni u kom slučaju ne prejudicira kasnije raspolaganje sa njima.

ČLAN 7

Vlada Ujedinjenog Kraljevstva sporazumna je u načelu da dozvoli jugoslovenskim funkcionerima za repatrijaciju ili, pod izvesnim okolnostima o kojima još treba da se postigne saglasnost, svakom jugoslovenskom državljaninu koga Vlada Federativne Narodne Republike Jugoslavije preporučí, pristup Jugoslovenima u logorima pod njenom kontrolom. Imajući ipak u vidu prvenstvenu odgovornost Vlade Ujedinjenog Kraljevstva za ličnu bezbednost posetilaca, britanske vlasti zadržavaju u svakom slučaju pravo da, nakon konsultacije sa Jugoslovenskom misijom za vezu, donesu konačnu odluku u pogledu svake pojedine posete.

ČLAN 8

Vlada Ujedinjenog Kraljevstva sporazumna je u načelu da olakša dostavljanje Jugoslovenima u logorima pod njenom kontrolom publicističkog materijala koji je uputila Vlada Federativne Narodne Republike Jugoslavije u cilju potpomaganja repatrijacije. Britanske vlasti ne mogu odustati od svog prava da cenzurišu takav materijal, no postignuta je saglasnost da se to, koliko je god moguće, sprovodi na bazi uzajamne saradnje između britanskih vlasti i Jugoslovenske misije za vezu.

ČLAN 9

Vlada Ujedinjenog Kraljevstva staviće na raspoloženje u 'ugovorenom opsegu, ukoliko je to praktički izvodljivo, tehnička sretstva za repatrijaciju, na primer prevozna sretstva.

ČLAN 10

Vlada Ujedinjenog Kraljevstva sporazumna je da se odredbe članova 6, 7, 8 i 9 primenjuju podjednako na jugoslovenske državljane koji su na službi u britanskim vojnim logorima i ustanovama kao članovi Službe mešoviten civilnih stražara.

ČLAN 11

Radi daljeg potpomaganja repatrijacije Vlada Federativne Narodne Republike Jugoslavije objaviće deklaraciju kojom se po propisima postojećih zakona o amnestiji obezbeđuje slobodan povratak sledećim kategorijama, izuzimajući lica koja su počinila specifična krivična dela: članovima hrvatskog i slovenačkog domobranstva, četničkim, nedičevskim, muslimanskim i šiptarskim jedinicama, kao i licima prisilno regrutovanim u ustaške vojne formacije ili u ruske i srpske dobrovoljačke korpusé.

ČLAN 12

Vlada Ujedinjenog Kraljevstva sporazumna je da preduzme sve moguće korake za hapšenje jugoslovenskih državljana čije je izručenje kao kolaboracionista sa silama osovine, tražila Vlada Federativne Narodne Republike Jugoslavije, osim onih čije je izručenje Vlada Ujedinjenog Kraljevstva definitivno odbila. Jugoslovenske vlasti će saradjevati u izvršenju tog zadatka dostavljajući obaveštenja putem svoje misije za vezu.

ČLAN 13

(a) Vlada Ujedinjenog Kraljevstva izručićé sve jugoslovenske državljane u svojoj vlasti za koje je Vlada Federativne Narodne Republike Jugoslavije utvrdila *prima facie* slučaj aktivne i voljne kolaboracije sa silama osovine.

(b) Lica koja britanske vlasti sada drže u pritvoru pod sumnjom da su kolaboracionisti, kao i druga lica koja bi naknadno bila uhapšena na traženje jugoslovenskih vlasti, biće puštena na slobodu ako Vlada Ujedinjenog Kraljevstva ne može da se složi s tim da je optužba protiv njih dovoljna da opravda njihovo izručenje jugoslovenskim vlastima, osim ako Vlada Federativne Narodne Republike Jugoslavije ne bude dostavila svoja dalja obaveštenja koja se odnose na optužbu protiv njih, u roku od dva meseca po traženju Vlade Ujedinjenog Kraljevstva. U slučaju da Vlada Ujedinjenog Kraljevstva po prijemu takvih daljih obaveštenja, ostane pri mišljenju da nije utvrdjen *prima facie* slučaj krivice, dotično lice biće pušteno na slobodu.

ČLAN 14

Vlada Federativne Narodne Republike Jugoslavije sporazumna je da ne zahteva prisilno izručenje bilo kog jugoslovenskog državljanina osim onih čije se izručenje traži specifično i poimenično. Vlada Federativne Narodne Republike Jugoslavije zadržava pravo da podnese izvesne dalje zahteve Vladi Ujedinjenog Kraljevstva za poimenično izručenje kada bude raspolagala naknadnim obaveštenjima, no ona se slaže da se takvi naknadni zahtevi podnesu samo u roku od dva meseca po potpisivanju ovog sporazuma. Naknadna obaveštenja u prilog već učinjenih traženja treba dostavljati preko Jugoslovenske misije za vezu neposredno Specijalnoj komisiji za izbeglice, no naknadne zahteve za izručenje treba podnositi preko ambasadora Federativne Narodne Republike Jugoslavije u Londonu.

ČLAN 15

Vlada Federativne Narodne Republike Jugoslavije i Vlada Ujedinjenog Kraljevstva smatraju naročito važnim da se preduzmu svi mogući koraci u cilju sprečavanja svakog kretanja jugoslovenskih državljana koje bi moglo ometati ispunjenje ovog sporazuma.

ČLAN 16

Vlada Federativne Narodne Republike Jugoslavije i Vlada Ujedinjenog Kraljevstva sporazumno su da će aktivno tražiti saglasnost ili saradnju trećih strana gde god je to potrebno za primenu ovog sporazuma

ČLAN 17

Ovaj sporazum stupa na snagu danom potpisa.

ČLAN 18

Ovaj sporazum ostaje u važnosti dvanaest meseci po stupanju na snagu, a ostaće i dalje u važnosti s tim da posle tog roka svaka Vlada Ugovornica može da ga otkaže dva meseca unapred.

U potvrdu čega potpisani, propisno ovlašćeni od svojih odnosnih Vlada, potpisali su ovaj sporazum i stavili svoje pečate.

Radjeno na Bledu 8 septembra hiljadu devet stotina četrdeset i sedme godine u dva primerka na srpskohrvatskom i engleskom jeziku s tim da su oba teksta podjednako autentična.

Za Vladu Federativne Narodne Republike Jugoslavije :

VLADIMIR VELEBIT s.r.

GEN. LAJT. D. LEKIČ s.r.

Za Vladu Ujedinjenog Kraljevstva Velike Britanije i Severne Irske :

CHARLES PEAKE s.r.

STEELE, *Lieut.-General* s.r.

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