

SECRET

III/7  
31 July 1944

Note: This is a preliminary document intended exclusively for the personal use of members of the Commission and their substitutes.

UNITED NATIONS WAR CRIMES COMMISSION

COMMITTEE III

REQUEST FROM COMMITTEE I FOR A LEGAL OPINION

Committee I asks for an opinion on the following question:

Is the decree No. 7 of 11th January, 1941, signed by Seyss-Inquart, of which a translation appears below, consistent with the laws and customs of war?

A photostatic copy of the decree will be available for inspection when Committee III is considering this question.

Translation of the Decree

Gazette of Ordinances for the Occupied Netherlands Territories

ORDINANCE NO. 7 BY THE REICHSKOMMISSAR FOR THE OCCUPIED  
NETHERLANDS TERRITORIES, CONCERNING THE LEVYING OF  
CONTRIBUTIONS

In virtue of the powers conferred upon me by paragraph 5 of the Führer's Decree concerning the exercise of governmental powers in the Netherlands, dated May 18th, 1940, (Reich Gazette I p. 778), I decree as follows:

1.

As compensation and expiation (Ersatz und Sühneleistung) for acts which have been committed at any date since May 25th, 1940, or which may hereafter be committed, and which are directed against the interests of the German nation or of the Great German Reich, or are calculated to disturb public order or public life in the Netherlands territories placed under the protection of the German troops, contributions may be levied

1. From persons or associations (Stiftungen) which countenance or encourage the aforesaid acts, or may be presumed to countenance or encourage them;
2. Municipalities in whose areas such acts have been committed.

2.

1. Personal services, money contributions or contributions in kind may be exacted.
2. Where a personal service is required, the party made liable cannot discharge the obligation by a deputy, unless the authority indicated in paragraph 4 approves of this being done.

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3.

Where a contribution is imposed upon several persons or associations (Stiftungen) they will be regarded as collectively liable.

4.

Contributions, within the meaning of this Ordinance, will be levied by the Reich Kommissar for the occupied Netherlands territories (General Kommissar for security) by a written demand note.

5.

1. Except where otherwise ordered in particular cases, the demand note shall be executed in conformity with provisions of the Netherlands Regulations for civil procedure; it will for such purposes be regarded as an executable judgment.

2. Should the contribution not be discharged by the due date, its collection will be enforced by arrest.

3. Where a contribution is levied on an association (Stiftungen), the persons who stand in danger of arrest shall be designated in the demand note.

4. The arrest shall be made by the German police.

The Hague,  
January 11th 1941.

(Signed) SEYSS INQUART

Reichskommissar for the Occupied  
Netherlands Territory.