

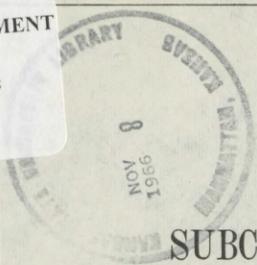
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OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY

GOVERNMENT
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HEARING BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON ARMED SERVICES UNITED STATES SENATE EIGHTY-NINTH CONGRESS SECOND SESSION

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TO REVIEW FOR THE PERIOD DECEMBER 1, 1964, THROUGH
NOVEMBER 30, 1965, THE OPERATION OF ARTICLE VII OF
THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH
ATLANTIC TREATY, TOGETHER WITH THE OTHER
CRIMINAL JURISDICTIONAL ARRANGEMENTS THROUGH-
OUT THE WORLD

AUGUST 26, 1966

Printed for the use of the Committee on Armed Services



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1966

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OPERATION OF ARTICLE VII, NATO
STATUS OF FORCES TREATY

HEARING

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON ARMED SERVICES

RICHARD B. RUSSELL, Georgia, *Chairman*

JOHN STENNIS, Mississippi
STUART SYMINGTON, Missouri
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SUBCOMMITTEE ON REVIEW OPERATION OF ARTICLE VII OF THE NATO STATUS
OF FORCES

SAM J. ERVIN, Jr., North Carolina, *Chairman*

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STROM THURMOND, South Carolina
T. EDWARD BRASWELL, *Professional Staff*



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OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY

FRIDAY, AUGUST 26, 1966

U.S. SENATE,
SUBCOMMITTEE ON NATO
STATUS OF FORCES TREATY,
OF THE COMMITTEE ON ARMED SERVICES,
Washington, D.C.

The subcommittee (composed of Senators Ervin (chairman), McIntyre, and Thurmond), appointed to maintain familiarity with the operation of article VII of the NATO Status of Forces Treaty to the extent that it relates to criminal jurisdiction not waived by host countries in which U.S. forces are stationed, met, pursuant to notice, at 10:35 a.m., in room 212, Old Senate Office Building.

Present: Senators Ervin and Thurmond.

Also present: T. Edward Braswell, Jr., professional staff member of the committee staff, and Herbert S. Atkinson, assistant chief clerk. Senator ERVIN. The subcommittee will come to order.

The subcommittee meets today for the purpose of receiving the annual report ending November 30, 1965, on the operation of article VII of the NATO Status of Forces Treaty and the other criminal jurisdictional arrangements throughout the world under which American servicemen may be subject to the jurisdiction of foreign courts. At the conclusion of the open testimony the subcommittee will go into executive session for the purpose of receiving any additional information the Department of Defense may have.

We are glad to have with us today Mr. Ray W. Bronez, Director of Foreign Military Rights Affairs, Office of the Secretary of Defense, and Brig. Gen. Kenneth J. Hodson, Assistant Judge Advocate General of the Army.

Mr. Bronez, you may begin in your own way.

STATEMENT OF RAY W. BRONEZ, DIRECTOR, FOREIGN MILITARY RIGHTS AFFAIRS, DEPARTMENT OF DEFENSE

Mr. BRONEZ. Thank you, sir.

Mr. Chairman, this presentation, the 13th of an annual series, reviews the operation of our criminal jurisdiction arrangements in NATO countries and throughout the world for the period December 1, 1964, through November 20, 1965. We appreciate this opportunity to appear before you for this purpose.

I am happy to report that the operation of our criminal jurisdiction arrangements continues to be generally satisfactory. In some situations morale has been adversely affected by trial delays and other

practices which we will discuss during the executive session. In most respects, however, we have enjoyed a fine record of fairness and cooperation.

Waiver of foreign jurisdiction over U.S. military personnel remained at about the high rate reported last year. It was 65 percent for the period in question as against 67 percent for the preceding reporting period. The rate among NATO countries was 67 percent as compared to 70 percent for the preceding period. These figures, highly satisfactory in themselves, actually understate the rate at which foreign authorities have been responsive to our requests for waiver of their jurisdiction. The figures include cases in which we could not request a waiver because jurisdiction is not concurrent. General Hodson will go into the changes we have made in our reporting techniques to make our percentages more meaningful in this regard.

As we pointed out last year, the main reason for the substantial increase in percentage of waivers in the past few years over that of earlier reporting periods is the implementation of the German Supplementary Agreement to the NATO Status of Forces Agreement. This arrangement calls for an automatic waiver of jurisdiction in all cases, subject to a recall only in cases where major interests of German administration of justice make imperative the exercise of German jurisdiction. This upward trend may be expected to continue with the recent and prospective entry into force of new arrangements involving advance waiver of primary jurisdiction by the host government.

There has as yet been no definitive resolution of the problem caused by the fact that civilian employees and dependents overseas are no longer amenable to trial by U.S. military courts for most offenses. To a large extent our ability to impose administrative and disciplinary sanctions upon civilians has been sufficient, as demonstrated by the willingness of foreign authorities to refrain from exercising their jurisdiction in many cases involving civilians.

I am happy to report that the new arrangement for the status of our personnel in Iran mentioned to the committee last year, is working very well. In addition, satisfactory criminal jurisdiction arrangements have now been concluded with the Republic of China, the Republic of Korea, and the Philippines. The Philippine and Chinese arrangements became effective August 10, 1965 and April 12, 1966, respectively. Negotiation of the Korean SOFA was formally concluded on July 9, 1966. That agreement is currently before the Korean Legislature for approval and implementation.

Brigadier General Hodson will now present a more detailed account for the reporting period.

Senator ERVIN. You may proceed, General. We are delighted to have you with us again.

STATEMENT OF BRIG. GEN. KENNETH J. HODSON, ASSISTANT JUDGE ADVOCATE GENERAL FOR MILITARY JUSTICE ON FOREIGN CRIMINAL JURISDICTION

General HODSON. Thank you, Mr. Chairman.

Mr. Chairman, I will briefly summarize my report through the use of charts. I will begin with chart A, which includes worldwide figures as well as a separate breakdown for NATO-SOFA countries.

During the period December 1, 1964, through November 30, 1965, which I shall refer to as the current period, 32,311 U.S. military and civilian personnel and their dependents were charged with offenses subject to the primary or exclusive jurisdiction of foreign courts; 22,151, or nearly 70 percent of these cases were traffic offenses.

Of the 32,311 new cases, 30,489 (94 percent) involved military personnel. Foreign authorities waived their primary right to exercise jurisdiction over military personnel in 19,749 of these cases. Last year I reported to the subcommittee that the reporting format would be revised. That revision has been accomplished and has been distributed to the field for use in the annual reporting period ending November 30, 1966. The purpose of the revision is to insure that the waiver rate is based solely on concurrent jurisdiction offenses.

Up to now the waiver rate has appeared unnecessarily low because it was based in part on cases subject to the exclusive jurisdiction of a host state and thus, nonwaivable. For example, during the current period there were 6,400 minor traffic offenses involving U.S. military personnel in Germany, all of which were subject to the exclusive jurisdiction of Germany and hence nonwaivable. If these cases are excluded the current period's waiver rate is increased from 65 to 82 percent.

In summary, the new procedure requires the reporting of all cases involving U.S. personnel, but only those cases over which the United States can request a waiver are included in determining the waiver rate.

Note that the left-hand columns of chart A reflect worldwide figures, while the right-hand columns reflect NATO figures.

Chart A reflects that of the 9,639 total final results of trials by foreign tribunals, 189 or 2 percent resulted in acquittal; reprimands only or fines only were imposed in 9,122 or 95 percent of final convictions. Sentences to confinement were suspended in 225 cases—69 percent of the 328 cases in which confinement was adjudged. Thus, confinement was carried out in only 103 cases. Appeals from convictions were pending in 68 cases at the end of the current period.

I now turn to chart B. The number and types of offenses subject to foreign jurisdiction for the current and previous period are depicted on chart B. The upper bars are for last year. The lower bars are for this year. The number of offenses subject to foreign jurisdiction increased from 28,762 to 32,311 (or 12 percent). Excluding offenses committed in Germany, there was a 5-percent decrease in cases subject to foreign jurisdiction.

Our consolidation of statistics from the field reveals that offenses generally in Germany have increased 4,109, or 23 percent. Three-quarters of this increase are traffic offenses. The commanding general, U.S. Army Europe, has reported that the increases are generally due to more effective reporting procedures in Germany.

Chart C discloses the number and lengths of the 103 suspended sentences to confinement imposed by foreign courts, the longest of which was a 12-year sentence adjudged against Specialist James T. Buckner by a German court for murder. You will note that the left-hand bars are last year's figures and the right-hand bars are this year's. I note that Private Wagner, whose case (which involved a sentence of 30 years for robbery-murder in Spain) has been reported several times to this subcommittee, has received a further reduction

of his sentence to 15 years and may, with continued good behavior and work credits, be released as early as 1971.

Chart D, consisting of four pages, provides a breakdown by country, offense and length of sentence for all cases in which U.S. personnel received unsuspended sentences to confinement by foreign courts.

I think you will note, Mr. Chairman, from an examination of those four pages that, generally speaking, confinement is imposed for the types of offenses that you would normally expect confinement to be imposed.

Senator ERVIN. This is to indicate that the imprisonment imposed for such serious crimes as murder, rape, manslaughter, arson, robbery, burglary, forgery, would be classified in this country as felonies.

General HODSON. Yes, sir.

Chart E illustrates the number of individuals confined in foreign prisons. The report of 82 individuals in confinement at the close of the current period represents an increase of 21 over the average number confined at the close of the past 8 reporting periods.

Military personnel are generally entitled to have counsel fees, costs, bail, and related expenses incurred incident to their defense before foreign courts paid with appropriated funds. During the current period, \$82,651.93 was expended in 291 cases as compared with \$66,517.87 in 284 cases during the previous period and with \$59,266.84 in 296 cases for the period ending November 30, 1963. The average expenditure per case has risen over these three reporting periods from \$200.22 to \$284.02.

Table 6, which you will find under your blue tab, gives you a complete breakout of the expenditures that I have mentioned.

No U.S. commander has reported that jurisdictional arrangements have had a significant impact on the accomplishment of his mission. The Department of Defense considers present status of forces arrangements to be quite workable and satisfactory.

Mr. Chairman, I have a complete statement concerning these matters, together with the charts and tables which are before you, which I would like to have incorporated in the record.

Senator ERVIN. These will be inserted in the record in full immediately after your remarks.

General HODSON. That concludes my summary, Mr. Chairman.

(The prepared statement of General Hodson, above-referred to, follows:)

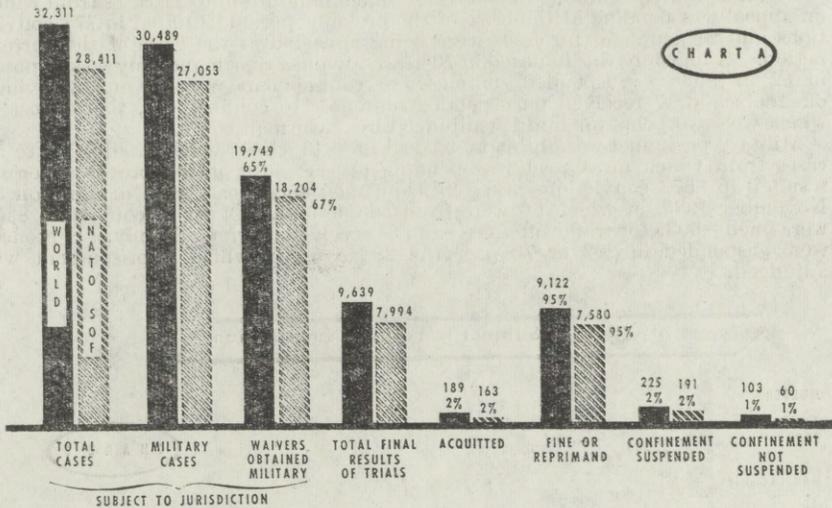
Mr. Chairman, essentially, my remarks today concerning the exercise of jurisdiction over United States personnel by foreign tribunals will consist of summaries and analyses of the attached tables and charts as well as of the statistics which we have compiled¹ from the data submitted by the reporting countries.

I should like to make one general observation at the outset. Of the 32,311 cases subject to disposition by foreign tribunals during the current reporting period, only 1,719, or 5%, resulted in final convictions for other than traffic offenses. This is primarily the result of our excellent local liaison which has succeeded in obtaining a large number of waivers of jurisdiction.

¹ Department of Defense statistics on the exercise of criminal jurisdiction by foreign tribunals over U.S. personnel, Dec. 1, 1964-Nov. 30, 1965.

EXERCISE OF CRIMINAL JURISDICTION—WORLD

Exercise of Criminal Jurisdiction by Foreign Tribunals
over U.S. Personnel 1 Dec 1964 — 30 Nov 1965



Note that on Chart A the NATO-SOFA figures shown on the right-hand columns are included in the world-wide figures shown to the left. During the period 1 December 1964 through 30 November 1965, for which I use the term "current period," a total of 32,311 U.S. military and civilian personnel and their dependents were charged with offenses subject to the primary or exclusive jurisdiction of foreign tribunals. Of this total, 22,151 or nearly 70% were traffic offenses.

30,489 cases, or 94% of the above total, involved military personnel. Foreign authorities waived their right to exercise jurisdiction over military personnel in 19,749 of these cases. Last year I reported to the Subcommittee that the reporting format would be revised. That revision has been accomplished and has been distributed to the field for use in the annual reporting period ending 30 November 1966. The purpose of the revision is to ensure that the waiver rate is based solely on concurrent jurisdiction offenses. Up to now the waiver rate has appeared unnecessarily low because it was based in part on cases subject to the exclusive jurisdiction of a host State and thus, non-waivable. For example, during the current period there were 6,400 minor traffic offenses involving U.S. military personnel in Germany, all of which were subject to the exclusive jurisdiction of Germany and hence non-waivable. If these cases are excluded the current period's waiver rate is increased from 65% to 82%.

In summary, the new procedure requires the reporting of all cases involving U.S. personnel, but only those cases over which the U.S. can request a waiver are included in determining the waiver rate.

Waivers are not normally requested for civilians and dependents; however, 929 of the 1822 military-connected civilians and dependents (hereinafter "civilian") who were charged with local offenses were released to United States authorities for appropriate disposition.

Thus, after waiver of 19,749 cases involving military personnel and after release of 929 cases involving civilians, a total of 11,633 new cases involving U.S. personnel were reserved for disposition by foreign jurisdictions.

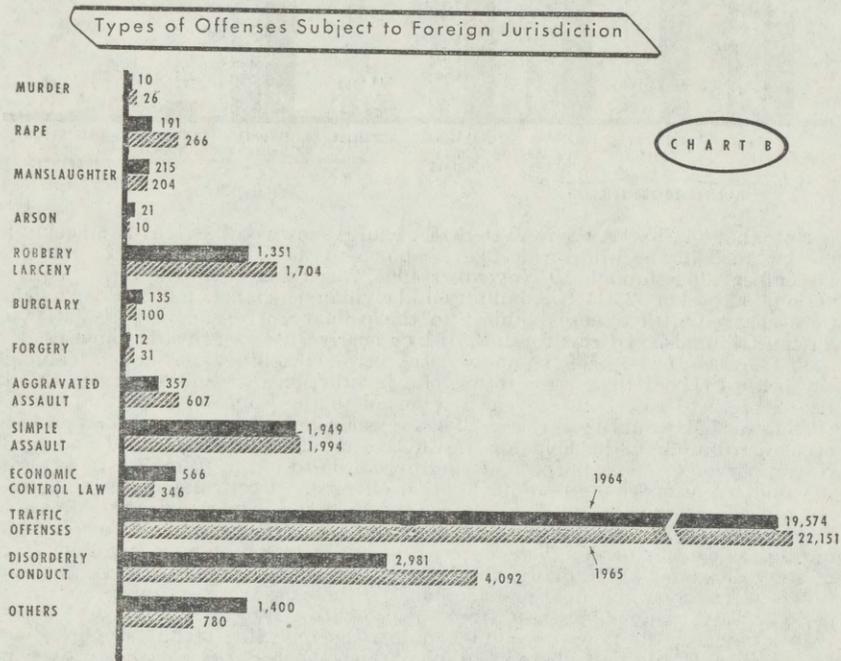
At the end of the 1963-1964, or previous, reporting period, 728 cases were pending, bringing the total reserved and available for disposition by foreign tribunals to 12,361. Charges were dropped in 1883 military and in 70 civilian cases; trials were pending at the close of the current period in 645 military and in 117 civilian cases.

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Chart A indicates that during the current period foreign tribunals completed disposition of 9639 cases involving U.S. personnel. The statistical compilation shows that 9646 trials were initiated in foreign tribunals during the current period, of which 7817, or 81%, concerned traffic offenses. Acquittals totaled 189 for an overall acquittal rate of 2%; the non-traffic case acquittal rate was 6%.

Civilians were defendants in 800 trials, which in addition to 11 cases from which an appeal was pending at the close of the previous period, resulted in 778 convictions and 24 acquittals; 9 cases were being appealed at the close of the current period. A fine only was imposed in 706 cases, while a reprimand only was imposed in 32 instances. Suspended sentences to confinement were given 23 civilian offenders and 17 received unsuspended sentences to confinement, the longest of which was two years for murder adjudged by a German court.

Military personnel were brought to trial in 8846 cases, which in addition to 56 cases from which an appeal was pending at the close of the previous period, resulted in 8672 convictions and 165 acquittals; 65 appeals were pending on 30 November 1965, of which 60 were from convictions. Of those convicted, 8350 were fined—6939 for traffic offenses—and 34 received reprimands only. Sentences were suspended in 202 or 70% of the 288 cases in which imprisonment was adjudged.



The number and types of offenses subject to foreign jurisdiction for the current and previous periods are depicted on Chart B. The number of offenses subject to foreign jurisdiction increased from 28,762 to 32,311 for the current period. Excluding offenses committed in Germany there was a 5% decrease in cases subject to foreign jurisdiction.

Our consolidation of statistics from the field reveals that offenses generally in Germany have increased 4,109, or 23%. Three-quarters of this increase are traffic offenses. The Commanding General, U.S. Army Europe, has reported that the increases are generally due to more effective reporting procedures in Germany.

Unsuspended Sentences to Confinement
Imposed on U.S. Personnel by Foreign Courts

CHART C

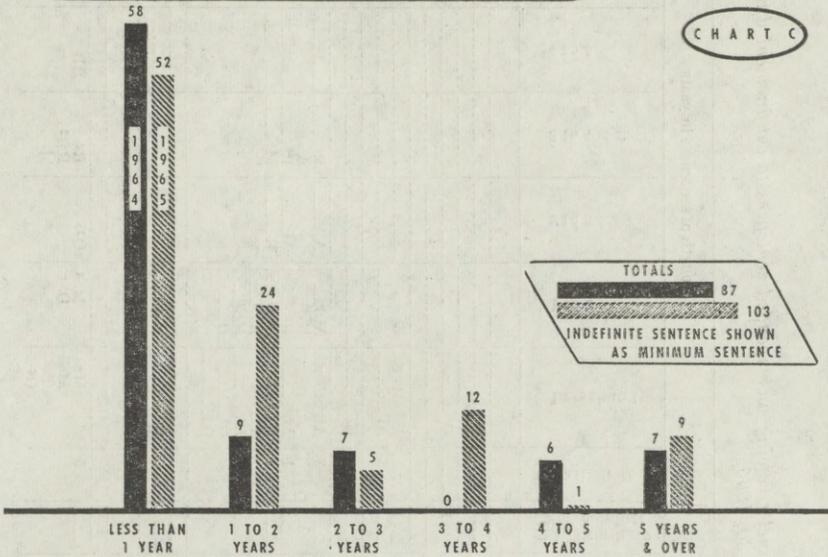


Chart C discloses the number and lengths of the 103 unsuspended sentence to confinement. There were 87 such cases reported for the previous period. The longest sentence was 12 years imposed by a German Court for murder; the longest sentence adjudged against a civilian was a two-year sentence for attempted murder imposed by a German court on a dependent.

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Chart D provides a breakdown by country, offense and length of sentence for all cases in which U.S. personnel received unsuspended sentences to confinement by foreign courts. There has been a very slight increase in the average unsuspended sentence imposed.

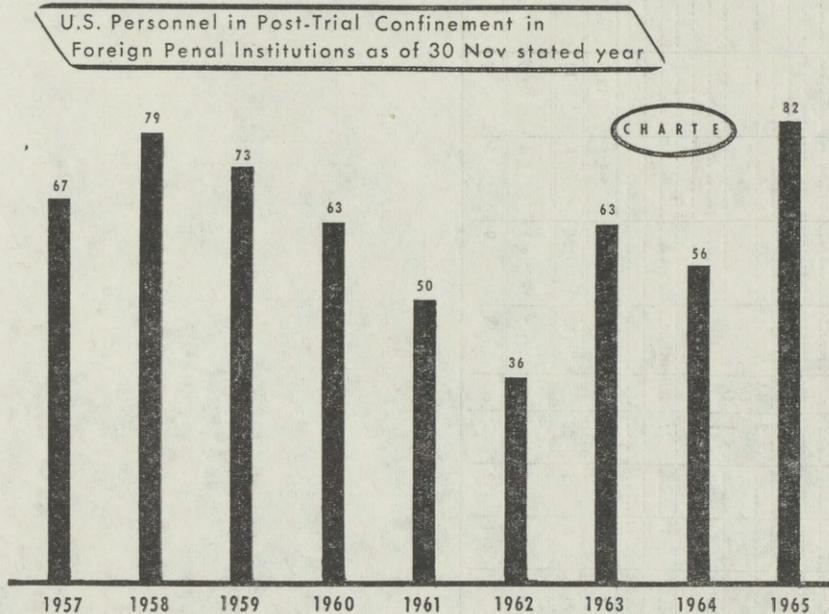


Chart E illustrates the number of United States personnel confined in foreign prisons. The report of 82 individuals in confinement at the close of the current period represents an increase of 21 over the average number confined at the close of the past eight reporting periods.

EXERCISE OF CRIMINAL JURISDICTION IN NATO STATUS OF FORCES COUNTRIES

I will now discuss certain statistics pertaining to the exercise of criminal jurisdiction over United States personnel by the 13 countries signatory to the North Atlantic Treaty Organization Status of Forces Agreement.

[Chart A—Exercise of Criminal Jurisdiction by Foreign Tribunals over United States Personnel, 1 December 1964—30 November 1965]

The number of new cases subject to the jurisdiction of NATO-SOFA countries increased by 3,597 to 28,411 (14%) from the previous period. However, excluding Germany, there was a 512 case (7%) decrease in NATO countries.

NATO countries waived their right to exercise jurisdiction in 18,204 or 67% of the military cases, compared with 71% for the previous two reporting periods. (If the above mentioned (p. 2) 6400 minor traffic cases involving U.S. military personnel in Germany are excluded again, the NATO-SOFA waiver rate is increased for the current period to 88%.) Furthermore, a total of 560 civilian cases were released to the United States for disposition. Charges were dropped in 1627 cases and trial was pending in 593 at the close of the current reporting period. Chart A reflects that NATO-country tribunals made final disposition of 7994 cases. The statistical compilation shows that 8006 trials of United States personnel were initiated, which in addition to 45 appeals pending from the previous period, resulted in 163 acquittals, 7580 sentences to fines only or reprimands only, 191 suspended sentences to confinement, and 60 unsuspended sentences to confinement. There were 62 unsuspended confinement sentences during the previous period. Appeals pending at the close of the current period totaled 57.

I would like to insert in the record at this point three tables relating to the exercise of criminal jurisdiction in NATO countries and world-wide since 1953.

TABLE I.—Exercise of criminal jurisdiction by tribunals of NATO countries since the various effective dates of the NATO Status of Forces Agreement (through Nov. 30, 1965)

CASES SUBJECT TO FOREIGN JURISDICTION

	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Total
Belgium (effective Aug. 23, 1953)	1	20	7	13	24	127	129	42	18	42	56	57	58	597
Canada (effective Sept. 27, 1953)	2	312	505	528	457	493	312	358	397	415	401	797	663	5,590
Denmark (effective June 27, 1955)	267	2,600	3,172	3,981	3,829	4,323	4,236	4,133	3,986	4,454	4,625	4,244	4,217	48,017
France (effective Aug. 23, 1953)											6,188	17,658	21,757	45,613
Germany (effective July 1, 1953)														45,371
Greece (effective July 26, 1954)														3,075
Italy (effective Jan. 21, 1956)														3,075
Luxembourg (effective July 23, 1954)														290
Netherlands (effective Aug. 23, 1953)														214
Norway (effective Aug. 23, 1953)	2	5	21	34	103	31	71	38	188	26	43	14	20	364
Portugal (effective Dec. 22, 1955)	0	1	2	5	1	0	0	7	3	1	4	274	277	1,707
Turkey (effective June 17, 1954)														0
United Kingdom (effective Jan. 13, 1954)														800
Total	272	3,442	4,977	7,490	7,704	8,197	7,745	7,015	6,810	7,532	13,641	24,814	28,411	128,050

CASES TRIED

	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Total
Belgium (effective Aug. 23, 1953)	1	0	2	2	1	0	4	7	2	2	7	3	4	35
Canada (effective Sept. 27, 1953)	0	249	426	406	372	453	293	329	307	397	382	787	648	5,049
Denmark (effective June 27, 1955)	21	283	439	471	445	479	423	539	555	617	733	678	701	6,385
France (effective Aug. 23, 1953)											849	3,731	5,595	9,385
Germany (effective July 1, 1953)														1,087
Greece (effective July 26, 1954)														1,207
Italy (effective Jan. 21, 1956)														11
Luxembourg (effective July 23, 1954)														42
Netherlands (effective Aug. 23, 1953)														3
Norway (effective Aug. 23, 1953)	0	1	0	1	1	0	4	6	1	3	0	2	1	30
Portugal (effective Dec. 22, 1955)	0	0	1	3	0	0	0	0	0	0	0	0	0	0
Turkey (effective June 17, 1954)														84
United Kingdom (effective Jan. 13, 1954)														86
Total	22	812	2,111	3,194	3,139	3,089	2,740	2,736	2,691	2,929	3,230	6,681	8,006	41,380

TABLE I.—Exercise of criminal jurisdiction by tribunals of NATO countries since the various effective dates of the NATO Status of Forces Agreement (through Nov. 30, 1965)—Continued

CONFINEMENT NOT SUSPENDED

	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Total
Belgium (effective Aug. 23, 1953)	0	0	0	0	0	0	0	1	0	0	1	0	0	2
Canada (effective Sept. 27, 1953)	0	6	0	0	5	1	2	3	6	1	4	6	2	36
Denmark (effective June 27, 1955)	---	---	---	---	---	0	0	0	0	0	1	1	1	3
France (effective Aug. 23, 1953)	15	31	28	42	28	30	14	26	35	40	53	17	19	358
Germany (effective July 1, 1963)	---	---	---	---	---	---	---	---	---	---	8	11	31	50
Greece (effective July 26, 1954)	---	---	0	0	0	2	0	0	1	1	0	0	1	5
Italy (effective Jan. 21, 1956)	---	---	---	---	3	2	4	2	6	6	5	6	1	44
Luxembourg (effective July 23, 1954)	---	---	0	9	3	1	0	0	0	3	0	1	0	9
Netherlands (effective Aug. 23, 1953)	---	1	0	0	0	0	0	0	0	0	0	0	0	1
Norway (effective Aug. 23, 1953)	0	0	0	0	0	2	3	5	0	3	2	2	0	17
Portugal (effective Dec. 22, 1955)	---	---	0	0	0	0	0	0	0	0	0	0	0	0
Turkey (effective June 17, 1954)	---	---	0	2	0	5	7	2	0	7	8	7	0	47
United Kingdom (effective Jan. 13, 1954)	---	6	31	35	34	12	21	18	5	10	5	11	4	193
Total	15	44	60	89	75	55	51	57	59	71	68	62	59	765

NOTE.—Unless otherwise indicated, the yearly statistics cover December 1 of the preceding year through November 30 of the stated year.

OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY 13

TABLE II.—Summary of exercise of criminal jurisdiction by foreign tribunals over U.S. personnel, worldwide, Dec. 1, 1953, through Nov. 30, 1965

Cases subject to foreign jurisdiction:		Cases tried—Con.	
1954.....	7, 416	1961.....	4, 254
1955.....	10, 249	1962.....	4, 375
1956.....	14, 394	1963.....	4, 652
1957.....	13, 971	1964.....	8, 459
1958.....	13, 659	1965.....	9, 646
1959.....	12, 909	Total.....	57, 916
1960.....	11, 516		
1961.....	11, 707	Confinement not suspended:	
1962.....	12, 291	1954.....	77
1963.....	19, 017	1955.....	120
1964.....	28, 762	1956.....	108
1965.....	32, 311	1957.....	124
Total.....	188, 202	1958.....	96
		1959.....	100
Cases tried:		1960.....	117
1954.....	1, 475	1961.....	114
1955.....	3, 142	1962.....	98
1956.....	4, 437	1963.....	107
1957.....	4, 980	1964.....	87
1958.....	4, 263	1965.....	103
1959.....	4, 070	Total.....	1, 251
1960.....	4, 163		

TABLE III.—Statistical highlights for NATO-SOFA countries

Country	Cases subject to local jurisdiction	Cases waived, released, or dropped	Cases pending from previous period	Cases tried	Acquittals
Belgium.....	58 (57)	50 (52)	1 (2)	4 (3)	0 (1)
Canada.....	663 (797)	15 (10)	0 (0)	648 (787)	3 (2)
Denmark.....	5 (1)	4 (0)	0 (0)	1 (1)	0 (0)
France.....	4, 217 (4, 244)	3, 537 (3, 544)	120 (98)	701 (678)	32 (30)
Germany.....	21, 767 (17, 658)	16, 238 (14, 131)	142 (341)	5, 505 (3, 731)	8 (10)
Greece.....	52 (86)	50 (66)	12 (5)	11 (15)	1 (4)
Italy.....	296 (274)	102 (158)	202 (206)	136 (123)	45 (42)
Luxembourg.....	26 (14)	0 (0)	2 (8)	28 (20)	3 (1)
Netherlands.....	277 (274)	277 (273)	0 (0)	0 (1)	0 (0)
Norway.....	1 (0)	0 (0)	0 (2)	1 (2)	0 (0)
Portugal.....	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Turkey.....	112 (105)	19 (16)	19 (14)	86 (84)	39 (40)
United Kingdom.....	937 (1, 304)	99 (73)	81 (87)	885 (1, 236)	32 (34)

NOTE.—() Figure for previous period.

Cases in Germany and France accounted for 91% of the total new cases subject to the jurisdiction of NATO countries. Thus, I would like briefly to review each of these countries more closely.

FRANCE

Consistent with past practice France waived jurisdiction in about 85% of the 3704 new cases involving military personnel (cases down 9% from previous period); 441 civilians of the 513 newly charged were released to the United States for disposition. Traffic offenses totaled 3548 (down 4% from previous period). Of the 701 persons tried for all types of offenses charged, including the 9 appeals pending at the close of the previous period, 32 were acquitted, 531 were fined or reprimanded, and 116 of the 135 sentences to confinement were suspended. Un-suspended sentences ranged from 10 days to three, 3-year sentences (two for rape, one for arson). Twelve appeals from convictions were pending at the end of the current period.

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GERMANY

Our jurisdictional arrangements with the Federal Republic of Germany—NATO-SOFA, as modified by the German Supplementary Agreement—provide for an automatic, advance waiver to the U.S. of all concurrent jurisdiction cases over which Germany has primary jurisdiction. This waiver is subject to recall if German authorities, within three weeks after notification decide that “by reason of special circumstances in a specific case major interests of German administration of justice make imperative the exercise of German jurisdiction.”

During the current period 21,767 offenses subject to German jurisdiction arose; 14,735 or 68% of these were traffic offenses. German authorities recalled their waiver of jurisdiction in only 27 of the 14,624 cases involving concurrent jurisdiction. These plus 18 cases involving military personnel, recalled in and held over from the previous period, resulted in 22 convictions. Charges were dropped in 1 case, 12 trials were pending and 10 appeals from conviction were pending. All found guilty received sentences to confinement but the sentences of five were suspended. The average of the 17 sentences executed was slightly more than three years.

GREECE AND THE NETHERLANDS

In Greece and in The Netherlands the United States operates under supplemental agreements to the NATO Status of Forces Agreement whereby upon the request of the United States each country has agreed to waive her primary right to exercise jurisdiction except in cases of particular importance. The Netherlands did not deny the United States' request in any of 268 new cases over which she had primary jurisdiction; in fact, The Netherlands has exercised jurisdiction over U.S. military personnel in only two of the more than 1500 cases that have arisen since NATO-SOFA became effective. Greece retained jurisdiction in only 7 of 48 cases.

(In NATO countries other than Germany, Greece and The Netherlands waivers of jurisdiction are governed by a provision under which requests for waiver are to be given “sympathetic consideration.”)

ICELAND

The NATO Status of Forces Agreement does not control the jurisdictional status of United States personnel stationed in Iceland; however, the Agreement with Iceland of 8 May 1951 contains similar provisions. During the current reporting period United States military personnel were charged with 129 offenses 71 of which concerned traffic violations; 11 of 19 new cases involving civilians, also concerned traffic violations. Iceland did not waive jurisdiction in any case subject to its primary jurisdiction. Only one of the 128 cases tried and concluded resulted in an unsuspended sentence to confinement. Two cases were on appeal from conviction.

EXERCISE OF CRIMINAL JURISDICTION IN NON-NATO COUNTRIES WHERE THE UNITED STATES HAS A JURISDICTIONAL AGREEMENT

To relate to you the experience of the Armed Services in each of the non-NATO countries where we have a jurisdictional agreement, I would like to place in the record a table (Table IV) which contains certain statistical highlights. [Table IV—Summary of Data on the Exercise of Criminal Jurisdiction by Foreign Tribunals in non-NATO Countries Where a Jurisdictional Agreement Exists for period 1 December 1964–30 November 1965.] For comparison, the figures in parentheses are for the previous period, 1 December 1963–30 November 1964.

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TABLE IV.—Summary of data on the exercise of criminal jurisdiction by foreign tribunals in non-NATO countries where a jurisdictional agreement exists for period Dec. 1, 1964 to Nov. 30, 1965

[Figures in parentheses are for previous period]

Country	Cases subject to local jurisdiction	Cases waived, released or dropped	Cases pending from previous period	Cases tried	Acquittals
Azores.....	93 (143)	89 (140)	0 (0)	4 (3)	0 (1)
Costa Rica.....	0 (1)	1 (0)	1 (0)	0 (0)	0 (0)
Ecuador ¹	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Greenland ¹	1 (0)	1 (0)	0 (0)	0 (0)	0 (0)
Iceland ²	148 (135)	8 (1)	4 (10)	130 (140)	0 (1)
Japan.....	1,960 (2,010)	1,661 (1,627)	51 (51)	306 (383)	6 (0)
Morocco.....	10 (8)	4 (9)	4 (16)	8 (11)	4 (3)
New Zealand.....	7 (20)	6 (20)	0 (0)	1 (0)	0 (0)
Philippines.....	204 (132)	184 (104)	37 (22)	1 (13)	1 (2)
Spain.....	172 (160)	144 (145)	17 (15)	12 (9)	5 (2)
Venezuela ¹	1	1	0	0	0
West Indies (Antigua, Bermuda, Turks and Caicos).....	87 (133)	1 (10)	0 (0)	83 (123)	0 (12)

¹ First case.

² While Iceland is signatory to NATO-SOFA, the effective agreement governing the status of U.S. forces in Iceland is T.I.A.S. 2295.

JAPAN

The largest number of cases in a non-NATO country arose in Japan. There were 1960 cases subject to Japanese jurisdiction of which 1548 (79%) were traffic offenses; criminal involvement of U.S. Forces in Japan has decreased nearly one-half over the preceding two periods.

Our jurisdictional arrangements with Japan continue to operate effectively. The waiver rate has increased nearly three percentage points, waivers having been granted in 1306 or 83% of the 1576 alleged offenses involving military personnel. Of the 306 cases tried, in addition to 15 cases in which appeals were pending at the end of the previous period, six were acquitted, fines or reprimands only comprised 257 cases, and 26 of 48 confinement sentences were suspended. One Navy member received a sentence of life for murder; he is eligible for parole in June 1975, however. Appeals from convictions pending at the end of the current period totaled 10.

SPAIN

During the current period 172 cases involving United States personnel arose in Spain; 17 cases were pending from the previous period. The United States exercised jurisdiction in 127 of those new cases. There were 12 trials by Spanish authorities, which including two appeals pending at the close of the previous period, resulted in five acquittals, five fines or reprimands, one suspended sentence and one sentence to confinement. Appeals were pending in two cases at the end of the current period.

COUNTRIES WHERE THE UNITED STATES DOES NOT HAVE A JURISDICTIONAL AGREEMENT

To show our experience in countries where we do not have a jurisdictional agreement, I would also like to place in the record another table containing statistical highlights. [Table V—Summary of Data on the Exercise of Criminal Jurisdiction by Foreign Tribunals in Countries Where No Jurisdictional Agreement Exists for period 1 December 1964–30 November 1965.] For comparison the figures in parentheses are those of the previous period, 1 December 1963–30 November 1964.

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TABLE V.—*Summary of data on the exercise of criminal jurisdiction by foreign Tribunals in countries where no jurisdictional agreement exists for period Dec. 1, 1964, to Nov. 30, 1965*

[Figures in parentheses are for previous report]

Country	Cases subject to local jurisdiction	Cases waived, released or dropped	Cases pending from previous period	Cases tried	Acquittals
Ascension.....	0 (1)	0 (0)	0 (0)	0 (1)	0 (1)
Austria.....	7 (3)	0 (0)	0 (0)	7 (3)	0 (0)
Hong Kong.....	4 (0)	0 (0)	0 (0)	4 (0)	0 (0)
Iran.....	0 (11)	6 (2)	6 (0)	0 (3)	0 (0)
Mexico.....	1,005 (1,100)	45 (56)	1 (2)	959 (1,045)	0 (1)
Panama.....	198 (93)	89 (31)	28 (11)	123 (45)	10 (8)
Thailand.....	1 (0)	0 (0)	0 (0)	1 (0)	0 (0)

MEXICO AND PANAMA

Once again, of the countries where the United States has no jurisdictional agreement, the largest number of incidents arose in Mexico and in Panama. Of 1,006 new offenses in Mexico which include one held over (over 80 percent were disorderly conduct), only one has thus far resulted in a sentence to confinement; 958 received fines and, except two which are pending, the remainder were dropped. While cases in Mexico have decreased by 95, criminal involvement of U.S. forces in Panama has sharply increased from 93 to 198; while one-half of this increase are traffic offenses, serious offenses have increased from 6 to 12 cases. Since September of last year the United States and Panama have discussed aspects of a Status of Forces agreement.

EXPENDITURES UNDER TITLE 10, UNITED STATES CODE, SECTION 1037

Military personnel are generally entitled to have counsel fees, costs, bail and related expenses incurred incident to their defense before foreign courts paid with appropriated funds. During the current period, \$82,651.93 was expended in 291 cases as compared with \$66,517.87 in 284 cases during the previous period and with \$59,266.84 in 296 cases for the period ending 30 November 1963. The average expenditure per case has risen over these three reporting periods from \$200.22 to \$284.02. I would like to enter in the record Table VI, which further details the foregoing for countries in which section 1037 was utilized. [Table VI—Expenditures in Implementation of 10 U.S.C. 1037, 1 December 1964—30 November 1965]

TABLE VI.—*Expenditures under the authority of 10 U.S.C. 1037, Dec. 1, 1964, to Nov. 30, 1965*

Country	Number of cases	Counsel fees	Bail	Court costs and other expenses	Net total Paid during period
Australia: Navy.....	1	\$466.50			\$466.50
Australia: Army.....	7	1,589.45	(\$6,216.00)	\$18.88	1,608.33
Azores: Air Force.....	2	198.97			198.97
Bermuda: Air Force.....	1	211.04			211.04
Canada:					
Navy.....	1	100.00			100.00
Air Force.....	3	465.85			465.85
Costa Rica: Army.....	1	490.00			490.00
Ecuador: Army.....	1			17.02	17.02
France:					
Army.....	64	5,156.48		1,131.87	6,288.35
Navy.....	3	1,632.65			1,632.65
Air Force.....	4	214.29			214.29
Germany: Army.....	28	11,566.01		3,295.00	14,861.01
Greece:					
Army.....	2	300.00			300.00
Air Force.....	7	3,465.00			3,465.00
Hong Kong: Navy.....	4	2,908.04			2,908.04
Iran: Army.....	3	1,287.12		9.33	1,296.45
Italy:					
Army.....	28	3,128.00			3,128.00
Air Force.....	2	240.00			240.00

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TABLE VI.—Expenditures under the authority of 10 U.S.C. 1037, Dec. 1, 1964, to Nov. 30, 1965—Continued

Country	Number of cases	Counsel fees	Bail	Court costs and other expenses	Net total Paid during period
Japan:					
Army.....	9	\$3,150.00	-----	\$895.80	\$4,045.80
Navy.....	27	8,000.00	-----	1,016.64	9,016.64
Air Force.....	35	12,275.00	-----	505.25	12,780.25
Mexico: Army.....	2	758.94	-----	-----	758.94
Morocco:					
Navy.....	4	348.16	-----	-----	348.16
Air Force.....	1	102.00	-----	-----	102.00
Panama:					
Army.....	10	3,200.00	(4,450.00)	32.85	3,232.85
Air Force.....	1	600.00	(1,000.00)	-----	600.00
Philippines:					
Navy.....	1	408.16	-----	-----	408.16
Air Force.....	3	3,440.33	(149.86)	514.14	3,954.47
Spain:					
Army.....	1	1,169.40	-----	-----	1,169.40
Air Force.....	2	370.00	-----	-----	370.00
Turkey:					
Army.....	9	3,255.55	(444.44)	-----	3,255.55
Navy.....	2	472.22	(444.44)	-----	472.22
Air Force.....	16	4,566.66	(3,777.77)	-----	4,566.66
United Kingdom: Air Force.....	5	1,343.97	-----	-----	1,343.97
Venezuela: Army.....	1	5,774.14	-----	-----	5,774.14
Total.....	291	82,651.93	¹ (16,482.51)	7,436.78	90,088.71

¹ No bail forfeited during reporting period.

CONCLUSION

No United States commander has reported that jurisdictional arrangements have had a significant impact on the accomplishment of his mission. The Department of Defense considers present status of forces arrangements to be quite workable and satisfactory.

Senator ERVIN. General, would the figures indicate that there has been, as a general proposition that there has been, an increase in offenses during the past year over the previous year, which is more or less, I hate to say, in accordance with the conditions we find in this country?

General HODSON. There has been an increase. Most of it is attributable to the increase in Germany.

Senator ERVIN. Yes.

General HODSON. And most of it involving traffic offenses; and, as I say, the commanding general in Europe says that the overall reporting procedures have been improved.

Senator ERVIN. I think on the whole however, the record is pretty good, because we have got to remember that so many of the civilians are sort of like myself, they have reached an age where they are not capable of engaging in too much devilment, and most of these men in the Armed Forces are young, with all the vigor of youth, and for that reason they are subject to more temptation, I think, than some of us who no longer have as much capacity to sin as we used to have.

But I think the record compares, notwithstanding the slight increase in the number of crimes, very favorably with the record in the United States among civilians.

General HODSON. I believe it does, sir.

Senator ERVIN. Since I became a member of this subcommittee, we have received testimony on behalf of the Department of Defense indicating that the operation of jurisdictional arrangements under the Status of Forces Treaty and similar agreements has been satisfactory.

We have had reports from field commanders indicating that these arrangements have had no detrimental effect on the accomplishment of the missions of our forces abroad, and that they have had no deleterious effect upon the morale and discipline of our forces.

Now, the statements today would indicate that this was true during the past reporting year that we are now considering, which ended November 30 of 1965. I take it that that is the fact from both your report—

General HODSON. Yes, sir.

Mr. BRONEZ. Yes, sir; we would endorse that.

Senator ERVIN. In other words, it is true from your report that these arrangements have been, on the whole, unusually satisfactory considering differences in language and habits between our servicemen and those of many countries, the host countries, and also they have not had any bad effect on the accomplishment of the mission of our forces abroad, and have not had any bad effect on the morale of our troops.

Mr. BRONEZ. We think, sir, that, on the whole, it is certainly true.

General HODSON. It has had certainly no significant impact on morale, and it has not affected the accomplishment of the mission. Much of the credit for the successful operation of the Status of Forces Agreements in the criminal field, I think, must be given to the Judge Advocates of the Army, Navy, and the Air Force for the excellent liaison they have maintained with the various Ministry of Justice officials, procurators and prosecutors of the foreign countries in which the troops are stationed.

Senator ERVIN. That certainly is in full accord with what I observed and the information I received last October and November when I visited the Armed Forces at various places in Europe in some seven or eight different countries, and being interested in the operation of the Status of Forces Treaty, and these other jurisdictional arrangements, I made particular inquiry about those matters, came in contact with many of the Judge Advocates in those countries, and I found that to be true. They deserve the major share of the credit for the very satisfactory operation of these agreements.

Now, I have noted in the past, which the figures today indicate, that as a whole, these members of the armed services who are tried in the courts abroad, in the foreign courts, where the foreign courts have exclusive jurisdiction or where they do not grant waivers, fare very well as compared with Americans in our civilian courts here charged with similar offenses; is that not true?

General HODSON. That is correct, Mr. Chairman.

My analysis of the sentences leads me to the conclusion that the sentences imposed are no more severe than those courts impose on their own nationals, and frequently are less severe; and second, that the sentences imposed are generally less than the person might receive if he were tried either by a court-martial or by a U.S. court.

Senator ERVIN. I was interested in your reference to the serviceman who was in prison in Spain. As I recall, that offense was a very atrocious offense.

General HODSON. Yes, sir.

Senator ERVIN. And in all probability, if it had been committed in many of the States in this country he would probably have received a death penalty rather than imprisonment.

General HODSON. Correct.

Senator ERVIN. Do you have any questions you would like to ask, Senator?

Senator THURMOND. Thank you, Mr. Chairman.

General, I noticed on your chart on page 2, in Germany it seems that we have four civilians who were tried for robbery, if I understand the line under the figure in the case of civilians, is that correct?

General HODSON. Yes, sir.

Senator THURMOND. Those are U.S. civilians over there?

General HODSON. Yes, sir.

Senator THURMOND. Do you know what action was taken when they completed their sentences? I presume they were separated from the service.

General HODSON. I would say in all probability—

Senator THURMOND. It seems like a high proportion of civilians. There are three military men, it seems, convicted of robbery, and four civilians, and, of course, the civilians, I presume, are in the minority, are they not? This does mean civilians working with our military, it means U.S. citizens who have gone over there, as I understand, who are subject to—

General HODSON. Our records indicate, Senator Thurmond, that the four civilians who were convicted of robbery in Germany last year were all dependents.

Senator THURMOND. All dependents.

General HODSON. All dependents, and, I assume, dependents of military personnel.

Senator THURMOND. I see. In other words, on the manslaughter you had one civilian. Was that a dependent?

General HODSON. Our records would indicate that was a dependent also.

Senator THURMOND. And these civilians, four dependents, they were tried in the German courts?

General HODSON. Yes, sir.

Senator THURMOND. Crime, in general, during the past year increased among our military and our civilians both?

General HODSON. Well, the number of offenses worldwide increased with respect to both military and with respect to those civilians, including employees and dependents, who accompanied the military overseas. There was an increase.

Senator THURMOND. You attribute that to the general worldwide increase in crime or is there any specific reason?

General HODSON. No, sir. I made as careful an analysis of that as I could to see whether I could see any trend and, as I say, most of it is attributable to better techniques in reporting crime in Germany, because most of the increase—

Senator THURMOND. Do you think it is better techniques in reporting, rather than an increase in crime?

General HODSON. There may have been very slight increase in crime, but I think most of it can be attributed to the reporting of a great many minor offenses in Germany which had not in the previous reporting period been reported. They were so minor they were handled locally without being brought to our attention, so that we could include them in our statistical report. It is similar to the

situation where a new commissioner of police takes over in, we will say, Chicago, and institutes new reporting requirements, and sometimes discovers that there appears to have been an increase in the crime rate in the particular city, when there actually was no increase in crime rate. It is just that they were reporting the crimes being committed, and I think this is what we have this year. There was just an improved reporting of those offenses which had been committed.

Senator THURMOND. You have been in the Pentagon for how long?

General HODSON. Eight years this time.

Senator THURMOND. Eight years. I think you have been there a long time, and you have had a lot of experience then with the administration of justice in the military services.

From your experience in the Pentagon and out of the Pentagon, too, you are convinced that the arrangements we have with these different countries in our status-of-forces agreements are the best arrangements, is that so?

General HODSON. I think it is the best arrangement that we can come up with in the international community, recognizing the countries where we must station our troops in our interests and in their interests, and recognizing the spirit of nationalism which we find in some of those countries.

Senator THURMOND. They are better satisfied when they try people who commit crimes than for our military to try them, and yet they get off lighter, don't they?

General HODSON. Well, actually it is a question of, as I say, a spirit of nationalism, if you wish to call it that, but it is a question of a country maintaining its sovereignty.

Senator THURMOND. Maintaining its jurisdiction?

General HODSON. Sovereignty, and showing through the exercise of criminal jurisdiction that it has not waived its sovereignty by permitting us to station troops there.

Senator THURMOND. In some countries there is considerable sentiment against waiving that sovereignty, isn't there?

General HODSON. Yes, sir.

Senator THURMOND. So far as punishment goes, our military generally give more severe punishment than the local courts in the status-of-forces country, do they not?

General HODSON. I would say so; yes, sir.

Senator THURMOND. If there were not this element there of local pride and local sovereignty, as a military man interested in the discipline of the troops, which would you probably choose, to let the military punish these people or to let the local country do it?

General HODSON. I can refer now, of course, only to military personnel, and I take it you are directing your question to the military men.

If we had our choice, I think it would be better, more desirable, for us to continue to exercise court-martial jurisdiction over the military man. However, with respect to the serious offenses—and I am now talking about murder, manslaughter, rape, robbery, that type of offense—in all probability, whether he is convicted by the civilian courts of the receiving state or whether he is convicted by court-martial, he is lost to the military anyway because he invariably will be discharged, and he will not be our problem any longer. With

respect to the minor traffic offenses, these are really not any burden overseas because we experience the same problem in the United States, where we permit, of course, as you know, the States and the municipalities to exercise jurisdiction with respect to traffic offenses, so we are familiar with this, and it is no change when we move overseas except that there is a language barrier.

So all in all, the arrangement is a fairly good arrangement, and which, as we have reported year after year, has no impact on the accomplishment of our mission. So that when I say that we would find it more desirable to handle a man by court-martial, I would say this only because we keep the man, we feel that we owe this man protection, and we would like to keep him in the military community or in the community of the U.S. citizens, and we think that this is a little better than to have to turn him over to the foreign authorities.

Senator THURMOND. And that keeps down some criticism on the part of our people here, too, who would object to foreign courts having jurisdiction, although if they study the records they would find they get off lighter in the foreign civilian courts than they probably would in our own military.

General HOBSON. Yes, sir.

We have a little greater logistic and administrative problem when they are tried by foreign courts. As you know, we supplement rations, we inspect the prisons monthly, sometimes more often; we take care of their health, their welfare, and this is a little bit of a logistics problem.

We, in effect, are sustaining a prisoner overseas. It would be a little easier to sustain that same prisoner, we will say, in the U.S. disciplinary barracks, and it would require less manpower.

Senator THURMOND. I see.

General HODSON. I do not mean that we are providing all of the food and all of the comforts and so forth, for a man in a foreign prison. We just insure that he has enough, sometimes by supplementing it with American rations.

Senator THURMOND. Some years ago, I believe, even though they were tried in civilian courts, the military courts probably tried them again, did they not? Is that still done?

General HODSON. Under the Status of Forces Agreement?

Senator THURMOND. That was probably before.

General HODSON. Under the Status of Forces Agreement, the agreement usually includes that—

Senator THURMOND. Includes they will not be tried again.

General HODSON (continuing). A statement that they will not be tried again for the same offense in that country.

Senator THURMOND. Even though they should receive punishment at the hands of the civilian court, which you feel is entirely inadequate, you could not try them again if the Status of Forces Agreement so provided, could you?

General HODSON. That is correct.

Senator THURMOND. Have you had any difficulty along that line? Have you found any undue leniency in any particular country that has caused a disciplinary problem?

General HODSON. No; not that I know of.

Senator THURMOND. Thank you, General.

Thank you, Mr. Chairman.

Senator ERVIN. I take it, General, that all the references in your report to civilians being tried or convicted are to civilians who are either working and serving with the Armed Forces or with the dependents, civilian dependents, or members of the Armed Forces?

General HODSON. Yes, sir.

Senator ERVIN. You would not be concerned and have no authority with respect to civilians who go there as tourists, for example, and get into trouble and are tried in the courts?

General HODSON. That is right.

Senator ERVIN. Whatever would happen to them would be handled by the diplomatic service of our country abroad rather than the military.

General HODSON. Yes, sir.

Senator ERVIN. Now, then, previous reports have indicated, and you have also stated today, that we have a very unsatisfactory arrangement, rather unsatisfactory condition, with reference to civilians who accompany our Armed Forces abroad since the decisions of the Supreme Court that they were not subject to trial by military courts-martial, and I presume that condition still exists?

General HODSON. Yes, sir.

Senator ERVIN. As I recall previous reports, the host country where it occurs is not ordinarily very much concerned where an American civilian accompanying our Armed Forces commits an offense against another American civilian or an American military man, rather than against one of the nationals of the host country?

General HODSON. That is correct.

Senator ERVIN. So the result of the present arrangement is if a civilian dependent of a military man accompanying our forces abroad cannot be reached by disciplinary action, they go, to use the poetic expression, unwhipped to justice?

General HODSON. Well, this varies from country to country. But, generally speaking, the statement you have made with respect to what we call inter se offenses, offenses against ourselves or offenses against Government property or private property belonging to a member of the military, the foreign countries are not too interested in taking jurisdiction in those cases. In certain countries they will take jurisdiction, but usually the sentence is rather light. In other countries they would prefer not to mingle in what they think are our own affairs. They prefer not to get into them.

Senator ERVIN. It saves them a lot of expense not to be bothered with an American civilian who steals property from another American civilian—

General HODSON. That is right.

Senator ERVIN (continuing). Accompanying our Armed Forces or from military personnel. In other words, they are not burdened with the expense of a trial, and the expense of imprisonment and any other expenses of that nature if they ignore it.

General HODSON. That is correct, particularly when an offense is committed on a U.S. military area.

Senator ERVIN. We have had a number of bills, I introduced one myself as a blueprint for discussion rather than as a solution to this problem, relating to this, and never have yet been able to come up with a satisfactory solution. There are so many practical and, also,

constitutional questions involved that it is one of the most difficult areas I know to get any effective legislation in.

At this time we will go into executive session and request everyone who does not have authority to remain to retire.

(Whereupon, at 11:15 a.m., the subcommittee adjourned to proceed in executive session.)



constitutional questions involved that it is one of the most difficult areas I know of for any effective legislation in. At this time we will go into executive session and request everyone who does not have authority to remain to retire. (The session adjourned at 11:15 a.m. The subcommittee adjourned to proceed in executive session.)

