

DEPARTMENT OF STATE
INTERNATIONAL CLAIMS COMMISSION
OF THE UNITED STATES

In the Matter of the Claim of

~~BOZO~~ (BOB) ZUROVAC

Under the Yugoslav Claims Agreement
of 1948 and the International Claims
Settlement Act of 1949

Docket No. Y-423

Decision No. 35

FINAL DECISION

MARVEL, CHAIRMAN. This claim was before the Commission upon the proceeding of the Solicitor of the Commission pursuant to Section 300.16 of the Rules of Practice and Procedure of the Commission.

In its proposed decision of March 11, 1952 the Commission denied the claim in whole for the reason that the claimant did not show that he was the owner of property which was nationalized or otherwise taken by the Yugoslav Government. The claim was based upon the claimant's right to a bonus of land or bonds for his services as a volunteer in the Serbian Army. By neglecting to comply with procedural requirements, however, the claimant failed to reduce his rights to real property or bonds, and consequently he was not the owner of property or rights and interests therein.

By letter of April 12, 1952 written on his behalf, the claimant informed the Commission that he could not afford a personal appearance at a hearing on his claim, and requested that the Commission give further consideration to his claim. The

claim was again considered by the Commission on June 25, 1952, and it was the unanimous decision of the Commission that its proposed decision of March 11, 1952 be affirmed and that the claim be denied in whole.

The claim is, therefore, denied in whole.

This decision constitutes a full and final disposition of this claim.

June 25, 1952

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PROPOSED DECISION

MARVEL, CHAIRMAN. This claim seeks the recovery of an un-
stated amount from a "Fund out which sums are to be paid to veterans
of the First World War in the Yugoslav Army as volunteers from the
United States, from June 1917 to March 14, 1920".

The claim is before this Commission upon the proceeding of the
Solicitor of the Commission pursuant to Section 300.16 of the Rules
of Practice and Procedure of the Commission.

By Decree of December 18, 1919, volunteers in the Serbian Army
were offered certain special benefits. These were:

- (1) Priority in obtaining a Government position as a civil
service employe, in obtaining special Government
licenses for Government stores, restaurants, and other
enterprises which were mostly connected with the rail-
roads, and for other privileges;
- (2) free tuition for volunteers who had been students;
- (3) loans without interest within certain limits;
- (4) the right to be settled on good land taken from large
landowners in Agrarian Land Reform proceedings.
- (5) Other sundry benefits.

The definition of a volunteer was contained in the Volunteers Act
of December 30, 1921 and by Decree of the Ministry of Agrarian Reform

of February 24, 1921, No. 3843, volunteers were called to submit their military papers to the Ministry of Social Politics within a term of three years in order to obtain a Volunteer's Certificate. After the lapse of the three years, persons who did not obtain such a certificate lost all rights of volunteers.

Legislation implementing the program to allocate land to volunteers was contained in Article 3 of the Volunteers Act of August 31, 1928, as amended by the Act of September 18, 1930. But the insufficiency of agrarian land for such disposition brought about a decree of December 7, 1938, regarding the Issue of State Bonds to War Volunteers in lieu of Agrarian Land. By this decree the Minister of Finance was authorized to pay, in lieu of an indemnification in land, an indemnification in 4% State Bonds in the amount of 50,000 dinars to combatant veterans and 30,000 dinars to non-combatant veterans. Those entitled to the payment were veterans whose status as volunteers was recognized up to the effective date of the decree by a final certificate issued in accordance with the Volunteers Act and to whom no land had thus far been assigned.

It may be that claimant, by meeting certain procedural requirements, might have acquired land in Yugoslavia or Yugoslav Government Bonds in the amount of 50,000 dinars in lieu of such land as a bonus for his services in the Serbian Army in World War I. This claimant did not do, and consequently he cannot show that he owned property or rights and interests therein which were nationalized or otherwise taken by the Yugoslav Government between September 1, 1939 and July 19, 1948. This being so, it is clear that the terms of the Yugoslav

Claims Agreement of 1948 have not been met.

The claim is denied in whole.

March 11, 1952