

Declassified E.O. 12356 Section 3.3/NND No. 785015

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DRAFT ARMISTICE TERMS, FUNCTIONS &
POWERS OF REGIONS & CONTROL OFFICERS
UNDER A.C.C.
SEPT. 1943

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SECRET
(Equals British MOST SECRET)

TO: MCS, APRQ.

FROM: Joint Assistant Chiefs of Staff. A.C.A

SUBJECT: DRAFT ARMISTICE TERMS -- Functions and Powers of Regions and Control Officers under A.C.C.

REFERENCE: ACA/1018.

DATE: 13 Sept 1943.

1. It has been brought to our notice by the Chiefs of the Financial and Legal Divisions (Brig. Hamlyn and Col. Upjohn F.C.) that the present draft Armistice terms do not apparently cover or provide for the organization contemplated in paras. 9, 10, and 11 of MSB Paper No. 7.

2. We have always considered, as indeed appears clear from Paper 7, that the function of Regional Staffs and CAOs (much reduced in numbers under A.C.) would be to ensure compliance with the Armistice Terms at the appropriate level -- for example a senior Officer would deal with the Prefect who is a Government Official. Presumably the appropriate department of the Italian Government would issue instructions from time to time at the instance of the Armistice Control Commission. List of these instructions would be communicated to Regions under A.C. and Regions would in turn communicate them to SCAGs and CAOs concerned. It would be the task of the latter to see that the instructions were properly carried out by the local Italian Official, but we consider that their powers in this respect require definition -- are they to be merely inspectorial and advisory, or something more? (see para. 4 below).

3. Brig. Hamlyn and Col. Upjohn, however, point out that though this may be a perfectly workable scheme, it is a novel one for Armistice Conditions in unoccupied territory without parallel in recent history, and is not anywhere specifically provided for in the Armistice Terms. These refer throughout to the "Italian Government", the applicable clauses being governed by the words "that the Italian Government will do such things as the United Nations may require", and it would appear that by the term "Italian Government" is intended the Central Government only, and not its local representatives in provinces and towns.

4. However, this may be, we feel it to be of the utmost importance that the matter should be made perfectly clear to the Italian

2. We have always considered, as indeed appears clear from Paper 7, that the function of Regional Staffs and CAOs (much reduced in numbers under A.C.) would be to ensure compliance with the Armistice Terms at the appropriate level -- for example a senior ³⁰⁰ would deal with the Prefect who is a Government Official. Presumably the appropriate department of the Italian Government would issue instructions from time to time at the instance of the Armistice Control Commission. List of these instructions would be communicated to Regions under A.C. and Regions would in turn communicate them to SCAsOs and CAOs concerned. It would be the task of the latter to see that the instructions were properly carried out by the local Italian Official, but we consider that their powers in this respect require definition -- are they to be merely inspectorial and advisory, or something more? (See para. 4 below).
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4. However, this may be, we feel it to be of the utmost importance that the matter should be made perfectly clear to the Italian Government -- as already stated it does not appear clear in the present draft terms -- otherwise there may be considerable friction and difficulty between local Italian Officers, and it is to be noted that in all probability little if any military or police protection would be available for our officers under A.C. conditions whereas this is not the case under A.M.C.
5. It is pointed out further ^{out} that the functions of Officers will be fundamentally different under Armistice Control from what they are under AMU, and that this will affect both the type of instruction given and the allocation of Officers to specific appointments.
6. Having regard to the points put forward above, it is requested that
 - (1) You will confirm that the Armistice Control organization

Draft Armistice Terms (Contd.).

contemplated will be generally as set out in paras 9 - 11 of Paper No. 7.

- (11) You will consider carefully whether the proper powers exist under the present draft terms for the organization under (1) above and that in any event that ^{is} proposed be made clear to the Italian Government.
- (111) The powers and functions of Regional and Civil Affairs *Officers* under A.C. be defined.

NAH Colonel
(Draft See App 1) B. RATHBONE,
Lieut.-Colonel
H. PARKMAN,
Joint Assistant Chiefs of Staff
A.C.A.

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TO: Joint Asst. Chiefs of Staff

FROM: Sub-Committee to Consider the Draft Armistice Terms

SUBJECT: Draft Armistice Terms

REFERENCE: A.C.A./1013

DATE: 12th September, 1943.

A perusal of the latest draft armistice terms indicates a plain policy so far as A.C.C. is concerned in the execution of the terms of operation entirely through the Italian Government, as practically all applicable clauses are governed by the words "that the Italian Government will do such things as the United Nations may require".

This would mean that the only A.C.C. officials would be those acting via a vis the Italian Government, whatever it may be situated. Is the Italian Government therefore only a central government, so that the regional staffs under the control of A.C.C. would have purely inspectorial and advisory powers, or is a decentralised Italian Government contemplated, so that A.C.C., Region 7 would all be working at one central Headquarters via a vis the Italian Government, while regional A.C.C. staffs would be working again via a vis the regional Italian Government.

In any case, there must be contemplated serious delays or infringements by whom the central Italian Government on the instructions issued by A.C.C. Now are these infringements to be dealt with if it be assumed that no amendments to the draft terms will be made?

In view of these circumstances, clarification of the situation is required for the guidance of the Planning Staff, and for the purpose of the instruction and allocation of staff under A.C.C., Region 7, and A.C.C. other Regions.

Robert B. Smith

BRIGADIER A. A. HALLIN,
Chief, Financial Division.

W. J. Upjohn
COLONEL W. J. UPJOHN,
Chief, Legal Division.

W. J. Upjohn

COLONEL W. J. UPJOHN, D.S.O.
Chief, Economics & Supply Division

RAF/ra.

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 vis a vis the Italian Government, wherever it may be situated. Is the
 Italian Government therefore only a central Government, so that the
 regional staff under the control of A.C.C. would have purely inspectorial
 and advisory power, or is a decentralized Italian Government contemplated,
 so that A.C.C., Region 7 would all be working at one central headquarters
 vis a vis the Italian Government, while regional A.C.C. staffs would be
 working again vis a vis the regional Italian Government.

In any case, there must be contemplated serious delays or
 infringements by even the central Italian Government on the instructions
 issued by A.C.C. Now are these infringements to be dealt with if it be
 assumed that no amendments to the draft forms will be made?

In view of these circumstances, clarification of the situation
 is required for the guidance of the Planning Staff, and for the purpose of
 the instruction and allocation of staff under A.C.C., Region 7, and A.C.C.
 other Regions.

Robert Brown

FRANCIS A. A. HANLYN,
 Chief, Financial Division.

[Signature]
 COLLEGE H. UPJOHN,
 Chief, Legal Division.

[Signature]

COLONEL W. D. EVANS, D.S.O.
 Chief, Economics & Supply Division.

PAH/rha.
 18th September, 1945.

* Captain Stone was prevented from attending the Meeting being absent
 from Wai-Ousou.

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