

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

ACC

10000/100/365

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

10000/100/365

ACC LEGAL DIVISION, SUB-COMMITTEE,
REGION VII
JUNE - SEPT. 1943

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

~~ACA/1017/1~~

TO BE KEPT UNDER LOCK & KEY

A.C.C. LEGAL DIVISION

SUB-COMMITTEE REGION VII

WITHDRAWN ONLY ON PERSONAL
ORDERS OF Col. UPJOHN

IMMEDIATE

COPY No 54

SECRET equals British
MOST SECRET

CIV/1017/1

OPERATION CAVALIER

Instruction No 1

TO : All Officers Concerned - Mil. Govt. School.
FROM : Assistant Chief of Staff, Operation CAVALIER.
SUBJECT: Warning Order - Advance Party - Allied Commission.

1. Ref. ACC/1017/1 of 29 September 1944.
Appendix A: Following amendments are notified:

- (a) Col. D.S. ADAMS (A) ~~Vice~~ Lt. Col. F.H. McFARLAND or Staff Officer.
- (b) Lt. Col. JENNY (A) will proceed as Public Works and Utilities in Economics Section ~~with~~ Major K.C. WILSON.
- (c) Acting Chief of Communications Section to be Capt. STONE, USNR, now in Italy.
- (d) P. A. to Acting Chief of Staff - Lt. M. MARRA (S).
- (e) Captain H.Q. Detachment - 1st Lt. DENNING (A).
Lieutenant H.Q. Detachment - 2nd Lt SHADWICK (A).
- (f) Following Officers will proceed as interpreters:

- 2nd Lt. OPULENTE (A)
- 2nd Lt. VALENZA (A)
- 2nd Lt. MADLEIGH (A)

2. Following additional transport has been authorized:

4 3-ton lorries with drivers.

11-18-44
A. A. M. S.

Appendix A: Following amendments are notified:

- (a) Col. D.S. ADAMS (A) **vice** Lt. Col. F.H. McFARLAND or Staff Officer.
- (b) Lt. Col. JENNY (A) will proceed as Public Works and Utilities in Economics Section ~~with~~ Major K.C. WILSON.
- (c) Acting Chief of Communications Section to be Capt. STONE, USNR, now in Italy.
- (d) P. A. to Acting Chief of Staff - Lt. M. MAYER (5).
- (e) Captain H.Q. Detachment - 1st Lt. DENNING (A).
Lieutenant H.Q. Detachment - 2nd Lt. SHADWICK (A).
- (f) Following Officers will proceed as interpreters:

2nd Lt. OPULENTE (A)
2nd Lt. VALENZA (A)
2nd Lt. WADLEIGH (A)

2. Following additional transport has been authorized:

4 3-ton lorries with drivers.

Field.

2 October 1943.

DISTRIBUTION:

1 - 30 Cms to each Officer concerned.
31 - 32 H.Q. Comdt.
33 - 34 Mil. Govt. School.
35 - P.M.C.
36 - 37 Mil. Govt. Sec. F.H.Q.
38 - 39 Assistant Chiefs of Staff.
40 - 3-1
41 - 3-2
42 - 43 C-4

44 - A.S.
45 - E & F
46 - Comms.
47 - 62 - Sub-Commission.
63 - War Diary
64 - File ACC/1017/1
65 - File CAV/1017/1
66 - 70 - Stores.

J.K. DUNLOP
Acting Chief of Staff, Advance
Party, ~~with~~ *Miss Compton*

COPY NO. 55

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MOST SECRET.

ACC/1017/1.

TO: All Officers Concerned - Mil. Govt. School.

FROM : Assistant Chief of Staff.

SUBJECT : Warning Order - Advance Party - Armistice C.C.

1. An advance party of Armistice C.C., based as attached Appendix A, will be prepared to move at short notice to a destination to be notified later. Move not before 5 October 1943.
2. A Recce detachment from the advance party, based as under, will be prepared to move by air at short notice. Not before 1 October 1943.

Lt.Col. Moss-Vernon.
(to be selected).

H.Q. Comdt.
Capt. H.Q. Comdt Staff
Major Driffeld White,
One Warrant Officer.
One Clerk.
One Batmen.

3. Detailed instructions for move of main body of advance party will be issued later. It is probable that a minimum of three days warning to move will be available.
4. H.Q. Comdt. in conjunction with Executive Officer, Mil. Govt. School will nominate forthwith E.M. and O.R. personnel for advance party.
5. Officers on Recce Party will not leave Tizi Ouzou without reference to Acting Chief of Staff, Advance Party. Officers on main body will not leave Tizi Ouzou for more than 12 hours without similar reference.
6. Baggage with Recce Party is limited to Officers 45 lbs. and E.M./O.R.'s 30 lbs. excluding equipment, arms, ammunition, etc. Special details regarding baggage of advance party will be issued later.
7. Move will be known as Operation Cavalier.

Move will be known as Operation Cavalier.

Rev. Katharine L.L.
Joint Assistant Chief of Staff.

Field.

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H.Q. Comdt.
 Capt. H.Q. Comdt Staff
 Major Driffield White.
 One Warrant Officer.
 One Clerk.
 One Batman.

Lt.Col. Moss-Vernon.
 (to be selected).

3. Detailed instructions for move of main body of advance party will be issued later. It is probable that a minimum of three days warning to move will be available.

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6. Baggage with Recce Party is limited to Officers 45 lbs. and E.M./O.R.'s 30 lbs. excluding equipment, arms, ammunition, etc. Special details regarding baggage of advance party will be issued later.

7. Move will be known as Operation Cavalier.

Field.

29 Sept 1943.

Distribution:-

1 - 30 One to each Officer concerned.
 31 - 32 H.Q. Comdt.
 33 - 34 Mil. Govt. School.
 35 P.M.C.
 36 - 37 Mil. Govt. Sec. A.F.H.Q.
 38 - 39 Assistant Chief of Staff.
 40 G-1.
 41. G-2
 42 - 43 G-4
 44 - 45
 46 E & F
 47-62 Comms.
 63 Sub-Commission.
 64 File.
 65-70 War Diary.
 Spares 3.

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John R. Kethledge
 Joint Assistant Chief of Staff.

APPENDIX 'A' TO ACC/1017/1
DATED 29 SEPT. 43.

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Staff Officers.

Chief of Staff.
Personal Assistant.
G-2 I.O.
Staff Officers.

Col. Dunlop.
(To be nominated).

Capt. Scotten.

Lt.Col. McFarland.

Major Driffield-White.

Major Purgold.

Major Uhler.

Major Bullock.

Major Franklin.

(-)

G-1.

G-4.

Economic Section.

Acting Chief of Section.
Finance.
Industry and Commerce.
Public Works & Utilities.
Fuel.
Agric., Forestry &
Fisheries.
Labour.

Brig. Hamlyn.

Lt.Col. Bernstein.

Col. Evans.

Major K.C.Wilson.

Capt. Fagan.

Major Hartman.

Lt.Col. J.R.Smith.

Administrative Section.

Acting Chief of Adminis-
trative Section.
Interior.

Legal.
Public Safety.
Public Health.
Information.

Lt.Col. Wilmer.

Lt.Col. Spicer.

Lt.Col. Legg.

Capt. Dawson.

Capt. Weaver.

Lt.Col. Williams.

Major Leigh.

Communications Section.

Acting Chief of
Communications Section.
Transportation.

Lt.Col. Jenny.

Lt.Col. Vining.

Headquarters Detachment.

H.Q. Comdt.
Capt.
Capt. or Lieut.

Lt.Col. Moss-Vernon.
(To be nominated).

(-)

Finance.
 Industry and Commerce.
 Public Works & Utilities.
 Fuel.
 Agric., Forestry & Fisheries.
 Labour.

Administrative Section.

Acting Chief of Administrative Section.
 Interior.

Legal.
 Public Safety.
 Public Health.
 Information.

Lt.Col. Wilmer.
 Lt.Col. Spicer.
 Lt.Col. Legg.
 Capt. Dawson.
 Capt. Weaver.
 Lt.Col. Williams.
 Major Leigh.

Communications Section.

Acting Chief of Communications Section.
 Transportation.

Lt.Col. Jenny.
 Lt.Col. Vining.

Headquarters Detachment.

H.Q. Comdt.
 Capt.
 Capt. or Lieut.

Lt.Col. Moss-Vernon.
 (To be nominated).
 (To be nominated).

E.M./O.R.'s. (including proportion of N.C.O.'s).

1 Warrant Officer.	(-)
1 First Sgt.	(-)
6 Clerks.	} As many Italian speakers as possible.
13 Stenographers & Typists.	
1 Motor Sgt.	
1 Auto Mechanic.	
17 Drivers.	
6 General Duty Men.	
4 Batmen/Orderlies.	
20 Military Police and Guards (10 A and 10 B).	
1 Medical N.C.O.	
1 Sgt. Cook.	
1 Cook.	

(-) Form Recce Party.

/2.....

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- 2 -

Vehicles.

3 6-seater Saloon Cars.
2 15-cwt. Trucks.
3 4-seater Utilities.
6 Jeeps.
2 Motor-Cycles.

The addition of 3-ton lorries with drivers is
still under consideration.

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ALLIED FORCE HEADQUARTERS
Military Government Section

23 Sept. 1943

MEMORANDUM TO: Col. G R Upjohn KC.

Omnibus Proclamation

1. Attached are the following documents:
 - (a) Personal letter to Brigadier General Holmes from Major General Hildring.
 - (b) Official letter dated 10 Sep. enclosing draft proclamation.
 - (c) United Kingdom Amendment to Draft Proclamation.
 - (d) Draft Omnibus Proclamation (12 Sheets).
2. Col. Fairman has seen the above and Col. Maxwell has asked that you see it also. *Please return after perusal.*

T. B. Jackman
Major

T. B. JACKMAN
Major
Military Government Section

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WAR DEPARTMENT
OFFICE OF THE CHIEF OF STAFF
CIVIL AFFAIRS DIVISION
WASHINGTON

Dear Holmes:

This is one of several documents prepared in London on this general subject. We, on the U.S. side, believe you have all the directives you need. The British were insistent on sending this one. As a compromise, we agreed to send it informally. Use it or not, or use any part of it, as you see fit.

Kindest regards,

Hendrup

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WAR DEPARTMENT
OFFICE OF THE CHIEF OF STAFF
CIVIL AFFAIRS DIVISION
WASHINGTON

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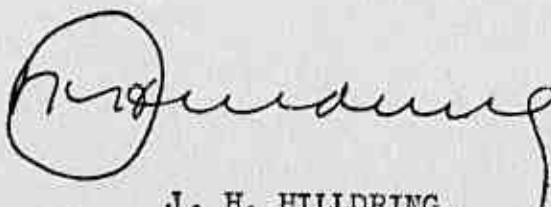
Brig. Gen. J. C. HOLMES
Colonel J. W. WELLS
Major JACKMAN

10 September 1943

MEMORANDUM FOR BRIGADIER GENERAL J. C. HOLMES:

Subject: Proposed "Omnibus" Proclamation.

I am inclosing for your information a draft Proclamation, originally intended for use in the event of a possible collapse of all government and military authority in Italian territory, and in the absence of any instrument signed by a responsible Italian Government. As there is no state of chaos in Italy, the original purpose of the document does not apply. However, the Combined Civil Affairs Committee has considered the document and agreed, at yesterday's meeting, that a copy be forwarded informally to you, in the belief that it will serve a valuable purpose in connection with future planning. It has been drafted by legal experts with a view to covering as completely as possible all the provisions in the Comprehensive Document now in General Eisenhower's possession.



J. H. HILLDRING,
Major General,
Chief, Civil Affairs Division.

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1 Incl.
draft proclamation.

MILITARY COPY
SUBJECT
FILE NO. M.C. - 387.4

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10 September 1943

MEMORANDUM FOR BRIGADIER GENERAL J. C. HOLMES:

Subject: Proposed "Omnibus" Proclamation.

I am inclosing for your information a draft Proclamation, originally intended for use in the event of a possible collapse of all government and military authority in Italian territory, and in the absence of any instrument signed by a responsible Italian Government. As there is no state of chaos in Italy, the original purpose of the document does not apply. However, the Combined Civil Affairs Committee has considered the document and agreed, at yesterday's meeting, that a copy be forwarded informally to you, in the belief that it will serve a valuable purpose in connection with future planning. It has been drafted by legal experts with a view to covering as completely as possible all the provisions in the Comprehensive Document now in General Eisenhower's possession.

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J. H. HILLDRING,
Major General,
Chief, Civil Affairs Division.

1 Incl.
draft proclamation.

SEP 9 1943



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Corrigendum

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UNITED KINGDOM AMENDMENTS TO DRAFT PROCLAMATION

PREAMBLE. Last paragraph - for "United Nations Commander-in-Chief" read "Allied Commander-in-Chief".

PARA. 10. For "prohibited from leaving" read "prevented from leaving".

PARA. 11. 3rd line should read: "all such information as I may require...."

PARA. 12. Amend as follows:-

First sentence - After "War Material" insert "on the spot".

Last sentence should read - "Such war material as is not taken over by local commander of the occupying forces on arrival will be placed....."

✓ PARA. 13. Add after the word "repair" at end of this paragraph - "by the Italian authorities as required".

✓ PARA. 15. Delete sub-paragraph (c)

PARA. 19.- (a) For "Article 20" read "Article 18".

(d) After "vehicles" delete "or", and after "material" insert "or property".

PARA. 25. (b) Delete "including Albanians".

PARA. 33. Delete.

PARAS. 34 - 42. To be renumbered 35 - 41.

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BRITISH EMBASSY,
WASHINGTON, D.C.
September 9th, 1943.

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DRAFT "OMNIBUS" PROCLAMATION

(For use in the event of a general Italian collapse and on the occupation of all available Italian territory and in the absence of any Instrument signed either with an Italian Government or the Italian Supreme Command.)

WHEREAS the Italian land, sea and air forces have been totally defeated and Italy can no longer carry on the war against the United Nations;

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AND WHEREAS it has been deemed necessary for the forces of the United Nations to occupy Italian territory for the prosecution of the war against Italy's allies and as a guarantee that Italy does not assist these Powers in any way;

AND WHEREAS it is necessary in the circumstances which have arisen to make provision for the maintenance of public order in such territory, the safety and sustenance of the Italian people, and the military security and requirements of the occupying forces;

NOW therefore I (United Nations Commander-in-Chief) hereby proclaim as follows:-

PART I

1. The United Nations will exercise all the rights of

of the United Nations to occupy Italian territory for the prosecution of the war against Italy's allies and as a guarantee that Italy does not assist these Powers in any way;

AND WHEREAS it is necessary in the circumstances which have arisen to make provision for the maintenance of public order in such territory, the safety and sustenance of the Italian people, and the military security and requirements of the occupying forces;

NOW therefore I (United Nations Commander-in-Chief) hereby proclaim as follows:-

PART I

1. The United Nations will exercise all the rights of an occupying Power in the Italian territories now or hereafter occupied by the forces under my command, and will in these territories take all such steps and enforce all such measures (including those set out in this Proclamation) as may be required for this purpose, or on grounds of military security and administration, the needs of the occupying forces or public order and safety. Subject to the exceptions rendered necessary by these considerations, as provided in this or any subsequent Proclamation, Order or Regulation, all laws and customs, rights and property in the occupied territories

/ will

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will be respected. Compensation will be paid for any private property or services requisitioned or utilized.

2. The territories concerned will be under my exclusive military jurisdiction and will remain under such jurisdiction for as long as military considerations demand. For this purpose therefore I assume for myself and for any duly appointed successor of mine full judicial, legislative, administrative and executive powers and responsibility in regard to all such territories, and exclusive military jurisdiction over all persons and property therein.

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3. All Italian opposition to landings or other operations of the sea, land, and air forces of the United Nations will cease immediately.

4. The competent Italian military, naval and air authorities and all Italian commanders called upon to do so will give full information concerning the disposition and condition of the Italian land, sea and air forces, and of all such forces of Italy's allies as are situated in Italian or Italian-occupied territory.

5. Italian land, sea and air forces will proceed to and remain in their barracks, camps or ships, pending directions from me as to their future status and disposal.

Exceptionally, such naval personnel as I may direct will

jurisdiction over all persons and property therein.

3. All Italian opposition to landings or other operations of the sea, land, and air forces of the United Nations will cease immediately.

4. The competent Italian military, naval and air authorities and all Italian commanders called upon to do so will give full information concerning the disposition and condition of the Italian land, sea and air forces, and of all such forces of Italy's allies as are situated in Italian or Italian-occupied territory.

5. Italian land, sea and air forces will proceed to and remain in their barracks, camps or ships, pending directions from me as to their future status and disposal. Exceptionally, such naval personnel as I may direct will proceed to shore establishments.

6. The competent Italian military, naval and air authorities will order the Italian land, sea and air forces to withdraw, within the periods to be laid down by me, from all areas outside Italian territory which I may specify. They will order such forces to proceed to the areas prescribed by me in accordance with such directions as I may give. The competent Italian authorities will similarly order all

/ Italian

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Italian officials to leave the areas notified, with such exceptions as I may indicate.

7. The demobilisation of Italian land, sea and air forces in excess of such establishments as I may specify will take place as directed by me together with all such measures of disarmament and demilitarisation as I may prescribe.

8. Italian warships of all descriptions, auxiliaries and transports will be assembled as directed in ports to be specified by me and will be dealt with as I may prescribe.

9. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by me.

10. Without prejudice to the provisions of Articles 15, 16, and 19 below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality are, pending verification of their identity and status, prohibited from leaving.

11. The competent Italian military, naval and air authorities and any Italian commanders called upon to do so will make available all information as I may require about naval, military and air devices, installations, and defences; about all transport and intercommunication systems established by Italy or her allies on Italian territory or

9. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by me.

10. Without prejudice to the provisions of Articles 15, 16, and 19 below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality are, pending verification of their identity and status, prohibited from leaving.

11. The competent Italian military, naval and air authorities and any Italian commanders called upon to do so will make available all information as I may require about naval, military and air devices, installations, and defences; about all transport and intercommunication systems established by Italy or her allies on Italian territory or in the approaches thereto; about minefields or other obstacles to movement by land, sea or air, together with such other particulars as I may require in connexion with the use of Italian bases, or the operations, security, or welfare of the United Nations sea, land or air forces. Italian forces and equipment will be made available as required by me for the removal of the above-mentioned obstacles.

12. All war material will at once be placed at the disposal of the local commander of the occupying forces on

/ arrival.

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arrival. The competent Italian authorities will furnish forthwith lists of quantities of all war material showing the location of the same. *Handwritten: quantities of war material as to be placed in the hands of the Italian Commander of the occupying force in the zone* The war material will be placed in store under such control as I may direct, and its ultimate disposal will be prescribed by me.

13. There shall be no destruction of nor damage to nor, except as authorised or directed by me, any removal of war material, wireless, radiolocation or meteorological stations and equipment, rail, road, port or other installations, or in general, public or private utilities or property of any kind, wherever situated; and all such war and other material and property must be kept in good maintenance and repair. *Handwritten: by the Italian authorities as required*

14. The manufacture, production and construction of war material, and its import, export and transit is prohibited, except as directed by me. The competent Italian authorities will comply with any directions given by me concerning the manufacture, production or construction and the import, export and transit of war material.

15. (a) All Italian merchant shipping and fishing and other craft, and any constructed or completed during the period of military occupation will be made available in good

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in general, public or private utilities or property of any kind, wherever situated; and all such war and other material and property must be kept in good maintenance and repair. *by the Italian authorities as required*

14. The manufacture, production and construction of war material, and its import, export and transit is prohibited, except as directed by me. The competent Italian authorities will comply with any directions given by me concerning the manufacture, production or construction and the import, export and transit of war material.

15. (a) All Italian merchant shipping and fishing and other craft, and any constructed or completed during the period of military occupation will be made available in good repair and in seaworthy condition by the competent Italian authorities or such other persons as may be in control thereof, at such places and for such purposes and periods as I may prescribe. Transferto enemy or neutral flags is prohibited. Crews will remain on board, pending further instructions regarding their continued employment or disposal. The above provisions shall apply to Italian, or former Italian vessels which are repurchased or re-acquired, or of which control is resumed, under existing options relating to their sale, transfer or chartering, and to / the

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the crews of such vessels.

(b) All inland transport will be held at my disposal for such purposes as I may direct.

(c) The United Nations will endeavour to provide for the essential economic needs of the Italian people so far as circumstances permit. It is to the interest of every Italian authority and of the Italian people to ensure that Italian ships, transport and equipment are made available in good and serviceable condition, together with their crews and personnel as required.

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16. (a) United Nations merchant ships, fishing, and other craft, and aircraft in Italian hands (including for this purpose those of any country which has broken off diplomatic relations with Italy), whether or not the title has been transferred as the result of prize court proceedings or otherwise, will be surrendered to me in good repair and in seaworthy condition and will be assembled in ports to be specified by me for disposal as I may direct. Any neutral merchant ships, fishing or other craft and aircraft under Italian operation or control will be assembled in the same manner pending arrangements for their ultimate disposal.

(b) All United Nations waggons, vehicles or other

and personnel as required.

16. (a) United Nations merchant ships, fishing, and other craft, and aircraft in Italian hands (including for this purpose those of any country which has broken off diplomatic relations with Italy), whether or not the title has been transferred as the result of prize court proceedings or otherwise, will be surrendered to me in good repair and in seaworthy condition and will be assembled in ports to be specified by me for disposal as I may direct. Any neutral merchant ships, fishing or other craft and aircraft under Italian operation or control will be assembled in the same manner pending arrangements for their ultimate disposal.

(b) All United Nations waggons, vehicles or other inland transport or equipment and all other United Nations property in Italian hands will similarly be surrendered and dealt with as I may direct.

17. All naval, military and air installations and their equipment, power stations, oil refineries, public utility services, fuel and power supplies and means of production, all port and harbour installations and facilities, all transport, wireless and intercommunication systems, installations, facilities and equipment and such other installations or / facilities

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facilities and all such stocks as may be required by me will be made available in good condition with the personnel required for working them, and the competent Italian authorities will comply with all instructions issued by me regarding their use and control. Such other local resources or services as I may demand will also be supplied.

18. The military, naval and air personnel and material and the merchant shipping, fishing and other craft and the aircraft, vehicles and other transport equipment of any country against which any of the United Nations is carrying on hostilities, or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

19. (a) The warships, auxiliaries and transports of any country or occupied country referred to in Article 20 and the aircraft, vehicles and other transport equipment of such countries will, pending further instructions, be prevented from leaving.

(b) The military, naval and air personnel and the civilian nationals of any such country or occupied country will be prevented from leaving and will be interned pending further instructions.

aircraft, vehicles and other transport equipment of any country against which any of the United Nations is carrying on hostilities, or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

19. (a) The warships, auxiliaries and transports of any country or occupied country referred to in Article 20 and the aircraft, vehicles and other transport equipment of such countries will, pending further instructions, be prevented from leaving.

(b) The military, naval and air personnel and the civilian nationals of any such country or occupied country will be prevented from leaving and will be interned pending further instructions.

(c) All property belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

(d) The competent Italian authorities will comply with any instructions given by me concerning the internment, subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, vehicles or material. *in property*

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20. (a) Relations with countries at war with any of the United Nations, or occupied by any such country, will be suspended. Italian diplomatic, consular and other officials and members of the Italian land, sea and air forces accredited to or serving on missions with any such country or in such other territory as I may specify will be recalled. Diplomatic and consular officials of such countries will be dealt with as I may prescribe.

(b) I reserve the right to require the withdrawal of neutral diplomatic, consular and other officials and members of neutral land, sea or air forces from occupied territory and to prescribe the procedure for and methods of communication with Italian representatives in neutral countries or in such other territories as I may specify, and regarding communications emanating from or destined for representatives of neutral countries in Italian territory.

21. All financial, commercial or other intercourse with or dealings with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries shall forthwith cease.

22. The export or transfer abroad of currency, bonds or

property is prohibited except in special instances for which

of neutral diplomatic, consular and other officials and members of neutral land, sea or air forces from occupied territory and to prescribe the procedure for and methods of communication with Italian representatives in neutral countries or in such other territories as I may specify, and regarding communications emanating from or destined for representatives of neutral countries in Italian territory.

21. All financial, commercial or other intercourse with or dealings with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries shall forthwith cease.

22. The export or transfer abroad of currency, bonds or property is prohibited except in special instances for which my authority will be necessary. All gold held by banks on behalf of the late Italian Government will be disposed of as I may direct.

23. Pending further instructions, Italian subjects are prohibited from leaving Italian territory except as authorised by me, and will not in any case take service with or in any country at war with any of the United Nations or occupied by any such countries or in such other territories as I may specify,

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nor proceed to any place for that purpose. Those already so serving will be recalled forthwith.

24. Benito Mussolini, his chief Fascist associates and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by me will forthwith be apprehended and surrendered into my hands. Any instructions given by me for this purpose will be complied with.

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25. (a) Prisoners of war belonging to the forces of the United Nations or specified by me and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as I may direct.

(b) Persons of whatever nationality, including Albanians, who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations, will be released under my direction and all legal disabilities to which they have been subjected will cease to be enforced.

(c) The Italian commanders and authorities concerned

25. (a) Prisoners of war belonging to the forces of the United Nations or specified by me and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as I may direct.

(b) Persons of whatever nationality, including Albanians, who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations, will be released under my direction and all legal disabilities to which they have been subjected will cease to be enforced.

(c) The Italian commanders and authorities concerned will take such steps as I may direct to safeguard the persons of foreign nationals and the property of foreign states and nationals.

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Part II

26. I hereby require all Italian authorities, officials and members of the Italian land, sea and air forces, the Italian people and all other persons in the occupied territories to preserve order and tranquility, to abstain from any action which might lead to disorder or which would be detrimental to the interests of the United Nations, to go about their normal occupations so far as these are lawful under military occupation, and to conform promptly to all orders given by me or under my authority.

27. Subject to such Orders and Regulations as may be issued or prescribed by me, Italian Courts both penal and civil shall continue to function with the exception of those specified in Article 31 below.

28. Proclamations issued by me will make such provision as may be deemed necessary in relation to the administration of martial law. Offences against Proclamations or Orders or Regulations issued there-under and such other offences as I may determine will be tried by military courts.

29. Save as provided in Article 31 below or as may be otherwise directed, all lawfully established local administrative authorities, and all officers and employees of such

orders given by me or under my authority.

27. Subject to such Orders and Regulations as may be issued or prescribed by me, Italian Courts both penal and civil shall continue to function with the exception of those specified in Article 31 below.

28. Proclamations issued by me will make such provision as may be deemed necessary in relation to the administration of martial law. Offences against Proclamations or Orders or Regulations issued there-under and such other offences as I may determine will be tried by military courts.

29. Save as provided in Article 31 below or as may be otherwise directed, all lawfully established local administrative authorities, and all officers and employees of all State, Municipal and other public services are hereby authorised and required to continue to execute and discharge their duties, powers and functions, subject to such conditions or limitations as may be prescribed by me. They will be responsible for taking such action as lies within their sphere for safeguarding life and property, preventing sabotage and maintaining order.

30. With the exceptions mentioned in Article 31 below and save as may be otherwise directed, the existing laws and regulations (including those relating to the level of prices,

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the hoarding of foodstuffs or other commodities, and the rationing of provisions, clothing or other commodities) will continue in force.

31. Insofar as this is not already accomplished:

(a) The Italian Special Tribunal for the Defence of the State and any regional or subordinate tribunal of the same character is hereby suspended.

(b) The Fascist Party Organizations and other Fascist Organizations including all branches of the Fascist Militia (M.V.S.N.), the Secret Police (O.V.R.A.) and Fascist Youth Organizations will, except as otherwise directed by me in any particular case, cease to function. Fascist leaders and prominent members of the Fascist party, whether officials or not, will be interned. Fascist funds in banks, are frozen. Other Fascist funds and funds intended for Fascist purposes will be taken over for safe custody.

(c) Fascist clubs, centres and other Fascist institutions will be closed. The teaching in schools and other institutions of Fascist ideas, Fascist political economy and any subjects with a Fascist bias, is forbidden. All text books to which exception is taken will be withdrawn. The display of Fascist flags and emblems over houses and the wearing of Fascist

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(d) All Italian laws and regulations involving discrimination on grounds of religion, race, language or political beliefs are suspended, and persons detained on such grounds will, as directed by me, be released and all legal disabilities to which they have been subjected will cease to be enforced.

32. No radio or telecommunication installations or other form of intercommunication, ashore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the

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control of these installations have been prescribed by me.

Such measures as I may direct will be instituted for the control and censorship of postal, telegraphic, telephonic and radio communications, of the Press and other publications, of theatrical and cinematograph performances and of broadcasting.

33. Strikes and lock-outs, incitements to strike, and all participation in labour disputes are hereby prohibited.

34. The competent Italian authorities will take such measures as may be required by me for the control of banks and businesses in Italian territory, for the control of foreign exchange, and foreign commercial and financial transactions and for the regulation of trade and production, and will comply with any instructions issued by me regarding these and similar matters.

35. The competent Italian authorities will supply free of cost such Italian currency as the United Nations may require for their military necessities in and relative to, and for the administration of the occupied territories, and will withdraw and redeem in Italian currency within such time-limits and on such terms as may be specified all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the

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36. The competent Italian authorities will supply all information and provide all documents required by me. There shall be no destruction or concealment of archives, records, plans or any other documents or information.

37. The competent Italian authorities civil and military, the officials and employees of all government departments and regional authorities will take all such steps as may be necessary to carry out the provisions of this Proclamation or of any subsequent Proclamation, Order or Regulation, and will

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comply with all instructions given them for that purpose; they will afford all necessary facilities to the occupying forces, their advance guards and agents; and will collaborate fully with the officers of the occupying forces in all measures necessary for the security, communications and supply of these forces.

38. Reference to Italian land, sea and air forces in the present Proclamation shall be deemed to include the Fascist Militia and all such other military or para military units, formations or bodies as I may prescribe.

39. The term "war material" in the present Proclamation denotes all material specified in such lists or definitions as may from time to time be issued by me.

40. The references in this Proclamation or any subsequent Proclamation, Order or Regulation to any power or function exercisable by me shall be deemed to include the exercise of those powers and functions by any duly appointed successor of mine, or by any person acting by or under my authority or that of any such successor, or by any deputy or other duly authorised person.

41. The detailed application of the provisions of this Proclamation will so far as practicable be made by me.

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41. The detailed application of the provisions of this Proclamation will so far as requisite be effected by means of further Proclamations or by Orders or Regulations issued under this or any subsequent Proclamation.

42. This and all subsequent Proclamations, Orders and Regulations will be displayed in such public places as are ordinarily used for the display of public notices and will be made known throughout the areas concerned by such other means as may be determined.

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

1098 - Priority

Adv Hq

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DRAFT MEMORANDUM (for consideration by Asst. Chiefs of Staff).

TO : Heads of Special Divisions.

SUBJECT: Statement of Mission and Higher Function of Each Special Division.

1. It is appreciated that Special Divisions Armistice C.C. feel some difficulty in planning in the absence of any directive in the major policy to be pursued.
2. The absence of such a directive is regretted and deplored but for a number of reasons such a directive has not been forthcoming from higher authority but to initiate sound and co-ordinated planning policies it is proposed to follow the plan set out below.
3. Special Divisions will in the light of the notes appended hereto in Appendices A, B and C submit to the Asst. Chiefs of Staff by Sep a statement of the mission and major functioning of his Division. Divisions which have already rendered statements need not do so again.

~~APPX A.~~

Each statement of mission and major function should be organized in the form set out in Appx. A.

Notes on the basic operation of the Armistice C.C. contrasted with A.M.G. are appended in Appx. B.

Notes on a recent draft of the Armistice terms as they expressly affect Divisions are set out in Appx C.

It cannot be emphasised too strongly that the express terms do not form a complete code or framework but only point to matters upon which the Commander in Chief lays stress. Planning therefore, though controlled by express terms of the Armistice, is not limited thereby.

~~END OF ORDER~~

4. In asking Special Divisions to prepare these statements the Asst. Chiefs of Staffs have in mind

- (a) Special Divisions are, by reason of their expert knowledge in their respective fields, in the best position initially to formulate policies and plans.
- (b) Conferences will be arranged to be attended by the Heads of all Special Divisions which will, it is hoped, bring out basic questions of policy on which directives may legitimately be sought from higher authority.
- (c) The necessary co-ordination, liaison and integration between divisions can commence at an early stage. Areas of activity will be

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(b) Conferences will be arranged to be attended by the Heads of all Special Divisions which will, it is hoped, bring out basic questions of policy on which directives may legitimately be sought from higher authority.

(c) The necessary co-ordination, liaison and integration between divisions can commence at an early stage. Areas of activity will be defined and overlaps on the one hand and lacunae on the other will be avoided.

(d) The desirability of compiling at the earliest possible moment an A.C.C. Organization Manual based on these statements.

5. When these initial statements have been discussed and approved Special Divisions will be asked to produce detailed plans.

APPENDIX A.

1. The statement should be organized as in the set out example below. The "statement of mission" is an overall definition of the purpose of your Division. The statement of major functions will be divided into sub-paragraphs for each function. These sub-paragraphs need not correspond exactly to the functions suggested by the titles of sub-sections or sub-divisions set out in the T/O or W/E as presently authorized. At a later date a chart of the proposed internal organization will be requested.

2. Careful distinction is to be made between the staff and operating functions of the Division. In general, staff activities include:-

- (a) Advising the Joint Assistant Chiefs of Staff in the special field of activity involved.
- (b) Formulating plans, policies and procedure in such special field of activity.
- (c) Advising and providing service to subordinate operating units in such special field of activity.
- (d) Supervising performance throughout the regional and provincial organizations in the special field of activity.

Operating functions will include those functions which have to be directly performed at National Headquarters.

PURCHASE DIVISION

(a) MISSION.

To initiate and develop, together with the Supply Services, policies and procedures for the placement of supply and equipment orders for the War Department and to maintain continuous contact with procurement operations to insure that orders are placed properly and expeditiously. By delegation, the director acts for the Secretary and Under Secretary of War on all policy relating to Army Air Force procurement.

(b) MAJOR FUNCTIONS.

(1) The Purchases Division performs the following staff functions:

- (a) Formulates and establishes policies, plans and procedures

- special field of activity.
- (c) Advising and providing service to subordinate operating units in such special field of activity.
 - (d) Supervising performance throughout the regional and provincial organizations in the special field of activity.

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(b) MAJOR FUNCTIONS.

- (1) The Purchases Division performs the following staff functions:
 - (a) Formulates and establishes policies, plans and procedures concerning, and supervises the purchase of War Department supplies, equipment, construction facilities, and services and the making of purchase contracts for the War Department.
 - (b) Reviews progress of procurement and takes necessary steps through the Services of Supply to expedite the purchasing function.
 - (c) Draft reports on legislation and executive orders affecting procurement.
 - (d) Establishes and directs policy and procedure with respect to the need for and making of cost analysis.

APPENDIX A - Sheet 2.

(2)

The Purchases Division directly performs the following operating functions for the Headquarters, Services of Supply:

- (a) Through the Price Adjustment Board, negotiates certain contracts.
- (b) Reviews, records and prepares reports as to contracts which must be approved by the Under Secretary of War or his duly authorized representative.
- (c) In conjunction with Supply Services, prepares and distributes Army Purchase Information Bulletin.
- (d) Acts as representative of the War Department on the joint board created under the Patent Interchange Agreement with the United Kingdom.

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APPENDIX B.

In planning for administration by A.C.C., planners must bear in mind a basic change from A.M.G. Under A.M.G., Regional Staffs and CAOs have ample executive powers to direct and order the administration of the Region under their command either through local agencies or through their own personal efforts.

Under A.C.C., the whole method of approach to the problem is changed. The Armistice terms contemplate an A.C.C. appointed by the Allied Commander-in-Chief to carry out the terms of the Armistice and that the Italian Government will send a delegation to the HQ of the Control Commission and such delegates will "transmit the orders of the Control Commission to the competent Italian Authorities".

Thus the whole machinery is changed and the execution of the Armistice terms is carried out by the issue of directives from A.C.C. via the Italian delegation to the competent Italian Authorities, i.e., an entirely centralized as opposed to decentralized plan.

Thus it seems that under A.C.C. the Regional Staffs and CAOs have no executive or administrative powers and that the job of Regional Staffs and CAOs is confined to (1) the supervision of local authorities or local industries, police, etc., and to see that the orders given by the Italian Government are carried out (this necessarily assumes that Regions will be supplied with copies of relevant orders given to the Italian Government and of orders issued by the Italian Government pursuant thereto). (2) To make recommendations to A.C.C. for the better administration of any region or a change of policy. (3) To the submission of situation reports to A.C.C.

A further assumption that may be made in planning is that most, if not all, regions will start under A.M.G. the Central Administration of which will not be the responsibility of A.C.C. but of another HQ and that as the military situation permits, regions will be turned over to A.C.C.

It would seem therefore that an important and essential part of planning for A.C.C. is the preparation of Directives by the various divisions (for submission to the Joint Assistant Chiefs of Staff) instructing Regions, their staffs and CAOs in the new procedure to be adopted when they come under A.C.C. It would also seem to be necessary to prepare proforma to be returned completed by regions as and when they change over to A.C.C. so that divisions may be supplied with essential statistics necessary for the formulation of plans for that region.

Apart from this planning as a matter of internal administration, it seems that basically, Divisions should prepare plans in the basis that they will be meeting their Italian counterparts across the table and desire to be in a position at the earliest possible moment to issue instructions to the regions.

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Apart from this planning as a matter of internal administration, it seems that basically, Divisions should prepare plans in the basis that they will be meeting their Italian counterparts across the table and desire to be in a position at the earliest possible moment to issue instructions to them. Sub-commissions must also have in mind planning for a division between their work and Section 1.

It should be borne in mind, however, that the Combined Chiefs of Staff have laid down that no long term commitments are to be entered into.

The Armistice Terms are by no means as full as could be wished and the following notes on the Armistice terms are not intended to form a code or to restrict the planning of divisions, but only to draw attention to express terms of the Armistice affecting divisions.

This memorandum does not deal with Sec. 1 and only very briefly with Sec. V of the proposed set up of A.C.C. Sections and sub-commissions will necessarily have to co-operate closely on correlated subjects, e.g., Foreign Trade with Shipping.

APPENDIX C.

Section II

(1) Finance and Foreign Exchange Control.

The Italian Government is bound to take such steps as the United Nations may require for the control of banks and foreign exchange and financial transaction and for the impounding of fascist funds.

All intercourse with or for the benefit of any other foreign country is prohibited except as authorized by the Commander-in-Chief.

The Italian Govt. is also bound to give all required information regarding the assets in Italy or abroad of Italian institutions, banks or persons.

The above appear to give a wide charter to the Financial Division for the organization of Italian Finance.

(2) Foreign Trade.

The manufacture and production of War Materials will initially be a matter for Sec. 1.

Apart from the forgoing, the Italian Government have ^{to} put the whole of their merchant fleet at the disposal of the United Nations and are bound to comply with directions given for the control of foreign commercial and financial transactions and for the regulation of Trade and to supply all information required. This appears also to give a very wide charter to this subcommission.

(3) Industry and Commerce.

In this case also the responsibility for production of War Materials will be the responsibility of Sec. 1. Apart from these the Italian Government are bound to comply with directions given for the regulation of trade and production and this appears to give a sufficiently wide charter to this subcommission. The effect of demobilization will have to be considered.

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(4)

Public Works and Utilities.

and

(5)

Fuel.

The Italian Government are bound to comply with directions given for the use and rental of all forms of utility services and fuel and power supplies and means of producing the same, and this seems to give a sufficiently wide charter. Liaison with other sections and subcommissions will be particularly important in ~~this~~ ^{the} *As* subcommission.

APPENDIX C - Sheet 2.Agriculture, Forest and Fisheries.

Agriculture and Forests are not expressly mentioned except that the Italian Government are bound to comply with directions issued for the regulation of production. So far as fisheries are concerned all Italian fishing vessels and all vessels under construction are to be made available by the Italian authorities. Hence it seems that fisheries will have a wide field in which to plan.

Labour.

The Armistice terms do not expressly lay down any terms regarding labour.

It would seem that in the first place, the duties of this sub-commission will be mainly advisory in dealing with labour problems which the Italian Government has to meet, but at the same time this should not prevent the planners of this division from producing plans for recreating a proper reorganization of labour consequent on the fall of Fascism and the direction of labour in accordance with the industrial planning of the A.C.C.

It is to be noted that the Italian Government and People ~~will~~ ^{are to} abstain from all action detrimental to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

The effect of demobilization will also have to be considered.

SECTION III.ADMINISTRATIVE SERVICES.(i) Interior Administration.

The main concern of this sub-commission would appear to be the recreation of an efficient administration of the Interior consequent on the fall of Fascism but there are no clauses in the terms dealing directly with the Interior.

(ii) Legal.

The duties of this sub-commission will be twofold:

- (a) Advising the Commission itself and the various divisions and sub-commissions on legal problems that arise and assisting in drafting any documents of legal nature.
- (b) Carrying out the legal articles of the terms. The most important ones are:

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The duties of this sub-commission will be twofold:

- (a) Advising the Commission itself and the various divisions and sub-commissions on legal problems that arise and assisting in drafting any documents of legal nature.
- (b) Carrying out the legal articles of the terms. The most important appear to be:
 - (1) The enforcement of existing options, and re-purchase of former Italian Merchant and fishing vessels.
 - (2) Transfer of title of other vessels under Italian control.
 - (3) The rescission of all laws involving discrimination on the ground of color, creed or political opinions and the release in conjunction with the police of all persons detained under such laws and their relief from all disabilities.
 - (4) The repeal of Fascist legislation and removal of consequential disabilities.
 - (5) In conjunction with the police, the release of persons detained on account of their feelings or sympathies with the United Nations.

APPENDIX C - Sheet 3.

(iii) Public Safety.

This division will require to have the closest touch with Allied CMFs and CAPOs in Regions under AMG. Their initial duties will include the planning of instructions to the Italian Government in respect of the following in conjunction with the above:

The supervision of personnel returning to their homes on demobilization.

Preventing all merchant ships, fishing or other craft and all aircraft and inland transport from leaving pending verification of their identity and status. ~~Exempted from this~~

~~to a direct obligation and not one necessarily to be performed through the Italian Government.~~

Prohibition of any destruction to war material, wireless, radio location or meteorological stations, railroad, port or other installations or, in general, public or private utilities or property of any kind, where-ever situated.

Prohibition of the manufacture, production and construction of war material and of its import, export and transit.

Supervision of the provision that all crews of merchant vessels are to remain on board pending further instructions.

Prevention of transmission by radio or telecommunication or other forms of inter-communication without authority.

Prohibition of all intercourse financial, commercial or otherwise with all other countries except by authority of the Allied C.-in-C.

Prohibition of Italians and enemy nationals from leaving Italian territory.

Assisting the Controller of Property in the ~~protection~~ ^{protection} of impounded property. Protection of foreign nationals. The apprehension of Benito Mussolini and other names on a list which will be submitted.

The disbandment of all Fascist organizations including all branches of the Fascist Militia (M.V.S.N.), Secret Police (O.V.R.A.), the internment of Fascist personnel, and assisting sub-commission VII in the suppression of youth organizations.

The release in conjunction with the Legal sub-commission of all those interned on the grounds of race, colour or creed or political opinions, and of those interned because of their sympathies with the United Nations.

(iv) Property Control.

Provision is made for the impounding of all property belonging to all enemy or enemy-occupied countries or its nationals and retention in custody pending further instructions.

It is also provided that the Italian Government will take such steps as the United Nations may direct to safeguard the property of

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It is also provided that the Italian Government will take such steps as the United Nations may direct to safeguard the property of foreign states and nationals.

It appears therefore that the planning of the Controller of Property will be toward the taking over of Allied and foreign property rather than Italian state property. At a later stage the Controller may be concerned with enemy property taken over for the purpose of making war material. This opens a wide field of responsibility and close touch will have to be maintained with Public Safety and so far as businesses are concerned with the financial and commercial divisions.

(v) Food Distribution and Rationing.

No express reference is made in the terms to the above subject matter. It is assumed that A.C.C. will supervise the distribution of food produced or processed within Italy and will supervise rationing thereof, except that in combat areas and possibly in occupied territory or areas. If food is imported the distribution and rationing of it will become an important feature to be dealt with.

Demobilization will have a direct effect on food distribution and rationing.

No difficulty is likely to be experienced in working out plans and details with the Italian authorities on the question of food and rationing.

(vi) Public Health.

No reference is made in the terms to the above subject matter. What is said in the preceding section is equally applicable here to matters of Public Health and Imported medical supplies.

Demobilisation may have effect on the Public Health situation.

(vii) Education and Fine Arts.

(1) Education. This would seem to be a matter exclusively for supervision by ACC, co-operating primarily with the Political Section and the Public Safety sub-commission. While no direct reference is made to Education in the terms, the Italian Government agrees to abolish all Fascist organizations and to comply with instructions to that end, including dismissal of personnel and suppression of Fascist ideology and teachings. As certain Fascist organizations were made an adjunct to the educational system, as many text books reflect Fascist teachings and as certain of the personnel entertained such views, it will be the duty of this subcommission to work with the appropriate Italian authorities to remedy the situation and supervise the acts taken by them to this end.

Examination should be made as to disabilities or prohibitions which may affect attendance at educational institutions.

(2) Fine Arts. It would seem that this is a function primarily for AMG to undertake in areas of actual or prospective combat in order that historic records, national shrines, historic monuments and other works of art be given prompt safeguard from possible loss or damage. In unoccupied territory and in non-combat areas, A.C.C. would work with the proper Italian authorities for preservation and safeguard of the above-mentioned features particularly in areas likely to be subject to bombing by the enemy. No specific grant of authority in this regard is given in the terms but no difficulty would likely to be experienced in securing co-operation of the Italian authorities.

(viii) Information.

The furnishing of information by the Italian Government is required, in many matters, those of major immediate importance being devoted to purely military matters. However, by Art.33(b), the disclosure of certain financial information, which necessarily would be available to other sub-commissions in accordance with the type of information secured,

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(viii)

Information.

The furnishing of information by the Italian Government is required, in many matters, those of major immediate importance being devoted to purely military matters. However, by Art.33(b), the disclosure of certain financial information, which necessarily would be available to other sub-commissions in accordance with the type of information secured. Provision is made for the furnishing of information and documents without destruction. The control of censorship may well be the most important function of this sub-commission. Possibly certain intelligence matters apart from actual censorship are to be undertaken by this sub-commission in conjunction with Military and Naval Intelligence.

SECTION IV.

COMMUNICATIONS.

(i) Shipping.

The terms contain many provisions with regard to shipping, in addition to warships and auxiliary vessels and transports. All merchant ships, fishing and other craft, including that of other Axis powers, are to be placed in the hands of the Allied nations. The naval forces may require some of these, leaving others to be dealt with by this sub-commission. The problem will also arise with respect to the treatment of ships formerly seized by Italy and the disposition of neutral shipping in use by Italy and Axis powers.

(ii) Transportation.

The use of railroads, roads, etc., is given to the Allied nations for their use as required. The movement of demobilised military personnel will have to be dealt with.

(iii) Telecommunications.

The Allied Nations are given broad rights over telecommunications systems including radio and cable.

SECTION V.

POLITICAL.

It may be expected that under Art. 29 the military will take over the Fascists mentioned therein, but cooperation between Political and Military will doubtless be necessary. Political will have to do with the dissolution of Fascist organizations and will cooperate with the Education sub-commission in regard to Fascist Ideology and teachings in educational institutions, also with the Public Safety sub-commission. In cooperation with the Legal sub-commission, Political may be concerned with the rescission of discriminating laws, etc. and the removal of prohibitions and disabilities resulting therefrom and possibly the release of political prisoners. Political will also have control of propaganda and counter-propaganda. This will require contact with the Information sub-division with respect to censorship and other similar features and with the communications sub-commissions to the extent those respective features are delegated to those sub-divisions. Political may have also certain responsibilities in connection with Italian foreign relations and diplomatic personnel and functions.

4099

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NOTE: While references have been made to certain Articles, the references are not intended to be all inclusive.

DRAFT

MEMORANDUM

TO: All Heads of Special Divisions.

SUBJECT: Statement of Mission and Major Functions of each Special Division.

1. The attached analysis of probable Armistice Terms is furnished for your information and guidance in present planning. Considerable thought has been given to it's preparation.

2. After careful study of the analysis, Division Heads will formulate a brief statement outlining their conception of the Mission and Major Functions of their Division under the conditions outlined. These statements will be submitted to the Joint Assist. Cs of S. by ~~30~~ Sept 1945. ~~for correlation and forwarding to J.C.S. for approval.~~ *limited to one check of perhaps (1)* **4492**

3. Statements for the purpose of attaining uniformity will be organized in the attached sample (Appendix "A"). The statement of Mission will be an overall definition of the task to be performed by the Division. Major Functions will each be indicated in a separate sub-paragraph. These sub-paragraphs may not correspond exactly to the functions suggested by the titles of sub-division included in present TO/WE.

Careful distinction should be made between staff and operating functions.

Staff functions generally include :-

- (a) Advising the Joint Assistant Chiefs of Staff in the special field of activity involved.
- (b) Formulating plans, policies and procedure in ^{the} such special field of activity.
- (c) Advising and providing service to subordinate operating units in ^{the} such special field of activity.

Operating functions include :-

- (a) Those tasks performed directly at H.Q. and

~~for approval.~~

3. Statements for the purpose of attaining uniformity will be organized in the attached sample (Appendix "A"). The statement of Mission will be an overall definition of the task to be performed by the Division. Major Functions will each be indicated in a separate sub-paragraph. These sub-paragraphs may not correspond exactly to the functions suggested by the titles of sub-division included in present TC/WE.

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- (b) Formulating plans, policies and procedure in ^{the} special field of activity.
- (c) Advising and providing service to subordinate operating units in ^{the} special field of activity.

Operating functions include :-

- (a) Those tasks performed directly at H.Q. and
- (b) supervision of the execution of directives throughout the provinces and Regions.

4. After co-ordination and upon approval by the Joint Asst Cs of S., the statement of Mission and Major Functions will be the basis of planning by each

Division until ~~or~~ unless changed by higher authority. TC/WE will be prepared on and in conjunction with the organization as listed in column C of the this basis for submission when requested. ^{meeting No. 6 of the P.H. Planning Committee}

5. It is believed that this statement of Mission and Major Functions will:

- (a) serve to define more clearly the extent of the responsibilities of each section.
- (b) prevent unnecessary overlaps into the field of another Division.
- (c) obviate the possibility of a failure to cover completely all phases of activity under control of the Armistice C.C., and (d) focus attention on those items which are not clearly defined by the probable Armistice Terms or by the directives received from the Combined Chiefs of Staff.

Copy No. 3

~~SECRET~~ equals British
~~SECRET~~

ACA/1016.

To : All Concerned.

From : A/Chief of Staff, Sub Committee - Region 7.

SUBJECT : Warning Order - Sub-Committee - Region 7.

1. The warning order issued on 8 Sep 43 is suspended until further notice; officers named in Appendix 'A' (of that order) will disperse to the normal duties of their assignments but should be prepared to re-assemble at 48 hours notice.

2. Spare Kit deposited under the provisions of para 4(c) may be withdrawn.

3. Any movements by officers named in Appendix 'A' (as amended) involving permanent departure from the post or a temporary absence of more than 48 hours should be notified to the Sub-Committee Staff Officer (Major W. Driffield White) before leaving with an indication of destination or probable whereabouts, if known.

Field,
16 Sep 1943.

Co Driffield White
Major G.H.
HENRY PARKMAN, Junr.
Lt. Col.,
A/Chief of Staff,
Sub Committee, Region 7.

Distribution:-

1 - 20 the officers named in Appendix 'A' (as Amended)
21 - 25 HQ. Comdt.
26 Finance Officer.
27 - 29 A.F.H.C. (400)

4697

4697
further notice; officers named in Appendix 'A' (of that order) will disperse to the normal duties of their assignments but should be prepared to re-assemble at 48 hours notice.

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Field.
16 Sep 1943.

for Driffield White
Major
HENRY PARKMAN, Junr.
Lt.Col.,
A/Chief of Staff,
Sub Committee, Region 7.

Distribution:-

1	-	20	the officers named in Appendix 'A' (as Amended)
21	-	25	HQ. Comdt.
26			Finance Officer.
27	-	29	A.F.H.Q. (M.G. Sec.)
30			A/Chief of Staff (Col. Rathbone.)
31			G-1 (ACA M41 Admin).
32			G-4 ACA.
33.			W.O. i/c E.H.
34.			W.O. i/c O.R.
35	-	36	File and duplicate file.
37	-	40.	Spare

Col Upjohn, K.C.

Subject :- Warning Order - Sub-Committee Region 7

To :-

Officers concerned.

Reference above Order dated 8
Sept. 43, the following amendments should be made in
all copies:

Para. 4

Where the words "QM (British) and
"British QM Stores CENTRAL" appear in
sub paras (b) and (c) respectively these
words should be deleted and "Camp
Commandant's Office, LONDON"
substituted.

Field.
9 Sep. 43.

for *Difficult to write* *has* *OK*
Henry Barkman,
Lieut-Col.,
Chief of Staff,
Sub Cttee Region 7.

4096

3
COPY NO
SECRET
Equals British
MOST SECRET.

TO : Officers Concerned.

SUBJECT : Warning Order - Sub Committee. Region 7.

1. The Officers named in the attached Appendix 'A' have been warned to stand by ready to move to a destination to be notified.
2. The EM/OR named in the attached Appendix 'B' have been placed under orders to move at short notice.
3. Personnel referred to in paras 1 & 2 should have kits packed as follows:

(a) Officers.	75 lbs.	) Excluding equipment - web, arms, ammunition, etc.
(b) EM/OR	30 lbs.	

Officers kit must be contained in not more than 2 packages but preferably in one. EM/OR - one package.

4. SPARE KIT.

- (a) Spare Kit should be securely packed and conspicuously marked with the Name, Rank and Personal No., and should bear, prominently displayed, the device shown in Appendix 'C'. Stencils for this are being cut.
- (b) Disposal. Spare kit so marked will be deposited by QM (British) with the Military Forwarding Officer under special arrangements. It will be kept together and forwarded en bloc, under instructions already laid down, to the destination, as soon as adequate provision for its reception can be made.
- (c) Spare kit packages should be prepared and deposited at British QM stores CENTRAL within 24 hours of receipt of this Warning Order.
- (d) Kit packages to accompany officers should be in such state of preparation that they can be at the prescribed loading point at the time prescribed in the movement order without fail.

5. LAUNDRY.

Personnel should arrange for all items of kit already delivered to the laundry to be retrieved at once whether washed or not. If articles have not been washed special arrangements will be made by HQ Cndt. for this to be done in quarters if possible.

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(a) Spare Kit should be securely packed and conspicuously marked with the Name, Rank and Personal No., and should bear, prominently displayed, the device shown in Appendix 'C'. Stencils for this are being cut.

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6.

Dress for Movement.

British Officers & O.R. Summer Dress and Battle Order.
American Officers & E.M. Summer Dress and Field Equipment.
British officers and O.R. will carry battle dress and service dress (if in possession).
American officers and E.M. will carry Winter Dress.

7.

MAIL.

The Post Corporal will be furnished with copies of Appendices 'A' & 'B' and will be instructed to with-hold all letters addressed to the personnel named. These letters will be parcelled together daily, sent to A.F.H.Q., and will be forwarded from there to the destinations of the officers' concerned.

8.

Equipment, Stores, etc.

All packages of equipment, typewriters, stores, rations appertaining to the party will bear the device shown in Appendix 'C' to which will be added serial number of the package.
The Officer i/c Baggage, etc., will prepare a list showing Package No. and Contents.

- 2 -

9.

All official papers connected with the mission of the party will be carried in the official security boxes provided. No such official papers are to be carried on the person or in private despatch cases.

10.

Officers requiring issues to complete kit and equipment can obtain them on application to :-

- (a) QMS Stores, CENTRAL for British Officers.
- (b) Supply, CENTRAL for American Officers.

Arrangements for special issues have been made.

11. Mess Bills.

P.M.C. is preparing Mess Accounts in respect of officers listed in Appendix III.

Officers will ensure that these accounts are settled before leaving the post.

12.

Officers are warned that the final movement order may have to be issued at very short notice. Officers leaving their billets for more than two hours must notify Duty Officer - HOLLYWOOD (Phone No. 32) where they are to be found. The same information should be given to the duty batman of the billet.

FIELD.

8 Sep 1943.

HENRY PARKMAN,
LT. COL.
CHIEF OF STAFF.
A.C.C. (Adv H.Q.)

DISTRIBUTION.

1 - 17 One to each officer concerned.
18 - 23 HQ Comdt. (for Exec. Officer, R.S.M., Mail Corporal).
24 - 25 P.M.C.

4092

Officers will ensure that these accounts are settled before leaving the post.

12.

Officers are warned that the final movement order may have to be issued at very short notice. Officers leaving their billets for more than two hours must notify Duty Officer - HOLLYWOOD (Phone No. 32) where they are to be found. The same information should be given to the duty batman of the billet.

4097

FIELD.

8 Sep 1943.

18 10.00

HENRY PARKMAN,
LT. COL.
CHIEF OF STAFF.
A.C.C. (Adv H.Q.)

DISTRIBUTION.

1	-	17	One to each officer concerned.
18	-	23	HQ Condt. (for Exec. Officer, R.S.M., Mail Corporal).
24	-	25	P.M.C.
26	-	28	A.F.H.Q. (M.G.Sec).
29			A/C of Staff (Col. Rathbone).
30			Duty Officer, HOLLYWOOD.
31			G.-1 (A.C.A. Mil Admin).
32	-	33	W.O's i/c EM/OR.
34			G.-2 (A.C.A.)
35	-	40	File & Spares.

SECRET Equals British MOST SECRET

SUB COMMITTEE - REGION 7.

SERIAL.	NAME OF OFFICER.	RANK.	PERSONAL NUMBER.	APPOINTMENT.	A or B.	LOCATION OF BILLET.
1.	PARKMAN, Henry.	Lt Col	509911	Chief of Staff.	A	LONDON.
2.	DI IFFIELD-WHITE, W.	Major.	P/83647	Staff.	B	MIAMI
3.	BIJOHN, G.R. (K.C.)	Col.	99894	Justice	B	MUSSO Flat
4.	YOUNG,	Col.	P/287555	-do-	B	-do-
5.	WILMER, Richard H.	Lt Col	O/114573	-do-	A	MIAMI
6.	EVANS, W.P.	Col.	291734	Industry.	B	HOTEL KOLLER.
7.	SCOTTEN, William E.	Capt.	O/921625	Staff - Industry	A	MIAMI
8.	STONE,	Capt. U.S.N.R.		Communications	A	HOTEL KOLLER.
9.	MACINTYRE, Aldon H.	Lt. U.S.N.R.	O/190937	Staff - Comms	A	LONDON
10.	ROWELL, Henry T.	Major.	O/505537	Italian Affairs	A	WASHINGTON
11.	DARLINGTON, Charles F.	Lt. U.S.N.R.	262303	Staff - Finance.	A	LONDON.
12.	FRANKLIN, G.S.	Major.	M/172258 (Canadian)	G.-2 & G.-4	B	MIAMI
13.	GELLES, Ernest.	2 Lt.	O/1112716	Interpreter.	A	Tented Camp.
14.	de GAETANO Armand L	2 Lt.	O/1309177	-do-	A	-do-
15.	HAASE, Wetter W.	2 Lt.	O/1037822	-do-	A	-do-
16.	DI ULENTE, Blaise J.	2 Lt.	O/1176458	-do-	A	-do-
17.	WADLEIGH, Richard R.	2 Lt.	O/1823526	-do-	A	-do-
18.	HAMLYN, R.A.	Brig.		Finance.	B	HOTEL KOLLER.

Note A - This officer will accompany the party if he is available on activation and receipt of movement order.

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

785015

SUB COMMITTEE - REGION 7.

SECRET Equals British MOST SECRET.
Appendix 'A'.

RANK.	PERSONAL NUMBER.	APPOINTMENT.	A or B.	LOCATION OF BILLET.	PHONE BILLET.	REMARKS.
Lt Col	509911	Chief of Staff.	A	LONDON.		
Major.	P/83647	Staff.	B	MIAMI	11	Room D - 2.
Col.	99894	Justice	B	MUSSO Flat		Over Chemist - Main St.
Col.	P/287555	-do-	B	-do-		-do- -do-
Lt Col	O/114573	-do-	A	MIAMI	11	Upstairs 3rd Fl. Back.
Col.	291734	Industry.	B	HOTEL KOLLER.		
Capt.	O/921625	Staff - Industry	A	MIAMI		
Capt. S.N.R.		Communications	A	HOTEL KOLLER.		
Lt. S.N.R.	O/190937	Staff - Comms	A	LONDON	0	
Major.	O/505537	Italian Affairs	A	WASHINGTON	7 20	Apartment. Office.
Lt. S.N.R.	262303	Staff - Finance.	A	LONDON.	0	Basement.
Major.	M/172258 (Canadian)	G.-2 & G.-4	B	MIAMI	11	Room.
Lt.	O/1112716	Interpreter.	A	Tented Camp.		
Lt.	O/1309177	-do-	A	-do-		
Lt.	O/1037822	-do-	A	-do-		
Lt.	O/1176458	-do-	A	-do-		
Lt.	O/1823526	-do-	A	-do-		
C.		Finance.	B	HOTEL KOLLER.		(See Note A).

by the party if he is available
of movement order.

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SUB COMMITTEE - REGION 7.

ROLL OF EM/OR.

SERIAL.	NO.	NAME.	RANK.	A or B	DUTY	BRANCH
	S/11864	CRAWFORD, D.S.	S.S.M.	B	CLERK	
	S/137C58	KNIGHT, M.	S.S.M.	B	"	
	S/4611246	ROBINSON, J.	S/Sgt.	B	"	
	S/146864	KAVANAGH, T.	S/Sgt.	B	"	
	S/130522	MESSER, G.	S/Sgt.	B	"	
	S/127211	MUDDYMAN, C.	Sgt.	B	"	
	S/4351043	ROBINSON, E.	Pte	B	"	
	S/14540106	POTTS, C.	"	B	"	
	S/7671051	DAVY, R.A.	"	B	"	
	S/14266742	REID, D.	"	B	"	
	33129613	NEDUCHIN, J.	Sgt.	A	COOK.	
	12129271	DR. WIS, A.G.S.	S/Sgt.	A	GEN. CLERK & DRIVER.	
	32131955	MARINELLI, P.J.	Sgt.	A	"	
	32068632	ROSSI, A.	Sgt.	A	"	
	31022326	RICCI, J.J.	Sgt.	A.	"	
	39382720	FIORETTI, M.	Sgt.	A	DRIVER.	
	33569940	VALENTINO, J.	Sgt.	A.	"	
	35287048	GAROFALO, J.A.	Cpl.	A.	"	
	35552632	PATTERSON, C.M.	Pvt.	A.	"	
	11032504	NALBANDIAN, S.	Cpl.	A.	Gen Clerk, TYPIST & DRIVER.	
	16037595	JARECKI, R.A.	Cpl.	A.	"	
	12143586	CATALANO, D.B.	Cpl.	A.	SWITCH BOARD OPERATOR.	
	31206370	SPINOSA, C.	Sgt.	A.	GEN. DUTY AND FIRST AID (MEDICAL TECHNICIAN).	

SUB COMMITTEE - REGION 7.

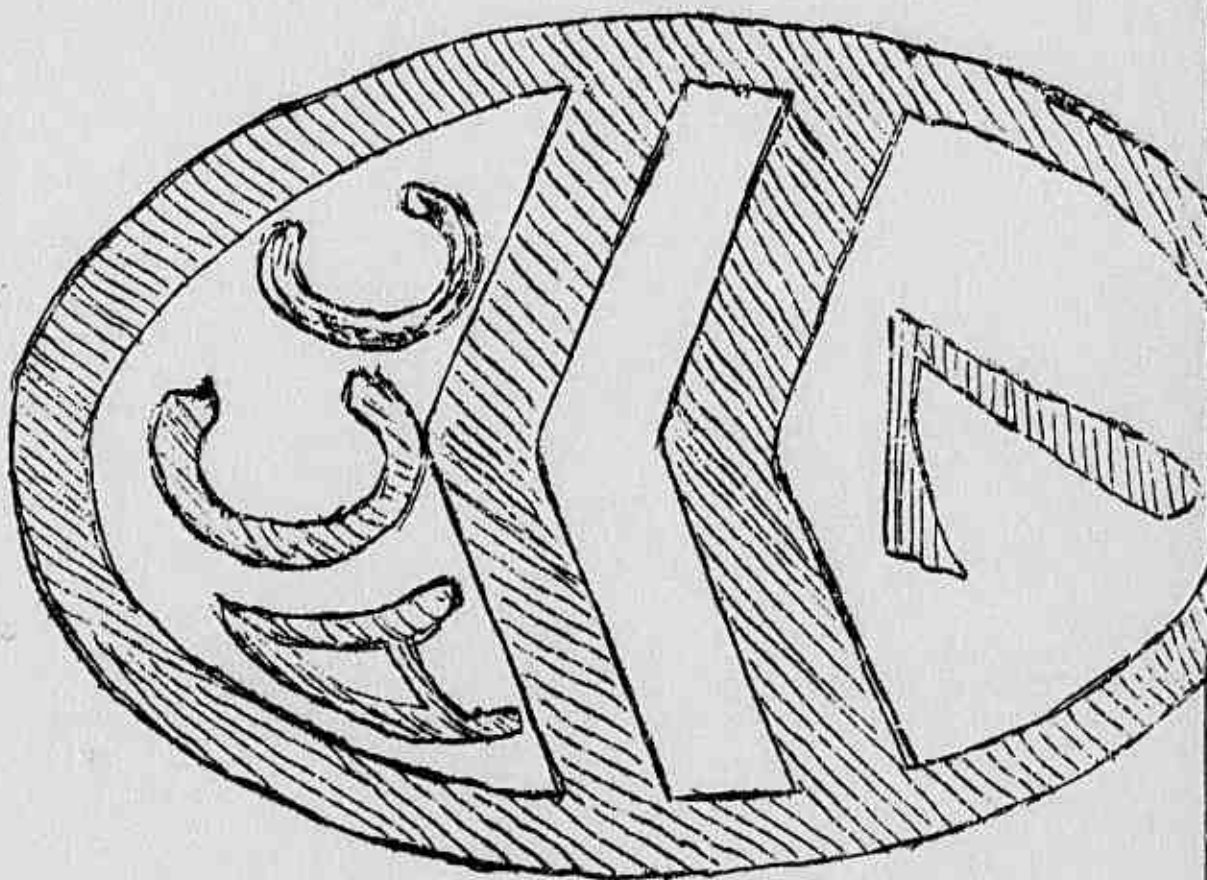
SECRET Equals British MOST SECRET.

ROLL OF EM/OR.Appendix 'B'.

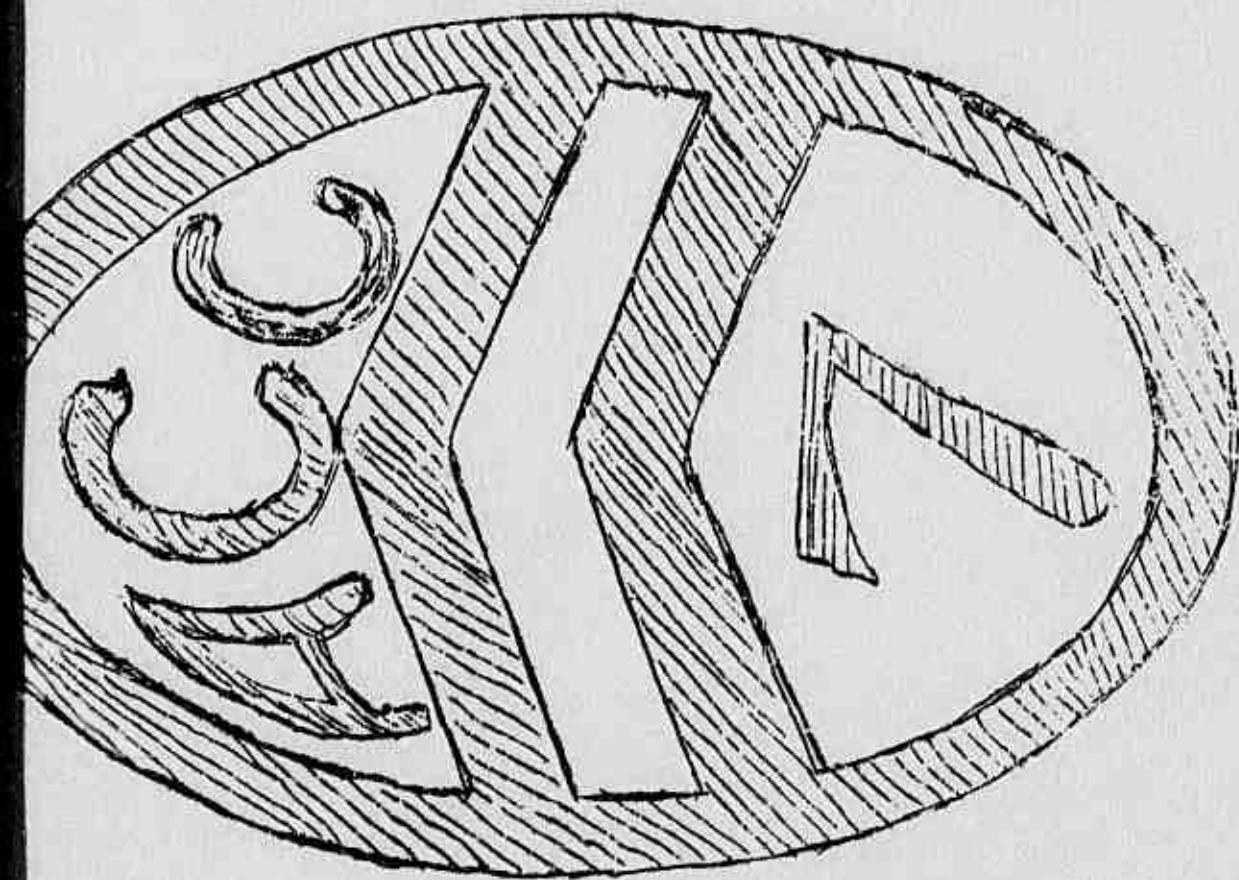
RANK.	A or B	DUTY	BRANCH	REMARKS.
S.	S.S.M.	B	CLERK	
	S.S.M.	B	"	
	S/Sgt.	B	"	
	S/Sgt.	B	"	
	S/Sgt.	B	"	
	Sgt.	B	"	
	Pte	B	"	
	"	B	"	
	"	B	"	
	"	B	"	
	Sgt.	A	COOK.	
E.	S/Sgt.	A	GEN. CLERK & DRIVER.	
J.	Sgt.	A	"	
	Sgt.	A	"	
	Sgt.	A.	"	
	Sgt.	A	DRIVER.	
	Sgt.	A.	"	
	Cpl.	A.	"	
M.	Pvt.	A.	"	
	Cpl.	A.	Gen Clerk, TYPIST & DRIVER.	
	Cpl.	A.	"	
	Cpl.	A.	SWITCH BOARD OPERATOR.	
	Sgt.	A.	GEN. DUTY AND FIRST AID (MEDICAL TECHNICIAN).	

1699

APPENDIX : C



16075



ACTUAL SIZE

OVERHAUL DIMENSIONS 6" x 4".

SHADED PORTIONS IN RED.

MEMORANDUM.

TO: Joint Assistant Chiefs of Staff, A.C.C.
FROM: Legal Division.
DATED: 15 September 1943.

The difficulty of planning for A.C.C. is being widely felt by all Special Divisions in the absence of any directive in the matter.

Having had many discussions and conferences on the latest terms, I have felt able to put together for the consideration of the Joint Assistant Chiefs of Staff some notes which I hope represent the current views of A.C.C. on the framework of the terms within which Divisions should work.

I fully appreciate that these notes lay down very wide, yet vague and ill-defined notes of guidance, but they would appear to be better than nothing.

I treat the matter by divisions and put at the side ~~the~~ terms of the Armistice which appear to be their charter.

ALL DIVISIONS.

In planning for administration by A.C.C., planners must bear in mind a basic change from A.M.G. Under A.M.G., Regional Staffs and CAOs have ample executive powers to direct and order the administration of the Region under their command either through local agencies or through their own personal efforts.

Under A.C.C., the whole method of approach to the problem is changed. The Armistice terms contemplate an A.C.C. appointed by the Allied Commander-in-Chief to carry out the terms of the Armistice and that the Italian Government will send a delegation to the HQ of the Control Commission and such delegates will transmit the orders of the Control Commission to the competent Italian Authorities.

Thus the whole machinery is changed and the execution of the Armistice terms is carried out by the issue of directives from A.C.C. via the Italian delegation to the competent Italian Authorities, i.e., an entirely centralised as opposed to decentralised plan.

Thus it seems that under A.C.C. the Regional Staffs and

AMGOT
BIBLE.

Art. 37
" 42

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Thus the whole machinery is changed and the execution of the Armistice terms is carried out by the issue of directives from A.C.C. via the Italian Delegation to the competent Italian Authorities, i.e., an entirely centralized as opposed to decentralized plan.

Thus it seems that under A.C.C. the Regional Staffs and CAOs have no executive or administrative powers and that the job of Regional Staffs and CAOs is confined to (1) the supervision of local authorities or local industries, police, etc. and to see that the orders given by the Italian Government are carried out (this necessarily assumes that Regions will be supplied with copies of relevant orders given to the Italian Government and of orders issued by the Italian Government pursuant thereto) (2) To make recommendations to A.C.C. for the better administration of any region or a change of policy. (3) To the submission of situation reports to A.C.C.

A further assumption that may be made in planning is that most if not all regions will start under A.M.G. the Central Administration of which will not be the responsibility of A.C.C. but of another HQ and that as the military situation permits, regions will be turned over to A.C.C.

It would seem therefore that an important and essential part of planning for A.C.C. is the preparation of Directives by the various divisions (for submission to the Joint Assistant Chiefs of Staff) instructing Regions, their staffs and CAOs in the new

AMGOT
BIBLE.

Art. 37
" 42

Paper 7,
para. 12.

- 2 -

procedure to be adopted when they come under A.C.C. It would also seem to be necessary to prepare proformas to be returned completed by regions as and when they change over to A.C.C. so that divisions may be supplied with essential statistics necessary for the formulation of plans for that region.

Apart from this planning as a matter of internal administration, it seems that basically, Divisions should prepare plans in the basis that they will be meeting their Italian counterparts across the table and desire to be in a position at the earliest possible moment to issue instructions to them. Sub-commissions must also have in mind planning for a division between their work and Section I.

P.A.W. 217

It should be borne in mind, however, that the Combined Chiefs of Staff have laid down that no long term commitments are to be entered into.

The Armistice Terms are by no means as full as could be wished and the following notes on the Armistice terms are not intended to form a code or to restrict the planning of divisions, but only to draw attention to express terms of the Armistice affecting divisions.

This memorandum does not deal with Sec. I and only very briefly with Sec. V of the proposed set up of A.C.C. Sections and sub-commissions will necessarily have to co-operate closely on correlated subjects, e.g., Foreign Trade with Shipping.

SECTION II.

Art. 23

(1) Finance and Foreign Exchange Control.

Art. 23 provides "The Italian Government will make available such Italian currency as the United Nations may require. The Italian Government will withdraw and redeem in Italian currency within such time limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and business in Italian territory, for the control of foreign exchange and business in Italian and financial transactions and for the control of foreign commercial

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The Armistice Terms are by no means as full as could be wished and the following notes on the Armistice terms are not intended to form a code or to restrict the planning of divisions, but only to draw attention to express terms of the Armistice affecting divisions.

This memorandum does not deal with Sec. I and only very briefly with Sec. V of the proposed set up of A.C.C. Sections and sub-commissions will necessarily have to co-operate closely on correlated subjects, e.g., Foreign Trade with Shipping.

SECTION II.

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(1) Finance and Foreign Exchange Control.

Art. 23

Art. 23 provides "The Italian Government will make available such Italian currency as the United Nations may require. The Italian Government will withdraw and redeem in Italian currency within such time limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and business in Italian territory, for the control of foreign exchange and foreign commercial and financial transactions and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters."

Art. 24

Art. 24 prohibits all intercourse with or for the benefit of any other foreign country except as authorized by the Commander-in-Chief.

Art. 30

Art. 30 provides that the Italian Government will comply with all directions for the impounding of Fascist funds.

Art. 33 (B)

Art. 33 (B) provides that "The Italian Government will give to the Allied Commander-in-Chief such information as may be prescribed regarding the assets, whether inside or outside Italian territory, of the Italian state, the Bank of Italy, any Italian state or semi-state institutions or Fascist organizations or residents in Italian territory and will not dispose or allow the disposal, outside Italian territory of any such assets except with the permission of the United Nations."

These Arts. appear to constitute a wide charter and except that all measures are taken through the Italian Government and not

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direct it seems that the Financial Division has all the powers that it would have under A.M.G.

(ii) Foreign Trade.

Art. 13

The Armistice terms deal with the manufacture and production, import and export of war material but this will be a matter for A.C.C. Sec. I.

Arts. 14 (A),
23, & 33 (B),
& 24.

The only other Arts. dealing with foreign trade are Arts. 23 and 33 (B) set out above, Art. 14 (A) which puts the whole of the Italian merchant fleet at the disposal of the United Nations, and Art. 24 which prohibits all intercourse with enemy or enemy-occupied territory. This appears to give to A.C.C. very wide powers. In view of the fact that for the first time, in the plans that have been proposed from time to time, foreign trade is allocated to a special section, it is felt that the Commander-in-Chief must expect wide and constructive plans to be prepared for the control of foreign trade most advantageous to the United Nations. The closest co-operation with shipping is essential.

(iii) Industry and Commerce.

Art. 23

In this case also the responsibility for the control of production of war materials will be the responsibility of A.C.C. Sec. I and apart from that, the only Art. dealing with Industry and Commerce is Art. 23. These terms appear however to give very wide powers to A.C.C. to plan for the restoration and control of industry and commerce.

(iv) Public Works and Utilities

and

(v) Fuel.

Art. 21 (B)

Art. 21 (B) provides:-
"The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping inland transport systems and vehicles, intercommunication systems, power-stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify, together with connected repair and communication facilities."

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Art. 6

Co-operation with Communications, Sec. IV will be necessary.

The effect of demobilization on industry and commerce will have to be considered.

This appears again to give a wide charter in the field of public works and utilities and fuel and it would seem that the first essential is proper liaison with the Military Authorities (Sec. I (v)) as to what are their requirements for war materials and as to what will be dealt with by Sec. II (iv) and (v). Planning in the field will obviously require close liaison with a number of other sections, especially finance, communications, commerce, foreign trade and coastal shipping.

(vi) Agriculture, Forest and Fisheries.

Arts. 14 (A)
15, & 23.

So far as the first two are concerned, the only express powers in the terms are under Art. 23 "regulation of production", but this appears to give wide powers for the regulation of Agriculture and Forestry. So far as fisheries are concerned, the terms provide that all Italian fishing vessels including all United Nations or other vessels in Italian hands and all craft under construction,

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are to be made available in good repair and condition by the Italian Authorities "at such places and for such purposes as the United Nations may prescribe."

It appears therefore, that planning for fisheries may proceed on the footing that the Italian fishing fleets are at the disposal of the United Nations.

(vii) Labour.

The Armistice terms do not expressly lay down any terms regarding labour.

It would seem that in the first place, the duties of this sub-commission will be mainly advisory in dealing with labour problems which the Italian Government has to meet, but at the same time this should not prevent the planners of this division from producing plans for recreating a proper reorganization of labour consequent on the fall of Fascism and the direction of labour in accordance with the industrial planning of the A.C.C.

Art. 22

It is to be noted that Art. 22 provides that the Italian Government and People will abstain from all action detrimental to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

Art. 6

The effect of demobilization will also have to be considered.

SECTION III.

ADMINISTRATIVE SERVICES.

(i) Interior Administration.

The main concern of this sub-commission would appear to be the recreation of an efficient administration of the Interior consequent on the fall of Fascism but there are no clauses in the terms dealing directly with the Interior.

(ii) Legal.

The duties of this sub-commission will be twofold:

- (a) Advising the Commission itself and the various divisions and sub-commissions on legal problems that arise and assisting in drafting any documents of legal nature.
- (b) Carrying out the legal articles of the terms.

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most important appear to be:

Art. 14 (A)

(1) The enforcement of existing options and re-

Art. 22

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ADMINISTRATIVE SERVICES.

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The duties of this sub-commission will be twofold:

(a) Advising the Commission itself and the various divisions and sub-commissions on legal problems that arise and assisting in drafting any documents of legal nature.

(b) Carrying out the legal articles of the terms. ⁴⁰⁸⁷
most important appear to be:

Art. 14 (A)

(1) The enforcement of existing options and re-purchase of former Italian Merchant and fishing vessels.

Art. 15

(ii) Transfer of title of other vessels under Italian control.

Art. 31

(iii) The rescission of all laws involving discrimination on the ground of color, creed or political opinions and the release in conjunction with the police of all persons detained under such laws and their relief from all disabilities.

(iv) The repeal of Fascist legislation and removal of consequential disabilities.

Art. 32 (B)

(v) In conjunction with the police, the release of persons detained on account of their dealings or sympathies with the United Nations.

(iii) Public Safety.

This division will require to have the closest touch with Allied C.M.P.s and C.A.P.O.s in Regions under A.M.G. Their initial duties will include the planning of instructions to the Italian Government in respect of the following in conjunction with the above:

Art. 5

The supervision of personnel returning to their homes on demobilisation.

Art. 9

Preventing all merchant ships, fishing or other craft and all aircraft and inland transport from leaving pending verification of their identity and status. Exceptionally, it appears that this is a direct obligation and not one necessarily to be performed through the Italian Government. Prohibition of any destruction to war material, wireless, radio location or meteorological stations, railroad, port or other installations or, in general, public or private utilities or property of any kind, wherever situated. Prohibition of the manufacture, production and construction of war material and of its import, export and transit.

Art. 13

Supervision of the provision that all crews of merchant vessels are to remain on board pending further instructions. Prevention of transmission by radio or telecommunication or other forms of inter-communication without authority.

Art. 14 (A)

Prohibition of all intercourse financial, commercial or otherwise with all other countries except by authority of the Allied C.-in-C.

Art. 16

Prohibition of Italians and enemy nationals from leaving Italian territory.

Art. 24

Assisting the Controller of Property in the production of impounded property. Protection of foreign nationals.

Art. 25, 28 (B)

The apprehension of Benito Mussolini and other names on a list which will be submitted.

Art. 28 (C)

The disbandment of all Fascist organizations including all branches of the Fascist Militia (M.V.S.M.), Secret Police (O.V.R.A.), the internment of Fascist personnel, and assisting sub-commission VII in the suppression of youth organisations.

Art. 32 (C)

The release in conjunction with the legal sub-commission of all those interned on the grounds of race, colour or creed or political opinions, and of those interned because of their sympathies with the United Nations.

Art. 29

Art. 30

Art. 32 (B)

(iv) Property Control.

Art. 28 (C)

Article 28 (C) provides for the impounding of all property belonging to all enemy or enemy-occupied countries or its nationals.

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(iv) Property Control.

Art. 28 (C)

Article 28 (C) provides for the impounding of all property belonging to all enemy or enemy-occupied countries or its nationals and retention in custody pending further instructions.

Art. 32 (C)

Article 32 (C) provides that the Italian Government will take such steps as the United Nations may direct to safeguard the property of foreign states and nationals.

It appears therefore that the planning of the Controller of Property will be toward the taking over of Allied and foreign property rather than Italian state property. At a later stage the Controller may be concerned with enemy property taken over for the purpose of making war material. This opens a wide field of responsibility and close touch will have to be maintained with Public Safety and so far as businesses are concerned with the financial and commercial divisions.

(v) Food Distribution and Rationing.

No express reference is made in the terms to the above subject matter. It is assumed that AGC will supervise the distribution of food produced or processed within Italy and will supervise rationing thereof, except that in combat areas and possibly in occupied territories or areas. If food is imported the distribution and rationing

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of it will become an important feature to be dealt with.
Demobilisation will have a direct effect on food distribution and rationing.

Art. 6.

No difficulty is likely to be experienced in working out plans and details with the Italian authorities on the question of food and rationing.

(vi) Public Health.

No reference is made in the terms to the above subject matter. What is said in the preceding section is equally applicable here to matters of Public Health and imported medical supplies.

Art. 6

Demobilisation may have effect on the Public Health situation.

(vii) Education and Fine Arts.

(1) Education. This would seem to be a matter exclusively for supervision by ACC, co-operating primarily with the Political Section and the Public Safety sub-commission. While no direct reference is made to Education in the terms, by Art. 30 the Italian Government agrees to abolish all Fascist organisations and to comply with instructions to that end, including dismissal of personnel and suppression of Fascist ideology and teachings. As certain Fascist organizations were made an adjunct to the educational system, as many text books reflect Fascist teachings and as certain of the personnel entertained such views, it will be the duty of this sub-commission to work with the appropriate Italian authorities to remove the situation and supervise the acts taken by them to this end.

Art. 30

Under Art. 32 (B) examination should be made as to disabilities or prohibitions which may affect attendance at educational institutions.

Art. 32 (B)

(2) Fine Arts It would seem that this is a function primarily for AMG to undertake in areas of actual or prospective combat in order that historic records, national shrines, historic monuments and other works of art be given prompt safeguard from possible loss or damage. In unoccupied territory and in non-combat areas, ACC would work with the proper Italian authorities for preservation and safeguard of the above-mentioned features particularly in areas likely to be subject to bombing by the enemy. No specific grant of authority in this regard is given in the terms but no difficulty would likely be experienced in securing co-operation of the Italian authorities.

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(viii) Information.

The furnishing of information by the Italian Government in several Articles of the Instrument of Surrender, those of major immediate importance being devoted to purely military matters, as for instance Arts. 10 and 11. However, by Art. 33(B), the disclosure of certain financial information, which necessarily would be available to other sub-commissions in accordance with the type of information secured. Art. 35 provides for the furnishing of information and documents without destruction. The control of censorship under Art. 16 may well be the most important function of this sub-commission. Possibly certain intelligence matters apart from actual censorship are to be undertaken by this sub-commission in conjunction with Military and Naval Intelligence.

Art. 30

Art. 32 (B)

Arts. 10, 11)
Art. 33(B))

Art. 35

SECTION IV.COMMUNICATIONS.(i) Shipping.

Arts. 12, 14,
15, 19, 21,
28.

The instrument of surrender contains many provisions with regard to shipping, in addition to warships and auxiliary vessels and transports. All merchant ships, fishing and other craft, including that of other Axis powers, are to be placed in the hands of the Allied nations. The naval forces may require some of these, leaving others to be dealt with by this sub-commission. The problem will also arise with respect to the treatment of ships formerly seized by Italy and the disposition of neutral shipping in use by Italy and Axis powers.

(ii) Transportation.

Arts. 12, 14,
16, 19, 21.
Art. 6.

The use of railroads, roads etc. is given to the Allied nations for their use as required (Arts. 18 and 21). The movement of demobilized military personnel will have to be dealt with.

(iii) Telecommunications.

Arts. 12, 19,
21.

The Allied Nations are given broad rights over telecommunications systems including radio and cable.

SECTION V.POLITICAL.

Art. 29.

It may be expected that under Art. 29 the military will take over the Fascists mentioned therein, but cooperation between Political and Military will doubtless be necessary. Political will have to do with the dissolution of Fascist organizations and will cooperate with the Education sub-commission in regard to Fascist Ideology and teachings in educational institutions, also with the Public Safety sub-commission. In cooperation with the Legal sub-commission, Political may be concerned with the rescission of discriminating laws, etc. referred to in Art. 31 and the removal of prohibitions and disabilities resulting therefrom and possibly the release of political prisoners under Art. 32(B). Political will also have control of propaganda and counter-propaganda. This will require contact with the Information sub-division with respect to censorship and other similar features and with the communications sub-commissions to the extent those respective features are delegated to those sub-divisions. Political may have also certain responsibilities in

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Art. 32(B)

Art. 5.

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Art. 31.

Art. 32(B)

Art 25

NOTE: While references have been made to certain Articles, the references are not intended to be all inclusive.

TO:- Joint Assistant Chiefs of Staff

FROM:- Sub-Committee to Consider the Draft Armistice Terms^R

SUBJECT:- Draft Armistice Terms

REFERENCE:-

DATE:- 13th 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 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 powers, 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. How 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.

BRIGADIER R. A. HAMLYN,
Chief, Financial Division.

COLONEL G. R. UPJOHN,
Chief, Legal Division.

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Chief, Financial Division.

COLONEL G. R. UPJOHN,
Chief, Legal Division.

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

RAH/rha.
13th September, 1943.

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

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DRAFT INSTRUMENT OF SURRENDER OF ITALY

We have considered the ^{terms} ~~time~~ of the above mentioned document.

for three very important matters.

In our opinion, the document fails to provide in specific terms

any ^{terms pursuant} ~~terms~~ In the first place, in the event of a non-compliance by Italian ~~units~~ ^{units pursuant} with the terms of the Armistice or Orders issued ~~thereby~~ ^{thereby pursuant} by the Commander-in-Chief or his representatives, it is felt that the United Nations might not desire to put in force the penalty of denunciation or even the lesser penalty of ~~exempting~~ ^{exempting} the right of military occupation (which might prove inconvenient to the Military tactical position) and that the most efficient remedy would be to ~~have the~~ ^{have the} prescribe offenses and corresponding penalties for failure to comply with the Armistice terms or orders ~~thereunder~~ ^{thereunder} which should be tried before Allied Courts.

It is felt that a case would be made by the Italian Authorities for contending that Art. 44 as it stands does not empower the United Nations to set up such Courts, infringing as it would be alleged, the ~~sovereignty of the King of Italy~~ ^{Italian} ~~sovereignty of the King of Italy~~. It is strongly recommended, therefore, that the Draft terms should be amended by the insertion of powers conferring upon the United Nations in express terms the right in ~~an~~ ^{un} occupied territory to prescribe offenses and penalties and to set up Allied Courts to try them.

Secondly, it is also to be observed that in ~~an~~ ^{un} occupied territory, no rights of extraterritoriality have been conferred upon the forces ~~and officials of the United Nations who~~ ⁴⁰⁸⁹ resident in Italy.

It is felt most strongly that it should be made plain to the Italians in the Armistice Terms that such forces and officials which in non-occupied Italy ~~on official business~~ ^{are not to be subject to the} Italian Civil or Criminal Courts without the consent of the Commander-in-Chief.

Finally, it is suggested that Art 21 (a) is unsatisfactory in that it provides only for ~~the~~ ^{which} rights of passage for officials of the United Nations.

We feel this should be a comprehensive ~~edit~~ ^{which} entitling the United Nations to carry out the purposes of the Armistice in non-occupied territory through their officials free from taxes, charges, regulations or other impediments, and to requisition all necessary facilities for that purpose.

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Secondly, it is also to be observed that in an occupied territory, no rights of extraterritoriality have been conferred upon the forces and officials of the United Nations which resident in Italy.

It is felt most strongly that it should be made plain to the Italians in the Armistice terms that such forces and officials which in non-occupied Italy on official business are not to be subject to the Italian Civil or Criminal Courts without the consent of the Commander-in-Chief.

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ALLIED FORCE HEADQUARTERS
APO 512

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

785015

SUBJECT: Ad interim Armistice Committee.

TO : The Right Honorable Harold M. Mac Millan, British
Resident Minister
The Honorable Robert D. Murphy, United States Minister
Brigadier General Julius C. Holmes, G.S.C.

1. The Italian Government has surrendered to the Allied Nations, and an armistice has been signed. A copy of the instrument is inclosed. You will observe that it is confined to conditions of a military, naval and aviation character. Terms relating to economic and political matters have been reserved for future arrangement.
2. You are appointed an ad interim Armistice Committee. Your function will be for the time being to regulate and execute the instrument of surrender under the orders and general directions of the Allied Commander in Chief. To that end you will establish relations with the Italian Government in the form in which it presents itself, and will act as the normal channel between it and the Allied Commander in Chief. You will take such steps as may be necessary at the time to make the armistice effective, and generally to secure the rights and safeguard the interests of the Allied Nations and of the nations associated with them in the present war.
3. Final terms of armistice have been approved by the British and American Governments. See Inclosure 2. They have not yet been imposed upon the Italian Government and are communicated to you, in ~~inclosure~~, as disclosing the probable result of the Italian surrender. You will, accordingly, consider them as indicating the present purposes of the Allied Governments. Subject to any further directive, you will perform your mission in the light of these provisions, and so far as practicable will endeavor so to shape events as to facilitate the eventual achievement of these purposes. *Copy of the instrument is being sent to the Doc.*
4. You are appointed as the ad interim authority, to function pending the establishment of a Control Commission. See dispatch FM 217, of September 6, 1943, inclosure 3 herein, whereby the Combined Chiefs of Staff communicated to the Allied Commander in Chief an outline of the organization and functions of the Control Commission which the two

2. You are appointed an ad interim Armistice Committee. Your function will be for the time being to regulate and execute the instrument of surrender under the orders and general directions of the Allied Commander in Chief. To that end you will establish relations with the Italian Government in the form in which it presents itself, and will act as the normal channel between it and the Allied Commander in Chief. You will take such steps as may be necessary at the time to make the armistice effective, and generally to secure the rights and safeguard the interests of the Allied Nations and of the nations associated with them in the present war.

3. Final terms of armistice have been approved by the British and American Governments. See Inclosure 2. They have not yet been imposed upon the Italian Government and are communicated to you, in ~~inclosure~~, as disclosing the probable result of the Italian surrender. You will, accordingly, consider them as indicating the present purposes of the Allied Governments. Subject to any further directive, you will perform your mission in the light of these provisions, and so far as practicable will endeavor so to shape events as to facilitate the eventual achievement of these purposes. *Copy sent to the British and American Governments.*

4. You are appointed as the ad interim authority, to function pending the establishment of a Control Commission. See dispatch FAN 217, of September 6, 1943, inclosure 3 herein, whereby the Combined Chiefs of Staff communicated to the Allied Commander in Chief an outline of the organization and functions of the Control Commission which the two governments purpose to establish. The personnel initially assigned to armistice control will accordingly be organized to conform as nearly as may be to the plan which the governments have in view. The ad interim Armistice Committee will be guided in the conduct of its affairs by the consideration that it should be able to give place to the Control Commission without any relaxation of control or marked deviation in policy. It will be the duty of the ad interim Committee to take such immediate steps as may be necessary for military reasons or to secure the enforcement of the conditions of the armistice; it will so far as possible avoid long-range commitments except on instructions from the Commander in Chief.

5. The dispatch FAN 217 points out that the Control Commission will include a Military Section divided into various sub-commissions dealing with Italian military personnel, war material factories, and material disposal. It may be that representatives of the military, naval and air services of the Allied forces in this theater will be appointed to

anticipate the work of this Section. In case such service representatives are appointed, the closest concert will be maintained between them and the ad interim Armistice Committee. It will be imperative that there be a single authoritative expression of the policy of the Allied Nations, acting through the Allied Commander in Chief in this theater. Any service representatives appointed will be given instructions to this effect, and any variance in opinion will be instantly, if need be, referred to the Allied Commander in Chief for decision.

6. As military operations are in progress, it is important that there be close cooperation between the ad interim Committee and the Allied commanders in dealing with the Italian authorities.

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INSTRUMENT OF SURRENDER OF ITALY

Whereas the Italian Government and the Italian Supreme Command acknowledge that the Italian forces have been totally defeated and that Italy can no longer carry on the war against the United Nations and have accordingly unconditionally requested a suspension of hostilities.

and whereas the United States and United Kingdom Governments acting on behalf of the United Nations are willing to lay down the terms on which they are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed, and that Italy does not assist these powers in any way and complies with requirements of these Governments.

The following terms have been presented byJuly 4078
authorized to that effect, and have been accepted byrepresent-
ing the Supreme Command of the Italian Land, Sea and Air Forces, and duly
authorized to that effect by the Italian Government.

1.

(A) The Italian Land, Sea and Air Forces wherever located,
hereby surrender unconditionally.

(B) Italian participation in the war in all Theatres will
cease immediately. There will be no opposition to landings, movements or
other operations of the Land, Sea and Air Forces of the United Nations.
Accordingly, the Italian Supreme Command will order the immediate cessation
of hostilities of any kind against the Forces of the United Nations and

as their military operations against Germany and her Allies are not obstructed, and that Italy does not assist these powers in any way and complies with requirements of these Governments.

The following terms have been presented by July 4078
authorized to that effect, and have been accepted by representing the Supreme Command of the Italian Land, Sea and Air Forces, and duly authorized to that effect by the Italian Government.

1.

(A) The Italian Land, Sea and Air Forces wherever located, hereby surrender unconditionally.

(B) Italian participation in the war in all Theatres will cease immediately. There will be no opposition to landings, movements or other operations of the Land, Sea and Air Forces of the United Nations. Accordingly, the Italian Supreme Command will order the immediate cessation of hostilities of any kind against the Forces of the United Nations and will direct the Italian Navy, Military and Air Force authorities in all Theaters to issue forthwith the appropriate instructions to those under their Command.

(C) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from destruction of or damage to any real or personal property, whether public or private.

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2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian Land, Sea and Air Forces, wherever they are situated and of all such forces of Italy's Allies as are situated in Italian or Italian occupied territory.
3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities, and all other installations against seizure or attack by any of Italy's Allies. The Italian Supreme Command will take the necessary measures to insure law and order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander - in - Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.
4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian Land, Sea and Air Forces will be carried out in conditions to be laid down by the United Nations and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations.

available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander -

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5. No requisitioning, seizures or other coercive measures shall be effected by Italian Land, Sea and Air Forces or officials in regard to persons or property in the areas notified under Article 4.

6. The demobilization of Italian Land, Sea and Air Forces in excess of such establishments as shall be notified will take place as prescribed by the Allied Commander-in-Chief.

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7. Italian warships of all descriptions, auxiliaries and transports will be assembled as directed in ports to be specified by the Allied Commander-in-Chief and will be dealt with as prescribed by the Allied Commander-in-Chief. (Note. If at the date of the Armistice the whole of the Italian Fleet has been assembled in Allied ports, this article would run - "Italian warships of all descriptions, auxiliaries, and transports will remain until further notice in the ports where they are at present assembled, and will be dealt with as prescribed by the Allied Commander-in-Chief.")

8. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by the Allied Commander-in-Chief.

9. Without prejudice to the provisions 14, 15 and 25 (A) and (4076 below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defences, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations land, Sea or Air Forces. Italian forces and equipment will be made available as re-

8. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by the Allied Commander-in-Chief.

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10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defences, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations Land, Sea or Air Forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above mentioned obstacles.

11. The Italian Government will furnish forthwith lists of quantities of all war material showing the location of the same. Subject to such use as the Allied Commander-in-Chief may make of it, the war material will be placed in store under such control as he may direct. The ultimate disposal of war material will be prescribed by the United Nations.

12. There will be no destruction of nor damage to nor except as authorized or directed by the United Nations any removal of war material,

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wireless, radio location or meteorological stations, railroad, port or other installations or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.

13. The manufacture, production and construction of war material and its import, export and transit is prohibited, except as directed by the United Nations. The Italian Government will comply with any directions given by the United Nations for the manufacture, production or construction and the import, export or transit of war material.

14.

(A) All Italian merchant shipping and fishing and other ⁴⁰⁷⁵craft, wherever they may be, and any constructed or completed during the period of the present instrument will be made available in good repair and in seaworthy condition by the competent Italian authorities at such places and for such purposes and periods as the United Nations may prescribe. Transfer to enemy or neutral flag is prohibited. Crews will remain on board pending further instructions regarding their continued employment or dispersal. Any existing options to repurchase or re-acquire or to resume control of Italian or former Italian vessels sold or otherwise transferred or chartered during the war will forthwith be exercised and the above provisions will apply to all such vessels and their crews.

(B) All Italian inland transport and all port equipment will be held at the disposal of the United Nations for such purposes as they

and the import, export or transit of war material.

14.

(A) All Italian merchant shipping and fishing and other craft, wherever they may be, and any constructed or completed during the period of the present instrument will be made available in good repair and in seaworthy condition by the competent Italian authorities at such places and for such purposes and periods as the United Nations may prescribe. Transfer to enemy or neutral flags is prohibited. Crews will remain on board pending further instructions regarding their continued employment or dispersal. Any existing options to repurchase or re-acquire or to resume control of Italian or former Italian vessels sold or otherwise transferred or chartered during the war will forthwith be exercised and the above provisions will apply to all such vessels and their crews.

(3) All Italian inland transport and all port equipment will be held at the disposal of the United Nations for such purposes as they may direct.

15. United Nations merchant ships, fishing and other craft in Italian hands wherever they may be (including for this purpose those of any country which has broken off diplomatic relations with Italy) whether or not the title has been transferred as the result of prize court proceedings or otherwise, will be surrendered to the United Nations and will be assembled in ports to be specified by the United Nations for disposal as directed by them. The Italian Government will take all such steps as may be required to secure any necessary transfers of title. Any neutral merchant ship, fishing or other craft under Italian operation or control will

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be assembled in the same manner pending arrangements for their ultimate disposal. Any necessary repairs to any of the above mentioned vessels will be affected by the Italian Government, if required, at their expense. The Italian Government will take the necessary measures to insure that the vessels and their cargo are not damaged.

16. No radio or telecommunication installations or other forms of intercommunication, shore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio ^{4074e} and other communication stations.

17. The warships, auxiliaries, transports and merchant and other vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the air over Italian territory.

18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian Land, Sea and Air Forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the Allied Commander-in-Chief. The provisions of this article are without prejudice to those of article

by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio ⁴⁰⁷²⁰ and other communication stations.

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18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian Land, Sea and Air Forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the Allied Commander-in-Chief. The provisions of this article are without prejudice to those of article 4 above. The Italian Supreme Command will guarantee immediate use and access to the Allied of all airfields and Naval ports in Italy under their control.

19. In the territories or areas referred to in article 18 all Naval, Military and Air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all intercommunication installations, facilities and equipment and such other installations or facilities and all such stocks as may be required by the

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United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian Government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

21. In addition to the rights in respect of occupied Italian territories described in articles 18 to 20,

(A) Members of the Land, Sea or Air Forces and officials of the United Nations will have the right of passage in or over non-occupied Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

(B) The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping, inland transport systems and vehicles, intercommunication systems, power-stations and public utility services, oil refineries, stocks and such other fuel and power sup-

and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

21. In addition to the rights in respect of occupied Italian territories described in articles 18 to 20,

(A) Members of the Land, Sea or Air Forces and officials ⁴⁴⁷³ of the United Nations will have the right of passage in or over non-occupied Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

(B) The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping, inland transport systems and vehicles, intercommunication systems, power-stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify, together with connected repair and construction facilities.

22. The Italian Government and people will abstain from all action detrimental to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

23. The Italian Government will make available such Italian currency as the United Nations may require. The Italian Government will withdraw and redeem Italian currency within such time-limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or

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occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and business in Italian territory, for the control of foreign exchange and foreign commercial and financial transactions and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters.

24. There shall be no financial, commercial or other intercourse with or dealings with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries or any other foreign country except under authorization of the Allied Commander-in-Chief or designated officials.

25.

(A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian Land, Sea and Air Forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

(B) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its

the United Nations or territories occupied by such countries or any other foreign country except under authorization of the Allied Commander-in-Chief or designated officials.

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25.

(A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian Land, Sea and Air Forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

(B) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding communications emanating from or destined for the representatives of neutral countries in Italian territory.

26. Italian subjects will pending further instructions be prevented from leaving Italian territory except as authorized by the Allied Commander-in-Chief and will not in any event take service with any of the countries or in any of the territories referred to in article 25 (A) nor will they proceed to any place for the purpose of undertaking work for any such country. Those at present so serving or working will be recalled as

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directed by the Allied Commander-in-Chief.

27. The Military, Naval and Air personnel and material and the merchant shipping, fishing and other craft and the aircraft, vehicles and other transport equipment of any country against which any of the United Nations is carrying on hostilities or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

28.

(A) The warships, auxiliaries and transports of any such country or occupied country referred to in article 27 in Italian or Italian occupied ports and waters and the aircraft, vehicles and other transport equipment of such countries in or over Italian or Italian occupied territory will, pending further instructions, be prevented from leaving. 4071

(B) The Military, Naval and Air personnel and the civilian nationals of any such country or occupied country in Italian or Italian occupied territory will be prevented from leaving and will be interned pending further instructions.

(C) All property in Italian territory belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

(D) The Italian Government will comply with any instructions given by the Allied Commander-in-Chief concerning the internment, custody or subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, material or property.

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(B) The Military, Naval and Air personnel and the civilian nationals of any such country or occupied country in Italian or Italian occupied territory will be prevented from leaving and will be interned pending further instructions.

(C) All property in Italian territory belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

(D) The Italian Government will comply with any instructions given by the Allied Commander-in-Chief concerning the internment, custody or subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, material or property.

29. BENITO MUSSOLINI, his Chief Fascist associates and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

30. All Fascist organizations, including all branches of the Fascist Militia (MVSN), the Secret Police, (OVRA), all Fascist youth organizations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander-in-Chief. The

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Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the dis-
advice and internment of Fascist personnel, the control of Fascist funds,
the suppression of Fascist ideology and teaching.

31. All Italian laws involving discrimination on grounds of race,
color, creed or political opinions will insofar as this is not already
accomplished be rescinded, and persons detained on such grounds will, as
directed by the United Nations, be released and relieved from all legal
disabilities to which they have been subjected. The Italian Government
will comply with all such further directions as the Allied Commander-in-
Chief may give for repeal of Fascist legislation and removal of any dis-
abilities or prohibitions resulting therefrom.

32.

(A) Prisoners of war belonging to the forces of or specified
by the United Nations and any nationals of the United Nations, including 4070
Abyssinian subjects, confined, interned, or otherwise under restraint in
Italian or Italian-occupied territory will not be removed and will forth-
with be handed over to representatives of the United Nations or otherwise
dealt with as the United Nations may direct. Any removal during the period
between the presentation and the signature of the present instrument will
be regarded as a breach of its terms.

(B) Persons of whatever nationality who have been placed under
restriction, detention or sentence (including sentences in absentia) on
account of their dealings or sympathies with the United Nations will be re-

disabilities to which they have been subjected. The Italian Government will comply with all such further directions as the Allied Commander-in-Chief may give for repeal of Fascist legislation and removal of any disabilities or prohibitions resulting therefrom.

32.

(A) Prisoners of war belonging to the forces of or specified by the United Nations and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian or Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as the United Nations may direct. Any removal during the period between the presentation and the signature of the present instrument will be regarded as a breach of its terms.

(B) Persons of whatever nationality who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations and relieved from all legal disabilities to which they have been subjected.

(C) The Italian Government will take such steps as the United Nations may direct to safeguard the persons of foreign nationals and property of foreign nationals and property of foreign states and nationals.

33.

(A) The Italian Government will comply with such directions as the United Nations may prescribe regarding restitution, deliveries, services or payments by way of reparation and payment of the costs of occu-

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tion during the period of the present instrument.

(3) The Italian Government will give to the Allied Commander-in-Chief such information as may be prescribed regarding the assets, whether inside or outside Italian territory, of the Italian state, the Bank of Italy, any Italian state or semi-state institutions or Fascist organizations or residents in Italian territory and will not dispose or allow the disposal, outside Italian territory of any such assets except with the permission of the United Nations.

34. The Italian Government will carry out during the period of the present instrument such measures of disarmament, demobilization and demilitarization as may be prescribed by the Allied Commander-in-Chief.

35. The Italian Government will supply all information and provide all documents required by the United Nations. There shall be no destruction or concealment of archives, records, plans or any other documents or information.

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36. The Italian Government will take and enforce such legislative and other measures as may be necessary for the execution of the present instrument. Italian military and civil authorities will comply with any instructions issued by the Allied Commander-in-Chief for the same purpose.

37. There will be appointed a control commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief.

38.

(4) The term "United Nations" in the present instrument includes the Allied Commander-in-Chief, the control commission and any other authority

present instrument such measures of disarmament, demobilization and demilitarization as may be prescribed by the Allied Commander-in-Chief.

35. The Italian Government will supply all information and provide all documents required by the United Nations. There shall be no destruction or concealment of archives, records, plans or any other documents or information. 4069

36. The Italian Government will take and enforce such legislative and other measures as may be necessary for the execution of the present instrument. Italian military and civil authorities will comply with any instructions issued by the Allied Commander-in-Chief for the same purpose.

37. There will be appointed a control commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief.

38.

(A) The term "United Nations" in the present instrument includes the Allied Commander-in-Chief, the control commission and any other authority which the United Nations may designate.

(B) The term "Allied Commander-in-Chief" in the present instrument includes the control commission and such other officers and representatives as the Commander-in-Chief may designate.

39. Reference to Italian Land, Sea and Air Forces in the present instrument shall be deemed to include Fascist Militia and all such other military or para-military units, formations or bodies as the Allied Commander-in-Chief may prescribe.

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40. The term "War Material" in the present instrument denotes all material specified in such lists or definitions as may from time to time be issued by the control commission.

41. The term "Italian Territory" includes all Italian colonies and dependencies and shall for the purposes of the present instrument (but without prejudice to the question of sovereignty) be deemed to include Albania. Provided however that except in such cases and to such extent as the United Nations may direct the provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency already occupied by the United Nations or the rights or powers therein possessed or exercised by them.

42. The Italian Government will send a delegation to the Headquarters of the control commission to represent Italian interests and to transmit the orders of the control commission to the competent Italian authorities.

43. The present instrument shall enter into force _____ hours after its signature. It will remain in operation until superseded by any other arrangements or until the voting into force of the peace treaty with Italy.

44. The present instrument may be denounced by the United Nations with immediate effect if Italian obligations thereunder are not fulfilled or, as an alternative, the United Nations may penalise contravention of it by measures appropriate to the circumstances such as the extension of the areas of military occupation or air or other punitive action.

The present instrument is drawn up in English and Italian.

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44. The present instrument may be denounced by the United Nations with immediate effect if Italian obligations thereunder are not fulfilled or, as an alternative, the United Nations may penalize contravention of it by measures appropriate to the circumstances such as the extension of the areas of military occupation or air or other punitive action.

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation, the decision of the control commission shall prevail,

Signed on the _____ day _____ at _____ (Place)
(Hour) (Time)

(Signature)

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MEMORANDUM TO THE PRESIDENT OF THE UNITED STATES
SUPPLEMENT DATED 5TH JUNE 45.

We have considered the terms of the above mentioned document.

In our opinion (apart from such obscurity and redundancy of drafting) the document fails to deal in principle with the following vital and essential matters.

1. No provision is made giving the United Nations the right to set up administrative and control offices of the Armistice Commission or to provide for the accommodation of its officials in NON occupied territory. We feel that this right is required as a lesser, and to the Italian people more favourable, alternative to that of exercising the full rights of military occupation in any given area upon a breach by the Italians of the Instrument. The exercise of this latter alternative might indeed be inevitable in at any rate, a serious handicap to military operations of the United Nations in other areas.
2. No provision is made empowering the United Nations to take over and run business utilities and services where there has been a failure to comply with provisions of the Instrument or where a given area is under the control of only one power given to the United Nations to secure the rights of military occupation or complete domination or general partition of the area. The shortcomings of which have been pointed out above.
3. No extra territorial rights have been given to members of the armed forces or officials of the United Nations while carrying out their duties in non occupied territory. 4087
It is surely inconceivable that such persons are to be exposed at the suit of the Italian Government or an Italian National to proceedings in the Italian civil or criminal courts while present in Italy in discharge of their official functions.
4. It is strongly felt that Article 95 does not provide proper safeguards in the event of a non compliance by the Italian Government or its nationals with the provisions of the Instrument or Orders given thereunder. It is felt to be absolutely vital and necessary to provide in express terms the following safeguards for use in cases where the United Nations do not desire to go to the extreme measures of denouncing the Armistice or even of exercising the area of military occupation.
 - (a) The right to prescribe offences and penalties for failure of Italian local authorities or nationals to carry out the orders of the Italian Government or the United Nations.
 - (b) The right to set up in Non-Occupied areas Allied Courts to try such offences.

business activities and services where there has been a failure to comply with provisions of the Instrument or orders given thereunder. There shall also be given to the Italian National to ensure the rights of military cooperation or complete communication or general jurisdiction of their territories the circumstances of which have been pointed out above.

3. No extra territorial rights have been given to members of the armed forces or officials of the United Nations while carrying out their duties in non occupied territory. 4087

It is surely inconceivable that such persons are to be exposed at the suit of the Italian Government or an Italian National to proceedings in the Italian civil or criminal courts while present in Italy in discharge of their official functions.

4. It is strongly felt that Article 95 does not provide proper safeguards in the event of a non compliance by the Italian Government or the Nationals with the provisions of the Instrument or Orders given thereunder. It is felt to be absolutely vital and necessary to provide in express terms the following safeguards for use in cases where the United Nations do not desire to go to the extreme measures of denouncing the military or even of extending the area of military occupation.

- (a) The right to prescribe offenses and penalties by Italian local authorities or nationals to carry out the orders of the Italian Government or the United Nations.
- (b) The right to set up in Non-Occupied areas Allied Courts to try such offenses.
- (c) The right to supervise Italian Criminal Courts in non-occupied territory in such cases as may be deemed necessary.

It is strongly recommended that if the present draft suffers from the above mentioned major defects it should be amended before enactment; that if an Instrument has already been enacted it would be to the benefit not only of the United Nations but of the Italians to agree for the provision of these measures.

SUB → COMMITTEE, ACA

SUBJECT: Consideration of Draft "Instructions of Surrender" dated 5 June 1943

PRESENT: Colonel Hatibone
Lt. Colonel Parkinson
Captain Stone
Colonel Evans
Colonel Uyjohn.

1. Arts 1 - 7. incl. would come within the exclusive powers of the Allied Naval, Military and Air Forces (hereinafter collectively referred to as the Military).
 2. Art 8. The execution of this art. is a matter for the Military. It is suggested that the handling of Italian civilian aircraft should also be a responsibility of the Military.
 3. Art 9. It will be the responsibility of A.C.A. to check and verify identity of the craft mentioned from information received from the Italian Government and for this purpose the services of the Transport Division A.C.A. and C.A.Os will be utilized. 4066
- The Navy must be responsible for preventing craft from leaving the ports.
- Art 10. The information to be made available will be supplied primarily to the Military but A.C.A. (Communications Division) will require and should be supplied direct by the Italian Supreme Command with all information which the Communications Division may require. Close liaison should be maintained between the Military and the A.C.A. for this purpose.
- Art 11. This is initially a matter for the Military. At a later stage

4066

3. Art 9. It will be the responsibility of A.C.A. to check and verify identity/status of the craft mentioned from information received from the Italian Government and for this purpose the services of the Transport Division A.C.A. and C.A.Os will be utilized.

The Navy must be responsible for preventing craft from leaving the ports.

Art 10. The information to be made available will be supplied primarily to the Military but A.C.A. (Communications Division) will require and should be supplied direct by the Italian Supreme Command with all information which the Communications Division may require. Close liaison should be maintained between the Military and the A.C.A. for this purpose.

Art 11. This is initially a matter for the Military. At a later stage A.C.A. (Staff) may be interested to acquiring the surplus.

Art 12. A.C.A. Public Safety Division together with the Military will be responsible for the enforcement of the destruction or damage clause. A.C.A. Transportation, Communication Utilities division will be responsible for the enforcement of the maintenance and repair clause.

Art.13. A.C.A. (Public Safety and Transportation) and the Military will be responsible for enforcing prohibition. Military will decide after receiving particulars, as what production is required and will give directions. A.C.A. Production and Supply, and Transportation will be responsible for seeing that the Italian Government comply with directions given.

Art.14. Navy (assisted by M.W.T. and W.S.A.) will be primarily responsible for ~~maneuvering~~ carrying out the Art. A.C.A. (Public Safety) will be responsible with Military for seeing that craft are available in good condition with crews.

A.C.A. Legal Division will be responsible for enforcement of prohibition of transfers and for exercising options etc.

Art.15. This will be the responsibility of A.C.A. Supply and Financial Divisions.

Art.16. This will be consolidated with Arts. 9, 14, 28, and 29. (See attached notes)

Art.17. A.C.A. Communications in liaison with Military and A.C.A. Public Safety will control communications. I.W.C. (A.F.H.Q.) will control censorship.

Art.18. Purely declaratory. Not the responsibility of A.C.A.

Art. 19-21. Military Occupation. See A.M.G. Bible.

Art. 23 It is suggested that to implement this Art. effectively substantial further powers should be given to the United Nations in particular the power in NON occupied territory to prescribe offences and to set up Military Courts (See Notes to Art. 45.). This would be the responsibility of

Art. 15. This will be the responsibility of A.C.A. Supply and

Financial Divisions.

Art. 16. This will be consolidated with Arts. 9, 14, 28, and 29.

(See attached notes)

Art. 17. A.C.A. Communications in liaison with Military and A.C.A. 4083

Public Safety will control communications. I.N.C. (A.F.H.G.)
will control censorship.

Art. 18. Purely declaratory. Not the responsibility of A.C.A.

Art. 19-21. Military Occupation. See A.M.G. Bible.

Art. 23 It is suggested that to implement this Art. effectively
substantial further powers should be given to the United
Nations in particular the power in NON occupied territory
to prescribe offences and to set up Military Courts (See
Notes to Art. 45.). This would be the responsibility of
A.C.A. Legal Division.

Art. 24 The responsibility for executing this Art. is plainly A.C.A.
finance, but the intention of this article is obscure and
further directions are desired.

Art. 25 A.C.A. (Finance, Transportation and Communications) will
concert measures for enforcement jointly with Military.

Art. 26 A.C.A. Staff will be responsible for verifying issue of
letters of recall.

cont..... page 3.

Art. 27 A.C.A. Public Safety and Transportation in conjunction ~~with~~
with Military will concert measures for enforcement.

Art. 28 Entirely Military.

Art. 29 (a) Execution is entirely military.

(b) A.C.A. Public Safety will ensure compliance jointly with
Military.

(c) Responsibility of A.C.A. Controller of Property.

(d) See redraft of Art 45 and comments on Art 23.

Art. 31 Responsibility of A.C.A., Public Safety.

Art. 32 Responsibility of A.C.A., Public Safety, to take action
on legal advice.

Art. 33 Substantial redrafting required.

(a) Will deal with legal detention (P.W.) and will be
military responsibility.

(b) Legal detention of civilians. A.C.A. responsibility

P.S. on advice of Legal.

(c) Illegal detention. A.C.A. as in (b) above.

(d) A.C.A. Controller of Property.

Art. 34 No immediate action required. Policy must be laid down.

Art. 35 Military responsibility.

36

Prohibition of detention of official or political members.

Art. 43 Italian delegates must be acceptable to Control Commission.

on legal advice.

Art. 33 Substantial redrafting required.

(a) Will deal with legal detention (P.W.) and will be military responsibility.

(b) Legal detention of civilians. A.C.A. responsibility

F.S. on advice of Legal.

(c) Illegal detention. A.C.A. as in (b) above.

(d) A.C.A. Controller of Property.

4064

Art. 34 No immediate action required. Policy must be laid down.

Art. 35 Military responsibility.

36 *Prohibition of detention of mind or political records.*

Art. 43 Italian delegates must be acceptable to Control Commission.

NOTES ON THE DRAFTING OF
INSTRUMENT OF
SURRENDER DATED 8 June 1943

Art. 9, 14, 16, 23, and 29 require consolidation to prevent overlapping and redundancy.

Art. 10. Add after L.4 "thereto" before ; or with other countries by whatsoever means or routes.

Art. 11 ~~and~~IX. It will also be necessary for the purpose of executing Art. 13 to demand lists of War factories with locations and particulars of production and capacity.

Art. 12. After L.2. war material add "or military installations or facilities".

Art. 15. Omit last sentence. After L.3 recover delete and substitute from the Italian Government the cost of supplies and transport thereof provided by the United Nations for that purpose.

Art. 17. Line 3. After transmitter insert "or receiver."

Line 5. After press insert " comma."

Art. 19. In last sentence "without prejudice" and add " and in addition."

Art. 22(a). ^{Galati Point} The United Nations will have the right in ^{occupied and} non occupied Italian

Territory to open such administrative offices as may be required

for the executing this Instrument, and to provide by requisition or

otherwise suitable accommodation for members of the officials of the

United Nations. ^{and} To establish set up or construct any new or

additional installations or facilities as they may require.

Art. 22 (b) Stat.

Art. 22 (c) Rider A. The Italian Government will comply with any

Art. 12. After L.2. war material add "or military installations or facilities".

Art. 15. Omit last sentence. After L.3 recover delete and substitute from the Italian Government the cost of supplies and transport thereof provided by the United Nations for that purpose.

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Art. 22(a). The United Nations will have the right in ^{occupied and} non occupied Italian Territory to open such administrative offices as may be required.

4063

for the executing this Instrument, and to provide by requisition or otherwise suitable accommodation for members of the officials of the United Nations. ^{and} To establish set up or construct any new or additional installations or facilities as they may require.

Art. 22 (b) Stet.

Art. 22 (c) Rider A. The Italian Government will comply with any directives given by the United Nations for the operations of stations or installations or utilities ^{or properties} described in Art 12 and 13 and make available personnel and services for that purpose. In the event of a failure to comply with any directives so given or with any instructions given under 22(b) the United Nations may take over and operate the said stations, etc.

Art 20. must put facilities in good sub-pardon.

NOTES ON THE DRAFTING OF INSTRUMENTS OF
SURRENDER DATED 5 JUNE 1943

Art. 45. Recommended that more detailed sanctions should be included and the following is suggested:

(a) For the purpose of securing the proper execution of the Instrument, the United Nations may prescribe that the failure on the part of any person or persons to observe or perform any of the provisions of this Instrument or to carry out any orders issued by the appropriate Italian Authority pursuant to the provisions hereof shall be an offense and they may further prescribe offences for better securing proper and orderly government of the country.

The United Nations may also prescribe penalties for the commission of such offences and arrange for the publication of such offences and penalties in such a manner as they see fit.

The United Nations may further set up Allied Courts, with such constitution and powers as may be prescribed by them for the trial of such offences.

(b) When the appropriate Italian Authority fails effectively to carry out an order of the Central Commission in relation to the control of any installation or undertaking, the United Nations may themselves take over and operate at the expense of the Italian Government such installation or undertaking.

Then follow as in existing draft.

(c) be Italian Civil or military
prohibited civil or military (405?)
any member of the military forces
of the U.S. or any official

The United Nations may also prescribe penalties for the commission of such offences and arrange for the publication of such offences and penalties in such a manner as they see fit.

The United Nations may further set up Allied Courts, with such constitution and powers as may be prescribed by them for the trial of such offences.

- (b) When the appropriate Italian Authority fails effectively to carry out an order of the Central Commission in relation to the control of any installation or undertaking, the United Nations may themselves take over and operate at the expense of the Italian Government such installation or undertaking.

Then follow as in existing draft.

(c) the Italian Govt has the authority

prosecute civil or criminal (4062)

any member of the military forces

of the U.N. or any officials

with permission of the C.C.C.

(d) giving power to supervise C.C.C.

the empowered Govt to render official

reports decisions

6-4
6-21
6-1
6-31
6-20
6-1

SECRET

(Equals British MOST SECRET)

100

David D. Reardon

54 June 1943.

~~back instrument of surrender (see me in the
part of Italy ~~see me~~ for the surrender of
Italy) as to what the war with Germany
will mean.~~

According to the Royal Italian Government and the Italian Supreme Command acknowledged that the Italian forces have been totally defeated and that Italy can no longer carry on the war against the United Nations and have accordingly requested a suspension of hostilities.

and allies united not is are will ing to lay down the terms on which they are prepared to end and hostilities against Italy is are no longer is are their military operations against Germany and her allies are not extended and that Italy does not assist these powers in anyway and therefore and the agreed

The following terms have been presented by
in behalf of the Supreme Council of the United States, duly authorized to
that effect,

and have been accepted by
representing the Supreme Command of the Italian land, sea and air forces, and
fully authorised to bind, effect by the ~~new~~ Italian Government:-

~~(B)~~ Italian participation in the war in all theatres will cease immediately. There shall be no opposition to landings or other operations of the United States Air Forces of the United Nations.

2. The Italian Government will continue to maintain its position of non-interference in the internal affairs of other countries, and will continue to maintain its position of non-interference in the internal affairs of other countries.

3. ~~Italian land, sea and air forces will proceed to remain in their~~

[illegible]

4. Italian Land, Sea and Air Forces will, within the periods to be laid down by the United Nations, withdraw from all areas outside Italian territory ceded to the Italian Government by the United Nations and pro-

such movement of troops to be controlled by the United Nations. Such movement of troops will be carried out in accordance with the order to be issued by the United Nations and in accordance with the order to be issued by the United Nations and in accordance with the order to be issued by the United Nations.

All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the Chief Commanders in Charge.

5. No ~~substantive~~ ^{substantive} purposes or other objective purposes shall be

The following have been presented by
on behalf of the Emperor to the Italian mission, and authorized to
that effect,

and have been accepted by
representation the Supreme Command of the Italian land, sea and air forces, and
only authorized to that effect by the ~~Italian~~ Italian Government:-
1. ^{the ~~entire~~ ^{entire}} Italian participation in the war in all theaters will cease immedi-
ately. ^{There will be} no opposition to landings or other operations of the
Land, Sea and Air Forces of the United Nations ^{Directly or indirectly}
2. The Italian Government will give full information concerning
the disposition and position of all Italian land, sea and air forces, where-
ever they are located, and of all sea forces of Italy's allies as are sit-
uated in Italian or Italian-occupied territory.

4. Italian Land, Sea and Air Forces will proceed to a redeployment in the territories of the United Nations as to control or aid, excluding directing from the United Nations as to which Italy is not disposed. Accordingly, such naval personnel shall be used to show establishment as the United Nations may direct.

Officially - do

5. No regulations, rules or other cooperative shall be followed by Italian Land, Sea and Air Forces or officials in regard to persons or property in the area included under article L.

6. The dereliction of Italian Land, Sea and Air Forces in respect of such obligations as will be required will have place as prescribed by the
acted & under - do

7. Italian sabotage of all demonstrations, rallies and meetings
all are prohibited & directed in part to be enforced by the United Nations
and the United Nations are allowed under the authority of the United Nations for
closing down the relations round Italy and for controlling, suppress etc., and for
this purpose will retain such amount of the United Nations as they
will be able to do it with it with the United Nations in Chicago
not at a point of view as United Nations of the
United Nations

9. Without prejudice to the provisions of articles 14, 15 and 18 (a) and (b), all movement and fishing or other use of water and all air, rail and inland transport or waterway navigability in Italian occupied territory or waters will, without verification of their integrity or status, be prevented from leaving.

(A) The following, General
all three, which were, highly
the latter, concerning,
See August 2, 1902

the Italian Navy, Military and Air Force
authorities in all theaters to secure
jointly with appropriate authorities
to those under their Command.

(C) The Italian Supreme Command
will further order all Italian
Navy, Military and Air Force
or authorized and personnel to
again immediately from destruction
or damage to any Italian personal
property, whether public or private.

3. The Italian Supreme Command will take the
necessary measures to ensure that all Italian
port facilities, and all other installations
which are in attack by any of the
Allies. The Italian Supreme Command will take
necessary measures to ensure that all Italian
and to cease of available armed forces to ensure
prompt and exact compliance with all the
provisions of the present instrument. Subject to
the need for Italian troops for the above
purposes, as they are authorized by the
Italian Government in other, all other
Italian land, sea and air forces will remain
to and remain in their allocated ranges or
ships pending their return from the Italian
as to their future status and disposal
operationally, and their personnel who
placed in the above category, are
United Nations subject.

SECRET

(Editorial Group) (WCAI) (SECRET)

* Note. If at the date of the trinitice the whole of the Italian fleet has been assembled in Allied ports, this article would apply to Italian warships of all descriptions, submarines, and destroyers, and auxiliary vessels which may be at present assembled, and which are at present assembled which may be issued by the United Nations as provided by the Allied Command in Italy

10. The Italian Supreme Command will make available all submarine about naval, military and air services, installations, and resources; about all transport and communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about airfields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations Land, Sea or Air Forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above-mentioned obstacles. and submarine which may be issued by the United Nations as provided by the Allied Command in Italy

11. The Italian Government will furnish forthwith all material showing the location of the submarine which may be issued by the United Nations as provided by the Allied Command in Italy ultimate disposal of war material will be prescribed by the United Nations.

12. There shall be no restriction of war damage to war except as authorized or directed by the United Nations in any case of submarine radio-location or meteorological stations, railroads, ports or other installations, or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.

13. The manufacture, production and construction of war material and import, export and transit directed by the United Nations. The Italian Government will comply with any directions given by the United Nations for the manufacture, production or transportation and the import, export or transit submarine which may be issued by the United Nations as provided by the Allied Command in Italy

14. (a) All Italian merchant shipping and flying and other craft, wherever they may be, and any contracted or completed during the period of the present submarine which may be issued by the United Nations as provided by the Allied Command in Italy will be made available in good submarine which may be issued by the United Nations as provided by the Allied Command in Italy authorities at such places and for such purposes United Nations may prescribe. Transfer to enemy or neutral flags is prohibited. Crews shall remain on board, pending further instructions regarding their continued employment or disposal. Any existing options to repurchase or re-acquire or to resume control of Italian or former Italian vessels sold or otherwise transferred or chartered during the war shall forthwith be exercised, and the above provisions submarine which may be issued by the United Nations as provided by the Allied Command in Italy shall apply to all such vessels and their crews all submarine which may be issued by the United Nations as provided by the Allied Command in Italy the United Nations will endeavor to provide for the submarine which may be issued by the United Nations as provided by the Allied Command in Italy ready of the Italian people so far as circumstances permit, and they shall serve the

12. There shall be no destruction, of nor damage to nor descent on author-
ized or directed by the United States in any removal of ~~any~~ *transmission* ~~any~~
radio station or international stations, railroads, ports or other installa-
tions, or in general, public or private utilities or property of any kind,
wherever situated, and the necessary maintenance and repair will be the res-
ponsibility of the Italian authorities.

[illegible]

15. United Nations merchant ships, fishing, and other craft in Italian hands wherever they may be (including for this purpose those of any country which has broken off diplomatic relations with Italy), whether or not the title has been transferred as the result of prize court proceedings or otherwise, will be surrendered to the United Nations and will be assembled in ports to be specified by the United Nations for disposal as directed by them. The Italian Government will take all such steps as may be required to secure any necessary transfer of title. Any neutral merchant ships, fishing or other craft under Italian operation or control will be assembled in the same manner pending arrangements for their ultimate disposal. Any necessary repairs to any of the above mentioned vessels will be effected by the Italian Government, if required, and at their expense.

16. No radio or telecommunication installations or other forms of interference, subversion or attempt, under Italian control whether belonging to Italy

The Italian Government will take the necessary measures to ~~see~~ ensure that the vessel and her cargo are all damaged.

Insert 3

(B) The United Nations reserve the right to request the withdrawal of neutral diplomatic and consular officials from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding communications emanating from or destined for the representative of neutral countries in Italian territory.

28. referred to in Article 27

equipment of any country against which any of the United Nations is engaged in armed hostilities, or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

(A) The warships, submarines and transports of any such country or occupied country in Italian or Italian-occupied ports and waters and the aircraft, vehicles and other transport equipment of such countries in or over Italian or Italian occupied territory will, pending further instructions, be prevented from leaving.

(B) The Military, Naval and Air personnel and the civilian nationals of any such country or occupied country in Italian or Italian-occupied territory will be prevented from leaving and will be interned pending further instructions.

(C) All property in Italian territory belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

(D) The Italian Government will comply with any instructions given by the United Nations concerning the internment, custody or subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, material or property.

(The Allied Commander-in-Chief)

29 BENITO MUSSOLINI, his Chief Fascist associates and all persons suspected, having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

(4. Allied Commanders - in Chief)

29 BENITO MUSSOLINI, his Chief Fascist associates and all persons suspected, having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations will further be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

4058

40. The term "Antenatal" is

See insert D on reverse side

4. The Italian Government will carry out during the period of the present Instrument such measures of disarmament as similar provisions may be prescribed by the United Nations.

Commander-in-Chief

and demilitarization

36. Tab other

(B) The term "disposition" includes in the present instrument, includes the Control Commission and its staff officers and representatives of the Commanding in Chief may designate.

A. F.

Albert Comande in Chief

40. The term "Mr. A Atomic" in the recent instrument located all material specified in such lists or specifications may from time to time be issued by the Contract Administration, referred to in paragraph 12.

41. The term "Italian Territory" includes all Italian colonies and dependencies and shall, for the purpose of the present Instrument (but without prejudice to the question of sovereignty) be deemed to include Albania; provided however that, except such cases and to such extent as the United Nations may direct, the provisions of the present Instrument shall not apply in or affect the administration of any Italian colony dependency already occupied by the United Nations or the rights or powers therein asserted or exercised by them.

42. Control Commission appointed by the United Nations will regulate and control the execution of the present Instrument. For disagreement regarding the interest that execution of the present Instrument will be decided by the Control Commission, since claim will be filed.

2. The Italian Government will send a delegation to the # Ad Hoc Commission to represent Italian interests and to transmit the orders of the Control Commission to the concerned Italian authorities.

Insert 4

The Italian Government will comply with
 all such further directions as the Commander-in-
 Chief may give for appeal & discharge
 legislation and removal of any
 disabilities or prohibitions re-
 sulting therefrom.

Insert 5

(B) Persons of whatever nationality who
 have been placed under restriction, detention or
 sentence (including sentences in absentia) in connection
 of their dealings or sympathies with the United Nations
 will be released under the direction of the
 United Nations and released from all type
 disabilities to which they have ~~been~~
 been subjected.

Insert 6

(B) The Italian Government will refer to the Allied Commander-in-
 Chief such information as may be prescribed regarding the arrests, the

calling them from.

Insert 5

(B) Persons of whatever nationality who have been placed under restriction, detention or sentence (including sentences in absentia) in regard of their dealings or sympathies with the United Nations will be released under the provisions of the United Nations and allowed from all type disabilities to which they have ~~been~~ subjected.

Insert 6

(B) The Italian Government will refer to the Allied Commanders-in-Chief such information as may be requested regarding the assets within inside or outside Italian territory, of the Italian State, the banks of Italy, any Italian state or semi-state institution or association or foundations or residents in Italian territory and will dispose or allow the disposal, outside the Italian territory of any such assets except as in the permission of the United Nations.

Insert 7

37. There will be a suspended or control Commission representative of the United Nations charged with regulation and execution of the instrument under the terms and general direction of the Allied Commanders-in-Chief.

superceded by any other arrangements or units

Signature

13. The present instrument shall be ~~subject to the following additional requirements.~~
It shall enter into force.....years after the instrument of con-
fession has been received at.....and shall remain in force in the
United Nations and in all States in all the territory of..... It will re-
main in operation until the Vote into force of the Peace Treaty.

14. The present Instrument may be denounced by the United Nations with immediate effect if the Italian Government do not fulfill their obligations under the Instrument, or, as an alternative, the United Nations may penalize contravention of it by measures appropriate to the circumstances, such as the extension of the areas of military occupation, or air or other punitive action.

the present is
Drawn up in English and Italian, the English text being authentic, and very Case's Army dispute Regarding its ultra factum the decision of the Commission will follow the English text being authentic, II

Signed on the.....*date*.....(how)(time)(place).....
(Name).....~~(time)~~.....~~.....~~

(Scribbled signature)

(Signature)

4058

0790