

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

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

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10000/101/455

637TH ITALIAN PIONEER CO. & POW'S IN SICILY
MAR. - MAY 1944

LIST OF PAPERS

File under No. 363.6-6

637 - T TALION PIONEER Co. & PUS in Sicily

B

HQ AAC, APO 394
Sec'y Gen.

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

SERIAL NUMBER	FROM-	DATE	CASE TO HQ	RECOMMENDATION	SYNOPSIS
1) #211	MAY 14 GAZZERA	2 FEB	AAC	STATE'S VIEW (IN DISAGREEMENT)	RELEASE OF PRISONERS ON USE OF G37
2) -	GEP	18 MARCH	AAC	COMMENTS ON (1)	
3) CC/G/162	MAC FARLANE	25 "	MAC FARLANE	WILL REPLY TO MR #1, AFTER MEETING	
4) CC/2/163	" "	29 "	AAC	LET ME HAVE ADVICE ON G37	
5) #34/POL	GAZZERA	29 " 009	AAC	DESIRE RELEASE OF PRISONERS	
6) CC/4076/L	UPJOHN	31 " Oct	MAC FARLANE	PLUS ON PAROLE IN SICILY	
7) 3072/1/4(0)	AAC	2 APRIL	AFCHQ	REQ. GUIDANCE ON DISCHARGE #637	
8) QS 176	QUINNITH	2 "	MONROE	PRESUME C.C. WILL ACT ON G37	
9) QS 321	"	26 " Oct	DCC	PW CAMPS IN SICILY	
10) CC/G/243	MAC FARLANE	28 " Oct	AFCHQ	ARE PWs IN SICILY TO BE RELEASED?	
11) #147	GAZZERA (DAPMO)	8 MAY	QUINNITH	637 PL. RECALL BAD TREATMENT	
12) DCC 091711	STONE	18 "	DAPMO	ANSWER TO (1).	
13) #215/POL	GAZZERA	19 " Oct	MAC FARLANE	637 C. TAKING CARE OF (1).	
14) #4F056	AFCHQ	19 " Oct	MAC FARLANE	637 COMMISSIONER RELENTLESS IN SICILY, ETC.	
15) FC 70649 A 862	AFNA AAC	10 JUNE	AAC	ACQUITTED REPLY TO (10)	
16) 72064	AFNA AAC	12 "	AAC	PROPOSED RELEASE OF PAROLED	
A 869	AFNA AAC	14	AAC	ITALIAN PW IN SICILY	
AFC 739	AFNA AAC	17	AAC		
AFC 1072	AFNA AAC	20	AFCNA	(SEE FORMS 9-10.)	
			AFNA		

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637th TACTICAL PIONEER CO. & PWs in SICILY

Sec'y Gen.

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SERIAL NUMBER	FROM-	DATE 2 FEB	CASE TO HQ	RECOMMENDED RELEASE OF PRISONERS
x) 4211 #11	GAZZERA	16 MARCH	ACC	STATES VIEWS (IN DISAGREEMENT) ON USE OF 637 th
2)	GEPP	"	MAC FARLANE	COMMENTS ON (1)
3) CC/G/162	MAC FARLANE	27 "	GAZZERA	WILL REPLY TO RR #1 AFFIDAVIT LET ME HAVE ADVICE ON 637 th
4) CC/P/63	"	27 "	ACC	DESIRE RELEASE OF PW IN SICILY
5) #34/POL	GAZZERA	29 "	ACC	PWS ON PAROLE IN SICILY
6) CC/4076/L	UPJOHN	31 "	ACC	REQ. GRADUANCE ON DISCHARGE OF 637 th
7) 3072/A(0)	AAI	2 APRIL	HFHQ	Req. GRADUANCE C.C. WILL ACT ON 637 th
8) QS 176	QUINSMITH	2 "	MONROVIA	PRESUME C.C. WILL ACT ON 637 th
9) Q5 321	"	26 "	CAS DCC	PW CAMPS IN SICILY
10) CC/G/243	Mac FARLANE	28 "	CAS AFHQ	ARE PWs IN SICILY TO BE RECEIVED?
11) #147	GAZZERA (DAP/INC)	8 MAY	QUINSMITH	637 th RECV BAD TREATMENT PL. MURRY ANSWER TO (1).
12) DCC 091711	STONE	18 "	DAP/INC	C.C. TAKING CARE OF (11).
13) #216/24	GAZZERA	19 "	ACC	637 th COMPASSIONATE RELEASE PWS IN SICILY, ETC.
14) F46056	HFHQ	19 "	MAC FARLANE	ACCESSION REPLY TO (10)
15) FI 70049 A 862	AFHQ AAI	10 " 10 "	ACC DISTRESS	PROPOSED RELEASE OF PW ITALIAN PW IN SICILY. (SEE FOLES 9-10.)
FI 72046	AFHQ	14 "	AAI	
4 881	AFHQ	17 "	ACC	
4CC 739	AFHQ	20 "	AFHQ	
4CC 1072	AFHQ	21 "	AFHQ	

LIST OF PAPERS

File under No. 383.6 - 6

637th Italian Pioneer Company, and Prisoners of War in Sicily.

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
X) AQ/11/1 1)No.11	MILTA	2 Feb	AFHQ	Recommend release of PW in Sicily.

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637th Italian Pioneer Company, and Prisoners of War in Sicily.

I) AQ/11/1
1) NO.11

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INSTRUCTIONS.—When papers on a subject become numerous they will be numbered serially and brief entries made on this form.

SERIAL NUMBER	FROM	DATE	TO—	SYNOPSIS
	MTA	2 Feb	AHQ	Recommend release of PW in Sicily.

~~HORNADY~~

DSC 294

18 MAY 1944

EWS/hjp

DCC 091.711

18 May 1944

Dear General Dapino:

Your letter No. 147 of 8 May 1944 addressed to the Army Sub-Commission relative to the 637th Italian Pioneer Company, Bari, has just reached me. This matter is receiving attention from our Naples headquarters.

Yours truly,

ELLERY W. STONE
Captain, USNR
Deputy Chief Commissioner

General Vincenzo Dapino
High Commissioner for PW
Cava dei Tirreni

cc: Army Sub-Commission

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(12)

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

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HQ ACC. APO 32
Soc'y Gen.
Rec'd. 19 May 1945
By alho
18 May 1944

To: General MacFarlane

Reference to attached memorandum No. 147 from Office of High Commissioner for PW dated 8 May, and copy of letter 3072/1/A(1) from General Robertson to AFHQ dated 2 April, both relative to the 637th Italian Pioneer Company, Bari.

Please note para 2 of General Dapino's memo. Prisoners of the 637th Company have complained with respect to the treatment received at the hands of Captain Lane, officer in charge. Perhaps you will want to have an investigation made.

It would seem that question of final disposition of the 637th Company will have to be held in abeyance until the question of PW's in Allied hands is settled.

Delay in transmitting to you information relative to the "complaint of treatment" was due to the fact that it was thought at this Hq that the entire matter had to do with final POW arrangements.

EWS
E.W.S.

(X-336) 11

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TRANSLATION NO. 407. Bonanni Army Sub-Commission

High Commissioner for PW
File No. 147

Cava dei Tirreni 8 May 1944

Memorandum for Col. Quin-Smith of A.C.C., Salerno.

With letter No. 11 of 18th March 1944 the attention of the Allied Control Commission was called upon the company of Italian prisoners in BARI (637th Italian Pioneer Company). The Commission, with a letter dated 29th of the same month its (signed by General MacFarlane) answered that it had "immediately looked into the question of PW in BARI and that it hoped to send a further communication on the matter in the near future".

We have received information according to which the aforementioned prisoners have complained of the treatment they have received at the hands of Captain Lane, who is in charge of them.

We have communicated the above so that you may take whatever steps you deem necessary. We beg you to kindly lend all your interest so that the question reported in the afore-mentioned letter No. 11 be solved quickly.

For the High Commissioner
(The General Secretary to
General Vincenzo Dapino)

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APR 1944

Adv. HQ. Army Sub-Comm.
A.C.C. Salerno
D/O QS176
2 April 1944

Rec'd Apr 16 1944
9 AM
B&L

Dear Monfort,

A week ago at an interview with the Chief Commissioner, I brought up the question of two long letters I had had from the High Commissary for PW (Italian Government). The subject of the letters were:

- ✓ a. Provision of an officer staff in EM/OR PW camps.
- XX b. Transition of PW units working as such in Italy to status of normal Italian units.

I had previously been informed that matters of high policy sent to me from Gen. GAZZERA should be referred to the Chief Commissioner.

This D/O is to confirm that I left these documents in your office: presumably the Chief Commissioner, if he considers necessary, will arrange for action to be taken on them.

I have had several more from the High Commissary in regard to the repatriation of individual PW. I have however, referred these to the Comando Supremo who prepare priority lists (of 25 each) as arranged by the Chief Commissioner for periodical submission to A.F.H.Q.

Should anything further be required from me in regard to this subject, please let me know.

Yours, sincerely,

TO: Lt. Col. N. W. MONFORT
Main HQ. A.C.C., Naples.

J. Ann Smith
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(3) (S)

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Subject:- Employment of Italian P. W.

Headquarters,
Allied Armies in Italy,
(Administrative Echelon),
C.M.F.
3072/1/A(0)

Allied Force Headquarters.

2 Apr 44

In our signal Q 11042 of 22 Jan. we drew attention to the fact that 637 Italian P.W. Coy had arrived in ITALY, and that the presence of Italian P.W.s. here creates an anomalous position. We asked your permission to return the Coy to NORTH AFRICA or to disband it.

In your GL/B/2118/A2 of 24 Jan. you replied "the unit in question will be retained by you intact for employment".

Chief Commissioner, Allied Control Commission, has now brought this question up again. He states that it is causing serious difficulties with the Badoglio Government and is complicating the intricate negotiations which he is conducting at the present on the P.W. question as a whole. He further expresses the opinion, which is doubtless correct, that this Coy is being employed under conditions which constitute a breach of the Geneva Convention. He recommends, as we did, that the unit should be disbanded as such, and he states that he is prepared to arrange with the Italian Government that it should continue in its work as an Italian unit paid by the Italian Government.

Our views are entirely in accord with those of the Chief Commissioner. We are aware that an Italian unit is not subject to discipline by British officers, but we are not concerned with this aspect of the matter, at least in so far as this one unit is affected.

If you are unable to agree to our proposal, we shall be glad to know what alternative solution you suggest, or what reply you consider should be returned by the Chief Commissioner to the Italian Government to the objection raised by them.

sd. B. H. Robertson
Maj Gen
For

General,
Commandor-in-Chief.

BIR/emb

Copy to:- H. Q., Allied Control Commission.

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CONFIDENTIAL

cc/F/163

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

FMS/rj

29th. March, 1944.

Re:
The Italian Government/brought up the question of the Italian Prisoner of War unit (I believe 637 Italian Pioneer Coy.) now working in the Beri area as part of. I understand, the 2nd. Pioneer Group.

2. As you know, the position of these Prisoners of War is definitely irregular and indeed contrary to the Geneva Convention.

3. At first sight I think that our best solution to this difficulty would be to release these Prisoners of War from P.O.W. status in which case they revert to being Italian military personnel under the orders of the Italian army authorities. At the same time we could ask the Italian H.Q. Command to let these men continue as a unit and to carry on as an Italian unit under command of our Pioneer Group but as straight soldiers and no longer as P.O.W.'s. I think that the Italian High Command would probably gladly agree to this.

4. I would be glad if you would let me have your views as early as possible. If you agree I will approach the Italian High Command. In the meantime I have informed them that the question which they have raised is under immediate consideration.

W. MASON MACKINLAY,
Lieutenant-General,
Chief Commissioner.

Major-General Sir Brian H. Robertson, Bt.,
A.O.I. Administrative Echelon.

3361

TRM/rj

29th. March, 1944.

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

Re:
The Italian Government/brought up the question of the Italian prisoner of war unit (I believe 637 Italian Pioneer Coy.) now working in the Yeri area as part of, I understand, the 2nd. Pioneer Group.

2. As you know, the position of these prisoners of war is definitely irregular and indeed contrary to the Geneva Convention.

3. At first sight I think that our best solution to this difficulty would be to release these prisoners of war from P.O.W. status in which case they revert to being Italian military personnel under the orders of the Italian army authorities. At the same time we would ask the Italian High Command to let these men continue as a unit and to carry on as an Italian unit under command of our Pioneer Group but as straight soldiers and no longer as P.O.W.. I think that the Italian High Command would probably gladly agree to this.
4. I would be glad if you would let me have your views as early as possible. If you agree I will approach the Italian High Command. In the meantime I have informed them that the question which they have raised is under immediate consideration.

383.6

W.H. MASON MACTARLANE,
Lieutenant-General,
Chief Commissioner.

Major-General Sir Brian H. Robertson, Bt.,
A.A.I. Administrative Section.

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(4)

1000G Section 3 3/NND No.

785015

Ref. CC/0/162

TOP SECRET

NF

FMM/rj

29th March, 1944.

MEMORANDUM:

TO: General Pietro Gazzera,
High Commissioner for Prisoners of War.

FROM: Chief Commissioner.

Reference your memorandum No.11 of 15th. March.

I wish to inform you that I have taken up at once the question of the
Prisoners of War at Bari to which you have referred and I hope to make a
further communication on this subject in the immediate future.

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

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TOP SECRET

(3)

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28 March 1944

Chief Commissioner

You have asked for my comments and those of Colonel Berry on the attached Notes Verbale from the Italian Government. They are as follows:

1. Note on subject of Italian Prisoners of War in Egypt.

The note complains, that the Italian P/W in Egypt are separated from Italian officers whose presence would foster the spirit of co-belligerence. The matter is of course for the British Government's decision, and if a full and detailed reply is to be given must be referred to AFHQ for comments by C-in-C Mideast.

In fact these P/W are working well and there is no question of allowing Italian officers to be placed in the camps, unless the agreement is signed. Officers, who cannot be forced to work, will, unless the men are organized in units as proposed, merely serve to foster disaffection.

If it is desired to give an immediate reply without reference to AFHQ, General Gazzera should be told that this complaint would be remedied if the proposed agreement were signed but that in default of this it would be contrary to the established policy and to the intentions of the Convention to confine officers in "other rank" camps.

2. Note on subject of Prisoner of War Unit at Bari.

This is a joint British/American question and must be referred to AFHQ. We consider that the Italian complaint is justified and that Italian P/W cannot be employed as such in territory which has been handed back to Italian jurisdiction. They have been repatriated and the position in which they may be working within Italian jurisdiction and along side the Italian Army is indefensible.

E.C. Gynn.

D.P.W.

Bona Italian note unanswered.
SAC written to as follows
Resolution to No. 2. (2)

Jan 29 1944

DRAFT

Memorandum

for

Precis of ~~the~~ Verbal Note from Ital. Govt.

Dated 18 Mar. re use of POW for work in Italy. HQ AGO/AFHQ 324

Abbreviation

I.G. Italian Government

25 Mar 1915
JGD

Not

1. I.G. hear Pioneer Coy. of POW from North Africa now in King's Italy working under military. Name: 637 Pioneer Coy. Strength 260. C.O. Capt. Lane; location BARI. Unit forms part of 2nd Pioneer Gp (British). Soldiers well treated and are working well.

2. Presume Allies consider this to be within co-belligerent status. I.G. emphasise however incompatibility between nature of their work and status of POW.

3. POW statute of Geneva convention forbids use of POW in work directly connected with military ops. but allows certain freedom in choice of work allowed. Submit that work of above unit must be covered by agreement with I.G. according Article 83. Statute clearly lays down that even voluntary work is unacceptable.

4. POW workers in King's Italy are obviously deprived of offices of Protective Power.

5. I.G. has considered agreement of POW to work voluntarily but emphasises such agreement cannot be binding especially as real object must be to get home at any price. This is shown by desertions from the unit!

6. Submit work would not be interfered with if POW were given freedom as soldiers. If POW organised properly in units I.G. would agree to them continuing same work.

7. I.G. emphasise good effect on all if POW were reformed into ordinary units:

(a) by removal of feeling of being prisoner in their own country.

(b) by improvement of discipline and efficiency due to rise in morale.

8. No legal difficulties exist as some releases have already been given to individual POW by AFHQ.

9. Appeal for solution based on justice and humanity. POW if freed would work same way as has already been proved by other assistance given by the army. Their freedom would react favorably on civil population and families of POW, and would show real value of co-belligerency.

10. Above also refers to any POW transferred similarly for work in other territories.

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25 Mar 1915 ①

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1. The Italian Government has been informed that a nucleus of Italian prisoners of war have been transferred from North Africa by the allied military authorities into the part of Italian territory which is under the direct administration; they are specialized workers formed into a Pioneer Company and they attend various jobs concerned directly with military operations under the control of these authorities. This section is located in Zari (57th Italian Pioneer Company); and is formed, it is believed, of about 260 prisoners of war, and commanded by a British Officer, Captain Lane; it is part of the Second Pioneer Group which, it is believed, forms ~~now~~^{now} a unit of the British Engineer Corps operating in the Italian War theatre. It is understood that these Italian soldiers are well treated and are working to the full satisfaction of the British who are ~~safely~~^{safely} detaining them; but they are unfortunate, here in their own country, being held under the regime of prisoners of war.

2. Undoubtedly the decision to use in this way the Italian prisoners of war taken before the Armistice has been, ~~designed~~^{designed}, by the Allied Authorities as a consequence of the collaboration existing between the two countries; the Italian Royal Government is pleased that Italian soldiers are in this way bringing their contribution to the fight against the German Army. At the same time, however, it wishes to ~~want~~^{want} the attention of the High Commission for Prisoners of War to the incompatibility which exists between these ~~status of imprisonment~~^{status of imprisonment} of these soldiers and the nature of the work they are carrying out, and the way in which they are carrying it out.

3. The statute regarding prisoners of war confides the detaining powers to use prisoners of war for suitable which are connected directly with military operations, and through the example it reveals can be stated a certain amount of amplitude in the judgment of what work to be enabled therefore to legitimate, as a prisoner of war carry out a work connected with military operations, as for example work of the government in conjunction with the Italian Government, it is necessary that first ~~be~~^{be} ~~the~~^{the} specific document be gone into with the Italian Government in order to obtain its adoption to overcome the restrictive clauses of the Geneva Convention, which in this instance has not been observed.

4. It is unfortunate to ~~realize~~^{realize} that the limitations are so strictly laid down that the armistice power should not even be able to employ, even when voluntarily given by the prisoners of war.

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united, of about 260 prisoners of war, and commanded by a British Officer, Captain Lane; it is part of the Second Pioneer Group which, it is believed, forms ~~part~~ a unit of the British Engineer corps operating in the Italian war theatre. It is understood that those Italian soldiers are well treated and are working to the full satisfaction of the British who are ~~treating~~ detaining them; but they are unfortunately, here in their own country, being held under the régime of prisoners of war.

c. Undoubtedly the decision to use in this way the Italian prisoners of war taken before the Armistice has been ~~arrived at by~~ the allied authorities as a consequence of the collaboration existing between the two countries; the Italian Royal Government is pleased that Italian soldiers are in this way bringing their contribution to the fight against the Common Enemy. At the same time, however, it wishes to ~~exact~~ the attention of the High Commissary for Prisoners of War to the incompatibility which exists between these ~~status of~~ status of imprisonment of these soldiers and the nature of the work they are carrying out, and the way in which they are carrying it out.

d. The statute regarding prisoners of war forbids the detaining powers to use prisoners of war in duties which are connected directly with military operations, and through the examples it gives, it reveals a certain amount of suspicion of captives in the judgment of what work can be asked of the prisoner (art. 31 of Geneva Convention).

To be enabled therefore to legitimately ask a prisoner of war to carry out a work connected with military operations, as for example the work of the telephone company in conjunction with military operations of allied units, it is necessary that first ~~be~~ ~~exists~~ a specific agreement be come into with the Italian Government in order to obtain its consent in overcoming the restrictive clauses (art. 83 of the Convention), which in this instance has not been observed. And it is superfluous to ~~negotiate~~ ~~exists~~ that the limitations and so strictly laid down that the detaining power should not even accept the employment, even when, voluntarily given by the prisoners of war.

4. It must be added that the duty of control and of protection as laid down by the Geneva Convention is rendered impossible on behalf of these Italian prisoners of war working under the above conditions, because, here in Italy, in these territories which are now under the control of the Royal Government of Italy, it is not possible to invoke the Protection of the protective power, unless one adopts the absurd situation of a Government having to resort in its own "house" to the tutelage of its own direct and primary interests such as are those of prisoners of war, as protective power.

5. The High Commissary has also examined the possibility of these prisoners of war having voluntarily accepted to come and work in Italy as prisoners, but it considers it superfluous to submit to the High Commission the fact that this voluntary acceptance cannot bind itself reasonably with the territoriality of this Commission. Though having in mind the prisoners' ~~status~~ ~~status~~ mind which becomes an obsession in their wish to return to their country, it is still true that

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each one of them is ready to give up anything in order to return to his home country and see his family again. Besides we understand that a few of the prisoners of war transferred to Paris, as said above, have already escaped for this reason and are not traceable.

6. As long as the work is carried out in the best possible way, which is also in the interest of the Italian State, it is obvious that no harm would arise for the Allies if these prisoners were returned to the full freedom of their personality, as Italian soldiers. Once settled from an administrative point of view, matriculated, and enrolled in organic units as laid down by Italian military law and usage, (all undertakings which could be carried out without interrupting the continuity of their work) the Royal Government would be pleased, in compliance with the interests and duties of co-belligerency, to leave these soldiers to continue ~~the~~ work for the Allied Military Forces, in the same way that many other well-known units of the Italian forces are working at the front and at the rear.

7. The High Commissary thinks it its duty to point out furthermore the beneficial influence on their work which would be created by the return of their military individuality and their formation into proper and well-disciplined Italian military units. This beneficial influence would be twofold, because:

- a) by eliminating the causes of humiliation as prisoners (which are ~~as~~ certainly more felt here in their country where they are surrounded by free companies of arms), it would reawaken in them a feeling of serenity and of dignity;
- b) it would ensure a better discipline in their work, as they would have the feeling that they are working also in the interest of their own country and at the wish of their own Government; and owing to this discipline the control of their work will be more efficient and better accepted by them. And it does not seem necessary to ~~to~~ underline the beneficial effect which the return of liberty will have on their work, so evident it is.

8. Finally the Italian Government wishes to say that there are no legal difficulties as the prisoners of war could be released from imprisonment at any time, and that, furthermore, the motives enhancing the request for their release are determined by our status of co-belligerency with the Allied Nations, and the existing practice which is now being used of releasing all Italian prisoners of war which are interned by us, by name.

9. The Italian Government trusts, therefore, that the competent authorities will consent to give a solution of justice and humanity which it has held the honour to suggest to the question of releasing the Italian war prisoners transferred from Africa and working for the Allies.

Included as co-belligerents and free men these Italian soldiers will put in their work, which has already been put to a good test, on

Requesting the continuity of their work) the Royal Government would be pleased, in compliance with the instructions and duties of co-belligerency, to leave these soldiers to continue ~~in~~ work for the Allied Military Forces, in the same way that many other well-known units of the Italian Forces are working at the front and at the rear.

7. The High Commissioner thinks it its duty to point out furthermore the beneficial influence on their work which would be created by the return of their military individuality and their formation into proper and well-disciplined Italian military units. This beneficial influence would be twofold, because:

- a) by eliminating the cause of humiliation as prisoners (which are ~~in~~ certainly more felt here in their country where they are surrounded by free companions of arms), it would re-establish their feeling of serenity and of dignity;
- b) it would assure a better discipline in their work, as they would have the feeling that they are working also in the interest of their own country and at the wish of their own Government; and owing to this discipline the control of their work will be more efficient and better accepted by them. And it does not seem necessary to ~~be~~ underline the beneficial effect which the return of liberty will have on their work, so evident it is.

8. Finally the Italian Government wishes to say that there are no legal difficulties as the prisoners of war could be released from imprisonment at any time, and that, furthermore, the motives enhancing the request for their release are determined by our status of co-belligerency with the Allied Nations, and the existing practice which is now being used of releasing all Italian prisoners of war which are indicated by us, by name.

9. The Italian Government trusts, therefore, that the competent authorities will consent to give a solution of justice and humanity which it has had the honour to suggest to the question of releasing the Italian war prisoners transferred from Africa and working for the Allied forces.

Included as co-belligerants and free men these Italian soldiers will put in their work, which has already been put to a good test by the Allies, an added ~~force~~ and more generous effort which will undoubtedly be very welcome to the friendly Military Forces and to the population who is very worried at knowing its sons as prisoners near to their homes. It will give them a sense of trust in the justice of the Allies which is necessary to the good working of co-belligerency and to the authority of the Italian government.

10. The above request refers also to any other groups of Italian prisoners of war who have been transferred for the same purpose to the liberated territories ~~in~~ in other localities not specified.

THE HIGH COMMISSIONER
Signed: Gen. Mario Bassani

Quale borsone: 2.2.2.
- 2/ -

ALTO COMMISSARIO PER I PRIGIONIERI DI GUERRA

N. 11

Cave del Tirreno 28 marzo 1944

NOTA VERBALE

4/5

- 1°) - E' eccezione del Governo Italiano che in territorio italiano sottoposto alle sue dirette amministrazioni è stato trasferito dall'Africa Settentrionale a cura delle Autorità Militari Alleate un nucleo di prigionieri di guerra italiani, operai specializzati, i quali, costituiti in compagnie di pionieri, stivano e lavorano al vario genere, tutta direttamente all'interno delle spedizioni di guerra, alle dipendenze delle dette autorità. Questo reparto trasmesso dislocato in Bari (637 ⁴ Italiani pionieri company) è costituito, salvo errore, di circa 260 prigionieri di guerra, è comandato dal capitano inglese Lane e fa parte del 2° Gruppo pionieri al quale, sempre salvo errore, costituisce una delle unità del Genio militare inglese operanti nel porto di guerra italiano. Questi militari italiani sono, secondo risultato, trattati bene e lavorano anche con piena soddisfazione degli Inglesi che li detengono; ma rimangono purtroppo soggetti qui, nelle loro zette, al regime della prigione di guerra.
- 2°) - Indubbiamente questa decisione di utilizzare in tal modo i prigionieri di guerra italiani fatti prigionieri è stata consigliata alle autorità Alleate dalla rappresentanza del Reparto di soldati Italiani divenuto questo appunto alla totale cura di reddito comune. Ma contemporaneamente esso ha il dovere di mettere in evidenza, e lo fa gravemente all'alto Commissario per i Prigionieri di guerra, le incappicciate che esiste tra il presente stato di occupazione che consta ancora

1°) - E' conoscenza del Governo italiano che in territorio italiano sotto il suo diretto controllo è stato trasferito dall'Alleanza Sette nazioni a cura delle autorità militari Aliate un nucleo di prigionieri di guerra italiani, operai specializzati, i quali, costituiti in compagnia di pionieri, avvengono a lavori di vario genere, tutti direttamente affidati alle operazioni di guerra, alle dipendenze delle due autorità. Questo reparto venne dislocato in Francia (537 "Italian Pioneer Company"); è costituito dal capitano Inglese Lane e fa parte del 2° Gruppo pionieri di quale, sempre scritto scorso, costituisce una delle unità del Genio militare inglese operanti nei teatri di guerra italiani.

Questi militari italiani sono, secondo risultato, trattati bene e lavorano anche con piena soddisfazione degli Inglesi che li detengono; ma rimangono purtroppo soggetti qui, nella loro patria, al regime delle prigioni di guerra.

2°) - Indubbiamente questa decisione di utilizzare in tale modo i prigionieri di guerra italiani fatti prigionieri dalla Francia è stata consigliata alle Autorità Aliate della sopervisione del rapporto da ciascuna con il R. Governo italiano; e il R. Governo Italiano che soldati italiani dopo questo sopporto alla lotteria fatto in numero comune, ha comunque avuto il dovere di mettere in evidenza, e lo fa attraverso all'Alto Commissariato per i Prigionieri di Guerra, la impossibilità che sussista tra il permanere sollo sotto di quarantena in questi militari e la natura della restituzione che essi compongono, nonché le condizioni nelle quali essa la esprimono.

3°) - Lo stato del prigioniero di guerra fu diviso alle Potenze Neutrali di impiegare i prigionieri di guerra in prestazioni che abbiano nel

dorso diretto con le operazioni di guerra e, attraverso le esemplificazioni che sono, rivede e consiglia anche un criterio di grande ampiezza per la valutazione di tale rapporto ai fini del lavoro che può essere richiesto al prigioniero (art. 21 della Convenzione di Ginevra).

Per potere perciò chiedere legittimamente ai prigionieri di Guerre prestazioni che rientrino in tale rapporto, come quello ad esempio che le compagnie priorieranno specifiche effettive per le unità alleate operanti, bisognerebbe che preventivamente fosse intervenuto con il Governo italiano uno specifico accordo il quale consentisse il superamento delle norme restrittive (art. 83 della Convenzione): il che non è avvenuto.

Ed è soprattutto notevole che la limitazione è tanto assoluta che non può dunque essere accettata dall'Ente, perché le prestazioni, in contrasto con quel diritto, che fossero volontariamente eseguite dai prigionieri di guerra,

4°) - Aggiungetsi che per la prigione di Guerre italiani che lavorano in Italia nelle casematte condizioni, quale anche quella impossibile, a loro beneficio, l'ente si controlla e di fronte alla protesta nelle Convenzioni di Diretta, perenne qui, in Italia, o in questi termini era costituita alle sovranità del P. Sovrano, senza le possibilità di succedere l'intervento della Potenza Protettrice, a meno che non si presentasse all'esercito di un Governo che ricorresse in questo modo per la tutela dei suoi interessi diretti e minimi come sono quelli dei prigionieri di guerra, ell'azione di tenute protettive.

5°) - L'alto Commissario ha anche preso in esame la probabile ipotesi che questi soggiornanti di guerra abbiano volontariamente accettato di venire a lavorare in Italia nello stato di prisionia; ma ritiene superfluo sommettere all'autorizzazione delle Commissioni di Controllo che tale volontaria accettazione non può vincularli ragionevolmente alla immobilità

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americani che riuniranno in tele rapporto, come quello ed esempio che la compagnia monieri oppure qualche altra per le unità alleate operanti, bisognerebbe che preventivamente fosse intervento con il Governo italiano uno speciale accordo il quale consentisse al governo delle norme restringitive (art. 83 della Costituzione); al che non è avvenuto.

Ed è superfluo notare che la luna trattazione è fatto assolute che negare potrebbero essere società delle Potenze, potenziali le pretesioni, in contrasto con quel diritto, che fossero volontariamente eseguite dei prigionieri di guerra. I loro interessi sono:

4°) - Autunnoasi che per i prigionieri di guerra italiani che lavorano in Italia nelle casette condannati cioè anche ~~ressa~~ ~~lavoro~~ ~~lavoro~~ a loro beneficio, l'opera di controllo di protezione internazionale ~~lavoro~~ ~~lavoro~~ Convenzione di Ginevra, perché qui, in Italia, e in questo scatavord ora sottoscritta alle sovranità del R. Governo, niente le possibilità di ricevere l'intervento delle Potenze Protettrice, e nero dire non si pensasse all'esistenza di un Governo che ricorrere in opera proprio per le brache dei suoi interessi diretti e primari come sono quelli dei prigionieri di guerra, all'unione di Potenze Protettrici.

5°) - L'altra Commissione ha anche messo in essere la probabile ipotesi che questi prigionieri di guerra abbiano volentieri o no accettato di venire a lavorare in Italia nello stato di prigionia; ma ritiene con perfetta sommerte all'estensione della Commissione di controllo che tale volontaria accettazione non può vincolareli ragionevolmente alla inavviabilità delle loro condizioni.

Senza dunque alla fine decisiva che più discutere nel corso di guerra il desiderio di raggiungere il suolo delle Patrie, è pur vero che ognuno di essi è di solito pronto a compiere qualsiasi rinuncia per ad raggiungere il proprio paese e rivedere i propri congiunti. Anzi, se non

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si va errati, un certo numero dei prigionieri di guerre italiani trasferiti, come sopra si è detto, a Bari, proprio per questo motivo è già fuoito del campo e si è fatto impraticabile.

6°) - Del resto ciò queste lavori si eseguono, e nella migliore efficienza possibile, e anche sotto l'interessac dello Stato italiano: onde è ovvio che nessun anno potrebbe essere più alle convenienze degli interessi se questi prigionieri fossero restituiti alle plenarie delle loro potestilità, del loro stato di militari italiani.

Perché il B. governo, mettendo dal punto di vista economico e meticolare questi militari o imprenditori in univa organiche secondo la legge e la costituzionalità militare italiana, (organizzazioni tutte che potrebbero comprendersi senza che fossero per derivare conclusioni di comunità nelle prestazioni del loro lavoro), sarebbe ben fatto, entro un orologio di interessi o al dover dell'obbligatorie, di lasciarsi ai servizi delle forze armate sue, e ad esse di con diritti consueti regalari delle forze armate sue, sulla fronte e nelle retrovie.

7°) - L'Alto Commissario sarà tenuto allo scopo di provare in quanto che il ricupero della gerarchia militare in base al testo istituzionale di guerra e il loro inserimento nelle unità e nelle associazioni militare italiane avrebbero ed esistente una duplice influenza favorevole sul rendimento dei loro lavori;

8°) Perolti, eliminando le umiliazioni dello stato di condizione (che è necessario per essi che tanto più sensibili in quanto è vissuta in Patria, fra compatri e proprie liberdad) restituirebbe all'alto spirito le piezze delle scendute a essa destra alita quella delle cose rivelezzate a dell'oggi;

2°) potrebbe assicurargli al lavoro una discipline più complete, quale quelle che esauriscono anche dalla sconsolone. La lavorare non l'interesse-

possessore, anche diretto interessato nello Stato italiano; onde è ov-

viò che nessun danno potesse derivare alla convenienza degli Allestimenti, del lavoro e degli uomini italiani.

Tenuta al S. Giovanni, sostengono del tutto il visto come lo spazio e maniacolare questi militari e industriali in un'aria migliore secondo la legge e la coscienza militare italiana, (ogni cosa fatta che fosse debito compiersi senza che fossero per deviarsi soluzioni di comunità nelle presentazioni del loro lavoro), sarebbe un lieto, sempre in omaggio agli interessi e ai doveri della nobilità, di lasciarli al servizio delle Forze Armate italiane, così come fu con altra costituzione negli anni delle Forze Armate sue, sulle fronte e nelle retrovie.

7°) - L'alto Commissario engi ritine che sia suo dovere di nome in rilievo che il ricupero della personalità militare da parte di questi generali di guerra e il loro impiego nelle unità e nelle discipline militare italiane avrebbero edotto una qualche beneficio sul rendimento del loro lavoro;

1°) perché, eliminando la humiliazione dello stato di prigionia (che è certamente per essi ora tanto più sensibile in quanto è visibile in patria, fra compagni d'armi liberi) restituiregli i loro diritti la riconoscenza della sanità e della personalità quella delle cose gravose e dell'eglio;

2°) perché assicurererebbe al lavoro una disciplina più completa, quale è quella che caratterisce anche della sussinzione di lavorare per l'interesse del proprio Paese e secondo le volontà e gli ordini del proprio Governo; e, con queste discipline, anche un controllo più efficiente e più saldo.

E non sembra che metta conto di illuminare il beneficio effettivo che può derivare al rendimento del lavoro anche dal ricupero delle libertà come

tales, tanto esso è evidente.

8°) - Il R. Governo italiano infine desidera fare presente che non solo non esistono difficoltà legali a che i prigionieri di guerra sieno dimessi ei dello stato di prigione in qualsiasi tempo ma che anzi motivi di incitamento alle provvedute determinazione che si richiede sono offerti dal rapporto di cibellizionista costituitosi con le Nazioni Unite e della pressi che si è ora nel Comune a dimettere dello stato di prigionia i prigionieri di guerra italiani che vengono da esso sommariamente segregati.

9°) - Il R. Governo italiano considera pertanto, comunicando, che alla questione dei diritti dei prigionieri di guerra italiano trasferiti in Italia e impegnati nel lavoro al servizio delle unità portanti Allette, le autorità competenti vorranno conoscere la soluzione di giustizia e di umanità che esso ha l'obbligo di provvedere.

Insorzi nel rapporto di cibellizionista e libetti da tribunali, questi soldati italiani devono essere dimessi, che già Alletti hanno già profondamente stimato, l'opposto è un vero e proprio Teatro che gioca indubbiamente agli interessi delle forze militari americane, e le popolazioni, che ora sono docorate per questo numero di loro figli in teatro di guerra, dappresso alle loro stesse case, rimaneranno a loro riduglie non solo il carattere degli Alletti, nella utilità del rapporto di cibellizionista che si sta sviluppando e anche nell'autorità del Governo Italiano.

10°) - Quanto al cibellizionista sono state fatte varie indicazioni, per esempio di quanto riguarda che sono stati trasferiti per le autorizzazioni nel Comune, quale parte libetta è stata trasferita, nonché

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rapporto di collaborazione costituitosi con le Nazioni Alleate e della
prima che si è ormai tornata a dimostrare dello stesso al punto che i
prigionieri di guerra italiani che vennero da uno comunque segna-
lato.

90) — IL R. GOV. DI MESSINA CONFERMA, CHE ALLE QUESTI
ONI DEI NUOVI DIRETTOREtti AL GESTORE DELLA TRASMISSIONE TELE-
FONO E IMPIEGATI DEL SERVIZIO DELLA STAZIONE, LE
AUTORITÀ CONFERMATI VERRANNO CONFERIRE UN'INDENNITÀ E DI
UN'AMMONTARE CHE ESSO HA L'OBBLIGO DI PAGARE.

Liberati nel ragazzo di coltellate e fucilazioni a Tiverton, questi soldati livellano ormai alla loro opera città, che gli attenti hanno già profondamente spericolato, l'inglese è un popolare generoso ferito che genera indubbiamente ogni giorno qualche morte militare anche, e le popolazioni, che ora sono costrette sotto questo peso di morte, si stanno di prigioni, dappresso alle loro stesse case, mentre le loro fiducie nel senso di giustizia degli alleati, nulla utilizza del resto di consolazione che si sta sviluppando e anche nell'autorità del Governo britannico.

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