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

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WAR CRIMES,
CRIMES COM
JUNE, JULY 19

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

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10000/105/446

WAR CRIMES, FORMATION OF ITALIAN WAR
CRIMES COMMISSION
JUNE, JULY 1945

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4/29A/CA

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 394

FTH/prb

G-5: 000.5-1

12 July 1945

SUBJECT: War Crimes Against Italians

14 LUG 1945

TO : Headquarters, Allied Commission,
APO 394
(Attn. Civil Affairs Section)

1. Reference is made to your 4/29 A/CA of 7 July 1945
subject as above.

2. There is enclosed herewith copy of enclosure to which
reference is made in the first paragraph of Mr. Scoccimarro's
letter to Brig General Richmond dated 1 June 1945.

For the Assistant Chief of Staff, G-5:

13 JUL 1945

F. T. Hammond, Jr.
F. T. HAMMOND, JR.
Colonel, G.S.C.
Legal Adviser

Incl: as above

Translation Point

Herewith 8/26/7

No other

1905

TRANSLATION NO. 853

MINISTRY OF OCCUPIED ITALY

Head of Cabinet

ROME, 1 June 1945

ENCLOSURE NO. I

The Central Commission for war crimes has been instituted in the Ministry of Occupied Italy by Ministerial Decree for the purpose of investigating the atrocities, looting, the fires, deportations, killings and other crimes committed by the Germans and the fascists since 25 July 1943 against the Italian civilian population.

At present the Commission is composed of the following members:

H.E. Aldobrando Medici Tornaquinci, president, Under Secretary of State.
 H.E. Saverio Brigante, section president of Cassation.
 Prof. Concetto Marchesi, rettore of the Padova University.
 Dr. Antonio Cettafavi, first secretary of Legation, of the Ministry of Foreign Affairs.
 Dr. Francesco Ferrante, councillor 2nd class, of the Ministry of the Interior.
 Lt. Col. Luigi Sorzanti, of the Ministry of War.
 Avv. Arturo della Scala, representing the Central Committee of National Liberation.
 Prof. Attilio Ascarelli, director of the scientific police school.
 Avv. Claudio Matteini, journalist.
 Dr. Piero Berretta, Tribunal Judge.

Judge Dr. Piero Berretta acts as secretary.

Steps are being taken to complete the Central Commission with the appointment of H.E. Alfredo Iamitti Firomello, section president of Cassation, representative of the Ministry of Pardon and Justice, of Judge Dr. Rubino Italo, representative of the High Commission for sanctions against fascism, of Prof. Feracci, diplomat of the legal Department in the Ministry of Foreign Affairs.

MINISTRY OF OCCUPIED ITALY

Head of Cabinet

Following the Central Commission's resolution of 16 March 1945 it was ordered that in every province a Commission composed of one representative of the Prefecture, one of the Civil and Penal Tribunal and one of the Committee of National Liberation be formed with the object of collaborate with the Central Commission in the investigation of crimes committed in each province.

Since the liberation of Northern Italy has been effected only recently these local commissions are still in the organizational phase. As soon as they are completed we shall communicate with the Allied Authorities in regards to the general prospectus of these provincial Commissions with the name of their members and main offices.

BY ORDER OF THE MINISTER

THE CHIEF OF CABINET

Rome, 1 giugno 1945

Ministero dell' Italia Occupata

Il Capo di GabinettoALLEGATO N. 1

La Commissione Centrale per i crimini di guerra è stata istituita con Decreto Ministeriale presso il Ministero dell' Italia Occupata al fine di accertare le atrocità, i saccheggi, incendi, deportazioni, uccisioni e altri delitti compiuti dai tedeschi e dai fascisti dopo il 25 luglio 1943 in danno della popolazione civile italiana.

Attualmente la Commissione è così composta:

S.E. Aldobrandio Medici Tornaquinci, presidente, Sottosegr. di Stato.

S.E. Saverio Brigante, presidente di sezione della Cassazione.

Prof. Concetto Marchesi, rettore dell' Università di Padova.

Dott. Antonio Cottafavi, primo segretario di Legazione, del Ministero degli Affari Esteri.

Dott. Francesco Ferrante, consigliere di II classe, del Ministero dell' Interno.

Ten.Col. Luigi Sorrenti, del Ministero della Guerra.

Avv. Arturo Della Scala, in rappresentanza del Comitato Centrale di Liberazione Nazionale.

Prof. Attilio Ascarelli, direttore della scuola di polizia scientifica.

Avv. Claudio Matteini, giornalista.

Dott. Piero Berretta, giudice di Tribunale.

Funziona da segretario il Giudice Dott. Piero Berretta.

E' in corso l' integrazione della Commissione Centrale con la nomina dei rappresentanti del Ministero di Grazia e Giustizia nella persona di S.E. Alfredo Tannetti Pironallo, presidente di sezione della Cassazione, dell' Alto Commissariato per le sanzioni

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La Commissione Centrale per i crimini di guerra è stata istituita con Decreto Ministeriale presso il Ministero dell' Italia Occupata al fine di accertare le atrocità, i saccheggi, incendi, deportazioni, uccisioni e altri delitti compiuti dai tedeschi e dai fascisti dopo il 25 luglio 1943 in danno della popolazione civile italiana.

Attualmente la Commissione è così composta:

S.E. Aldo Brandi Medici Tornaquinci, presidente, Sottosegretario di Stato.

S.E. Saverio Brigante, presidente di sezione della Cassazione.

Prof. Concetto Marchesi, rettore dell' Università di Padova.

Dott. Antonio Cottafavi, primo segretario di Legazione, del Ministero degli Affari Esteri.

Dott. Francesco Ferrante, consigliere di II classe, del Ministero dell' Interno.

Ten.Col. Luigi Sormanti, del Ministero della Guerra.

Avv. Arturo Della Scala, in rappresentanza del Comitato Centrale di Liberazione Nazionale.

Prof. Attilio Ascarelli, direttore della scuola di polizia scientifica.

Avv. Claudio Matteini, giornalista.

Dott. Piero Barretta, giudice di Tribunale.

Funziona da segretario il Giudice Dott. Piero Barretta.

E' in corso l' integrazione della Commissione Centrale con la nomina dei rappresentanti del Ministero di Grazia e Giustizia nella persona di S.E. Alfredo Iannitti Piramallo, presidente di sezione della Cassazione, dell' Alto Commissariato per le sanzioni contro il fascismo nella persona del giudice Dott. Rubino Italo e del Contenzioso Diplomatico presso il Ministero degli Affari Esteri nella persona del Prof. Perassi.

1903

Ministero dell' Italia Occupata

Il Capo Di Gabinetto

A seguito della deliberazione della Commissione Centrale in data 16 marzo 1945 si disponeva la costituzione in ogni provincia di una Commissione di 3 membri e cioè dei rappresentanti della Prefettura, del Tribunale Civile e Penale ordinario, e del Comitato di Liberazione Nazionale al fine di coadiuvare e facilitare l'opera della Commissione Centrale nell'accertamento dei crimini commessi nelle rispettive Province.

La fase organizzativa di queste Commissioni periferiche, stante la liberazione dell'Alta Italia avvenuta solo di recente, non è ancora compiuta. Appena essa sarà espletata, sarà nostra premura comunicare alle autorità alloate il prospetto generale di tali Commissioni provinciali con il nome dei componenti e la sede di esse.

D'ordine del Ministro

IL CAPO DI CABINETTO

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: 4/29 A/GA.

7 July 1945

SUBJECT: War Crimes Against Italians.

TO: AFHQ, G-5 Section.

(1A)
Reference your G-5: 000.5-1 dated 3 July 45.

- 1 It would be very much appreciated if this Commission could be sent a copy of the document to which Dr. SOCCIMARRO refers in the first paragraph of his letter to Brig. General Richmond.
- 2 A copy of Dr. SOCCIMARRO's letter was enclosed with yours but the document to which he refers cannot be identified by us.

FOR THE CHIEF COMMISSIONER:

gpm
G.M. UPJOHN, Brig.
VP CA Section.

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

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

HYA/prb

5 LUG 1945

3 July 1945

G-5: 000.5-1

SUBJECT: War Crimes Against Italians.

TO : Headquarters, Allied Commission,
APO 394.

1. Attached for your information are copies of Dr SCOCIMARRO'S letter of 1 June and this Headquarters reply of 27 June from which it will be seen that the Italian Central War Crimes Commission will henceforth assume full responsibility for investigation of atrocities committed by Germans and Italians against the Italian civilian population.

2. It will be noted that

a. The Italian commissions function are at present limited to investigation only.

b. There is no authority yet for the handing over of any person desired by the Italians who is in British or U. S. custody.

c. Offences committed by Germans and Italians against British or U. S. forces will be investigated by the respective force.

3. The question of the action to be taken by the Italians on completion of their investigation is being taken up by the appropriate branches of this Headquarters. A small SIB detachment has been attached to the Italian Commission to assist in explanation of the cases handed over and to insure continuity.

4. Any cases of War Crimes by Germans or Italians against the Italian civilian population which come to you notice in the future should be referred by you direct to the Italian Central War Crimes Commission unless you have reason to believe that Allied interests are concerned or a General or other high ranking person is involved, in which case the papers should be forwarded through this Headquarters.

For the Assistant Chief of Staff, G-5:

H. Y. Anderson

H. Y. ANDERSON
Lt. Colonel, R.A.

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Copies to: JAG (MTOUSA)
G-1(B) A3.

Copy on 4/29.1/10

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ALLIED FORCE HEADQUARTERS
APO 512

27 June 1945

Mr. Mauro Scoccimarro
Minister of Occupied Italy
Piazza Indipendenza, No. 6,
Rome, Italy

Dear Mr. Scoccimarro:

Receipt is acknowledged of your letter of 1 June 1945 in which you agree that the Italian Central War Crimes Commission is to assume full responsibility for the investigation of atrocities committed by Germans and Italians against the Italian civil population and ask that the Allied authorities submit to the Commission any pertinent information that may assist in the preparation of the cases for trial.

In reply you are advised that the Allied authorities accept your offer to assume full responsibility for the investigation of such cases, and will submit to the Commission such information as may be deemed appropriate in respect of specific offenses of which they may have notice.

Sincerely yours,

C. W. CHRISTENBERRY,
Colonel, AGD,
Adjutant General.

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

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C O P Y

Rome, 1 June 1945

TO: Brig. Gen Richmond, U. S. Army Judge Advocate
Col. Fessingham, A. A. G.

As a member of the Italian Government and as head of the Ministry for occupied Italy, which includes the Central War Crimes Commission, I wish to express my whole-hearted approval of the enclosed document, drawn up by you and Judge Peter Berretta, Secretary of the Central Commission. On behalf of Italy, I accept it without reservation.

I agree that the Italian Central War Crimes Commission is to assume full responsibility for the verification of atrocities committed by the Germans (and the Fascist bands under their control) against the Italian civilian population. Accordingly, I ask the Allied authorities kindly to submit any pertinent documents in their possession, whether formal indictments or such other evidence as may be of use to the Commission in preparing its cases.

I am most grateful for the cooperation of the Allied authorities and trust that they will continue the verification of the atrocities which the Germans and Fascists have committed in Italy.

I am further grateful to the Special Investigation Branch which has offered the services of liaison officer to work with the Central Commission on the identification of individuals and groups of Germans responsible for the crimes.

Awaiting the favor of a written confirmation,

I am, sincerely, etc.

IL MINISTRO DELL'ITALIA OCCUPATA

(Dott. Mauro Scoccinarro)

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