

Declassified E.O. 12356 Section 3.3/NND No. 785016

ACC

10000 / 105 / 582

Declassified E.O. 12356 Section 3.3/NND No. 785016

1582

CA, BOLZANO, CONDITIONS IN, ROUTINE
JUNE 1945 - MAY 1946

Minute No. 27

To: Executive Commissioner.

25th May, 1946

5

With reference to the Ministry of Foreign Affairs' letter at 504,
at 52 is the reply sent to Dr. Prunas.

At 53 is a draft of a letter which I propose to send to AMRQ G-5
Have you any comments?

McLean Bryader

M. CARR, Brigadier.
VR. CA. Section.

QJ 27/5
MS 27/5

28

Please issue as amended

MS/28/5

Declassified E.O. 12356 Section 3.3/NND No. 735016

2000

A.P. C.A.S.

26

The whole question of Aliens in Italy is now under consideration by A.F.H.Q. In conjunction with the Italian Govt a policy will be laid down with regard to the method of dealing with undesirable Aliens. It is therefore suggested the cases at Bergamo remain in abeyance until a decision is reached. Col Findley A.P.S.C. has been consulted and has no objection to the camp being passed to the Italian Govt. but does not agree to it remaining under Allied Control.

16-14-46:

E. Hays Colonel

remain in abeyance until a decision is reached. Col Findley A.P. SFC. has been consulted and has no objection to the camp being passed to the Station G-1. but does not agree to it remaining under Allied Control.

16-14-46:

E. J. Dyer Colonel.

M. J. Dyer

20.2

A.C.C.
Ex-Lam

23.

Enclosed letter for Regent's CC

4 affixed

McLamb
J.P.C.S.S.

AK 4/4
J.H. 4/4

3/4/46

24.

Copy of our letter of April 3 to GS shown

to E.C. B.D. and for her comment on the

Nation complaint, & any action we can take locally.

775 65/4
J.H. 4/4

Letter signed & copied
withdrawn for cc exc files for 5/4

25.

Di. R.S. 5/4.

Reference 4777 all your documents to match into
D. H. S. and address anti-relly

Italian complaint, & any action we can take locally.

Letter signed & copies
withdrawn for cc etc files for file

775 6/14 6/14

25.

Dir. R.S. file.

Reference 4777 will you discuss to make into
Disfer spec. and advise as to reply.

I advise the Italian Inst. may have a difficult problem
in Bologna Province by my reaction to 4777 is that
on no account should we keep a D. R. Camp under
Allied Control for the purpose of interviewing prisoners
who are 207 D.P.S. I don't know who the two are to any
direction to 1023 D.P. Camp being handed over to the
Italians if it is 207. requested by the Allied authorities.
This question of underground chess 207 mention to 3022800
Province above.

McCam Bury
15/4/46
C.P.C. A Sec

BB- to CSO.

Ex. 60m

Letter app. submitted for signature of CC

17 Nov 1972

(19)

CA Section

Letter signed & returned for disposal
Copies withdrawn for CC & SEC files
Letter despatched 8/12 21/12

Legal S/C

Please see folios 38a and forward your observations
therein. Local S/C have believed been discussing the
position with the Italian Govt.
26 July 76

Legal S/C - Dr. Sorrentino of the office of the President
of the Council of Ministers informed me
by telephone that Prefect Sordani had set
up a Commission of local people to obtain
the views of the inhabitants of that region
on the proposed law. The draft law is now
being examined by a committee of the
Conferenza and they are awaiting receipt
of the draft law from the local

Please see folio 38a and forward your observations
locally. S/C leave. I believed been discussing the
McCauley/Pyndles
portion with the Italian Govt.

28 July 46

Legal S/C - Dr. Sorrentino of the office of the President
of the Council of Ministers informed me
by telephone that Prefect Innocenti had set
up a Commission of local people to obtain
the views of the inhabitants of that region
on the proposed law. The draft law is now
being examined by a committee of the
Consulta and they are awaiting receipt
of the report of the aforementioned local
Commission for consideration before presenting
their opinion to the Council of Ministers.

as I told you I ran into Innocenti,
the Prefect, ~~at the Govt~~ and he promised to pay
me a visit soon to give me the latest information.
Dr. Sorrentino will try to contact
him again to remind him to see me.

R. R. Temple, Major
Dir. Sec. Govt S/C
1 Mar 46

X - 445

as the final text of the decree has not yet
been approved by the Council of Ministers, is it
not too early to comment upon the draft or its
interpretation

G. G. Hammond
1 Mar 46

Legal S/C
2 Mar 46

Exhibits

CAS

14

32A

Interactive

Plaid's should be

DS/27621

15

الحمد لله

I am thoroughly in accord with much that is contained in this letter. In my view a unilateral attempt to alter nationality is not consistent with democratic principles and sound international practice. And may also, if done with AC approval, have embarrassing diplomatic peace conference.

The Italian electoral registration should be consistent with existing Italian law, as should be the issue of identity cards.

Will you please circulate to Polads

Will you please circulate to Folads

Attached was a second letter dealing with an allegation that the Anti Nazism has a too single and the Deutsche Abwehrkämpfe. International staff were realizing the assets of ~~the~~ others. This has been sent to Finance with the request that they will discuss that nothing is done which will forfeit the position of my party.

Applied and

16

Noted.

07

R. R. Temple, Mayor
Dir. Los Angeles
29 Nov. 45
X-445

The fact remains that in law the

Russians. Other agreements are still valid and ~~the~~ ⁱⁿ their
they are resolved either unilaterally or the Italian
front, or in agreement between the latter and the allied

18
Council for Germany, but only
authorities entitled to decide
questions of nationality is the
Italian front.

The Italian government
certainly cannot be expected
to have back applicants who
actually left the country until
a final decision is made on the
future of Bulgaria. It might be
made a condition of their return,
the territories that the Mussolini
Hitler agreements should be abrogated.

Att Dec 14

Chief Commissioner.

Attached is submitted for your information/signature/approval.

79/11/5.

CA Sec

4/45.A/CA dated 13 Sep 45 To The
The Caspari is returned for material. Copies
have been withdrawn for use of EC and

EC.

13 Sep 45.

R. W. EMSLEY

VP.

At 244 we wrote the RE for comments on a position.
At 264 RE suggests that in view of the agreement revised
at (at 26 C) no further action is necessary.
Do you concur? If the matter is dropped the RE
can probably make a suitable reply to the statements.

The Captain is returned for antitank. Captain
has even withdrawn for fear of EC and
EC.

13 Sep 45.
R. W. EMSLEY

VP.
At 24A we wrote the RC for comments on a petition.
At 26A RC suggests that in view of the agreement arrived
at (at 26C) no further action is necessary.
Do you concur. If the matter is dropped the RC
can formulate another suitable reply to the petitioners.

[Signature]

64 5.
1480.1001
13

C.S.O.
I concur. I do not know the terms of the petition
which was previously forwarded to RC. However, R.
will you ask R.C. suggesting he replies if he thinks
it necessary?
13/9. ME

20

Matthews

(6)

To: DP & R S/C

Ref Folio No 14 B

Please see last sentence of the first para (marked (c) in pencil). Have you any comments to make in regard to an Italian Commission.

30 ~~Nov~~ 5

~~Marked~~ Col
CSO CA Sec

To: CH Section.

our intent in this matter is outlined in our DKA/5316" (8D) of 2 Aug. and from a repetition point of view we see no objection to an Italian Commission being appointed to determine nationality of this population.

[Signature]
J. W.
3 Sep.

8.

Exec Comm: (through Poland)

At 22A is draft reply to 12 B. for your consideration

our interest in this matter is outlined in our
 DRC/5246" (B) of 2 Aug. and from a replication
 point of view we see no objection to an interim
 Commission being appointed to determine
 of this population.

[Signature]
 3 Sept.

2.

Exec Comm. (through Poland)

AT 22A is draft reply to 12 B. for your consideration

[Signature]

9 pages.

[Signature] P.C. (a.w. (B))

Sept 8.

20

Minutes

Pd. B. (a).

Declassified E.O. 12356 Section 3.3/NND No. 735016

(5)

CSO

Ref 14 C Final para

Col Gippo asks me to say that when the time
for action comes he ^{thinks} action should be taken by CAS
rather than by the Govt.

L.S.-
28 AUG. 1945

H. W. King

To Local Government S/C

①

Ref 14 B for necessary action re electoral lists
in Bologna [marked (a)]

CAS.

WSSHaddy
28 Aug Col

②

To Epuration (L Col White)

Ref 14 B for necessary action re Italian epuration
legislation affecting Nazis. [marked (c)]

CAS

③

WSSHaddy
28 Aug 45

28
Aug.

CAS

Ref. minute ① necessary action has been taken by
letter dated 20 Aug. from ~~CC~~ CC to P.M.

WSSHaddy
for Division HQ S/C.

CAS.

4

Epuration (second half of para 2)

No epuration legislation is considered necessary to remove

WRS:Shawley
28 Aug 45

CAS ③

28 Aug.
CAS
Ref. minute ① necessary action has been taken by
letter dated 20 Aug. from ~~CC~~ to CC to P M.
for ~~Division HQ S/C.~~
for Division HQ S/C.

CAS. 4

Stipulation (second half of para 2)

No operation legislation is considered necessary to remove
Nagis from any Italian office they may hold. Under
existing Italian law only Italian nationals can
hold office in Italian State or para stated concerns.
all Nagis can therefore be removed without any necessity
for legislation

CAS. S.
29 Aug 45

Minutes

WRS:Shawley

20-0

Declassified E.O. 12356 Section 3.3/NND No. 735016

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 965.27

5. September 1946

SUBJECT: Incidents - German PRs.

TO : Chief Commissioner,
Allied Commission,
APO 794.

With reference to your letter 6/18B/CA of 29 May and further
to this Headquarters letter G-5: 965.27 of 15 June.

As all PR and SEP have been evacuated from the area little
practical benefit would accrue from an investigation particularly as
both the District and Area Offices concerned no longer exist.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A. L. Hadden
A. L. HADDEN
Colonel, G.S.C.
Assistant Chief of Staff, G-5



-7 SET. 1946

2025

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 794
CIVIL AFFAIRS SECTION

Ref. 6/18 B/CA. ✓

6 July 1946

SUBJECT : German Prisoners of War. Bolzano.
TO : AFHQ (G-5 Section).

Reference your G-5 : 965.27 of 1st July 46,
there is forwarded to you copy Report from Chief Liaison
Officer Venezia dated 14 June 46 along with copies of en-
closures.

FOR THE CHIEF COMMISSIONER

pk.
M. CARR, Brig.
VP CA Section.

2024

653

Cpl. [unclear] 97.
ALLIED COMMISSION

OFFICE OF CHIEF LIAISON OFFICER

VENEZIA

- 8 LUG 1946

Villa Taverna
PREGANZIOL
Near Treviso

14 June 1946

To : H.Q. Allied Commission
Civil Affairs Section

Subject : German POW's - "Ferini" Barracks - Trento.

File No : CLO/V/PS/47

1. Reference ACLO/HZ/17 of 29 May 1946 and correspondence received from C.I.C. Bolzano.

Further enquiries have been made into this matter and copy of a further report from the Prefect of Trento is enclosed.

2. In spite of the truth of the allegation the incident seems to have been somewhat magnified both from the quantity of materials alleged to have been removed from the barracks, and there is reason to doubt that the prisoners were armed, as none of the Italian police actually saw any being carried by them.

3. The prisoners were transferred on 30 March and there are no P.O.W.'s remaining in Trento Province.

received from C.L.O. Bolzano.

Further enquiries have been made into this matter and copy of a further report from the Prefect of Trento is enclosed.

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adams

A.E. BAKER, Capt. 2023
for Chief Liaison Officer



C O P Y

Trento, June 10, 45

FROM : Prefettura of Trento
SUBJECT : Theft of various material from the "Perini" Barracks
of Trento by German P.O.W.'s that were billeting there.
FILE No : 01052/B.3

TO : Allied Commission Liaison Group
Villa Taverna - Preganziol (Trevise)

Complying with Capt. Baker's verbal request of yesterday I beg to inform you that the above mentioned thefts took place on March 30, 45 and the undersigned Prefect notified both the Ministry of the Interior and the Liaison Officer of Allied Commission, Bolzano on 2nd April, as per attached letter (copy).

The Questura has again been asked for information on this matter, but they replied stating that no additional noteworthy particulars had been brought to hand.

The thefts occurred while the German P.O.W.'s were being transferred and P.S. Agents on duty in the "Perini" barracks in order to avoid a clash that may have entailed serious consequences reported the facts to their superior Officers.

Questura and Carabinieri immediately informed the Commander of the local Military Garrison, the P.S.S. and the above mentioned Officer in Bolzano.

There was no possibility however of action being taken against the culprits nor was it possible in spite of active searching to recover the stolen material.

Also it has been impossible to find out the destination of the P.O.W.'s. Apparently they left for the North.

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THE PREFECT

2022

C O P Y

April, 2 1946

FROM : PREFECTURA OF TRENTO

FILE No : 01052/E.3

SUBJECT : German POW and theft of Materials from the
"Perini" barracks.

TO : Ministry of the Interior - Rome

and for information

AC/Liaison Officer - BOLZANO

In the "Perini" barracks of this town a detachment of German P.O.W.'s had been billeted, under the supervision of English and Polish Troops

The above mentioned P.O.W.'s then received orders to move elsewhere and left the barracks.

Before leaving, however, they damaged the premises by taking away glass windows and floor boards, selling the material to the civilians or exchanging it for other goods. All this took place with the consent of Polish soldiers on guard in the barracks.

Attempts have been made to get P.S. Agents and Carabinieri as guards into the premises, but this as proved in vain, because of the solidarity the Polish guards offered to the P.O.W.'s.

A German officer (P.O.W.) had confronted a P.S. Agent telling him to keep out of the barracks and not to stop civilians entering or leaving the barracks, otherwise he threatened to gather the German soldiers under his command, saying his men were sufficiently armed to teach the Italian Police a lesson.

The local British Police were informed of the situation by message, also the Allied Commission, Bolzano. Local Italian Military Authorities were also immediat-

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The local British Police were informed of the situation by message, also the Allied Commission, Bolzano.

Local Italian Military Authorities were also immediately notified.

2021

Declassified E.O. 12356 Section 3.3/NND No. 785016

CIV-AFF

8826

56

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 965.27

1 July 1946

SUBJECT: German Prisoners of War - Bolzano.

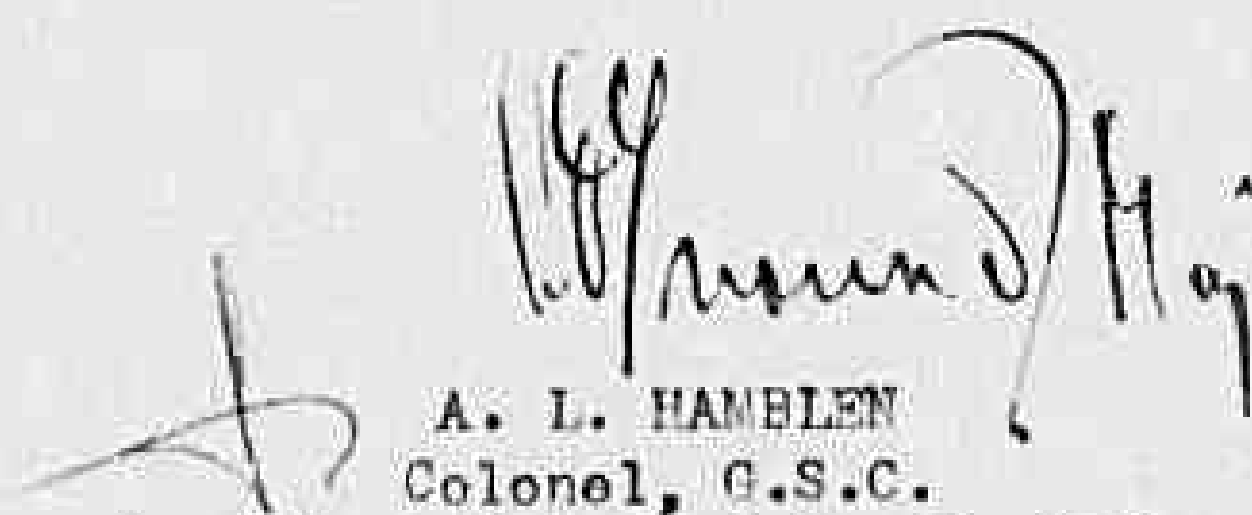
-2 LUG 1946

TO : Chief Commissioner
Allied Commission
(Attn: Civil Affairs Section)
APO 794

Ref: 6/18B/CA, 29 May 46.

May this Headquarters have a copy of the Allied Commission Liaison officers report, regarding the behavior of German PWs in the provinces of Trento and Bolzano.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:


A. L. HAMBLEY
Colonel, G.S.C.
Assistant Chief of Staff, G-5.



Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref. 6/18 B/CA ✓

14 June 1946

SUBJECT: German POW's

TO : CLO, Treviso.

Reference is made to letter by CLO, Bolzano
(Ref. ACIO/BZ/17 of 29 May) addressed to this Headquarters
copy to you with relative correspondence.

May a report on the matter please be sent to
this Headquarters.

FOR THE CHIEF COMMISSIONER

ME
M. CARR, Brig.
VP CA Section.

2019

503

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
BOLZANO

REF: ACLO/BZ/17.

SUBJECT : German POW's Bolzano.

TO : HQ, Allied Commission,
Civil Affairs Section.

DATE: 29 May 1946.
SWM/eq.

- 1.) Reference your letter No. 6/18B/CA. of 24th May 1946.
- 2.) A report of this incident was received by me on Apr 1st and I immediately telegraphed to Treviso vide attached copy(A).
- 3.) All (except four) German POW's have been withdrawn from Bolzano. Four well behaved men (two drivers and two mechanics) are attached to my Group for the purpose of delivering parcels to German POW's.
- 4.) Trento is administered by CLO Treviso and the a/m correspondence has been forwarded to this CLO to-day with a request that he replies direct to you regarding the other questions involved.

1 encl.

S.W. MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

Copy. Timmerman Copy for

clearing an answer from

*Clearing an answer from
Timmerman 146*

1.) Reference your letter No. 6/18B/CA. of 24th May 1946.

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4.) Trento is administered by CLO Treviso and the a/m correspondence has been forwarded to this CLO to-day with a request that he replies direct to you regarding the other questions involved.

Copy: Fairchild copy for

S.W. MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

1 encl.

Copy to C.L.O. Treviso
together with copies of
all correspondence.

Waiting an answer from

Treviso 14/6
if no answer received by 20/6



ARMY FORM C 2136 (Large) MESSAGE FORM

Register No.

Call	Srl. No.	Priority	Transmission Instructions
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ABOVE THIS LINE FOR SIGNALS USE ONLY

FROM

(A) ALCOM LIAISON BOLZANO

Originator

Date-Time of Origin.

1.4.46 - 1000

For Action.

Office Date Stamp

TO

ALCOM BOLZANO TREVISO

LIAISON

(W) For Information (INFO)

Message Instructions: GR

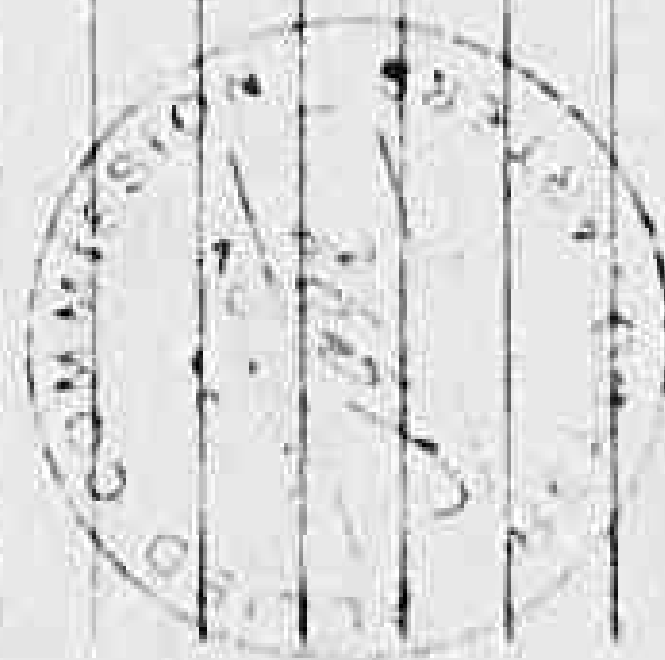
Originator's No.

ACLO/EL/108.5/4 UNCLASSIFIED

THE FOLLOWING MESSAGE RECEIVED FROM QUESTURA TRENTO PD BEGINS
PD TO ALLIED COMMISSION BOLZANO PD REFERENCE 016052 PD FIRST
APRIL 1946 PD GERMAN POWS STATIONED IN THE CASERMA IERINI TRENTO
ON THE POINT OF LEAVING TRENTO IN ORDER TO BE TRANSFERRED TO
OTHER PLACE BUSIVELY TOOK AWAY FROM SAID BARRACKS AND SOLD TO
PRIVATE PERSONS MILITARY GOODS AND EQUIPMENT OF THE BARRACKS AS
FOR INSTANCE FURNITURE PARTS OF BARRACKS ETC PD PLEASE INVESTIGATE
PD AS INTERVIEW OF IS AGENTS HAD NO RESULT PLEASE TRY TO STOP
PROCEEDING PD PLEASE IF POSSIBLE TAKE ACTION IN ORDER TO STOP
ILLEGAL TRAFFIC COMPLETELY PD SIGNED QUESTURA TRENTO ZAVAGNO PD
ENDS PD FORWARDED FOR NECESSARY ACTION PD

THE FOLLOWING MESSAGE RECEIVED FROM QUESTURA TRENTO PD BEGINS
PD TO ALLIED COMMISSION BOLZANO PD REFERENCE 016052 PD FIRST
APRIL 1946 PD GERMAN POES STATIONED IN THE CASERMA FERINI TRENTO
ON THE POINT OF LEAVING TRENTO IN ORDER TO BE TRANSPORTED TO
OTHER PLACE MUST HAVE TAKEN AWAY FROM SAID BARRACKS AND SOLD TO
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FOR INSTANCE FURNITURE PARTS OF BARRACKS ETC PD PLEASE INVESTIGATE
PD AS INTERVIEW OF IS AGENTS HAD NO RESULTS PLEASE TRY TO STOP
PROCEEDING PD PLEASE IF POSSIBLE TAKE ACTION IN ORDER TO STOP
ILLEGAL TRAFFIC COMPLETELY PD SIGNED QUESTURA TRENTO ZAVAGNO PD
ENDS PD FORWARDED FOR NECESSARY ACTION PD

2017



This message may be sent
AS WRITTEN by any means
except } WIRELESS.
Signed.

If liable to be intercepted, send full
into a cipher band; this message must
be sent in CIPHER
Signed.

Time of Day
1225
Time Closed
CP

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref : 6/18 B/CA

29 May 1946

SUBJECT : German Prisoners of War. Bolzano.

TO : AFHQ. G-5 Section.

There is forwarded herewith a copy of a letter dated 19th May 1946, from the Ministry of Foreign Affairs on the subject of German Prisoners of War in Italy.

With regard to the first sub-paragraph of the letter, the A.C. Liaison Officer, Bolzano, has been instructed to investigate and report.

With regard to the second sub-paragraph of the letter, while it is not suggested that any action should be taken in regard to the request of the Ministry of Foreign Affairs that all German Prisoners still in Italian territory should be repatriated, this Headquarters would be interested to know the approximate number of German SEP or POW which still remain in Italian territory.

FOR THE CHIEF COMMISSIONER

S. W. J. M. Carr, Brigadier

M. CARR, Brig.
VF CA Section.

2010

Copy to Ex. Commissioner.

DRAFT.

TO: AFHQ. G-5

There is forwarded herewith a copy of a letter dated 19th May 1946, from the Ministry of Foreign Affairs on the subject of German Prisoners of War in Italy.

~~With regard to the first sub-paragraph of the letter,~~ the A.C. Liaison Officer, Bolzano has been instructed to investigate and report. *the allegations made in the first sub-paragraph of the letter.*

~~With regard to the second sub-paragraph of the letter,~~ while it is not suggested that any action should be taken in regard to *made in the second sub-paragraph,* the request of the Ministry of Foreign Affairs, that all German prisoners still in Italian territory should be repatriated, this headquarters would be interested to know the approximate number of German SSP or POW which still remain in Italian territory.

FOR THE CHIEF COMMISSIONER.

Copy to Ex. Commissioner.

2015

53

Declassified E.O. 12356 Section 3.3/NND No. 725016

53

Ref 6/18B/CA

24th May, 1946

Dear Sir,

51

I have been asked to acknowledge receipt of your letter 5/687 of the 19th May addressed to Rear Admiral Stone and to state that enquiries are being made of the Allied Commission Liaison Officer in Bolzano with regard to the incident reported in your letter.

With reference to your letter N5/446 of the 28th March, the Military authorities have reported that all German prisoners of war have now been withdrawn from Bolzano Province. It is not known whether this also refers to Trento Province and enquiries are being made.

The attention of higher authority is being drawn to the desire of the Italian Government that all German prisoners of war still remaining in Italian territory should be repatriated.

Yours very truly,



M. CARR, Brigadier.
VP. CA. Section.

2014

Nob. Cavaliere Don Renato BRUNAS,
Ministro Plenipotenziario,
Segretario Generale,
Ministero degli Affari Esteri.
ROMA.

52

Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLIED COMMISSION HEADQUARTERS.
APO 394.
CIVIL AFFAIRS SECTION.

52

Ref: 6/LBB/CA.

24th May, 1946

SUBJECT: German POW's Bolzano.

TO: Chief Liaison Officer, Bolzano.

The enclosed copies of a report received from the Ministry of the Interior are forwarded to you. Will you please investigate and report whether the enclosed account is correct and what developments there have been in this matter.

According to your ACLO/BA/17 of the 10th April 1946, all German prisoners of war should have now been withdrawn from Bolzano Province. Will you please confirm this and state what is the present situation as regards Trento Province, and if there are German prisoners of war still in that province, what is the approximate number.



M. CARR, Brigadier.
VP. CA. Section.

2015

51



Ministero degli Affari Esteri

IL SEGRETARIO GENERALE

5/687

ROMA, 12 9 MAR 1946

5A

BIB

CARO AMBASCIATORE,

nel far seguito alla mia lettera 5/445 del 24 marzo u.s. relative al conferimento nella provincia di Trento e di Bolzano da parte di alcune prigionieri di guerra germanici che tuttora vi si trovano. Le allego un appunto fattori pervenire della competente autorità circa un nuovo e più grave incidento verificatosi a Trento.

Mi permetto pertanto di rinviare la mia attenzione sulla necessità che sia posto con sollecitudine il più presto possibile il rimpatrio di tutti i prigionieri tedeschi ancora trattenuti in territorio italiano, e questo stato di cose, il cui perpetuarsi determinerebbe, e lungo andare spiegherebbe e non contenibile reazioni da parte delle popolazioni.

In attesa di cortesi notizie al riguardo,

Le invio caro Ambasciatore, i miei cordiali saluti

RF

2012

si può ottenere di pronto e di Solzene da parte di numero
si può ottenere di pronto e di Solzene da parte di numero
trovare. La allego un appunto fatto per venire dalla
comune e per abilita circa un nuovo e più grave loro
dalla verificazione a fronte.

Il permesso pertanto di rinviare la mia
richiesta sulla necessità che sia posto con sollecito
tutto il rimedio, mediante il rimborso di tutti i pri-
gionieri tedeschi ancora tratti in territorio ten-
liano, e questo stato di cose, il cui perpetuarsi deter-
minerebbe, e lungo ancora spiegabili e non contabili
reazioni da parte della popolazione.

In attesa di cortesi notizie si ringrazio,

La invio come Ammiraglio, i miei cordiali saluti

Ammiraglio Albery W. STONE

Comandante Capo - Commissione Alleata

W. O. M. A.

R. R. R. 2012

501

TRANSLATION

MINISTRY OF FOREIGN AFFAIRS
The Secretary General
5/687

Rome, 19 May 1946.

MAY 23 1946

Dear Admiral,

With reference to my letter 5/4/46 of 26 March 1946 regarding the behavior of numerous German prisoners of war still located in the provinces of Trento and Bolzano, I enclose herewith a note I have received from the competent authorities about a new and more serious incident which took place in Trento.

I take therefore the liberty of renewing my request about the necessity of repatriating all the German prisoners still remaining in the Italian territory and of putting thus an end to a state of affairs which in the long run could determine quite logical and hardly controllable reactions from the population.

Looking forward to your kind reply, I am, dear Admiral,

Yours very truly,

/s/ R. PRUNAS

1. Ack to Prunas.
2. CLO Bagnara to report by telegram & confirm by letter

ME/2214

Admiral Ellery W. STONE
Chief Commissioner
Allied Commission
Rome.

EC DIST - 24 May
ACTION - CA Sec
INFO - CC 2011
- EC
POLAD A
POLAD B 38A

COPIA

MINISTERO DELL'INTERNO
Direz. Gen. P. S.

Roma, 19 aprile 1945

508

n. 443/48049

COMMISSIONE ALLEATA
Sottocommissione P. S. - ROMA -
MINISTERO AFFARI ESTERI
D. G. Affari Politici - ROMA -

OGGETTO: PRIGIONIERI TEDESCHI - TRAFUGAMENTO MATERIALI DALLE
CASERME "PERINI".

Per opportuna conoscenza si trascrive la seguente lettera in data 2 corrente della Prefettura di Trento:

"Presso le caserme "Perini" di questa città è stato alloggiato dopo la liberazione, un reparto di prigionieri tedeschi guardati ed inquadriati da militari inglesi e polacchi.

In questi giorni tali prigionieri hanno avuto ordine di trasferirsi altrove e hanno lasciato le caserme predette.

Prima di lasciare le caserme però, i prigionieri si sono dati a depolire baracche, staccare vetri, e sollevare pavimenti cedendo tale materiale e borghesi per generi di conforto o per denaro, e tutto questo avveniva con il tacito consenso dei militari polacchi di guardia alle caserme.

Si è cercato di porre rimedio alle cose comandando un servizio di vigilanza di agenti di P. S. e di Carabinieri, ma data la tacita connivenza dei soldati posti di guardia ai prigionieri il servizio in parola non poté risultare efficace.

Anzi, un prigioniero tedesco, ufficiale, affrontava un agente di P. S. intimandogli " di allontanarsi immediatamente e di desistere dal fermo di qualsiasi persona borghese che uscisse dalla caserma con materiali, altrimenti dichiarava lo stesso ufficiale tedesco - avrebbe fatto uscire tutti i soldati tedeschi alle sue dipendenze dichiarando di essere sufficientemente armato per dare una lezione alla polizia italiana".

Di quanto sopra si è informata la locale Polizia inglese (P. S. S.) nonché, con fonogramma, la Commissione Alleata residente

caserma "Perini" di questa città è stato alloggiato dopo la liberazione, un reparto di prigionieri tedeschi guardati ed inquadrati da militari inglesi e polacchi.

In questi giorni tali prigionieri hanno avuto ordine di trasferirsi altrove e hanno lasciato le caserme predette.

Prima di lasciare le caserme però, i prigionieri si sono dati a demolire baracche, staccare vetri, a sollevare pavimenti cedendo tale materiale a borghesi per generi di conforto o per denaro, e tutto questo avveniva con il tacito consenso dei militari polacchi di guardia alle caserme.

Si è cercato di porre rimedio alla cosa comandando un servizio di vigilanza di agenti di P.S. e di Carabinieri, ma data la tacita connivenza dei soldati posti di guardia ai prigionieri il servizio in parole non poté risultare efficace.

Anzi, un prigioniero tedesco, ufficiale, affrontava un agente di P.S. intimandogli " di allontanarsi immediatamente e di desistere dal fermo di qualsiasi persone borghese che uscisse dalla caserma con materiali, altrimenti-dichiarevo lo stesso ufficiale tedesco - avrebbe fatto uscire tutti i soldati tedeschi alle sue dipendenze dichiarando di essere sufficientemente armato per dare una lezione alla polizia Italiana".

Di quanto sopra si è informata la locale Polizia inglese (F.S.S.) nonché, con fonogramma, la Commissione Alleata residente a Bolzano.

Pure immediatamente informate vennero le autorità Militari Italiane locali.

Si allega copia del rapporto sull'incidente sopra riferito".

PER MINISTRO
P.....

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2010

COPIA

MINISTERO DELL'INTERNO
CORPO VOLONTARI DELLA LIBERTA'
Polizia Partigiana della Provincia di Trento

COMANDO

n.00245.C

TRENTO, 30 marzo 1946

OGGETTO: Informazioni sul servizio svolto in Via Perini il giorno
29 corr.

AL COMANDO REPARTO AGENTI P.S. =TRENTO=

Si informa che gli agenti comandati di servizio in Via Perini allo scopo di impedire che borghesi si appropriassero arbitrariamente di materiale appartenente all'amministrazione statale, venivano minacciati da un ufficiale tedesco il quale intimava loro di allontanarsi immediatamente, e di desistere dal fermo di qualsiasi persona borghese che uscisse con materiali dalla caserma, altrimenti, dichiarava lo stesso ufficiale, avrebbe fatto uscire tutti i militari tedeschi alle suadipendenze dichiarando di aver sufficientemente armamento per dare una lezione alla Polizia Italiana.

Si espone quanto sopra su richiesta del Comando in indirizzo.

IL COMANDANTE LA P.A.P.

AL COMANDO REPARTO AGENTI P.S. -TRENTO-

Si informa che gli agenti comandati di servizio in Via Perini allo scopo di impedire che borghesi si appropriassero arbitrariamente di materiale appartenente all'amministrazione statale, venivano miracciati da un ufficiale tedesco il quale intimava loro di allontanarsi immediatamente, e di desistere dal fermo di qualsiasi persona borghese che uscisse con materiali dalla caserma, altrimenti, dichiarava lo stesso ufficiale, avrebbe fatto uscire tutti i militari tedeschi alle suendipendenze dichiarando di aver sufficientemente armamento per dare una lezione alla Polizia Italiana.

Si espone quanto sopra su richiesta del Comando in indirizzo.

IL COMANDANTE LA F.A.P.

F.to Strefellini Nero

2009

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TRANSLATION

MINISTRY OF THE INTERIOR
Gen. Dir. of P.S.

Rome, 19 April 1946.

RP 443/18049

ALLIED COMMISSION
Public Safety S/C - Rome.
MINISTRY OF FOREIGN AFFAIRS
Political Affairs Section - Rome.

SUBJECT: German POW - Disappearance of materials from the "Perini" barracks.

The following letter of the Prefettura of Trento dated 2 April 1946 is transcribed for your information:

A detachment of German prisoners, guarded by British and Polish troops, was accommodated after the liberation in the "Perini" barracks of this town. In these days, said prisoners received the order transferring them elsewhere and left the abovementioned barracks. Before leaving them however, the prisoners broke up wooden huts, detached glass-panes, took out the flooring selling this material to civilians for goods or money, all this with the silent consent of the Polish guards in charge of the barracks.

It was attempted to stop this ordering a guard service of Public Safety agents and Carabinieri, but owing to the complicity of the soldiers guarding the prisoners, the service was of no avail. A German officer even intimated to a Public Safety agent "to remove himself immediately and beware from arresting any civilian coming out of the barracks with materials, because otherwise he would have ordered all the German soldiers under his command to come out, declaring that they were armed enough to give the Italian Police a lesson".

The local British Police (F.S.S.) as well as the Allied Commission Bolzano headquarters have been informed of this fact.

Also the Italian Military authorities were immediately informed.

Attached is a copy of the report of the incident.

FOR THE MINISTER:

2008

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Declassified E.O. 12356 Section 3.3/NND No. 785016

TRANSLATION

MINISTRY OF THE INTERIOR
CORPS OF THE VOLUNTEERS OF LIBERTY
Partisan Police of the Province of Trento

COMMAND

Nr. 00245.C

Trento, 30 March 1946.

SUBJECT: Informations on the service in Via Perini on the 29th instant.
TO : Command of Public Safety Agents - Trento.

It is stated that the agents who were on service in Via Perini in order to prevent civilians from taking arbitrarily possession of the material belonging to the State Administration, have been threatened by a German officer who intimated to them to remove themselves immediately and to beware from arresting any civilian leaving the barracks with some material, because - as said officer declared - he would have ordered all the German soldiers under his command to come out as they had arms enough to give a lesson to the Italian Police.

Communication is given of the above at the request of your Command.

THE COMMANDER OF THE P.A.P.

/s/ Strefellini Nero

2037

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Declassified E.O. 12356 Section 3.3/NND No. 735016

ALLIED COMMISSION HEADQUARTERS.
APO 394.
CIVIL AFFAIRS SECTION.

Ref: 6/18R/CA

SUBJECT: Undesirable Aliens.

To: Chief Liaison Officer,
BOLZANO.

17th April, 1946.

With reference to your APO/EZ.29 of the 12th April 1946, the whole question of Aliens in Italy is now under consideration by AFM, and it is anticipated that in conjunction with the Italian Government a Policy will be laid down with regard to the method of dealing with undesirable aliens.

With reference to paragraph 14 of your letter under reference, if No.23 DP Camp is handed over to the Italian authorities, it cannot remain under Allied control if it is to be used to accommodate undesirable aliens for whom the Italian Government are responsible.

It is hoped that the consideration which is being given by higher authority to the question of undesirable aliens will assist in the solving of problems which face the Italian authorities in Bolzano Province.

MC

M. CAMP, Brigadier.
VP. CA. Section.

cc Executive Commissioner.

2006

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
BOLZANO

REF: ACLO/BZ/17.

DATE: 10 April 1946.
SWX/gq.

SUBJECT: German POW's in Bolzano and Trento.

TO: HQ, Allied Commission,
for Civil Affairs Section.

15 APR 1946

- 45A
1. Reference correspondence forwarded under your No. 6/18/B/CA of 5th April 46.
 2. I have already taken up the subject referred to with HQ 60 Sub-Area and attach hereto a copy of their reply dated 29th January 1946. 60 Sub-Area has now been disbanded.
 3. The Commander 217 Area, Bologna, who was here yesterday has decided to withdraw the German POW's from Bolzano. This is perhaps the best solution to the problem and in view of this (and of the reply of 60 Sub-Area attached), further comment from me is perhaps unnecessary.
 4. Certain illicit traffic conducted by German POW's has been discovered and local action taken in every case. The result of the raid in the vicinity of the ALCOM Dump at Laives has already been reported to you.

S. W. Miller

S. W. MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

Declassified E.O. 12356 Section 3.3/NND No. 785016

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result of the raid in the vicinity of the ALCOM Dump at Laives
has already been reported to you.

S. W. Miller

S. W. MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

Encl's. (2x)

No action

ME



Copy

CONFIDENTIAL

Headquarters
60 Sub-Area,
C.M.F.
13/1/A

29 Jan 1946

Chief Liaison Officer
A/C Liaison Group

B o l z a n o

Ref. your ACLO/BZ/117/1 dated 17 Jan 1946.

From time to time isolated cases of indiscipline on the part of German SEP working in this area have been brought to notice and the offenders have been suitably dealt with. But although this is not the first general complaint I have received from Italian authorities regarding the behavior of German SEP's, I have been unable to find any British source which can confirm these complaints, nor will the Italians give me specific cases or make a complaint at the time any of these alleged incidents are taking place. I would therefore be glad if you would impress on the Prefect the importance of reporting any case of indiscipline immediately to this HQ, or to the nearest British unit. If possible the CRRR should obtain the name of the offender, his unit and the number of his vehicle.

The employment of German SEP in this Province may be undesirable in Italian eyes, but this is a matter of high policy outside my control. From the British point of view these German SEP units are doing very good work and we could not have done without them. I may add that their work is shortly coming to an end and these units will then be moved elsewhere or disbanded.

During the day German SEP units are allowed a considerable amount of freedom as their work necessitates and in some cases small parties are allowed out alone, but generally they are accompanied by a British soldier. I would point out that I am responsible for the health and well-being of these German units which are working for us and as it is difficult to get any other forms of exercise during the winter I have authorized small proportion of German SEP to use the skiing slopes at Alpe di Siusi. The number of German SEP working in this area is 134 of which only a very small proportion are permitted

Ref.your ACIO/BZ/117/1 dated 17 Jan 1946.

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Finally, I have taken steps to impress on the German Commanders and British Officers in charge that in the event of any serious charges of indiscipline being substantiated, the privileges which German SEP units now enjoy will be severely curtailed.

Signed : A.J.L. FURVES, Colonel,
Commander.

73016

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

15/4

C O P Y

ALLIED COMMISSION LIAISON GROUP
BOLZANO PROVINCE

Bolzano, 17 January, 1946
WHH/gq

To : HQ 60 Sub Area, Bolzano.
Subj : Discipline of POW's.
Ref : ACLO/BZ/1117/1

1. The attached translation of a letter from the Prefect's office is passed to you for information and any action you may think fit.

2. I have no direct evidence to supply in support of the allegations, but from the conversation I had with the Vice-Prefect, I believed him when he said he had complaints from the Hospitals in MERANO.

3. From my own experience I can confirm that German POW's are being given a freedom which seems surprising.

4. Last Sunday I was on the skiing slopes of the Alpe di SIUSI, at the Hotel Sella Vista.

At the Hotel were several German lorries an ambulance, and some smaller vehicles which were being used to transport German POW's for a day's skiing. Their equipment was first-class in distinction to my own which was of much inferior quality.

/s/ W.M. HARRISON, Major,
Acting C.L.G.,
Bolzano.

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2. I have no direct evidence to supply in support of the allegations, but from the conversation I had with the Vice-Prefect, I believed him when he said he had complaints from the Hospitals in MERANO.

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4. Last Sunday I was on the skiing slopes of the Alpe di SIUSI, at the Hotel Hellavista.

At the hotel were several German lorries an ambulance, and some smaller vehicles which were being used to transport German POW's for a day's skiing. Their equipment was first-class in distinction to my own which was of much inferior quality.

/s/ W.H. HARRISON, Major,
Acting C.L.O.,
Bolzano.

Copy to : The Prefect of Bolzano.

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Encl.

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COPY

IL PREFETTO DI BOLZANO

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Prot. No. 275
Rat/ez

Bolzano, 12-1-1946

Chief Liaison Officer,
Allied Commission,
Bolzano.

A conferma di quanto le è stato segnalato verbalmente, Le comunico che le eccessive libertà goduta in questa Provincia dai prigionieri di guerra tedeschi creano malumore fra gran parte della popolazione.

Specialmente a Merano, dove gli ospedali sono pieni delle vittime dei maltrattamenti nazisti, si dovrebbe evitare che i prigionieri di guerra tedeschi circolino in tutte le ore del giorno e della notte, entrando in locali pubblici e privati dove balzano e si ubriacano.

Per la tranquillità della Provincia sarebbe necessario allontanare tali prigionieri di guerra o per lo meno sottoporli a una maggiore disciplina.

/s/ Gilardi For
The Prefect.

A conferma di quanto le è stato segnalato verbalmente, le comunico che le eccessive libertà godute in questa Provincia dai prigionieri di guerra tedeschi creano malumore fra gran parte della popolazione.

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Per la tranquillità della Provincia sarebbe necessario allontanare tali prigionieri di guerra o per lo meno sottoporli a una maggiore disciplina.

/s/ Gilardi for
the Prefect.

2002

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Copy

CONFIDENTIAL

Headquarters
60 Sub-Area,
C.M.F.
13/1/A

29 Jan 1946

Chief Liaison Officer
A/C Liaison Group

B o l z a n o

Ref. your ACLO/EE/117/1 dated 17 Jan 1946.

From time to time isolated cases of indiscipline on the part of German SEP working in this area have been brought to notice and the offenders have been suitably dealt with. But although this is not the first general complaint I have received from Italian authorities regarding the behavior of German SEP's, I have been unable to find any British source which can confirm these complaints, nor will the Italians give me specific cases or make a complaint at the time any of these alleged incidents are taking place. I would therefore be glad if you would impress on the Prefect the importance of reporting any case of indiscipline immediately to this HQ, or to the nearest British unit. If possible the CCMR should obtain the name of the offender, his unit and the number of his vehicle.

The employment of German SEP in this Province may be undesirable in Italian eyes, but this is a matter of high policy outside my control. From the British point of view these German SEP units are doing very good work and we could not have done without them. I may add that their work is shortly coming to an end and these units will then be moved elsewhere or disbanded.

During the day German SEP units are allowed a considerable amount of freedom as their work necessitates and in some cases small parties are allowed out alone, but generally they are accompanied by a British soldier. I would point out that I am responsible for the health and well-being of these German units which are working for us and as it is difficult to get any other forms of exercise during the winter I have authorized small proportion of German SEP to use the skiing slopes at Alpa di SIUSI. The number of German SEP working in this area is 9134 of which only a very small proportion are permitted

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Finally, I have taken steps to impress on the German Commanders and British Officers in charge that in the event of any serious charges of indiscipline being substantiated, the privileges which German SEP units now enjoy will be severely curtailed.

Signed : A.J.L. FURVES, Colonel,
Commander.

201

1514

C O P Y

ALLIED COMMISSION LIAISON GROUP
BOLZANO PROVINCE

Bolzano, 17 January, 1946
WHH/EG

To : HQ 60 Sub Area, Bolzano.
Subj : Discipline of POW's.
Ref : ACIO/BZ/117/1

1. The attached translation of a letter from the Prefect's office is passed to you for information and any action you may think fit.
2. I have no direct evidence to supply in support of the allegations, but from the conversation I had with the Vice-Prefect, I believed him when he said he had complaints from the Hospitals in MERANO.
3. From my own experience I can confirm that German POW's are being given a freedom which seems surprising.
4. Last Sunday I was on the skiing slopes of the Alpe di SIUSI, at the Hotel Hellavista.
At the Hotel were several German lorries an ambulance, and some smaller vehicles which were being used to transport German POW's for a day's skiing. Their equipment was first-class in distinction to my own which was of much inferior quality.

/s/ W.H. HARRISON, Major,
Acting C.I.O.O.,

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3. From my own experience I can confirm that German POW's are being given a freedom which seems surprising.

4. Last Sunday I was on the skiing slopes of the Alpe di STUSI, at the Hotel Bellavista.

At the Hotel were several German lorries an ambulance, and some smaller vehicles which were being used to transport German POW's for a day's skiing. Their equipment was first-class in distinction to my own which was of much inferior quality.

/s/

W.M. HARRISON, Major,
Acting C.I.O.,
Bolzano.

Copy to : The Prefect of Bolzano.

2000

Encl.

1514

COPY

IL PREFETTO DI BOLZANO

0000000000000000

Prot. No. 275
Rat/en

Bolzano, 12-1-1946

Chief Liaison Officer,
Allied Commission,
Bolzano.

A conferma di quanto le è stato segnalato verbalmente, le comunico che le eccessive libertà goduta in questa Provincia dai prigionieri di guerra tedeschi creano malumore tra gran parte della popolazione.

Specialmente a Merano, dove gli ospedali sono pieni delle vittime dei maltrattamenti nazisti, si dovrebbe evitare che i prigionieri di guerra tedeschi circolino in tutte le ore del giorno e della notte, entrando in locali pubblici e privati dove balzano e si ubriacano.

Per la tranquillità della Provincia sarebbe necessario allontanare tali prigionieri di guerra o per lo meno sottoporli a una maggiore disciplina.

/s/ Gilardi for
The Prefect.

Declassified E.O. 12356 Section 3.3/NND No. 785016

1999

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Per la tranquillità della Provincia sarebbe necessario allontanare tali prigionieri di guerra o per lo meno sottoporli a una maggiore disciplina.

/s/ Gilardi for
The Prefect.

1999

4151

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
BOLZANO

47A

REF: ACIO/BZ/29.

SUBJECT : Undesirable Aliens.

TO : HQ, Allied Commission,
Civil Affairs Section,
ROME.

DATE 12 April 1946.
SWM/59.

15 APR 1946

1. I have to report that a number of undesirable aliens still remain in the Province and the Questore states he cannot place an effective control on them or deport them to their country of origin.
2. As is well known, people of many nationalities came to the Province of Bolzano during the closing stages of the war, and are still here. Numbers of these people are quite respectable citizens and have sufficient means to support themselves in Italy, but for various reasons, mostly political, but in some cases economical, do not desire to return to their native countries.
3. In such cases the Italian Government is adopting a very tolerant attitude and despite their own troubles as far as feeding the population of Italy is concerned, are prepared to allow these aliens to remain in Italy.
4. In addition to the aliens already described, numbers of international swindlers and the like have found their way into Bolzano Province.
5. They are mostly Czechoslovacs, Yugoslavs, Hungarians and Rumanians.
6. These aliens very quickly take advantage of the more or less easy life in Italy as compared with other countries in Europe and engage in black market activities with Italian black-marketeters.

It is very difficult for the Italian Police to detect

1. I have to report that a number of undesirable aliens still remain in the Province and the Questore states he cannot place an effective control on them or deport them to their country of origin.

2. As is well known, people of many nationalities came to the Province of Bolzano during the closing stages of the war, and are still here. Numbers of these people are quite respectable citizens and have sufficient means to support themselves in Italy, but for various reasons, mostly political, but in some cases economical, do not desire to return to their native countries.

3. In such cases the Italian Government is adopting a very tolerant attitude and despite their own troubles as far as feeding the population of Italy is concerned, are prepared to allow these aliens to remain in Italy.

4. In addition to the aliens already described, numbers of international swindlers and the like have found their way into Bolzano Province.

5. They are mostly Czechoslovacs, Yugoslavs, Hungarians and Rumanians.

6. These aliens very quickly take advantage of the more or less easy life in Italy as compared with other countries in Europe and engage in black market activities with Italian black-marketeters.

7. It is very difficult for the Italian Police to detect the offences committed by these aliens and deal with them before their Courts.

1938

8. In times of peace the answer would be simple, such aliens would be immediately deported from Italy or incarcerated in jail until arrangements can be made for their deportation.

9. Unfortunately, owing to the existing conditions, neither of these solutions are possible at the present time.

1508

10. There are so many regulations governing civilian travel across Europe, that deportation is out of the question. The Italian jails are so full, that there is no room for them there.

11. The primary consideration of the Italian authorities at the present moment is effectively to control these people whilst they remain in Italy and the only answer would appear to be an internment Camp.

12. I would stress that in the case of Austrians and Germans, provided they do not live in the Russian occupied zones of those countries, can be dealt with as long as No. 23 D.P. Camp Bolzano remains a staging area for repatriation of Austrian and German nationals to their native countries. But the undesirables of other nations could only be sent floating from one part of Italy to another and, although there are some guard arrangements at the various D.P. Camps in Italy, such guard arrangements are not sufficient to keep in custody such undesirable aliens as are disturbing life in Italy.

13. In accordance with instructions received from Director D.P. Sub-Commission, I had made tentative arrangements with the Prefect of Bolzano for the taking over of the buildings in No. 23 D.P. Camp as soon as the present occupants have been repatriated. (I understand trains for this purpose are due on or about the 20th of April.) I have, however, sent a telegram to Rome on the 3rd of April a copy of which is attached. A reply has not yet been received.

14. I do, however, recommend the continuance of this Camp under Allied control until such time as the Italian Government has established machinery for repatriation, otherwise it can be only a concentration camp.

15. The need for a concentration camp will eventually arise in view of the fact that the Northern extremities of this Province are the Italian frontiers through which there is quite a disturbing clandestine traffic of illegal entrance into Italy. The Camp would therefore supply an answer for the Italians to look after such persons until their deportation can be arranged.

16. If the illegal emigrants are Austrian, it is an easy matter to send them back over the border, but in most cases they are nationals other than Austrian, and Allied Military Government of Austria will not accept them back, unless arrangements can be made for their safe passage through Austria to their

to another end, although there are some guard arrangements at the various D.P. Camps in Italy, such guard arrangements are not sufficient to keep in custody such undesirable aliens as are disturbing life in Italy.

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16. If the illegal emigrants are Austrian, it is an easy matter to send them back over the border, but in most cases they are nationals other than Austrian, and Allied Military Government of Austria will not accept them back, unless arrangements can be made for their safe passage through Austria to their native country, which in most cases is impossible at the present time.

1 encl.

Copy to:

The Executive Commissioner,
HQ, Allied Commission.

H.E. the Prefect of Bolzano (2x)

HQ, Allied Commission, DPRSC
Maj A.J. STEWART, O.C. NW Group DPRSC Milan
No. 23 D.P. Camp Bolzano / Public Safety.

St. Miller

S.W. MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

Declassified E.O. 12356 Section 3.3/NND No. 785016

C A B L E

C O P Y

47B

From **ALCOM BOLZANO**
To **ALCOM ROME**

03-1130

REF.ACLO/BZ/29 UNCLASSIFIED FOR DPRSC PD LARGE NUMBER
ALIENS INCLUDING ENEMY ALIENS STILL IN BOLZANO PROVINCE PD
SEPARATION CENTRE HAS CLOSED DOWN PD
IF NO.23 DP CAMP CLOSES ITALIAN GOVERNMENT CANNOT COPE
WITH REPATRIATION PD RECOMMEND CONTINUANCE THIS CAMP
UNTIL ITALIAN GOVERNMENT HAS ESTABLISHED MACHINERY FOR
REPATRIATION PD LETTER FOLLOWS FROM MAJ STEWART PD

URGENT
IMPORTANT

1508
1990

Declassified E.O. 12356 Section 3.3/NND No. 725016

Ref : 6/18.3/CA

April 1946

Dear Sir:

I have received your letter n. 5/446 of 26 March 1946 on the subject of improper behaviour of German POWs in the provinces of Bolzano and Trento.

The matter has been referred to the military authorities concerned and you will be informed of any decision taken in due course.

Yours very truly

MILROY W. STONE
Rear Admiral, USNR
Chief Commissioner

Mod. Cavaliere Don Renato HUMAS
Ministro Plenipotenziario
Segretario Generale
Ministero degli Affari Esteri
R O M A

1995

45A

HEADQUARTERS ALLIED COMMISSION
APO. 394
CIVIL AFFAIRS SECTION.

Ref: 6/18 B/CA

5th April, 1946

SUBJECT: German POWs in Bolzano and Trento.

TO: GLO Bolzano.

The attached copy correspondence is forwarded to you for information.

Please forward your comments on letter from the Ministry for Foreign Affairs with suggestions as to any action which might be taken locally.

FOR THE CHIEF COMMISSIONER.

JK

H. CARR, Brigadier.
VF. CA. Section.

1994

2 Encls.

331

Declassified E.O. 12356 Section 3.3/NND No. 785016

44A

Ref: 6/18.B/CA.

5 April 1946.

Dear Dr. Prunas:

I have received your letter N. 5/446 of 26 March 1946 on the subject of improper behaviour of German Prisoners of War in the Provinces of BOLOGNA and TRENTO.

The matter has been referred to the military authorities concerned and you will be informed of any decision taken in due course.

Yours sincerely,

Brigadier,
Acting Chief Commissioner.

Nob. Cavaliere Don Renato Prunas,
Ministro Plenipotenziario,
Segretario Generale,
Ministero degli Affari Esteri,
ROMA.

1995

330

Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
AFO 394
CIVIL AFFAIRS SECTION

Ref : 6/18.E/CA

3 Apr 46

SUBJECT : German PWs - Bolzano

TO : AFHQ for C-5 Section

The attached copy of a letter from the Italian Ministry of Foreign Affairs on the subject of improper behaviour of German PWs in Bolzano and Trento is passed to you for such action as you may consider necessary.

Could this Headquarters please be informed of any measures taken in this matter to enable a reply to be sent to the Italian Ministry of Foreign Affairs.

FOR THE CHIEF COMMISSIONER

Signed by VP
HA
M. CARR, Brig,
VP CA Section

Encl. as above

1932

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

Ref: 628/56/100

29 March 1946

SUBJECT: Balsano Petitions.

30 MAR 1946

TO : Poled 'A'
Poled 'B'.

I enclose for your information a copy of letter dated 26 Feb 1946 from the Council of Foreign Ministers.

For the Chief Commissioner,

A. W. Knisely.

Brigadier
Executive Commissioner

Copy to: G-5, AFM.
G.M. Section.
At 10 Balsano.

1991





Ministero degli Affari Esteri

IL SEGRETARIO GENERALE

N. 5/445

Rome, March 25th, 1946.

MAR 30 1946

Dear Admiral Stone,

complaints concerning the improper behavior of German prisoners of war in the provinces of Bolzano and Trento are continuously reaching this Ministry.

As you are aware, German prisoners are there employed for reconstruction of railroads and other public utility works, and are also posted as guards to warehouses controlled by the Allied Authorities. They however enjoy much freedom and have at their disposal a great number of motor vehicles which allow them to travel widely through the region with no control whatever.

They take advantage of such a privileged situation to transfer themselves to winter sport resorts, public houses and other places of entertainment where they are often too enthusiastically welcomed by the German speaking people arousing therefore the resentment of the Italian elements.

Also the press of the zone has several times called the attention on this problem and has asked for regulations limiting the freedom of German prisoners of war, who have some times

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Also the press of the zone has several times called the attention on this problem and has asked for regulations limiting the freedom of German prisoners of war, who have some times caused incidents, also of a political character.

Furthermore the police has recently discovered a series of illicit traffics conducted by the German prisoners with war material under their custody. Many of them have been arrested in Merano for pilfering in the parking lot of the health corps

Admiral ELLERY W. SPONCE
Chief Commissioner
Allied Commission

ROME

LC Dis. 30 Nov

ACTION - CA Tac

INFO - CC

EC

Merano

Posto 10

1.

and others have been charged with thefts and robberies.

The freedom granted to German prisoners of war in that border region constitutes a delicate and serious problem. It seems therefore more than ever necessary that action should be taken in this matter, in order to avoid possible disturbances of the public order.

The best solution of the problem would be, of course, the transfer elsewhere of all German prisoners of war still in the provinces of Bolzano and Trento.

I am sure, dear Admiral Stone, that you will examine the case with your usual interest, and I would very much appreciate it if you could kindly inform me of any decision reached in the matter.

I remain, dear Admiral Stone,

Very sincerely yours

f.to PROUNAS



MINISTERO DEGLI AFFARI ESTERI
IL SEGRETARIO GENERALE

5/446

Roma, li 26 Marzo 1946

Caro Ammiraglio,

continuano a giungere segnalazioni circa il contegno poco corretto tenuto nelle Province di Bolzano e Trento da parte dei numerosi prigionieri di guerra germanici che si trovano tuttora in quelle Province. E' noto che essi sono addetti a vari lavori di ricostruzione di ferrovia e di opere pubbliche, nonché alla custodia di magazzini per conto delle Autorità Alleate; essi dispongono però di molta libertà, di abbondanza di automobili e circolano per la Regione senza essere sottoposti a speciale controllo.

Essi approfittano di tale situazione privilegiata per recarsi anche nelle zone di montagna a praticare gli sport invernali, per frequentare osterie e ritrovi pubblici, accolti spesso con troppo entusiasmo da parte della popolazione di lingua tedesca, provocando così il risentimento degli ambienti italiani; anche la stampa di quella Regione ha già più volte trattato l'argomento, segnalando l'opportunità che vengano presi provvedimenti per limitare la libertà dei prigionieri. 1980
ra, che qualche volta hanno già causato incidenti anche di ca-

Ammiraglio Ellery W. STONE
Cape Commissione Alleata

R G M A



rattere politico.

Recentemente poi la polizia ha scoperto tutta una serie di traffici illeciti compiuti da prigionieri di guerra germanici col materiale di preda bellica affidato alla loro custodia; diversi di essi sono stati arrestati a Merano per le sottrazioni compiute a quel Parco di Sanità; altri hanno partecipato addirittura a furti e rapine.

La libertà concessa ai prigionieri tedeschi in quella delicata regione di confine costituisce oggi un problema preoccupante e sembrerebbe quanto mai opportuno che venissero presi provvedimenti in merito, al fine di evitare possibili perturbamenti dell'ordine pubblico. La soluzione migliore naturalmente consisterebbe nell'allontanamento in blocco di tutti i prigionieri germanici che si trovano ancora nelle Province di Bolzano e Trento.

Sono certa che Ella, Signor Ammiraglio, vorrà esaminare la questione con la consueta cortesia e Le sarò particolarmente grata se mi vorrà far conoscere quanto potrà venire deciso in merito.

Mi creda, molto cordiale

A SEGRETARIO GENERALE

P. Thurner

HEADQUARTERS ALLIED COMMISSION

Office of the Political Adviser (A)

March 5, 1946.

6 MAR 1946

Memorandum to: Civil Affairs Section

Subject : Austrian claim to the Alto Adige.

With reference to the attached memorandum, this office would appreciate being informed whether the Italian draft law on nationality in Bolzano was ever passed, and if the draft which was made available to Polads several months ago has undergone any changes.

J. Wesley Jones 1988
J. Wesley Jones
Political Adviser (A)



39B

COUNCIL OF FOREIGN MINISTERS

LANCASTER HOUSE
LONDON, S.W.1.

26 February 1946

Dear Sir,

I beg to acknowledge receipt of your letter of 11th February (585/46/BU) enclosing a letter to the former Civil Affairs Officer at Brixen from the Vice Mayor forwarding a number of additional petitions for reunion with Austria received from the inhabitants of the Comune of Brixen and other Comuni in the district.

I am arranging to bring these petitions to the notice of the Delegations of the Governments members of the Conference of Deputies.

Yours faithfully,

Signed:.....

The Acting Chief Commissioner,
Headquarters, Allied Commission
Italy.
A.F.C. 394.

ALLIED COMMISSION
ITALY
1228
M. AFFAIRS

Vice-President,
Civil Affairs Section,
Allied Commission.

Austrian claim to the Alto Adige.

According to a report received from the British Political Representative at Vienna, the Austrian Government have addressed a note to the Allied Council requesting the Allied Governments to declare as null and void the Hitler-Mussolini Agreement of June 23rd, 1939 regarding the transfer of the non-Italian population from the Tyrol to Germany. The note also takes exception to the Italian draft law which is now under consideration whereby those who opted for German Nationality in 1939 but did not in fact leave the Tyrol, now lose their Italian Nationality and must leave the territory unless the Italian authorities accept them as Italians. Finally, the note asks that the 1939 optants now in Austria should be recognised as Italian subjects and be allowed to return to their homes in the Tyrol on the ground that the resources of Austria in food and accommodation are too restricted to provide for them.

2. The British Ambassador would be grateful for your comments on the foregoing, particularly on the Austrian interpretation of the Italian draft nationality law.

Shaffer 1986

27.11.46

Asst. Polad (BR)

Copied to: British Embassy,
U.S. Polad,
Chief Legal Adviser, AC.

See Memorandum 22. 170 memorandum
23/3



38A

Office of British
Political Adviser

28 FEB 1947

Declassified E.O. 12356 Section 3.3/NND No. 78046

6/18/1946
REC: 585/46/RE.

11 FEB 1946
February 1946

SUBJECT: BOLZANO Petitions.

To : Secretariat of the Council
of Ministers,
c/o Foreign Office,
LONDON, E.N.I.

I refer to my letter 585/RE of 22 January 1946.

1. I enclose in original a letter to the former Civil Affairs Officer at TRIESTE (SERRAVALLO) from the Vice-Surpassante forwarding a number of additional appeals from inhabitants of the Comune of TRIESTE and other Comuni in the district. It will be noted that the signatories in many cases claim to represent a very high proportion of the inhabitants while in others the percentage is not given. While it is true that in the mountain communes particularly near the frontier there is a very high proportion of public opinion in favour of reunion with AUSTRIA, it must be born in mind that in other communes, particularly in the larger ones, the proportion is far lower. In the town of BOLZANO for example there is probably a considerable Italian majority. Even in the town of TRIESTE itself there is an Italian-speaking minority of nearly 20%. Taking the overall position it is probable that approximately about one-third of the inhabitants of the Province are in favour of remaining under Italian administration.

Brigadier,
Acting Chief Commissioner.

1985

Copy to: G-5, AMHQ
Polads (A) and (B).
CA Section,
AC CID, BOLZANO.

Declassified E.O. 12356 Section 3.3/NND No. 785016

6/18 B/C A

V.P. For info only
JEB 24/1.

36A

24 GEN 1946

Ref: 585/80

22 January 1946

SUBJECT: Bolzano Petitions.

TO : The Secretariat of the Council of
Foreign Ministers
a/o the Foreign Office
London.

1. Enclosed are numerous petitions which have been received from the inhabitants of the province of Bolzano, Italy, requesting their reunion with Austria. These are forwarded for your consideration.

2. Nearly every Comune in the province is included in these petitions, and they represent a very high proportion of public opinion in the case of the mountain communes.

For the Chief Commissioner

E. B. McCLEARY
Lt Col.

Brigadier
Executive Commissioner

Copy to: AMHQ, G-5
Polad (A)
Polad (B)
CA Section ✓
Chief Liaison Officer, Bolzano.

1984



Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

6/18/50
Ref: 585/322/EC

5 January 1946

SUBJECT: Reich Germans in Bolzano Province.

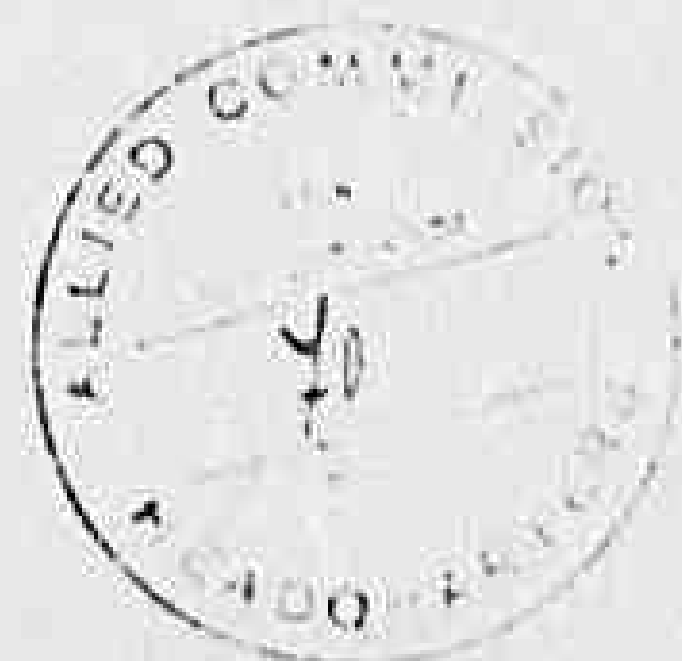
TO : G-5 AFHQ.

1. Reference your G-5 : 333.7-45 of 30 November 1945.
2. In telegram no. 051452 of 31 December 1945 permission was given by your Headquarters to move as many Germans and Austrians to Munich and Innsbruck respectively as possible by 31 January 1946. There are some 3,000 in Bolzano Province.
3. Acceptance and dispersal arrangements are being made direct with the military authorities in Austria and Germany; 2 District have also been asked to assist.
4. These instructions were forwarded on 31 December 1945 to this HQ's representative in Venetia Region.

Copy to: *MR* G. 1. Section.

Francesca St. Louis
Brigadier
Executive Commissioner

1983



Declassified E.O. 12356 Section 3.3/NND No. 785016

34A

Ref : 6/18 B/CA

21 December 1945

My dear Mr. Prime Minister:

33A

The receipt is acknowledged of your letter 3/2196 of 6 Dec forwarding a resolution by the Association of the Friends of the Alto Adige. The document in question has been carefully read and its contents will be borne in mind.

Yours very truly

17-11-1945

MILBY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dott. Aloide DE GASPERI
The President of the Council of Ministers
Italian Government
R O M E

1952

Declassified E.O. 12356 Section 3.3/NND No. 785016

Translation

17 DEC 1945

17 DEC 1945

Rome, 6 December 1945

The Minister for Foreign Affairs
3/2196

My dear Admiral,

The Association of the Friends of Alto Adige asked this Ministry to forward to the Allied Commission a copy of the order of the day unanimously passed on November 18th by the above mentioned Association that met in Florence.

In its order of the day, the Association of the Friends of Alto Adige expresses its point of view regarding the present situation in Alto Adige. While forwarding the enclosed document, I bring to your attention the fact that also in this case, the Italian milieux concerned inspired themselves from democratic and liberal ideas tending to maintain a just frontier for Italy and at the same time make it possible for both populations of the said zone to live peacefully together.

Believe me, my dear Admiral,

Truly yours,

S. De Gasperi

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
R o m e

n/c

EC DIST - 15 Dec

ACTION: CA Jm (2)

INFO: CC

POLAD A 1981

POLAD

E.C.



8318

To settle the question of Alto Adige, unanimously passed at the meeting of November 18th, 1945, held at the seat of the 'Dante Alighieri' Society, (Palazzo dell'Arte della Lana) :

After hearing the report on the present situation of Alto Adige, the Association acknowledges and decides what follows:

- 1) The government of the Austrian republic does not seem qualified to present in the peace conference any proposal for the annexion of territories belonging by right to Italy. Italy didn't declare war on Austria, nor did she invade her territory or bomb her towns. Austria fought till the end for the German cause, and for this reason only, after the collapse of Fascism, the Italian army and Italian patriots found themselves compelled also to fight against numerous Austrians belonging to the Army of Kesselring. To have defended once independence doesn't imply being indebted to anyone, and still less to Austria.
- 2) The Austrian Government, in the person of its Chancellor, Dr. Renner, repeatedly and solemnly acknowledged that Alto Adige belonged to Italy.
- 3) When assigning the Brenner frontier to Italy by the S. Germain treaty, the Allied Powers not only acknowledged the enormous sacrifices supported by our country during the First World War, but also reasserted that there could be no better natural frontier than the Brenner Alps between Latinity and Germanism. All Italian thinkers, poets and statesmen from Dante onward placed our frontier there. With Mazzini and Garibaldi, the great heroes of American democracy, from Lincoln to Wilson, and geographers of all nations including the Germans themselves acknowledged that our frontier was there.
- 4) Tyrol made during the late Middle Ages on the ridge of the Alps didn't correspond to a real geographic region : it was but an artificial construction, German at first, then Austrian, created to give the Germans a political and strategic upperhand on the Italian side, by giving them the natural gate leading to our country. Its reconstruction could but bring about new and graver conflicts, for it would facilitate and encourage the breaking towards the South of the German tide. For two thousand years, it ceaselessly tried to reach the plain of the Po and the Adriatic, by crossing the chain of the Alps. Only a frontier that corresponds to the wall of Italy can succeed in separating and at the same time linking Latinity and Germanism.
- 5) Alto Adige isn't a geographic region, but together with the Trentino, it forms the Venezia Tridentina, which is a subregion of the Veneto region. While the Trentino which has the largest population is completely Italian,

- when assigning the Brenner frontier to Italy by the S. Germain treaty, the Allied Powers not only acknowledged the enormous sacrifices supported by our country during the first World War, but also reasserted that there could be no better natural frontier than the Brenner Alps between Italy and Germany. All Italian thinkers, poets and statesmen from Dante onward placed our frontier there. With Mazzini and Garibaldi, the great heroes of American democracy, from Lincoln to Wilson, and geographers of all nations including the Germans themselves acknowledged that our frontier was there.
- into a duchy
- 4) Tyrol made / during the late Middle Ages on the ridge of the Alps didn't correspond to a real geographic region: it was but an artificial construction, German at first, then Austrian, created to give the Germans a political and strategic upperhand on the Italian side, by giving them the natural gate leading to our country. Its reconstruction could but bring about new and graver conflicts, for it would facilitate and encourage the breaking towards the South of the German tide. For two thousand years, it ceaselessly tried to reach the plain of the Po and the Adriatic, by crossing the chain of the Alps. Only a frontier that corresponds to the wall of Italy can succeed in separating and at the same time linking Italy and Germany.
- 5) Alto Adige isn't a geographic region, but together with the Trentino, it forms the Venezia Tridentina, which is a subregion of the Veneto region. While the Trentino which has the largest population is completely Italian, Alto Adige is a bilingual zone, where in 1959, on a legal population amounting to 277.720 inhabitants, the Italians amounting to 90.055 formed one third of the population.
- 6) The farming non Italian speaking population of Alto Adige is for the greatest part formed by the modification of the language of the neo Latin, i.e. Italian status of the region. In large areas, as for instance the Venosta, the modification of the language took place at the beginning of the last century only. The Bolzano province has a definitely Italian character, not only because the Alto Adige is geographically speaking an Italian land, but also because it is the result of the patient working of the land by many generations of our peasants, before the Germanization took place. Italian culture had a prominent part in the development of the civilization of Alto Adige. The old popular customs and traditions of our Italian Alps are still strong in the Alto Adige valleys. The contribution of our art has always been most considerable. Our language is as widespread now as it used to be during the last centuries.
- 7) Because of its economy and products, Alto Adige is only a supplement of the Alpine provinces of Austria, so that its annexion to the Austrian republic

would be of no practical use to the said republic, and would be most prejudicial to the Alto Adige region. The latter region completes the Trentino and neighbouring plains. For this reason, Austria had to abolish customs frontier towards the Lombardo Venetian region to make it possible for diesel pine tyrol to live: this is why in 1861, the Bolzano Chamber of Commerce asked for the separation of Alto Adige from Tyrol and is being definitively linked to Trentino and the Venice and Po plains.

8) During the twenty five years that went by since the redemption of Venezia Tridentina, Italy, investing large funds, and working ceaselessly and methodically, turned Alto Adige, that was an almost exclusively agricultural region, into an important industrial country, perfectly connected with the great industry of Lombardia, from which it couldn't be detached without very serious consequences for the Bolzano Province as well as for our national economy. The industrialization of the Po valley depends in great part from the hydro-electric energy produced by the large Italian power plants established in the Venezia Tridentina.

9) Austria transported into the international field a matter which simply concerns our internal policy; we must remember that the Alto Adige problem is in many ways similar to that of other states on whose borders are German peninsulae. The Germans established at the East of the Oder were sent away from Poland towards the West, beyond their own frontier. In the same way, Czechoslovakia also got rid of 3,000,000 Germans living on her borders and considered as undesirable. To safeguard peace, and their national integrity, powers with a democratic regime drove back, after the war, 10,000,000 Germans into German territory. In Alto Adige, about 200,000 Germanspeaking citizens, i.e., barely the fifth part of the Germans driven away from Poland and Czechoslovakia, voted for Germany in 1939, and therefore, and more logically so, Italy would now have the right to ask for the fulfilment of the pledges freely accepted by Germany, at a time when Austria was part of her, and on the basis of which Italy is entitled to demand that the people who voted for Germany leave the national territory. But faithful to our age-long democratic tradition, we don't want to demand this mass exodus; however, for international peace and for our internal security, we consider it is indispensable to send away all those who might be a danger for good Austro-Italian relations and for the internal peace of Alto Adige. We state that we shall welcome all German speaking people who intend to respect the laws and the autonomous regime planned by the Italian Government.

10) Among the undesirable elements to be expelled must be included: a) the leaders of the local Nazi movement, including the group leaders of the various districts, municipalities and country divisions. b) war criminals guilty of material and moral violence towards people or things, to the

peninsulæ. The Germans established at the East of the Oder were sent away from Poland towards the West, beyond their own frontier. In the same way, Czechoslovakia also got rid of 5,000,000 Germans living on her borders and considered as undesirable. To safeguard peace, and their national integrity, powers with a democratic regime drove back, after the war, 10,000,000 Germans into German territory. In Alto Adige, about 200,000 German-speaking citizens, i.e., barely the fifth part of the Germans driven away from Poland and Czechoslovakia, voted for Germany in 1939, and therefore, and more logically so, Italy would now have the right to ask for the fulfilment of the pledges freely accepted by Germany, at a time when Austria was part of her, and on the basis of which Italy is entitled to demand that the people who voted for Germany leave the national territory. But faithful to our age-long democratic tradition, we don't want to demand this mass exodus; however, for international peace and for our internal security, we consider it is indispensable to send away all those who might be a danger for good Austro-Italian relations and for the internal peace of Alto Adige. We state that we shall welcome all German speaking people who intend to respect the laws and the autonomous regime planned by the Italian Government.

- 10) Among the undesirable elements to be expelled must be included : a) the leaders of the local Nazi movement, including the group leaders of the various districts, municipalities and country divisions. b) war criminals guilty of material and moral violence towards people or things, to the damage of Italian citizens, prisoners of war, people deported for political reasons, Jews. etc.
- 11) We consider it is necessary to expel all the Germans, most of which are former Nazis or military people, residing in Alto Adige, and represent the most dangerous and active anti-Italian elements that can trouble internal order.
- 12) We consider it is necessary to dissolve at once all political organizations and associations that are obviously branches of Pan-Germanist or anti-Italian movements from across the border, according to the rules followed by the Allied Governments.
- 13) After carrying out this necessary and urgent epuration, we consider it would be advisable to give to the German speaking inhabitants of Alto Adige full freedom of language in administration, justice schools and religious life, on the condition that our Latin-Italian minorities, who must be protected against the danger of Germanization, will keep their rights.
- 14) With the decentralization of the Italian State, all tax facilitations, bureaucratic simplifications, communal and administrative liberties granted to Trentino must be extended to Alto Adige, keeping, as far as it is possible and compatible with progress, local administrative and jurisdictional customs, deeply rooted in the life of the province.

Il Ministro degli Affari Esteri

Roma, 18 11 45

Caro Ammiraglio,

L'Associazione Amici dell'Alto Adige si è rivolta a questo Ministero chiedendo che venisse trasmessa alla Commissione Alleata copia dell'Ordine del Giorno votato all'unanimità il 18 novembre u.s. dalla predetta Associazione riunita in Firenze.

Nel suo ordine del giorno l'Associazione Amici dell'Alto Adige esprime il proprio punto di vista nei riguardi dell'attuale situazione etesina. Nel trasmetterle l'accluso documento mi è gradito farle notare come, anche in questa occasione gli ambienti interessati italiani si siano ispirati a criteri democratici e liberali, intesi ad assicurare in un tempo il mantenimento all'Italia di una giusta frontiera e la pacifica convivenza delle due popolazioni nella zona in questione.

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no.

Mi creda, caro Ammiraglio, con cordiali saluti

Ad. Papini 1975

All'Ammiraglio Ellery W. Stone
Capo della Commissione Alleata

ROSA

ORDINE DEL GIORNO

Per la detenzione dell'Alto Adige, deliberato all'unanimità nella seduta del giorno 16 novembre 1945, presso la Soc. "Dante Alighieri" (Palazzo dell'Arte della Lana) :

La Associazione, sentita la relazione sullo stato attuale della questione per l'Alto Adige, osserva e delibera quanto appresso :

1°) - Il governo della repubblica austriaca non sembra affatto qualificato a presentare nella conferenza della pace alcuna proposta di annessione di territori appartenenti di diritto all'Italia. L'Italia non ha dichiarato guerra all'Austria, non ha invaso i territori di esso, non ha bombardato le sue città. L'Austria si è battuta restando in lotta fino all'ultimo respiro per la causa per unica e solo per questo, liquidato il fascismo, i patriotti italiani e l'esercito italiano si sono trovati ne la necessità di battervi anche contro i numerosi austriaci, inviati nell'Austria di Esselring. Aver difeso la propria indipendenza non significa essere debitori verso alcuno e tanto meno verso l'Austria.

2°) - Il governo austriaco, per mezzo dello stesso Cancelliere Dott. Resner ha riconosciuto ripetutamente ed in forma ufficiale la appartenenza dell'Alto Adige all'Italia.

3°) - La Potenze Alleate, eseguendo col trattato di V. Gerardo, la frontiera del Brennero all'Italia, non solo hanno con questo riconosciuto gli enormi sacrifici sopportati dal nostro paese nella prima guerra mondiale, ma hanno altresì riaffermato che non vi può essere un confine naturale più preciso e più equo fra la latinità e il germanismo, della parete alpi-

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4°) - Il Tirolo, costituito nel tardo Medio Evo sulla dorsale alpina come Ducato, non corrispondeva ai criteri di una vera regione geografica: esso fu solo una artificiosa costruzione politica, prima germanica e poi austriaca, creata allo scopo di assicurare ai tedeschi il predominio politico e strategico sull'Italia, col mattone nelle loro mani la porta naturale del nostro paese. Una sua ricostruzione non potrebbe che

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provocare nuovi e più gravi conflitti, perchè essa facilmente si prometterebbe ancora la "salute al sud" della nostra Germania. Per due millenni questa ha contentamente cercato di raggiungere la ciurma padana ed il mare Adriatico, attraverso la catena alpina. Solo una frontiera che coincidesse sul "cuore d'Italia" può riuscire a separare e nello stesso tempo a congiungere la latinità e il germanesimo.

5°) - L'Alto Adige non è una regione geografica, ma insieme col Trentino costituisce la Venezia Tridentina, che è a sua volta una sub-regione della regione veneta. Mentre il Trentino, molto più popoloso, è schiettamente italiano, l'Alto Adige è una zona mistilingua, dove nel 1939, su una popolazione totale complessiva di 277.700 abitanti, gli italiani in numero di 90.055 costituivano un terzo della popolazione.

6°) - La popolazione rurale allopola dell'Alto Adige è formata nelle sue maggioranza dalla conversione linguistica dell'originario strato neo latino, cioè italiano, della regione. In veste sua, come nella Venezia, questo trapasso linguistico si compì soltanto al principio del secolo scorso. L'impronta pasdiana della Provincia di Bolzano è soprattutto italiana, non solo perchè l'Alto Adige è geograficamente terra d'Italia, ma perchè essa è il frutto del lavoro paziente del suolo, compiuto da teorie di generazioni dei nostri rurali, prima dell'insediamento. La cultura italiana ha avuto parte preminente nella svolta della civiltà dell'Alto Adige. Le vecchie usanze e tradizioni popolari della nostra Alpi italiana sono sempre vive nelle valli esterne. L'apporto della nostra arte è stato sempre colossale. L'uso della nostra lingua è diffuso come lo fu anche nei secoli scorsi.

7°) - Nella sua economia e nei suoi prodotti, l'Alto Adige è solo supplementare alle Province alpine dell'Austria, perocchè la sua adesione alla repubblica austriaca non apporterebbe

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7a) - Nelle sue economie e nei suoi prodotti, l'Alto Adige è solo supplementare alla Provincia alpina dell'Austria, per lo che la sua unificazione alla repubblica austriaca non apporterebbe a quello stato nessuna utilità pratica, e sarebbe anzi dannosa gravissima per la regione alto-atesina. Questo è invece complementare al Trentino e alla ottostante pianura. Fu appunto per questo motivo che l'Austria si vide costretta ad abolire la barriera doganale verso il Lombardo Veneto, per dare respiro al Tirolo cislalpino: fu per questo che lo Camera di Commercio di Bolzano, nel 1951 chiese la separazione dell'Alto Adige dal Tirolo e il suo definitivo collegamento col Trentino e con la pianura Veneta e italiana.

8a) - Nel quarto di secolo trascorso dalla restituzione della Venezia Tridentina, l'Italia innalzando forti capitali e con la loro meteoico ed incessante, ha fatto dell'Alto Adige, che

era prima una zona quasi esclusivamente agricolo pastorale, un paese industriale di grande importanza, che ci connette perfettamente con la grande industria della Lombardia, e non potrebbe essere diviso, senza gravissima conseguenza, tanto per la Provincia di Bolzano, quanto per la nostra economia nazionale. L'industria chimica della valle pedana dipende in gran parte dalle energie idroelettriche, prodotte dalle grandi centrali iteliane, create nella Venezia Tridentina.

9°) - L'Austria ha preteso di trasporre nel campo internazionale una questione, che rimane esclusivamente la nostra politica interna. Potremo ricordare che la questione dell'Alto Adige ha esistenti analogie con le condizioni di altri Stati al cui margine si trovano delle piccole telesche. I tedeschi insediati ad oriente dell'Oder sono stati respinti dalla Polonia verso occidente al di là della propria frontiera. Similmente anche la Cecoslovacchia si è liberata di oltre 3.000.000 di tedeschi marginali, considerati come indesiderati. Tendenze a regime democratico, spinte della necessità di salvaguardare la pace e la propria integrità nazionale, hanno, dopo la guerra, rilasciato nello spazio germanico oltre 10.000.000 di tedeschi. Nell'Alto Adige circa 200.000 allora, vale a dire appena un cinquantesimo dei tedeschi cancellati dalla Polonia e dalla Cecoslovacchia, hanno fatto nel 1933 domanda di opzione per la Germania, onde, a maggior ragione, l'Italia avrebbe oggi il diritto di pretendere l'olimpimento degli italiani, liberamente accettati dalla Germania, in un momento in cui l'Austria ne faceva parte, ed in base ai quali l'Italia ha il diritto di esigere l'abbandono del territorio nazionale da parte degli optanti per la Germania. Ma noi, fedeli alle millenarie nostre tradizioni democratiche, non vogliamo esigere questo esodo in massa; riteniamo però indispensabile, per la pace internazionale e per la nostra sicurezza interna, l'allontanamento

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10a) - Sono da comprendere fra gli elementi in cui eredità e quindi da allontanarsi: a) i capi del movimento nazista locale compresi i capi fra gli dei singoli rioni, dei Comuni e dei-

le frazioni rurali. b) I criminali di guerra, colpevoli di violenze materiche e morali alle persone e alle cose in seno di cittadini italiani, di prigionieri di guerra, di deportati politici, rei, ecc.

11°) - Riteniamo necessario l'allontanamento di tutti i tedeschi stranieri, per la maggior parte ex nazisti ed ex militari, attualmente residenti in Alto Adige, che rappresentano il più pericoloso ed attivo elemento anti italiani e che possono turbare l'ordine interno.

12°) - Riteniamo indispensabile l'immediato scioglimento di tutte le organizzazioni e le associazioni politiche che si presentano come evidenti ramificazioni di movimenti perenni nazisti o anti italiani di oltre confine, in conformità dei criteri seguiti dal governo Alleati.

13°) - Compinta questa operazione indispensabile ed urgente, riteniamo opportuno concedersi agli alloggiati tedeschi piena libertà linguistica nella amministrazione, nella giustizia nella scuola e nella vita religiosa, salvo rimanendo i diritti delle nostre minoranze ladino-italiane, che dovranno essere protette contro il pericolo dell'intellectualismo.

14°) - Col contrassegno dello Stato Italiano, tutte le facilitazioni fiscali, le semplificazioni burocratiche, le libertà comunali ed amministrative, che verranno concesse al Trentino, dovranno essere estese all'Alto Adige, senza trascurare la conservazione, per quanto è possibile e compatibile col progresso delle locali consuetudini amministrative e giuridiche, radicate nella vita provinciale.

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13°) - Completa questa enumerazione indispensabile ed urgente, riteniamo opportuno concedere agli alleati pieni poteri nella libertà linguistica nella amministrazione, nella giustizia nella scuola e nella vita religiosa, salvo rimanendo i diritti delle nostre minoranze ladino-italiane, che dovranno essere protette contro il pericolo dell'inceppamento.

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6 1974

Öödtiroler Volkspartei

21 NOV. 1945

Bozen,
Bolzano
Tel. 278

November 12 1945

To the
Allied Control Commission
for Italy,
R. O. M. C.

Sirs,

The Öödtiroler Volkspartei requests hereby to be permitted to annex to the present and to submit it to your attention a memorial concerning the agreement arrived at between the Fascist Italy and the Naziist Germany, for the transfer of the South Tyrolese to the 3rd Reich.

In this Memorial will be expounded copiously the prehistory that led to the agreement of transfer dated Berlin, June 23rd 1939, the conclusion and the provisions of the respective agreement in as far as they were published, and the consequent behaviour of the population, the way oppressive measures were adopted and threats and promises alike applied to induce the people to vote for Germany, also the result of the option and the execution of the transfer inasmuch as it was actuated.

We want to add that the wording of the agreement of the 23rd of June 1939 was never published, further that amid the 75,000 South Tyrolese who left the country there are about 10,000 men who were called up to serve in the German army, and cannot be considered as emigrants, as they have their homesteads still in the South-Tyrol.

By far the greatest part of the emigrated South Tyrolese are at the present time in Austria. For also those who first emigrated to the 3rd Reich or the countries occupied by it now have fled back to Austria. Most of them are without means of support and desirous to be reconducted to their homeland where many of them still possess real estate, property and relatives and in any case would find it easier

ed at between the Fascist Italy and the Nazi Germany, for the transfer of the South Tyrolese to the 3rd Reich.

In this Memorial will be expounded copiously the preliminary story that led to the agreement of transfer dated Berlin, June 23rd 1938, the conclusion and the provisions of the respective agreement in as far as they were published, and the consequent behaviour of the population, the way oppressive measures were adopted and threats and promises alike applied to induce the people to vote for Germany, also the result of the option and the execution of the transfer inasmuch as it was executed.

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Only a small number of the emigrated South-Tyrolese have returned to their homes, where they are treated as enemy aliens (Regional order Nr. 17, article 6).

Amid the NOT-emigrated optants there are many who in the course of the passed years Willy-Hilly were been given the German citizenship. According to the Italian law of Citizenship (Art. 8, law 13th June 1912 Nr. 555) the assumption of

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a foreign citizenship, however, means the loss of Italian citizenship only if the holder also transfers his residence into a foreign country. Notwithstanding this law, many of these persons still residing here were erased from the lists of Italian citizens and many communes refuse to furnish them with identity cards bearing the statement that they are still Italian citizens.

By this means, supposedly they shall be excluded from voting at the coming administrative and political elections.

From various statements made by the Prefect of the province of Bozen, Dr. de Angelis, and of the hon. Boeri, Delegated by the Italian Government to study the question of the South-Tyrol, it must be presumed that the Italian Government intends by way of legislative measures to regulate on its own accord all the questions arising from the option of the South-Tyrol.

On the other hand there is no doubt about it, that in Italy many forces are still at work which are interested in the maintenance and ulterior execution of the Nazi-fascist agreement. It lies near at hand therefore that the central Government of Rome, even though fully intensioned to practice democratic principles, may be influenced one-sidedly by the opinions and advices of the aforesaid interested circles.

This induces the Südtiroler Volkspartei to ask of the Allied Control Commission to examine the following view-points in regard to the option question, which are adhered to by the Südtiroler Volkspartei as representative of the overwhelming majority of the South-Tyrolean.

These points of view are the following :

- 1) The problem of option cannot be regulated by an internal law of the Italian Government only, but must be regulated inter-estately, as also other governments and before everyone else the Austrian Government are interested in the prob-

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These points of view are the following:

- 1) The problem of option cannot be regulated by an internal law of the Italian Government only, but must be regulated inter-stately, as also other governments and before everyone else the Austrian Government are interested in the problem.
- 2) The transfer agreement dated 23rd June 1939 was a Nazi-Fascist act of violence, and is in striking contradiction to the fundamentals of democracy and right of self-determination of the people. This agreement is therefore to be nullified, just like all other Nazi-Fascist acts of violence.
- 3) The transfer agreement concerned a pure and exclusive Austro-Italian problem, as South-Tyrol for centuries has

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formed a part of Austria and is inhabited by Austrian people. As the occupation of Austria by Germany was devoid of any fundamental right, the German Government lacked any legitimation for the conclusion of the aforesaid agreement.

4) Although according to the wording of the agreement, the option ought to have been spontaneous, one cannot speak of a real spontaneity, because first there were created conditions by the Fascist regime which made it almost unbearable for the South-Tyrolean to live any longer under Italian rule and furthermore because the population was induced to the option by all sorts of oppressive measures, threats and promises, and by the unscrupulous Nazi-propaganda.

5) Therefore the transfer-agreement in itself and the option declarations based on it are to be regarded as "null and void", as well as all provisions later issued for the execution of the transfer agreement.

All expropriations, contracts, and acts accomplished in base of this transfer-agreement are to be nullified, in as far as it can be done without hurting the rights acquired in good faith by third persons.

6) Until the future political fate of South-Tyrol will be decided upon, the South-Tyrolean optants, also those who have already emigrated and now want to return to their homeland, are to be treated as Italian citizens. As such they are subjected like all Italian citizens to the here existing penal and Spureational norms for Fascists and Nazis, if they have been guilty of Fascist or Nazist activities.

The Südtiroler Volkspartei is of the opinion that also the Allied Control Commission will find the above given viewpoints right and justified and therefore advances the demand to the Allied Control Commission to take its decision along in this sense.

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Humanitarian motives are prompting the Sudetentroler Volkspartei to submit the ulterior demand to the Allied Control Commission, that the South Tyrolean optants already emigrated may be allowed to return to the South Tyrol without any delay and that for this purpose be created, as soon as possible, an interstatally Commission with the task to prepare and organize the reconstruction of these people.

1971

The Sudetentroler Volkspartei



The President:
Erich Amonn
(Erich Amonn)

The Secretary General:
Dr. J. K. K. K.
(Dr. J. K. K. K.)

31A

The transfer of the South Tyrolese to the Third Reich

Shortly before the outbreak of the war, June 25th 1933, National-socialist Germany and Fascist Italy made the pact for the transmigration of the South Tyrolese to Germany. It was one of the promises made by Hitler to Mussolini in order to secure his friendship and his help for the impending war. Mussolini accepted it willingly, for after the evident failure of his policy of denationalization of South Tyrol only the removal of the population could ensure the disappearance of their language.

People was always convinced, that the removal of the South Tyrolese people from their country was a condition for the perpetration of the steady pact between Germany and Italy. That it really was so, has been confirmed by the annotations of January 7th 1933 in the diary of the Italian Foreign Minister Ciano recently published.

1. Before the war.
Two stages of resistance in South Tyrol

The resistance of the South Tyrolese to the Italian policy of oppression was carried through, during the first period after the annexation, by the ten existing parties: the Christian social "Tiroler Volkspartei", the liberal, and the social-democratic parties. The two first mentioned joined in the national front of the "Deutscher Verband". (The social-democratic party, having no great importance in this agricultural country and no representation in the Roman parliament, had in national questions the same aims as the two united ones and joined them now and then in common actions).

Under guidance of the "Deutscher Verband" self-interests of the mother-tongue, local economy, etc. were organized for the whole population. This action was continued secretly after the official abolishment of the "Deutscher Verband" and all the other non-fascist political parties at the end of 1935. Soon after, independently of it, separate centres of resistance were formed among the youth and later united to a clandestine organization breathing through the whole country. The national-socialist movement, propagated from the Reich to South Tyrol, at once used this new organization to spread its ideas among a population ~~for~~ susceptible for them by extensive national oppression.

1. Before the war.
Two forms of resistance in South Tyrol

The resistance of the South Tyrolese to the Italian policy of oppression was carried through, during the first period after the annexation, by the two existing parties: the Christian social "Vinsler Volkspartei", the liberal, and the social-democratic parties. The two first mentioned joined in the national front of the "Deutscher Verband". (The social-democratic party, having no great importance in this agricultural country and no representation in the Italian parliament, had in national questions the same aims as the two united ones and joined them now and then in common actions).

Under guidance of the "Deutscher Verband" self-interest of the mother-tongue, local economy, etc., were organized for the whole population. This action was continued secretly after the official abolition of the "Deutscher Verband" and all the other non-fascist political parties at the end of 1935. Soon after, independently of it, separate centres of resistance were formed among the youth and later united to a clandestine organization breaching through the whole country. The national-socialist movement, propagated from the north to South Tyrol, at once used this new organization to spread its ideas among a population ~~that~~ susceptible for them by extensive national oppression.

Soon this new organization also opposed the "Deutscher Verband". Whilst the leaders and trustees of the "Deutscher Verband" were constantly controlled by the authorities and by special agents, thus rendering impossible their influence on the youth, the clandestine juvenile organization could remain undisturbed. It may be attributed to this fact that the clandestine national-socialist organization could get hold of the youth especially in the towns.

The taking over of power in the Reich by National-Socialism gave this organization a vast increase. It assumed now the name of "Völkischer Kampfring 'Hitlerjugend'" and accepted the forms of organization, action, special intercourse etc. of the youth, with the same nomenclature ("Hitlerjugend", "Jugendwart", "Jugendgruppenleiter", "Jugendwart", "Jugendwart"). Not only had it to fight the "Deutscher Verband" and its leaders, but also the clandestine German teaching in the families by substituting in preference the ideology of Nazism to the more instruction in German language.

Part from this illegal and organization, there existed a legal one, whose members were national-socialist citizens of the Reich residing in this country.

Both organizations were later the only two useful instruments for the transmigration of the South-Tyrolean to the Reich.

Hitler's position to the problem of South Tyrol

Already in the year 1922 Hitler repeatedly took position to the problem of South-Tyrol in the "Völkischer Beobachter" in a manner which was in contradiction to the general opinion accepted by the remaining German press. He stated that in consequence of the "Novemberverrat" ("treason of November 1918") the fate of South Tyrol was a fact that could no more be changed. The situation of this country ought to be considered in the general aspect of the political condition in which he had provided for an understanding with Fascist Italy. In the autumn of the same year he openly declared in the Fascist "Corriere Italiano" not to be interested in the question of South-Tyrol. "By", said he, "shall we bother about the 180,000 (?) Germans now under Italian domination?" He publicly declared his consent to the Brenner frontier, stating: "If as a Nationalist I put myself in the Italian mentality, I find the Italian revendication of strategic borders fully justified".

In his book "Mein Kampf" he tries with similar expressions to recommend himself to Fascist Italy as a potential ally. In one of his great propagandistic meetings, March 1927, in the circus arena at Munich, he made a report on "the next Italian war and us", pleading for a pact with Italy against France. After giving a series of reasons for his idea, he emphatically asked the assembly: "What is there between us and Italy?" and gave the answer himself: "Nothing, absolutely nothing! Save South Tyrol! Let it be saved by those who betrayed it". He further stated that it was not the intention of national-socialist Germany to sacrifice 300,000 Germans on account of 470,000 of us - a number he assumed in contradiction with the real one. At the same time he poured scolding derision over those who had protested against the oppressing measures in South Tyrol. All these protests, he said, were nothing but "Jewish manipulations".

In like manner (in the year 1932) he told something ("Vespere mit Hitler"): "I shall put a stop to the silly sentimentality of the South-Tyrolean. It never will enter my mind to let myself be diverted in this question touching the foundations of our policy, from promoting an alliance with Italy if it seems to be useful. From no memory of our past, however venerable, shall I be lured to commit an act of political madness. As for Alsace-Lorraine, yes, that is quite different, we will never renounce, not because it is populated by genuine Germans, but simply because we need these and other regions to round off our territorial possessions in the East...." (quoted after an Italian edition "Hitler m'ha detto").

in his book "Mein Kampf" he tries with similar expressions to reassure himself to Fascist Italy as a potential ally. In one of his great propagandistic meetings, March 1927, in the circus arena at Berlin, he made a report on "the next Italian war and we", pleading for a pact with Italy against France. After giving a series of reasons for his idea, he solemnly asked the assembly: "What is there between us and Italy?" and gave the answer himself: "Nothing, absolutely nothing! Perhaps South Tyrol? Let it be saved by those who betrayed it". He further stated that it was not the intention of national-socialist Germany to sacrifice 300,000 Germans on account of 170,000 of ours - a number he assumed in contradiction with the real one. At the same time he poured mocking derision over those who had protested against the approaching measures in South Tyrol. All these protests, he said, were nothing but "Jewish manipulation".

In like manner (in the year 1932) he told something ("Conspicua mit Hitler"): "I shall put a stop to the silly sentimentality of the South-Tyrolean. It never will enter my mind to let myself be diverted in this question touching the foundations of our policy, from pursuing an alliance with Italy if it seems to be useful. From no memory of our past, however venerable, shall I be lured to commit an act of political weakness. As for Alsace-Lorraine, yes, that is quite different, we will never renounce, not because it is populated by genuine Germans, but simply because so good times and other regions to round off our territorial possessions in the east...." (quoted after an Italian edition "Hitler e'ba dotto").

Hitler's Testament

1939

Hitler solemnly and finally proclaimed to give up South Tyrol on occasion of his invasion of Austria in a personal letter to Mussolini March 11th 1938):

".....There is one thing I want to assure solemnly to your Excellency, the Duke of Fascist Italy: whatever may be the consequences of the impending events, I traced a clear frontier against France and times it may even as clearly with Italy. It is the frontier. This resolution cannot be doubted nor altered. I have taken this resolution not now - 1938 - but immediately after the end of the great war, and I never made a secret of it....."

Hitler stated further in his testament to Mussolini in Rome, May 7th 1938: ".....Since France and Germany encountered each other for the first time known to us in history, two thousand years have passed. Standing here on the venerable soil of our German history, I feel the tragic fate that once called to draw a clear boundary between those highly gifted and outstanding men....No-day, after nearly 2000 years, thanks to your historical work, Benito Mussolini, the German empire is rising from ancient traditions to new life, and in the north areas, out of unknown tribes, a new German empire."

Instructed by the experience of two millennia, we two, now immediate neighbors, will accept the natural boundary that evidently has been traced by Providence and history between our two peoples.

It will allow to Italy and to Germany by clear definition of their vital-areas (Lebensräume) not only the blessing of a peaceful, safe and continuous collaboration, but also be a bridge for mutual help and support. It is my unshakeable will and my legacy to the German people, that for this reason it shall forever consider inviolable the Alpine-border traced between us by nature. I know that then there will result a great and blessed future for Rome and Germany'.

"collaboration" - "bridge to mutual help and support" - herewith is pronounced what was going to be the final aim of the transmigration of the South-Tyroloans. Their homeland had to be definitely sacrificed to Italy, not as a safeguard against the North - as the Italians try to define it - but to make free the way for the union of the two dictators and their conspiracy against the world.

II. The conclusion of the agreement

In spite of the most solemn assurances of Hitler, donation of South Tyrol was not yet a cloudless pleasure for Italy. At the time of the apparently most intimate friendship of the two dictators, the policy of oppression had reached its climax and the resulting reaction of the South Tyroloans led to ever renewed incidents. Every one of them occasioned - by order of Mussolini and by means of the Italian ambassador in Berlin - new provocations to the German Government. Hitler resumed all these incidents more and more being troublesome disturbances of his cherished friendship with Italy. He could not hope for an improvement as long as there were Germans in South-Tyrol who would not tolerate Italianisation. So he decided, in order to be left in peace, their transmigration to the North.

He announced this decision as a final one in a conference (Springtime 1939) of members of the Government, party-leaders and representatives of the "Volksdeutsche Hittlerbewegung" and justified it with the following reflections: The presence of a German-speaking population in South Tyrol signifies a permanent factor of disturbance between the actual relations in the Axis. Tranquillity will only reign when this population will have left the country. South Tyrol belongs to the Mediterranean zone, which was to be considered Italy's domain and where the Germans are not to interfere.

A few weeks after this conference the agreement concerning the transmigration of the South Tyroloans was signed by the German and Italian Governments.

In spite of the most solemn assurances of Hitler, Cardinal of South Tyrol was not yet a cautious pleasure for Italy. At the time of the apparently most intimate friendship of the two dictators, the policy of oppression had reached its climax and the resulting reaction of the South Tyrolese led to ever renewed incidents. Every one of these occasions - by order of Mussolini and by means of the Italian ambassador in Berlin - new reconstructions to the German Government. Hitler resented all these incidents more and more being troublesome disturbances of his cherished friendship with Italy. He could not hope for an improvement as long as there were Germans in South-Tyrol who would not tolerate Italianisation. So he decided, in order to be left in peace, their transmigration to the Reich.

He announced this decision as a final one in a conference (Springtime 1939) of members of the Government, party-leaders and representatives of the "Deutsche Mittelstufe" and justified it with the following reflections: The presence of a German-speaking population in South Tyrol signifies a permanent factor of disturbance between the cultural relations in the Asia. Transmigration will only reign when this population will have left the country. South Tyrol belongs to the Mediterranean zone, which was to be considered Italy's domain and where the Germans are not to interfere.

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III. The content of the agreement

The provisions of the agreement of June 2nd 1939 and some other ¹⁹³⁹ agreements between the two governments are essentially as follows:

- 1) The German subjects living in South Tyrol must - within three months (a term repeatedly prolonged) - leave the country, be it by return in the Reich or by taking residence in the old provinces of Italy.
- 2) Italian citizens being members of the "Deutsche Volksgemeinschaft" must declare themselves, by December 31st 1939, either for acceptance of German citizenship, with the condition to take residence in the Reich, or for maintenance of Italian citizenship.
- 3) The migration of those opting for Germany must be completed on December 31st 1942. This term was postponed to December 31st 1943 and finally to the end of the war.

- 4) "entitled" or rather "obliged" to this option were the members of the "outcasts" (Ausgestoßene) of South Tyrol. In the corresponding supplementary agreements, reactively in practice, it was defined that not only the German but also the Italian inhabitants were considered as belonging to the "outcasts" (Ausgestoßene) and so admitted to option.
- 5) As some of option were declared:
 - a) The whole province of Bozen with inclusion of the valleys of Orden and Enneberg.
 - b) Of the province of Trent:
 - 1) the communities of the "Unterland" (jurisdiction of Bozmarkt), separated 1926 from Bozen and given to the province of Trent,
 - 11) The six "border-communities" in the valley of Flöien and on the Enneberg.
 - 111) The Latin valley of Isasse (by supplementary agreement).
 - c) The jurisdictions of Ampezzo and Rebassatzen, formerly belonging to the province of Bozen - since 1926 to Trieste.
 - d) The six isolated German-speaking communities in the province of Trent - according to a later part.
- 6) The possession of those opting for Germany have to go over to the "Unterland" (Ausgestoßene della Tre Venezie), the corporation charged by the Fascist Government to deprive the native population of their hereditary property. The equivalent of the property, including cash was to be paid to the emigrated in Germany at a rate of 450 lire for 100 RM.
- 7) After completion of the emigration, as explicitly stipulated in the agreements, the political northern border of Italy will also be the ethnic one. In this manner, by mutual agreement of the contracting governments, every further right of assistance of a German-speaking minority inside of the Italian state-borders was taken away.

IV. The reaction of the population

At the first notice of the agreements, the indignant population rejected immediately this want which demand to leave their ancestral country. Particularly among the peasantry one could hear expressions such as "rather than leave my hereditary soil, I'll be shot" or "before I give up my farm to the Italians, I'll burn it" or "never shall I leave my country by my free will" - and the like.

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In this manner, by actual agreement of the contracting governments, every further right of existence of a German-speaking minority inside of the Italian state-borders was taken away.

IV. The reaction of the population

At the first notice of the agreements, the indignant population rejected unanimously this most unfair demand to leave their ancestral country. Particularly among the peasantry one could hear expressions such as "Whether they leave a my hereditary soil, I'll be shot" or "before I give up my farm to the Italians, I'll burn it" or "Never shall I leave my country by my free will" - and the like.

It was evident that with their deeply rooted love for the homeland, the tyrolese would not willingly leave the soil; only heaviest oppression would induce them to do it. But in the arsenal of Nazi propaganda there were means to break even the strongest resistance.

V. The pressure on the population

2 1967

At the end of July 1939, on a Sunday, the men of the different rural communities in the country were called to an open-air assembly mostly in the woods nearby. Generally the caller was a man respected and trusted by the inhabitants. Nobody or few had an inkling that he acted as an instrument of the illegal Nazi organization and their sponsors in the Reich. The agent of the yet unknown power spoke of the "grave and fatal decision" put before the Tyrolese. Knowing the mind of the people, the speaker took good care not to give as yet the counsel of emigration but to develop ideas leading to the motto: "We shall be an united people of brethren, we shall never separate in time of want and danger. If there is any possibility to remain in the country, nobody shall leave it, nobody shall abandon his comrades, all must stick together. Should it be impossible to remain in the home-

land, even then we will not separate. United as we were, we shall leave the land together and look together for the new home. Nobody shall turn traitor to the community of our people, let this be our mutual pledge". - And so they pledged in the hope to be allowed in future to stay in the land of their fathers. Who would be able to remove them? They did not think of the uneasy power of Nazi propaganda. Without knowing, they had already delivered themselves up to it by the pledge taken even then with the appeal to their unity and patriotic faith.

The propaganda turns up

Order from Berlin

Shortly after, the illegal organization was notified from Berlin that the total evacuation of the German-speaking population from the country had to be accomplished. The former German Consul General of Milan, Lenz, had been appointed chief commissioner for the transmigration at Bozen. He was charged to notify the people through the illegal organizations that the new agreements provided the removal of the whole German speaking population, that Germany had consented to Italy such a treatment of the Tyrolese yet remaining in the country, that there was no longer a possibility of existence for them. The consent to the ethical "Heimkehrer" given to Italy would mean the destruction of their national character and it would be madness to stay any longer in the country. He who would not follow the call of the blood would separate himself and his offspring forever from his people who would not dare consider the remaining South-Tyrolese as members of theirs.

By numberless news such notices and thoughts were carried into the valleys. Through twenty years this people and every single individual had struggled to conserve their mother-tongue, not out of chauvinism or nationalism, but because the Tyrolese the language taught him by his mother, in which he prayed to his God, the language of his family, of his ancestors, in secret. And now he was to be expelled out of his national community. - He believed to be in a similar situation as those who formerly had to choose between faith and home-country and left home for the sake of faith. Not rather than give up the mother-tongue, he too must be ready to leave the country. - On to those men, with their heartiest inner strength, the well-prepared flood of Nazi agitators was now let loose.

The propaganda-campaign

1935

Already at Bozen and in other towns of the country the official German officers station ("Antifaschistische Deutsche Jugend" or "Antifaschistische Jugend") had

...given to Italy would see the destruction of their national character and it could be madness to stay any longer in the country. He who would not follow the call of the blood would separate himself and his offspring forever from his people who would not more consider the remaining South-Tyrolean as members of theirs.

By numberless ways such notions and thoughts were carried into the valleys. Through twenty years this people and every single individual had struggled to conserve their mother-tongue, not out of chauvinism or nationalism, but because the Tyrolese the language taught him by his mother, in which he prayed to his God, the language of his family, of his ancestors is sacred. And now he was to be expelled out of its national community. - He believed to be in a bad or circumstantial as those who formerly had to choose between faith and home-country and left home for the sake of faith. No rather than give up the mother-tongue, he too must be ready to leave the country. - On to these men, with their heaviest inner struggles, the well-prepared flood of Nazi agitators was now let loose.

1935
The Propaganda Commission

Already at home and in other towns of the country the official German offices for emigration ("Auslandsdienststellen" or Auspost) had been opened, collapsing all the Italian offices with functionaries speaking just as we speak. At their disposition there were the long-proved apparatus always working with 90% of success and the inexhaustible means of National Socialist propaganda, as well as the organizations of the "Illegals" whose ramifications reached the most remote villages and settlements. The "Illegals" had become "Legals". With consent of the Italian authorities, local committees for emigration were established in the villages under direction of the "Illegals". As the leaders of the "German Emigration" had become effectively the masters of the country, thus the local masters of the "Illegals" ruled the villages.

Numberless "Illegals" had been called to the Reich, in the last weeks, to get instructions for the impending campaign and to be initiated into the last mysteries of propaganda. Heinrich Himmler himself, in his capacity as Commissioner for the strengthening of German nationality was at the head of the distinction of the German-speaking people southward of the Brenner.

Even in summer 1935 he called delegates of the "Illegals" to Innsbruck and later to Verona to confer with them about the accomplishment of the propaganda for emigration. Like all national-socialist enterprises, the emigration of the South-Tyrolean had to be a "big hunt" to prevent success. No obtain it the "emigration"

stipulated in the agreements had to yield to moral and not merely to physical coercion.

The Great Fraud

For all who yet had misgivings and doubts appropriate slogans had been prepared. Those who would not separate themselves from their homeland were told: "If 90% of the population will opt for Germany, the land will be freed from Italian domination and all may stay where they are". So the option would become a liberating "plebiscite" like the one in the Carve territory and other German regions of after war-time. - But all it had to do!

Those who claimed not to be separated from their religious and fellow-germans, got the ever-repeating information: "The Führer has promised to his South-Tyrolers a blessed settlement." There they would meet again their hall-houses and country-houses. The new homeland would be similar to the old one, a mountain district with possibly the same soil. They would be able to arrange their new homes after the pattern of their fathers; therefore they could take with them all their tools, furniture and living stock. They would find there everything that had been precious for them in the old villages even their proper priests and living services, just like at home. There came representatives of the "Führer's office" (cultural department) of the "Deutsche Kommission". They took surveys of the houses and assured the proprietors, they would get a very similar or equal one. To strengthen the faith in the "blessed settlement" the following news notice was spread in the country: The direction (or the illegals) has asked the Government of the Reich to build as quickly as possible a South-Tyroler school village. This town has the intended effect.

But there were yet people who thought of more realistic things, of the reality of the new possessions, of the chances of economic success. For these the agitators diffused the quieting message: "However, has a party will get a new one in the Reich of at least equal value as the one he had before. Even more! In a plebiscite spread unanimously among the people, the illegals had to give the definite assurance: "Up to the fourth son of a peasant-family migrated into the Reich every one will get there a farm."

So an incredibly depicted future appeared: a yet brighter light on the background of the fate, described by the propaganda, that would await those who in spite of everything would remain in the country. Here they would find every economically and spiritually, and finally perished. In South-Tyrol there would be no more German-speaking intelligents as there already were no more German-speaking Austrians, there would be no more German-speaking priests and German-speaking doctors. The supplanting of German speaking colonial doctors by Italians is already

...the villages even their proper priests and divine service, just like at home. There came representatives of the "Kulturpolitik" cultural department) of the Reich Ministry of Education. They took surveys of the houses and assessed the proprietors, they would get a very similar or equal one. To strengthen the faith in the "cleansed" villages the following news articles were spread in the country: The direction (of the Illegals) has asked the Government of the Reich to build as quickly as possible a South-Tyrol school village. This news had the intended effect.

But there were yet people who thought of more realistic things, of the reality of the new possessions, of the chances of economic success. For these the illegals left the quieting message: "Whoever has a property will get a new one in the Reich of at least equal value as the one he has before. Even more! In a few months we shall have the Reich of the future, the Illegals had to give the definite assurance: up to the fourth son of a peasant-family inherited into the Reich every one will get there a farm."

The so longed-for future appeared in a yet brighter light in the background of the fate, described by the propaganda, that would await those who in spite of everything would remain in the country. Here they would find easy economically and spiritually, and finally for them would be no more German-speaking intelligents as there already were no more German speaking Austrians, there would be no more German-speaking priests and German-speaking doctors. The supplanting of German speaking cultural factors by Italians is already proceeding fast, soon there will be no more a German speaking private doctor.

And the new neighborhood! Every Tyrolean leaving the country will be replaced by Italians. Italians closer by the houses, Italians on the fields! No property will be sure. Here you now, the Italians will run and take away the grain from your fields, the fruit from your orchards, the wood from your forests; you will have no official protection, for in Italy all this is not considered as the duty of the state. The people believed this the more easily as the danger of numerous immigrated Italians were in accordance with this theory. To all these structures arriving in ever increasing number the "abysses" will be approached without protest. Till the last of them will be pushed aside and ruined. That all this will happen, is guaranteed by the perfect destruction of the monster, who already since 6 years wages a war of extermination against everything that is German speaking and Tyrolean.

"There is only one alternative."

The heaviest and most humiliating artillery employed by the propaganda was the everywhere propagated lie: "He who will not opt for Germany will be transferred to the southern provinces of Italy, to Sicily, Sardinia, Libya. There will be no

staying in the homeland; there is only an incredible alternative: either to emigrate to Germany and live, or to emigrate to the Italian south and travel period; either to live with people of the same language or to live with individuals, whose language, manner, custom and character are wholly different.

It is an unlikely circumstance that precisely in those days the newspapers announced the beginning of the pouring of the big estates in Italy and the foundation of 22,000 small properties (piccole proprietà). 'All the propaganda: These 20,000 Sicilian farms are intended for those South Tyrolees who are not willing to emigrate to Germany. By a cunning playing hard in hand of the propaganda in South Tyrol and the propaganda in the Reich, the "Kunster Heuste Neuchrichen" and other national-socialist papers gave the same news in big headlines. The edition of the "Kunster Heuste Neuchrichen" containing these news was intentionally distributed away, the population. Thus people could read it black on white that they would be transplanted to Italy. It was especially the fear of being reserved to Italy that drove the people to declare themselves for German citizenship and emigration to Germany. Only few had the courage to resist.

And the Italians?

Above all they did nothing to denounce as a lie the propaganda about the transplantation into the old Italian provinces. Moreover, in a special assembly at Meran, the fascist secretary (Feldner) for South Tyrol interpreted the transmigration-agreement as follows: the obligation to emigrate exists for the German citizens dwelling in South Tyrol as well as for the German-speaking Italian citizens whose presence in the country is not desired; if they would refuse to emigrate to Germany, well, then is prepared for them a place 'south of the Alps'. The Nazi propaganda took care to spread this utterance successfully in the country.

Gianpiero Gastonetti, prefect of Bolzano, in July 6th 1939 - a few days after the publication of the German-Italian agreement - directed the mayors (podestà) of the province 'to foster the migration' ('favorire l'emigrazione'). The population knew what this meant: the explicit order of the provincial chief to the fascist mayors to induce, by adequate coercion, the population to abandon the country. Many later utterances of the prefect could only be interpreted by the population as an affirmation of the Italian intention to send the South Tyrolees to southern provinces, as it was asserted by Nazi propaganda. Always and everywhere the prefect declared as necessary conditions for remaining in the land '100% of loyalty toward fascist Italy'. A quite and correct behavior ('comportamento tranquillo'), he said, would not be sufficient but it would require 'a really Italian education of the youth' and the greatest possible avoidance of the German language even in unofficial and private intercourse. - The Italian press put it into plain German:

And the Italians?

There all they did nothing to determine as to the propaganda about the transplantation into the old Italian provinces. Moreover, in a typical assembly at Merano, the fascist party (Fascist Party) for South Tyrol interpreted the transplantation as follows: the obligation to migrate exists for the German citizens dwelling in South Tyrol as well as for the German-speaking Italian citizens whose presence in the country is not desired; if they would refuse to migrate to Germany, well, then is prepared for them a place "south of the sea". The fascist propaganda took care to spread this utterance extensively in the country.

Giuseppe Giacomini, prefect of Bozen, on July 16th 1939 - a few days after the publication of the German-Italian agreement - directed the mayors (podestà) of the province "to favor the migration" ("favorire l'emigrazione"). The population knew what this meant: the explicit order of the provincial chief to the fascist mayors to induce, by adequate coercion, the population to abandon the country. Any later utterance of the prefect could only be interpreted by the population as an affirmation of the Italian intention to send the South Tyrolese to southern provinces, as it was asserted by Nazi propaganda. Always and everywhere the prefect declared as necessary conditions for remaining in the land "100% of loyalty toward fascist Italy". A quite and correct behavior ("corretto comportamento tranquillo"), he said, would not be sufficient but it would require "a really Italian education of the youth" and the greatest possible evidence of the German language even in unofficial and private intercourse. - The Italian press put it like this: Alto Adige: The South-Tyrolese who are wishing to remain in the land have to be 100% Italian. The propaganda replied: "It is impossible that one will be 100% Italian". - All the people knew, that really they could not become that. Also they could not resist to its moral application derived from the propaganda: There will be no more any possibility of existence for you in the old homeland, the Italians will not allow you to live there, not even economically."

There were facts that confirmed the veracity of these assertions:

In the region south of Bozen, the communities had large estates that were leased in small lots of grounds to the native population. Now the fascist mayors of the communities gave the notice to the tenants to quit in order to leave their allotments to Italians. This happened to all persons with their families at present, to over 50 at Trento, to 50 at Fustatich etc.

Added to this, by a special exceptional law for South-Tyrol, were expropriations by which again numerous properties were turned out of their own grounds. By another special law nobody could acquire property without the explicit and formal consent ("nulla osta") of the prefect. Immediately after the publication of the agreement on Trans-Alpine, all the Italian estates were expropriated, which signified nothing less than that from now on the purchase of real estate by native citizens or German language was rendered impossible.

Conversely, the Italian authorities tried to destroy the already limited possibility of employment of native laborers. In order thousands of displaced people had always found employment at the fruit harvest; now they wanted to take the local fruit-growing association to employ German speaking laborers. For these, and the many deprived of their possessions by expropriation, and thousands of others, the harvest had no more value. And now Germany offered the bread to those who could no more get it in their country. No wonder, that they resolved to follow the call that the fascist government really aimed, by these and other means of constraint, to force a great part of the population to leave the country, and consequently established by the recent Manifesto. He denoted as the preliminary aim of the government the removal of the German speaking population from the towns and vine-and fruit cultivating districts, but declared no longer the provisional remaining of the mountainers. By removal of the mountainers and the town-people, the Italians hoped to eliminate quickly the isolated mountainers. But even neither Manifesto had any one of the superior hierarchy had in mind the development of events in the country.

How the avalanche was loosened

The first cause was the following: after the outbreak of the war, September 1939, Italy called to arms several armed men, among them numerous South-Tyrolean. Those having entered the Italian garrisons because witnesses of war sufferers from the want of every organization. For weeks they had to make about there, without a definite solution, without uniforms or regular meals and duty. In the course of October 1939 they were informed by their respective commanders, that they had directly to give their declaration of option according to the agreement: the stipulated term (November 31st 1939) did not apply to them. In case of option for Germany, they would be immediately released from service.

How was this information received by the soldiers? - "Rather anything else, than to stay for a single day longer in this chaos", they said. No young man think about the consequences of repeatedly the commanders told them that nothing else was expected from them but a declaration for Germany. In many cases they even urged them to do so. Those who were slow in making up their minds were coached by the Nazi organization. It had instantly comprehended the importance of this opportunity for the option and it more successfully expanded its organization over the barracks of Upper and Central Italy, over military train units, etc. The majority of the South-Tyrolean soldiers declared themselves for German citizenship, they longed and opted for the return to their home.

At that time the fascist regime caused also the young men of the towns to choose between the army and the expected arm, to give out their option. They were told that in

1963

The first cause was the following: after the outbreak of the war, 200,000 Italian soldiers were sent to various fronts, among them numerous South-Tyroleans. These having entered the Italian territories became witnesses of and suffered from the want of every organization. For weeks they had to make do with nothing, without a definite solution, without uniforms or regular meals and duty. In the course of October 1943 they were informed by their respective Commanders, that they had directly to give their declaration of option according to the agreement; the stipulated term (November 1st 1943) did not apply to them. In case of option for Germany, they would be immediately released from service.

How was this information received by the soldiers? - "Rather anything else, than to stay for a single day longer in this chaos", they said. No young man thinks about the consequences? Repeatedly the commanders told them that nothing else was expected from them but a declaration for Germany. In many cases they even urged them to do so. Those who were slow in making up their minds were coerced by the Nazi organization. It had instantly comprehended the importance of this opportunity for the option and at once successfully organized the organization over the territories of Tyrol and Central Italy, over military transients, etc. The majority of the South-Tyroleans soldiers declared themselves for German citizenship, they longed and opted for the return to their home.

At times the Fascist system caused also the young men of the German-Italian community to give up their option. They were told that in this case their immediate call to arms could not take place. So in the next moment they voted like the soldiers did. The location of these young men became, however, the fate of their parents and families. If they could not be separated from their sons, they too were bound to the option for Germany, before they could have decided for themselves. After the peremptory enforced option of so many young people, they believed to be obliged to take the same decision. The propaganda then over the task of attaining the same result from the rest of the population. With the same methods of coercion as practiced in the Reich, people were urged to the option-offices. Every instance of the 3 tents for Germany drew along others, as yet not decided, surrounded by tragic conflicts in their families or their own hearts, such as before had stood firmly in refusing to accept German citizenship.

The number of the voters for Germany had now become so great, that it entered even the Italian authorities. The government did not even stop before the mountains. Now, end of November 1943, after having done nothing for months to oppose the propaganda lies, the Italian authorities started some very tentative to deny the pretended intention of the Italian Government to transmit the remaining South-Tyroleans to Italy. But who could still believe that or any other Fascist provincial ruler? Why does the Central Government not hurry? It would be different if the Government would officially deny the forced transfer to Italy.

The impact promise of an official declaration

In the beginning of October 1939, Mauthausen arrested a hundred representatives of the country to go to Rome, where Mussolini would receive them and assure them about the future of those who would remain in the country. They were chosen from all valleys of the land and all parts of the population. The day of the audience was fixed, among the delegation there were Prince-Bishop Gieseler of Brixen (whose presence was especially desired by the Government) and the old Count of Tyrol, former Austrian governor of Tyrol and last minister of the Interior in Austria and then deputy of the South-Tyrol in the German Parliament. Now in Rome to all these was given the surprising notice that the audience could not take place, that the Germans had protested, because the intended declarations of Mussolini might mean an influence in the liberty of opinion! No the deputies were sent home without being received by Mussolini and without getting the promised assurances.

Of course, now all this noise matters more than they had been before. Said the propaganda and likewise the people: "Now we know, Mussolini has not given the promised declarations, because he could not, we are to be sent to Italy".

The clergy and the movement of resistance (the "Weisstattener Widerstand") had admonished the population to remain in the homeland, but they were "callers in the desert". The so-called "stay-at-homes" were persecuted with infernal hate. The "stay-at-homes" unintentionally damaged their property, raised their lodgings and agents, increased their lives and existence. With each winter the success of the movement of the "Weisstattener" could only be a small one. The then still existing weekly papers, written in German language, could express their opinion only to a limited extent; they were confiscated ever and over again on account of their attitude against emigration. A request of the German authorities, two of these papers were suspended, finally all of them, after the occupation of South-Tyrol by the Germans. Their printing offices were confiscated, the editors arrested and transported to Germany.

In the last days of 1939 the last resisting ones were dragged to the option offices by special "Nazi Companies". At the closing of the option, in the New Year's eve of 1939-40, the official German commission for emigration together with Mauthausen and the respective Italian officials arranged a damping-party in the biggest hotel of Rome to celebrate German-Italian unity, crowd of all participants by the option.

The result of the Option

On January 1st 1940 the papers published an official communication, signed by

the clergy and the movement of resistance (the "Katholischen Widerstand") had abandoned the population to remain in the homeland, but they were "callers in the desert". The so-called "Katholiken" were persecuted with informal hate. The "Katholiken" unceremoniously damaged their property, raided their lands and agents, murdered their lives and existence. With such terror the success of the movement of the "Katholiken" could only be a small one. The then still existing weekly papers, written in German language, could express their opinion only to a limited extent; they were confiscated ever and over again on account of their attitude against emigration. By request of the German authorities, two of these papers were suspended, finally all of them, after the occupation of South-Tyrol by the Germans. Their printing offices were confiscated, the editors arrested and transported to Germany.

In the last days of 1940 the last resisting ones were dragged to the option offices by special "Katholiken". At the closing of the option, in the New Year's eve of 1941-40, the official German commission for emigration together with the Tyrolean and the respective Italian officials arranged a dancing-party in the biggest hotel of Bozen to celebrate German-Italian unity, freed of all impediments by the option.

The result of the Option

On January 1st 1940 the papers published an official communication, signed by German and Italian authorities, according to which the result of the option was as follows:

Admitted to option :	264,382 persons	
Votes for Germany :	180,501	(71.3%)
" " Italy :	80,873	(28.7%)

1962

Later the Nazis of South Tyrol who united the voters for Germany in an officially approved organization ("Arbeitsgemeinschaft der Deutschen Optionen" A.D.O.), denied the accuracy of this official statement. It rightly or not can hardly be stated, because the publication did not give the results of the single communities which could be more easily controlled. At all events the official statement was signed also by the special German Commissioner for the investigation, Ambassador Hans. In no case these numbers were final ones, because, after January 1st 1940 thousands of South-Tyroleanes requested from the Italian authorities to cancel their option for German citizenship, stating that they had been forced to it by deception, fraud or terror. Anyway compared with the result of other similar transactions of the Nazi in Europe, the resistance of the South-Tyroleanes was uncomparably stronger.

The option of the clergy

The final term, time for the option of the clergy, was to be June 30th 1940; as they would be enabled to adopt their decision to the option of their parishes. With few exceptions, the clergy decided the option for Germany, without formally opting for Italy. By abstaining from voting they kept the Italian citizenship and refused the offered German one.

South-Tyrol has two dioceses: two thirds of the German-speaking population belongs to the diocese of Trent, one third to that of Bolzano. In the diocese of Trent the German-speaking clergy with very few exceptions decided to remain in the homeland. In Bolzano the Bishop himself voted for Germany. Was it the effect of the not accorded audience with Mussolini? Certainly it must have been painful to him to have been sent back home from Rome shamefully. Or were there other reasons? At all events the following fact was more impressive: In spite of the option for Germany of the Bishop and his Vicar General, a Latin, in his diocese the outweighting part of the clergy refused to vote for Germany. For this, in his paper "Magister Augustinus", Parinello derided the South-Tyrol clergy, falsely asserting that they displayed an action against emigration from the pulpit, in the confessional and the society, but were followed only by some Jews, who were assisted by French Catholics.

The attitude of the clergy, though the majority of the population had opted for Germany, clearly manifested itself as a moral condemnation of the emigration and the propaganda, and left a deep impression on the population.

The real emigrants

That the actual result of the option had been a consequence of the national suppression of the South-Tyrol people, was substantiated by the unexpected testimony of an Italian, the late Prince-Bishop of Trent, Celestino Piccoli. His judgment weighs the more, as the Italians have praised him as a champion for liberation from Austria.

In a written report (May 1940) about the option he declared: With 70% of the population all these arguments (of the Nazi propaganda) would have been effective, if the whole option had not been an outbreak of reaction against the methods of the Government, suggested by Senator Folles and accepted by the Italian authorities. Only this attitude today recognized an error even by Italian authorities. Only this reason can explain the vehement passion of the majority of the population, including even peaceful persons to lead their own parish-priests and to give up their ancestral homeland of which formerly they would not have given away even the last brick.

The attitude of the clergy, though the majority of the population had opted for Germany, clearly manifested itself as a moral condemnation of the occupation and the propaganda, and left a deep impression on the population.

The racial conflict

That the actual result of the option had been a consequence of the national expression of the South-Tyrolean people, was established by the unexpected testimony of an Italian, the late Prince-Bishop of Trent, Celestino Desideri. His judgement weighs the more, as the Italian has praised him as a champion for liberation from Austria.

In a written report (May 1940) about the option he declares: With 99 of the population all these arguments (of the Nazi propaganda) would have been effortless, if the whole option had not been an outbreak of reaction against the methods of the Government, suggested by Donator Folmer and accepted by the refugees themselves. Only this attitude to-day recognises an enormous event by Italian authorities. Only this reason can explain the vehement passion of the majority of the population, including even powerful peasants to lend their own parish-priests and to give up their ancestral households of which formerly they would not have given away even the last crumb.

1961

VII. The accomplishment of the transfer

From 1940 to 1943, according to German statements, already 19,000 South-Tyrolean, for the most part without property, were transported to the Reich. Italian statements give the number of 75,000. All these are anxious to return as soon as possible to their home out of which they were so shamelessly cheated and to be freed from the moral and material misery in which they were cast by their expulsion from the homeland.

Again we must insistently point to the fact that only a few land-owners left their estates and their homes. By far the most part of the estates is yet in the hands of the native German and Italian speaking population.

VII. The liquidation of the agreement of translocation

The special task assigned to the agreement in the whole system of the conspiracy of the two liststurns against the peace of the world was strikingly marked by

the popular expression: "We are to be the liquidators of the axis Berlin-Rome". To free the Nazi-fascist policy from its last impediment, the cumbersome question of South-Tyrol, its inhabitants had to be driven from their country.

The liquidation of the two fascist systems and their combined conspiring policy must be followed by the liquidation of the past itself, that had to create the premises for carrying out even this policy. In our reaction to this, international Italian spheres yet try to take over the ill-fused inheritance of the Nazi-fascist union. Even today they demand the expulsion of the greatest part of the South Tyrolese from their millennial homeland; their removal is intended to clear the way for the renewed demand of the nationalists of Italy - the Brenner border!

A really fair and just solution of the controversy could be the reunion of South-Tyrol with North-Tyrol and with Austria to which it has belonged since cent re les, and also the abolition of the emigration-agreement, and with it the return of the emigrated Tyrolese to their homeland from which they have been driven by shameful liquidation.

Declassified E.O. 12356 Section 3.3/NND No. 735016

1960

- 11 -

General Result of the South Tyrolean Population of 23rd of June 1939

Hitler never liked to hear about the problem of South Tyrol. He needed Italy's friendship and was willing to sacrifice South Tyrol to his foreign policy. When he marched into Austria in March 1938, he addressed a letter to Mussolini saying that he was drawing a clear frontier towards Italy and that it was the Brenner. Shortly afterwards, in May 1938, in a solemn speech made in Rome, Hitler declared it was his unshakable will and his testament to the German nation that the Alpine frontier should be considered for ever as an inviolable one. On 23rd of June 1938, in Berlin, an understanding was arrived at between Germany and Italy, that the German-speaking population of South Tyrol should be transferred to Germany. This understanding was never published. But in the autumn of 1939 there were published the so-called 'General Terms of the transfer', according to which the transfer was compulsory for German subjects, whereas the inhabitants of Italian citizenship could decide for themselves by the 31st December 1939 whether they would opt for Germany and emigrate. They had to sign an orange-coloured schedule (schedule arancione). The others who did not want to opt for Germany could sign a white schedule (schedule bianca) or no schedule at all.

In reality though one can hardly speak of a spontaneous movement because the people was induced to opt for Germany by all possible kinds of oppressive methods and a powerful propaganda using alternately promises and threats.

On the day of closure of the option vote, on the first of January 1940 the Communities had to state the voting results on opposite forms which were handed over to the Prefect of Bozen. Above that these statements have an eminent importance, as they represent the most recent census results of the population of South Tyrol. They contain precisely under number 17) the indication of the entire population of each single commune on the 23rd of June 1939, and under number 18) the indication of the so-called 'popolazione allogena' by which the Italians mean everyone non-Italian.

In the following compilation the numbers of the entire population and those of the 'popolazione allogena' have been extracted from the above mentioned official statements while the number of the Italian population was obtained through deducing the allogena's number by the number given of the entire population. The 'popolazione allogena' in South Tyrol is throughout German-speaking excepting the Ladine communes (cfr. I, B, of the following compilation) where only a small part speak German and the biggest part speak Ladine. But also the Ladines, just like the German-speaking people, consider themselves Austrians.

The subsequent events of war prevented the real execution of emigration as it had been planned, so that only a part of the population actually left

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On the day of closure of the option vote, on the first of January 1940 the communities had to state the voting results on opposite forms which were handed over to the Prefect of Bozen. Above that these statements have an evident imperfection, as they represent the most recent census results of the population of South Tyrol. They contain precisely under number 17 the indication of the entire population of each single commune on the 23rd of June 1939, and under number 18 the indication of the so-called 'popolazione alligene' by which the Italians mean everyone born in Italy.

In the following compilation the numbers of the entire population and those of the 'popolazione alligene' have been extracted from the above mentioned official statements while the number of the Italian population was obtained through deducting the 'alligene' number by the number given of the entire population. The 'popolazione alligene' in South Tyrol is throughout German-speaking excepting the Ladino communes (cfr. I. 2. of the following compilation) where only a small part speak German and the biggest part speak Ladino. But also the Ladinos, just like the German-speaking people, consider themselves Austrians.

The subsequent events of war prevented the real execution of emigration as it had been planned, so that only a part of the population actually left South Tyrol (about 75,000), but this number comprehends also about 10,000 men who had been obliged to enlist in the German army.

Finally one ought to consider that not only German-speaking people but Ladinos have given their vote to Germany, but also in some communities even Italians; so far instance at Leifers (Leives) where over 2,000 people have opted for Germany, though the 'popolazione alligene' was registered only with 1,050 people. For this obvious reason it would be quite erroneous to seek the end-number of the German-speaking non-voters by deducting the number of the voters from the total number of alligene.

In the compilation the old original names of the communes were relegated to the second place whilst the new Italian names were given first place because the official statements of the communes contain only these Italian names. Otherwise the control of the single numbers on hand of the statements would be rendered difficult.

(Herewith follows a list showing population figures for South Tyrol)

1939

SUMMARY

I. Province of Bozen

A) Province of Bozen without its Ladine communes:

B) Ladine communes of the Province of Bozen:

Popolazione alligata :	Popolazione italiana :	Totale:
212,505	76,437	294,544
10,727	422	11,149
229,532	76,461	305,993

II. In the Province of Trento

A) The so-called Unterland

B) The communes Fondo and Fusio

adding the figures of the Province

result of the total sum:

14,903	4,974	19,877
1,601	2,975	4,576
16,504	7,949	24,453
229,532	76,461	305,993
246,036	84,410	330,446

Declassified E.O. 12356 Section 3.3/NND No. 735016

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

6/18B/CA ✓
TO : Point (A)
Point (B)

26 November 1945

Attached is a translation of a document prepared by the Prefect of BOLZANO, DE ARKELIS, regarding that province. We have been informed that the original Italian version was transmitted to the Italian Government by the hand of the Bolzano Vice Prefect.

Brig. LASH brought back a copy of the document from his recent trip north. He has asked that you read it prior to a discussion of it at the Executive Commissioner's meeting tomorrow, 27 November 1945.

R. R. Temple
RALPH R. TEMPLE,
Major,
Director,
Local Government Sub Commission.

BRT/og.

Encls as above

1957



7400

TRANSLATION

CONFIDENTIAL AS SET BY THE PRESENT OF BELAND TO THE
ITALIAN GOVERNMENT ON THE QUESTION OF THE FRONTIER
BETWEEN ITALY AND AUSTRIA (ALDO ADIGE)

The AIG of BELAND has never been an ordinary Provincial Government, but really a political centre whose tasks are strictly in connection with the international decision on the frontier problem.

My conversations with leading Allied authorities and their approval of my views, the news which I collected either through Italian and foreign reporters or personally, the attentive examination of the main foreign press which I receive from SWITZERLAND, are inducing me to suggest to the Government to determine, without delay, its political direction on the question of the "Alto Adige" and to adopt a local policy which the latest international events suggest to be more clear and energetic and rather oriented towards Austria.

My initiative, as a protest, even if it has been and it is still very while, in virtue of the Allied approval and because of the absence of decisions and even of information from the Government, obviously cannot surpass certain limits without losing value.

I am sure that the Government is aware of the fact that the United States' attitude on the question of the Northern Tyrol has recently changed to our disadvantage.

My own impression is that the aloneness and a certain carelessness shown by the Government in 1945 in handling the question of the frontier, has influenced the United States' policy, and that fact is inducing me to expose my own view on the situation, on the attitude of the United States, and also to submit some proposals which I think will help to determine the responsibility of the Italian Government.

I must add that the proposals which I am going to expose are well known by the Allies and that I am inclined to believe that they deem their adoption quite indispensable.

During the period May to November I directed my policy, acting generally by initiative :

- 1 - to avoid any conflict or incident either from the Italian or South Tyroleans, which could have influenced negatively the international

I am sure that the Government is aware of the fact that the United States' attitude on the question of the Northern Tyrol has recently changed to our disadvantage.

My own impression is that the element and a certain carelessness shown by the Government in 1932 in handling the question of the frontier, has influenced the United States' policy, and that fact is inducing us to expose my own view on the situation, on the attitude of the United States, and also to submit some proposals which I think will help to determine the responsibility of the Italian Government.

I must add that the proposals which I am going to expose are well known by the Allies and that I am inclined to believe that they deem their adoption quite indispensable.

During the period May to November I directed my policy, acting generally by initiative :

- 1 - to avoid any conflict or incident either from the Italian or South Tyroleans, which could have influenced negatively the international opinion and a peaceful acceptance "in loco" of the future Allied decision. 1938
- 2 - to prepare an atmosphere favorable to cooperation between the Italians and the German speaking citizens.
- 3 - to demonstrate to the Allies the importance of the work performed in the "Alto Adige" by the Italians after 1918 and to evidence the necessity of securing for the new Italian economy the possession of the hydro-electric plants which have been built by us.
- 4 - to limit the influence of Austrian propaganda and the anti-Italian attitude shown by the Northern Tyrol.
- 5 - to induce our Government to take an open position towards the question of the frontier between ITALY and AUSTRIA and to adopt a more conservative policy towards the German speaking people, particularly bringing the problem of citizenship to a solution.

I hope that the Italian Government consider the serious troubles and the favourable results of my work. All of them are known by the Allies, which is very important.

Declassified E.O. 12356 Section 3.3/NND No. 735016

Since the beginning, I consider it necessary that our Government took a quick and clear decision on the problem of option, a problem which would condition the matter of citizenship and the compilation of the electoral lists. The decision, if timely, would have convinced the United States of our real willingness to settle the question of the "Alto Adige" in a democratic way, and consequently the solution of the problem would have been more successful if faced long ago.

1955

My first proposal for a settlement which I submitted to the Government at the end of May was a month late owing to the ministerial crisis. My second proposal, approved at the end of July by the Presidency of the Council of Ministers and afterwards by Admiral Stene himself, had the Allied approval on the establishment in BOLZANO of a commission for the revision of the citizenship problem. Said commission had the double advantage of being appointed by the Italian Government and being approved by the Allies. Besides I obtained the participation on the Commission of high ranking German speaking people.

For the above-mentioned reasons I believe the failure to establish that Commission is an error. That error appears even greater if it is considered that Admiral Stene urged an answer from our Government on 20th August, 21st September and 19th October. The Italian Government has neither answered his requests nor my repeated messages. Why? Whether it was an involuntary omission of the Italian Government or whether it was a way to recall its own previous approval to the plan for reasons which I cannot understand and of which, in any case, the Prefect of Bolzano should be informed, this episode has had a negative influence on Allied opinion and also the reputation of our policy towards the Alto Adige problem.

The divulgence officially of a plan for the settling of the frontier problem and an immediate execution of such plan would satisfy, even today, the Allied Commission in Italy and it seems that such acts would influence the United States' attitude, on the condition that such demonstration be dependent on the international factors which now influence this matter, and should, of course, be arranged with that of the Big Powers who supports us more decisively at the Brennero. That is England. To England, therefore, we should commit the task of bringing back the United States from sentimental valuations to consideration of "real politics" which would turn the Alto Adige problem to our advantage.

The Italian Government should not be surprised then if the sincere statements of President PIERI and of the Minister of Foreign Affairs, DE GASPERI, the allusions to regional autonomy (the joining of the Provinces of BOLZANO and TRENTO will be examined after the international decision as today it would not have enough influence, but on the contrary, to those who do not know the situation very well it would appear as an expedient). The example of the concessions to the VAL D'AOSTA, those decrees which have been decided in 1908 before being discussed in BOLZANO with the leading German speaking authorities, had such a poor impression on international impression.

My own impression is that our Council of Ministers, when it examines the problem of the frontier between Italy and Austria, is influenced by a special disposition of mind which induces it to put to itself the question: "What does this exigent minority of German speaking people want from the Italian Government?" It would be more reasonable if they put to themselves the question: "What is the interest of the Allies in the Brenner question?". In my opinion, to solve the

problem and an immediate execution of such plan would satisfy, even today, the Allied Commission in Italy and it seems that such acts would influence the United States' attitude, on the condition that such demonstration be dependent on the international factors which now influence this matter, and should, of course, be arranged with that of the Big Powers who supports us more decisively at the Brennero. That is England. In England, therefore, we should omit the task of bringing back the United States from sentimental valuations to consideration of "real politics" which would turn the Alto Adige problem to our advantage.

The Italian Government should not be surprised then if the sincere statements of President PARELLI and of the Minister of Foreign Affairs, DE CASPARI, the allusions to regional autonomy (the joining of the provinces of BOZIZANO and TRENTO will be examined after the international decision as today it would not have enough influence, but on the contrary, to those who do not know the situation very well it would appear as an expedient). The example of the concessions to the VAL D'AOSTA, those decrees which have been decided in 1908 before being discussed in BOZIZANO with the leading German speaking authorities, had such a poor impression on international impression.

My own impression is that our Council of Ministers, when it examines the problem of the frontier between Italy and Austria, is influenced by a special disposition of mind which induces it to put to itself the question: "What does this exigent minority of German speaking people want from the Italian Government?" It would be more reasonable if they put to themselves the question: "What is the interest of the Allies in the Brenner question?". In my opinion, to solve the problem advantageously to us, we should address that question to ourselves, in the clearest manner.

1931

At this international moment the Austrian policy appears to be of a range not inferior to that of Italy. On all the international relations and on our problem too, lies heavily the potential conflict between the East and the West. If at the conference in London Russia has shown indifference towards the Southern Tyrol problem, it is because she intends to throw on Renner's shoulders another responsibility. If Renner has most cleverly reserved all the weight of his present policy on the vindication of the Southern Tyrol, (it did not escape Italy's attention the importance, European and not only Austrian, of the appointment of Gruber, Chief of the Northern Tyrol Volkspartei, as Minister of Foreign Affairs in VIENNA), it was only to throw on the Western Powers a share of responsibility of his future appointment.

Today the decision on the Southern Tyrol question remains with England who cannot abstract herself from the international situation originated by the Russian statement and by the Austrian attitude.

- What is the greatest interest of England in the Brenner question?
- (a) to solve the Alto Adige problem in the best manner, that is to say avoiding resentment either of ITALY or AUSTRIA?
 - (b) to try to approach, as much as possible, the two nations in order to make of the question which divides them, a condition to join them.

England is undoubtedly interested in supporting Italy on the Brenner question. She is driven to act as a reconciler between Italy and Austria by her interest in approaching the two nations and by the indifference shown by Russia and also by the changed attitude of the United States towards the Southern Tyrol problem. But the principal reasons for her eager interest could be drawn by the recent statements of TOULIATTI who saw in the "democratic" boundary line of the Brenner the necessary limit for the defense of Italy against other barbarian invasions.

If the facts which I exposed above are correct, Italy's political line of conduct in the future should be as follows :

Direct negotiations with AUSTRIA, under the auspices of the Allied Governments in Italy, and before that, a prompt and efficient acknowledgment of the rights of the minority of German speaking people.

In my opinion it is necessary that the Italian Government prepares itself to make the largest concessions to AUSTRIA and to the ethnical minority, but will maintain itself on the national ethnical border of the Brenner and will request the whole availability of the electric energy which is most essential for our industries in North Italy.

As a matter of fact the necessity of giving the Italian policy a new turn appears to be most urgent in order that it might influence the international opinion and stem its drifting movement towards the Austrian thesis. I suggest therefore, that the Italian Government appoint, with the agreement of the Allies a delegate for the Alto Adige whose principal task would be to prepare "in loco" the settlement of the ethnical minority problem, basing the study and elaboration of all provisions to be adopted on the collaboration of the leading members of the German speaking group.

I recall the attention of the Government to the fact that, in case the delegate obtain the approval of the Allied authorities, the political representatives of the minority should have agreed in anticipation to collaborate with him in the compilation of the new "statute".

The delegate's main tasks would be :

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The delegate's main tasks would be :

1950

- 1 - to keep himself in constant touch with the Allied organizations in order to deal with matters regarding the Alto Adige problem and political relations with Austria;
- 2 - to start, in full accordance with the Allied Government in Italy, negotiations with Austria;
- 3 - to pre-arrange, establish and coordinate the works of the different commissions (revision of the citizenship problem, the electoral law, the administration of justice in both languages, the competition to public posts by German speaking people);
- 4 - to issue legislative decrees for the temporary settlement of matters relative to the ethnic problem;
- 5 - to propose or to revoke the Prefects' dispositions;
- 6 - to prepare the laws to be submitted to the Council of Ministers for examination as soon as they are passed by the local commissions. Such laws acquire full validity at the moment they have been approved by the Council of Ministers.

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

✓
W/45.N/CA - 6/30/45

17 Sep 45

SUBJECT : Bolzano situation.

TO : EC Venezia Region.

Reference your RAIL/EC of 12 Sep.

It is agreed for the reasons stated in your letter that no further action need be taken with regard to the petition. Will you please send an appropriate reply to the petitioners.

BY COMMAND OF THE CHIEF COMMISSIONER:

M. GARR, Brig,
VP CA Section.

1954

MS

Declassified E.O. 12356 Section 3.3/NND No. 785016

3900

14 SEP 1945

C. A. Sec.

(28A)

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

12 September, 1945

TO : Headquarters, Allied Commission 14 SEP 1945

SUBJECT: Bolzano Situation

FILE NO: RXII/RC

Reference your 4/45.A/CA of 6th September.

I consider that, in view of the agreement of 8th September, already reported to you by separate letter today, it would be better not to follow up the letter signed by delegates of the South Tyrolese Party.

It appears to me, in any case, to produce very little, if anything, in the way of fresh arguments. The facts of the problems of Bolzano Province are, I think, well known in Headquarters, Allied Commission. They have certainly been discussed many times with representatives from this Headquarters and from the Province.

The recent visits paid by The Ambassador, Brigadier Lush, Brigadier Carr, Brigadier Parsons and Colonel Fiske have provided full opportunities for first hand study on the ground.


Regional Commissioner

JKD/lgc

1945

(3816)

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

12 September, 1945

TO : Headquarters, Allied Commission
Civil Affairs Section

SUBJECT : Agreement Bolzano Province

FILE NO : RXII/RC

You have probably already seen press notices of a most important agreement achieved in Bolzano between the representatives of the Italian political parties and the Sud Tiroler Volks Partei. The agreement provides almost the first promise of a better understanding between these two groups and I consider that it is a very hopeful sign.

I consider that great credit should go to Lt. Col. McBretney for his tactful handling of the ethnic problem.


Regional Commissioner

JKD/lgc

1949

AGREEMENT.

The representatives of the Italian political parties and of the Südtiroler Volkspartei have been called for a meeting by the Prefect and have been invited by him to accomplish an act testifying to the whole population that the political parties, beyond their special programs, tend first of all unanimously towards welfare and peace of the Province. This invitation is based on the conviction of the Italian Government that it is not possible to obtain welfare and peace without an action of sincere, progressive approaching between citizens of the two languages.

Agreeable to the invitation of the Prefect, and in order to demonstrate to the population that also the political responsible men are determined to obtain a general pacifying, so that every citizen may attend with tranquillity to his work, the representatives of the political parties stipulate the following agreement:

- 1) Every manifestation constituting or originating acts of violence, disorders and political offenses, is condemned as an expression of remaining fascist mentality if provoked by Italian speaking citizens and of remaining nazist mentality if by German speaking citizens. Whoever should violate, in any manner, the preservation of order and of quietness in the Province, will therefore be considered either nazist or fascist and denounced as such. The representatives of the parties take note that the Italian Government has taken all necessary measures to obtain the immediate punishment of the responsible persons.
- 2) All political parties engage themselves to exclude immediately from officers of direction and of responsibility those of their members, who should show sentiments of hatred and of aversion for the population of the other language.
- 3) In agreement between all parties there will be made an action of propaganda for the progressive approaching of citizens of Italian and of German language. The form and manner of the propaganda to be made for obtaining a situation of tranquillity and of reciprocal confidence, will be decided upon in mutual agreement.
- 4) The representatives of the political parties engage themselves to give to their members strict instructions for the observance of the conditions of this agreement and to take disciplinary action against those at fault.

This agreement is written in Italian and German and it will be published in the press and posted in all the communes of the Province.

Bolzano, September 8th, 1945.

Signed: 1945 p.t.o.

Declassified E.O. 12356 Section 3.3/NND No. 785016

Signed:

For the C.L.N.	M o r a
For the Partito Comunista Italiano	Mascagni
For Partito d'Azione	Bonomi
" Democrazia Cristiana	Bertinetto
" Partito Liberale	Villa
" Partito Socialista Italiano d'U.P.	Bonafini
" Südtiroler Volkspartei	Erich Amonn.

1947

1947

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 994
CIVIL AFFAIRS SECTION

Ref: 6/12/45 ✓
4/15 A/OA.

11 September 1945

Dear Signor Boeri,

Thank you for your letter of the 10th September.

Brigadier Gatz returns to Rome on the 14th and I am quite sure he would be glad to see you as soon as convenient thereafter.

I have arranged for a seat on the plane to Milan for Saturday. Perhaps you would be good enough to send some one to collect the order during the previous afternoon.

Yours very truly,

S.H. WITTE, Lt. Col.
CIC CA Sec. 1 1946

Avv. Giovan Battista BOERI,
Il Presidente,
Consorzio di Credito per le
Opere Pubbliche,
Via Vittorio Veneto, 69,
R O M E.

1946

1946

1946

1947

2535

10 SEP 1945

268

Dear Colonel,

In sending me his salutations before leaving, brigadier Upjohn informed me that he has spoken about me to his successor Brigadier Carr and asks me to make contact with him.

I know that Brigadier Upjohn is now absent; I should be very much obliged to you if you would kindly inform me when he will be back.

Another favour I would like to ask You. On Friday or Saturday of this week I want to go to Milan, also in order to continue, in Bolzano, the work in which also Brigadier Upjohn was so interested up to the very last moment before he left.

Could you kindly reserve for me a seat on the plane for one of the said two days?

I thank You most sincerely and send you my best regards.

(Avv. Giovan Battista Boeri)

Translated the 10 Sept. 1945
J.C.

1946

Declassified E.O. 12356 Section 3.3/NND No. 725016



ROMA 10 Settembre 1945

VIA VITTORIO VENETO 91

TELEF. 46.244

10 SET 1945

Caro Colonnello,

Il brigadiere Upjohn, nell'inviarmi il suo saluto prima di partire, mi dice che ha già parlato di me col suo successore brigadiere Carr, e mi prega di mettermi in relazione con lui.

So che il brigadiere Carr è assente; Le sarò grato se vorrà usarmi la cortesia di avvertirmi quando ritornerà.

Le chiedo, inoltre, un altro favore. Vorrei recarmi a Milano venerdì o sabato di questa settimana, anche per continuare nei giorni successivi a Bolzano il lavoro di cui si è interessato, fino al momento della sua partenza, il brigadiere Upjohn.

Vuole usare la cortesia di riservarmi un posto in aereo in uno di quei due giorni?

La ringrazio vivamente e Le invio i migliori saluti

G. B. Boeri
(Avv. Giovan Battista Boeri)

1945

Egregio Sig.
Colonnello WHITTE
Via V. Veneto n. 91
ROMA

3505

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394

DISPLACED PERSONS AND REPATRIATION SUB-COMMISSION

DPR/88/ADM

10 September 1945

SUBJECT : Notes on Executive Commissioner's Tour - Bolzano. 11 SET 1945

TO : C.A. Section. (2)

1. Reference para 2.

Please see this H.Q. letter DPR/53/G-II (DP) dated 2 August 1945.

2. Reference para 7.

The German trucks mentioned are under the general control of M.R.S., as they are used by the German Engineers working on the railway.

I have been in correspondence with M.R.S. and they have given a "D.O. Blessing" to borrow them in an emergency if not required for urgent railway work. This has been sent to Major Geddes and I think will produce sufficient trucks.

He has also a priority call on the Civilian Trucking Company at Verona.

C.B. FINDLAY
Colonel,
Director.

Copy to:- G-II (DP).
'Q' Branch, D.P.R.S.C.

1945

(3517)

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref : 1/45.1/31 ✓

6 Sep 45

SUBJECT : Bolzano Situation

TO : RC Venetio Region
RC Bolzano (Through RC Venetio)

- 1 Enclosed are copies of a petition received from Bolzano dealing with the position of the German speaking nationals of the South Tyrol.
- 2 Will you please submit your comments on the petition and on the facts alleged therein.

BY COMMAND OF THE CHIEF COMMISSIONER :

M. CAIR, Brig.
VP CA Section.

1945

2501

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

8 OCT 10-5

Ref: 585/EC.

3 September 1945.

- 4 SET 1945

SUBJECT: Bolzano Situation.

TO : Civil Affairs Section.

1. Please obtain the Regional and Provincial Commissioners' views on the attached copy of a letter dated 26 August 45.
2. Political Adviser (B)'s comments are forwarded herewith for your information.

Ernest H. H. H.
Chief Staff Officer,
To the Executive Commissioner.

Incls.

1942

8221

Declassified E.O. 12356 Section 3.3/NND No. 735016

4/43.4/CA

6/188/25

13 September 45

My dear Dr. De Gasperi,

I am anxious to assure you that every effort is being made to investigate the report which you brought to my notice in your letter of 9 Aug 45, stating that the municipal authorities in the Merano Region have received orders to be ready to receive 8,000 persons, originally from that district and who migrated to Germany in conformity with the 1939 agreements.

You can rest assured that the Allied Military Government is in entire agreement with the Italian Government that citizens of Italy who opted for Germany and actually left for Germany, have automatically lost their Italian citizenship.

Yours very truly,

HARRY W. STONE
Rear Admiral, USNR,
Chief Commissioner.

Dr. Alcide DE GASPERI
Minister of Foreign Affairs,
Italian Government,
ROME.

1941

Declassified E.O. 12356 Section 3.3/NND No. 735016

DPR/138

AUG 22 1200B

P/5330

AUG 25 0930B

EQUITY

ANG VENETIE REG DP F GP

ACTION G5 SECT 5 ARMY FOR SRO, ANG BOLZANO FOR DP A GP
INFO HQ ALCON FOR GAS

UNCLASSIFIED

Signal quoted below received this Hq.

Since MERANO under your jurisdiction please accept for
action direct.

"From AGOAS ALCON Ref No 4123 of 23 August.

1. Info received from Italian Govt that municipal authorities in MERANO district have received orders to be ready to receive about 8000 persons originally of that district and who emigrated to GERMANY in conformity with 1939 agreements.

2. These persons reported being sent to ITALY by Allied authorities. Can you throw any light on this? Displaced Persons SC have no knowledge."

Dist

Info-Action - CA Section

Info - Chief Commissioner

Exec Commr 2

POLAD A

POLAD B

Exec Sec 2

Disper

File 2

Float

Vice. President

Civil Affairs Section

You are no doubt aware
that at the request of this Commission, and A.F.H.C.
a signal was sent by SHAEF to U.S. 3rd Army.
U.S. 7th Army and French 1st Army, asking that
no such persons should be sent back to Italy
Pd. A.I. (B)
Aug 22

Declassified E.O. 12356 Section 3.3/NND No. 735016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: EPR/138

Date/Time of Origin: AUG 25 1200Z 25 AUG 1945

Message Centre No: F/5330

Date Time Rec'd: AUG 26 0930Z

Precedence: ROUTINE

FROM: AMG VENEZIA REG DP F GP

TO: ACTION G5 SECT 6 ARMY FOR SRC, AMG BOLZANO FOR DP A GP
INFO HQ ALCOM FOR CAS

UNCLASSIFIED

Signal quoted below received this Mq.

Since MERANO under your jurisdiction please accept for action direct.

"From ACCAS ALCOM Ref No 4123 of 23 August.

1. Info received from Italian Govt that municipal authorities in MERANO district have received orders to be ready to receive about 8000 persons originally of that district and who emigrated to GERMANY in conformity with 1939 agreements.

2. These persons reported being sent to ITALY by Allied authorities. Can you throw any light on this? Displaced Persons SC have no knowledge."

Dist

INFO-ACTION

Info-Action - CA Section
Info - Chief Commissioner
Exec Commr 2
POLAD A
POLAD B
Econ Sec 2
Diaper
File 2
Fleet

1939

HEADQUARTERS

25 AUG 1945

Recd 26/8/45

Declassified E.O. 12356 Section 3.3/NND No. 725016

INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSION

(20A)

Originator's Reference: FX38207
Date/Time of Origin: AUG 25 091178

Message Centre No: F/5260
Date Time Rec'd: AUG 25 1435B
Precedence: ROUTINE

FROM AFHQ SIGNED SACRED CITE FHGD
TO : ALCON ROME INFO AMG VENEZIA REGION

RESTRICTED

RESTRICTED.

Rear 4123 of 23 August.

We have no information on the reference. Suggest you have make inquire at
MEMPHIS for source of information.

DIST

ACTION: CA Sec
INFO: Chief Commissioner
Ex Commissioner 2
POLAD (A)
POLAD (B)
File 2
Float

ACTION

RESTRICTED

HEADQUARTERS
25 AUG 1945
A-120

1938

(20A)

Declassified E.O. 12356 Section 3.3/NND No. 735046

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner.

CONFIDENTIAL.

Ref: 800/CC

23 Aug 1945.

SUBJECT: Notes on Executive Commissioner's
Tour - POLIGNO.

TO : Distribution below.

1. Elections. I spoke to Lt. Col. McRattney on the question of electoral lists and he seemed quite satisfied with the decision made in RMC. He was, however, anxious that whatever order should be made regarding the setting up of an Italian Commission should be in the form of an Italian decree and not, as the Prefect had suggested, a Regional or AD order.

Legal
CAS
2. Alien Registration Order. Regional Order No. 17 has just been posted and Col. McRattney hopes to trace a number of Germans by this system. He assumes that non-resident Germans, i.e., those who have entered Italy since the war and particularly since the armistice, will be regarded as displaced persons and transferred to Germany. I told him that I agreed with his assumption and would confirm after consultation in RMC. We want to get quite clear in our minds as to what to do with these Germans who are non-residents. In this connection the closing up of No. 23 Displaced Persons Camp may have to be delayed. Col. McRattney suggested that it may be necessary to arrange for ADG officers to carry on with the registration of these Germans if it was not finished by the turnover. He personally thought it would take two months.

LG
DFAR
3. Poligno Division. Col. McRattney disagrees entirely with 5 Army and if Italian troops are necessary, would rather have any division than the Poligno. At the same time he would rather dispense with Italian troops altogether and use CO.RA. I told him that RMC had raised the same question and that he had suggested finding CO.RA from SICILY and SARDINIA.

VS
4. Prefect. I spoke to the PO about the Prefect, DE ANGELIS. Col. McRattney said that the man wanted to relinquish his job as soon as possible but he thought it would be politic if the Italian Government retained him for at least 2 months after the turnover. DE ANGELIS he thought was aspiring to some ambassadorial appointment. Obviously the choice of the new Prefect will have to be made very carefully and if some form of regional autonomy is to be given, it might include the freedom to elect a Prefect.

LG
5. Turnover. Col. McRattney, who is anxious to go to the United States before the end of September, strongly urged that the AD LG for POLIGNO should have at least a fortnight with him (Col. McRattney) before leaving. I agree.

1937 (278)

Declassified E.O. 12356 Section 3.3/NND No. 785016

DISTRIBUTION:

- Chief Commissioner
- Deputy, Asst. vs. Commissioner
- PO, BOLANO (thru, R3, Venezia Reg)
- CA Section
- 1st Section
- 2nd Section
- File
- File

1833

1833

[Faint, mostly illegible typed text covering the main body of the document. Some words like "BOLANO", "Venezia", and "CA Section" are visible.]

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

7. [illegible]

8. [illegible]

9. [illegible]

10. [illegible]

11. [illegible]

12. [illegible]

13. [illegible]

14. [illegible]

Declassified E.O. 12356 Section 3.3/NND No. 735016

-2-

6. Press Censorship. Col. McRattney raised the important point of press censorship. At the moment he is able, he says, to keep the peace between the papers by applying a fairly rigid censorship. After the turnover this will disappear and he fears that press politics will create disorder. I told him that I thought we must leave this to the Italian Government but would consider it.
7. Transport for D.F.R. Major GARDNER appeared to have a good organization running but he is most anxious that alternative transport should be provided in the event of the Brenner line breaking down. He mentioned the existence of 200-300 German trucks now lying idle. I should like to know from D.F.R. what alternative means of transport is being considered.

D.F.R.
action

NOL/JS.

H. S. Lusk
Brigadier,
Executive Commissioner.

DISTRIBUTION: Chief Commissioner.
Deputy Executive Commissioner
FC, BOLZANO, thru RO Veneto Region.
Nat Sec
CA Sec
Secy to
File
Float

1930

Declassified E.O. 12356 Section 3.3/NND No. 785016

4/45A/CA ✓

0

2A Section

File

18A

22 August 1945

Subject: Transmittal of Letters re Bolzano Province

To: G-5, Allied Force Headquarters, APO 512

Enclosed for your information are copies of two letters dated 20 August 45, which have been received from the American Ambassador.

15/ L. W. J.

L. W. J. STANLEY
Major, AGD
SO to OC

2 Incls.

CSO
Copies of letters should be passed to

To Col. Giff for any action re reports
electoral lists & operation and expulsion
of certain individuals
To Education Spc for any action 1933

2013

Copies of 2nd letter to Col. Giff
for any action

2645

Declassified E.O. 12356 Section 3.3/NND No. 785016

copies sent to Local Govt S/C
Education S/C

File copy

4/45 A/K/A
COPY

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY

Rome, August 20, 1945

Dear Admiral Stone,

Elections
LG

(a)

Police, Not a Govt
Ch Sec

USR is a Govt
not interest

Regarding our various conversations concerning preparation of electoral lists in the province of Bolzano and the Italian Government's position with respect to those residents who may be eligible for registration, I am happy to inform you of the views of the Department of State which I have just received. The Department is of the opinion that we should accept the Italian proposal concerning those persons in Bolzano who may be inscribed in the electoral lists but that the Allied Commission should bring to the attention of the Italian Government that expulsion of persons from the province who opted for Germany, emigrated and subsequently returned to Bolzano, should be effected only after agreement with Allied authorities in Germany has been reached. With respect to the sending of an Italian commission to Bolzano to examine individual cases, the Department feels that this is an administrative matter for decision by you.

(a) necessary action taken by letter dated 20 Aug from CC to PM.

Education

(d)

With respect to Professor Parri's comments on education in his letter of July 5, it is felt that Allied Military Government should not be bound by the views of the Italian Government, if, as appears probable, the measures contemplated are inadequate, with respect to German language and instruction, to meet the needs of the population of the province. The Department has expressed the view that such instruction should be provided through high school grades at least. The Department also noted

(d) Education and taking necessary action
HKS:Kashly
28 Aug 45

Operation

(e)

the lack of any reference in the letter from the President of the Council of Ministers regarding Italian operation legislation affecting Nazis, such as was suggested in your letter of July 23, to complement similar AMG decrees which will lapse when the province is returned to Italian jurisdiction.

(e) No legislation considered necessary
See minute 4 of this folder.

Notice of this letter in the HQ

Rear Admiral Henry W. Stone,
Chief Commissioner,
Allied Commission,
Rome.

IN
CC DIST (22 AUG):
EXEC. COMM. R.
CA SECTION (3)
POL. ADVIS. (A)
POL. ADVIS. (B)
G-5, AFHQ

- 2 -

In conclusion, the Department is of the opinion that, in present discussions on the province of Bolzano, the Allied Commission should make it clear to the Italian Government that they are without prejudice to the final disposition of this province.

Action by
CA at time
of handover

Sincerely yours,

/s/ A. Kirk

2 1973

Declassified E.O. 12356 Section 3.3/NND No. 735016

File Copy

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

*Copy sent to Local post 5/10
for any necessary action*

AMERICAN EMBASSY
Rome, August 20, 1945.

4/45A/14

Dear Admiral Stone,

I have received recent instructions from the Department of State regarding the interim administration of Bolzano Province. As you will remember, the Department of State had originally contemplated the maintenance of Allied Military Government in Bolzano Province, as in the compartment of Venezia Giulia, until the final determination of northern Italian frontiers. This was likewise contemplated in instructions from the Combined Chiefs of Staff to the Supreme Allied Commander on April 28 (PAN 536).

I am now informed that the Department would not object to the return of the Province of Bolzano to Italian administration when the remainder of northern Italy reverts to Italian Government jurisdiction if the Allied Commission and Allied Force Headquarters consider the retention of AMG there no longer necessary. The Department assumes that the Supreme Allied Commander will recommend modification of PAN 536, in this respect, to the Combined Chiefs of Staff before proceeding with the restoration of Bolzano Province to the Italian Government.

*For action
by CASAT
line of handover*

It is my Government's view, however, that, if it is decided to return the Province of Bolzano to Italian jurisdiction with the rest of northern Italy, the Italian Government should be informed at that time that this return is without prejudice to the final disposition of this territory by the peace treaty.

Sincerely yours,

(signed) A. Kirk.

Rear Admiral Ellery W. Stone,
Chief Commissioner,
Allied Commission,
RGMP.

1932

22/8
CC RHE:1
Executive Commissioner
Civil Affairs Section (B)
Political Adviser (A)
Political Adviser (B)
G-5, AFHQ
CC Files

0159
4545

Declassified E.O. 12356 Section 3.3/NND No. 725016

CONF.

0

17A

AC/4187/3/L.

/rlp.
22 August 1945.

6/18/45

27 AUG 1945

Sr. dear Dr. De Gasperi,

I thank you for your letter of 12 August 1945 in which you drew my attention to the case of Roman PRINOTH of Merano and to the letter written by Capt. Earl to the Sindaco of Merano on the case.

I am making enquiries into the case in order to find out the circumstances in which Capt. Earl's letter was written.

I wish to assure you, however, that the Allied Military Government is well aware that any question of Italian citizenship is a matter for determination strictly in accordance with Italian law and that we have no intention of interfering in any way with the provisions or the operation of the Italian law on the subject.

Yours very truly,

MILLENY W. STONE,
Rear Admiral, USNR,
Chief Commissioner..

Dr. Alcide De Gasperi,
Minister of Foreign Affairs,
Italian Government, ROME.

LC646. Letter

1931

2972

C O P Y

ROUGH TRANSLATION

IL MINISTRO DEGLI AFFARI ESTERI

178

3/1312

Rome, August 12th, 1945

Dear Admiral Stone,

I wish to call your attention on a letter - a copy of which is enclosed - addressed by the Provincial Officer of Bolzano to the Mayor of Merano.

I do not possess any details about Mr. REMAN PRINOTH's case. However it must be the question of a former Italian citizen who chose to move to Germany and actually achieved his purpose by acquiring, by full right, the German nationality.

Aside from the question of the 1939 Italo-German agreements, I wish to point out that - as it is provided by the laws of nearly all the Countries - it is a basic principle in the Italian law that an Italian subject who, by his own will and accord, acquires a foreign citizenship, automatically loses his nationality of origin.

Mr. Prinoth has therefore lost, in any case, his Italian citizenship and could recover it only on the conditions and under the procedure the Italian law prescribe.

But even without considering this particular aspect of the case, I do wish to express how greatly I am surprised at Capt. EARL's assertion that consequently, all those who were Italian citizens and opted for Germany are now to be considered Italians".

No provision of this kind has ever been taken by the Italian Government, nor any pledge or agreement exists between the same and the Allied Authorities under which the re-acquisition of Italian citizenship can be decided upon and enforced by the A.,.G.

I am led therefore to believe that there is a misunderstanding in the case, but since it is a matter of a very delicate nature, I shall be very grateful if you will cause an inquiry to be made and shall greatly appreciate it to hear soon from you on this subject.

Believe me, dear Admiral Stone,

1930

Sincerely yours

(Sgd) DE GASPERI

Encl 1

Declassified E.O. 12356 Section 3.3/NND No. 785016

Ref : 585/EG

15 Aug 45

17c

SUBJECT : Nationality Problem in Bolzano Province.

TO : Civil Affairs Section (Attention : Legal Subcommittee).

1. Attached is a copy of a letter from the Ministry for Foreign Affairs, 3/1312, dated 12 August, enclosing copy of a letter addressed by the AMG Provincial Officer, Western Area, Bolzano, to the Sindaco of Merano.

2. Will you please submit a reply to be signed by the Chief Commissioner, and take any other action necessary.

Chief Staff Officer
To Executive Commissioner.

2 Incls:
as above

Copy to : Polad (A) with
" (B) enclosures.

1945

Translation

COMUNE OF MERANO

BOLZANO PROVINCE
Venezia Region
Allied Military Government
A.P.O. 594

Date 21/7/45

Subject ; Foreign races (allogeni)

To : Sindaco of Merano

Various cases have lately pointed out to me, of which I mention the following.

ROMAN PRINOTH, born in Innsbruck, but who always lived in Italy for he had the Italian citizenship.

In 1940, he chose Germany. Now he has come back from Stiria. Your housing office refuses to allot him a flat, and says that he is a German.

I want to make it clear that all options for Germany are to be considered as non existing, and therefore, all those who were Italian citizens and have opted for Germany are now to be considered as Italians.

They are therefore entitled to the same treatment as all the other Italians. Will you kindly inform all your offices about this.

s.d. HOWARD E. EARL Capt
Provincial Officer
Western Area
Prov. of Bolzano

1928

Declassified E.O. 12356 Section 3.3/NND No. 725016

6/15/55
H. H. A. V

16A

TO: AFIR, GEORGE FIVE SECTION RPTD FOR ACTION AND VENEZIE REGION

4123

22 Aug 45

ROUTINE

UNCLASSIFIED PD

PARA ONE PD INFORMATION RECEIVED FROM ITALIAN GOVERNMENT THAT MUNICIPAL AUTHORITIES IN MERANO DISTRICT HAVE RECEIVED ORDERS TO BE READY TO RECEIVE ABOUT EIGHT THOUSAND PERSONS ORIGINALLY OF THAT DISTRICT AND WHO EMIGRATED TO GERMANY IN CONFORMITY WITH ONE NINE THREE NINE AGREEMENTS PD

PARA TWO AFIR, GEORGE FIVE SECTION RPTD FOR ACTION AND VENEZIE REGION FROM AIGCM
CITE AGCAS PAREN

PARA TWO PD THESE PERSONS ^{reported} ARE NOT BEING SENT TO ITALY BY ALLIED AUTHORITIES PD
CAN YOU THROW ANY LIGHT ON THIS QUERY DISPLACED PERSONS SUBCOMMISSION HAVE NO
KNOWLEDGE

Internal Distribution:

Executive Commissioner.
Political Adviser (A).
" " (B).
Displaced Persons S/C.

1927

Civil Affairs Section

437

NICHOLAS PICARDINO,
C/O USA,
Asst. Adjutant.

2371

Declassified E.O. 12356 Section 3.3/NND No. 725016

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

Tel: 284

Ref: 585/EC.

20 August 1945.

SUBJECT: Nationality Problem in Bolzano Province.

TO : Civil Affairs Section.

1. Attached please find copy of letter 3/1313 dated 9 August 1945 (received in this office 18 August 1945) from the Ministry of Foreign Affairs and passed to you for action.

2. It is further to the enclosures forwarded with our 585/EC dated 15 August 1945 addressed to you for the attention of the Legal Sub-Commission.

Incl:
as above

For Chief Staff Officer,
To Executive Commissioner.

Copy to: Polad (A) } with enclosure.
Polad (B) }

1920

C O P Y

Rough Translation.

Ministero degli Affari Esteri

3/1313

Rome, August 9th, 1945.

Dear Admiral Stone,

By letter No.3/1312, dated August 8th, 1945, I have informed you of the attitude that certain officials of the Allied Military Government in Alto Adige have taken with regard to the general question of the 1939 Italo-German agreements, for the transfer of the German speaking population, and with respect to the citizenship status of those who had taken advantage of exercising the option faculty.

I wish now to call your kind attention upon a report, which has come to me from a creditable and reliable source, i.e. that municipal Authorities in the Merano region have been issued orders to be ready to receive about 8000 persons originary of that district and who emigrated to Germany in conformity with the 1939 agreements, these persons now being sent to Italy by the Allied authorities.

Leaving out any consideration as to whether the 1939 agreements are to be considered obsolete - and I do wish to point out that from a juridical point of view the Italian Government deem they are still fully effective - I am especially anxious to stress that all those - whether they acquired the German citizenship under option or not - who voluntarily acquired a foreign nationality have automatically lost their Italian citizenship.

This is exactly the case of those who exercised the option right after emigrating to Germany and following their becoming German subjects by naturalization.

Should the above report prove true, it becomes a question of a plan for the transfer to Italy of eight thousand German citizens by full right. Once this is admitted as a principle, it is quite justifiable to imply that it is only the beginning of further transfers of the same kind.

There is no need for me to point out how serious the occurrence would be, if confirmed: above all it could only be construed as a contradiction to previous assurances given the Italian Government that the military occupation of certain territories is not intended to prejudice in any way their final status.

I shall therefore be very grateful to you, dear Admiral Stone, if you will kindly cause an inquiry to be made in the matter, and I shall greatly appreciate it if you will let me hear from you on this subject in due time.

I deem it/.....

I deem it fit to add, for your information, that the Italian Government firmly intend to adopt a policy inspired by conceptions of liberty and respect of human values, a policy which will ensure a harmonious co-existence, within the peninsula boundaries, of non-Italian speaking people. However, the Italian Government cannot allow, as a matter of principle, the right to the options revision by the parties concerned; much the less that such revision - implying as delicate a question as the eventual granting of the Italian citizenship - be accomplished outside any regular legislative procedure.

Believe me, dear Admiral Stone,

Sincerely Yours

/Sgd) DE GASPERI

ALLIED MILITARY GOVERNMENT
PROVINCE OF BOLZANO
PROVINCIAL NOTICE No 5

WHEREAS it is desired to remove any doubts from the minds of the population of the Province of Bolzano as to the effect of steps taken under the Hitler - Mussolini agreement of 26 June 1939.

NOTICE IS HEREBY GIVEN that:

1. No person effectively changed his or her citizenship under the said agreement for any purpose whatsoever unless he or she, as a result of opting for Germany, actually left for Germany (including Austria) to acquire residence there.
2. Persons who opted for Germany and left for Germany to acquire residence there have not re-acquired Italian citizenship by returning to Italy.-
3. No certificate of German citizenship ever operated to change Italian citizenship so long as the holder of such certificate did not leave Italy unless:-

(a) the Italian Ministry of Interior expressly waived the obligation of the holder to transfer his or her residence abroad: or

(b) the Prefect of Bolzano authorized persons over 65 and sick persons to continue to reside in Italy.

1923

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(a) the Italian Ministry of Interior expressly waived the obligation of the holder to transfer his or her residence abroad; or

(b) the Prefect of Bolzano authorized persons over 65 and sick persons to continue to reside in Italy.

1923

WILLIAM E. McBRATNEY
Lieutenant Colonel
Provincial Commissioner

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ALLIED MILITARY GOVERNMENT
PROVINCE OF BOEZANO
PROVINCIAL ORDER No 9

I, WILLIAM E. McBRATNEY, Lieutenant Colonel,
Provincial Commissioner in pursuance of the authority vested
in me HEREBY ORDER

that paragraph 3 of Article II of Provincial Order No 8
is hereby abrogated and the said Provincial Order No 8
shall be read and construed as though such paragraph had
never been inserted therein.

WILLIAM E. McBRATNEY
Lieutenant Colonel
Provincial Commissioner

1944

COPY

HEADQUARTERS ALLIED COMMISSION

APC 394

LEGAL SUB-COMMISSION

AC/4187/3/L

7 July 1945.

SUBJECT: Italo-German agreement on Alto Adige.

TO : VP CA Section.

1. Herewith the answers to the question raised by you.

2. According to the general law of citizenship, Italian nationals who have acquired a foreign citizenship lose Italian citizenship only if and when they fix their residence abroad (vide, Art. 4, Law n. 555 of June 13, 1912). As a matter of exception the Government may permit them to surrender their Italian citizenship even if they remain in Italy.

The Mussolini-Hitler agreement of 1938 has introduced no change in this general position (vide: sec. 12 and 13 of the Agreement).

Therefore a declarant who has opted for Germany but not left Italy shall be deemed not to have lost Italian citizenship, irrespective of whether or not he has acquired German citizenship, unless he has been authorized to remain in Italy under sec. 12 and 13 of the Agreement. (Sections 12 and 13 a/m provide:

- a) that the Ministry of Interior may in special circumstances waive the obligation to transfer the residence abroad;
- b) that the Prefect of Bolzano, in accordance with the German Consul General at Milan, may authorize persons over the age of 65 and sick persons to reside in Italy.)

3. Any declarant who (a) has been naturalized as a German citizen and (b) has fixed his residence in Germany, is deemed to have lost Italian citizenship.

If he returns to Italy he does not acquire Italian citizenship until and unless all the conditions set out in Art. 9 of above-mentioned Law n. 555 have been fulfilled (vide also Law n. 1241 of August 21, 1939).

Art. 9 prescribes that a person who has lost Italian citizenship resumes it automatically if any of the following conditions is fulfilled:

- 2 -

- a) if he serves in the Italian armed forces or is employed by the Italian State;
- b) if he formally renounces to the citizenship of the State of which he is a subject and fixes his residence in Italy;
- c) if he has resided in Italy for 2 years.

The Government may, within three months from the date on which the conditions set out in (b) and (c) have been fulfilled, decree that the person concerned cannot acquire Italian citizenship; alternatively it may authorize a person in class to reside abroad.

Under Sec. 11 of the Hitler-Mussolini Agreement no declarant can fix his residence in Italy without a formal authorization from the Ministry of Interior, "Ufficio per l'Alto Adige" (vide: RDL n. 1888, of December 13, 1939); thus Italian citizenship cannot be resumed according to the provisions of Art. 9, (b) and (c), above mentioned, if the declarant has not been authorized to reside in Italy.

4. It should be added that if hereafter either Italy or Germany renounces the agreement such renunciation would not affect status acquired prior to the thereof.

/ S/ W. Z. BERNARDI
/ T/ W. Z. BERNARDI,
Colonel,
Chief Legal Advisor.

1920

Il Prefetto di Bolzano

Bolzano, August 3rd 1945

Confidential

DA/CE

Lt. Col.

WILLIAM E. McBRATNEY, Provincial Commissioner,

A.M.C.,

Bolzano.

Re: Electoral Lists

Dear Colonel,

I have received your letter of the 2nd inst. and have examined your proposed Provincial order Nr. 4, which should clarify in a simple and definitive way all matters regarding the options of 1939 and of the citizenship status in the Alto A dige.

Most certainly everybody desires a simple and definitive solution; and this also with the view to hasten the preparation of electoral lists, as desired by A.C. and by the Italian Government too.

I think that this desire is the cause of the proposed Provincial Order Nr. 4, but I am afraid that this, apparently so brilliant, solution does

10/12/45

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Most certainly everybody desires a simple and definitive solution; and this also with the view to hasten the preparation of electoral lists, as desired by A.C. and by the Italian Government too.

I think that this desire is the cause of the proposed Provincial Order Nr. 4, but I am afraid that this, apparently so brilliant, solution does not take into account the real juridical and effective situation, created by the option laws.

1919
The proposal of Provincial Order Nr. 4 is due to article 12 of the regulations dated 21.10.1939 for emigration of german-speaking people, namely: "Transfer of residence into Germany of the german-speaking citizen, who acquires German citizenship, is essential".

From the text of art. 12 and particularly from the last part thereof, to the effect that "also german-speaking citizens residing in other provin

Il Prefetto di Bolzano

Lt. Col. W.P. McBratney

= 2 =

ces of the Kingdom have to transfer their residence into Germany, in order to acquire German citizenship," one would, as a matter of fact, like to infer that the situation of optants, who have not transferred themselves to Germany, has simply remained that of Italian citizens.

The reality is quite different. German citizenship has become practically a fact for many optants independently from transfer to Germany. Already in the "Chiarimenti alle norme" (Clarifications to the regulations) it is stated in Para. 4 that bestowal of German citizenship does not depend from transfer to Germany. In that paragraph (page 35 of the publication of the Ministry for Foreign Affairs of the Italo-German agreements) it is said: "a person is a German citizen when he has received the German naturalisation act". And it is permitted, as has been effectively the case of about 45.000 optants who have remained here, that the German naturalisation act be granted independently from the transfer to Germany.

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Even the text of the "Chiarimenti alle norme" specifies in point 4 (page 35) that "also after bestowal of German citizenship, pending transfer to Germany, Italian laws have to be strictly complied with". This is of course an explicit confirmation of acquirement of German citizenship before transfer.

The "Chiarimenti alle norme" have full juridical value, also if same are signed by the then Prefect of Bolzano and by the German Consul, because the successive letters exchanged between the Foreign Ministers of Italy and Germany (see pages

Il Prefetto di Bolzano

Lt. Col. W.D. McBratney.

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46 and 47 of the booklet) recognize their quality of "Official delegates" of the two governments.

Besides, article 20 of the regulations themselves (page 18) specifies in a paragraph: "Also the German-speaking citizens of minor age who acquire German citizenship have to transfer themselves to Germany", which constitutes another further clear confirmation that acquirement of German citizenship is a prior "juridically independent" fact, whereas emigration is the consequence deriving "politically" therefrom.

So much so that the examination of the material on the italo-German agreements, which has been made in the last months in the archives of the late High Commissariats for the execution of the agreements by officers of ours and particularly by Dr. de Strobil has confirmed, as I have said, that about 45,000 optants for Germany have been naturalized German citizens without leaving this Province.

It is on the basis of such naturalisation that this category, after having acquired German

quire German citizenship have to transfer themselves to Germany", which constitutes another further clear confirmation that acquisition of German citizenship is a prior "juridically independent" fact, whereas emigration is the consequence deriving "politically" therefrom.

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It is on the basis of such naturalisation that this category, after having acquired German citizenship, has received German passports, as established by article 10 of the regulations (page 16): "German-speaking citizens who emigrate into Germany will receive free a passport, valid two months, or, immediately after acquisition of German citizenship, a German passport." This establishes once more acquisition of German citizenship as a juridically valid fact, before emigration.

In order to consider the importance of the prior acquisition of German citizenship, one has also to observe article 11 of the regulations

1917

IN T R E F E R T O d i B o l z a n o

Lt. Col. W. E. McBratney.

= 4 =

According to which " the German-speaking citizen, who acquires German citizenship, becomes for Italy for every effect an " alien".

The famous article 12, which A.M.G. would now like to consider as the basis for resolving the options, is thus contradicted by the text itself of the agreements; but it is furthermore and above all contradicted by the facts. The successive agreements between the two countries, contained in the letters exchanged between the two High Commissariats and particularly the special agreement signed on August 11th, 1941 by the Italian Minister of the Interior and the German Ambassador, confirm most explicitly the full acquisition of German citizenship due only to naturalisation, also without ensuing emigration; so much that the Italian Government procured themselves for the presence in the Province of so many naturalized Germans without ensuing emigration, and obtained to limit the rhythm of naturalisations.

We have thus obtained, as subcategories, naturalized German optants, who have been regularly cancelled from the registers of Italian citizenship and who have therefore become " aliens" ;

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We have thus obtained, as subcategories, naturalized German optants, who have been regularly cancelled from the registers of Italian citizenship and who have therefore become "aliens"; and others who have been naturalized Germans without being cancelled from the Italian registers and who could therefore sustain having two citizenships and who could use one or the other according to convenience.

Now that all this matter, besides being very complex and often also confused, has very often raised juridical, economic, contractual consequences -

In Prefetto di Polzano

Lt. Col. W.E. McPratney.

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quences of great importance, it is unfortunately juridically impossible to have it regulated simply by your Provincial order Nr.4.

To understand well the problem of options

it is, first of all, necessary:

- 1 - To have studied all the texts of the agreements, the regulations of the clarifications, and the successive complementary agreements;
- 2 - To have, above all, considered these texts in connection with the effective situations which have materialized, i.e. with the practical application.

After having completed this study (which the Prefettura has done most thoroughly) A.M.G. will only be able to agree with my thesis; namely that to recur to a new individual declaration for the definition of citizenship status is not only the most equitable solution for all persons concerned, but also the most practical.

Now, indeed, could the Provincial Order proposed by you, by which one would declare that the naturalized Germans, who have remained in the Province have never been Germans, resolve the juridical acts made by them as German citizens, as

- 1 - To have studied all the texts of the agreements, the regulations of the clarifications, and the successive complemental agreements;
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On the other hand I insist on the idea that it would not be democratic to enforce, with a very doubtful juridical interpretation, the return to Italian citizenship of all those persons who, having shown with a free juridical act their intention of becoming German citizens, who have been consequently naturalized Germans and have not

Il Prefetto di Bolzano

Lt. Col. W. E. McBratney.

= 6 =

been able to emigrate only due to an act of God, determined by the declaration of war.

The situation of the Province is in fact the following. Some results without possibility of errors from the archives of the late High Commissariats for the agreements of 1939, documents of which are available in Merano.

In the year 1939 the Province had 304.000 inhabitants, of whom 230.000 German-speaking and 74.000 Italians. After the options, bearing in mind what I have explained in this letter, it results that:

- 1 - For Italy have voted, remaining thus Italians, 43.000 German-speaking people.
- 2 - For Germany have voted 167.000 German-speaking people. Of these:
 - a) 70.000 have transferred themselves to Germany and are now considered for the purpose of registration of aliens, "enemy aliens" if they have returned abusively into the Provin

ce:

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1 - For Italy have voted, remaining thus Italians, 43,000 German-speaking people.

2 - For Germany have voted 187,000 German-speaking people. Of these:

a) 70,000 have transferred themselves to Germany and are now considered for the purpose of registration of aliens, "enemy aliens" if they have returned abusively into the Province;

b) 45,000 have not transferred themselves to Germany but have been naturalized German citizens, with the approval of the Italian Government, and cannot be at once declared Italian citizens;

c) the remaining 72,000 have not transferred themselves to Germany, have not, although they have voted for Germany, been naturalized Germans and can be at once declared Italian citizens.

Il Prefetto di Bolzano

Lt. Col. W.E. McBretnay.

= 7 =

Summing up:

- 1 - Notwithstanding text of article 12 of the regulations of 1939, 45.000 optants for Germany, although they have remained in the Province, have received, with the explicit agreement of Italian Government, the German naturalisation act and are therefore "de jure" German citizens.
- 2 - A pure and simple nullification of the options of 1939 cannot resolve the juridical situations ensuing to the actual state as outlined in point 1.
- 3 - It is not possible to enroll optants as per point 1 in the Italian electoral lists, without a previous clarification of their citizenship status. This clarification can be made only through an individual declaration, much more so because they have acquired German citizenship in a free individual form.
- 4 - This **matter** has to be regulated when preparing electoral lists, by means of an Allied Order or by an Italian decree authorized by the Allies. In my opinion an allied order would be advisable, with the previous accord of Italian Government,

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4 - This **matter** has to be regulated when preparing electoral lists, by means of an Allied Order or by an Italian decree authorized by the Allies. In my opinion an allied order would be advisable, with the previous accord of Italian Government, who - for questions of citizenship - cannot be overlocked.

I propose that the order be prepared by the local A.M.C., in accordance with the text sketched up yesterday with Major Williams. I would take the order with me to Rome to submit it to A.C. and to the Italian Government.

Please allow me to submit to you the following text, which considers precisely the indications of Major Williams:

Il Prefetto di Bolzano

Lt. Col. W.E. McBratney.

= 3 =

Allied Military Government
Province of Bolzano

Provincial Order Nr.

Preparation of electoral lists

In the occasion of preparation of electoral lists, considering the confused situation regarding status of citizenship of the Province due to the options of 1939, I dispose:

- 1 - Persons having opted for Germany who have transferred themselves to Germany (inclusive Austria) have definitively lost Italian citizenship, also if they have later on returned into Italy. This category is therefore excluded from the electoral lists.
- 2 - Persons having voted for Germany who have remained in Italy and who have not received the German naturalisation act, are considered Italian citizens and will be enrolled ex officio in the electoral

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- 2 - Persons having voted for Germany who have remained in Italy and who have not received the German naturalisation act, are considered Italian citizens and will be enrolled ex officio in the electoral lists.
- 3 - Persons having voted for Germany who have remained in Italy but have received the German naturalisation act, will have to declare whether they intend to reacquire Italian citizenship. In that case they will be considered as Italian citizens and enrolled ex officio in the electoral lists.
- 4 - Modalities for the declarations will be fixed and applied by the Italian Government of the Province, in occasion of the preparation of electoral lists.

I enclose at last copies of three documents

Il Prefetto di Bolzano

Lt. Col. W.B. McCretney.

- 9 -

being a part of the archives of the late High Commissariat for the execution of the agreements, and which confirm in incontestable manner the truth of what I have outlined. The first document is the " Fundamental Italian law of 1939 on the loss of Italian citizenship by persons of German origin and language domiciled in Alto Adige. " The second and the third are official letters regarding application of the agreements, exchanged in 1941. I translate hereunder the more interesting part of each of above documents:

1. " The Prefect, being certain of the existence of the requirements as per article 1 delivers to the person concerned the declaration of the renunciation and, after having received the communication of the concession of German citizenship, arranges for the cancellation of the person concerned from the lists and registers of Italian citizenship. "
2. " In the moment of the bestowal of German citizenship the optant loses Italian citizenship and becomes to all legal effects a German citizen. "

3. " According to Rome conventions, confirmed by

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2. " In the moment of the bestowal of German citizenship the optant loses Italian citizenship and becomes to all legal effects a German citizen".
3. " According to Home conventions, confirmed by letters of the Minister Bene of 20.8.1941 D Nul- 5 S Bosen 2975 and of the Prefect of 4.9. 1941 Gab. E.T. 379, the optant acquires German citizenship with the delivery of the document of naturalisation; in the same moment he loses Italian citizenship".

Above extracts confirm that the loss of Italian citizenship and the acquirement of German citizenship have been " de jure and de facto " independent from transfer into Germany.

I remain, dear Colonel,

Yours truly

fto: Bruno de Angelis

Enclosures.

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 994
CIVIL AFFAIRS SECTION

Ref:

6/19/45
377-2/02

19 AUG 45

SUBJECT: Report on conditions in BELLAIR.

TO: AFHQ, G-5 Section.

Further to this Headquarters signal number 3777 of 16 August 45.

1

The attached copy of a D.C. Letter dated 8 Aug 45 from the British Political Adviser to the Allied Commission, addressed to the Ambassador is forwarded for your information.

FOR THE CHIEF COMMISSIONER:

[Signature]
for E. GALT,
Brigadier,
VP CA Section.

Encl: As above.

Copy to: HQ, VIETNAM Region,
Bq. No. 2 District.

1945

Declassified E.O. 12356 Section 3.3/NND No. 785016

4/45A/CRC ✓

14 AGO 1945

(12A)

13 August 1945.

[Handwritten signature]

My dear Mr. Ambassador:

I agree with the recommendations made in your letter of 6 August with respect to the desirability of announcing to the Italian Government and publicly the reason for retaining Udine Province under AMG, and we shall be guided accordingly.

Sincerely yours,

[Handwritten signature: Elmer W. Stone]

ELMER W. STONE
Rear Admiral, USMC
Chief Commissioner

The Honorable Alexander Kirk,
American Ambassador,
119 Via Vittorio Veneto,
Rome.

Copy to (with copy of Ambassador Kirk's ltr for compliance):

Krac Comar
CA Section
PRB

1909

(2190)

Declassified E.O. 12356 Section 3.3/NND No. 73506

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

C
O
P
Y

AMERICAN EMBASSY

Rome, August 6, 1945

Dear Admiral Stone,

In connection with current consideration in the Allied Commission and at Allied Force Headquarters concerning the maintenance of Allied Military Government in the Province of Udine for a temporary period after August 31, 1945, I have received instructions from my Government to the effect that if this is necessary for military reasons the Italian Government should be informed of the reasons which prevent Udine Province being returned to Italian Government administration with the other provinces of North Italy on August 31 (except those of the compartments of Venezia Giulia and Bolzano) and that a public announcement should likewise be made of the reasons.

Regarding the public announcement, I would suggest that in whatever release the Allied Commission may make to the press concerning the turn-back of North Italy on August 31, or whatever date may be agreed upon, some statement be included therein concerning the restoration of Udine Province to Italian administration at a later date, preferably a specific date if possible. I understand that the Regional Commissioner of Venezia Region has recommended December 1 as an appropriate turn-back date.

/ Sincerely yours,

/s/ A. KIRK

Rear Admiral Ellery W. Stone,
Chief Commissioner,
Allied Commission,
Rome.

1908

4/10/54/CA
(COPY)

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

Bulgarof
7/15
(11A)

AMERICAN EMBASSY.
Rome, August 11, 1945

6/12/61/CA
SECRET

Dear Admiral Stone,

I have been asked to report telegraphically any information which may be in the possession of the Allied Commission or which it can obtain without difficulty and delay with respect to the feeling of the people of the Province of Bolzano on the question of union with an independent Austria. If information on this subject is not already available in AC, perhaps you will be good enough to ask your Regional Commissioner for an urgent report.

Sincerely, yours,

(Sgd) A. KIRK.

Rear Admiral Ellery W. Stone,
Chief Commissioner,
Allied Commission,
ROME.

Big Danlop is
whitaker to answer
gives

Declassified E.O. 12356 Section 3.3/NND No. 735016

6/12/09

10a

Density Chief Commissioner

You mentioned to me this afternoon that you had been informed by Colonel McRatney that there are 12,000 ex-Vichy French in hiding in Bolzano Province. You added that the matter was being considered by AMS, 5th Army. If it is decided to try to round them up I presume that the French authorities will wish to send up a certain number of French officers and other personnel for purposes of identification, screening etc. In this connection I think that 5th Army should know that there is evidence of French intrigue in Bolzano in favour of the Separatists. Notices are reported to have been posted by the French in Bolzano Province and a clandestine radio station is broadcasting in German to the German-speaking inhabitants apparently from Austria. You will recall the case of Captain Clairval who was arrested for having obtained 25,000,000 lire from Tisserand then Vice-Prefect, to whom he was introduced by Ammon, the leader of the Separatist Party of Bolzano. Clairval, at that time discussed with Ammon the possibility of the formation of a greater Bavaria including Vorarlberg, Austrian Tyrol and Bolzano. For this reason, I think it is important that in any scheme for rounding up ex-Vichy French in that area, the fewest possible number of French personnel should be employed and the operation should be carried out as expeditiously as possible.

26.vii.45

Political Advisor (BR)

Copied to: H.E. Boland,
Brigadier Upland.

1906

Declassified E.O. 12356 Section 3.3/NND No. 735016

12-AGO 1945

CBF/gd' (9A)

6/198/45

HEADQUARTERS ALLIED COMMISSION
APO 394

DISPLACED PERSONS AND REPATRIATION SUB COMMISSION

DPR/53/G-II (DP)

Tel. 489081 Ext. 392

2 August 1945

SUBJECT : Germans to Bolzano Province.

TO : C.A. Section.

1. The Germans in Bolzano Province appear to consist of the 4 following main categories.

- (a) The employees of some 70 German Firms who were brought in during the German occupation. The number is approx. 5000 and it is believed that they have in their possession some 200 trucks. O.C. "A" Group, D.P. & R.S.C. hold their locations and was proceeding to register them, prior to repatriation, when he was informed that their status had been changed again to P.W.
- (b) "Camp Followers". Wives, employees, etc, of German Officers and men. These arrived during the German Occupation.
- (c) Those originally Italian subjects who changed their Nationality to German in 1939.
- (d) Germans who have lived for many years in Bolzano Province.

VP 2. A clear policy is required as to what should be done with the above. It would appear that 1 (a) & (b) should be repatriated at once by train to Germany, handing over their trucks to D.P. & R.S.C., A.C. (c) and (d) are more difficult.

3. D.P. & R.S.C., A.C. still have accommodation available in Bolzano for collecting the above prior to repatriation.

4.2
C.B.FINDLAY
Colonel
Director.

Copy to:- Regional Commissioner Venezia.
O.C. 'A' Group, D.P.R.S.C.

1900

1326

6/183/1
28 July 1945.
WEM/gq. (9B)

Memo

to Brigadier U p j o h n

Ref. RXII/BZ/123.

1. Change of Article VI in G.O. 27 to fit needs of Bolzano. (Registration of aliens). Forwarded through Region enroute to A.C. and Rome.
2. Discussion on Electoral Lists. Prefetto wishes to have the preparation of lists conducted under A.M.G. or Allied supervision. The ethnical groups in Bolzano are so suspicious of each other that A.M.G., as referee, is desirable. A committee to sit in Bolzano should be appointed very soon.
3. School System. Urgently need official word from Rome on details for a dual language system. Text books - needed very soon.
4. Dual language in Courts. Propose this be officially sanctioned at once.
5. A French official to be sent to Bolzano to "vet" Vichy French aliens. *Leave now until H. H. return*

VP
Do you agree?
6/18/45/CA

**BOLZANO PROVINCE
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
A. P. O 394.**

(8A)

SUBJECT "Austrian Situation"

DATE: 30 July 1945.
WEM/eq.

TO: Brig G. U p j o h n,
Allied Commission, R o m e.

3 = AGO 1945

REF: RXII/BZ/123.

In order to inform the people of this Province and who might be induced by one means or another, to continue to agitate to go in Austria - I believe that a release of information locally as to the economic situation in Austria might be advisable.

It is generally known that the economic situation in Austria is not good and any reports that I receive from officers visiting there bear this out.

If the "other pasture" is not as green as thought by the simple people hereabouts and they are told about it - perhaps the urge to go ^{join} in another nation will not be as at present.

If you think it advisable and the information can be obtained from official sources, I could see that it is put in the public press.

W. E. McBratney
WILLIAM E. McBRATNEY
Lt. Col., S.R.,
Provincial Commissioner.

1903

1127

The President of the
Council of Ministers

CONFIDENTIAL

6/23/50

TO: Admiral Sir Henry W. Stimson
Chief of the Allied Commission

ROME

14A
Rome, 23 July 1949.

I reply to your Memorandum relative to the criteria to follow in regard to the German population of the Alto Adige in conformity with the compilation of the electoral lists.

1) I observe in general that the exercise of the electoral right presupposes for each one the juridical status of Italian citizenship. A considerable part of the German speaking population of the Province of Bolzano has lost its Italian citizenship, in consequence of the options of 1939 and in basis with the dispositions of the fundamental law of 1948 on citizenship in the Italian State.

2) The Italian Government is therefore of the opinion that those persons have definitively lost Italian citizenship who have acquired spontaneously the German citizenship by effect of the option have thus established their proper residence in Germany. Not only to this category it can not be consented to return to Italy, but they must be sent back to Germany as many as have illegally returned during or after the period of the German occupation. It is worth while to remember that this category has obtained in its time to sell its own properties in the Province with conditions of particular favor, at a special rate of exchange in Lire 4.50 per U.S., and that the sales are legally complete.

3) In the other categories mentioned in the letters b, c, d, of your memorandum we believe that there should be offered the possibility of changing freely on one's own decision. Until the decision

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consequence of the options of 1945 and in basic with the disposition of the fundamental law of 1947 on citizenship in the Italian State.

2) The Italian Government is therefore of the opinion that those persons have definitively lost Italian citizenship who have acquired spontaneously the German citizenship by effect of the option have thus established their proper residence in Germany. Not only to this category it can not be consented to return to Italy, but they must be sent back to Germany as many as have illegally returned during or after the period of the German occupation. It is worth while to remember that this category has obtained in its time to sell its own properties in the Province with conditions of particular favor, at a special rate of exchange in lire 4.50 per R.M., and that the sales are legally complete.

3) In the other categories mentioned in the letters b, c, d. of your memorandum we believe that there should be offered the possibility of changing freely on one's own decision. Until the decision is truly free, it is not enough to have a law which annuls the options and renounces the former situation, but it is necessary that the will to acquire Italian citizenship, or to renounce it to leave the Italian State is evidenced by an individual written declaration.

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4) It is therefore the opinion of the Italian Government that it would be opportune to provide for the making in Bolzano of a Special Commission charged with examining the demands of those who are included in the categories mentioned in paragraph 1. The tasks of this Commission could be carried out simultaneously with the preparation of the electoral lists.

5) In case you, Mr. Admiral, would agree with the opinion of the Italian Government, this (Government) would proceed to designate to the Allied Commission the President of the Commission and its members, chosen from persons who must have furnished all the guarantees on the view. Among the members must be chosen some citizens of German origin who would give guarantees of loyalty and correctness. The Allied authorities would have the means of following the tasks of the Commission closely.

6) The preparation of the electoral lists can in the meantime be begun without further ado. They would include before all the Italian citizens of the Province, including the German speaking population who in its time had "opted" for Italy, and would be gradually extended to those for whom the Commission will have received requests for the re-acquisition of Italian citizenship.

PUBLIC AFFAIRS

The Italian Government has already indicated what are the liberal criteria which it intends to adopt, when it will have the possibility, in the matter of the language, to the culture of the forces of warlike, to the customs towards the population of language and origin different from the Italian:

These criteria have been fixed in a solemn declaration of the Council of Ministers.

For as much as regards in particular the Province of Polesano, the Minister of Public Education is making a provision which will be submitted for approval of the Allied Commissions, which will regularize the use of the German language in the schools of the Province for the next scholastic year. It is contemplated in general the teaching of the mother tongue in the pre-elementary schools and in the lower grades of the elementary schools.

EDUCATION

The new presentation to which the memoranda presented to me, deals with the question and which has been published by the Civil Commissioner of the Province the 11th last underwent fully to the exigencies of the situation of the Province of Polesano, considering all the categories of the persons who are to be subjected to operations. Eventually clarifications and particular modifications will be reported by the local Government in basis of the observations and proposals of the local Italian authorities.

I take this opportunity, Mr. Minister, to express my very profound regard for you.

...the Minister of Public Education is making a provision which will be submitted for approval of the Allied Commission, which will regularize the use of the German language in the schools of the province for the next scholastic year. It is contemplated in general the teaching of the mother tongue in the pre-elementary schools and in the lower grades of the elementary schools.

REMARKS

The new proclamation to which the memorandum presented to us, deals with the question and which has been published by the Civil Commissioner of the Province of Bolzano, to the exigencies of the situation of the Province of Bolzano, considering all the categories of the persons who are to be subjected to epuration. Eventually clarifications and particular modifications will be reported by the local Government in details of the observations and proposals of the local Italian authorities.

I take this opportunity, Mr. Admiral, to express my very profound regard for you.

Signed: Peruccio Farri

189.

1901

IL PRESIDENTE DEL
CONSIGLIO DEI MINISTRI

C O P I A

Tex

Roma, 23 Luglio 1945

CONFIDENZIALE

All'Ammiraglio Ellery W. STONE
Capo della Commissione Alleata

R O M A

Rispondo al Suo promemoria relativo ai criteri da seguire nei riguardi della popolazione tedesca dell'Alto Adige in ordine alla compilazione delle liste elettorali.

1) Osservo in generale che l'esercizio del diritto elettorale presuppone per ciascuno lo stato giuridico di cittadino italiano. Considerevole parte della popolazione di lingua tedesca della provincia di Bolzano ha perduto la cittadinanza italiana, in conseguenza delle opzioni del 1939 ed in base alle disposizioni della legge fondamentale del 1942 sulla cittadinanza nello Stato italiano.

2) Il governo italiano e' pertanto del parere che abbiano perduto definitivamente la cittadinanza italiana coloro che avendo acquistato spontaneamente la cittadinanza germanica per effetto dell'opzione hanno poi stabilito la propria residenza in Germania. Non solo a questa categoria non puo' essere consentito di ritornare in Italia, ma dovranno essere rinviiati in Germania quanti hanno fatto abusivamente ritorno durante o dopo il periodo dell'occupazione tedesca. E' utile ricordare che questa categoria ha ottenuto a suo tempo di vendere i propri beni nella provincia a condizioni di particolare favore, con uno speciale cambio fissato in L. 4,50 per R.M., e che le vendite sono giuridicamente perfette. 189.

1900

Declassified E.O. 12356 Section 3.3/NND No. 785016

3) Alle altre categorie indicate nelle lettere b, c, d, del Suo pro-memorandum, debba essere offerta la possibilita' di ritornare liberamente sulla propria decisione. Affinche' la decisione sia veramente libera, non e' sufficiente una legge che annulli le opzioni e ripristini la situazione precedente, ma e' necessario che la volonta' di riacquistare la cittadinanza italiana, ed i rinunciare per lasciare lo Stato italiano, si manifesti con una dichiarazione individuale scritta.

4) E' parere pertanto del Governo italiano che sarebbe opportuno provvedere alla nomina in Bolzano di una speciale Commissione incaricata di esaminare le domande di coloro che sono compresi nelle categorie indicate al punto 3). I lavori di questa Commissione potrebbero svolgersi parallelamente alla preparazione delle liste elettorali.

5) Qualora Ella, Signor Ambasciatore, condividesse il parere del Governo italiano, questo procederebbe a designare alla Commissione Alleata il Presidente della Commissione ed i componenti, scelti tra persone che dovrebbero fornire tutte le garanzie al riguardo. Tra i componenti dovrebbero essere scelti alcuni cittadini di origine tedesca che dessero garanzia di lealta' e correttezza. Le Autorita' Alleate avrebbero il modo di seguire da vicino i lavori della Commissione.

6) La preparazione delle liste elettorali puo' essere fruttuosa iniziata senz'altro. Esse comprenderebbero innanzi tutto i cittadini italiani della provincia, inclusa la popolazione di lingua tedesca che ha a suo tempo optato per l'Italia, e saranno poi via via estese a coloro dei quali la Commissione avra' accolto le domande per il riacquisto della cittadinanza italiana.

Istruzione pubblica

Il Governo italiano ha già indicato quali sono i criteri liberali che esso intende di adottare, quando ne avrà la possibilità, in materia di rispetto della lingua, della cultura delle forme del culto, dei costumi verso le popolazioni di lingua e origine diversa dall'italiana: questi criteri sono stati fissati in una solenne dichiarazione del Consiglio dei Ministri.

Per quanto riguarda in particolare la provincia di Bolzano, il Ministro per la Pubblica Istruzione sta predisponendo un provvedimento che sarà sottoposto all'approvazione della Commissione Alleanza, che dovrà regolare l'uso della lingua tedesca nelle scuole della provincia per il prossimo anno scolastico. Si prevede in generale l'insegnamento della lingua materna nelle scuole pre-elementari e nelle classi inferiori delle scuole elementari.

Epurazione

Il nuovo bando al quale accenna il proemio presentato sulla questione e che è stato pubblicato dal Civil Commissioner della Provincia l'11 u.s. risponde pienamente alle esigenze della situazione della provincia di Bolzano, considerando tutte le categorie delle persone che devono essere sottoposte ad epurazione. Eventuali chiarimenti e modifiche particolari potranno essere appoggiate dal Governo locale in base alle osservazioni e proposte delle autorità locali italiane.

Colgo l'occasione, Signor Ammiraglio, di esprimerle i sensi della mia alta considerazione

Ft. Ferruccio Parri

189.

189.

189c

Declassified E.O. 12356 Section 3.3/NND No. 725016

ALLIED [REDACTED] COMMISSION

INTER-OFFICE MEMORANDUM
DP & RSC

SUBJECT: 6/9/45

FILE No.

TO : V.P. C.A. Section, H.Q. A.C.

5 July 1945

Herewith cables Nos. 1236, 1201, 1243 dated 5 July 1945 for favour of Brig. Upjohn's signature please.

Signed by CSO.

C.F. Pothergill
C.F. POTHERGILL,
Lt. Colonel,
Deputy Director.

AB

AP
Copies of 2 and 3 to go
to R.C. Vinzic - by
ordinary mail

Despatched by DPR 6 Jul 45

1897
945

3207

6B

- 5 LUG 1941

PLICABILITY

SUBJECT IS HOSPITAL TRAINS FROM SUPREME HEADQUARTERS ALLIED EXPEDITIONARY FORCE PD
PARSH TO FOR ACTION GEORGE FIVE SECTION ALLIED FORCE HEADQUARTERS FROM ALCON GITE
 ACCAS PARSH

PAPA ONE PD ESSENTIAL THAT NOMINAL ROLLS OF PATIENTS WITH COMPLAINT FROM WHICH SUFFERING REACH THIS HEADQUARTERS AT LEAST FOUR DAYS BEFORE ARRIVAL TRAINS VERONA COMB PD SIGNAL GIVING INFORMATION TO YOU TO INCLUDE IN ADDRESSES DISPLACED PERSONS AND REPATRIATION OFFICER FIFTH ARMY

G.A. Section *✓*
Public Health Sub-Commission

1896

945

489 81 Ex t 392

Declassified E.O. 12356 Section 3.3/NND No. 785016

DFR/53/G II (DP)

- 5111G 1945

FOR ACTION GEORGE FIVE ALLIED FORCE HEADQUARTERS RPTD FIFTH ARMY CMA AND
FIFTH ARMY FOR ABLE GROUP DISPER

1201

5 July 1945

PRIORITY

RESTRICTED PD

SUBJECT IS FOUR ZERO ZERO ZERO GERMAN CIVILIANS ADMINISTRATORS IN BOLZANO PROVINCE PD
PAREN TO FOR ACTION GEORGE FIVE ALLIED FORCE HEADQUARTERS RPTD FIFTH ARMY CMA AND
FIFTH ARMY FOR ABLE GROUP DISPER FROM ALCON CITE AGCAS PAREN

PARA ONE PD FOLLOWING RECOMMENDATIONS MADE PD PAREN ABEN PAREN ADMISSION OF
SUBJECTS TO DISPLACED PERSONS AND REPATRIATION SUB COMMISSION CAMP BOLZANO PD PAREN
BAKER PAREN REGISTRATION UNDER SHAF SYSTEM PD PAREN CHARLIE PAREN LOCAL SECURITY
SCREENING PD

PARA TWO PD ON COMPLETION WILL REQUEST THROUGH YOUR ACCEPTANCE BY SHAF AND MOVE TO
GERMANY BY QUICKEST MEANS

DISTRIBUTION (by hand) :

C.A. Section ✓

1893

CIVIL AFFAIRS SECTION

489081 Ext. 392

Declassified E.O. 12356 Section 3.3/NND No. 785016

D.I./53/2-II (DP)

(60)

FOR ACTION GEORGE FIVE SECTION ALLIED FORCE HEADQUARTERS

1243

5 July 1945

PRIORITY

RESTRICTED PD

SUBJECT IS RETURN TO BOLZANO PROVINCE OF ITALIANS WHO ACQUIRED GERMAN NATIONALITY UNDER HITLER MUSOLINI AGREEMENT OF ONE NINE THREE NINE PD

PAREN TO FOR ACTION GEORGE FIVE SECTION ALLIED FORCE HEADQUARTERS FROM ALCON CITE

ACCAS PAREN

PARA ONE PD DIFFICULTIES ARE BEING CAUSED BY RETURN OF ITALIANS WHO OPTED FOR GERMAN CITIZENSHIP TO BOLZANO CMA TRENTO CMA BELLUNG AND UDINE PROVINCES PD WOULD YOU REQUEST SUPREME HEADQUARTERS ALLIED EXPEDITIONARY FORCE TO CAREFULLY SCREEN ITALIANS FOR THESE AREAS AND STOP RETURN OF THOSE WHO HAVE BECOME GERMAN CITIZENS

DISTRIBUTION (By Hand)

C.A. Section ✓

1894

C.A. Section

489081 Ext 392

447

DRAFT

SECRET

6/8/40

(SA)

AIDE MEMOIRE

On conditions in Dolzaco Province from the Chief Commissioner
of the Allied Commission to the President of the Council of
Ministers

- 1 A number of problems have arisen in connection with the German-speaking
proportion of the population of BOLZANO and of certain other small areas -
BOZNA in Trento Province, CORTINA D'AMPEZZO in Belluno Province and TAVISIO
in Udine Province and I should be glad to receive the views of the Italian
Government thereon at the earliest possible moment.

- 2 As you are no doubt aware the ^{Election Registers.} ~~Ritter-Mussolini~~ agreement of 1939

made provision for Italian subjects of German descent, resident or originating
in those parts, to opt for German nationality and to emigrate to the Reich.

Broadly speaking there are four classes to be considered:

- (a) Those who exercised their option and emigrated, but have now
returned to Italy;
- (b) Those who exercised their option but did not emigrate;
- (c) Those who exercised their option and have been struck off the

Italian registers, but can produce no evidence of acquisition of

German nationality;

As you are no doubt aware the Hitler-Mussolini agreement of 1939 made provision for Italian subjects of German descent, resident or originating in those parts, to opt for German nationality and to emigrate to the Reich.

Broadly speaking there are four classes to be considered:

- (a) Those who exercised their option and emigrated, but have now returned to Italy;
- (b) Those who exercised their option but did not emigrate;
- (c) Those who exercised their option and have been struck off the Italian registers, but can produce no evidence of acquisition of German nationality;
- (d) Those whose names appear in both the Italian and German registers.

The views of the Italian Government are requested as to which of these classes should be included in the electoral rolls about to be compiled in

BOLZANO.

Educational Policy.

3 Inasmuch as well over 50% of the population in BOLZANO are German-speaking it is a matter for determination as to what educational policy should be followed with regard to them. The schools are at present closed for the summer vacation but the views of the Italian Government are urgently requested.

Exposition

It has been pointed out that Allied Military Government General Order No. 35 (which adopts the principles of D.L.L. 159) is not entirely appropriate to meet the situation in BOZZANO as many persons are Nazis rather than Fascists and accordingly an amendment is being made to this Order to cover this point. The Government may also consider it desirable to amend D.L.L. 159 so as to ensure that in this area no loophole exists which may prevent Nazis being epurated.

Declassified E.O. 12356 Section 3.3/NND No. 785016

180-

MINUTES

COMMISSION IN BOLZANO PROVINCE - DECISIONS

ACTION

I refer to my Memorandum dated 1 July 45 on Conditions in BOLZANO Province.

This Memorandum was considered by the Chief Commissioner at his Political Advisers' Conference on Monday 2 Jul 45 and the following decisions on para 4 of the Memorandum are recorded:

L.G. S/C.: Dispatch Exec. Memo. No. 5 dated 1 Jul 45 forthwith.

(a) R.C., VENETIAN Region will be instructed to prepare Electoral Lists in BOLZANO, commencing 15 Jul 45 but supplementary instructions will be issued to him when the views of the Italian Government, mentioned below, have been ascertained.

L.G. S/C.: to prepare Aide Memoire for presentation to Prime Minister.

The Chief Commissioner will ask for the view of the Prime Minister as to what classes, set out in para 2 of the Memorandum, should be included on the Electoral Lists.

(b) & (c). On paras (b) and (c) the British and American Political Advisers have agreed to send forthwith for instructions from their Governments on this point.

(d) The Chief Commissioner decided that no steps should be taken at the moment with regard to the transfer to Germany of any of the classes mentioned in paras 2 of the Memo but the Political Advisers will include this problem in the instructions they propose to obtain from their Governments.

D.P. & R. S/C.: to prepare a signal to ~~submit~~ for my approval. A.F.H.

With regard to the class set out in para 3 of the Memorandum, the Chief Commissioner decided that the matter should be taken up through AMHQ with SHAF with a view to the return to Germany of this class.

L.G. S/C.

(e) The policy as to Education in BOLZANO is one for the Italian Government and this question should be raised in the Aide Memoire to be prepared under (c) above.

D.P. & R. S/C.: to prepare a draft signal

(f) SHAF is to be asked to stop the flow of those returning from Germany, through AMHQ.

(b) & (c). On paras (b) and (c) the British and American Political Advisers have agreed to send forthwith for instructions from their Governments on this point.

(d) The Chief Commissioner decided that no steps should be taken at the moment with regard to the transfer to Germany of any of the classes mentioned in paras 2 of the Memo but the Political Advisers will include this problem in the instructions they propose to obtain from their Governments.

D.P. & R. S/C.: to prepare a signal to ~~State~~ for my approval.
Aftay

L.G. S/C.

(e) The policy as to Education in BOLZANO is one for the Italian Government and this question should be raised in the Aide Memoire to be prepared under (a) above.

D.P. & R. S/C.: to prepare a draft signal for my approval.

L.G. S/C.

(f) SHAEFF is to be asked to stop the flow of those returning from Germany, through AMHQ.

(g) The Italian Government to be advised to amend D.L.L. 159 so as to include Nazis as well as Fascists. This is to be included in the Aide Memoire under (a) above.

Legal S/C.:
CLA to prepare letter for my approval.

R.C., VENEZIA Region to be instructed to set up Special Assize Courts in BOLZANO as soon as possible.

1831
S.M. H. H. H.
G.R. UPSON, Brig.,
VP CA Section.

DISTRIBUTION:

Chief Commissioner,
Executive Commissioner,
Poled (A),
Poled (B),
Chief Legal Adviser,
Local Government Sub-Commission,
Displaced Persons & Repatriation S/C.

SECRET

MEMORANDUM ON CONDITIONS IN BOLLAND PROVINCE

1 The Hitler-Mussolini Agreement of 1939 was intended to eliminate the German-speaking minority south of the Italo-Austrian border. It therefore made provision for Italian subjects of German descent, resident or originating in those parts, to opt for German nationality and to emigrate to the Reich. Although the text of this Agreement has not yet been studied by the Chief Legal Adviser it would appear likely that in order to lose Italian Nationality and acquire German Nationality it was necessary not only to exercise the option for German nationality but to transfer physically to Germany (see Arts. 8 and 12 of the Accordo). The foregoing also applied to the Provinces of TRENTO, BOLZANO and UDINE where there are small areas (SALVA in Trento Province, CARPIA D'ASTIZZO in Belluno Province and TARVISI in Udine Province) to which the Hitler-Mussolini Agreement also applies and where the same problems may arise to some extent.

- 2 Numbers, however, exercised their option but did not emigrate; others emigrated but have now returned to their former homes. There appear to be four main classes of people to be considered:
- (a) Those who exercised their option and emigrated but have now returned; (The Provincial Commissioner also complains that large numbers are daily returning and claiming to be Italian citizens.)
 - (b) Those who exercised their option but did not emigrate;
 - (c) Those who exercised their option and have been struck off the Italian Registers but can produce no evidence of acquisition of German nationality.
 - (d) Those whose names appear in both the Italian and German registers.
- It has been said that about 220,000 persons exercised the option but only 75,000 actually emigrated to Germany, many of whom have since returned. These figures are not, however, authoritative but are given merely to indicate the size of the problem.

3 In addition about 4,000 German civilian administrators are in BOLLAND Province, many of them living in the houses of Italian who are now returning.

exercised their option but did not emigrate; others emigrated but have now returned to their former homes. There appear to be four main classes of people to be considered:

- (a) Those who exercised their option and emigrated but have now returned; (The Provincial Commissioner also complains that large numbers are daily returning and claiming to be Italian citizens.)
- (b) Those who exercised their option but did not emigrate;
- (c) Those who exercised their option and have been struck off the Italian Registers but can produce no evidence of acquisition of German nationality.
- (d) Those whose names appear in both the Italian and German registers.

It has been said that about 220,000 persons exercised the option but only 75,000 actually emigrated to Germany. Many of whom have since returned. These figures are not, however, authoritative but are given merely to indicate the size of the problem.

3 In addition about 4,000 German civilian administrators are in BOLOGNA Province, many of them living in the houses of Italian who are now returning.

4 In these circumstances the following problems arise: 1590

- (a) Are electoral lists to be prepared in BOLOGNA, and if so, what instructions are to be given with regard to the inclusion of the various classes included in para 2 above?
- (b) Ought the Italian Government to be advised to denounce the Hitler-Mussolini pact?
- (c) Ought any fresh offer to permit inhabitants to emigrate to Germany or Austria be made?
- (d) Ought any immediate steps be taken to transfer to Germany any of the classes in paras 2 and 3 above?
- (e) What policy should be laid down as to the treatment of these persons pending solution of these problems and particularly what educational policy should be followed, as well over 50% of the population in BOLOGNA are German speaking.

(f) Should any attempt be made to stop the return from Germany of those in para 2 above?

(g) Epuration has not commenced. Special Assize Courts have not been introduced and it is believed that Italian legislation has not been implemented - should this state of affairs continue?

5 Many of these problems have been considered at a number of conferences during the past week which have been attended by some or all of the following: Executive Commissioner, Polad (A), Polad (B) VC CA Section, CIA and R.C., VENETIS Region, and Local Government Sub-Commission, and it is considered that the Chief Commissioner should preside over a meeting as soon as possible to lay down policy in these matters. The matter is urgent because the preparation of electoral lists is due to start on 15 Jul 45.

6 The following recommendations are made:

As to (a) - It is felt especially by Polads that electoral lists should be prepared in BOLZANO and other affected communes as in all the rest of North Italy. Any differentiation would give rise to alarm and unrest as to the eventual fate of this province. The question as to who should be included on the electoral list is a matter of Italian municipal law but in view of the urgency and delicacy of the matter it is recommended that AMG instruct the Prefect to order Sindaco to include all those in para 2 who were of Italian nationality immediately prior to the Hitler-Mussolini pact; they can always be subsequently struck off the list but they cannot, under Italian law, subsequently be put on. The Polads propose that they should signal their respective Governments stating what is being done and asking for urgent instructions as to the advice which should be given to the Italian Government in this matter.

As to (b) and (c) - These are matters on which the advice of the U.K. and U.S. Governments should be sought. The R.C., VENETIS Region believes that denunciation of the pact is most advisable but obviously many considerations arise which can only be determined by the U.K. and U.S. Governments.

If you agree, the Polads propose to send a signal to their respective Governments asking for an urgent decision on these matters.

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If you agree, the Polada propose to send a signal to their respective Governments asking for an urgent decision on these matters.

As to (d) - It is felt that no steps should be taken at the present except with regard to those mentioned in para 3. There seems to be no reason why, after consultation with ~~SWISS~~ they should not be treated as displaced persons and returned to Germany under the existing scheme. If so, ~~before~~ instructions for the registration of this class must be given.

As to (e) - Trouble may be expected but a liberal policy of tolerance to Germany speaking inhabitants is being adopted by A.M.O. and the Prefect and this policy should be continued. Teaching in schools should be as in other provinces but German should be permitted in those schools where the proportion of German speakers justifies it.

As to (f) - It is recommended that ~~WITZ~~ be asked to stop the return of this class pending clarification of policy. It is a matter on which the Governments should be consulted.

As to (E) - Instructions for the issue of a revised G.O. 35 as to include Nervis have been given. The reason given for the failure to constitute Special Courts of Asize is that someone who had collaborated with the enemy might claim to be a German citizen under the Hitler-Mussolini pact and this question might come up for debate before the Court of Cassation. Until the Governments have decided their policy on nationality it may be better to leave the matter in abeyance though there is much to be said for the setting up of these Courts. No reason is given by R.C. VENEZIA for the non-implementation of Italian legislation and I do not see any reason why such legislation should be excluded.

1 Jul 45.

G.R. UPYON, Brig..
VP CA Section.

- DISTRIBUTION: Chief Commissioner,
Executive Commissioner,
Poled (A),
Poled (B),
Chief Legal Adviser,
Local Government Sub-Commission,
Displaced Persons & Repatriation Sub-Commission.

DISTRIBUTION: Chief Commissioner,
Executive Commissioner,
Poled (A),
Poled (B),
Chief Legal Adviser,
Local Government Sub-Commission,
Displaced Persons & Repatriation Sub-Commission.

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HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

6/18/45

TO : Chief Legal Adviser,
Legal Sub-Commission, HQ., AC.
20 June 1945.

SUBJECT: Bolzano Province.

FILE NO: RXII/LE/BOL/C/01.

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1. Further to my RXII/LE/Reg/C/11.4 of 12 June 1945 a number of new difficulties have arisen in connection with the Province of Bolzano. The Provincial Legal Officer has been here to-day, and has discussed the various problems exhaustively both with myself and with the Regional Commissioner.

2. The Regional Commissioner proposes to visit Bolzano himself in the course of a few days, for the purpose of further discussion with the Provincial Commissioner. On the result of such discussion he proposes to prepare a memorandum to form a basis for discussion at the Regional Commissioners' Conference, which it is understood is to be held next week.

3. So that you may have advance notice of what it is all about, the following are very briefly the problems that are being encountered, with some suggestions as to how they might be met.

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4. Both General Order 35 and the form of Scheda personale to go with it are quite unsuitable for use in Bolzano, since there are very few persons in the Province belonging to the Fascist categories mentioned. On the other hand there are large numbers of undesirable Nazis

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4. Both General Order 35 and the form of Scheda Personale to go with it are quite unsuitable for use in Bolzano, since there are very few persons in the Province belonging to the Fascist categories mentioned. On the other hand there are large numbers of undesirable Nazis and members of corresponding German organizations. I have suggested that this problem would best be dealt with by publishing, in place of General Order 35, a Provincial Order, with a revised form of Scheda Personale.

5. If this is done, it would appear necessary to make provision for an amendment of D.L.L. 159 of 1944 and subsequent legislation on the same subject, so as to include in the "epurable" categories members of undesirable Nazi organizations. Otherwise persons suspended under the proposed Provincial Order will all have to be re-instated when the Commissions appointed under D.L.L. 159 come along.

6. It now appears that a very large proportion of the population of this Province are German citizens. Most of the inhabitants opted for Germany at the time of the Hitler-Mussolini agreement. Some of them actually left Bolzano and took up residence in Germany, although they have since returned to their original homes, not finding Germany to their liking. Others, although they never left Bolzano, were struck off the

register of Italian citizens. A further complication is caused by the fact that many who received certificates of German citizenship have since destroyed them, while others have not. There are many persons who must be regarded as German citizens, simply because they held appointments which were open only to German citizens.

7. The difficulties caused by this question of citizenship become apparent when one considers the matter of prosecutions under D.L.L. 142 of 1945. It is not doubted of course that all persons physically resident within the province are amenable to the jurisdiction of the Extraordinary Court of Assize, as of all other Italian Courts. In the case of many offences, e.g. murders, etc., which are cognizable by the Extraordinary Courts of Assize, it would make no difference whether the accused was a German or Italian citizen. In the case of other offences, however, e.g. denouncing patriotti in the course of collaboration with the Germans, a German would have a good defence to any such charge, since he could contend that he was doing no more than his duty as a loyal German citizen. It may, therefore, actually be an advantage for a man to claim that he is a German citizen.

8. It is suggested that as a first practical step it might be desirable to conduct a registration of all German citizens within the Province. This could be done by way of an invitation to all persons claiming to be German citizens to register themselves as such. It would have to be explained that all persons claiming German citizenship would have to be prepared to be ordered at some time hereafter to leave Italian soil. Those who did not register themselves as German citizens within a certain time could then be deemed to be Italian citizens.

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9. Another reason for clearing up this question of German citizenship is that so long as some fifty per cent of the population are prima facie German citizens the problems of trying to enforce G.O. 27 are practically superhuman.

10. In connection with the suggested registration of those

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9. Another reason for clearing up this question of German citizenship is that so long as some fifty per cent of the population are prima facie German citizens the problems of trying to enforce G.O. 27 are practically superhuman.

10. In connection with the suggested registration of those who claim German citizenship, it is thought that the Italian Government might now be invited to denounce the Hitler-Mussolini agreement. It is considered that such action might help to clear the air to a very considerable extent.

11. The above is intended only to give you a rough idea of the problems that are arising for solution, some of which may perhaps, with your assistance, be capable of solution at next week's Conference of Regional Commissioners. Until a solution of some of these questions is arrived at, it is practically impossible to make any further progress with the legal affairs of Bolzano. Meanwhile, with my approval and that of the Regional Commissioner, no attempt is being made to post G.O. 35 or to commence Spuration, no Italian legislation has been implemented, and no Extraordinary Court of Assize has yet been set up. It seems inevitable that the status quo will have

to be preserved until some decisions on the above problems have been taken. Some of the Problems obviously call for a decision at a very high level.

H. C. Linner

Colonel,
Regional Legal Officer,
Venezia Region.

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HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

12 June 1945.

TO : Chief Legal Adviser, Legal Sub-Commission, HQ., AC.

SUBJECT: Implementation of Italian Legislation.

FILE No: RXII/LE/Reg/C/11.4.

1. I regret to say that paragraph 8 of my Monthly Report for May contained a mis-statement. Italian Legislation has not yet been implemented in the Province of Bolzano.

2. At the time when I wrote my Report orders to implement had been given, and I thought it would have been done. However, when I visited the Province yesterday for the first time, I found that this had not yet been done, although the Provincial Legal Officer expects to do so in the course of the present week. The delay has been due to the desire of the Provincial Legal Officer to make the necessary preparations for setting up the Extraordinary Court of Assize before actually implementing D.L.L. 142 or any other legislation.

3. You will appreciate that communications with Bolzano are not easy.

H. L. Linder

Colonel,
Regional Legal Officer,
AMG., Venezia Region.

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LEGAL SUB-COMMISSION	
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10 JUN 1945	

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