Declassified E.O. 12356 Section 3.3/NND No. 785017

ACC

10000/109/592
(VOL. 1)

Declassified E.O. 12356 Section 3.3/NND No. 785017

10000/109/592
(VOL. 1)

ARMISTICE TERMS
FEB. 1944 - NOV. 1945

Declassified E.O. 12356 Section 3.3/NND No. 785017

1 3 2 9

171

Exdis.

ESO Please see 169 & 170 for info, ~~or perhaps for already have?~~

ESO 16/11

Exdis 16/11

NSC (16/11

CLOSED

125

SECRET.

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

Ref: 2608/EC.

1 Nov 1945.

SUBJECT: Publication of Armistice Terms.

TO : Chief Commissioner.

1. I attended a meeting at AFHQ of the MJPS yesterday. The meeting had been called to decide on the draft of the commentary recommended in AFHQ telegram FX 49611 of 20 Oct 45 and requested in WARCOS telegram of 29 Oct 45.

2. It is important to note with respect to the proposed publication of the armistice terms that the US Chiefs of Staff have initiated the matter and that at AFHQ end all telegrams have been addressed to and sent by CONGENMED, and not SACMED.

3. At the opening of yesterday's meeting the chairman read a telegram to the effect that it was proposed to publish the terms of the armistice with agreed documents and commentary on 2 November, if possible. As SACMED had not consulted his service commanders, particularly C-in-C MED, and as you had not been instructed to consult the Italian Government, it was agreed that the date was impossible. I understand that CONGENMED is telegraphing to this effect and I urged G-5 strongly to request SACMED to send a similar telegram on the lines that he had not yet received any instructions himself.

4. With regard to the publication of the terms, the State Department is considering the release of the terms together with FAN 483, FAN 487, TAM 640 and General Eisenhower's letter of 29 September 1943.

5. The MJPS agreed on a commentary in the form of the attached paper. You will notice that it is considerably shorter and less defensive than the paper submitted by ourselves.

6. It was the general feeling at the meeting that there was a grave danger of unilateral publication of the terms and documents in the US. This was shared by the US chairman, although US Polad (Mr. ~~Brailton~~) assured us that he would do his best to prevent this.

7. The representative of the Royal Navy wished to make it perfectly clear that his consent to the commentary did not commit C-in-C MED whom he is consulting today.

8. I gave it as my opinion that a week would be necessary between the presentation of the proposition and the documents to the Italian Government and the date for simultaneous release in the three countries.

(AFHQ submitted.

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5. The MJPS agreed on a commentary in the form of the attached paper. You will notice that it is considerably shorter and less defensive than the paper submitted by ourselves.

6. It was the general feeling at the meeting that there was a grave danger of unilateral publication of the terms and documents in the US. This was shared by the US chairman, although US Polad (Mr. ~~Brereton~~ Byroade) assured us that he would do his best to prevent this.

7. The representative of the Royal Navy wished to make it perfectly clear that his consent to the commentary did not commit C-in-C MED whom he is consulting today.

8. I gave it as my opinion that a week would be necessary between the presentation of the proposition and the documents to the Italian Government and the date for simultaneous release in the three countries.

9 Draft signal GENERAL submitted. Sent at 126

MSL/JG.

Brigadier,
Executive Commissioner.

Copy to: POLAD (A)
POLAD (B)
Dep Ex. Com
VP, CA Sec
VP, Econ Sec

Declassified E.O. 12356 Section 3.3/NND No. 783017

112

Add ~~Mangotsfield~~ Secret Sub Comm 9 Eccentric

to internal redistribution DD (244).

113

Ref 112 - message centre informed of necessary action taken.

PK. 24/10.

25/10.

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(94)

Please See that direction in 93 is followed

Confirmed with SO/42 O.W. copy already returned FHC 5/10

(See 95)

106.

Ex. Com.

P. 105 has been distributed as shown.

Do you wish to add here a short note of the result of your visit to AFHQ for the info. of Chief Comm.?

FHC 17/10.

107.

Chief Commissioner

I attended meeting at AFHQ on 15/X.

P 105 et seq. were adopted as reasonable & a telegram to C.C.S. on these lines was sent (copy to you).

The actual drafting of the commentary was left

107.

Chief Commissioner

I attended meeting of HTMC on 16/X.
P 105 et seq. were adopted as reasonable
& a telegram to CCS in these lines would be read
(copy to you.)
The actual drafting of the communiqué on 6-PP
& M.J.P.s, using our notes, which we should
receive on being approached on MJPs for 16/25th

E.C. 108.
Dagle
23/10

TUS
CC

OCT 18 PERM
11 20

109.
P.A. for action with Brig Parsons.
JV/231A

110
EC spoke to Brig
Parsons on phone. P.A. 25/X

JV/171A

Declassified E.O. 12356 Section 3.3/NND No. 785017

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Exec.
~~Asst.~~ Commissioner.

Attached is submitted for your ~~approval~~ signature
information.

Noted

Declassified E.O. 12356 Section 3.3/NND No. 785017

Executive Commissioner.

1. Reference 87. I telephoned Brigadier Parsons to-day regarding para 4 sub-para c of the proposed amendments to the second draft document to replace the existing Armistice terms and told him he was to say at the meeting this afternoon that General Browning would like the following words inserted after the words "Italian Government,"

> "But retains the right of reassuming command of all or part of it should he consider this necessary,"

so as to be in keeping with the suggested draft which he, General Browning, had been asked to consider by COS, AFHQ, AMIQ draft reference ASD/925/1.

2. I further told Brigadier Parsons that the Chief Commissioner cannot accept the amendment until he has been informed that the COS have approved the retention of control which is a retrogession, as far as the Italian Government is concerned, from the recommendation made to COS in MAF 1051.

3. I spoke to MMIA (Col. Pidsley) and told him of the above conversation and he expressed his agreement and satisfaction.

4. As regards the AFHQ draft, reference ASD/925/1, Col. Pidsley tells me that the draft came to MMIA direct from AFHQ by DO channels, i.e. brought down by an officer, and it has therefore not been through the Message Centre. He is having it copied and is sending me a copy down this morning. I told Brigadier Parsons this and he says he has never received it. He told me he would at once get on to G-3 (Org) and get a copy and would ensure that G-3 attended the conference this afternoon. G-5 will communicate with you regarding this draft in due course.

this and he says he has never received it. He told me he would at once get on to G-3 (Org) and get a copy and would ensure that G-3 attended the conference this afternoon. G-5 will communicate with you regarding this draft in due course.

29 Sep 45.

Lt.Col.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

Does not refer this entirely to Ld
Dong for — y agreement

Institutional Reserve

CSO

(82)

Gs telephoned Woodhe today
to say that unless we heard to contrary
meeting — 7/5 must postponed — 9 sat/ed
indefinitely

7/5

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61.

TO : A/COS.

Ref 58.

1. A reply has now been received from the Supreme Allied Commander to the Chief Commissioner's letter of 14th August (Folio 42) regarding the publication of the long terms of the armistice.

2. Political Section's comments are at Minute 60 (under). I have not yet asked them to draft a reply to the Prime Minister's letter of 10th August (Folio 34) because I thought that the Chief Commissioner would probably wish to discuss this matter with the Political Section first.

Lt. Col,
Chief Staff Officer.

13.Nov.44

62

13/11. CC In view of par 2 at 58 no action on our part is presently indicated. J

63

14/11
noted J Cos Cc

cc874
13/11

63

Cos

You should see 58 in reply to 42 and also above minutes.

TW 17/11 EG Miller 17/11

Declassified E.O. 12356 Section 3.3/NND No. 780017

50

TO: Chief of Staff.

1. Please see 46 to 49. At para 14 Col. Grossman gives it as his opinion that the ACC can dictate the price or wage structure of the vital phases of the Italian economy or to prevent the Italian Government from making vital changes contrary to the interests of the Allied nations.

2. The A/CC has a copy.

Eichelberger.
Major,
Office of C.O.S.

6th October, 1944

51

JoCS Econ Sec. should see, or if possible obtain a copy. vide 52 M.S/Col x.

57

See Reverse of 56. Second para at x is agreed. No action required on this was discussed at VP's meeting.

11/11 noted. ?

Le 19/10

59.

Pol. Le.

58 is passed for your comments.

11. 11. 44.
COS

Ewo Skipp Lieut

60.

See Review of 56. Second para at x is agreed. No action required on this was discussed at VP's meeting.

R 19/10

11/11 noted. Z

59.

Pol. Re.

58 is passed for your comments

Wolfsupp 10/11

11. 11 41.

(S)

60.

It is clear that the British and United States Governments are still opposed to the publication of the Long Terms. No further action however required until the Italian Government return to the charge and when they do so we shall have to consider from both the military and the political point of view whether the moment is appropriate. A recent telegram from the British Embassy in Washington suggests that the State Department are still considering the idea of a preliminary peace and if there is any idea of proceeding with this it would of course be a powerful argument against the publication of the Terms. Meanwhile, it should be added, the issue is being kept alive in occasional articles of the left wing Press.

42 if

H.L.A. Hopkinson

Political Section.

11.11.41

Ree.

Declassified E.O. 12356 Section 3.3/NND No. 778017

Declassified E.O. 12356 Section 3.3/NND No. 785017

2606

Confidential 170

3461

16 NOVEMBER 1945

169

SECRET PD

YOUR FOA FIVE THREE ONE TEN TEN OF FIFTEEN NOVEMBER UTTS PRIOR PD

PAREN TO AVOID FROM H AIRGRAM FROM ADMIRAL STONE UTTS ACSCC PAREN

RE EVIDENCE THAT ITALIAN GOVERNMENT RELEASED TO PRESS BUT IT PROBABLY LEAKED FROM

ACSC GOVERNMENT SOURCE PD

PARA TWO PD THE VIEWS OF MY POLITICAL ADVISORS WITH WHICH I FULLY CONCUR ARE SOUGH

IN VIEW OF PAREN ABLE PAREN THE MANNER IN WHICH THE ENTIRE MATTER OF PUBLICATION

WAS HANDLED INCLUDING PAREN BAKER PAREN THE PRESS DISPATCH FROM LONDON OF TWO

NOVEMBER BASED ON INFORMATION FROM FOREIGN OFFICE WHICH RESULTED IN PUBLICATION OF

ARMISTICE TERMS SUMMARY IN ITALIAN NEWSPAPERS ON MAIN NOVEMBER CHA AND PAREN

CHARLIE PAREN THE FACT THAT ITALIAN GOVERNMENT HAD ONLY TWENTY FOUR HOURS IN WHICH

TO CONSIDER THE COMMENTARY AND THE LIST OF DOCUMENTS INTENDED TO BE RELEASED

REGARDLESS OF THE ITALIAN GOVERNMENTS CONCURRENCE PAREN SEE LAST SENTENCE OF PAR

SIX THE FOUR PAREN CHA IT WOULD SEEM UNDESIRABLE FOR US REPEAT US TO RAISE

QUESTION OF BREACH OF NORMAL INTERNATIONAL USAGE PD

PARA FOUR PD IN ANY CASE SINCE THE UNCLE SUGAR AND BOB MIKE GOVERNMENTS WERE ADVISED

OF MY VIEWS THE CHARGE IT IS SUGGESTED THEY WILL INSTRUCT OBSERVATION IF THEY DESIRE TO

RAISE QUESTION

Chief Commissioner

222

(163)

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

DISTRIBUTION: US Ambassador
Br Ambassador
US Poland
Br Poland
Ex Counr
PRB
CC Files

See h 171.

1235 PA 20/11

2x
(Copy exchanged) OMB 16/11

Declassified E.O. 12356 Section 3.3/NND No. 785017

2605 5th

Z Conn

169

F 53132.

NOV 15/1025 A

O/3639

NOV 15/1300

IMMEDIATE

FROM SIGNS SACMED CITE PHONG

ALGER 1 GRAY.

Confidential

163

SECRET

Reference your 2211.

Unless circumstances exist of which this H. is unaware, release to press without Allied agreement of [illegible] letter and [illegible] document would appear to constitute a breach of normal international usage. Please consult U.S. and U.K. ambassadors and forward your views as to desirability of asking Italian Government for an explanation of its action.

LEAHY

ACTION CHIEF COMMUNICATION
INFO US AMBASSADOR
UK AMBASSADOR
US [illegible]
UK FOAO
AC CHIEFS STAFF
AFHQ
FILE (2)

Sec 12

4213

(CAPT WRAYCROFT) ORB 16/11

Declassified E.O. 12356 Section 3.3/NND No. 785017

10 November 1945.

My dear Mr. Prime Minister:

In reply to your letter of 8 November 1945, I telegraphed the Supreme Allied Commander on the same day urging in the strongest terms that the request made in your letter for publication of the "Quebec Document" and the Badoglio letter of 20 November 1943 be approved.

With all good wishes,

Very sincerely,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri,
President of the Council of Ministers,
Italian Government,
Rome.

1345

Declassified E.O. 12356 Section 3.3/NND No. 785017

Translation

167

The President of the Council of Ministers

Rome, 8 November 1945

My dear Admiral,

referring to our last conversation, I hereby forward the copy of a letter from the Minister of Foreign Affairs to the American and British Ambassadors, pointing out the advisability of publishing the 'Quebec Document' Marshal Badoglio's letter to President Roosevelt and Prime Minister Churchill, dated November 20th, 1943, to complete the documents that were published yesterday.

I hope you will support our request, particularly for what concerns the Quebec document, for it aims at bringing about a better understanding of documents and facts to which one of the most painful periods of our history is linked.

I thank you for the friendly feelings of which you gave one more proof in this occasion, and I remain, my dear Admiral,

Yours truly,

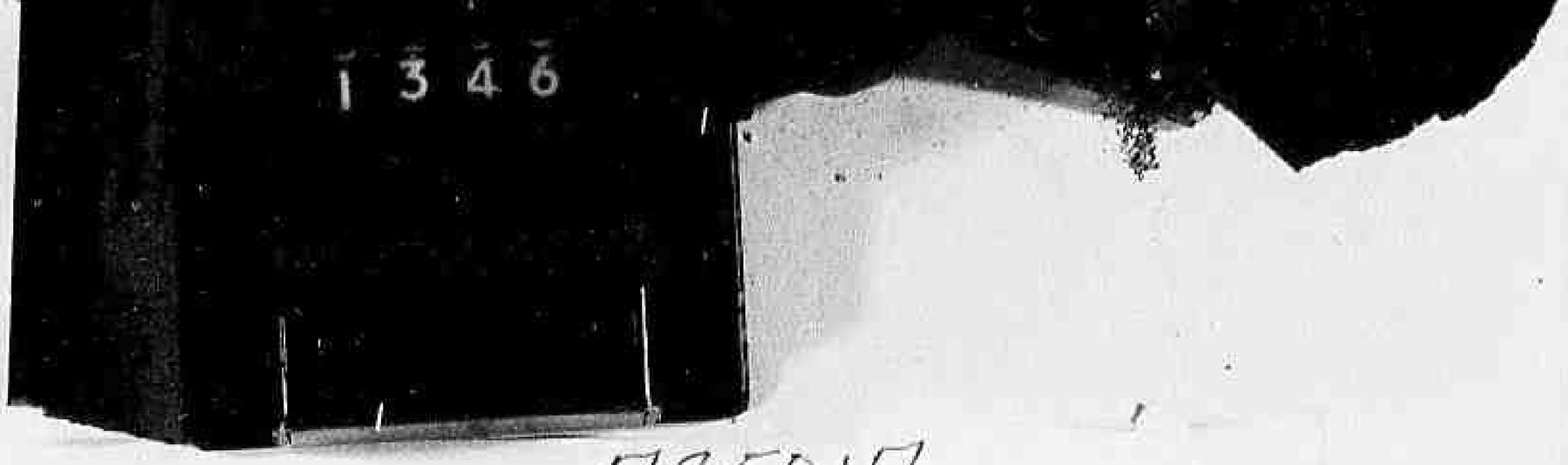
S. Verrucchio Parri

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

trans. e/c

Sc 168

4241



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SECRET 16b

Confidential

AFHQ, A-1 SACMED, U.S. POLAD, BRITISH RESMIN

0130 8 NOVEMBER 1945 URGENT

SECRET PD

SUBJECT IS PUBLICATION OF ARMISTICE TERMS PD

REPEAT TO AFHQ FOR SACMED USCLO SUBAC POLAD BRITISH RESMIN FROM MLO ALCOS FROM ADMIRAL STONE CITE ACSCC FAREW

PARA HAS FORWARDED PR TODAY COPIES OF MINUTES OF FOREIGN AFFAIRS IDENTICAL LETTERS OF SIX NOVEMBER TO AMERICAN AND BRITISH AMBASSADORS REQUESTING THAT PUBLICATION BE MADE AS SOON AS POSSIBLE OF TWO ADDITIONAL DOCUMENTS COLON PARA PARAS ARE PARAS QUEBEC DOCUMENT AND PARA PARAS PARAS BADOGLIOS LETTER OF TWENTY NOVEMBER ONE NINE FOUR THREE ADDRESSED SEPARATELY TO PRESIDENT ROOSEVELT AND PRIME MINISTER CHURCHILL PT PARA TWO PT CURRENT COLON COPIES OF BOTH DOCUMENTS ARE AVAILABLE HERE PT THE SO CALLED QUEBEC DOCUMENT WAS PRESENTED IN LISBON TO GENERAL CASTELLANO BY GENERAL BEDELL SMITH PT ITS IMPORTANCE TO THE ITALIAN GOVERNMENT RESTS ON THE FIRST TWO SENTENCES WHICH STATE THAT THE ARMISTICE TERMS DO NOT CONTEMPLATE ACTIVE ITALIAN ASSISTANCE IN THE WAR AGAINST GERMANY AND THAT THE EXTENT TO WHICH THE TERMS WOULD BE EASED IN FAVOR OF ITALY WOULD DEPEND ON HOW FAR THE ITALIAN PEOPLE AND GOVERNMENT ASSISTED IN THE WAR AGAINST GERMANY PT I WOULD POINT OUT THAT THE ITALIAN GOVERNMENT IS UNQUESTIONABLY FREE IN ANY CASE TO PUBLISH THE BADOGLIO LETTER TO THE PRESIDENT AND PRIME MINISTER AND I ASSUME WILL DO SO EVEN IF SIMULTANEOUS PUBLICATION IS NOT AGREED TO BY THE AMERICAN AND BRITISH GOVERNMENTS PT THE CHRISTIAN DEMOCRAT ITALIAN LOYAL ROME PAPER QUOTE LAVORO QUOTE HAS IN FACT PRINTED YESTERDAY AND TODAY THE FIRST TWO SENTENCES OF THE QUEBEC DOCUMENT AND THE MORE PAPER QUOTE MESSAGGERO LIBERALE QUOTE DID LIKEWISE

1210

see 168

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785017

165

SECRET

CONFIDENTIAL

AFHQ FOR SACMED. U.S. POLAD. BRITISH RESMIN

8 NOVEMBER 1945

SECRET

8130

TODAY PE PARA THREE PI RECOMMENDATION COLON I STRONGLY RECOMMEND THAT IN YOUR CAPACITY AS SACMED AND PRESIDENT OF THE ALLIED COMMISSION YOU URGE PROMPT ACCEPTANCE OF THE ITALIAN GOVERNMENTS REQUEST FOR SIMULTANEOUS PUBLICATION IN ROME CHA LONDON AND WASHINGTON OF THESE TWO DOCUMENTS IN ORDER THAT THE ITALIAN SIDE OF THE PICTURE MAY BE BETTER UNDERSTOOD BOTH HERE AND ABROAD

DISTRIBUTION
U.S. Ambassador
British Ambassador
US. POLAD
British POLAD
P.R.B.
Exec Comm
Chief Comm Files

Chief Commissioner

222

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

SECRET
4239

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608

RESTRICTED

1291
NOV 091515A

03336
NOV 101445

IMPORTANT

NOV 14 1945

AIR LEGATION BERLIN FOR CAPT OTIS PRESS OFFICER SIGNED DUNN.
AIR ATTACHE CITE ADDED FOR COL BERGIN

RESTRICTED.

Get telegram sent from British EmbassyGENEVA Press Officer to British Embassy Rome regarding Press treatment of Armistice terms in GENOVA. Mission desires MINIMAL STORY be seen.

LLT

ACTION: PUBLIC RELATIONS BRANCH

INFO: CHIEF COMMISSIONER
FILE (2)
FLOAT
EX Com.

spoke Col. Bergin who is taking all necessary action

PA

Float

12/11

4238

Declassified E.O. 12356 Section 3.3/NND No. 785017

2603 ml

163

SECRET

Confidential

AFHQ FOR HACMED, U.S. POLAD, BEYING GARIN

*** URGENT ***

8211 10 NOVEMBER 1945

SECRET FD

FURTHUR MY EIGHT ONE EIGHT ZERO OF EIGHT NOVEMBER RE ANTIFICK PUBLICATION FD

PAPER TO AFHQ FOR HACMED UNCLE SUGAR POLAD BEYING FROM H. ALCON FROM

ATMICAL ZEBRA CITE ADECC PAPER

FOR YOUR INFORMATION ROME PAPER QUOTE IL POPOLO UNQUOTE PUBLISHED TODAY FULL

TEXT OF BADOGLIO LETTER OF TWENTY NOVEMBER ONE NINE FOUR FIVE AND ROME

PAPER QUOTE IL TEMPO UNQUOTE PUBLISHED TODAY QUERY DOCUMENT

DISTRIBUTION:
US Ambassador
Br Ambassador
US POLAD
Br POLAD
FCO
Exec Comm
CC Files

SECRET

Chief Commissioner

222

(CSO)

Rear Admiral, USN
Chief Commissioner

See 169

1236.

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URGENT

RAAC MESSAGE FORM

F.6

CALL | CIRCUIT No. | PRIORITY | TRANSMISSION INSTRUCTIONS

NR 4114 URGENT

(162)

SPACES WITHIN RED LINES FOR SIGNALS USE ONLY

DATE TIME OF ORIGIN

Confidential 052320A

FROM (A) SIGNED SACMED

N1/06

TO (FOR ACTION) AGWAR FOR CCS, CABINET OFFICE FOR BR CS

TO (FOR INFORMATION) ALCOM

(SECURITY CLASSIFICATION) SECRET

(REF. No.) FX 51981 CITE FHCOS

REFERENCE FAN 624. THIS IS NAF 1087.

ITALIAN GOVERNMENT AGREE PUBLISHMENT OF ITEMS LISTED INCLUDING CHANGES SACMED'S COMMENTARY. THEY WILL PUBLISH AT THE TIME REQUESTED.

4235

SECRET

LOCAL DISTRIBUTION

PRECEDENCE: URGENT

ORIGINATING SECTION:

A. G. AUTHENTICATION:

ORIGINATOR'S AUTHENTICATION:

XXXXX FOR Ops.
060030A

TIME CLEARED:

URGENT

(161)

Ref: 2608/EC. 6 Nov 1945.

Dear Mr. Montemari:

I have been trying to get you all this morning to tell you that Article 22 of the Italian version was correct and I am now sending you a master copy of the commentary (English version) amended in ink.

Yours sincerely,

Brigadier,
Executive Commissioner.

Sig. Montemari,
Italian Government,
ROME.

4234

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1352

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608

SECRET

160

AFM4 FOR SACHED, U.S. POLAD, BRITISH ASSIN

8078 5 NOVEMBER 1945 URGENT

SECRET PD

REFERENCE FAN SIX TWO FOUR PD

PAREN TO AFIM FOR SACHED UNCLE SUGAR POLAD BRITISH ASSIN FROM H. ALCOM

FROM AMBASSADOR STONE CITE ACSCC PAREN

ITALIAN GOVERNMENT ACCEPTS WITHOUT CHANGE COMMENTARY AS AMENDED BY FAN SIX TWO FOUR AND WILL PUBLISH ALL DOCUMENTS LISTED THEREIN AT EIGHTEEN HUNDRED HOURS GMT NOVEMBER SIXTH

DISTRIBUTION:
General Morgan, "FLAGSTAFF"
Exec Comm
US Ambassador
Br Ambassador
US POLAD
Br POLAD
PRB

SECRET

4233

In each case for "clause" read "article".
" " " sub-clause" read "clause"

AMENDED BY FAN 624.

(150)

SECRET. 5. Nov. 45.

Confidential

ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY.

COMMENT: The extent to which certain clauses of the following agreement signed on behalf of the United Nations on the one hand and the Italian Government on the other have been implemented or modified is shown in italics under the relevant clauses. The remaining clauses have either been superceded by events and are therefore dormant, or are still in force. These clauses are not commented upon.

(NOTE: Clauses of armistice terms to be inserted above each applicable comment)

Clause

1. Text of clause.....
2. " " "
3. " " "
4. " " "
5. " " "

Were complied with.

6. Text of clause.....
7. " " "
8. " " "
9. " " "
10. " " "
11. " " "
12. " " "

With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United Nations and have contributed materially to the liberation of Italy and final victory. The Italian Navy has operated with Allied warships in the Mediterranean and elsewhere and since the cessation of hostilities has largely been employed in Italian interests in mine sweeping and the transport of displaced persons. The Army fought alongside Allied formations during the campaign in Italy and the ~~Italian~~ Air Force took its place with the Allied Air Forces.

13. Text of clause.....

No comments.

14. Text of clause.....

While Italian merchant ships have been employed in the general interests of the United Nations, they have been primarily employed in Italian interests. Italian inland transport and ports have now been largely returned to ~~the~~ Italian administration except insofar as ~~the~~ redeployment and maintenance of the Allied Forces has had to be effected.

15. Text of clause.....

The provisions of ~~the~~ clause as regards small vessels and craft have not ~~been~~ been fully satisfied owing to the difficulty of locating and identifying vessels and craft concerned.

4232

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nations and have contributed towards ~~liberating~~ Italy and final victory. The Italian Navy has operated with Allied warships in the Mediterranean and elsewhere and since the cessation of hostilities has largely been employed in Italian interests in mine sweeping and the transport of displaced persons. The Army fought alongside Allied formations during the campaign in Italy and the ~~Italian~~ Air Force took its place with the Allied Air Forces.

13. Text of clause.....

No comments.

14. Text of clause.....

While Italian merchant ships have been employed in the general interests of the United Nations, they have been primarily employed in Italian interests. Italian inland transport and ports have now been largely returned to ~~the~~ Italian administration except insofar as ~~the~~ redeployment and maintenance of the Allied Forces has had to be effected.

15. Text of clause.....

4232

The provisions of ~~this~~ clause as regards small vessels and craft have not ~~yet~~ been fully satisfied owing to the difficulty of locating and identifying vessels and craft concerned.

16. Text of clause.....

Control of radio has been returned to the Italian Government. All military and rehabilitated civilian telecommunications ~~have been and will continue being~~ be handed over to the Italians as military requirements decrease. Internal censorship has been abolished in the areas under Italian Government control.

17. Text of clause.....

No comments.

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158

Clause

18. Text of clause.....

The second sentence of this clause has never been invoked except in two frontier areas, ~~i.e.~~ on the Franco-Italian frontier and Venizia Giulia.

19. Text of clause.....

Care has been taken to conserve, wherever possible, Italian resources for the use of the ~~civilian~~ economy and to utilise local goods and services only when military necessity demanded.

The Allied Forces Local Resources Board, on the committees of which Italian representatives have sat, was established as the allocation agency. While the legal rights of the Allied Forces under this clause have not been modified, in practice it has been administered with as much regard as possible for Italian needs. With the redeployment of Allied troops from Italy the utilisation of local resources and facilities is diminishing rapidly. In addition, ~~supplies~~ Lend-Lease of food, coal, clothing and other commodities have been imported into Italy by the United Nations, largely in United Nations ships, to supplement ~~internal~~ local resources and to alleviate distress.

20. Text of clause.....

AMG was rigorously enforced in combat zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to the Italian administration.

21. Text of clause.....

As Allied Forces are redeployed facilities are ~~being~~ progressively handed back to Italian control.

22. Text of clause.....

With the declaration of war upon the Germans by the Italian Government in October 1943 ~~and the co-operation and loyalty of the Italian people in the Allied cause,~~ there has never been any necessity to invoke this clause.

23. Text of clause.....

The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal financial affairs, except in cases of Allied military necessity, and that with certain exceptions the Italian Government no longer need obtain the approval of the Allied

in Italy's own interests

Declassified E.O. 12356 Section 3.3/NND No. 783017

Italy the utilisation of local resources and facilities is diminishing rapidly. In addition, large quantities of food, coal, clothing and other commodities have been imported into Italy by the United Nations, largely in United Nations ships, to supplement local resources and to alleviate distress.

20. Text of clause.....

AMG was rigorously enforced in combat zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to the Italian administration.

21. Text of clause.....

As Allied Forces are redeployed facilities are progressively handed back to Italian control.

22. Text of clause.....

With the declaration of war upon the Germans by the Italian Government in October 1943 there has never been any necessity to invoke this clause.

23. Text of clause.....

The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal financial affairs, except in cases of Allied military necessity, and that with certain exceptions the Italian Government no longer need obtain the approval of the Allied Commission prior to the execution of external financial transactions. The Italian Government is now free to fix or negotiate exchange rates for the lira without prior consultation with the Allied Commission.

24. Text of clause.....

Private export trade may now be resumed and all types of commercial and financial correspondence may now go forward from Italy to the non-enemy world, subject to the Italian Government putting into force certain trade control measures similar to those employed by the United Nations, against enemy interests.

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Confidential

(157)

Clause

25. Text of clause.....

No comments.

26. Text of clause.....

This article is no longer enforced, and provided an individual has the necessary civil documents such as passport, visa, etc., there is nothing to prevent him leaving Italian territory, ~~The issue of the documents is, however, dependent on~~ subject, of course, to the immigration regulations of the countries of intended destination.

27. Text of clause.....

No comments.

28. Text of clause.....

No comments.

29. Text of clause.....

No comments.

30. Text of clause.....
31. Text of clause.....

The Italian Government has of its own volition done all that would have been required.

32. Text of clause.....

This clause has been complied with and in the case of sub-clauses (a) and (b) no longer applicable. As regards sub-clause (c), the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the ~~pos~~ conservation and administration of United Nations property in Italy previously sequestrated by the Italian Government.

33. Text of clause.....

That part of sub-clause (b) that deals with the disposal of foreign assets has been modified in favour of the Italian Government (see under Article 23).

34. Text of clause.....

No comments.

35. Text of clause.....

F 4230

Declassified E.O. 12356 Section 3.3/NND No. 783517

Text of clause.....

31. Text of clause.....

The Italian Government has of its own volition done all that would have been required.

32. Text of clause.....

This clause has been complied with and in the case of sub-clauses (a) and (b) no longer applicable. As regards sub-clause (c), the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the conservation and administration of United Nations property in Italy previously sequestrated by the Italian Government.

33. Text of clause.....

That part of sub-clause (b) that deals with the disposal of foreign assets has been modified in favour of the Italian Government (see under Article 23).

34. Text of clause.....

No comments.

35. Text of clause.....

No comments.

36. Text of clause.....
37. Text of clause.....

The execution of these clauses has been modified by the Macmillan/Ide Memoir of 24 February 1945.

38. Text of clause.....

No comments.

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

Confidential

(156)

Clause

39. Text of clause.....

No comments.

40. Text of clause.....

No comments.

41. Text of clause.....

~~In practice Albania is no longer included in the jurisdiction of Italian courts.~~ In practice the Armistice conditions have not been applied to ALBANIA or to any former Italian territories overseas.

42. Text of clause.....

No comments.

43. Text of clause.....

No comments.

44. Text of clause.....

No comments.

Declassified E.O. 12356 Section 3.3/NND No. 785017

1225

Sheet 4.

No. enclosed.

Dept. of State.....

Declassified E.O. 12356 Section 3.3/NND No. 785017

(155)

Sheet 5.

COMMENTS ON THE CUNNINGHAM-de COURTEN AGREEMENT.

1. As explained within the terms, this agreement was produced in modification of the Armistice Terms in order that the Italian Fleet and Mercantile Marine could assist in the prosecution of the war against the Axis Powers.

2. The additions to the agreement were inserted at the Allied request after the original agreements had been signed and were accepted on the Italian side in view of an amelioration of certain articles in original terms of the Armistice. Signature was accompanied by the formal statement of Admiral de Courten printed above.

3. The provisions of this agreement have been carried out and those provisions which remain operative with the cessation of hostilities are still being carried out. Furthermore, many Italian warships are undertaking work of direct benefit to the Italians themselves, e.g. transport of displaced persons.

4. While the employment of Italian ships has been of use to the United Nations it is pointed out that considerable United Nations resources have been expended in Italy to help the Italian Government in keeping Italian ships running and the crews fed and clothed.

5. In addition to the use of the Italian Mercantile Marine shipping, under this agreement a number of smaller Italian merchant ships have been returned to the control of the Italian authorities.

1362

Declassified E.O. 12356 Section 3.3/NND No. 785017

154

1640 hrs.
5 Nov 45

Chief Commissioner:

Mr. Malcolm of the British Embassy called and said that the Foreign Office has proposed to the State Department the following amendment:

> "We shall, when publishing, delete from the amended second paragraph of the commentary on the Cunningham-DeCourten agreement the words 'after the original agreement had been signed'. The Foreign Office is inviting the State Dept. to do likewise."

This was sent "most immediate" to Washington.

L.W.S.

4227

Declassified E.O. 12356 Section 3.3/NND No. 785017

HEADQUARTERS ALLIED COMMISSION

Office of the Chief Commissioner

APO 394

Sept 1ST — AC did it.

Declassified E.O. 12356 Section 3.3/NND No. 785017

The following changes in the commentary have been agreed between the American State Department and the British Foreign Office:

1) Insert "materially" after the word "contributed" in the comment on Articles 8-12.

2) Delete "have been and will continue to be" and substitute "are being" in comment on Article 16.

3) Add "i.e., on the Franco-Italian frontier and in Venezia Giulia" in comment on Article 18.

4) Delete "substantial" in third paragraph of comment regarding Article 19 and substitute "large".

5) Change "all" to "as" in comment on Article 21.

6) After "exceptions" insert "in Italy's own interest" in comment on Article 23.

7) Add "against enemy interests" in comment on Article 24.

8) Add "(see under Article 23)" in comment regarding Article 33.

9) Change comment on Article 41 to read: "In practice the armistice conditions have not been applied to Albania or to any former Italian territories overseas".

10) The word "Article" should be used for "Clause" throughout and the word "Clause" should be used instead of "Sub-Clause" throughout.

11) Change the second paragraph of the comment on the "Cunningham - De Courten Agreement" to read "The additions to the Agreement were inserted at the Allied request after the original Agreement had been signed and were accepted on the Italian side in view of an amelioration of certain articles in the original terms of the armistice. Signature was accompanied by the formal statement by Admiral De Courten printed above."

Excerpt from telegram from
Department of State dated
November 4, 2 p.m., 1945.

Declassified E.O. 12356 Section 3.3/NND No. 783017

(12)

EG CENTER NO	: 15: 19: 34: 39/05.	Date/Time Rec'd: 051015A
Classification	: SECRET	
Precedence	: URGENT	Ref : W 81101
From	: ADMAR FROM COMBINED CHIEFS OF STAFF	
To	: ACTION AFHQ FOR MURPHY, INFO CABINET OFFICERS FOR BRITISH CHIEFS OF STAFF ALGIR	

SECRET

Confidential (7)

This letter is No. FAN 623. Your NAFs 1084 and 1085.

1. The USA and British Governments have decided to publish following documents at 1800 hours GMT on November 6th.

(a) Long Terms of Armistice as modified by Protocol.

(b) Short Terms of Armistice.

(c) General Eisenhower's letter to Badoglio of September 29th, 1943.

(d) The Cunningham-de Courten agreement of September 23rd, 1943 together with Council Protocol and De Courten's statement of November 17th, 1943.

(e) The Macmillan aide memoire of 24th February, 1945.

(f) Your commentary contained in NAF 1085 with the following amendments:

(i) For "Clause" read "article" throughout and for "sub-clause" read "clause".

(ii) Under clauses 6-12; first sentence, after "contributed" insert "materially".

(iii) Under clause 16, line 3, for quote"telecommunications have been and will be continue to be handed over"unquote, substitute quote"telecommunications are being handed over" unquote.

(iv) Under Clause 18 after "except in two frontier areas"

(12)

(d) The Birmingham-de Courten agreement of September 23rd, 1943 together with Council Protocol and De Courten's statement of November 17th, 1943.

(e) The Macmillan aide memoire of 24th February, 1945.

(f) Your commentary contained in NAF 1085 with the following amendments:

(i) For "Clause" read "article" throughout and for "sub-clause" read "clause".

(ii) Under clauses 6-12; first sentence, after "contributed" insert "materially".

(iii) Under clause 16, line 3, for unquote"telecommunications have been and will be continue to be handed over"unquote, substitute quote"telecommunications are being handed over" unquote.

(iv) Under Clause 18 after "except in two frontier areas" add "i.e. on the Franco-Italian Frontier and Venezia Giulia".

(v) Under Clause 19, last sentence, for "substantial quantities" read "large quantities".

(vi) Under Clause 24 for "all Allied forces" read "as Allied forces".

Declassified E.O. 12356 Section 3.3/NND No. 789017

Declassified E.O. 12356 Section 3.3/NND No. 783017

Confidential (151)

(vii) Under Clause 23 first sentence, after "with certain exceptions" add "in Italy's own interest ".

(viii) Under Clause 24 after "United Nations" add "against enemy interests ".

(ix) Under Clause 33 after "Italian Government" add "(see under Article 23)".

(x) Under Clause 41 delete and substitute "in practice the Armistice conditions have not been applied to Albania or to any former Italian territories overseas".

(xi) Delete para 2 of commentary on Cunningham-de Courten Agreement and substitute the following "2. The additions to the agreement were inserted at the Allied request after the original agreements had been signed and were accepted on the Italian side in view of an amelioration of certain articles in original terms of the Armistice. Signature was accompanied by the formal statement of Admiral de Courten printed above."

2. US and British Political Representatives are being instructed to inform their four other colleagues on the Advisory Council that publication of the above documents will take place on 6 November. They are also being instructed to inform the Italian Government of the intention to publish to show them your commentary as amended in para 1 (f) above and to invite the Italian Government to publish all the documents listed in para 1 above in Rome simultaneously with the release by the US and British Governments in Washington and London

agreement and substitute the following: "2. The additions to the agreement were inserted at the Allied request after the original agreements had been signed and were accepted on the Italian side in view of an amelioration of certain articles in original terms of the Armistice. Signature was accompanied by the formal statement of Admiral de Courten printed above."

2. US and British Political Representatives are being instructed to inform their four other colleagues on the Advisory Council that publication of the above documents will take place on 6 November. They are also being instructed to inform the Italian Government of the intention to publish to show them your commentary as amended in para 1 (f) above and to invite the Italian Government to publish all the documents listed in para 1 above in Rome simultaneously with the release by the US and British Governments in Washington and London respectively. Should the Italian Government not be prepared to subscribe to the terms of the commentary and therefore not wish to publish it you should yourself publish all the documents including the commentary at 1800 hours GMT on 6 November.

1284

DIST: ACTION - C. Commissioner
INFO - Dr. Commissioner
US Embassy
BR Embassy
File

Declassified E.O. 12356 Section 3.3/NND No. 783017

Declassified E.O. 12356 Section 3.3/NND No. 785017

Confidential (15)

MSG Center No	:	M66/05	Date/Time Rec'd	:	051324A
Classification	:	SECRET			
Precedence	:	O.P.	Ref No	:	P31856
From	:	AFHQ SIGNED SACMED			
To	:	ACTION ALCOM ROME	Cite	:	[redacted]

SECRET.

In the event that publication by AFHQ in accordance with last paragraph of FAN 624 comes necessary, request you publish all documents in SACMED's name using your own channels. Your action in this respect should be coordinated with AFHQ Advance PRC in ROME.

DIST: AOFTUR - C.Commissioner
IMRO - Ex.Commissioner
US Embassy
UK Embassy
File

Confidential 149

Message from Sir Noel Charles, 5 Nov 45, 12 noon

Documents to be published are:

	Italian.	English.	
1.	5(a)	5(b)	Short Terms of Armistice
2.	13(a)	13(b)	Long Terms of Armistice
3.	12(a)	12(b)	Protocol of amendment to Long Armistice Terms.
4.	10(a)	10(b)	General Eisenhower's letter to Marshal Badoglio.
5.	7(a)	7(b)	Cunningham - De Courten Agreement.
6.	16(a)	16(b)	Protocol to Cunningham - De Courten Agreement.
7.	17		De Courten's statement of 17 Nov 1943.
8.			Macmillan Aide Memoire.
9.			Commentary.

Declassified E.O. 12356 Section 3.3/NND No. 785017

13707

1371

Declassified E.O. 12356 Section 3.3/NND No. 785017

F 51833
NOV 5/0950A

G 2876
NOV 5/1200A

URGENT

AFHQ SIGNED SACMED CITE FHEEC

ALCOM ROME

Confidential

SECRET.

Repeated to you for information MLO PAN 624. Inform General MORGAN of contents

DIST

ACTION : CHIEF COMMISSIONER (2)

INFO : EX COMMISSIONER (2)
FILE

4221

Declassified E.O. 12356 Section 3.3/NND No. 1 3 7 2 7 2
T2501

C O - X.

Rome, November -, 1945.

147

Mr. Minister,

I have the honor to inform you that the Government of the United States of America proposes to release for publication on November 6, 1 p.m., Eastern Standard Time, the armistice terms with Italy, in view of the general agreement that there no longer exist objections to their publication, together with the amending Protocol and General Eisenhower(s letter of September 29, 1943, to Marshal Badoglio. Simultaneously there will be published the "Cunningham - De Courten Agreement" and amendment together with Admiral De Courten's statement of November 17, 1943, and a commentary demonstrating how, in practice, the armistice restrictions have been modified, and giving the substance of the financial and political directives which have been received from time to time by the Supreme Allied Commander permitting modification in the application of the armistice terms.

In advising you of the foregoing, I have the honor to state that my Government would appreciate the concurrence of your Government in the agreed commentary and that, in that event, it would be glad to have the Italian Government join in simultaneous release of the above-mentioned documents. In view of public pressure in the United States for publication of the armistice terms, my Government could not accept postponement of their publication and has expressed the hope that the Italian Government will not raise the question of further consultations.

I avail myself of this opportunity to renew to you, Mr. Minister, the assurance of my highest consideration.

Signor Alcide de Gasperi,
Minister for Foreign Affairs,
R o m e.

4250

COPY.

172/56/45 5th November 1945.

Monsieur le Ministre,

In view of the fact that all objections to their publication have ceased to exist, I have the honour to inform you that His Majesty's Government propose to publish on the 6th November at 1800 hours Greenwich Mean Time, the "short" and the "long" terms of the armistice with Italy, together with the protocol, General Eisenhower's letter of the 29th September, 1943, to Marshal Badoglio, the "Cunningham-De Courten" agreement, together with the protocol thereto and Admiral De Courten's statement, Mr. Macmillan's aide memoire of the 24th February, 1945, and a commentary by the Supreme Allied Commander showing how the terms of the armistice have been applied.

2. All these documents will be published simultaneously in Washington. The text of the proposed commentary by the Supreme Allied Commander will be communicated to the Italian Government by the Chief Commissioner of the Allied Commission, with an invitation to the Italian Government to concur in its terms and to publish all the above-mentioned documents themselves simultaneously. It is hoped that the Italian Government will feel able to do so.

I avail myself of this opportunity to renew to Your Excellency the expression of my highest consideration.

Noel Charles.

S.E. Signor Alcide de Gasperi,
Minister for Foreign Affairs,
Palazzo Chigi,
Rome.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET.

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Ref: 2806/EC. 5 Nov 1945.

Confidential

On the Chief Commissioner's instructions I am sending you copies of the commentary on the Armistice Terms translated into Italian and the Chief Commissioner's letters to the Prime Minister covering FAN 583 and FAN 640.

M. S. LUSH

The Hon. Alexander Kirk,
US Ambassador,
American Embassy,
ROME.

H.E. Sir Noel Charles, Bt., KCMG,
High Commissioner,
British Embassy,
ROME.

4216

Declassified E.O. 12356 Section 3.3/NND No. 783017

1374

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET.

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX-51472
Date/Time of Origin: NOV 021458A

Message Centre No: G/2696
Date Time Rec'd: NOV 020845
Precedence: URGENT

FROM: SIGNED SACMED CITE FHCOS
TO : AGWAR FOR CCS, CABINET OFFICES FOR BR CS INFO: ALCOM ROME.

Confidential

SECRET.

This is NAF 1085, further to NAF 1084.

A. Additional conditions of Armistice with ITALY.

COMMENT: The extent to which certain clauses of the following agreement signed on behalf of the United Nations on the one hand and the Italian Government on the other have been implemented or modified is shown in Italics under the revelant clauses. The remaining clauses. The remaining clauses have either been superceded by events and therefore dormant, or are still in force. Theses clauses are not commented upon.

NOTE: Clauses of Armistic Terms to be inserted above each applicable comment.

CLAUSES 1 to 5. Were complied with. CLAUSES 6 to 12. With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United Nations and have contributed towards the liberation of ITALY and final victory. The Italian Navy has operated with Allied warships in the MEDITERRANEAN and elsewhere, and since the cessation of hostilities has largely been employed in the Italian interest in minesweeping and the transport of Displaced Persons. The army fought alongside Allied formations during the Campaign in ITALY and the Air Force took its place with the Allied Air Forces. CLAUSE 14. While Italian merchant ships have been employed in the general interests of the United Nations they have been primarily employed in the Italian interest.

Declassified E.O. 12356 Section 3.3/NND No. 785017

Confidential

(13)

Italian inland transport and ports have now been largely returned to Italian administration except in so far as redeployment and maintenance of Allied Forces has had to be effected. CLAUSE 15. The provisions of the clause, as regards small vessels and craft, have not been fully satisfied owing to the difficulty of locating and identifying the vessels and craft concerned. CLAUSE 16. Control of radio has been returned to the Italian Government. All military and rehabilitated civilian telecommunications have been and will continue to be handed over to the Italians as military requirements decrease. Internal censorship has been abolished in the areas under Italian Government control. Clause 18. The second sentence of this clause has never been invoked, except in 2 Frontier Areas. CLAUSE 19. Care has been taken to conserve wherever possible Italian resources for the use of the civil economy and to utilize local goods and services only when military necessity demanded. The Allied Forces Local Resources Board, on the committees of which Italian representatives have sat, was established as the allocation agency. While the legal rights of the Allied Forces under this clause have not been modified, in practice it has been administered with as much regard as possible for Italian needs. With the redeployment of Allied troops from ITALY, the utilization of local resources and facilities is diminishing rapidly. In addition, substantial quantities of food, coal, clothing and other commodities have been imported into ITALY by the United Nations largely in United Nations ships to supplement local resources and to alleviate distress. CLAUSE 20. Allied Military Government was rigorously enforced in Combat Zones for obvious operational reasons. This was progressively relaxed as the battle moved forward untilterritories were handed over wholly to Italian Administration. CLAUSE 21. ~~All~~ As! Allied Forces are redeployed,

Declassified E.O. 12356 Section 3.3/NND No. 785017

facilities are progressively being handed back to Italian Control. CLAUSE 22. With the Declaration of WAR upon the Germans by the Italian Government in October 43, there has never been any necessity to invoke this clause. CLAUSE 23. The Italian Government has been informed that the Allied Commission will no longer intervene in the Italian Internal Financial Affairs (except in cases of Allied Military necessity) and that, with certain exceptions, the Italian Government need no longer obtain the approval of the ALLIED COMMISSION prior to the execution of external financail transactions. The Italian Government is now free to fix or negotiate exchange rates for the lira without prior consultation with the ALLIED COMMISSION. CLAUSE 24. Private export trade may now be resumed and all types of commercial and financail correspondence may now go forward from ITALY to thenon-emeny world, subject to the Italian Government putting into force certain trade control measures similiar to those employed by the United Nations. CLAUSE 26. This clause is no longer enforced, and provided an individual has the necessary civil documents, such as passport, visas, etc. There is nothing to prevent him leaving Italian territory, subject of course to the immigration laws and regulations of the countries of intended destination. CLAUSES 30-31. The Italian Government has of its own violition done all that would have been required. CLAUSE 32. This clause has been complied with and is, in the case of sub-clauses A and B, no longer applicable. As regards sub-Clause C the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the conservation and administration of United Nations property in ITALY, previously sequestered by the Italian Government. CLAUSE 33. The part of sub-Clause 33 (B) that deals with the disposal of foreign assets has been modified in favour of the Italian Government. CLAUSES 36/37. The

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Declassified E.O. 12356 Section 3.3/NND No. 785017

Confidential

execution of these clauses has been modified by the MAC MILLAN AIDE MEMOIRE of 24 February 1945. CLAUSE 41. In practice ALBANIA is no longer included in the definition of Italian territory.

B. CUNNINGHAM-DE COURTEN Agreement. Part the following general comments show the extent to which certain clauses have been implemented or modified.

1. As explained in the document this agreement was produced in modification of the Armistice Terms so that the Italian Fleet and Mercantile Marine could assist in the prosecution of the war against the AXIS POWERS.

2. In justice to Marshal BADOGLIO and Admiral DE COURTEN it should be stated that additons to the agreement were inserted after the original agreement has been signed and were only accepted by the under strong protest and in view of an amelioration of certain clauses in the original terms of the Armistice.

3. The provisions of this agreement have been carried out and those provisions that remain operative with the cessation of hostilities and change of circumstances are still being carried out. Furthermore many Italian Warships are undertaking work of direct benefit to the Italians themselves, for example transport of Displaced Persons.

4. While the employment of Italian ships has been of use to the United Nations it is pointed out that considerable United Nations resources have been expended in ITALY and elsewhere to help the Italian Government in keeping the Italian ships running and their crews fed and clothed.

5. In addiiton to the use of Italian Mercantile shipping under this agreement a number of the smaller Italian Merchant ships has been

Declassified E.O. 12356 Section 3.3/NND No. 785017

Confidential

(FX 51472 - CONTINUATION PAGE 5)

returned to the control of the Italian authorities.

DIST

INFO-ACTION EX COMMISSIONER (2)
INFO CHIEF COMMISSIONER (2)
POLAD (A)
POLAD (B)
FILE

1380

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608 EXEC COMM

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: [illegible]

Date / Time of Origin: [illegible]

FROM: [illegible]

TO : .

Message Centre No: [illegible]

Date Time Rec'd: [illegible]

Precedence: URGENT

NOV 3 1945

ACTION

SECRET

Confidential

For Chief Commissioner.

1. Confirming conversation Chief of Staff AFHQ-Executive Commissioner ACC/A. SACMED'S comments on Armistice terms will not now be shown to the Italian Govt until further instructions are issued. Arrangements made in earlier telephone conversation Chief of Staff AFHQ-Chief Commissioner ACC/A, are cancelled.

2. You will however be prepared to act as follows.

A. To show to Min for FAREF SACMED'S comments as contained in MAF 1055 but not SACMED'S covering remarks in MAF 1054.

B. To notify him that the Chiefs of Staff, to whom these comments have been forwarded, may not agree to the publication of all of them in their present form and it is their remark but that it is your opinion that they will be published substantially as set out.

C. To invite FAREF'S views on SACMED'S comments particularly in order to discover whether any variation of wording of the comments would be of assistance to the Italian Govt.

3. In the event that you are called upon to proceed as in para 2 above you will be instructed by this HQ.

Dist

Action - Exec Comm

Info - Chief Commissioner
POLAD A
POLAD B
File

4212

Declassified E.O. 12356 Section 3.3/NND No. 785017

2600 / EXEC COMM (138)

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 52459
Date/Time of Origin: NOV 022100A

Message Centre No: 0/2559
Date Time Rec'd: NOV 022100A
Precedence: URGENT

NOV 3 3 1943

FROM: SEVMED G MONMED WASH DC NAVY
TO : ACSAM G ALGIERS INFO ALCOM

Confid

SECRET

SECRET NR 137 124

Ref is your A 60365. NAFS 1084 and 1085 dispatched in time to meet your deal line contain SACMED's comments on Armistice conditions with ITALY urgently desired by State Dept in connection with proposed publication.

I repect I recommend that these comments accompany publication of Armistice papers.

I consider it desirable that these comments be shown to the Italian Govt and its own comments solicited prior to publication. SACMED has concurred.

Dist

Info-Action - Exec Comm 2
Info - Chief Commissioner
POLAD A
POLAD B
File

HEADQUARTERS
NOV 1943
A.F.H.Q.

INFO - ACTION

SECRET

4211

1382

Declassified E.O. 12356 Section 3.3/NND No. 735017

2608 / Exec Comm (137)

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 51471
Date/Time of Origin: NOV 021311A

Message Centre No: G/2570
Date Time Rec'd: NOV 021700
Precedence: URGENT

HEADQUARTERS AFHQ 15 NOV 2 1945

FROM: SIGNED ENCMED CITE FHCOS

TO : AGWAR WASHINGTON FOR COMBINED CHIEFS OF STAFF AND CABINET OFFICES
LONDON FOR BRITISH CHIEFS OF STAFF, ALCOM ROME

SECRET Confidential Confidential INFO - ACTION

SECRET.

This is NAF 1084.

Subject is publication of Italian Armistice Terms.

1. My comments on additional conditions of Armistice with ITALY and the CUNNINGHAM-DE COURTEN agreement are given in my immediately succeeding telegram. I recommend that when these 2 documents are published they should be released with my comments in this form. I would point out that the publication of the CUNNINGHAM-DE COURTEN agreement will probably bring to light the conditions under which the additions to this agreement were inserted 2 months after its signature despite the strong protests of Marshal BAGDOLIO and Admiral DE COURTEN. I would again stress, however, that is the CUNNUNGHAM-DE COURTEN agreement is released it must be in its full entirety. I do not consider that any comments on the other papers under consideration for release are necessary.

2. I consider it desirable that my comments be shown to the Italian Government and its comments solicited prior to publication. This would enable any helpful suggestions of the Italian Government to be incorporated in the published comments and might avoid subsequent contradiction of any particular comment by that Government. I have therefore instructed the CHIEF COMMISSIONER, ALLIED COMMISSION to be prepared to show my comments to Signor PARRI and to obtain his views as soon as authority to take this action is received from you.

DIST
INFOACTION EX COMMISSIONER 2 C 1 G
INFO CHIEF COMMISSIONER, POLAD (A)
POLAD (B), PTLS

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 783017

SECRET

P/316 (Final)

SECRET

ALLIED FORCE HEADQUARTERS

Copy No.____

Mediterranean Joint Planning Staff

1 November 1945

Confidential

NOV 2 1945

PUBLICATION OF ITALIAN ARMISTICE TERMS

1. In accordance with terms of reference received from the Chief of Staff the MJPS have prepared the attached draft commentary in signal form.

2. It is recommended that this signal be accompanied by a reference signal from SACMED to Combined Chiefs of Staff. Such a signal in draft form is also attached.

2 NOV 1945

for D. PEEL YATES
Brigadier, G.S.,
Chairman.

DISTRIBUTION

List A

for D. PEEL YATES
Brigadier, G.S.,
Chairman.

DISTRIBUTION

List A

Ex Com's Dist.

Copy 18 - A 4209
" 31 - Ex. Com (Action)

(CSC)

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

P/316 (Final)

SECRET

SECRET

ALLIED FORCE HEADQUARTERS

Mediterranean Joint Planning Staff

Confidential

1 November 1945

PUBLICATION OF ITALIAN ARMISTICE TERMS

FROM: COMGENMED

TO : WARCOS

INFO: ALCOM, TROOPERS, COMNAVMED

W 79485 and FX 49611 refer.

SACMED's comments on Additional Conditions of Armistice with ITALY and the Cunningham-de Courten Agreement are given below. It is recommended that these two documents with SACMED's comments should be released for publication in the forms shown below. It is again stressed that the Cunningham-de Courten agreement should be published in its entirety. FX 49611 of 20 Oct refers. It is not considered that any comments on other papers under consideration for release are necessary.

ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY

COMMENT: The extent to which certain clauses of the following agreement signed on behalf of the United Nations on the one hand and the Italian Government on the other have been implemented or modified is shown in italics under the relevant clauses. The remaining clauses have either been superceded by events and are therefore dormant, or are still in force. These clauses are not commented upon.

(NOTE: Clauses of armistice terms to be inserted above each applicable comment)

CLAUSES

1 - 5 Were complied with.

6 - 12 With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United Nations and have contributed towards final victory. In particular the Italian Navy has been employed in accordance with the Cunningham-de Courten Agreement.

14 While Italian merchant ships have been employed in the general interests of the United Nations they have been primarily employed in the Italian interest

ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY

COMMENT: The extent to which certain clauses of the following agreement signed on behalf of the United Nations on the one hand and the Italian Government on the other have been implemented or modified is shown in italics under the relevant clauses. The remaining clauses have either been superceded by events and are therefore dormant, or are still in force. These clauses are not commented upon.

(NOTE: Clauses of armistice terms to be inserted above each applicable comment)

CLAUSES

1 - 5 Were complied with.

6 - 12 With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United Nations and have contributed towards final victory. In particular the Italian Navy has been employed in accordance with the Cunningham-de Courten Agreement.

14 While Italian merchant ships have been employed in the general interests of the United Nations they have been primarily employed in the Italian interest Italian inland transports and ports have now been largely returned to Italian administration except in so far as redeployment and maintenance of Allied forces has had to be effected.

15 The provisions of this clause as regards small vessels and craft have not been fully satisfied owing to the difficulty of locating and identifying the vessels and craft concerned.

16 Control of radio has been returned to the Italian Government. All military and rehabilitated civilian telecommunications have been and will continue to be handed over to the Italians as military requirements decrease. Internal censorship has been abolished in the areas under Italian Government control.

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 783017

18 The second sentence of this clause has never been invoked, except in two frontier areas.

19 Care has been taken to conserve wherever possible Italian resources for the use of the civil economy and to utilise local goods and services only when military necessity demanded. The Allied Forces Local Resources Board, on the committees of which Italian representatives have sat, was established as the allocation agency. While the legal rights of the Allied Forces under this clause have not been modified, in practice it has been administered with as much regard as possible for Italian needs. With the redeployment of Allied troops from ITALY, the utilisation of local resources and facilities is diminishing rapidly. In addition, substantial quantities of food, coal, clothing and other commodities have been imported into ITALY by the United Nations largely in United Nations ships to supplement local resources and to alleviate distress.

20 Allied Military Government was rigorously enforced in Combat Zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to Italian Administration.

21 As Allied forces are redeployed, facilities are progressively being handed back to Italian control.

22 With the declaration of war upon the Germans by the Italian Government in October 1943 and the cooperation and loyalty of the Italian people to the Allied cause, there has never been any necessity to invoke this clause.

23 The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal financial affairs (except in cases of Allied Military necessity) and that, with certain exceptions, the Italian Government need no longer obtain the approval of the Allied Commission prior to the execution of external financial transactions. The Italian Government is now free to fix or negotiate exchange rates for the lira without prior consultation with the Allied Commission.

24 Private export trade may now be resumed and all types of commercial and financial correspondence may now go forward from ITALY to the non-enemy world, subject to the Italian Government putting into force certain trade control measures similar to those employed by the United Nations.

26 This clause is no longer enforced, and provided an individual has the necessary civil documents, such as passport, visas, etc there is nothing to prevent him leaving Italian territory, subject of course to the immigration laws and regulations of the countries of intended destination.

30) The Italian Government has of its own volition done all that would have been

moved forward until territories were handed over wholly to Italian Administration.

21 As Allied forces are redeployed, facilities are progressively being handed back to Italian control.

22 With the declaration of war upon the Germans by the Italian Government in October 1943 and the cooperation and loyalty of the Italian people to the Allied cause, there has never been any necessity to invoke this clause.

23 The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal financial affairs (except in cases of Allied Military necessity) and that, with certain exceptions, the Italian Government need no longer obtain the approval of the Allied Commission prior to the execution of external financial transactions. The Italian Government is now free to fix or negotiate exchange rates for the lira without prior consultation with the Allied Commission.

24 Private export trade may now be resumed and all types of commercial and financial correspondence may now go forward from ITALY to the non-enemy world, subject to the Italian Government putting into force certain trade control measures similar to those employed by the United Nations.

26 This clause is no longer enforced, and provided an individual has the necessary civil documents, such as passport, visas, etc there is nothing to prevent him leaving Italian territory, subject of course to the immigration laws and regulations of the countries of intended destination.

30) 31) The Italian Government has of its own volition done all that would have been required.

32 This clause has been complied with and is, in the case of sub-clauses A and B, no longer applicable. As regards sub-clause C the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the preservation and administration of United Nations property in ITALY, previously sequestered by the Italian Government.

33 The part of sub-clause 33 (B) that deals with the disposal of foreign assets has been modified in favour of the Italian Government.

36) 37) The execution of these clauses has been modified by the MacMillan aide memoire of 24 February 1945.

41 In practice ALBANIA is no longer included in the definition of Italian Territory.

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

2,216 (Final)

SECRET Confidential

SECRET

CUNNINGHAM-de COURTEN AGREEMENT

The following general comments show the extent to which certain clauses have been implemented or modified.

1. As explained in the document this agreement was produced in modification of the Armistice Terms so that the Italian fleet and Mercantile Marine could assist in the prosecution of the war against the Axis powers.

2. The provisions of this Agreement have been carried out and those provisions that remain operative with the cessation of hostilities are still being carried out.

3. While the employment of Italian ships has been of use to the United Nations it is pointed out that considerable United Nations resources have been expended in ITALY to help the Italian Government in keeping the Italian ships running and their crews fed and clothed.

4. In addition to the use of Italian Mercantile shipping under this Agreement a number of the smaller Italian merchant ships has been returned to the control of the Italian authorities.

Declassified E.O. 12356 Section 3.3/NND No. 785017

4206

SECRET

Confidential

DRAFT

SECRET

ALLIED FORCE HEADQUARTERS

G-3 SECTION

November 1945

TO : AGWAR FOR COMBINED CHIEFS OF STAFF, CABINET OFFICES FOR BRITISH CHIEFS OF STAFF

INFO: ALCOM

FROM: S.ACMED

This is NAF _____.

Further to NAF 1083.

_____ COMGENMED to MARCOS copy to Troopers contains my comments on papers relating to Armistice conditions with Italy now under consideration for release.

I recommend that these comments accompany publication of Armistice papers.

I consider it of the utmost importance that these comments be agreed by the Italian Government prior to publication of Armistice papers. Copy of _____ and this signal being furnished ALCOM, who are prepared to take up with Italian Government immediately upon receipt of instructions from you to do so.

4265

Declassified E.O. 12356 Section 3.3/NND No. 783017

1392

Declassified E.O. 12356 Section 3.3/NND No. 785017

FW

2 November 1945

TELEPHONED INSTRUCTIONS FROM CHIEF OF STAFF, AFHQ, RECEIVED AT 1200 hrs.

1. Show SACMED's comments but not covering remarks re Armistice terms to PARRI.

2. You will inform PARRI that these comments have been signalled today to CCS.

3. You will inform PARRI that CCS may not agree to publish all comments in present form and without remark, although our opinion is that they will be published without substitution.

4. You will invite PARRI's views on SACMED's comments, particularly if any variation in wording would be of assistance to the Italian Government.

Telephoned instruction from Chief of Staff received at 1500 hrs.

Cancel the above. On no account will you consult Parri until instructions have been received from CCS (C.C informed by telephone).

DR (2/+).

4204

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET.

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

Confidential

Ref: 2608/EC. 2 Nov 1945

SUBJECT: Publication of Armistice Terms.

TO : POLAD (A)
POLAD (B)
Dep Ex Com
VP, CA Sec
VP, Econ Sec

1. I refer to my minute 2608/EC of 1 Nov 45 addressed to Chief Commissioner, copy to you.

2. Please substitute the attached for Pages 1 and 5 of the commentary forwarded with the above quoted minute.

1263

M. A. LUSH

Brigadier,
Executive Commissioner.

1394

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET.

Ref: 2606/RD.

2 Nov 1945.

Chief Commissioner.

Confidential

1. The direction to consult the Italian Government in the publication of the Armistice Terms is almost bound to arrive during the week-end while PARRI is in the North (whither he departs tomorrow, Saturday).

2. I have therefore prepared an aide memoire for you and am having the commentary and other documents translated in order that you may be ready to speak to the Prime Minister or his deputy immediately the word comesfrom AFHQ.

3. I suggest that (a) you obtain approval today to outline the general form to PARRI; (b) ask him to appoint a deputy with full powers to agree or disagree with commentary, etc. Mr. BYRNES' statement which will be known by now makes it imperative you should say something to the Prime Minister.

M. S. BUSH

1531/JG.

Declassified E.O. 12356 Section 3.3/NND No. 785017

AIDE MEMOIRE ON THE PUBLICATION OF THE ARMISTICE TERMS.

1. The Allied Governments, knowing the desire expressed officially and unofficially of the Italian Government to have made public the Additional Terms of Surrender, have agreed that their should be a simultaneous release of the Terms in WASHINGTON, LONDON and ROME. They have also agreed that there should be published with the Terms the following documents:

(a) The CUNNINGHAM-DE COURTEN Agreement on the employment of the Italian Navy with a short commentary thereon:

(b) Letter from General EISENHOWER to Marshal BADOGLIO of 29 September 1943:

(c) Mr. Harold MACMILLAN's Aide Memoire handed to the Prime Minister on 24 February 1945.

(d) My letter addressed to Professor PARRI dated 31 July 45.

(e) My letter 13242/F addressed to Professor PARRI dated 18 July 1945.

(f) A commentary on certain of the terms of the Armistice which will, together with documents (b) - (e) above, show the extent to which the terms of the Armistice have been modified in procedure.

2. Copies of the documents are attached to this Aide Memoire.

3. The Allied Governments hope that the Italian Government will agree to simultaneous publication of these documents and will arrange for them to be released in Italy at _____hours on _____

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608. ExCOMM (2)

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: WAR 79977
Date / Time of Origin: OCT 302328Z

Message Centre No: G/2650
Date Time Rec'd: NOV 021115A
Precedence: PRIORITY

FROM: AGWAR SIGNED WARCOS CITE CAD
TO : MTOUSA (PASSES TO AICOM ROME)

NOV 2 1945

SECRET Confidential

SECRET.

STATE DEPARTMENT now plans November 2nd release Italian Armistice terms together with all documents referred to cured WAR 79485. SACMED's commentary requested in that message is still desired but must be received on 1st November if it is to accompany STATE's release.

DIST

ACTION: Ex Commissioner 2
INFO: Chief Commissioner
POLAD (A)
POLAD (B)
File 2
Flont

SECRET

420

Declassified E.O. 12356 Section 3.3/NND No. 783017

AFHQ

7925 1 Nov 45

Confidential OP PRIORITY

SECRET PD

118

IN YOUR FOX XRAY FIVE ONE TWO TWO ZERO OF THREE ONE OCTOBER YOU MENTION NECESSITY OF PUBLICATION OF ARMISTICE TERMS ON ALLIED BASIS PD PAREN TO AFHQ FOR SACMED FROM HQ ALCOM SIGNED STONE CITE ACEXC PAREN MAY I REPEAT MY STRONG RECOMMENDATION THAT SIMULTANEOUS RELEASE IN UNCLE SUGAR CMA UNCLE KING AND ITALY REPEAT ITALY IS ESSENTIAL PD THIS INVOLVES CONSULTATION WITH AND AGREEMENT OF ITALIAN GOVERNMENT PARTICULARLY AS TO COMMENTARY PD ALL THIS WILL TAKE TIME AND IF XXXXX TERMS ARE TO BE MADE PUBLIC BEFORE SEVEN NOVEMBER AS STATED BY SECRETARY BYRNES AT PRESS CONFERENCE THREE ONE OCTOBER CMA IT IS ESSENTIAL THAT I BE AUTHORISED TO TAKE MATTER UP WITH PRIME MINISTER EARLIEST PD PLEASE INSTRUCT

Copy to: US Embassy
Br Embassy
Polad (A)
Polad (B)

IN YOUR FOX XRAY FIVE ONE TWO TWO ZERO OF THREE ONE OCTOBER YOU MENTION NECESSITY OF PUBLICATION OF ARMISTICE TERMS ON ALLIED BASIS PD

PAREN TO AVID FOR SACMED FROM HQ ALCOM SIGNED STONE CITS ACEXC PAREN

MAY I REPEAT MY STRONG RECOMMENDATION THAT SIMULTANEOUS RELEASE IN UNCLE SUGAR CHA UNCLE KING AND ITALY REPEAT ITALY IS ESSENTIAL PD

THIS INVOLVES CONSULTATION WITH AND AGREEMENT OF ITALIAN GOVERNMENT PARTICULARLY AS TO COMMENTARY PD ALL THIS WILL TAKE TIME AND IF ~~XXXX~~ TERMS ARE TO BE MADE PUBLIC BEFORE SEVEN NOVEMBER AS STATED BY SECRETARY BYRNES AT PRESS CONFERENCE THREE ONE OCTOBER CHA IT IS ESSENTIAL THAT I BE AUTHORISED TO TAKE MATTER UP WITH PRIME MINISTER EARLIEST PD PLEASE DESTRUCT

Copy to: US Embassy
Br Embassy
Polad (A)
Polad (B)
CA Section

NOT FOR HQ FLOAT FILE

4199

Executive Commissioner

343

[illegible]

Brigadier

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 783017

Confidential

124

SECRET.

ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY.

COMMENT: The extent to which certain clauses of the following agreement signed on behalf of the United Nations on the one hand and the Italian Government on the other have been implemented or modified is shown in italics under the relevant clauses. The remaining clauses have either been superceded by events and are therefore dormant, or are still in force. These clauses are not commented upon.

(NOTE: Clauses of armistice terms to be inserted above each applicable comment)

Clause

1. Text of clause.....
2. " " "
3. " " "
4. " " "
5. " " "

Were complied with.

6. Text of clause.....
7. " " "
8. " " "
9. " " "
10. " " "
11. " " "
12. " " "

With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United nations and have contributed towards liberating Italy and final victory. The Italian Navy has operated with Allied warships in the Mediterranean and elsewhere and since the cessation of hostilities has largely been employed in Italian interests in mine sweeping and the transport of displaced persons. The Army fought alongside Allied formations during the campaign in Italy and the Italian Air Force took its place with the Allied Air Forces.

13. Text of clause.....

No comments.

14. Text of clause.....

6. Text of clause.....
7. " " "
8. " " "
9. " " "
10. " " "
11. " " "
12. " " "

With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United nations and have contributed towards liberating Italy and final victory. The Italian Navy has operated with Allied warships in the Mediterranean and elsewhere and since the cessation of hostilities has largely been employed in Italian interests in mine sweeping and the transport of displaced persons. The Army fought alongside Allied formations during the campaign in Italy and the Italian Air Force took its place with the Allied Air Forces.

13. Text of clause.....

No comments.

14. Text of clause.....

While Italian merchant ships have been employed in the general interests of the United Nations, they have been primarily employed in Italian interests. Italian inland transport and ports have now been largely returned to the Italian administration except insofar as the redeployment and maintenance of the Allied Forces have had to be effected.

15. Text of clause.....

The provisions of this clause as regards small vessels and craft have not yet been fully satisfied owing to the difficulty of locating and identifying vessels and craft concerned.

16. Text of clause.....

Control of radio has been returned to the Italian Government. All military and rehabilitated civilian telecommunications have been and will continue to be handed over to the Italians as military requirements decrease. Internal censorship has been abolished in the areas under Italian Government control.

17. Text of clause.....

No comments.

Declassified E.O. 12356 Section 3.3/NND No. 789017

Confidential

123

Clause

18. Text of clause.....

The second sentence of this clause has never been invoked except in two frontier areas.

19. Text of clause.....

Care has been taken to conserve, wherever possible, Italian resources for the use of the civilian economy and to utilise local goods and services only when military necessity demanded.

The Allied Forces Local Resources Board, on committees of which Italian representatives sat, was established as the allocation agency. While the legal rights of the Allied Forces under this clause have not been modified, in practice it has been administered with as much regard as possible for Italian needs. With the redeployment of Allied troops from Italy the utilisation of local resources and facilities is diminishing rapidly. In addition, substantial supplies of food, coal, clothing and other commodities have been imported by the United Nations, largely in United Nations ships, to supplement internal resources and to alleviate distress.

20. Text of clause.....

AMG was rigorously enforced in combat zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to the Italian administration.

21. Text of clause.....

As Allied Forces are redeployed facilities are being progressively handed back to Italian control.

22. Text of clause.....

With the declaration of war upon Germany by the Italian Government in October 1943 and the cooperation and loyalty of the Italian people to the Allied cause, there has never been any necessity to invoke this clause.

23. Text of clause.....

The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal

Declassified E.O. 12356 Section 3.3/NND No. 785017

AMG was rigorously enforced in combat zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to the Italian administration.

21. Text of clause.....

As Allied Forces are redeployed facilities are being progressively handed back to Italian control.

22. Text of clause.....

With the declaration of war upon Germany by the Italian Government in October 1943 and the cooperation and loyalty of the Italian people to the Allied cause, there has never been any necessity to invoke this clause.

23. Text of clause.....

The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal financial affairs, except in cases of Allied military necessity, and that with certain exceptions the Italian Government no longer need obtain the approval of the Allied Commission prior to the execution of external financial transactions. The Italian Government is now free to fix to negotiate exchange rates for the lira without prior consultation with the Allied Commission.

4197

24. Text of clause.....

Private export trade may now be resumed and all types of commercial and financial correspondence may now go forward from Italy to the non-enemy world, subject to the Italian Government putting into force certain foreign trade control measures similar to those employed by the United Nations.

Sheet 2.

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 783017

122

Clause

25. Text of clause.....

Confidential

No comments.

26. Text of clause.....

This article is no longer enforced. Provided an individual has the necessary civil documents such as passport, visa, etc., there is nothing to prevent him leaving Italian territory. The issue of the documents is, however, dependent on the immigration regulations of the countries of intended destination.

27. Text of clause.....

No comments.

28. Text of clause.....

No comments.

29. Text of clause.....

No comments.

30. Text of clause.....
31. Text of clause.....

The Italian Government has of its own volition done all that would have been required.

32. Text of clause.....

Complied with and in the case of sub-clauses (a) and (b) no longer applicable. As regards sub-clause (c), the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the preservation and administration of United Nations property in Italy previously sequestrated by the Italian Government.

33. Text of clause.....

That part of sub-clause (b) that deals with the disposal of foreign assets has been modified in favour of the Italian Government.

34. Text of clause.....

29. Text of clause.....

No comments.

30. Text of clause.....
31. Text of clause.....

The Italian Government has of its own volition done all that would have been required.

32. Text of clause.....

Complied with and in the case of sub-clauses (a) and (b) no longer applicable. As regards sub-clause (c), the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the preservation and administration of United Nations property in Italy previously sequestrated by the Italian Government.

33. Text of clause.....

That part of sub-clause (b) that deals with the disposal of foreign assets has been modified in favour of the Italian Government.

34. Text of clause.....

No comments.

35. Text of clause..... 4196

No comments.

36. Text of clause.....
37. Text of clause.....

The execution of these clauses has been modified by the Macmillan Aide Memoir of 24 February 1945.

38. Text of clause.....

No comments.

Declassified E.O. 12356 Section 3.3/NND No. 785017

121

Clause

39. Text of clause.....

No comments.

40. Text of clause.....

No comments.

41. Text of clause.....

In practice Albania is no longer included in the definition of Italian territory.

42. Text of clause.....

No comments.

43. Text of clause.....

No comments.

44. Text of clause.....

No comments.

Confid...

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

4153

Sheet 4 of 4 sheets.

Text of clause.....

No comments.

Declassified E.O. 12356 Section 3.3/NND No. 783017

Confidential

120

Sheet 5.

COMMENTS ON THE CUNNINGHAM-de COURTEN AGREEMENT.

1. As explained within the terms, this agreement was produced in modification of the Armistice Terms in order that the Italian Fleet and Mercantile Marine could assist in the prosecution of the war against the Axis Powers.

2. In justice to Marshal BADOGLIO and Admiral De COURTEN, it should be stated that additions to the Agreement were inserted after the original agreement had been signed, were only accepted by them under strong protest and in view of amelioration of certain clauses in the original terms of the Armistice.

3. The providions of this agreement have been carried out and those provisions which remain operative with the cessation of hostilities are still being carried out. Furthermore, many Italian warships are undertaking work of direct benefit to the Italians themselves, e.g., transport of displaced persons.

4. While the employment of Italian ships has been of use to the United Nations, it is pointed out that considerable United Nations resources have been expended in Italy to help the Italian Government in keeping Italian ships running and the crews fed and clothed.

5. In addition to the use of the Italian Mercantile Marine shipping, under this agreement a number of smaller Italian merchant ships have been returned to the control of the Italian authorities.

1408

Declassified E.O. 12356 Section 3.3/NND No. 785017

(11)

Extract from :-

EMBASSY OF THE UNITED STATES OF AMERICA
DEPARTMENT OF STATE

ROME.

RADIO BULLETIN 260 November 1 1945

SECRETARY'S Press CONFERENCE.

Page 3. Paragraph 4.

" Answering a request for enlightenment on the final disposition of the Italian Fleet, Secretary said he could not give any information on that subject because it was involved in the treaty with Italy and must be considered in connection with the treaty, but assured correspondents that he would make available the Terms of the Italian Armistice before next Wednesday's press conference. He pointed out that the reason for the delay now was that the Commander of the Mediterranean Theater wished to make some commentaries as to the changes that have taken place in order to make it more intelligible and understandable. "

1409

Declassified E.O. 12356 Section 3.3/NND No. 785017

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 51220
Date/Time of Origin: OCT 311758A

Message Centre No: G/2525
Date Time Rec'd: NOV 010930A
Precedence: URGENT

FROM: AFHQ SIGNED SACMED CITE FHDSC

TO : ACTION AGWAR FOR COMBINED CHIEFS OF STAFF AND CABINET OFFICES FOR BRITISH CHIEFS OF STAFF JAJA PLEASE PASS RPTD ALCOM ROME FOR INFORMATION

SECRET.

This is NAF 1083. References are to AGWAR signals W74806, W79485 and W79977 to COMGENMED (not to Cabinet Offices or ALCOM) and COMGENMED signal FX 49611 to AGWAR repeated TROOPERS and ALCOM.

Subject is publication of Italian Armistice terms.

My commentary is being prepared urgently but owing to need for consultations between all 3 services cannot be dispatched to reach WASHINGTON by 1 November.

I am in complete agreement with view expressed by COMGENMED in signal FX 49611, that this commentary should be released at same time as text of Armistice terms. Effect will be unfortunate if this is not done.

Recommend therefore publication of terms planned by STATE DEPARTMENT for 2 November should be deferred till my comments available for simultaneous release on Allied basis.

General RIDGWAY agrees.

DIST

INFO-ACTION: Ex Commissioner 2
INFO: Chief Commissioner
POLAD (A)
POLAD (B)
File

Acc 126

1182

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608 28 E Commn (117)

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 51218
Date/Time of Origin: OCT 311753A

Message Centre No: C/2511
Date Time Rec'd: OCT 312300A
Precedence: URGENT

NOV 1 1945

FROM: SIGNED COMGENMED CITE FHGEG
TO : ACTION ACWAR WASHINGTON INFO ALCOM ROME

~~SECRET~~ Confidential

SECRET.

Reur W 79977 cite CAD dated 30 October.

SACMED commentary is being prepared as a matter of urgency but because of need for interservice consultations cannot be dispatched to reach you by 1 November. I recommend that publication of terms planned by STATE DEPARTMENT for 2 November should be delayed until commentary available for simultaneous release on Allied basis. Effect will be unfortunate if this is not done. SACMED is signalling CCS in NAF 1083 to the same effect.

(11)

HEADQUARTERS
NOV 1945
A. C.

DIST

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

~~SECRET~~

4191

(11/c50)

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference:
Date/Time of Origin: OCT 29

Message Centre No: G/2394
Date Time Rec'd: OCT 301430A
Precedence: PRIORITY

FROM: AFHQ
TO : ALCOM

OCT 30 1945

SECRET

SECRET.

(AFHQ Passes to ALCOM WAR MSG DTG 2816542 Ref Number WAR 79485 at request of G-5 Signed HARCOS).

STATE DEPARTMENT considering release Italian Armistice Terms together with FIN 483, FAN 487, TAM 640, MACMILLANS aide MEMOIREFHR+ Italian Govt of 24 February 45, CUNNINGHAM NAVAL Agreement CMGND+ GEN EISENHOWERS letter to MARSHAL BADO++ DTD +9SEP43. STATE DEPT has asked WD to request SACMEDS draft of commentary CAM based on above, recommended paragraph 3B-3-URAD FX 49611. Request commentary be cabled to reach WD by ++2 November if possible.

Subject 2: Arrived 23 October COL BUTTERWORTH.

DIST

ACTION EXEC COMMISSIONER 2
INFO CHIEF COMMISSIONER
FILE
Polads (A) & (B).

+ Places marked thusly were badly garbled.

++ Places marked thusly had group missing.

ACTION

SECRET

4130

Declassified E.O. 12356 Section 3.3/NND No. 785017

EX COMMISSIONER
Med Command
1014 1164

~~TOP SECRET~~

Confidential

TOP SECRET

P/316 (1st draft)

ALLIED FORCE HEADQUARTERS

Mediterranean Joint Planning Staff

Copy No. 8

30 October 1945

PUBLICATION OF ITALIAN ARMISTICE TERMS

1. The following terms of reference have been received from the Chief of Staff.

   a. AGWAR cable W-79435 of 28 October calls for S CAED's draft commentary to accompany the release of the Italian Armistice terms, the publication of which is now under consideration.

   b. The Mediterranean Joint Planning Staff will prepare, as a matter of urgency, a suitable draft commentary, as outlined in AFHQ signal FX-49611 of 20 October.

2. A draft commentary has been prepared and is attached herewith and will be treated as a first draft.

3. A copy of the following papers is attached for addressees marked with an asterisk:-

   a. "Conditions of Armistice (Short Terms)" dated 3 September 1943.

   b. "Instrument of Surrender of Italy (Long Terms)" dated 29 September 1943.

   c. Protocol dated 9 November 1943.

4. Copy of the "Instrument of Surrender of Italy Long Terms" dated 29 September 1943 only is attached for other addressees.

5. The attention of addressees is drawn to the TOP SECRET classification of the original Armistice Terms; all necessary precautions will be taken to prevent these documents getting into unauthorized hands. On no account will they be sent outside this HQ and copies will be returned to the Secretary at the conclusion of the final meeting on this subject.

2. A draft commentary has been prepared and is attached herewith and will be treated as a first draft.

3. A copy of the following papers is attached for addressees marked with an asterisk:-

   a. "Conditions of Armistice (Short Terms)" dated 3 September 1943.

   b. "Instrument of Surrender of Italy (Long Terms)" dated 29 September 1943.

   c. Protocol dated 9 November 1943.

4. Copy of the "Instrument of Surrender of Italy Long Terms" dated 29 September 1943 only is attached for other addressees.

5. The attention of addressees is drawn to the TOP SECRET classification of the original Armistice Terms; all necessary precautions will be taken to prevent these documents getting into unauthorized hands. On no account will they be sent outside this HQ and copies will be returned to the Secretary at the conclusion of the final meeting on this subject.

6. A meeting will be held in the War Room at 0930 hours on Wednesday 31 October to consider the draft commentary, and addressees are invited to attend.

H.T.H. SNOWDEN
Captain
Secretary

DISTRIBUTION:

* Chief Air Plans, RAF ITALY
  SOF, CinC Med (already in possession of Armistice Terms)
* Chief Air Adviser MTOUSA
* G-4 Plans
* Log Plans
* G-2
* G-4 Mov & Tn (B)
  G-5 (already in possession of Armistice Terms)
  "A" Branch GHQ CMF
  JAG MTOUSA
  Sig Plans
  Resident Minister
  US Polad
  Allied Commission

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ALLIED FORCE HEADQUARTERS

Copy No. 0

Mediterranean Joint Planning Staff

Confidential

29 October 1945.

PROPOSAL FOR PUBLICATION OF LONG ARMISTICE TERMS

Clause No.	Remarks
1-5	Obsolete. Superseded by events.
6	At the time of the German surrender the Army numbered 313,000 plus 65,000 CC.RR. This figure included troops serving with the Allies. It is anticipated that the interim Army will number about 140,000 plus 65,000 CC.RR, when the demobilisation of the older classes is completed. The present strength of the CC.RR, 65,000, was requested by the first Prime Minister and later by Bonomi and is believed to be the Metropolitan pre-war strength. The maximum ceiling for the Italian Air Force prior to and since the cessation of hostilities has been fixed at 31,000. The established maximum strength of the Italian Royal Navy has never been formally laid down, but it was agreed, soon after the armistice, that victuals would not be provided for more than 75,000 officers and men. The present strength is about 64,000. In effect no demobilization took place but on the contrary recruitment up to the strengths above was effected.
7	Stands.
8	Has been modified in favour of the Italian Air Force, as it was intended to ground all aircraft at the end of hostilities. Restriction of flying has been based on scarcity of aircraft and POL. Not only were the Italian Air Force not completely grounded but they were permitted to use all available aircraft. In addition Allied aircraft was made available to them. Italian civil aviation is not permitted, but consideration is being given to the re-establishment of civil aviation.

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9 This has been considerably relaxed.

10 The Italian Ministry of Marine continue to provide such information as is demanded and personnel and material are disposed where necessary at the direction of the Flag Officer, Italy and Liaison, and the Navy Sub-Commission, Allied Commission. The same is being done with Land Forces and Air Forces. It is entirely in the interests of the Italian Government that they continue to do so.

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11 The requirements of this clause have been complied with by the Italian Ministry of Marine although it has been impossible to provide complete detail of the war materials formerly at its disposal. More recently authority has been given for the return of all Italian navy materials and equipment to the Italian Royal Navy subject to any specific requirements of the Allies. Information has been provided by the Italian Government in its own interests.

12 Largely carried out.

13 Stands. No comment.

14A It has been impossible for the Ministry of Marine to ensure that all merchant shipping, fishing vessels and other craft were made available in good repair and a seaworthy condition as priorities at all dockyards have, until recently, been accorded to the repair of Allied vessels. Italian ships have been repaired from time to time only as this priority arrangement for Allied vessels permitted.

14B Allied controls over Italian inland transport have been relaxed and such transport has now for the most part been returned to normal Italian administration, except insofar as the redeployment and maintenance of the Allied Forces have to be effected.

15 The provisions of this clause, as regards small vessels and craft, have not yet been fully satisfied owing to the difficulty of locating and identifying the vessels and craft concerned. Their recovery when established as Allied property has been regarded as a matter for representation by the Governments concerned to the Italian Government through diplomatic channels where these exist.

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16 Control of radio has been returned to Italian Government. Only restriction remaining is necessity to apply for frequency allocation to Allied Military authorities who coordinate such requests on an International basis. A delegation from the Italian Ministry of Posts and Telecommunications attended the meeting of the European Radio Conference in London in September 1945. Other telecommunications facilities have been progressively passed to the control of the Italian Government. At the present all telecommunications facilities **not** needed for military purposes are under the control of the Italian Government; facilities not being used by the military are being

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returned to Italian control. Censorship has been abolished; operation of radio is in the hands of the Italian Government or parastatal companies; in AMG territory radio emission is subject to the requirements of AMG. Censorship has been military rather than political and has only been operated as military necessity dictated.

It has always been the policy to have such censorship carried out by Italian personnel, and early in 1944 the direct operation of such censorship was turned over to the Italian General Staff with Allied control being reduced to a minimum. Censorship of external mails, telephone and telegraph has been continued as the only means of insuring to the Italian Government the control of foreign exchange and foreign commerce which is economically necessary. Such censorship is carried out by Italian personnel under general policy direction of a small Liaison Group of Allied officers.

17 Stands.

18 The second sentence of this paragraph has never been invoked, except in two frontier areas.

19 This article stands without modification, as it is one of the bases for Allied payments policy in Italy. All local goods and services procured by the Allied Forces in Italy are paid for by the Italian Government, either directly or by the Allied Forces in Allied military lire which is charged to the Italian Government as an occupation cost. Care has been taken to conserve wherever possible Italian resources for the use of the civil economy, and to utilise local goods and services only when military necessity demanded. The Allied Forces Local Resources Board, on the committee of which

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20 Article 20 refers to the governance of AMG; Article 21 distinguished Italian Government territory. Article 20 was never fully enforced; no instruction issued for removal of Italian forces. It was the invariable practice to use Italian troops, e.g. CC.RR. The enforcement of Armistice terms was most rigorous in Army areas where at times for operational reasons there was considerable restriction of movement, and offences against Allied troops, property or security were more frequently dealt with by Allied Courts.

This was progressively released in AMG Regional areas; the administration was almost entirely by Italian officials under AMG direction, restrictions were largely removed and cases except those of greater importance transferred to Italian Courts.

The third phase of relaxation was the handing over of the territory to Italian administration freed from AMG direction; on the handing over the Allied reserved rights necessary for the maintenance and security of its armies including rights of trial but this latter was seldom enforced. AC officers left in Italian Government territory areas are not even advisers but have merely functions of observation and liaison.

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At the time that Italy became a cobelligerent there was territory in all three phases of administration; in all three there were relaxations suitable to the new station of Italy as a cooperator.

Then came FAN 487 and the Macmillan aide memoire by which the functions of AC itself were in day to day matters of administration changed and it had in such matters no powers even to advise unless its advice was sought.

This aide memoire stated that in matters of ordinary day to day administration we would not enforce our rights but would leave the Italians to administer as they thought fit.

4183

21A Stands.

21B This article still stands, particularly the first part which deals with the availability of free transit for Allied Nations war materials and supplies. Although the latter part must still stand, with the departure of a large number of troops from Italy, and the handover of the greater part of Italy to the Italian Government, for some time past the powers

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conferred in this have rarely been exercised. It has been the function of ALRB to effect the progressive handing back of plant and stocks as much as possible.

22 This article must clearly be contained in any Armistice terms. However, with the early declaration of war upon the Germans by the Italian Government, the cooperation and loyalty of the Italian people to the Allied cause, there has never been any necessity to invoke it.

23 The first two sentences of this Article stand without modification. We are preparing to negotiate with the Italian Government a currency agreement whereby the Italian Government or its designated agency would be recognised as the issuing authority for all AM lire.

The last sentence of Article 23 has been substantially modified and modification explained to the Italian Government. AC informed the Italian Government that the Allied Commission will no longer intervene in Italian internal financial affairs (except in cases of Allied military necessity) and that, with two exceptions, the Italian Government no longer needed to obtain the approval of the Allied Commission prior to the execution of external financial transactions. The Minister of the Treasury was informed that the Italian Government was now free to fix or negotiate exchange rates for the lira without prior consultation with the Allied Commission. The

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24 Modified by informing the Italian Government that private export trade may now be resumed and that all types of non-transactional and transactional commercial and financial correspondence may now go forward from Italy to the non-enemy world.

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25A Obsolete.

25B Obsolete.

26A This has been modified so far as individuals are concerned to the extent that no Military Travel authorization is now required. Provided an individual has the necessary civil documents such as passport visa, etc. there is nothing to prevent him leaving Italian territory. If leaving Italy by land,

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movement is virtually unrestricted even though an AMG pass must be obtained before passing through the frontier Northern zone. Movement by air or sea is restricted by the fact that the United Nations control the transport services and an Allied travel order must be obtained before the journey can be made. As regards any mass movement of Italian subjects this continues to be controlled by AFHQ.

26B In effect obsolete.

27 Obsolete.

28A Obsolete.

28B Stands.

28C Stands.

28D Stands.

29 Stands.

30 First part carried out; second part revoked. This article has never been enforced as expressed: the Commander-in-Chief has not issued any instruction. The Italian Government has of its own volition done all that would have been required. The Government does in fact keep AC informed.

31 Stands. All Italian laws involving discrimination on ground of race, colour, creed, or political opinion, have at the instance of the Italian Government been repealed. It is believed that all persons detained on any such grounds have been released, and those suffering any legal disability have been relieved therefrom. It has not been necessary for the Allied Commander-in-Chief to issue any "further directions" under the Article.

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28C Stands.

28D Stands.

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32A Obsolete.

32B Carried out and now obsolete.

32C The Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the preservation and administration of United Nations property in Italy, previously sequestrated by the Italian Government.

33A Stands with explanation.

33B Stands. The part relating to the furnishing of information stands. The part that deals with the disposal of foreign assets has been modified by FAN 383.

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in that prior approval of the Allied Commission for such disposal is no longer necessary.

34 Stands. No comments.

35 Stands. No comments.

36 Stands, but modified by Macmillan aide memoire of 24 February 1945.

37 Control has been dropped in Italian Government territory. See Macmillan aide memoire.

38 No comments.

39 No comments.

40 No comments.

41 Stands, with the exception of Albania.

42 No comments.

43 No comments.

44 No comments.

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41 Stands, with the exception of Arabia.

42 No comments.

43 No comments.

44 No comments.

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INSTRUMENT OF SURRENDER OF ITALY

Whereas in consequence of an Armistice dated September 3rd, 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

And whereas in addition to those terms it was also provided in the said Armistice that the Italian Government bound themselves to comply with other conditions of a political, economic and financial nature to be transmitted later;

And whereas it is convenient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said Armistice of September 3rd, 1943, be comprised in a further instrument;

The following together with the terms of the Armistice of September 3rd, 1943, are the terms on which the United States and the United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these Powers in any way and complies with the requirement of these Governments.

These terms have been presented by General Dwight D. Eisenhower, Commander in Chief, Allied Forces, duly authorised to that effect;

And have been accepted by Marshal Pietro Badoglio, Head of the Italian Government.

1.

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

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

(C) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from

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

2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian Land, Sea and Air Forces, wherever they are situated and of all such forces of Italy's Allies as are situated in Italian or Italian occupied territory.

3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities, and all other installations against seizure or attack by any of Italy's Allies. The Italian Supreme Command will take the necessary measures to insure Law and Order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander in Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.

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4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian Land, Sea and Air Forces will be carried out in conditions to be laid down by the United Nations and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the Allied Commander in Chief.

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

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

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

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

9. Without prejudice to the provisions 14, 15 and 28 (A) and (D) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or water will, pending verification of their identity and status, be prevented from leaving.

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

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

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12. There will be no destruction of nor damage to nor except as authorised or directed by the United Nations any removal of war material, wireless, radio location or meteorological stations, railroad, port or other installations or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.

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

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14.

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

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

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

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

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

18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian Land, Sea and Air Forces will thereupon withdraw from such territories or areas in accordance with the instructions

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

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

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

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19. In the territories or areas referred to in article 18 all Naval, Military and Air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all intercommunication installations, facilities and equipment and such other installations or facilities and all such stocks as may be required by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian Government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United Nations will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for

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by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander in Chief unless otherwise directed.

21. In addition to the rights in respect of occupied Italian territories described in articles 15 to 20.

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

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

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

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

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

25.

to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

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

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

25.

(A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian Land, Sea and Air Forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe. 1176

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

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

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

28.

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

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

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

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

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

30. All Fascist organizations, including all branches of the Fascist Militia (MVSN), the Secret Police (CVRA), all Fascist youth organizations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander in Chief. The Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

31. All Italian laws involving discrimination on grounds of race, color, creed or political opinions will insofar as this is not already accomplished be rescinded

having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered in the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

30. All Fascist organizations, including all branches of the Fascist Militia (MVSN), the Secret Police (CVRA), all Fascist youth organizations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander in Chief. The Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

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

32.

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

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

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TOP SECRET Confidential 116 N

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

33.

(A) The Italian Government will comply with such directions as the United Nations may prescribe regarding restitution, deliveries, services or payment by way of reparation and payment of the costs of occupation during the period of the present instrument.

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

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

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

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

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

38.

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785017

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

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

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

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

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

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

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

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TOP SECRET

Confidential 1160

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

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

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation, the decision of the Control Commission will prevail.

Signed at Malta on the 29 day of September, 1943

Marshal PIETRO BADOGLIO
Head of the Italian Government

DWIGHT D. EISENHOWER
General, United States Army
Commander in Chief Allied Force

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1441

Declassified E.O. 12356 Section 3.3/NND No. 785017

(11)

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

NFS/thh

29 October 1945

G-5 387.4

SUBJECT: Publication of Italian Armistice Terms

TO : Headquarters, Allied Commission,
APO 394.

1. Reference conversation Lt. Col. McCleary-Lt. Col. Seagrave, 29 October 1945, it is confirmed that there will be a meeting of the AJTS at 1030 hours, Wednesday, 31 October to frame a commentary on the long Armistice Terms to accompany publication of these terms.

2. It is requested that a representative from Allied Commission attend that meeting. It is understood that Brigadier Lush will be your representative.

NORMAN F. SEAGRAVE,
Lt. Colonel, G.S.C.

N.B.
Late advice indicates that the meeting may be held earlier on the morning than indicated above. If this change is made I shall notify you (Brigadier Lush's Office) by telephone.

NFS

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PAGES MISSING OR

PAGINATION INCORRECT -

FILMED AS FOUND

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608 90 Ex Comm (2) 114

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: SVC 110 K 1248
Date/Time of Origin: OCT 211205A

Message Centre No: G/1652
Date Time Rec'd: OCT 211500A
Precedence: URGENT

FROM: AFHQ SIGNED SACMED
TO : AGWAR ALCOM TROOPERS COMNAVNAW

(21) Confidential

SECRET

Reourad FX 49611, 201345A amend to read "signed CONGENMED" not "SIGNED SACMED".

ACTION

Dist

Action - Exec Commr 2
Info - Chief Commissioner
POLAD A
POLAD B
CA Sec
File

HEADQUARTERS
21 OCT 945
A. C.

4170

Declassified E.O. 12356 Section 3.3/NND No. 785017

Also to Exp Comm (2)

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 49611
Date/Time of Origin: OCT 201345A

Message Centre No: G/1629
Date Time Rec'd: OCT 211030A
Precedence: OP PRIORITY

FROM: AFHQ SIGNED ~~SACMED CITE PHGEU~~ CONGENMED

TO: AGWAR FOR WARCOS INFO ALCOM ROME. TROOPERS LONDON. COMNAVNAW.

INFO - ACTION

Confidential

SECRET.

Reur W 74806 (not to all)

1. The Military implications of the publication of the Armistice terms with ITALY have been examined here on an Allied basis.

2 .There is no purely Military objection to publication, if such a course is considered to be polically desireable.

3. In order, however, to minimize the risk of publication of the armistice terms leading to Anti-Government or Anti-Allied agitation the following views are submitted for your consideration.

A. That the Italian government should be fully consulted and that if possible they should be induced to take the initiative by asking for publication.

B. That the following documents should be published simultaneously with the armistice terms: (1) MR MACMILLANS Aide Memoire for the Italian Government of 24 rebruary 1945, which was based upon the directive contained in Combined Chiefs of Staffsignal W487.
(2) A summary of the Combined Chiefs of StaffSupplementary Directives contained in their signals W483 and FAM 640 and in other modifying directives. (3) An agreed commentary, showing the extent im which impresentation of the armistice terms has been relaxed in conformity with the above directives. Such a commentary, which would require the most careful wording, could be drafted here if called for. 1169 11241?

4. It may also be considered desirable to publish the terms of the CUNNINGHAM-DE COURTEN agreement of 23 September 1943, regarding the employemnt of the Italian fleet and mercantile marine. There

1445

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INCOMING MESSAGE

(110)

HEADQUARTERS ALLIED COMMISSION

Originator's Reference:

Date/Time of Origin:

Message Centre No:

Date Time Rec'd:

Precedence

FROM:

TO :

FX 74806 CONTINUED

Confidential
SECRET

PAGE TWO

is no Miliatry objection to this but C in C Med points out that the ommission of those clauses of the agreement which may be unpalatable to the Italian Government would vitiate the whole of it and that therefore there must be no omission from the agreement if it is published.

Dist

Info Action Exec Commissioner (2)

Info Chief Commissioner
Polad (A)
Polad (B)
C.A.S.
File
L.F. S/C
NAVY S/C
A.F. S/C
} See M. 3+4

INFO - ACTION

HEADQUARTERS
21 OCT 1945
4168

SECRET

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Declassified E.O. 12356 Section 3.3/NND No. 785017

(15)

1104

Ex. Com.

1108

Attached at ~~tab~~ submitted for signature.
Have instructed e/c to add PRO on dist.

Tue
10/10.

eyes 19/10

CONFIDENTIAL

R. I. P.

~~SECRET~~ PECD OCT 22 REC'D
10 07 10 07

Chief Commissioner.

DD 1/x.

Attached is submitted for your approval signature information

1107

F.C.

23/10

Please ind DD 3/x

Sir, Please see CCs comments when tabbed
K. 23/10

Declassified E.O. 12356 Section 3.3/NND No. 785017

110B

HEADQUARTERS ALLIED COMMIS.
APO 394
Office of the Executive Commissioner

Ref: 2603/A2 19 October 1945

SUBJECT: Comments on Prof. Parri's Speech of 13 Oct 45

TO : G-5, AFHQ

I enclose report of Professor Parri's recent speech together with factual comments on the main points made therein.

For the Chief Commissioner:

Brigadier
Executive Commissioner

Copy to: Poland (1)
Poland (2)

Declassified E.O. 12356 Section 3.3/NND No. 783017

Confidential

110C

COMMENTS ON PARRI'S SPEECH

Parri's Speech	Comment
1. "We cannot change the composition of our military forces."	Composition of forces is a compromise on supply available from Allied sources and local resources; true, a limit has been set on numbers but practically all demands of Ministry of War have been met.
2. "We cannot discharge the various classes."	Inevitably AFHQ has had to control discharge of classes, so as to ensure that Allied requirements for man power are met. The whole question is affected by the transport and supplies available, the major part of which is being met by the Allies. On the other hand, Italian wishes have been fully taken into account and, as result, the discharge of all classes up to 1920 has been authorized and is proceeding.
3. "We are not free for what concerns the economic treatment of the military forces."	True, for the reason that supplies are dependent on what the Allies produce, except regarding pay and welfare, which is entirely Italian. There is a world wide shortage of supplies, which also affects the Allies and what they are able to provide to assist the Italian Military Forces. As a result, the Allies also are not free for what concerns the economic treatment of their own military forces.
4. "(We are not free for that concerns) the treatment of prisoners who are being repatriated."	Once prisoners are in Italy the Italian Government has absolute liberty in treatment.

Not correct. Parri would like 160,000. His objection is absolutely valid.

He is correct again.

Not correct. Fixed by CCS.

Declassified E.O. 12356 Section 3.3/NND No. 783017

1 4 9

It is correct again!

5. "We are not free for what concerns the economic treatment of the military forces."

4. "(We are not free for that concerns) the treatment of prisoners who are being repatriated."

3. "We cannot move military units from one place to another according to our requirements and point of view."

6. "We cannot (of course) demobilize them."

7. "We cannot dispose of military means, not even of those which we manufacture in Italy, without the approval of the Allies."

...which have been fully taken into account and, as result, the discharge of all classes up to 1920 has been authorized and is proceeding.

True, for the reason that supplies are dependent on what the Allies produce, except regarding pay and welfare, which is entirely Italian. There is a world wide shortage of supplies, which also affects the Allies and what they are able to provide to assist the Italian Military Forces. As a result, the Allies also are not free for what concerns the economic treatment of their own military forces.

Once prisoners are in Italy the Italian government has absolute liberty in treatment.

This is true and has been necessary in order to ensure that Allied requirements are met. On the other hand, full consideration is given to the Italian point of view. For example, the existing layout of Territorial Regions, Districts, Depots, Internal Security Brigades etc. was authorized at the direct request of the Italian Ministry of War.

Is dealt with at (2).

Not entirely correct. Control over military means previously [illegible] and now existing in ITALY was released to the Italian Ministry of War on 1 Oct. 45; also over military means supplied by the Allies, except for a few critical items in short supply, such as food. Manufacture of additional lethal warlike stores is forbidden.

4165

I see no point in explaining why Paris is right, by Agenda? Objections to in drawing to Zaal 6, for example.

Declassified E.O. 12356 Section 3.3/NND No. 785017

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Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET AND IMMEDIATE

1102

Subject:- Comments on PARRI'S speech

Land Forces Sub-commission, AC
(M.M.I.A.)

INT/114
18 Oct. 45

Headquarters, ALLIED COMMISSION
(For Executive Commissioner)

Confidential

Ref. your unnumbered letter dated 17 Oct. on above subject, I suggest amendments as below, as giving a truer picture.

Para 2. DELETE and SUBSTITUTE - Marked 1

"Inevitably A.F.H.Q. control discharge of classes, so as to ensure that Allied requirements for man power are met. The whole question is affected by the transport and supplies available, the major part of which is being met by the Allies. On the other hand, Italian wishes have been fully taken into account and, as a result, the discharge of all classes up to 1920 has been authorised and is proceeding."

Para 3. ADD -

"There is a world wide shortage of supplies, which also affects the Allies and what they are able to provide to assist the Italian Military Forces. As a result, the Allies also are not free for what concerns the economic treatment of their own military forces."

Para 5. DELETE and SUBSTITUTE.- Marked 2

"This is true and necessary in order to ensure that Allied requirements are met. On the other hand, full consideration is given to the Italian point of view. For example, the existing layout of Territorial Regions, Districts, Depots, Internal Security Brigades etc. was authorized at the direct request of the Italian

"There is a world wide shortage of supplies, which also affects the Allies and what they are able to provide to assist the Italian Military Forces. As a result, the Allies also are not free for what concerns the economic treatment of their own military forces."

Para 5. DELETE and SUBSTITUTE.-

"This is true and necessary in order to ensure that Allied requirements are met. On the other hand, full consideration is given to the Italian point of view. For example, the existing layout of Territorial Regions, Districts, Depots, Internal Security Brigades etc. was authorized at the direct request of the Italian Ministry of War."

Para 7. DELETE and SUBSTITUTE-

"Not entirely correct. Control over military means previously manufactured and now existing in ITALY was released to the Italian Ministry of War on 1 Oct. 45; also over military means supplied by the Allies, except for a few critical items in short supply, such as food. Manufacture of additional lethal warlike stores is forbidden."

Para 12. DELETE and SUBSTITUTE -

"This is correct as regards personnel indicated and confined by the Allies as war criminals. ~~It would seem that the only other possible category the P.M. could be referring to are certain doubtful cases which the Allies are unwilling to lose control of till a full examination has been made by A.F.H.Q. This category, to the best of our knowledge, totals between 30 and 40.~~"

~~Para 13. This is not within the purview of Land Forces Sub-Commission, AS (L.F.I.A.) to comment on.~~

L. Browning

Major-General,
M.M.I.A.

cc/

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Declassified E.O. 12356 Section 3.3/NND No. 785017

100F

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

17 October 1945

SUBJECT: Comments on Parri's Speech

TO : Land Forces Subcommission, AC, (MMIA)

1. Reference conversation this morning (Gillmore-McCleary) herewith are extracts from Parri's recent speech, together with proposed comments thereon.

2. Would you be good enough to let me know if you agree with the comments, or, if not, what amendments you wish to make? I would be grateful if you will treat this as urgent.

Chief Staff Office
To Executive Commissioner

In arrivo di Kharkov

4162

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A Secret Store

BRITISH EMBASSY
ROME
October 12th, 1945.

PRESS HEADLINES

FOREIGN AFFAIRS

Parri's statement to the Foreign Press.

This morning's newspapers give the greatest prominence to the declarations made by Parri at his foreign press conference yesterday. The following are some of the headlines: Giornale del Mattino, "The armistice regime paralyzes the life of the Italian people"; Libera Stampa, "Parri demands a provisional peace which will relieve us of the harsh armistice"; Risorgimento Liberale, "Armistice and provisional peace. Renewed demands by Parri for a juridical status for Italy"; Italia Nuova, "Italy can submit to, but not accept, conditions which discriminate her from the other free nations." No editorial comment has appeared so far.

Giornale del Mattino. Parri, addressing the foreign journalists, made the following statement: "First of all I note with satisfaction the statements of Minister Bevin, which confirm the other statements of Minister Byrnes, concerning the fate of Trieste, because they confirm that the investigation for its internationalization concerns the port and harbour installations only, and not the town of Trieste, as has been affirmed almost daily by authoritative Yugoslav quarters, creating a certain amount of uncertainty and apprehension which have no raison d'etre. Minister Byrnes' preceding statements also call for some comment from me. According to the interpretation which, it seems to me, should be given to them, the new Italian democratic Constitution should be subject, to a certain extent, to international guarantees which will constitute for the world a safeguarding of the maintenance in Italy of the fundamental freedoms. Now I must say that, if this means a certain limitation of the national sovereignty, a limitation common to all the States of Europe in the general interests of peace, a limitation understood as a reciprocal guarantee of peace, in fact bound to a reciprocal system of equal guarantees for all countries, I would consider such a guarantee not only acceptable, but also desirable. (It will be as well to warn you that in saying that I am expressing my personal opinion). But if we must interpret these statements of Minister Byrnes as an imposition to be enforced only on Italy, and eventually on other

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some comment from me. According to the interpretation which, it seems to me, should be given to them, the new Italian democratic Constitution should be subject, to a certain extent, to international guarantees which will constitute to the world a safeguarding of the maintenance in Italy of the fundamental freedoms. Now I must say that, if this means a certain limitation of the national sovereignty, a limitation common to all the States of Europe in the general interests of peace, a limitation understood as a reciprocal guarantee of peace, in fact bound to a reciprocal system of equal guarantees for all countries, I would consider such a guarantee not only acceptable, but also desirable. (It will be as well to warn you that in saying that I am expressing my personal opinion). But if we must interpret these statements of Minister Byrnes as an imposition to be enforced only on Italy, and eventually on other smaller States, i.e. by way of discrimination against Italy, it is my duty to remark that the guarantee would not be justifiable. I beg you to remember that our history as a free people does not begin from Fascism, which we have fought on behalf of liberty, and as a people we rose in rebellion to show that we have an innate capacity for self-defence, and for defence of the democracy. I ask you, who today see our country undergoing so many moral and material difficulties, whether the assurance that Italy can give for defending and guaranteeing her democratic liberty is less than the assurance that other European countries can give, even if victors or classified as victors, other countries who I do not think can have behind them a historic past of free life, or who have been exempt from tragic crises like ours. I want to say, in substance, that discriminations of this kind would not serve the interests of the general peace."

As regards the disarmament of Italy, according to the point of view of the U.S.A., accepted by the other Powers, Parri said: "Disarmament is the best policy and the one to which we all subscribe if it is the policy of all and if it is a general policy. I also ask you, would unilateral disarmament be really prudent in the present state of affairs in Europe? In this matter also an organic vision of the problem of peace and security in Europe seems to us to be necessary and wise. In this matter also discriminations and differentiations are, in my opinion, harmful. I have little to say as regards the third point, that of the Colonies, because we have already talked of them repeatedly. The U.S.A. have upheld the theory of entrusting the Italian Colonies to a general trusteeship. I confirm that for us the problem of the Colonies is definitely no longer one of expansion, but it is a twofold problem; on the one hand, we have got to defend, which you will admit to be a legitimate claim, a certain aggregate of work, investments and interests which are the fruit of human efforts over many decades; on the other hand, chiefly, we have to defend a field of activities for the workers, the employers, and the traders.

4161

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It is our achievements and our economic expansion that we desire to safeguard. Now a solution which would exclude us from these modest spheres of activity would certainly not help our effort for reconstruction. It is evidently superfluous to repeat what American statesmen have already said, namely that Italy is not in a position to pay reparations and that, if we had to do so - a hypothesis which I do not think likely - by dismantling and transferring her industrial plant, this would mean the ruin of Italian economy or the annulment of our efforts for reconstruction, and of our hope of reconstruction. Our regime is a new one, i.e. new in relation to the Fascist regime. Is it really fair that it should bear the burden of all the legacies of Fascism? How did the world, and Italy herself, treat the very large credits the world had against Tzarist Russia? Has Soviet Russia thought of paying them? Have any of the European Powers thought of going to ask for their payment? It is an example which, I think, ought to apply in our case too. There is another point in Byrnes' statements that is of great interest to us, inasmuch as we seem to see in it the intention to widen the scope of discussion of the peace problems into a more complete and harmonic survey, a general conference which includes the Atlantic Charter, the principles of the Four Freedoms, and the Teheran, Casblanca, Moscow, Yalta, and Potsdam agreements. It is obvious that if it were possible to bring about a situation which would free us from the knot of so many contradictory indications of the peace directives, which breed doubts and apprehensions, no one would be more satisfied than us because nothing is more desired by Italy in the interests of the peace of Europe and the world of the future.

"I would like to add another word about Minister Byrnes' statements regarding the armistice with Italy. He told a press conference that he was, in principle, in favour of the publication of the armistice terms; according to his way of thinking, there is no reason for not publishing them. I have already said on other occasions that Italy shares this point of view. The Italian Government has never opposed it; in fact I personally have wanted their publication, because it would have served to dissipate certain suspicions, certain doubts which I would prefer to eliminate. The most important part

apprehensions, no one would be more satisfied than us because nothing is more desired by Italy in the interests of the peace of Europe and the world of the future.

"I would like to add another word about Minister Byrnes' statements regarding the armistice with Italy. He told a press conference that he was, in principle, in favour of the publication of the armistice terms; according to his way of thinking, there is no reason for not publishing them. I have already said on other occasions that Italy shares this point of view. The Italian Government has never opposed it; in fact I personally have wanted their publication, because it would have served to dissipate certain suspicions, certain doubts which I would prefer to eliminate. The most important part of Byrnes' recent declarations is, however, the following: he declared that from the time of the Potsdam meeting it would have been possible to modify the armistice clauses inasmuch as events had already rendered them obsolete, but that he had met with opposition on the part of Russia and Britain. The opposition to his proposal might, I believe, be interpreted in the sense that the two Powers mentioned above, regarding as possible a rapid conclusion of peace, might have considered that it was not worth while to modify the armistice terms. What is the situation that has been created for us after the London Conference? Peace and the conclusion of the negotiations have been postponed sine die. The Commission of experts must report on its labours to the deputies; the latter must report to the Ministers, who in their turn must report to the plenary Conference. All this means for us, to say the least, late spring. If De Gasperi and I felt the need of asking for the rapid conclusion of at ~~last~~ least a juridical peace, a provisional peace which would give us an international status, if our request was legitimate some time ago, how much more urgent it is now that the prospects of peace are receding a long way. In truth, the possibilities for us of continuing to live under the armistice regime seem to be more and more reduced. We therefore feel that we must renew the request that the juridical status of Italy be defined soon so that we are given full international right to trade and negotiate. Trade is for us a most important subject. It ought not to be difficult to give us soon a status which will replace the present armistice conditions, and we are in need of an economic organization which will guarantee us the help which unfortunately we need increasingly. You know how grateful Italy is to the Allied Nations, how grateful she is to America for the generous help which so far has been accorded to her. But the dark spot, the serious threat for us is still that of food supplies. As the crop returns come in, our situation shows itself to be more and more difficult. In these conditions the scarcity of food, which is almost complete lack in some cases, is the real threat for us, because it endangers the stability of prices and, consequently, economic, social and even political stability. If we had larger supplies of food, above all of wheat,

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we would be able to face the winter and the immediate future calmly. Naturally, I must add that we need still greater supplies of coal which would increase the activity of our industry which is at present obliged to keep much of its man-power almost idle.

"You may be curious to know why there is so much insistence on our part that the armistice terms be modified: in other words, in what way the armistice terms impair the regular course of the life of the country. I will mention a few points; to add several more would be too lengthy a process. There is, first of all, a condition which you must appreciate: the moral condition in which we are placed by the armistice terms, which constitute a considerable limitation of our sovereignty - a limitation that is all the more telling the closer we get to the elections, which can only be properly held in a country which enjoys complete freedom. We are unable to modify the composition of our military forces; we cannot discharge military classes - and the country asks us and not the Allies for the reason; - we are not free as regards the pay of the military forces, or as regards the pay of prisoners who are being repatriated; we are unable to transfer military units from one place to another in accordance with our needs and judgment; we are naturally unable to demobilize them; we have not got at our disposal military means, not even those which we manufacture in Italy, as well as those we have in our stores; we are unable to arm the police forces, which are unsuitably armed, without the approval of the Allies, who have ideas which may not be those of the Italian Government. We cannot increase and arm the Carabinieri otherwise than in accordance with the plans of the Allies, and this has a strong repercussion on the domestic policy of the country. The Customs Guards, which would be so necessary these days, cannot be increased. There is difficulty about forming guard units which would be necessary at the present moment; we have difficulty in forming, equipping and arming auxiliary forces; civil aviation [illegible] The armistice terms impose

which we manufacture in Italy, as well as those we have in our stores; we are unable to arm the police forces, which are unsuitably armed, without the approval of the Allies, who have ideas which may not be those of the Italian Government. We cannot increase and arm the Carabinieri otherwise than in accordance with the plans of the Allies, and this has a strong repercussion on the domestic policy of the country. The Customs Guards, which would be so necessary these days, cannot be increased. There is difficulty about forming guard units which would be necessary at the present moment; we have difficulty in forming, equipping and arming auxiliary forces; civil aviation is prohibited; even in the form of gliders. The armistice terms impose limitations also in the sphere of sanctions against collaborationists and Fascists, and even in the preparation, in certain ways, of the elections." Parri emphasized that what he had said did not mean failure to recognize the help and support that the allies have given to Italy, beginning with the Allied Armistice Mission, "to which in fact we owe the organisation of the existing military forces."

Parri replied to certain questions put by correspondents. Asked whether, when he said that the armistice terms limited the sphere of sanctions against the Fascists, he meant that there were people in Italy who could not be touched by the sanctions against Fascism by virtue of one of the armistice clauses, he replied: "There are armistice terms which bind us. But this does not mean what you think. Under the armistice terms, we are not free to proceed against a certain category of arrested persons whom the Allies keep at their disposal. The Allies have their reasons for this, but it means that some of the people whom we consider guilty are removed from our jurisdiction."

Epoca adds that in reply to the question what is the attitude of the Government towards the delay on the part of A.M.G. in leaving Northern Italy, he said he was convinced that this is due to reasons which are quite independent of the A.C., and there is no means of knowing when Northern Provinces will return to the Italian Government. In reply to a further question as to whether the Italian Government could publish the armistice terms independently of the Allies, he said "No, because the Government must have their consent." According to Tempo, when Parri was asked whether his statements about the armistice terms amounted to the publication of the armistice, he replied that his declarations could not even remotely be considered a publication of the armistice, "because the armistice fills a big volume which, when it is published, will be very boring to read."

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HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

MEMORANDUM

Ref: 2508/ZC 14th October, 1945

PUBLICATION LONG ARMISTICE TERMS

The last official demand we have received from the Italian Government for publication of Long Armistice Terms was in August 1944 from Bonomi.

2. AFHQ, in their letter of 3 November 1944, directed delaying action and added that when publication is made responsibility for initiative in the matter should lie with the Italian Government.

3. The present Government accepted the "Armistice and surrender instrument" but requested successfully that the title be changed to "Armistice and additional Conditions of Armistice".

4. There have been demands made in the various political newspapers and the Prime Minister in his latest speech did not demand publication but rather enumerated the various limitations imposed on Italy by the Armistice.

There has, however, been no official request since 1944 from the Italians.

5. Unless the Allied Governments wish to publish the terms by way of reply to Parri's speech it is suggested that before publishing them at the initiative of the Allies it would be wise to consult the Italian Government as to their real wishes, pointing out to them that many of the clauses are now inoperative since hostilities have ceased and many have been modified in practice either as a result of directives from Allied Governments or because it was unnecessary to invoke the full force of the clauses.

There has, however, been no official request since 1944 from the Italians.

5. Unless the Allied Governments wish to publish the text by way of reply to Parri's speech it is suggested that before publishing them at the initiative of the Allies it would be wise to consult the Italian Government as to their real wishes, pointing out to them that many of the clauses are now inoperative since hostilities have ceased and many have been modified in practice either as a result of directives from Allied Governments or because it was unnecessary to invoke the full force of the clauses.

6. If it is decided by the Italian and the Allied Governments that publication is desirable then we should insert a simultaneous publication of Mr. Macmillan's aide memoire of 24 February 45 (FAN 447) and a summary of FAN 583, 640 and other modifying directives. There should also be published an agreed commentary on the progressive modification of existing procedure adopted in implementation of the terms.

7. Unless this is done the publication will give an entirely distorted view of the effect of these terms, some of which have never been implemented and many of which have been implemented only partially.

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8. We should also consider, subject to assent of C in C Mediterranean the publication of the Cunningham de Courtens agreement. Allied Commission sees no objection to publication on the same lines as in para 6 above.

9. Detailed comments on the clauses of the document are attached.

DISTRIBUTION
AFHQ (2)
Chief Commr
Pol Adv (4) (2)
Pol Adv (6)
CA to C
Econ Adv
Navy C/S
Land Forces C/S
Air Forces C/S
Communications C/S

Chief Civil Affairs Sec
Chief, Financial Sec.

BRIGADIER
Executive Commissioner

See M. 106-108.

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HEADQUARTERS ALLIED COMMISSION

OFFICE OF THE EXECUTIVE
COMMISSIONER

A.F.O. 394.

11th October, 1945

ADDENDUM TO ALLIED COMMISSION

RECOGNITION

1. It is also fair to state that the Long Armistice Terms have in fact been progressively modified by each Document A (Terms of Restoration of Italian Territory) signed by SACMED and agreed by the Italian government as each portion of territory has been restored to the Italian Government.

2. These Terms of Restoration, although made without prejudice to the Armistice terms which remain in force do specify the requirements of the Allied Forces in virtual modification of the Armistice terms themselves.

BRIGADIER
Executive Commissioner

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HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

SECRET

PROPOSAL FOR PUBLICATION OF LONG ARMISTICE TERMS.

Clause No.	Remarks.
1 - 5	Obsolete. Superseded by events.

Confidential

6 At the time of the German surrender the Army numbered 313,000 plus 65,000 CC.RR. This figure included troops serving with the Allies. It is anticipated that the interim Army will number about 140,000 plus 65,000 CC.RR, when the demobilization of the older classes is completed. The present strength of the CC.RR, 65,000, was requested by the first Prime Minister and later by Bonomi and is believed to be the Metropolitan pre-war strength. The maximum ceiling for the Italian Air Force prior to and since the cessation of hostilities has been fixed at 31,000. The established maximum strength of the Italian Royal Navy has never been formally laid down, but it was agreed, soon after the armistice, that victuals would not be provided for more than 75,000 officers and men. The present strength is about 64,000. In effect no demobilization took place but on the contrary recruitment up to the strengths above was effected.

7 Stands.

8 Has been modified in favour of the Italian Air Force, as it was intended to ground all aircraft at the end of hostilities.

In effect no demobilization took place but on the contrary recruitment up to the strengths above was effected.

7 Stands.

8 Has been modified in favour of the Italian Air Force, as it was intended to ground all aircraft at the end of hostilities. Restriction of flying has been based on scarcity of aircraft and POL. Not only were the Italian Air Force not completely grounded but they were permitted to use all available aircraft. In addition Allied aircraft was made available to them. Italian civil aviation is not permitted, but consideration is being given to the re-establishment of civil aviation.

9 This has been considerably relaxed.

10 The Italian Ministry of Marine continue to provide such information as is demanded and personnel and material are disposed where necessary at the direction of the Flag Officer, Italy and Liaison, and the Navy Sub-Commission, Allied Commission. The same is being done with Land Forces and Air Forces. It is entirely in the interests of the Italian Government that they continue to do so.

11 The requirements of this clause have been complied with by the Italian Ministry of Marine although it has been impossible to provide complete detail of the war materials formerly at its disposal. More recently authority has been given for the return of all Italian navy materials and equipment to the Italian Royal Navy subject to any specific requirements of the Allies. Information has been provided by the Italian Government in its own interests.

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12 Largely carried out.

13 Stands. No comment.

Confidential

14A It has been impossible for the Ministry of Marine to ensure that all merchant shipping, fishing vessels and other craft were made available in good repair and a seaworthy condition as priorities at all dockyards have, until recently, been accorded to the repair of Allied vessels. Italian ships have been repaired from time to time only as this priority arrangement for Allied vessels permitted.

14B Allied controls over Italian inland transport have been relaxed and such transport has now for the most part been returned to normal Italian administration, except insofar as the redeployment and maintenance of the Allied Forces have to be affected.

15 The provisions of this clause, as regards small vessels and craft, have not yet been fully satisfied owing to the difficulty of locating and identifying the vessels and craft concerned. Their recovery when established as Allied property has been regarded as a matter for representation by the Governments concerned to the Italian Government through diplomatic channels where these exist.

16 Control of radio has been returned to Italian Government. Only restriction remaining is necessity to apply for frequency

16 Control of radio has been returned to Italian Government. Only restriction remaining is necessity to apply for frequency allocation to Allied Military authorities who coordinate such requests on an International basis. A delegation from the Italian Ministry of Posts and Telecommunications attended the meeting of the European Radio Conference in London in September 1945. Other telecommunications facilities have been progressively passed to the control of the Italian Government. At the present all telecommunications facilities not needed for military purposes are under the control of the Italian Government; facilities not being used by the military are being returned to Italian control. Censorship has been abolished; operation of radio is in the hands of the Italian Government or parastatal companies; in AMG territory radio emission is subject to the requirements of AMG. Censorship has been military rather than political and has only been operated as military necessity dictated.

It has always been the policy to have such censorship carried out by Italian personnel, and early in 1944 the direct operation of such censorship was turned over to the Italian General Staff with Allied control being reduced to a minimum. Censorship of external mails, telephone and telegraph has been continued as the only means of insuring to the Italian Government the control of foreign exchange and foreign commerce which is economically necessary. Such censorship is carried out by Italian personnel under general policy direction of a small Liaison Group of Allied Officers.

17 Stands.

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18 The second sentence of this paragraph has never been invoked, except in two frontier areas.

19 This article stands without modification, as it is one of the bases for Allied payments policy in Italy. All local goods and services procured by the Allied Forces in Italy are paid for by the Italian Government, either directly or by the Allied Forces in Allied military lire which is charged to the Italian Government as an occupation cost. Care has been taken to conserve wherever possible Italian resources for the use of the civil economy, and to utilise local goods and services only when military necessity demanded. The Allied Forces Local Resources Board* was established as an allocation agency, ~~before which the military agencies stated their needs and the Allied Commission appeared as a claimant for Italian civil needs.~~ In other words, while the legal rights of the Allied Forces under Article 19 have not been modified, in practice it has been administered with as much regard as possible for Italian needs. With the redeployment of Allied Troops from Italy, the utilisation of local resources and facilities is diminishing rapidly.

* on the committee, of which Italian representatives have sat.

20 Article 20 refers to the governance of AMG; Article 21 distinguished Italian Government territory. Article 20 was never fully enforced; no instruction issued for removal of Italian forces. It was the invariable practice to use Italian troops, e.g. CC.RR. The enforcement of Armistice terms was ~~not~~ rigorous in Army areas ~~, where at times for operational reasons, there was considerable restriction of movement, and offences against Allied troops, property or security were more frequently dealt with by Allied Courts.~~ This was progressively released in AMG ~~Regional~~ areas; the administration was almost entirely by Italian officials under AMG direction, restrictions were largely removed and cases except those of greater importance transferred to Italian Courts.

The third phase of relaxation was the handing over of the territory to Italian administration freed from AMG direction; on the handing over the Allied reserved rights necessary for the maintenance

restriction of movement, and offences against Allied troops, property or security were more frequently dealt with by Allied Courts.

This was progressively released in AMG Regional areas; the administration was almost entirely by Italian officials under AMG direction, restrictions were largely removed and cases except those of greater importance transferred to Italian Courts.

The third phase of relaxation was the handing over of the territory to Italian administration freed from AMG direction; on the handing over the Allied reserved rights necessary for the maintenance and security of its armies including rights of trial but this latter was seldom enforced. AC officers left in Italian Government territory areas are not even advisers but have merely functions of observation and liaison.

At the time that Italy became a cobelligerent there was territory in all three phases of administrion; in all three there were relaxations suitable to the new station of Italy as a cooperator.

Then came PAN 487 and the Macmillan aide memoire by which the functions of AC itself were in day to day matters of administration changed and it had in such matters no powers even to advise unless its advice was sought.

This aide memoire stated that in matters of ordinary day to day administration we would not enforce our rights but would leave the Italians to administer as they thought fit.

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21B This article still stands, particularly the first part which deals with the availability of free transit for Allied Nations war materials and supplies. Although the latter part must still stand, with the departure of a large number of troops from Italy, and the handover of the greater part of Italy to the Italian Government, for some time past the powers conferred in this have rarely been exercised. It has been the function of ALRB to effect the progressive handing back of plant and stocks as much as possible.

22 ~~This article must~~ clearly be contained in any Armistice terms. However, ~~with the early~~ declaration of war upon the Germans by the Italian Government, the cooperation and loyalty of the Italian people to the Allied cause, there has never been any necessity to invoke ~~this~~ clause.

23 The first two sentences of this Article stand without modification. We are preparing to negotiate with the Italian Government a currency agreement whereby the Italian Government or its designated agency would be recognised as the issuing authority for all AM lire.

The last sentence of Article 23 has been substantially modified and modification explained to the Italian Government. ~~AC informed the~~ Italian Government that the Allied Commission will no longer intervene in Italian internal financial affairs (except in cases of Allied military necessity) and that, with ~~the~~ exceptions, the Italian Government no longer needed ~~to~~ obtain the approval of the Allied Commission prior to the execution of external financial transactions. ~~The Minister of the Treasury was informed that the~~ The Italian Government ~~was~~ now free to fix or negotiate exchange rates for the lira without prior consultation with the Allied Commission. The cooperation of the Italian Government in the execution of this Article is considered to have been ~~very good~~ excellent.

The last sentence of Article 23 has been substantially modified and modification explained to the Italian Government. ~~AC informed the~~ Italian Government that the Allied Commission will no longer intervene in Italian internal financial affairs (except in cases of Allied military necessity) and that, with ~~the~~ exceptions, the Italian Government no longer needed ~~to~~ obtain the approval of the Allied Commission prior to the execution of external financial transactions. ~~The Minister of the Treasury was informed that the~~ The Italian Government ~~was~~ is now free to fix or negotiate exchange rates for the lira without prior consultation with the Allied Commission. The cooperation of the Italian Government in the execution of this Article ~~is considered to have been very good.~~

24 ~~Modified by informing the Italian Government that~~ private export trade may now be resumed and ~~that~~ all types of ~~non-transactional and transactional~~ commercial and financial correspondence may now go forward from Italy to the non-enemy world.

25A ~~Obsolete~~

25B ~~Obsolete~~

26A This has been modified so far as individuals are concerned to the extent that no Military Travel authorization is now required. Provided an individual has the necessary civil documents such as passport visa, etc. there is nothing to prevent him leaving Italian territory. If leaving Italy by land, movement is virtually unrestricted even though an AMG pass must be obtained before passing through the frontier Northern zone. Movement by air or sea is restricted by the fact that the United Nations control the transport services and an Allied travel order must be obtained before the journey can be made. As regards any mass movement of Italian subjects this continues to be controlled by AFHQ.

~~26B Interest obsolete.~~

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27 Obsolete

28A Obsolete

28B Stands

28C Stands

28D Stands

29 Stands

30 First part carried out; second part ~~not~~ carried out.
This article has never been enforced as expressed: the Commander-in-Chief has not issued any instruction. The Italian Government has of its own volition done all that would have been required. The Government does in fact keep AC informed.

31 Stands. All Italian laws involving discrimination on ground of race, colour, creed, or political opinion, have at the instance of the Italian Government been repealed. It is believed that all persons detained on any such grounds have been released, and those suffering any legal disability have been relieved therefrom It has

30 First part carried out; second part invoked.
This article has never been enforced as expressed: the Commander-in-Chief has not issued any instruction. The Italian Government has of its own volition done all that would have been required. The Government does in fact keep AC informed.

31 Stands. All Italian laws involving discrimination on ground of race, colour, creed, or political opinion, have at the instance of the Italian Government been repealed. It is believed that all persons detained on any such grounds have been released, and those suffering any legal disability have been relieved therefrom It has not been necessary for the Allied Commander in Chief to issue any "further directions" under the Article.

32A Obsolete

32B Carried out and now obsolete

32C The Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the preservation and administration of United Nations property in Italy, previously sequestrated by the Italian Government.

33A Stands with explanation

33B Stands. The part relating to the furnishing of information stands. The part that deals with the disposal of foreign assets has been modified by Para 3c3, in that prior approval of the Allied Commission for such disposal is no longer necessary.

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34 Stands. No comments.

35 Stands. No comments.

36 ~~Stands, but~~ modified by Macmillan aide memoire of 24 February 1945.

37 Control has been dropped in Italian Government territory. See Macmillan aide memoire.

38 No comments.

39 No comments.

40 No comments.

41 ~~Stands, with the exception of Albania.~~

42 No comments.

43 No comments.

44 No comments.

41 Modified to exclude 9th Iraqi Inf Bde Gp ~~Stands, with the exception of Albania.~~ Include 9th Iraqi Albania is no longer included in definition of T.T. ~~Albania.~~

42 No comments.

43 No comments.

44 No comments.

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2600 FILE

Confidential

AFHQ FOR G-5

7083 13 OCTOBER 45 PRIORITY

SECRET FD

PARA ONE FD BRIGADIER LUSH WILL REPRESENT ME AT MEETING CALLED FOR IN YOUR FOX FOUR EIGHT FOUR ZERO SEVEN OF OCTOBER ONE THREE FD

PARA TWO FD CONTINUING CONVERSATION STOKE DASH RAMBLER CMA MY IMMEDIATE VIEWS ARE THAT IF THE LONG TERMS ARE TO BE PUBLISHED THE PROGRESSIVE MODIFICATION OF THESE TERMS UNDER FAN FOUR EIGHT SEVEN AND SUBSEQUENT DIRECTIVES MUST BE PUBLISHED SIMULTANEOUSLY CMA OTHERWISE AN ENTIRELY DISTORTED PICTURE WILL BE CREATED FD

PARA THREE FD WE MUST ALSO CONSIDER WHETHER THE CUNNINGHAM DE COURCEY NAVAL AGREEMENT IS TO BE PUBLISHED FD I AM ASKING NAVY SUBCOMMISSION TO COMMUNICATE WITH CINCSEAC ON THIS MATTER FD

PARA ONE FD BRIGADIER LUSH WILL REPRESENT ME AT MEETING CALLED FOR IN YOUR FOX FOUR EIGHT FOUR ZERO SEVEN OF OCTOBER ONE THREE FD

PARA TWO FD CONTINUING CONVERSATION STOKE DASH RAMBLER CMA MY IMMEDIATE VIEWS ARE THAT IF THE LONG TERMS ARE TO BE PUBLISHED THE PROGRESSIVE MODIFICATION OF THESE TERMS UNDER FAN FOUR EIGHT SEVEN AND SUBSEQUENT DIRECTIVES MUST BE PUBLISHED SIMULTANEOUSLY CMA OTHERWISE AN ENTIRELY DISTORTED PICTURE WILL BE CREATED FD

PARA THREE FD WE MUST ALSO CONSIDER WHETHER THE CUNNINGHAM DE COURCEY NAVAL AGREEMENT IS TO BE PUBLISHED FD I AM ASKING NAVY SUBCOMMISSION TO COMMUNICATE WITH CINCSEAC ON THIS MATTER FD

Exec Comm

/s/ M S Lush

4148

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608 v1 EX PARTE

INCOMING MESSAGE

(96)

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F 48407
Date/Time of Origin: OCT 12/1252A

Message Centre No: G 816
Date Time Rec'd: OCT 13/9915A
Precedence: IMMEDIATE

FROM: AFHQ SIGNED SACMED CITE FHGEG

TO : ALCOM ROME

OCT 13 1945

SECRET Confidential

HEADQUARTERS 13 OCT 1945 A.

SECRET.

1. Following is text of signal from AGWAR.

" Growing UNITED STATES feeling here that only very strong reasons should prevent present publication of armistace terms with ITALY. Understood Secretary of State has intimated to newspapermen that only WAR DEPARTMENT is withholding publication. your views of publication from military standpoint desired at this time.

2. Preliminary view here is that there are no strictly military objections to publication of armistace terms if such such a course is considered politically desirable by Allied Governments.

3. Meeting is being held in G-5 Conference Room AFHQ 1400 hours 15 October to co-ordinate views of interested staff sections. You are invited to send representative or to furnish G-5 with written brief embodying your views

DIST

ACTION : EX COMMISSIONER (2)

INFO : CHIEF COMMISSIONER
POLAD (A)
POLAD (B)
CA SEC
FILE

ACTION SECRET

1117

Declassified E.O. 12356 Section 3.3/NND No. 785017

RESTRICTED

2608

95

8 October 1945

OCT - 9 1945

Subject: Transmittal of Paper P/310 (Final)

To : Supreme Allied Commander's Secretariat, Allied Force Headquarters, APO 512.

93

1. Reference letter AP-766, 4th October.

2. Returned herewith is copy No 35 of JPS Study No. P/310 (Final), the only copy received by this Headquarters.

/s/ L. W. Stearns

L. W. STEARNS
Major, AGD
Staff Officer to CC

cc: Exec. Comm.

414 9/10

RESTRICTED

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608

93

AF-768

ALLIED FORCE HEADQUARTERS
Supreme Allied Commander's Secretariat

RESTRICTED

4th October 1945 OCT - 6 1945

SUPREME ALLIED COMMANDER'S CONFERENCE

INTERIM DOCUMENT TO RELEASE EXISTING ITALIAN ARMISTICE TERMS

92

1. In accordance with the direction at SAC (45) 7th Meeting, Minute 9, all copies of JPS Study No. F/310 (Final) should be returned to the Secretary, Mediterranean Joint Planning Staff, for custody.

2. The Secretary, Mediterranean Joint Planning Staff, is requested to inform this Secretariat of any copies not so returned by 9th October 1945.

J.G. SWEETMAN,
LIEUTENANT COLONEL,
SECRETARY.

DISTRIBUTION

Normal for SAC papers

Ec Hist — 6 Oct 45

ACTION: S.A. to C.C. (29)
INFO: Exec Comm (49)

SECRET 33911.15

(Copy No. 30 SPACE)

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608/cc

TOP SECRET

Extract from Minutes of a Meeting of the Supreme Allied Commander's Conference held in the G-3 War Room at 1030 Hours on Thursday 4th October 1945.

92

Confidential

"9. INTERIM DOCUMENT TO REPLACE EXISTING ITALIAN ARMISTICE TERMS

(JPS Study No. P/310 (Final)) — (Retained for 93 + 95)

THE CONFERENCE had before them a draft memorandum of agreement between the Supreme Allied Commander and the Italian government, designed as an interim measure to replace the existing armistice terms until the signature of a definite peace treaty.

MAJOR GENERAL LEMNITZER said that this paper had been prepared as it was thought possible that the Supreme Allied Commander might be directed to produce such a document. No such direction had, however, yet been received. The paper represented the most the planners could do without detailed direction as to political background, which could only be received from the two governments.

MR. OFFIE said that the policy of the two governments was not yet decided. There had been a proposal to have the Supreme Allied Commander address to the Italian government a communication in regard to the revision of the armistice terms. It was unlikely, however, that the governmental position would be clarified for some little time.

MR. BROAD considered that little more could be done on this subject until further direction was received from the two governments.

REAR ADMIRAL STONE believed that if the Italian government were to be asked to sign a new document to replace the armistice terms, the new agreement should be drafted on the basis of the same political background as that on which comments on the military and civil affairs agreements had been prepared. While the present paper was adequate on the basis of the terms of referece given to the Joint Planning Staff, it did not really represent any revision of the existing arrangements and was in fact harsher to ITALY than the "Macmillan Memorandum". He did not think that Signor Parri could sign such a document.

THE ACTING SUPREME ALLIED COMMANDER agreed that if he were called upon to forward such a document he would probably be directed to prepare it on a similar political basis as that on which comments

MR. OFFIE said that the policy of the two governments was not yet decided. There had been a proposal to have the Supreme Allied Commander address to the Italian government a communication in regard to the revision of the armistice terms. It was unlikely, however, that the governmental position would be clarified for some little time.

MR. BROAD considered that little more could be done on this subject until further direction was received from the two governments.

REAR ADMIRAL STONE believed that if the Italian government were to be asked to sign a new document to replace the armistice terms, the new agreement should be drafted on the basis of the same political background as that on which comments on the military and civil affairs agreements had been prepared. While the present paper was adequate on the basis of the terms of referece given to the Joint Planning Staff, it did not really represent any revision of the existing arrangements and was in fact harsher to ITALY than the "Macmillan Memorandum". He did not think that Signor Parri could sign such a document.

THE ACTING SUPREME ALLIED COMMANDER agreed that if he were called upon to forward such a document he would probably be directed to prepare it on a similar political basis as that on which comments on the military and civil affairs agreement had been made, However, he did not think that further study of the subject would be justified until definite instructions from the Combined Chiefs of Staff had been received. He considered that the Joint Planning Staff had, on their given terms of reference, produced an able paper which would be useful in such an event. However, he wished that the distribution of this paper should be restricted as it might be considered to represent an accepted policy, and its contents should not at present be made known outside Allied Force Headquarters.

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THE ACTING SUPREME ALLIED COMMANDER :

Withheld approval of the provisions of JPS Study No. P/310(Final) and directed that copies circulated should be withdrawn and filed for use in the event that definite instructions on this subject were received. "

(Sm 93-95)

Declassified E.O. 12356 Section 3.3/NND No. 788017

1482

Declassified E.O. 12356 Section 3.3/NND No. 785017

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TOP SECRET

SUBJECT: Proposed Amendments to the Interim Document to replace existing Armistice Terms

LAND FORCES SUB-COM., A.C. (LMIA)

Confidential

29 Sep 45

TO : EXECUTIVE COMMISSIONER, A.C.

Ref para I V(a) Proposed Amendments: your ref 2609/EC.

1. General BROWNING would like the words

"retains the right of reassuming command of all or part of it should he consider this necessary"

inserted so as to be in keeping with the suggested draft which he has been asked to consider by Chief of Staff AFHQ. AFHQ draft ref. ASC/925/1.

2. Conversation Col. PIDSLEY - Lt. Col. TALBOT 28 Sept refers.

W Pidsley Colonel

Major General
LMIA

WB

WO 204/901 91

41 : 2

Declassified E.O. 12356 Section 3.3/NND No. 785017

(86)

TOP SECRET.

URGENT.

Confidential

Ref: 2608/3C.

28 September 45.

SUBJECT: Armistice Terms.

TO : G-3 Section,
AFHQ.
(Personal attention of Brig. PARSONS).

1. Confirming telephone conversation between Brigadier PARSONS and Lt.Col. TALBOT to-day, enclosed are the Allied Commission proposed amendments to the second draft interim document to replace existing Armistice Terms.

2. I shall be very grateful if you will present these amendments to the meeting on behalf of the Allied Commission, who will not be sending a representative.

For the Chief Commissioner:

/s/ E. TALBOT
Lt Col.
Brigadier,
Executive Commissioner.

Incls.

1484

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608

SECRET

85

SUBJECT: Proposed amendments to the Interim Document to replace existing Armistice Terms

LAND FORCES SUB-COM, AC (IEIA)

G/S/1

17 Sep 45

Confidential

TO : Executive Commissioner, Allied Commission.

SEP 17 1945

Reference our meeting p.m. Friday in your office and the proposed amendments made out and sent to me thereafter:-

1. Para IV - sub-para (c) new -
In second line after "Italian Government" add "but retains the right of control".

We agreed on this. Presumably the omission was a clerical error. Otherwise we have no power.

2. Para IV - sub-para (d) new -
For the third and fourth lines substitute:-
"the Italian Government, in respect of the forces mentioned in sub-para (a) above, will assume full administrative control, and supply responsibility insofar as their resources permit."

We must put it this way so as to follow up NAF 1059 of 22 Aug and otherwise we would be giving a false picture in the document.

Telephoned MRIA
Modern Substance
by Lunch 82. and
Modern ECXT if meeting took place
between Parties of these amendments.

D. Browning
Major-General
LFEA

(CSO)

Declassified E.O. 12356 Section 3.3/NND No. 785017

D48

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION Ex Commr

Originator's Reference: F 43842
Date/Time of Origin: SEPT 16/1721B

Message Centre No: F/7904
Date Time Rec'd: SEPT 17/0915
Precedence: PRIORITY

FROM : AFHQ SIGNED SACRED CITY PRIORITY

TO : ALCOM ROME

RESTRICTED

RESTRICTED.

Further to F 43547 of 15 and conversation PARSONS-HUSH. MFPS meeting referred to is now postponed without date

ACTION

DIST

ACTION : EX COMMISSIONER (2)

INFO : CHIEF COMMISSIONER
FILE (2)
FLOAT

RESTRICTED

(See 1782)

4139

(C.O.)

Declassified E.O. 12356 Section 3.3/NND No. 785017

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISS. Ex Rome

Originator's Reference: F43547
Date/Time of Origin: SEP 151339B

Message Centre No: F/7773
Date Time Rec'd: SEP 151720
Precedence: PRIORITY

FROM AFHQ SIGNED SACMED CITE FHGEG
TO : ALCOM ROME

SEP 17 1945

SECRET
Confidential

SECRET.

Reference your 5260. Inform Brigadier BUSH that meeting referred to is 1430 Hours Monday 17.

ACTION

DIST

ACTION EX COMMISSIONER 2
INFO CHIEF COMMISSIONER
FILE 2
FLOAT

* Note: Alcomm mssg Hand to Brig Bush after OK 1720 hrs 15 Sept HS.

SECRET

4138

(Capt Mowbray)

Declassified E.O. 12356 Section 3.3/NND No. 780017

Second Draft

(83A)

PROPOSED AMENDMENTS TO THE INTERIM DOCUMENT TO REPLACE EXISTING ARMISTICE TERMS

Preamble

3rd line insert "on behalf of United Nations" after "Mediterranean theatre". The balance of preamble agreed.

Para I agreed

Para II

Para (1) penultimate line to read "it will continue to exercise its present functions to the minimum extent" etc.

Para 2. This paragraph to read "In order to facilitate the normal development of Italian economic life, the Allied Commission will have the following economic functions ".

Sub-paras (a), (b), (c), (d) all agreed.

Para (3). First sentence to read "It is the intention of the United Nations that" etc. "Article III 6" in second line to read "Article III 7".

Para III. Heading to read "Italian aid to United Nations".

Para (1) (a) to read "The Italian Government and people will do all in their power to aid the interests of the United Nations".

Sub-para (b) agreed.

Paras (2) and (3) agreed.

Para 4 3rd line to read "and defences, equipment, stocks, material, and any other" etc.

Paras 5, 6, 7,8 agreed

Sub-paras (a), (b), (c), (d) all agreed.

Para (3). First sentence to read "It is the intention of the United Nations that" etc. "Article III 6" in second line to read "Article III 7".

Para III. Heading to read "Italian aid to United Nations".

Para (1) (a) to read "The Italian Government and people will do all in their power to aid the interests of the United Nations".

Sub-para (b) agreed.

Paras (2) and (3) agreed.

Para 4 3rd line to read "and defences, equipment, stocks, material, and any other" etc.

Paras 5, 6, 7,8 agreed

Para 9 to read "There shall be full commercial intercourse and dealings with and for the benefit of any foreign country subject to the authorisation of the Supreme Allied Commander".

Para 10 agreed

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Para 11 3rd line "Allied Forces" needs definition. ? to include A.C., A.C.I., Yugoslavs etc.

Paras 12, 13 and 14 agreed.

Para IV

Para 1 (a) and (b) agreed

Sub-para (c) to read "The Supreme Allied Commander transfers command of the Italian Army as in sub-para (a) above to the Italian Government. The existing Military Mission to the Italian Army will be charged with the supervision of the reorganisation of the Italian Army and with assiting in its operational and administrative training".

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Sub-para (d) to be substituted by "Subject to the functions of the Military Mission to the Italian Army as defined in sub-para (c) above, the Italian Government will assume full administrative and supply responsibility of the forces mentioned in sub-para (a) above.)

Add sub-para (e) "All Italian armed land forces in excess of the figures mentioned in sub-para (a) and of the requirements of the Supreme Allied Commander in sub-para (b) will be disbanded in accordance with the orders of the Supreme Allied Commander".

Paras 2 and 3 agreed

Para 4. Delete first sentence "Such fortifications.....destroyed".

Para V

Paras 1, 2, 3 agreed

Para 4 to read "The Italian Government signal and postal communications will not be subject to Allied control or censorship. Unless military necessity as determined by the Supreme Allied Commander demands it, civilian communications within Italian territory and external communications will not be subject to Allied control or censorship".

Para 5. Last sentence to read "The Italian Government undertakes to submit the institutional question to the Italian people" etc.

Para VI

Para 1 agreed

Para 2. Clause to begin "The rights of the United Nations".

Para 3 agreed

Para 5. Last sentence to read "The Italian Government undertakes to submit the institutional question to the Italian people" etc.

Para VI

Para 1 agreed

Para 2. Clause to begin "The rights of the United Nations".

Para 3 agreed

Para 4 last sentence to read "The Italian Government recognises the obligation to make restitution or reparation to the United Nations for the full cost of the Allied occupation of Italy and the Italian campaigns, including all expenses and costs arising from the maintenance of Allied troops in territory which has been returned to the jurisdiction of the Italian Government".

Para 5 agreed

Para 6 (a) after the word "representatives" insert "and organisations".

Note. General McKinley suggests an additional sub-para to read "The term 'Allied Commission' in the present agreement includes any other authority which the United Nations may designate to take over all or part of its functions".

Paras 7 and 8 agreed.

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(81)

FREEDOM FOR 0-5

5260 12 SEPTEMBER 45 Confidential URGENT

(73) (79) (83)

SECRET PD

I HAVE RECEIVED ON EVENING ONE TWO SEPTEMBER LETTER GEORGE DASH FIVE CMA THREE EIGHT SEVEN PD FOUR OF ONE TWO SEPTEMBER ENCLOSING TWO DOCUMENTS PREPARED BY MJRS FIRSTLY ON TWO SIX AUGUST AND SECONDLY ON ONE ZERO SEPTEMBER WHICH AFFECT CLOSELY FUTURE ALCOM AND RELATIONS WITH ITALIAN GOVERNMENT PD I AM ASKED TO SEND REPRESENTATIVE TO DISCUSS SECOND DOCUMENT ON ONE FOUR SEPTEMBER PD THIS IS FIRST I HAVE SEEN OF PROPOSALS PD IF ALCOM REPRESENTATIVE IS TO HAVE ANY VALUE AT THE MEETING HE MUST BE BRIEFED AFTER CONSULTATIONS WITH SECTIONS AND SUBCOMMISSIONS OF ALCOM PD THIS CANNOT BE DONE ADEQUATELY IN TWO FOUR HOURS PD I THEREFORE REQUEST POSTPONEMENT OF MEETING UNTIL ONE SEVEN SEPTEMBER PAREN TO FREEDOM FOR GEORGE DASH FIVE FROM HQ ALCOM CITE ALEXC PAREN

4135

(sgd) Brigedier Lush

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2608

TOP SECRET

AUTHORITY OF SWNCC

80

U R G E N T

13 SEP 1945

AIR FORCE HEADQUARTERS
G-5 Section
APO 512

Confidential

G-5: 3674

12 September 1945

SUBJECT: Discussion of draft of interim armistice terms.

TO : Headquarters Allied Commission, APO 394.
(Attention: Brigadier Lush).

73

1. Reference conversation - Brigadier Lush - Brigadier Parsons of 4 September. Attached are:

a. MTPS paper of 26 August forwarding draft interim document to replace existing armistice terms prepared by U. S. Political Adviser.

b. Second draft of the same document prepared by MTPS.

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2. The second draft document is being discussed at a MTPS meeting on Friday 14 September 1945 at 1430 hours in the ABC War Room. You are requested to send a representative to the meeting, which will be held on a Colonel or First Grade Staff Officer level.

F. G. A. PARSONS,
Brigadier GS,
Deputy Asst Chief of Staff, G-5.

Encls: as stated.

P Econ Sec
CAC
MIS A
CLA
CFA

Recommended for Luncheon at TIA

(See 81)

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TOP SECRET

(CSO)

(1 SPARE COPY LEFT HER)

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P/310 (2nd draft)

G-5

79

ALLIED FORCE HEADQUARTERS

Mediterranean Joint Planning Staff

RECEIVED
Coll SEP
U.

13 September 43

INTERIM DOCUMENT TO REPLACE EXISTING ARMISTICE TERMS
(Cover Note by Secretary)

The attached 2nd draft of P/310 has been prepared and will be considered at an MJPS meeting to be held in the War Room on Friday, September 14, at 1430 hours.

J. B. TRIMMER
Major
Secretary

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DISTRIBUTION
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Br Res Min

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1533

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P/310 (2nd draft)

ALLIED FORCE HEADQUARTERS
Mediterranean Joint Planning Staff

Confid...

INTERIM DOCUMENT TO REPLACE EXISTING ARMISTICE TERMS

This Memorandum of Agreement is entered into between the undersigned Field Marshal the Hon. Sir H. R. L. G. Alexander, etc., Supreme Allied Commander Mediterranean Theatre and the undersigned _____ representing the Italian Government and duly authorised to sign on its behalf.

Whereas in the course of the conduct of their war against the Axis powers which at that time included Italy, then subject to Fascist domination, it became necessary for Allied Forces to invade and occupy certain portions of Italy and set up Allied Military Government therein,

And Whereas after the fall of the Fascist Ministry formerly in power, the Italian Government applied to the Allies for an armistice and an Agreement of Armistice was executed on 3 September 1943 at Fairfield Camp in Sicily, the provisions of which were subsequently amplified by a document executed in Malta on 29 September 1943 and known, in accordance with a protocol executed at Brindisi on 9 November 1943, as "Additional Conditions of Armistice with Italy".

And Whereas in pursuance of the provisions of the "Additional Conditions of Armistice with Italy" above referred to, the Allied Commission (originally designated the Allied Control Commission) was established in Italy with the object of regulating and executing the terms of such conditions of Armistice under the orders and general direction of the Allied Commander-in-Chief.

And Whereas the Italian Government declared war on Germany on 13

provisions of which were subsequently amplified by a document executed in Malta on 29 September 1943 and known, in accordance with a protocol executed at Brindisi on 9 November 1943, as "Additional Conditions of Armistice with Italy".

And Whereas in pursuance of the provisions of the "Additional Conditions of Armistice with Italy" above referred to, the Allied Commission (originally designated the Allied Control Commission) was established in Italy with the object of regulating and executing the terms of such conditions of armistice under the orders and general direction of the Allied Commander-in-Chief.

And Whereas the Italian Government declared war on Germany on 13 October 1943,

And Whereas the Italian Government has cooperated with the Allies and has been of substantial assistance to them in the prosecution of the war against Germany.

And Whereas, because of the increased ability of the Italian Government to re-create their administrative machinery and to resume the functions of government, it has been possible successively to hand back territory to their jurisdiction, subject to the reservation to the Allied within such territory of

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certain rights and powers,

And whereas it is and has been the desire and intention of the Allies to assist the Italian Government in the difficult tasks which lie before it and, pending the signing of a Treaty of Peace between the Italian Government and the United Nations, to encourage the Italians in the light of the declaration made 26 September 1944 by Prime Minister Churchill and the late President Roosevelt,

And whereas it has not thus far proved possible to publish the terms of the Additional Conditions of Armistice with Italy above referred to or to modify them, but in view of the overthrow of German Forces, it is now possible to set forth and publish the rights and powers which, pending a Peace Treaty with Italy, shall be allowed to the Italian Government and those which shall be reserved to the Allies.

Now therefore, it is agreed

I. Abrogation of Prior Agreements

The agreement of Armistice executed at Fairfield Camp in Sicily dated 3 September 1943, and the document executed in Malta on 29 October 1943 and known in accordance with the protocol executed at Brindisi on 9 November 1943, as "Additional Conditions of Armistice with Italy", and the Terms of Restoration of Italian Territory effective 11 February 1944 and similar documents executed thereafter respecting specified areas of Italian territory

Declassified E.O. 12356 Section 3.3/NND No. 785017

with Italy, shall be allowed to the Italian Government and those which shall be reserved to the Allies.

Now therefore, it is agreed

I. Abrogation of Prior Agreements

The agreement of Armistice executed at Fairfield Camp in Sicily dated 3 September 1943, and the document executed in Malta on 29 October 1943 and known in accordance with the protocol executed at Brindisi on 9 November 1943, as "Additional Conditions of Armistice with Italy", and the Terms of Restoration of Italian Territory effective 11 February 1944 and similar documents executed thereafter respecting specified areas of Italian territory shall from the date of execution of this Agreement be null, void, and of no further force or effect, and the following provisions shall govern the relations of the parties hereto.

II. Allied Aid to Italy

1. The Allied Commission, established in order to enforce and execute the provisions of the Agreement on 29 September 1943, will in future under the orders and general direction of the Supreme Allied Commander concern itself primarily with the provision of assistance and advice to the Italian Government. It will exercise its functions of control only to the minimum extent necessary to ensure the proper implementation of the present agreement.

2. In order to facilitate the normal development of Italian economic life, the Economic Section of the Allied Commission will have the following functions:

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a. to facilitate the transfer of Italian imports and export trade to normal commercial channels and practices as rapidly as possible.

b. to aid the Italian Government in planning imports into Italy, in processing such imports from the Allied Governments, and in fostering Italian export trade.

c. to assist UNRRA, (Italy), or any other non-Italian relief or welfare agency which may require information or assistance, upon its request or that of the Italian Government.

d. to assist in the solution by the Italian Government of any economic problem brought to its attention by the Italian Government, and to make such recommendations to the Italian and/or Allied Governments as the case may require.

3. It is the intention of the United States and British Governments that, subject to the provisions of Article III of the present Agreement, which refer to the matter of war criminals, Italian prisoners of war under their jurisdiction will be liberated from that status or repatriated as expeditiously as transportation facilities permit.

III. Italian Aid to the Allies

1. a. Italian Government and people will abstain from all acts detrimental to interests of the United Nations and will execute promptly all orders given by the Supreme Allied Commander.

b. Italian Government shall take all necessary measures to ensure law and order in those parts of Italy under their control, and shall ensure that

refer to the matter of war criminals, Italian prisoners of war under their jurisdiction will be liberated from that status or repatriated as expeditiously as transportation facilities permit.

III. Italian Aid to the Allies

1. a. Italian Government and people will abstain from all acts detrimental to interests of the United Nations and will execute promptly all orders given by the Supreme Allied Commander.

b. Italian Government shall take all necessary measures to ensure law and order in those parts of Italy under their control, and shall ensure that there is no disturbance to work by, or passage of, Allied forces in the said areas, and also shall ensure prompt and exact compliance with all the provisions of this present agreement.

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2. Allied Forces Requirements in Italy

Allied Forces require to be stationed in Italy for a period not yet determined. During such time as members of the Allied Forces are stationed in Italian territory, the Supreme Allied Commander shall have therein the following rights and powers which are hereby accorded to him by the Italian Government in perpetuation of the rights and powers which were formerly his by enactment, occupation or agreement:

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a. The right to have made available such areas, facilities, utilities, resources and installations as may be required for such disposition, use or operation as he may determine.

b. The right to maintain and quarter troops in Italian territory.

c. The right to declare any area to be a Military Zone and to exercise therein the rights of an Occupying Power or enforce such other controls as may be determined by him.

d. The right for warships auxiliaries, transport and merchant and other vessels or aircraft in the service of the United Nations freely to use the territorial waters around and the air over Italian territory.

e. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any hostile act to the Allied Forces or any members thereof and to inflict such punishment upon such person as such Tribunals may direct.

f. The right to establish and control the policy governing the entry into and exit from Italian territory of all persons.

g. The right to requisition private and public property and services.

h. The right to obtain priority of contracts for raw materials and manufactured items.

i. The right to hold or require the Italian Government to hold in custody prisoners of war, displaced persons and civilian internees as may be directed by him.

authorities and of any person otherwise doing any hostile act to the Allied Forces or any members thereof and to inflict such punishment upon such person as such Tribunals may direct.

f. The right to establish and control the policy governing the entry into and exit from Italian territory of all persons.

g. The right to requisition private and public property and services.

h. The right to obtain priority of contracts for raw materials and manufactured items.

i. The right to hold or require the Italian Government to hold in custody prisoners of war, displaced persons and civilian internees as may be directed by him.

j. No member of the Allied forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian court for any cause whatsoever, either civil or criminal, without the consent of the Supreme Allied Commander.

k. No tax shall be levied against the Allied Governments or any of their agencies, property or activities, and no member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be required to pay any tax, impost, charge or duty, nor shall any transaction or property of any such person be subject to any tax, impost,

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charge or duty by the Italian Government or any of its sub-divisions or agencies, without the consent of the Supreme Allied Commander.

3. a. Members of the Land, Sea or Air Forces and officials of the United Nations will have the right of passage in or over Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

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

4. The Italian Government will make available to the Supreme Allied Commander all information about naval, military and air devices, installations and defences and any other technical information which could be of value to the United Nations in any military operations whether such installations, equipment or information be publicly or privately owned.

5. The Italian Government will make available such assistance in the clearance of minefields and other obstructions as may be required by the Supreme Allied Commander.

6. The Italian Government will cooperate with the Governments of the United Nations in facilitating the return to their homes of all displaced and stateless persons in, from or through Italy, and similar cooperation shall

intercommunication systems, power stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify and all repair and construction facilities connected therewith.

4. The Italian Government will make available to the Supreme Allied Commander all information about naval, military and air devices, installations and defences and any other technical information which could be of value to the United Nations in any military operations whether such installations, equipment or information be publicly or privately owned.

5. The Italian Government will make available such assistance in the clearance of minefields and other obstructions as may be required by the Supreme Allied Commander.

6. The Italian Government will cooperate with the Governments of the United Nations in facilitating the return to their homes of all displaced and stateless persons in, from or through Italy, and similar cooperation shall be afforded to the Italian Government by the United Nations. The Italian Government will be prepared to take over responsibility for the repatriation, movement and care of displaced and stateless persons in Italy, should the Supreme Allied Commander decide that these functions can no longer be performed by the Allied Forces.

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7. The Italian Government will cooperate in the apprehension and trial of persons accused of war crimes, whatever their nationality.

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8. Such Italian merchant shipping and other craft as are required by the Supreme Allied Commander for use in the interests of the United Nations, will be made available, wherever they may be, to the Supreme Allied Commander. They will be handed over in good repair and in seaworthy condition by the Italian Government at such places and for such purposes and periods as the Allied Authorities may prescribe. In accordance with any directions issued by the Supreme Allied Commander, the Italian Government will exercise any outstanding options to purchase or re-acquire, or to resume control of, Italian or former Italian vessels sold or otherwise transferred or chartered during the war, and the above provisions will apply to such vessels.

9. There shall be no commercial intercourse, or dealings, with or for the benefit of any foreign country, except under authorisation of the Supreme Allied Commander.

10. The Italian Government will establish and maintain an effective foreign exchange control agency for the purpose of implementing the international economic objectives of the United Nations Governments and to assure the most effective use of Italy's foreign exchange resources. The Italian Government will work out, in consultation with the appropriate United Nations diplomatic missions in Rome, measures to be adopted in support of the international economic objectives of the United Nations.

11. The Italian Government recognises that it has been and is the issuing authority for the Allied Military Lire now in circulation in Italy or which may hereafter be expended by the Allied Forces in Italy. The Italian Government will continue to make available to the Allied Forces in Italy such lire currency or credit as they may need, and recognises the right of the Allied

Declassified E.O. 12356 Section 3.3/NND No. 785017

Allied Commander.

10. The Italian Government will establish and maintain an effective foreign exchange control agency for the purpose of implementing the international economic objectives of the United Nations Governments and to assure the most effective use of Italy's foreign exchange resources. The Italian Government will work out, in consultation with the appropriate United Nations diplomatic missions in Rome, measures to be adopted in support of the international economic objectives of the United Nations.

11. The Italian Government recognises that it has been and is the issuing authority for the Allied Military Lire now in circulation in Italy or which may hereafter be expended by the Allied Forces in Italy. The Italian Government will continue to make available to the Allied Forces in Italy such lire currency or credit as they may need, and recognises the right of the Allied Forces to hold and use Allied Military Lire as may be necessary to supplement such lire currency or credit.

12. The Italian Government recognises its obligation to make payment for the supplies imported into Italy by the Allied Forces for the use and benefit of the Italian Government or people, and for all services rendered by, and supplies, materials, facilities and installations furnished or installed by the Allied Forces to or for the benefit of the Italian Government or people.

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Confidential (75)

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

14. The Italian Government will make available to the Allied Authorities such Italian war material or such war material of any country lately at war with the United Nations now or to come into their possession as may be required. Such war material as is not required by the Allied Authorities, nor is permitted to be retained by the Italian Government for the equipping or maintenance of their armed forces, shall be kept in a proper state of preservation pending its ultimate disposal as will be prescribed by the United Nations.

IV. The Italian Armed Forces

1. a. The Italian Army under the command of the Italian Government will be limited to a force of:-

140,000 troops
65,000 Carabinieri

b. The Supreme Allied Commander shall continue to have the right to employ Italian troops over and above the figures mentioned in subpara a for such purposes as he may consider necessary.

c. The Italian Government will assume full administrative and supply responsibility of the forces mentioned in subpara a above.

1. a. The Italian Army under the command of the Italian Government will be limited to a force of:-

140,000 troops
65,000 Carabinieri

b. The Supreme Allied Commander shall continue to have the right to employ Italian troops over and above the figures mentioned in subpara a for such purposes as he may consider necessary.

c. The Italian Government will assume full administrative and supply responsibility of the forces mentioned in subpara a above.

d. All Italian Armed Land Forces in excess of the figures mentioned in subpara a and the requirements of the Supreme Allied Commander in subpara b will be disbanded in accordance with the orders of the Supreme Allied Commander. 4128

2. The Italian Navy including naval aircraft will continue to be controlled by the Allied Naval Commander-in-Chief as directed by the Combined Chiefs of Staff.

3. The Italian Air Force and all civil aviation will continue to remain under the control of the Supreme Allied Commander.

4. [Such fortifications and military installations as the Supreme Allied Commander may direct shall be destroyed.] No new fortifications or military installations shall be constructed and no new armaments or other defences added to existing fortifications without permission of the Supreme Allied Commander.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

V. [illegible]

1. All territory restored to Italian jurisdiction will be administered by the Italian Government free of control by the Allied Forces except as set forth in this agreement or in case of military necessity or when assistance or advice may be requested by the Italian Government. The right however is reserved to the Supreme Allied Commander to establish total or partial Allied military control over any area in Italy if he considers that the military situation renders such a step necessary.

2. Italian diplomatic relations with other states will be solely within the competence of the Government of Italy.

3. The Italian Government will continue to carry out the programme of defascistization.

4. Italian Government signal and postal communications will not be subject to Allied control or censorship. Civilian communications within Italian territory will be subject to Allied control and censorship only in cases of military necessity as determined by the Supreme Allied Commander. All external civilian communications will be subject to Allied control and censorship to such extent as may be required by the Supreme Allied Commander.

5. The Italian Government recognises as likewise binding upon it, the Allied pledge to the Italian people that they may determine their own form of government. To ensure the fullest possible expression of the wishes of the Italian people on this important question, the Italian Government undertakes to submit it to the Italian people in the form of a plebiscite or a national referendum, notwithstanding previous Italian legislation to the contrary.

internal civilian communications will be subject to Allied control and censorship to such extent as may be required by the Supreme Allied Commander.

5. The Italian Government recognises as likewise binding upon it, the Allied pledge to the Italian people that they may determine their own form of government. To ensure the fullest possible expression of the wishes of the Italian people on this important question, the Italian Government undertakes to submit it to the Italian people in the form of a plebiscite or a national referendum, notwithstanding previous Italian legislation to the contrary.

VI. Limitations of this Agreement

1. This agreement is entirely without prejudice to the rights of the Allied Forces to continue to occupy any Italian territory now governed by Allied Military Government or otherwise under Allied control, and to continue in the use and possession of all property and facilities now under requisition or otherwise under Allied control. It is the intention of the United States and British Governments to return such property and facilities to Italian control as expeditiously as possible consistent with military requirements.

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3. The residual rights under the terms of this agreement will be held in reserve in the matter of day to day administration, subject to over-riding military needs.

Confidential

5. It is not intended in this agreement to dispose of any question or predetermine any controversy which may arise respecting the ultimate disposition of any territory heretofore Italian, nor to adjudicate upon any matter relating to any boundary which may hereafter be in dispute. All such questions and any questions relating to sovereignty are for disposition by and between the United Nations and the Italian Government.

4. Nothing in this document is to be construed as constituting a final settlement of or impairing the full rights of the Allied Forces and of the United Nations to reparations from the Italian Government for war damage suffered by them at the hands of the Italian people or Government or settlement by the Italian Government ~~Government~~ for the full cost of Allied occupation of Italy. The Italian Government recognises the obligation to make restitution or reparation to the United Nations for the full cost of the Allied occupation of Italy and the Italian campaigns.

5. In the event of the Italian Government's failure to observe or comply with any of the terms contained in this agreement, the Supreme Allied Commander reserves the right to take such action, including the re-imposition of restrictions and control and the use of armed force, as he deems necessary.

6. a. The term "Supreme Allied Commander" in the present agreement includes the Allied Commission and such other officers and representatives as the Supreme Allied Commander may designate.

b. The term "United Nations" in the present agreement includes the Supreme Allied Commander, the ~~Control Commission~~ Allied Commission and any other authority which the United Nations may designate.

c. The term "war material" in the present agreement denotes all material specified in such lists or definitions as may from time to time be

Italian Government recognises the obligation to make restitution or reparation to the United Nations for the full cost of the Allied occupation of Italy and the Italian campaigns.

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b. The term "United Nations" in the present agreement includes the Supreme Allied Commander, the ~~Control~~ Allied Commission and any other authority which the United Nations may designate.

c. The term "war material" in the present agreement denotes all material specified in such lists or definitions as may from time to time be issued by the Supreme Allied Commander.

7. The present instrument shall enter into force at once. It will remain in operation until superseded by any other arrangement or until the coming into force of the peace treaty with Italy.

8. The present agreement is drawn up in English and Italian, the English text being authentic and in the case of any dispute regarding its interpretation, the decision of the Supreme Allied Commander shall be final.

~~AFHQ~~ Allied Forces

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Declassified E.O. 12356 Section 3.3/NND No. 783017

G.5

A

F/310 (1st draft) TOP SECRET ALLIED FORCE HEADQUARTERS

Copy No.

Mediterranean Joint Planning Staff

Confidential

26 August 1945.

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INTERIM DOCUMENT TO REPLACE EXISTING ITALIAN ARMISTICE TERMS

1. The following terms of reference have been received from the Deputy Chief of Staff:

a. It is considered possible that, pending completion and ratification by the Powers concerned of a definitive peace treaty with ITALY, the Supreme Allied Commander may be directed to negotiate with the Italian Government the signature of a Document to supersede the existing Italian Armistice Terms.

b. The purpose of such a document would be to release the Italian Government from those Armistice terms, in respect of which control has already been relayed (or is intended to be relayed shortly), while retaining such controls as are still considered necessary.

c. The Joint Planning Staff, in conjunction with the two Political Advisers and any other Staff Sections concerned, are therefore directed to prepare a draft of such a document for signature if so required or, alternatively, for use to form the basis of the Supreme Allied Commander's comments on any draft interim arrangement which may be referred to him by the United States and/or British Governments.

d. It is emphasized that the present directive is not intended to imply any change in the already expressed policies of the Supreme Allied Commander, whether in regard to the relaxation of military control measures and the return of normal conditions in ITALY. The document to be prepared is merely intended to be a short summary (in the form of a draft agreement) of those controls which it is necessary to retain until a final peace treaty is signed.

e. No fresh political background can be assumed in your study. The draft document must therefore be sufficiently broad to prepare for any circumstances which the terms of the final peace treaty are reasonably likely to produce.

2. A draft document has been prepared by the US Political Advisers and is attached

Governments.

d. It is emphasized that the present directive is not intended to imply any change in the already expressed policies of the Supreme Allied Commander, whether in regard to the relaxation of military control measures and the return of normal conditions in ITALY. The document to be prepared is merely intended to be a short summary (in the form of a draft agreement) of those controls which it is necessary to retain until a final peace treaty is signed.

e. No fresh political background can be assumed in your study. The draft document must therefore be sufficiently broad to prepare for any circumstances which the terms of the final peace treaty are reasonably likely to produce.

2. A draft document has been prepared by the US Political Advisers and is attached herewith and will be treated as a first draft.

3. There are certain points which were included in the original Armistice terms which have not been included in this draft and which it may be considered desirable to include. The points are set out below together with extracts of the original clauses from the Armistice terms.

4126

a. Manufacture, Production and Construction of War Material.

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

b. Rights of Passage.

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

1061

8-26-8

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

TOP SECRET

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

c. Limitation on Financial and Commercial Intercourse.

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

This limitation only affected countries at war with any of the United Nations. It may be considered necessary to impose some restriction on financial or commercial dealings in this document.

d. Movement of Italian Subjects to Countries Outside ITALY.

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

4. In addition to the above the following points were raised in the suggested Naval, Army and Air clauses of the draft Italian Peace Treaty forwarded by the British Chiefs of Staff and examined by the MJPS.

a. Handing back of Italian armed forces to the Italian Government. NAF 1051 refers.

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

4. In addition to the above the following points were raised in the suggested Naval, Army and Air clauses of the draft Italian Peace Treaty forwarded by the British Chiefs of Staff and examined by the MJPS.

   a. Handing back of Italian armed forces to the Italian Government. NAF 1051 refers.

   b. Limitations on fortifications and numbers and types of civil airfields in SICILY and SARDINIA.

   c. Carrying out of experiments in mines, torpedoes, submersible craft, etc.

   d. Disposal of German war material.

   e. Restrictions on civil aviation.

   It may be necessary to include some or all of these points in the document.

5. A meeting will be held in the War Room on Friday, August 31st, at 1430 hours to discuss the matter and addressees are invited to attend.

J. B. TRIMMER
Major
Secretary

DISTRIBUTION
List B plus
G-5
US Polad
Br Res Min
Sigs Plans
Engr Plans

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ABROGATION OF PRIOR AGREEMENTS

From date of execution of this agreement the Armistice of September 3 and instrument of surrender of September 29, 1943 and all terms relative to restoration of Italian territory effective February 11, 1944 and subsequently, shall be abrogated. Relations of contracting parties shall be governed by following provisions.

ALLIED AID TO ITALY

1. With exception of land, navy and air forces sub-commissions, which will be attached to Allied Military Headquarters, Allied Commission is hereby dissolved. A special section composed of representatives of British, Soviet and United States Governments, will be established at AFHQ to direct foregoing sub-commissions, or a military mission with same composition, under AFHQ, may be established for that purpose.

2. To facilitate normal development of Italian economic life, a Tri-partite Economic Advisory Council shall be established with members representing the United States, United Kingdom and Italian Governments.

3. Allied Military Government Headquarters will be at Allied Military Headquarters.

mission with same composition, under AFHQ, may be established for that purpose.

3. To facilitate normal development of Italian economic life, a Tri-partite Economic Advisory Council shall be established with members representing the United States, United Kingdom and Italian Governments.

3. Allied Military Government Headquarters will be at Allied Military Headquarters.

4. Italian prisoners of war under jurisdiction of UK and US will be liberated from that status or repatriated with greatest possible urgency that present transportation facilities permit. 4125

1f ITALIAN AID TO THE ALLIES

1. Italian Government and people will abstain from all acts detrimental to interests of the United Nations and will execute promptly all orders given by them.

2. SACMED will control, as though under his command, all Italian army, navy and airforce and equipment, and he shall direct the size and character of Italian military establishments.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

3. For a period not yet determined, Italian Government shall accord SACMED Allied Force requirements in Italy in perpetuation of rights and powers formerly his by conquest or agreement, as follows:

a) Such areas, facilities, utilities and installations as SACMED may require will be made available to Allied Forces;

b) Right to maintain and quarter troops in Italy;

c) Right to convene Allied military tribunals to try and punish persons violating Allied military orders or performing hostile acts against Allied forces;

d) Right to declare any area a military zone;

e) Right to hold or require Italian Government to hold civilian internees, POW's and displaced persons;

f) Members of Allied forces or officials of United Nations, civilian or military, may not be tried by Italian courts;

g) Italian Government may not tax members of Allied forces or officials of the United Nations without consent of SAC;

h) Allied forces and officials of United Nations in Italy shall have complete freedom of movement.

4. Italian Government shall make available to SAC all information concerning military installations and technical information of value to the United Nations in connection with military operations in Italy

g) Italian Government may not tax members of Allied forces or officials of the United Nations without consent of S.C;

h) Allied forces and officials of United Nations in Italy shall have complete freedom of movement.

4. Italian Government shall make available to S.C all information concerning military installations and technical information of value to the United Nations in connection with military operations in Italy and elsewhere.

5. There shall be mutual cooperation between Italian Government and United Nations for repatriation or movement of displaced and stateless persons.

6. Cooperation in apprehension and trial of war criminals.

7. Italian merchant vessels shall be controlled by S.C or other appropriate Allied authority for operational purposes in general interest of the United Nations.

8. Italian Government will establish and maintain an effective foreign exchange control agency for the purpose of implementing the economic warfare objectives of the United Nations Governments and to

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TOP SECRET Confidential

assure the most effective use of Italy's foreign exchange resources. The Italian Government will work out in consultation with the appropriate United Nations diplomatic missions in Rome measures to be adopted in support of economic warfare objectives of the United Nations.

9. The Italian Government will be the issuing authority for AM lire or such other lire currency as may be used by Allied forces in Italy, in such quantities as required.

10. Before entering into any agreement or settlement involving the use of Italian external assets for the purpose of paying claims arising prior to September 8, 1943, the Italian Government will seek the guidance of the Tripartite Economic Advisory Council.

11. Italian Government recognizes its obligation to pay for supplies imported into Italy by Allied forces as well as all services, installations, etc, furnished by Allied forces for benefit of Italy.

POLITICAL STATUS OF ITALY

1. All territory restored to Italian jurisdiction will be administered by Italian Government free of control by Allied forces except in case of military necessity or when assistance or advice may be

11. Italian Government recognizes its obligation to pay for supplies imported into Italy by Allied forces as well as all services, installations, etc, furnished by Allied forces for benefit of Italy.

POLITICAL STATUS OF ITALY

1. All territory restored to Italian jurisdiction will be administered by Italian Government free of control by Allied forces except in case of military necessity or when assistance or advice may be requested by Italian Government of Tripartite Economic Advisory Council.

2. Italian diplomatic relations with other states will be solely within competence of Government of Italy.

3. Italian Government will continue to carry out program of defascistization without control of Allied forces. Tripartite Economic Advisory Council will render assistance or advice to Italian Government upon request.

4. Italian Government communications and Italian communications within Italy will not be subject to Allied control or censorship.

5. Italian Government recognizes as likewise binding upon it, Allied pledge to Italian people that they may determine their own form of government. To ensure fullest possible expression of Italian people on this important question, Italian Government undertakes to

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submit it to the Italian people in the form of a plebiscite or a national referendum, notwithstanding previous Italian legislation to the contrary.

LIMITATIONS OF THIS AGREEMENT

1. This agreement will in no way prejudice rights of Allied forces to continue to occupy Italian territory governed by AMG and to continue to use and possess property and facilities now under requisition.

2. This agreement contemplates no disposition or predetermination of any disputed Italian territory, all such questions being relegated to ultimate agreement between the Italian Government and the United Nations.

3. This agreement neither impairs nor constitutes final settlement of full rights of Allied forces and of United Nations to reparations for war damage suffered by them at hands of the Italian people or Government, or for cost of Allied occupation of Italy.

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Confidential

Ref: 2618/2/G/21.

7 February 1945.

SUBJECT: Draft Telegram from Italian Government.

TO : G-5 Sections,
AFHQ.

I am directed by the Chief Executive to forward the attached text of telegram with the request that it may be forwarded in the appropriate quarters.

For the Chief Executive:

Brigadier,
Chief of Staff.

Encl.

Copy to:

U.K. Sir Noel Charles.
U.S. Alexander Kirk.
British Resident Minister.
U.S. Political Adviser.
Political Section.

1122

1525

Declassified E.O. 12356 Section 3.3/NND No. 785017

71A

Received from the Office of the Executive Commissioner copy of Extracts from Interim Document to Replace Existing Armistice Terms" numbered as follows:

COPY

1	V. P., ECON SEC.	[signature]
2	V. P., C. A. SEC.	[signature]
3	LAND FORCES S.C.	[signature]
4	CHIEF LEGAL ADVISER	[signature]
5	CHIEF FINANCIAL ADVISER	C W Walter for Thurgood
6	POLAD (A)	[signature]

14 SEPTEMBER 1945

1526

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Ministero delle Corporazioni

DIREZIONE GENERALE DEL SEGRETARIATO
DEL CONSIGLIO NAZIONALE DELLE CORPORAZIONI
DEGLI AFFARI GENERALI E DEL PERSONALE

IL DIRETTORE GENERALE

Evan:

1. This was received by Pol Soc:

2. It has been seen by C.C. who approves the following action on it:—

3. It should be sent G P V with a covering letter requesting onward transmission to the appropriate quarters (letter signed by C.O.S ..... "I am directed by C.C. etc. etc")

with copies to both Ambassadors

Bill: Rennie — U.S. Poland.

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BEST COPY POSSIBLE

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2608

Il Ministro degli Affari Esteri

Roma,

3/174

FEB 8 1945

Signor Ammiraglio,

Le saro' vivamente riconoscente se Ella vorrà trasmettere con cortese urgenza al Presidente Roosevelt, al Primo Ministro Churchill e al Maresciallo Stalin l'acluso messaggio telegrafico.

./.

Nel ringraziarLa della Sua cortese premura, La prego, Signor Ammiraglio, di credere ai sensi della mia cordiale amicizia

L'Ogpmeli

./. cluso messaggio telegrafico.

Nel ringraziarLa della Sua cortese premura, La prego, Signor Ammiraglio, di credere ai sensi della mia cordiale amicizia

L'Ogarrio

4120

Ammiraglio Ellery W. STONE U.S.N.R.
Capo della Commissione Alleata

ROMA

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1530

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Ministero degli Affari Esteri

COPY OF A LETTER TO BE DISPATCHED TO:

-Hon. Franklin D. Roosevelt
President of the United States of America,

-The Rt. Hon. Winston Churchill
British Prime Minister,

-Hon. Mr. Joseph Stalin,

On the eve of decisive military events, the Italian Government and venture to request that the Heads of the United Nations, who are now discussing the fate of the New Europe, re-examine the very severe conditions imposed upon Italy on September 43rd.

At the moment when an earnest examination is being addressed to all phases of the Italian nation towards a supreme effort of cooperation with the Armies on the front line, in the rear and in the patriots warfare, the Italian Government feel it their duty to emphasize once more that the ambiguous situation of co-belligerancy thwarts their efforts to raise and maintain throughout the country that unity of purpose and determination which can only result from the consciousness of a sacrifice achieved in freedom and dignity.

It is therefore also in the interest of the common cause that the Italian Government ask for a new settlement based on a confident and full association with the Allied Powers in the place of the present one-sided formulas of control and armistice to set up at the armistice.

For the same reasons the Italian Government hereby direct to the United Nations their warmest appeal:

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Ministero degli Affari Esteri

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2. To see that the Italian people, who are still undergoing almost unendurable privations, be granted, particularly in the matter of food and transportation, the possibility of satisfying at least their most elementary needs;

3. To emancipate the financial measures which, by an excessive interpretation of the armistice, have been weighing for 15 months upon the substantial resources of an already cruelly beaten country and have been hindering any reconstruction and monetary rehabilitation;

4. To afford to half a million Italian soldiers in Allied hands the possibility of giving their contribution, not as prisoners of war but as free men, both in the field and in the factories, to the struggle for a new world to which the whole Italian people devote their will and hopes.

The people and the Government of Italy are striving for the establishment of a free, orderly and stable democracy. The Government feel however that, should the destruction of the most populated and industrious regions of Italy find the country still under the incumbent menace of inflation and unrest and its Government in a humiliating position for which they are in no way responsible, it would be extremely difficult to allay the causes of unrest, disorder and discouragement and to foster in those long suffering regions the energy indispensable for the reconstruction of a new Italy within a world of free democratic institutions and effective cooperation.

The Italian Government submit these considerations to the generous understanding of the Heads of the United Nations, in the full confidence that their appeal will

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Ministero degli Affari Esteri

be received with the same spirit and loyalty and friendship by which it was inspired, and in order that the gallant efforts of the Allied armies may bear their full results and that the hopes of the Italian people, fighting against their German and Fascist oppressors, be not frustrated.

Ivanoe Bonomi
President of the Italian Council of Ministers

Declassified E.O. 12356 Section 3.3/NND No. 785017

2608 A 005 EWS/dfe (64)

28 November 1944

30 NOV Recd

Dear Dr. Prunas:

Thank you for your letter of November 21, enclosing a copy of the draft of the Italian Government proposals with respect to the present armistice situation, which you furnished to Mr. Macmillan before his departure.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Commodore, USN
Chief Commissioner

Dr. Renato Prunas
Secretary General
Ministry of Foreign Affairs
Italian Government
Rome

4116

PA 30/11

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Declassified E.O. 12356 Section 3.3/NND No. 735017

2608 Sec

Confidential 58

3 November 1944

10 NOV Recd

SUBJECT: Publication of Long Terms of Italian Armistice.

TO : Headquarters, Allied Commission, APO 394.

1. Under date of 14 August 1944 there was transmitted to this Headquarters a letter from the Italian Prime Minister in which it was stated that the Italian Government then considered the publication of the Long Terms of the Armistice to be necessary at a not too distant date and requesting that the Governments of the United Nations be so informed. The matter was accordingly referred to the Combined Chiefs of Staff who sent their reply to this Headquarters on 31 October 1944.

2. It is suggested by the Combined Chiefs of Staff that no reply be made to the Italian Government at this time unless they again raise the question, in which event they are to be informed that the matter is still under consideration, but in the absence of further advice they must assume that the British and United States Governments are not anxious to proceed with publication. It is considered to be unwise to make any definite refusal, as such procedure might enable the Italian Government to protest in a way which would make it difficult or impossible to refuse publication.

3. It is believed that when the publication of the Long Terms is made the responsibility for the initiative in the matter should be placed on the Italian Government which requested their publication, as set forth in detail in your letter of 14 August 1944.

4. It is requested that when, in your opinion, an appropriate occasion arises for the publication of the Long Terms of the Armistice, you will advise this Headquarters, for reference to the Combined Chiefs of Staff.

4115

By command of General WILSON:

J. A. H. CAMMELL,
Lieutenant General,
Chief of Staff.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

A/cc 640
OCT 56 1944

ALLIED CONTROL COMMISSION

INTER OFFICE MEMO

Secret

Confidential

From: Chief of Staff.

SUBJECT:

FILE No. 2608/29/COS.

TO: ACTING CHIEF COMMISSIONER.

15th October 1944.

In view of the fact that we may receive instructions in the near future as to limitation of our control, I do not think it politic nor necessary to refer the cases to AFHQ.

I think we should deal with each question ad hoc - decide what is in the best interests of (a) Allies, (b) Italy, to do and then tell the Italian Government direct - notifying AFHQ what we have done.

In the case of Sicilian bonus for transport of wheat, I think we should insist on the Italian Government submitting their proposals supported by reasons: we can then consider the matter afresh. If we reject the proposals our sanctions, presumably, are witholding money or imports of grain etc.,

P.T.O.

1536

Declassified E.O. 12356 Section 3.3/NND No. 785017

or withdrawing A.C.C. from the Island (a doubtful sanction!).

In the case of wages I am convinced that we must maintain control and that we must insist on Italian Government proposals being submitted. Our sanctions in this issue are more difficult and would entail publicity ~~and~~ in withdrawing support from the Government. Again we can withold imports.

MSL

Brigadier.
Chief of Staff.

I concur with second para. We will never be able politically to enforce sanctions. On wheat increase in 50kg. This is not - as I understand it - a proposal, but a fait accompli. RW

Declassified E.O. 12356 Section 3.3/NND No. 785017

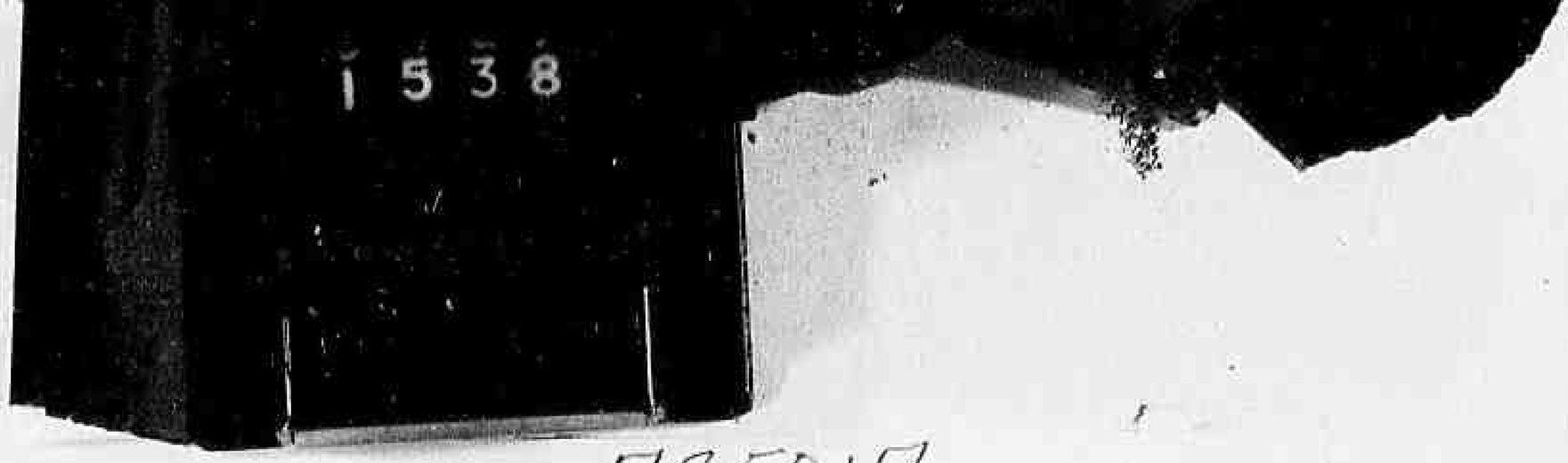
Burg. Lusk — 55

In the face of this opinion, do you favor —

(a) Writing up the Sicily case stating DECIDED (GS) whether we adhere to false action

(b) Submitting to DECIDED (GS) the question as to whether it is desired that we continue to maintain a control of the general wage level.

10/14 Strd



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Chief of Staff.

8658/29/CO5

15th October 44.

ACTING CHIEF COMMISSIONER.

In view of the fact that we may receive instructions in the near future as to limitation of our control, I do not think it politic nor necessary to refer the cases to AFHQ.

I think we should deal with each question ad hoc - decide what is in the best interests of (a) Allies, (b) Italy, to do and then tell the Italian Government direct - notifying AFHQ what we have done.

In the case of Sicilian boats for transport of wheat, I think we should insist on the Italian Government submitting their proposals supported by reasons: we can then consider the matter afresh. If we reject the proposals our sanctions, presumably, are withholding money or imports of grain etc., or withdrawing A.C.C. from the Island (a doubtful sanction!).

In the case of wages I am convinced that we must maintain control and that we must insist on Italian Government proposals being submitted. Our sanctions in this issue are very difficult and would entail publicity and in withdrawing support from the Government. Again we can withhold imports.

M. S. LUSH

Brigadier.
Chief of Staff.

4113

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COPY.

Brig.Lush.

In the face of this opinion do you favour:-

(a) Writing up the Sicily case and asking SACMED (G-5) whether we are to take action;

(b) Submitting to SACMED (G-5) the question as to whether it is desired that we continue to maintain a control of the general wage level.

STONE.

14/10/

Declassified E.O. 12356 Section 3.3/NND No. 785017

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HEADQUARTERS
ALLIED CONTROL COMMISSION
CMP
Office of the Chief of Staff

Ref 2608/26/C O S. 7th October, 1944.

SUBJECT: Armistice Terms.

TO : V.P., Economic Section.

Copy #1

1. The attached memorandum from C.C.S. is forwarded for your information.

Major,
Office of C.O.S.

Copy to:
Major Gayle

111.

2608

COS.

TOP SECRET

HEADQUARTERS
ALLIED CONTROL COMMISSION
A.P.O. 394

Confide...

SUBJECT:- Armistice Terms. ACC/4055/L.

TO:- V.P., Admin. Section.

1. Reference yours 5A/A/S dated 24 September 1944.

2. The question propounded involves a determination of the extent of the power, if any, of the Allied Control Commission to control the general wage and price level of the Italian Economy.

3. The answer will depend upon whether such power has been conferred by or reserved in such documents as currently represent the agreement of the United Nations with Italy with respect to the restoration of territory.

4. The rights and powers reserved in the agreements covering the restoration of territory to the Italian Government (Document "A" and ancilliary instruments) are in addition to and not in limitation of any conferred by or reserved in the Armistice (short terms) or the Terms of Surrender (Long Terms).

5. Such power accordingly exists if it has been conferred by or reserved in the aforesaid documents, either taken separately or in the aggregate.

6. These documents will accordingly be individually examined.

7. The Terms of Restoration (Document "A" and ancilliary instruments). Document "A", itself reserves no such power, but Document "D" does make specific reference thereto. Para 2 (a) thereof provides as follows: "Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees: A decree stabilising wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us".

The underlined portion clearly indicates that the intention was not merely to require a piece of so-called transitory legislation to carry over the transfer period leaving the Italian Government thereafter free to act but rather that it was intended that such "freezing" statute should continue in force except as otherwise agreed upon by the contracting parties.

However, even if it be concluded that Document "D" paragraph 2(a) reserved the powers as above described they are of a negative nature only. The Italian Government could not thereunder change the price or wage structure without the consent of the A.C.C. but neither could A.C.C. do likewise without the acquiescence of the Italian Government.

Thus the power of A.C.C. in that connection would in substance

Declassified E.O. 12356 Section 3.3/NND No. 783017

of the power, if any, of the Allied Control Commission to control the general wage and price level of the Italian Economy.

3. The answer will depend upon whether such power has been conferred by or reserved in such documents as currently represent the agreement of the United Nations with Italy with respect to the restoration of territory.

4. The rights ~~and~~ powers reserved in the agreements covering the restoration of territory to the Italian Government (Document "A" and ancillary instruments) are in addition to and not in limitation of any conferred by or reserved in the Armistice (short terms) or the Terms of Surrender (Long Terms).

5. Such power accordingly exists if it has been conferred by or reserved in the aforesaid documents, either taken seperately or in the aggregate.

6. These documents will accordingly be individually examined.

7. The Terms of Restoration (Document "A" and ancilliary instruments). Document "A", itself reserves no such power, but Document "D" does make specific reference thereto. Para 2 (a) thereof provides as follows: "Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees: A decree stabilising wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us".

The underlined portion clearly indicates that the intention was not merely to require a piece of so-called transitory legislation to carry over the transfer period leaving the Italian Government thereafter free to act but rather that it was intended that such "freezing" statute should continue in force except as otherwise agreed upon by the contracting parties.

However, even if it be concluded that Document "D" paragraph 2(a) reserved the powers as above described they are of a negative nature only. The Italian Government could not thereunder change the price or wage structure without the consent of the A.C.C. but neither could A.C.C. do likewise without the acquiescence of the Italian Government.

Thus the power of A.C.C. in that connection would in substance be the right of veto only. It could not under this provision impose prices and wages different than those set by the "freeze" without the consent of the Italian Government.

It should be pointed out moreover that the crucial phrase of paragraph 2(a) above in included only in the terms of the first transfer and is not included in the terms of either the second or third. As to the latter two transfers the Italian Government is required to pass the "freezing" decree No.32 but no reference whatsoever is made to subsequent changes in the price or wage structure along the lines of paragraph 2 (a) above.

Despite the omission, however, the intention of the contracting parties to attach the same terms to the second and third transfers as to the

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Declassified E.O. 12356 Section 3.3/NND No. 785017

CONFIDENTIAL

the underlined portion of

first appears so manifest that para. 2(a) above is to be deemed included as a condition to the second and third transfers although not specifically so stated.

8. It follows that by agreement with the Italian Government (Document "A" and ancilliary instruments) the price and wage structure in restored areas may not be changed or revised by the Italian Government without the consent and approval of A.C.C.

9. Having disposed of Document "A" and ancilliary instruments it remains to be determined whether or not the Armistice (Short Terms) or the Terms of Surrender (long terms) confer upon the A.C.C. the right and power to control the Italian Economy in the manner suggested by the enquiry.

10. Generally speaking I believe it must be assumed that any and all powers conferred upon the United Nations or the Allied Forces under either the short or long terms were intended to be limited to matters affecting or related to the prosecution of the war. The sole exception might consist of the argument that since the Italian Government binds itself to pay the cost of occupation (Terms of Surrender, paragraph 33A) the right to control the Italian Economy so as to ensure payment thereof is to be implied. In view, however, of the conclusions hereinafter set out resort need not be had to this thesis.

The question first to be answered then is whether the power to control the economy of Italy through control of its price and wage structure is one incident to the prosecution of the war. I submit that the answer must be in the affirmative. Certainly it is essential to the prosecution of the war in this theatre that the lines of communication in the rear areas be undisturbed by civil strife or commotion by interruption in the production of essential supplies, by the diminution in agricultural produce, by stoppage or interference with power or public transportation or any of the productive facilities of the nation which are necessary or essential to the prosecution of the war.

Uncontrolled inflation for example might paralise the whole industry and commerce of Italy with the usual consequences in terms of civil unrest and disorder. Certainly such controls of the Italian economy as are reasonably necessary for the prevention thereof and for maximum industrial and agricultural production are important implementing tools for the prosecu-

Declassified E.O. 12356 Section 3.3/NND No. 787017

154

[illegible] to this trouble.

The question first to be answered then is whether the power to control the economy of Italy through control of its price and wage structure is one incident to the prosecution of the war. I submit that the answer must be in the affirmative. Certainly it is essential to the prosecution of the war in this theatre that the lines of communication in the rear areas be undisturbed by civil strife or commotion by interruption in the production of essential supplies, by the diminution in agricultural produce, by stoppage or interference with power or public transportation or any of the productive facilities of the nation which are necessary or essential to the prosecution of the war.

Uncontrolled inflation for example might paralyse the whole industry and commerce of Italy with the usual consequences in terms of civil unrest and disorder. Certainly such controls of the Italian economy as are reasonably necessary for the prevention thereof and for maximum industrial and agricultural production are important implementing tools for the prosecution of the war.

The price of grain is one of the specific subjects of inquiry. Certainly it could not be argued that if the price of grain were to be fixed at a point which would materially reduce or eliminate its production with the resulting consequences in terms of starvation, unrest, sickness, diminished individual productive capacity and the rest, the prosecution of the war would not seriously be affected thereby.

4109

The same applies to the matter of wages. The armed forces would be immediately affected with respect to civilians directly employed by them and with respect to Italian supplies purchased by them. Indirectly the armed forces would be affected in the various respects heretofore indicated. The details and instances could be multiplied without number.

11. Having concluded that the control of the Italian economy by price and wage fixing might well be requisite to the prosecution of the war it remains to be seen whether the short or long terms by general or specific provision, or even by implication, confer such powers upon A.C.C.

12. The Armistice (Short Terms).

Paragraph 10 thereof provides as follows: "The Commander-in-Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied Forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander-in-Chief may require ....."

3096

The above provision is ample in my opinion to confer authority upon A.C.C. (through the Commander-in-Chief) to dictate and control the fundamental price and wage structure in restored areas, and to oblige the Italian Government to take such action as may be necessary to effect the same.

Paragraph 12 of the Armistice (short terms) provides as follows: "Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at a later date".

This paragraph further particularizes the general powers reserved under paragraph 10 above, and confirms the conclusion that economic control by the Allied Forces was fully contemplated by the contracting parties.

13. The Terms of Surrender (Long Terms).

The long terms are next to be examined. The paragraphs thereof which might be pertinent to our inquiry are as follows:-

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

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

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

I am of the opinion that paragraph 23 above "The Italian Government will take such measures as may be required by the United Nations for the control of ..... business in Italian territory ..... and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters" is sufficient authority for the exercise of the power of control with respect to prices and wages.

Declassified E.O. 12356 Section 3.3/NND No. 1 5 4 5 3 7

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

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

I am of the opinion that paragraph 23 above "The Italian Government will take such measures as may be required by the United Nations for the control of ..... business in Italian territory ..... and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters" is sufficient authority for the exercise of the power of control with respect to prices and wages.

Paragraph 22 above is so general in its terms as to appear little helpful in this discussion. I think it must be construed to mean that the Italian Government will carry out all orders given by the United Nations with respect to the restraint of action detrimental to the interests of the United Nations rather than that all orders will be carried out without regard to their character or subject. If the latter were the true meaning the other provisions of the document would be without purpose since the powers of the United Nations would be entirely unlimited thereby. Moreover if it had been thought that such extensive powers had been thus conferred there would have been no need to resort to the Restoration Terms for the additional powers conferred thereunder.

However, it might notwithstanding be argued that even under the more limited construction, the action, of the Italian Government in changing the price or wage structure would be "detrimental to the interests of the United Nations" and could, therefore, be restrained under the terms of paragraph 22 above.

Paragraph 36 grants no powers but merely requires the implementation of those exercised under the agreement through appropriate action on the part of

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the Italian Government and its agencies.

14. In my opinion there is ample legal justification and authority, under the long and short terms, taken either separately or together, for the A.C.C. either affirmatively to dictate the price or wage structure of the vital areas of the Italian economy or negatively to prevent the Italian Government from making vital changes therein contrary to the interests of the United Nations. This right whether positive or negative exists in my opinion absolutely and without any question of degree. The matter of degree arises only in so far as it will be necessary for our Associates to determine in each case whether any proposed action or any inaction by the Italian Government does in fact affect prejudicially the interests of the United Nations.

Maj. J. Gronow Lloyd

MAJOR. J. GRONOW.
Lieutenant-Colonel
Chief Counsel,
for Chief Legal Officer.

DISTRIBUTION :-
A/Chief Commissioner
Chief of Staff
Economic Section (2)

1 Spare copy held.
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SECRET

LS
USMG/HJP

A/CC 387.4

14 August 1944

Comide Nicodemi

SUBJECT: Extracts from Long Terms Armistice

TO : Brigadier General Carl Gray, Director General of Military Railway Service, Italy, APO 400

1. Referring to your recent telephone call, I forward herewith extracts from the Long-Terms Armistice dealing with transportation.

2. It should be noted that in the Armistice, the term "occupied" means areas not yet restored to the jurisdiction of the Italian Government, and "non-occupied" means those areas which are not under Military Government but have been returned to the jurisdiction of the Italian Government. Thus, the Commune of Naples is "occupied"--the rest of Naples Province is "non-occupied".

KELLEY W. STONE
Captain, USNR
Acting Chief Commissioner

1 Incl:
as stated above

Extracts:
para 14 (a) and (b)
para 18
para 19
para 21 (b)

No copies of Incl. were on file when the 1106
made for file. 400

Hq ACC Sec'y Gen.
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Date/Time 14 Aug 1110
Via hds.
Initials ORR.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

44

EMS/dfe

15 August 1944

A/CC 387.4

My dear Mr. Ambassador:

I am enclosing for your information copies of the following correspondence:

(1) A translation of Prime Minister Bonomi's letter, 10 August, re publication of Armistice Terms and extension of Lend-Lease to Italy.

(2) My answer of 14 August, and

(3) My report of 14 August to the Supreme Allied Commander

Yours very truly,

KELLY W. STONE
Captain, USNR
Acting Chief Commissioner

The Honorable Alexander Kirk
U.S. Representative to the
Advisory Council for Italy
Via Vittorio Veneto 119
Rome

cc - Political Section

Hq ACC - Sec'y Gen.
DISPATCHED
Date/Time 15 Aug 1045
Via By hand Capt. Houghton
DHP.

Files H&P 400

4105

21

Declassified E.O. 12356 Section 3.3/NND No. 785017

BWG/dtd

A/CC 387.4

15 August 1944

My dear Sir Noel:

I am enclosing for your information copies of the following correspondence:

(1) A translation of Prime Minister Bonomi's letter, 10 August, re publication of Armistice Terms and extension of Land-Lease to Italy.

(2) My answer of 14 August, and

(3) My report of 14 August to the Supreme Allied Commander

Yours very truly,

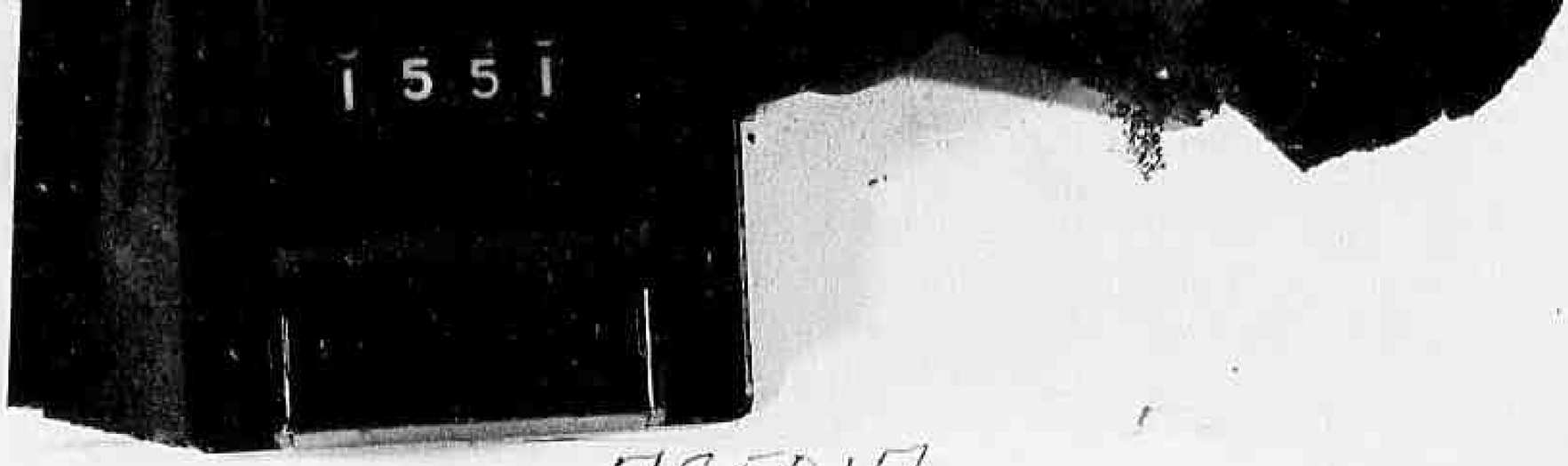
HENRY W. STUMP
Captain, USNR
Acting Chief Commissioner

Sir Noel Charles, Bt., K.C.M.G.
British High Commissioner in Italy
British Embassy
84 Via Venti Settembre
Rome

cc: Political Section

Hq A C C Sec'y Gen.
DISPATCHED
Date-Time 15 Aug 1945
By hand Capt Slaughter
WAA

1164 21



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42

AMG/dfe

Confidential

14 August 1944

MEMORANDUM TO: Supreme Allied Commander
Mediterranean Theater

1. With reference to your telegram No. I-72705 dated 10 July 1944 about the question of the publication of the Terms of the Italian Armistice, I now forward a translation of a letter which I have received from the Italian Prime Minister in which he states that the Italian Government today considers it necessary that such publication should take place at a not too distant date.

2. There are certain points about the Prime Minister's letter to which I should like to draw your attention. In paragraph 2, Signor Bonomi implies that he had understood that the question of publication had been decided by the Allies and that in fact publication was imminent. If this was Bonomi's understanding of the position, he has misunderstood the representations which I made to him; for I was careful to explain that I was inquiring what the Italian attitude might be if, and only if, the Allied Governments on their side decided in favor of publication.

3. Be this as it may, the situation is now altered by the present Italian initiative. It should in fairness be said that both the Secretary General of the Foreign Office and the Prime Minister himself have informed the Political Section that the main reason for the Italian initiative has been the expectation that the war with Germany may shortly come to an end within a few months, and the conviction that the publication of the Italian Armistice Terms more or less simultaneously with the publication of a German Armistice would have a deplorable effect in Italy. It would emphasize the association of Germany and Italy at the very moment at which the present Italian Government was trying its best to turn Italy to other and better ways.

4. While there is undoubtedly substance in this argument, so far as the stability and standing of the Italian Government in Italy is concerned, it is also obvious from the enclosed letter that the Italian Government greatly hopes that it will be the Allied intention to sweeten the pill by making some simultaneous concession such as the granting of co-belligerence. The fact that some time has passed since our approach to the Italian Government in June without publication of the Armistice Terms may not unnaturally have led them to the conclusion that for some reason concerning Allied interests, we ourselves had some reluctance in publishing. They may, therefore, have hoped that pressure on their part for publication would dispose us all the more to make some concession of the kind suggested.

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5. Nevertheless even if there may be an element of maneuver in their initiative, it seems to all of us concerned here, and I have consulted Mr. Alexander Kirk and Sir Noel Charles, that it will be difficult to refuse the Italian request for publication except on the basis of countervailing and compelling considerations of a military character.

6. I shall be grateful if I may be informed as soon as possible what reply I should send to Signor Bonomi; in the meantime I have merely acknowledged his letter and impressed upon him the importance of no publicity being given to his initiative. A copy of my letter is enclosed.

7. In the event of the decision being to authorize publication, the Italian Government would no doubt wish, if possible, to coordinate the date and terms of the announcement to be made before action is taken either in the Allied capitals or in Rome.

Mason M. Crosby
Captain, USN
Acting Chief Commissioner

cc: Hon. Alexander Kirk
Sir Noel Charles

Hq A C C - Sec'y Gen.
DISPATCHED
Date-Time 15 Aug 1045
Via HA
Initials URR.

4102

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SECRET

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AMG/dtt

A/cc 387.4

14 August 1944

My dear Mr. Prime Minister:

This is to acknowledge receipt of your communication A/383 of August 13, 1944, requesting me to inform the Governments of the United Nations, on behalf of the Italian Government, that the latter considers necessary the publication of the terms of the armistice of September 29, 1943, and suggest the speedy application of Lend-Lease arrangements to Italy.

In advising you of my compliance with your request, I have to ask that no official public statement regarding these two questions be made until such time as I may have received from the interested Governments a reply whose content I shall communicate to you immediately it is received.

Yours very truly,

ELLERY W. STONE
Captain, USN
Acting Chief Commissioner

His Excellency Ivanoe Bonomi
The President of the Council of Ministers
Italian Government

4101

Hq ACC - Secy Gen.
DISPATCHED
Date-Time 15 Aug. 1045
Via By hand Capt. Llewellin
CPM.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

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Enc/Ltr 39

A/CC 387.4 12 August 1944

My dear Mr. Ambassador:

I propose the attached draft of a letter to SACMED to which will be appended the letter from Soward.

I shall be grateful if you will let me have your comments by telephone.

Very truly yours,

ELLIOT V. STONE
Captain, USNR
Acting Chief Commissioner

Encl.

The Honorable Alexander Kirk
U.S. Representative to the Advisory Council
for Italy
Via Vittorio Veneto 119
Rome

cc: Sir Noel Charles

Hq ACC Sec'y Gen.
DISPATCHED
Date-Time 13 Aug 0940
Via HH
Initials LMR

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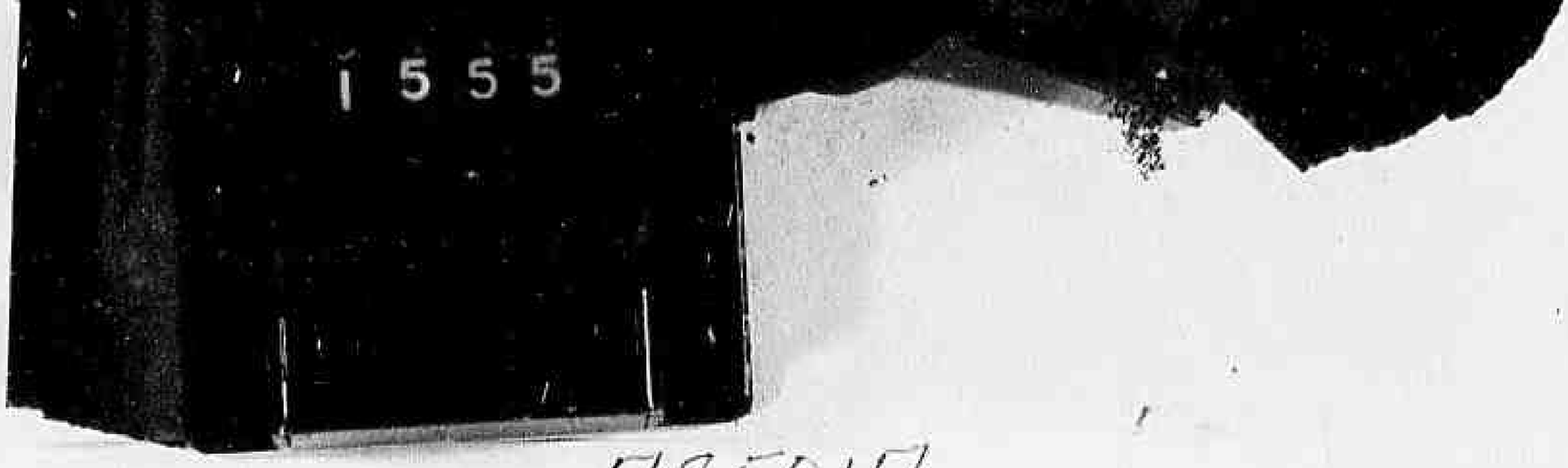

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Draft of Memorandum from Capt. Stone to MACAF, copies to Sir Charles and the Honorable Alexander Kirk

Confidential 38

With reference to your telegram No. F-72705 dated 15 July 44 about the question of the publication of the terms of the Italian Armistice, I now forward a translation of a letter which I have received from the Italian Prime Minister (34) in which he states that the Italian Government today considers it necessary that such publication should take place at a not too distant date.

There are certain points about the Prime Minister's letter to which I should like to draw your attention. In paragraph 2, Signor Bonomi implies that he had understood that the question of publication had been decided by the Allies and that in fact publication was imminent. If this was Bonomi's understanding of the position, he has misunderstood the representations which I made to him; for I was careful to explain that I was inquiring what the Italian attitude might be if, and only if, the Allied Governments on their side decided in favor of publication.

Be this as it may, the situation is now altered by the present Italian initiative. It should in fairness be said that both the Secretary General of the Foreign Office and the Prime Minister himself have informed the Political Section that the main reason for the Italian initiative has been the expectation that the war with Germany may shortly come to an end within a few months, and the conviction that the publication of the Italian Armistice Terms more or less simultaneously with the publication of a German armistice would have a deplorable effect in Italy. It would emphasize the association of Germany and Italy at the very moment at which the present Italian Government was trying its best to turn back to older and better ways.

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While there is undoubtedly substance in this argument, so far as the

See folder (70)

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stability and standing of the Italian Government in Italy is concerned, it is also obvious from the enclosed letter that the Italian Government greatly hopes that it will be the Allied intention to sweeten the pill by making some simultaneous concession such as the granting of Lead-Lease. The fact that some time has passed since our approach to the Italian Government in June without publication may not unnaturally have led them to the conclusion that for some reason concerning Allied interests, we ourselves had some reluctance in publishing. They may, therefore, have hoped that pressure on their part for publication would dispose us all the more to make some concession of the kind suggested.

Nevertheless even if there may be an element of manoeuver in their initiative, it seems to all of us concerned here, and I have consulted Mr. Alexander Kirk and Sir Noel Charles, that it will be difficult to refuse the Italian request for publication except for countervailing and compelling considerations of a military character.

I shall be grateful if I may be informed as soon as possible what reply I should send to Signor Bonomi; in the meantime I have merely acknowledged his letter and impressed upon him the importance of no publicity being given to his initiative. A copy of my letter is enclosed.

In the event of the decision being to authorise publication, the Italian Government would no doubt wish, if possible, to coordinate the date and terms of the announcement to be made before action is taken either in the Allied capitals or in Rome.

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copy

TOP SECRET

36

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION

12 August 1944

Confidential

Acting Chief Commissioner:

Thinking over Bonomi's note about the publication of the Armistice, it occurs to me that there were three considerations which prompted the Prime Minister to make his initiative: (1) the fact that a fairly large section of the Italian press has demanded publication; (2) the realization that there is some reluctance on the Allied part to publish, for military or other reasons; (3) the hope consequently that if the Allies are pressed to publish they will be all the more inclined to make some simultaneous concession such as to allow Italy to take part in lend-lease arrangements.

I think that it would be worth while bringing out these points in putting the question to A.F.H.Q. Nevertheless if we turn down an Italian request for publication we should almost put ourselves in the position of admitting that the Armistice terms contained something of which we were now ashamed. I am therefore inclined to agree with Mr. Kirk that if the Italians ask for it they must have it.

If you agree with these points I do not know whether you would feel inclined to suggest to Mr. Kirk and Sir Noel Charles that our approach to A.F.H.Q. should be on the above lines.

/s/ H. A. C.
/t/ H. A. CACCIA
Vice-President

4097

Files HQ/AC

17

TOP SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET

35

Confidential

A/CC 387.4

11 August 1944

(34)

My dear Mr. Ambassador:

Attached is a copy of a translation of a letter from Prime Minister Bonomi dated 10 August 1944 concerning the publication of the Armistice terms and the extension of Lend-Lease to Italy. Also attached is a draft of my proposed answer. Both will be considered at our meeting tomorrow at 11:30.

Yours very truly,

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

2 Incls:
as stated above

The Honorable Alexander Kirk
U.S. Representative to the Advisory Council
for Italy
Via Vittorio Veneto 119
Rome

Exact copy to Sir Noel Charles -
which is filed in 100 - Finance
HS

Hq ACC Sec'y Gen.
DISPATCHED
Date-time 11 Aug 1930
Via Capt. Slaughter
10 AR

files HQ

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Declassified E.O. 12356 Section 3.3/NND No. 785017

34

COPY

HIGH TRANSLATION

[illegible]
DEL DUCE

Rome, August 30, 1944.

N. 1/203

Dear Admiral,

Some time ago you asked me whether the Italian Government had any objection to the publication of the Armistice of 29th September 1943 and I then replied, officially, that, on our part, we could see no objections to it. This I actually had occasion to confirm publicly in my statement on foreign policy of a few days ago to the officials of the Ministry of Foreign Affairs.

Several weeks have passed since then but no publication, which seemed at the time to have been quite decided by the Allies, and desirable, has been made, nor does it seem likely to be forthcoming.

You are aware that this non-publication has given rise to much press controversy and also to many indiscretions, either deliberate or erroneous.

I therefore would ask you kindly to inform the Governments of the United Nations, on behalf of the Italian Government, that to-day we consider necessary that such publication should take place at a not too distant date.

It is superfluous for me to give you a list of the reasons for which we consider such publication necessary. One of the most valid is certainly this: that the Italian people must know the real facts, however hard they may be and the sooner, the better. This applies not only to the Italians in liberated territory but, above all, to those who are still fighting against the German oppressor.

Furthermore, I personally consider that the truth is always salutary and that the Italian people cannot, to-day, continue to be kept in the dark concerning matters essential to its existence as it was kept in ignorance by the former regime: a fact which was certainly not one of the minor reasons responsible for our present position.

I should, however, like to add that to-day's factual situation is certainly no longer consonant with that juridically represented by the Armistice. So that if the publication could be made to coincide with the simultaneous announcement of some international event favourable to Italy, it would undoubtedly serve to emphasize that the Armistice itself represents today, in a large measure, a phase historically and politically now obsolescent. It would also serve to register definitely the distance covered since September 1943, if only by reason of our co-belligerency; of the declaration of war against Germany; of the war fought now for ten months alongside the United Nations; of the constitution of a government genuinely democratic, etc. etc.

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File A-13/PW (15)

1560

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I should also like to add that if the Lend-Lease act could be extended to us specially, as all Italy earnestly hopes, this would be an excellent occasion for the simultaneous publication of the two events, which would then be placed in their right light and perspective, in the interest of truth and everybody.

I shall be deeply grateful if you will kindly convey to the Allied Governments also this my last suggestion which I feel sure you will illustrate and support with your unfailing courtesy and understanding.

Believe me, dear Admiral,

Yours sincerely,

(Sgd) Ivanoe Bonomi

Admiral Ellery W. Stone, U.S.N.R.
Acting Chief Commissioner
Allied Control Commission
ROME

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Declassified E.O. 12356 Section 3.3/NND No. 785017

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file 31

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ROUTINE
ACTING CHIEF COMM.

F 7 2 7 3 5

EUC R A SEVEN TWO SEVEN ZERO FIVE OF SIXTEEN JULY FD FARIS TO AFHQ FOR SACSEO INFO T[illegible] AFHQ ADV FROM MI ACC FROM STONE PERSONAL PAREN MY VIEWS ARE STILL UNCHANGED FROM THOSE SET FORTH IN MY ADV FIVE SEVEN OF JUNE TWENTY FOUR BUT FELT THAT YOU SHOULD BE APPRISED OF THE CURRENT DEVELOPMENTS CONTAINED IN MY FOUR SEVEN ONE OF FOURTEEN JULY

AUTHENTICATED:

KELSEY H. STRONG
Captain, USNR
Acting Chief Commissioner

cc: The Honorable Alexander Kirk
Sir Noel Charles
Political Section

4093

(14)

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET

File A-(B)

62/16 31

ACTION ACC MAIN

AFHQ SIGNED SACMED

F72705

JULY 160958

SECRET

ROUTINE

CITE FHEG

Committee file #1

ARMISTICE TERMS. YOUR 471

SACMED HAD ALREADY REPLIED TO CCS THAT HE WAS NOT IN FAVOR OF PUBLICATION AT PRESENT STAGE OF ITALIAN CAMPAIGN, CONSIDERING POSSIBLE ADVERSE EFFECT ON MORALE OF ITALIAN ARMED FORCE AT TIME WHEN THEIR ASSISTANCE OF INCREASING IMPORTANCE.

FOR A. YOUR VIEWS WILL BE BROUGHT TO ATTENTION AT NEXT MEETING POLITICAL COUNCIL.

1.3.99

ACC DISTN

Action..Pol Sec
Info....Secy Gen
A/CC
File.....2

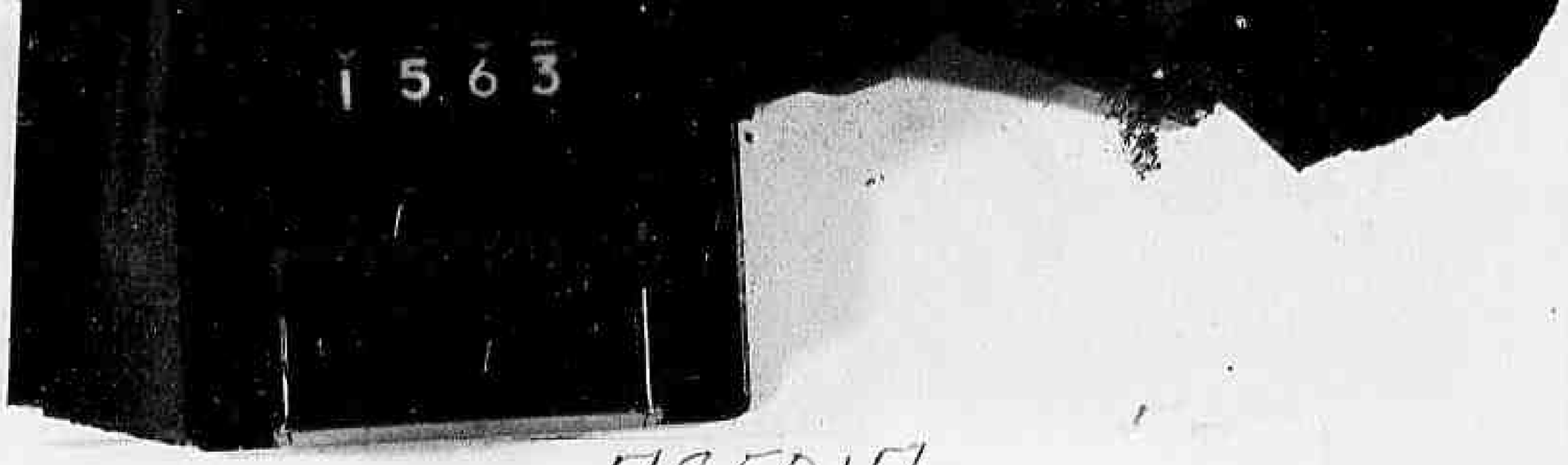
Hon. Alex. Kirk
Sir Noel Charles

JULY 161625

4092

SECRET

(13)



Declassified E.O. 12356 Section 3.3/NND No. 785017

30

AFHQ DTTD AFHQ AIV

ACC AIV

471

JULY 14

fyi #22

SECRET

IMMEDIATE

POLITICAL

SINCE ACC ADVANCE FIVE SEVEN JUNE TWO FOUR WITH RESPECT TO THE PUBLICATION OF THE ARMISTICE TERMS THERE HAS BEEN CONSIDERABLE PRESS SPECULATION BOTH IN THE LOCAL NEWSPAPERS AND AMONG THE FOREIGN CORRESPONDENTS REGARDING THE REASONS WHY THE LONG TERMS ARMISTICE HAD NOT BEEN MADE PUBLIC PD TO AFHQ FOR GEORGE FIVE BRITISH RESIDENT MINISTER AND USCOB SUGAR POLITICAL ADVISOR RPT TO AFHQ ADVANCED FROM ACC ADVANCED

PERSONAL FROM

ALLIED FORCE PD I FEEL YOU SHOULD BE INFORMED OF THIS IN DETERMINING WHETHER OR NOT

THE TERMS ARE TO BE PUBLISHED PD AS A THE FOREIGN PRESS HAS BEEN PARTICULARLY CURIOUS

FOLLOWING A REUTERS DISPATCH ON THE SUBJECT WHICH WAS PUBLISHED OVER A WEEK AGO AND

SUCH LOCAL PAPERS AS AVANTI ARE ASKING WHY THE ITALIAN PEOPLE CAN NOT BE INFORMED PD

THE LOCAL NEWSPAPERS ALLEGE THAT SIGNOR BONOMI HAS STATED TO A CORRESPONDENT THAT

THE ITALIAN GOVERNMENT HAS NO OBJECTION TO PUBLICATION OF THE TERMS PD THE ALLIED

FAILURE TO PUBLISH THE TERMS IS THUS BEING INTERPRETED AS EVIDENCE THAT THEY CONTAIN

SUCH HARSH PROVISIONS THAT THE ALLIES ARE UNWILLING TO PUBLISH FOR FEAR OF THE UN-

FAVORABLE REACTION OF THE PUBLIC AND EFFECT UPON THE GOVERNMENT PD PARA THIS

SPECULATION APPEARS TO CREATE INCREASING CONCERN AS TO THE SEVERITY OF THE TERMS

WHICH MAY OR MAY NOT BE DETRIMENTAL IF PUBLISHED PD ONE UNITED STATES CORRESPONDENT

HAS REMARKED THAT QUOTE A NEW POLITICAL CRISIS IS BREWING OVER THE PUBLICATION OF THE

ARMISTICE TERMS UNQUOTE AS THE SITUATION IS DEVELOPING IT WILL BE IMPOSSIBLE FOR THE BONOMI

GOVERNMENT NOT TO PUBLISH THE TERMS AND THE RESULTANT STORM WILL BLOW THE GOVERNMENT

AWAY UNQUOTE

4091

cc: The Honorable Alexander Kirk
Sir Noel Charles
Political Section

GILBERT W. STONE
Captain, USNR
Acting Chief Commissioner

Declassified E.O. 12356 Section 3.3/NND No. 785017

Files A (B)
29

PUBLIC RELATIONS BRANCH
ALLIED CONTROL COMMISSION

PRB/R10

12 July, 1944

Trend of Correspondents' Copy

E X T R A C T

* * * * * *

MATTHEWS (New York Times)

A new political crisis is brewing over the publication of the Armistice terms. As the situation is developing it will be impossible for the Bonomi Govt. not to publish the terms and the resultant storm will blow the Govt. away.

* * * * * *

4090.

ARMISTICE TERMS

(11)

1565

Declassified E.O. 12356 Section 3.3/NND No. 785017

TOP SECRET

28

UNITED STATES REPRESENTATIVE

ADVISORY COUNCIL FOR ITALY

MEMORANDUM

Confidential
10 JUL 1944

Concerning the publication of the long Armistice terms, the Department of State concurs with the views of Admiral Stone and those expressed by the American Representative on the Advisory Council for Italy. The internal Italian reaction to publication at the present time, as well as the military implications of such Italian reaction must be considered. While there is no way of ascertaining the effect upon the activities of the Italian patriots in German-occupied Italy, it seems safe to assume that they will be unfavorable and may even result in considerable military disadvantage. Furthermore, publication at this stage of the war might be psychologically inept as publicity for the harsh political and economic terms imposed upon the Italians would reveal to the Germans and the satellite nations the nature of unconditional surrender terms.

The Department now has under consideration the British proposal that the Allies substitute the present Armistice terms with a preliminary peace treaty and it would seem advisable to postpone publication until announcement could be made simultaneously of a substitute for the present Armistice regime.

Naples, July 7, 1944.

SG
4089

TOP SECRET

10

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET 3 JUL

ACTION ACC MAIN INFO AFH, ADV OF

AFH SIGNED SACMED

FX 67317

JULY 2/1518

SECRET

PRIORITY

CITE: TOKYO

PUBLICATION OF LONG TERMS ARMISTICE RESERVED FOR RECONSIDERATION. OUR FX66746 SHOULD BE DISREGARDED.

MAIN ACC DIST

ACTION - C.S.-D
INFO - DEPCOM
CA BR
POL SEC
FILE
FLOAT (2)

HEADQUARTERS
-3 JUL 1944
A. C. C.

4088

SECRET

JULY 3/

1567

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET 295 C 4 BR

2673

2 JUL 1944

26

FOR ACTION ACC NAIR FOR INFO AFHQ ARMY GP

107/01

AFHQ SIGNED SACMED
62952 AND FX66746
JULY 010915

SECRET
ROUTINE
CITE..FHGEC

Confidential

21

FURTHER ON PUBLICATION LONG TERM ARMISTICE, OPENED BY OUR FX63952. SACMED IS RECOMMENDING TO COS THAT PUBLICATION WOULD BE DISADVANTAGEOUS AND SHOULD BE DEFERRED FOR CONSIDERATION AT LATER TIME.

EC K 1/c

RC 2/7

ACC MAIN DESK
ACTION - SECY GEN
INFO - DEPCC
CABR
POL SEC
FILE
FLOAT (2)

RECEIVED
2 JUL 1944
A. C. S.

4057

SECRET

JULY 011550

Declassified E.O. 12356 Section 3.3/NND No. 785017

TOP SECRET

25

AFHQ RE TO AFHQ ADV GP

ACC MASN

3264

1 JUL

6738

TOP SECRET
PRIORITY
ACTING CHIEF COMS.

1 JUL 1944

PUTTING MY OWN SEVEN DAYS EIGHT OF TWO SIX JUNE PD PARTN TO AFHQ FOR GENERAL EYES
ADVICE RECEIVED FROM ITALIAN AND AMERICAN POLITICAL ADVISERS REPEATED TO AFHQ ADV GP
FOR M ACK MADE PRIOR TO HIS PERSONAL TALKS SOMMI ADVISES ITALIAN GOVERNMENT HAS
NO OBJECTION TO PUBLICATION AT THIS TIME OF COMPLETE LONG TERM ARMISTICE
AGREEMENT PD IF ALLIED GOVERNMENTS DECIDE TO PUBLISH SOMMI REQUESTS THAT
ITALIAN GOVERNMENT BE NOTIFIED IN SUFFICIENT TIME TO PERMIT SIMULTANEOUS PUBLICATION HERE BY
ITALIAN GOVERNMENT

AUTHENTICATED:

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

DISTRIBUTION:
1 - Sir Noel Charles
1 - Hon. Alexander Kirk
1 - OG Files
1 - ASG Files
1 - Adv SC Files

4686

(9)

TOP SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785017

TRANSLATION

DSB 117 2
3 JUL 1944

ROYAL MINISTRY
OF FOREIGN AFFAIRS

No. 5174

Salerno, 30 June 1944

Dear Admiral,

With reference to our last conference I have the honor to inform you that the government presided over by me has no intention of putting itself in the way of the complete publication of the conditions of the Armistice.

Very cordially yours,

/s/ Ivanoe Bonomi

Rear Admiral Ellery W. Stone
Acting Chief Commissioner
Allied Control Commission

NF 1065
6

1570

Declassified E.O. 12356 Section 3.3/NND No. 785017

TOP SECRET

23

nf

AFHQ FOR G-5 BRITISH RESIDENT MINISTER AND U.S. POLITICAL ADVISOR RPTD TO AFHQ ADVANCED

ACC MAIN

6738 file #22 26 JUN

Confidential

TOP SECRET
PRIORITY
ACTING CHIEF COMM.

FURTHER MY ADV FIVE SEVEN JUNE TWO FOUR YOUR FOX XRAY SIX TWO NINE FIVE TWO I SAW BONOMI THIS MORNING REFERENCE PUBLICATION OF LONG TERMS PD PAREN TO AFHQ FOR GEORGE FIVE BRITISH RESIDENT MINISTER AND UNCLE SUGAR POLITICAL ADVISOR REPEATED TO AFHQ ADVANCED FROM ACC MAIN FROM STONE PERSONAL PAREN HE HAD PRESENT VISCONTI VENOSTA AND PRUNAS PD HIS FIRST REACTION WAS THAT HE COULD SEE BOTH ADVANTAGES AND DISADVANTAGES TO PUBLICATION NOW BUT THAT THE MATTER WAS SO DELICATE HE WOULD LIKE TO THINK IT OVER CAREFULLY AND REFER IT TO HIS MINISTERS BEFORE EXPRESSING OPINION PD COUNCIL OF MINISTERS MEETING IS ON THURSDAY AND BONOMI HAS PROMISED ME A REPLY BY FRIDAY PD I INFORMED HIM THAT THE SUGGESTION OF SECURING HIS OPINION WAS MY OWN AND I COULD NOT ASSURE HIM THAT PUBLICATION MIGHT NOT TAKE PLACE NOTWITHSTANDING HIS REQUEST THAT ACTION BE WITHHELD AT LEAST FOR THE TIME BEING PD COMMENT CIN DURING THE COURSE OF THE CONVERSATION IT WAS APPARENT THAT ONE OF THE ADVANTAGES HE FORESAW WAS THAT IT WOULD PLACE THE RESPONSIBILITY FOR THE ARMISTICE TERMS ON THE BADOGLIO GOVERNMENT

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

4084

DISTRIBUTION:
1 - Sir Noel Charles
1 - Hon. Alexander Kirk
1 - SG Files
1 - DSG Files
1 - Adv SG Files
1 - (skeleton copy) AG Files

(5)

TOP SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785017

22

AFHQ FOR G-5 BRITISH RESIDENT MINISTER AND U.S. POLITICAL ADVISOR
RPTD TO AFHQ ADVANCED & ACC MAIN
ACC ADVANCED
ADV 57
6/24/43

TOP SECRET
URGENT
POLITICAL

FROM THE POINT OF VIEW OF ALLIED WAR EFFORT IN ITALY I CAN SEE NO SPECIAL ADVANTAGE AND SOME DISADVANTAGE IN PUBLICATION NOW PD PAREN TO AFHQ FOR GEORGE HVF BRITISH RESIDENT MINISTER AND UNCLE SUGAR POLITICAL ADVISOR REPEATED TO AFHQ ADVANCED AND ACC MAIN FROM ACC ADVANCED SIGNED STONE REFERENCE FOX XRAY SIX TWO NINE FIVE TWO JUNE TWO ONE CITE FHGEC PAREN ITALIANS WILL INEVITABLY ASK WHY THIS MOMENT HAS BEEN CHOSEN AND MAY CONCLUDE THAT OUR ACTION IS DIRECTED AGAINST NEW GOVERNMENT PD PUBLICATION MAY ALSO BE USED BY GERMAN PROPAGANDA TO DISCOURAGE RESISTANCE ELEMENTS IN NORTH ITALY PD IN ANY CASE I SHOULD LIKE TO HAVE OPPORTUNITY OF DISCUSSING THIS WITH BONOMI WHOM I SHALL SEE IN SALERNO ON JUNE TWO SIX AND I SHALL BE GRATEFUL IF DECISION CAN BE SUSPENDED UNTIL AFTER THAT PD GENERAL ALEXANDER CONCURS IN THE FOREGOING UNLESS PUBLICATION OF LONG TERMS NOW IS CONSIDERED BY ALLIED GOVERNMENTS NECESSARY PRELIMINARY TO EARLY REVISION OF EXISTING RELATIONSHIP WITH ITALY PD

L. T. NORMAN

4085

Make copy for Nat Archs. 6/28

TOP SECRET

(4)

Declassified E.O. 12356 Section 3.3/NND No. 785017

BEST COPY POSSIBLE

1573

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET 23 JUN 1944 295 U

C.A-Br 2053 #21

ACC MAIN INFO AFHQ ADV GP

37/23

AFHQ SCD SACMED

FX62952 ///

JUN2218193

SECRET

ROUTINE

CITE/FHGEG

Confid

PROPOSAL HAS BEEN MADE THAT LONG TERMS OF ARMISTICE BE PUBLISHED, MILITARY OBJECTIONS NOW BEING LESSENED. REQUEST YOUR VIEWS BY 26 JUNE

ACC DIST

ACTION/ SECY GEN

INFO/ DCC

CA ER

POL SEC

FILE

FLOAT

HEADQUARTERS 23 JUN 1944 A. C. C.

Sent Sec Gen by hand & Capt Hinde to Rome 24/6

4082

SECRET

JUN230642B

1574

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET

HEADQUARTERS
ALLIED CONTROL COMMISSION
U.S. & U.K. Section
APO 394

Ref/295/18/CA. 16 May 1944.

SUBJECT: Control of Property of Nationals of Certain Occupied Countries.

TO : Admin. Section.

Attached hereto is copy of AFHQ/386.1 of 12 May 1944 from AFHQ, for your information.

NORMAN E. FIKE,
Colonel,
Deputy Executive
Commissioner.

Declassified E.O. 12356 Section 3.3/NND No. 785017

SECRET 15 MAY Recd 295 C.A. Bc 20 S-2606

ALLIED FORCE HEADQUARTERS

Military Government Section CMS/CF/jw

MGS 386.1 Confidential 12 May 1944 19

SUBJECT: Control of Property of Nationals of Certain Occupied Countries.

TO : Headquarters, Allied Control Commission.

1. Receipt is acknowledged of your Message 4315 of 4 May, on the subject of the Application of paragraph 4 of Message TAM 155.

2. As that directive from the Combined Chiefs of Staff is construed at this headquarters, its purpose is to establish a distinction between enemy nationals on the one hand and on the other those nationals of friendly countries now under enemy occupation who are in fact friendly to the United Nations; "as a general rule", the property of one of the latter category should be released to such national or his accredited agent, upon receipt of proper evidence of ownership. The directive is not understood to require that the accredited agent of an absentee owner be compelled to take custody without regard to his ability under the circumstances effectively to administer the trust. It is believed that TAM 155 permits the exercise of a sound discretion so as to take account of practical difficulties in achieving the broad purposes of the directive. Of course there is no discretion to go in the teeth of the purpose there laid down: in particular, if it is made to appear that the absentee owner desires that custody be given to his accredited agent, -- not being a person known or suspected of pro-Axis tendencies, -- then of course the Director of Property Control would not deny the application simply for the reason that in his opinion an Italian bank would be a better manager than the agent whom the owner himself had appointed. The Director of Property Control, however, certainly has discretion to carry out a sound administration of his office so long as the broad purposes and specific requirements of his directives are observed.

CHARLES M. STOFFORD
Colonel, G.S.C.,
Chief of Section.

4080

HEADQUARTERS
11 MAG 1944
A. C. C.

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 735017

SECRET

FAT[illegible] 4315

FAT[illegible] (Civil affairs Branch)

SECRET

ROUTINE

4 May 1944

Vapor 165 - Fiske

Confidential

AFHQ

REFERENCE TAM OIE FIVE FIVE PARA FOUR PD PAREN TO AFHQ FOR MGS FROM ACC MAIN PAREN PARA ABLE PD HANDING OVER OF PROPERTIES OF NATIONALS THEREIN CITED TO OWNER OR ACCREDITED REPRESENTATIVE PD PROPERTIES OF CZECHO SLOVAK CMA POLISH CMA NORWEGIAN CMA BELGIAN AND LUXEMBOURG NATIONALS WERE NEVER SEQUESTRATED BY ITALIAN GOVERNMENT PD OWNERS OR REPRESENTATIVES THEREFORE REMAIN IN POSSESSION PD FRENCH CMA DUTCH CMA GREEK CMA YUGOSLAV PROPERTY SEQUESTRATED AND MANAGEMENT COMMITTED BY ITALIAN GOVERNMENT TO ONE BANK IN EACH REGION PD

PARA BAKER PD ARRANGED BY ABLE CHARLIE CHARLIE THAT BANKS SHOULD CONTINUE TO MANAGE PROPERTIES ON BEHALF OF DOG PETER CHARLIE AND THAT ITALIAN GOVERNMENT SHOULD ADVANCE NECESSARY FUNDS WHERE INCOMES INSUFFICIENT TO MEET NECESSARY OUTLAYS PD AS MANY PROPERTIES ARE IN DEFICIT AND TRANSPORT SITUATION MAY MAKE IT DIFFICULT FOR ACCREDITED REPRESENTATIVES OF OWNERS TO MANAGE PROPERTIES EFFECTIVELY CMA SUGGEST DOG PETER CHARLIE BE GIVEN DISCRETION WHERE OWNER NOT PRESENT TO LEAVE MANAGEMENT IN HANDS OF BANKS

4079

L.T.MONTANT, Jr.
2/Lt AGD
ADJUTANT.

SECRET

1577

Declassified E.O. 12356 Section 3.3/NND No. 785017

18

C.I.C.

1. Reference No. 4 para 4 - no cycle. Interpretation of generality left to ACC (see 3 para 2). I suggest that the following reply be sent to APIR, ACC:

2. Reference No. 155 para 4. Handing over of properties of nationals thereof cited to enemy or enemies representatives. Properties of Czecho-Slovak, Polish, Norwegian, Belgian and Luxembourg nationals were never sequestrated by Italian Government. Owners or representatives therefore remain in possession. Greek, Dutch, Great, Yugoslav, Liechtenstein, and Monegasque subjects can apply to each Bank.

property

by ACC

by Italian G.F

3. Suggest that banks should continue to manage properties on behalf of owners and that Italian Government should advance necessary funds where owners insufficient to meet necessary outlays. As many properties are in deficit and transport situation may make it difficult for accredited representatives of owners to manage properties effectively, suggest discretion be given where owner not present to leave management in hands of banks.

Ch. S. Harris

C. S. S. Harris,
Lieut-Colonel,
Director of Property Control.

I say Ah.

Agreed as slightly amended

C.J.
C.L.O.
2.2.44.

RCMG

Instructions as suggested at 6

Approved
2 Feb
TX 2.2.44

4078

Declassified E.O. 12356 Section 3.3/NND No. 785017

17

1

Property Control

1. Ref this file, Special Ref to No.1

2. Will you please state what action has been taken with regard to para 3.4.5.6.

3. The purpose of the information is to put before the CC the picture up to date.

4. You will see that CC intended to consulte with Col. UPJON (Vide 3). This has not yet been done. Notwithstanding, will you please give me any information as at 2 above.

16 April 1944

RR CRIPPS
CSO Adm Sec.

2

VP Adm Sec.

1. As telegram referred to has not been circulated to this Sub-Commission, no action has been taken.

2. I have now made an extract of the relevant paregraphs, and will draft instructions after consultation with C.I.C.

C.A.S. Harris

C. A. S. HARRIS,
Lieut-Colonel,
Property Control Sub-Comm.

13 Apr 44.

3

VP. Adm Sec

Telegram referred to has not been circulated to this sub commission and no action taken.

18 Apr. 44.

Richard H Wilson
Lt Col AUS DCLO

4.

(c/ CR. UPJOHN. seen this morning and agrees that he has seen this before. Considers that NO action is at present necessary, except that contents of SAM. 155 & its amendments for future action.

4077

C. R. S. HARRIS,
Lieut-Colonel,
Property Control Sub-Comm.

18 Apr 44.

3

VP. Admin Sec
Telegram referred to has not been circulated to this sub-committee and no action taken.
18 Apr 44.

Richard H Wilson
Actg Col DCLO

4.

(a) CR. UPJOHN. seen this memo and agrees that he has seen this before. Considers that NO action is at present necessary, except to note contents of TAH. 155 & its amendments for future action if & when occasion may arise.

(b) To be shown to Pub. Safety.

R. R. Clipperton
C.L.O Admin. Sec.

5

28 April 44

Seen Actg. D.C.P.S.

6.

To Admin Sec.

I request a telegram be sent in the terms agreed in this CLO at 10 paras 2 and 3.

C. R. S. HARRIS, Lt.Col.
DCS.

Copy to.

Declassified E.O. 12356 Section 3.3/NND No. 757017

Declassified E.O. 12356 Section 3.3/NND No. 788017

26 APR Recd

EAB. 79536

Geheim 2 1

Geheime Kommandosache

Dieser Teil wird von der Fernschreibstelle ausgefüllt

Befrand

Fernschreibstelle .....

Fernschreibname | | | Laufende Nr.

Angenommen
Aufgenommen
Datum: ..... 19 .
um: ..... Uhr
von: .....
durch: .....

Befördert:
Datum: ..... 19 .
um: ..... Uhr
an: .....
durch: .....
Rolle: .....

E 294
N 3/26

Vermerke:

Fernschreiben
Postteleg ramm von .....
Fernspruch

Abgangstag	Abgangsz	An
		ACTION COPY

Vermerke für Beförderung (vom Aufgeber auszufüllen) | Bestimmungsort

- INCOMING MESSAGE -

ACTION FATIMA

FROM DISPER SIGNED FINDLAY

NO 5187/101/1 25th

cipher (4)

Reference your 3502 of 20th April re CAPT JOHN G. ANDREWS has left this unit Commission not full enquiry of TAM 10055 being made 4076.

Vermerke für Beförderung (vom Aufgeber auszufüllen) | Bestimmungsort

Gefunden

— INCOMING MESSAGE —

ACTION TATINA

FROM DISPOR SIGNED TINDAY

NO 5187/101/1 25th

Reference your 3505 of 30th April re CAPT JOHN G. ANDREWS he left the subconscious but full urgency of TAM 10055 being made # 4076.

ACC DISTRIBUTION

(ACTION) - CA. R. (2)

INFO - DEP. C.C. CC

- FILE

- FLOAT

1100 1030

THI NIL

Nicht zu übermitteln:

Unterschrift des Aufgebers

Fernsprech-Anschluß des Aufgebers

Lager-Nr. 1578. Verlag und Druck: Heß, Braunschweig-München. 3220. 40. 144000.

Declassified E.O. 12356 Section 3.3/NND No. 785017

Declassified E.O. 12356 Section 3.3/NND No. 785017

CONFIDENTIAL

PATTAM 3502

PATTAM (Civil Affairs Branch) 20 April 1944

CONFIDENTIAL Vayor 163-Fiske

PRIORITY

DISPER BARI

YOUR FIVE ONE SEVEN ONE SEVEN ONE ZERO ONE ZERO ONE ONE ONE OF ONE EIGHT APRIL REFER TO DISPER BARI FROM PATTAM ZERO ZERO TAU ONE FIVE FIVE IN X OUT FOR ALLIED MILITARY GOVERNOR JOHN G. ARDENS DATED TWENTY EIGHT MARCH WILL THIS HEADQUARTERS TO DEPUTY DIRECTOR OF OPERATIONS TRACED

L.T. MONTANT
2nd Lt. AGD
Adjutant

CONFIDENTIAL

Declassified E.O. 12356 Section 3.3/NND No. 785017

Sec. Def

See attached.

On receipt of TAM 159 which came up in our file 295/CA it was noted that a distribution of TAM 155 had been ordered by Ch. Comm.

Our request was that a similar distribution of TAM 159 would be made and this you notified had been done on return of the file.

As TAM 159 went & displaced Persons S.C it is assumed that TAM 155 must have gone to them also and the attached Cable is not therefore understood.

If D.P.C.C have not in their possession their copy of so important a document as TAM 155 should there not be some investigation as to the whereabouts?

Could you please give details of dispatch, receipt etc in order that the matter can be taken up.

W Duffield White
Major G.L.
19/4.

Declassified E.O. 12356 Section 3.3/NND No. 785017

ACTION COPY

8 APR Recd

MJUT V MJAO NR 3

T

FROM DISPER BARI SGD KIRKWOOD 16 NFT

TO FATIMA FOR LUSH

QQY GR 15 ET

5171/101-1

CONFIDENTIAL (.) REF WX 18304 OF 4 APRIL .

TAN 155 NOT RECEIVED (.) PLEASE SEND COPY

ET

SENT NR 3 16/0255Z MRC K

RMC NR 3 16/0255 Z FY KK

ACC DISTRIBUTION
(ACTION) - C.A. Hist
INFO - DEP C.C
" - FILE
" 4073

1585

Declassified E.O. 12356 Section 3.3/NND No. 785017

Roll 295.8

SECRET

CAB 121
S-1610

ALLIED FORCE HEADQUARTERS CF/thh

Military Government Section

MGS 38 7.4 12 April 1944

SUBJECT: Receipt of copy of Additional Conditions of Armistice

TO : Headquarters, Allied Control Commission

By letter of 25 March 1944, MGS 387.4, you were requested to cause the copy of the Additional Conditions of Armistice in the possession of the Regional Allied Commissioner (Sardinia) to be returned to this Headquarters by hand of officer courier.

Captain Talbot, Grenadier Guards, has this day delivered the document and receipt is herewith acknowledged.

CHARLES FAIRMAN,
Lt. Col., JACD,
Legal Advisor.

SW 2014

4072

SECRET

1586

Declassified E.O. 12356 Section 3.3/NND No. 785017

11

Sec. Gen

Presume you will take same action as indicated by Chief Comm. on 5.

W. Garfield White
Major Gen.
11/4.

11/4

Exec. Comm.

Action as on 5 has been taken.
Viz. Distribution to
Economic Sect
Admin. "
Political "
Displaced Persons S.C.

Any further action please?

Ex Comm. Ref 9. 960

Attn. have added Czechoslovakia & last 8 Countries dealt with in Article 28 of Armistice terms. There is no record on the file what action C.C. took on 3.

EL 12/4

1587

Declassified E.O. 12356 Section 3.3/NND No. 785017

295 & 130714/F

U. S SECRET
Equale British SECRET

ALLIED FORCE HEADQUARTERS

Military Government Section

RECEIVED
7/4/44
FINANCE SUB-COMMISSION

MGS: 313.3

RE/CF/jw
April 19/44

SECRET

SUBJECT: Transmittal of CCS [illegible]

TO : Headquarters
Allied Control Commission.

Confidential

S.E.V.S. 9

1. Inclosed are 4 copies of TAM 359, amending TAM 195 of which 4 copies have already been transmitted to you.

2. Action on this CCS directive lies wholly with the Allied Control Commission, and accordingly the cables have merely been passed on to you for your guidance.

Charles Fairman
Lt Col, JAGD

For the Chief

HENRY PARKMAN, JR.,
Lt. Colonel, G.S.C.,
Acting Chief of Section.

Incl:
as above.

HEADQUARTERS
A.F.H.Q.

4070

U. S. SECRET
Equale British SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785017

10 APR Recd CONFIDENTIAL

6886

U.S. CONFIDENTIAL FOREIGN RELATIONS

AFHQ MESSAGE CENTER

INCOMING MESSAGE

WAR
NR 77
Filed 0419Z 52

AFHQ R 1300/04
0422ZB
paq

ROUTINE

FROM: ACWAR FROM GCS

TO : FREEDOM TO WILSON REPEATED USFOR INFO BRITISH CHIEFS OF STAFF

REF. NO. T813 MSG: WX 18304, 4 April 1944

Cite CCAC.

For MMGS.

TAM 159.

#4

Amending TAM 155.

Confidential

Please add CZECHOSLAVAKIA to countries mentioned in TAM 155, 1st paragraph.

Amendment made

TAM 155 in ref 2197 MC IN 9553 15-3-44 MGS

ACTION: MGB

INFORMATION: MGS
G-2
MR MURPHY
MR MACMILLAN
LIAISON
G-1(B)
FINANCE
DFEC
FEM ADC
AG RECORDS
#5

4069

U.S. MC IN 2380 5 April 44 050 CONFIDENTIAL 1304 D/J/Z

CONFIDENTIAL EQUALS BRITISH [redacted]

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Declassified E.O. 12356 Section 3.3/NND No. 785017

EX FAST AIR

8

Hq. MARKERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Ref/295/6/CA. 31 March 1944.

SUBJECT: Armistice Terms.

TO : R.C. Region VI.

6

1. Copy of letter from Army reference MGS: 387.4 of 25 March 1944 is enclosed.

2. Capt. Talbot of the Civil Affairs Branch of R.C. & M.G. Section will be visiting your Headquarters on or about Tuesday, 4 April.

3. Will you please arrange to hand him the Armistice Terms.

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

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Declassified E.O. 12356 Section 3.3/NND No. 785017

7

Col Sturgis.

1. Reference from Sardinia to Algiers has to come to Naples and change airports & fly a new routing.

2. Message states an officer from Sardinia flies 2 & he will take to the airport to and from Sardinia to check on ~~electric~~ Army the Armistice Terms.

3. Info will by me to Sardinia and Algiers might be profitable discussion. Delete para 1/2. = 4067

Col. to Sardinia
R 30/7

Sent 30/3.

Declassified E.O. 12356 Section 3.3/NND No. 785017

CA Br
28 Recd J-3281 6

ALLIED FORCE HEADQUARTERS

Military Government Section HF/CF/jw

25 March 1944

MGS: 387.4

SUBJECT: Copy of Additional Conditions of Armistice.

TO : Allied Control Commission.

1. Attention is invited to the letter of "Instructions on Allied Control over Sardinia", issued by this Headquarters on 28 September 1943, to the Regional Allied Commissioner (Sardinia). Paragraph 2 points out that a copy of the Additional Conditions of Armistice is being communicated to the Regional Allied Commissioner.

2. Inasmuch as Sardinia has now been brought under command of the Allied Control Commission, it is believed that the officer in charge of that region has no need for a copy of the Armistice Terms, and it is therefore requested that he be directed to return the same to this Headquarters marked attention Legal Advisor, Military Government Section. The transmittal should be by means of office courier.

Henry Parkman Jr.

HENRY PARKMAN, JR.,
Lt. Colonel, G.S.C.,
Acting Chief of Section.

See 9 see 12

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Declassified E.O. 12356 Section 3.3/NND No. 785017

20 MAR Recd

16 Mar 1530

ALLIED FORCE HEADQUARTERS IGE/CF/lml

Military Government Section

MGS: 387.7 15 March 1944

SUBJECT: Transmittal of CCS Directive on Application of Article 28 of Additional Conditions of Armistice.

TO : Allied Control Commission.
(Attention: Chief Commissioner)

1. There are herewith transmitted, by official courier, four (4) copies of TAM 155, message 2197 of 15 March, consisting of a directive from the Combined Chiefs of Staff on the application of Article 28 of the Additional Conditions of Armistice with Italy. The message is transmitted to you by the Supreme Allied Commander, Mediterranean Theater, for your guidance and necessary action.

2. It will be noted that paragraph 4 provides that the term "ownership" as used in the directive will be subject in any particular case to construction or to further definition by the Theater Commander. You are authorized and directed in proper instances to make such constructions and further definitions on his behalf.

3. You will keep this Headquarters advised of the manner in which, in the light of the present communication, you deal with problems arising under Article 28 of the Additional Conditions of Armistice.

Henry Pauley Jr.

HENRY PAULEY, JR.
Lt. Colonel, G.S.C.
Acting Chief, MGS.

Incls:
4 copies of Message TAM 155

Copies (less inclosures) to:
British Resident Minister
United States Minister
Assistant Chief of Staff, G-2
Chief Finance Officer, AFHQ
Deputy Paymaster in Chief
Financial Advisor

Brig Lush

Copies of attached TAM 155 should be transmitted to Economic, Admin + Political Sections + to interested sections Sub-Com. Re communications, the substance to the Italian Govt. if deemed advisable.

SC Cock

4005

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U.S. SECRET EQUALS BRITISH MOST SECRET

INCOMING MESSAGE

AFHQ MESSAGE CENTER

4

WAR

Filed 150803

AFSC N 360/15
150658A
FJK

ROUTINE

FROM: AGWAR FROM CCS

TO : WILSON REPEATED USFOR INFORMATION BRITISH CHIEFS OF STAFF

REF. HQ. THIS MESSAGE: 2197, 15 March 1944

For FIMCS.

Cite CCAC.

TAM 155.

Questions covered by article 28-long surrender terms. Questions covered by article 28 of the long surrender terms should be dealt with as follows:

1. The Military, Naval, and Air personnel and the civilian Nationals of friendly countries now occupied by the enemy such as BELGIUM, NETHERLANDS, FRANCE, POLAND, CZECHO-SLOVAKIA, LUXEMBOURG, NORWAY, GREECE, YUGOSLAVIA, et cetera, should not be interned or prevented from leaving ITALY solely on account of their nationality.

2. Persons mentioned in paragraph 1 above should be accorded the same treatment in this respect as the Nationals of the United Nations not occupied by the Axis

-1-

Add 463 Tom 155 AC

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except that those who have or are suspected of having pro Axis tendencies or who are known or suspected of having aided the enemy should be investigated and depending upon the seriousness of their offense should either be interned or prevented from leaving ITALY.

3. All property in Italian territory belonging to the government of any of the Nations referred to in paragraph 1 should be released from custody upon receipt of proper evidence of ownership from the accredited and recognized government of such country.

4. Where a National of any country contemplated in paragraph 1 above is actually residing outside enemy or enemy occupied territory and is the owner of any property in Italian territory, as a general rule it should be released from custody to such National or his accredited agent, upon receipt of proper evidence of ownership, provided, however, that the term ownership as used herein shall be subject to construction or further definition by the Theater Commander in any particular case. In no event should the benefits of this paragraph be accorded to individuals known or suspected of pro Axis tendencies.

5. The transmission to points outside of ITALY of any funds or property so released from custody will, of course, be subject to such transfer and exchange regulations as are generally in effect.

6. Appropriate instructions in conformity with this message should be given to the Italian Government. The Italian Government shall be responsible for notifying the Allied Control Commission of the names and particulars of persons referred to in paragraph 1 above. The Allied Control Commission shall determine which of the mentioned

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INCOMING MESSAGE

AFHQ MESSAGE CENTER

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Continuing message from ACWAR, AFSC N 360/15, Ref. No. 2197.

individuals are embraced within the exception contained in paragraph 2 above.

7. It is not the purpose of these instructions to afford the Governments or Nationals contemplated herein rights superior to those of the other United Nations or their Nationals.

8. These instructions apply only to property that was in ITALY at outbreak of hostilities with that country or when the territory concerned was occupied by the enemy as the case may be and further instructions will be given regarding looted property (that is, property imported since that date by the enemy).

-3-

ACTION: MGS

INFO: SGS
G-2
MR MURPHY
MR MACMILLAN
LIAISON
G-1 (B)
FINANCE
DFIC
FINANCIAL ADV
AG RECORDS
WD
SUMMARY

ADD DIST: MGS, 15/3/44-h

MC IN 9652 15 Mar 44 1037A Ref No 2197 a/F/H

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Ref. CC/G/54.

2

FNM/rj

13th. February, 1944.

MEMORANDUM:

TO: Lord Stenegate,
Vice-President, Administrative Section.

See folio #(1) thereto

1. Reference your request that you might circulate for their own information to Heads of Sub-Commissions -

(a) The Short Armistice Terms,
(b) The Longer Armistice Terms,
(c) The Terms of the Handover,
(d) The Moscow Declaration regarding Italy of November, 1st. 1943..

2. In confirmation of the message to you which I gave to Colonel Upjohn, I have no objection to these being circulated for the personal and most secret information of only repeat only Heads of Sub-Commissions and their Deputies.

3. I would be grateful if you would make it very clear that the Long Armistice Terms and Document "A" of the Handover are documents of the very highest degree of secrecy.

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
(Rear Echelon)
APO 394

7 February 1944

FROM: Vice President, Administrative Section.

TO : Chief Commissioner.

SUBJECT: Communication of Documents to heads of Administrative Sub-Commissions.

1. In the memorandum of January 23, 1944 the general functions of the Allied Control Commission are stated to be as follows:

(a) To enforce and execute the instrument of surrender under the orders and general directives of the Allied Commander-in-Chief.
(b) To insure that the conduct of the Italian Government conforms to the requirements of an Allied Base of Operations, especially transportation and communications.
(c) To be the organ through which the policy of the United Nations towards the Italian Government is conducted and the relations between the United Nations and the Italian Government are handled.

2. In order to comply with these directions the heads of Sub-Commissions are asking to see, and should I circulate for their own information:

1. The short Armistice Terms.
2. The ~~large~~ longer Armistice Terms.
3. The terms of the handover when agreed.
4. The Moscow Declaration of Nov. 1, 1943 headed Declaration regarding Italy.

Stansgate

STANSGATE
Vice President
Administrative Section

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