

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

785017

ACC

10000/109/1160

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

785017

10000/109/1160

ITALIAN NEO-FASCIST SOLDIERS
SEPT. 1944 - JAN. 1946

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

785017

7b.

Ex. 1000.

is submitted for signature

[Signature]

reper.

29/10.

0031

Not ref 60.

6/4
AFHQ G-1. phoned & Sep. stating that there had been some administrative confusion over the hand over of this camp. AFHQ is today signalling P.B.S. A.C. telling them to get into ditch track & effect the hand over as soon as possible; there is no need to await receipt of this signal before taking action. Capt Freeman (Public Safety) informed.

MP 8/9

67

C.S.O. 66 for info

ERS 7/10

68

Captain Broyles Chamber. 20th knows where

PW 330 is landed over.

2/10. **UB** 7/10

(70)

C.S.O. 9/10

69 for info ERS 7/10

T-x. Com.

(73)

680 Letter at 72 submitted for EC's signature.

1394

... (Capt Freeman (Public Safety) informed).
MP 8/9

67

C.S.O. 16 for info

EDS 1/10

68

Captain Broyles (Chambers. Let's know when

PW 330 is landed over.

FW 2/10. **EDS** 2/10

(70)

C.S.O. 16/10.

69 for info EDS 1/10

Fix. Com.

C.S.O.

(73)

1399

Letter at 72 submitted for CC's signature.
It is a follow up of 39 & 63 and action
on 69 & 71 (CC's copies of 39 & 69 enclosed for
return). Discussed the matter with Judge
Thomson to whom 69 went for action from
EASAC & he asked me to draft letter att'd.

FW 16/10. **EDS** 16/10

78

TO: C.S.O.61

1. Reference scheme for handing over PISA and MODENA Camps to the Italian Government dealt with in folio 43.

2. The following points are given for your information:

- (a) Representatives of all interested parties visited PISA on 22 Aug and arranged for the handover of that camp on 28 Aug (folios 53, 59 and 60 refer).
- (b) While at PISA it transpired that the camp at MODENA had been dismantled and is consequently, in its present condition, of no use to the Italian Government. HQ MTOUSA had no previous knowledge of this. POW Command had asked that the visit to the camps should be postponed from 14 Aug (the date suggested in folio 43) until 22 Aug., for administrative reasons, and it seems possible that the dismantling was effected in the interval (see folio 53 - paras 4, 5 and 6 refer).
- (c) Accommodation for 30,000 prisoners is urgently required to relieve the overcrowding in the prisons in the North, and at folio 55 AFHQ have been asked for their assistance to obtain this accommodation.

A.P.sby

28 Aug 45.

S/Comd.

Lester

For info please see folio 60 & min 61. Belier

This refers to matter discussed at your meeting this morning.
~~Should inform C.S.O. Director?~~

C.S.O.
25/8

1398

772/268

previous knowledge of this. POW Command had asked that the visit to the camps should be postponed from 14 Aug (the date suggested in folio 43) until 22 Aug., for administrative reasons, and it seems possible that the dismantling was effected in the interval (see folio 53 - paras 4, 5 and 6 refer).

(c) Accommodation for 30,000 prisoners is urgently required to relieve the overcrowding in the prisons in the North, and at folio 55 ACHQ have been asked for their assistance to obtain this accommodation.

28 Aug 45.

A. P. S. G.

S/Comd.

C. K. Brown

62/

For info please see folio 60 & min 61. Belier

This refers to matter discussed at your meeting this morning.
~~Should we inform C. K. Brown?~~

C. K. Brown
28/8

1398

772/28/8

A. P. S. G.

63/

For info folio 60. re camp mentioned in this morning meeting.

C. K. Brown
29/8

pa MP

days.

3. Letter to AFHQ confirming ^{above} ~~above~~ for signature please.

4. MMIA, Public Safety have been informed

13 Aug 45

A. Proby San Cnd

52.
Capt. Andrew ~~Proby~~ ^{Proby} for Extension Information
Rusk 148

54

V.P. CA Section.

(53)

1. I am attaching to this file the report made to me by my Prisons Officer concerning the attempt to obtain the Modena POW Camp for the Italian Government.

2. See the face of the enclosure given to me by Col. Hyde on 7 August at the conference with the Executive Commission, I cannot understand why the Camp should have been dismantled so hurriedly.

3. What an example of cooperation with our efforts to maintain internal security!

20 Aug. 1945.

Chapman
Col. A.P.C.

(56)

To: CAFS

A.F. 52A.55 Suggested signal for approval and signature

25/8/45

R.M. Freeman, Capt. W.P.

V.P. CA Section:

54

(53)

1. I am attaching to this file the report made to me by my Prisoners Office concerning the attempt to obtain the Machine POW Camp for the Station Commandant.

2. See the face of the assurance given to me by Col. Hyde on 7 August at the conference with the Executive Commissioner, I cannot understand why the Camp should have been dismantled so hurriedly.

3. What an example of cooperation with our efforts to maintain internal security!

20 Aug. 1945.

Shogren
Col. H.P.S.

(56)

To: C.A.S

Ry. 62A 55 Suggested signed for approval and signature

25/9/45

Signed [Signature]

R.M. Freeman, Capt. R.M.P.
for D.P.S.

Note Ref 45.

44

Spoke Col Hyde's office AFHQ 0900 hr 10 Aug.
Col Hyde out until late afternoon; no one else knows
anything about the scheme or the plans. Col
Hyde asked to swing back on his return. Col
Kerr informed of the position. MP 10/8.

Public Safety Sub Com.

45.

Ref 45. Col Hyde (AFHQ) has arranged for
an aircraft on 14 August, as suggested in
para 3. I will call at Chiampine aerodrome
at 0915 hr to collect the representatives of
this HQ & the Thabai Government. Could you please
notify Col Kerr, MMIA, of the name of the
officers whom you propose to send, & at the
same time tell him that no other representatives
of AC will be going.

M. P. Kelly San Cus

11 Aug 45

46.

20 EC.

Ref. phone conversation, Com. Kelly - Capt. Freeman

This AM. Proposed delay in securing accommodation
at Madaya to relieve critical overcrowding of civilian
jails in Northern Region is a matter of concern to this
S/C. Request that the entire matter be expedited up 1396

13/8/45

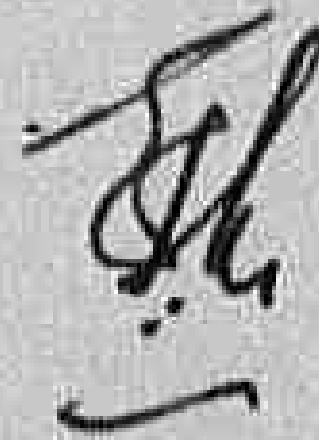
R. D. Freeman
for DCS.

33CSO

Ref 32 we have only just seen 31A
as it was given a different dist. to
26. The clue for M/C is in 2nd
line of 31A & it should have been seen
but AFHQ made things difficult by
departing from standard message
writing practice.

7/7/45

S. 10/7


37.

Note
Ref 36. Spoke Lt Col Regis (tel 3/9) & asked him to submit
a draft letter to P.M. for P.P.'s signature, 1395
in connection with para 3.

28 Jul.

38
Submitted - legal file
4046/2/L 20/7

M.P.

BU 31/7 MP 31/7
Noted 20/7

11.

Please see find 10-12 Chief Commissioner may wish to see

D.L. 4/14/45.

140.

Non Kleevelly

Pl see 13. CC sets copies

17 adl SPEC: papers.

Noted. PA D.L. 12/4

16

WMD - ILOW S.C.

Please state what action has been
Taken to state on folio 15.

26 MAY 45.


W. M. B. 1945 S/C.

✓ OFFICE, Ex. C.

20.

Trace Komur.

Ref. 16.

Please see folio 19/20.

27 May 45.


W. M. B. 1945 S/C.

WMD - ILOW S.C.

Please state what action has been taken to state in folio 15.

26 MAY 45.

[Signature]

OFFICE, E.X.C.

20.

Exec. Comm.

Ref. 16. Please see folio 19/20.

[Signature]
WMD/ILOW S.C.

27 May 45.

1394

[Signature] Please see folio 20 for info

23/4/45

Executive Commission. 28

Please see folio 26 for information

29

Ash AFHQ (ref to S. Army) -
if they are taking action -
which should have been sent her

20/6.

[Signature]

CSU

4.

You should put place at the file

3/4

Open should be

Can be sent to him

3/4

5

Chief Clerk.

Put in above this refers
to letter at 3. For "C A B" read
"CPsed" and send the original
to office - put a copy in
the file. Also send Philis Lee

3/4

After distribution in original
file copy to

Chief Clerk.

Pl act as above and refer
to letter of 3. For "C A B" read
"C A B" and send the original
to office & put a copy in the
file. Also send Phillips Sec.

for 5/11
The distribution is required
file copies for 1393

MAJOR TARGOT

Distribution made as per 5 above

6 Nov 44.

W. H. Targot

8 6/11

785017

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

75

Ref: 8263/EO

4 January 1946

My dear Mr. Prime Minister:

I refer to my letter AG/4076/2/L of 17 October 1945 to your predecessor concerning the disposition of neo-fascists.

I have been instructed by Allied Force Headquarters to inform you that the following policy with regard to Italian nationals who served with the Fascist Republican Army or with the German Armed Forces has been established.

1. Nationals who served with the Fascist Republican Army or with the German Armed Forces may, at the discretion of the Supreme Allied Commander, be transferred to the custody of your Government. Final disposition of such personnel will be the sole responsibility of your Government.

2. Nationals who are War criminals or who may be of value in War Crimes investigations or of value as witnesses may (provided they are not wanted by an Allied nation) be released from Allied custody to your Government upon the express understanding that your Government will not release them from custody without prior authority of the Supreme Allied Commander.

Your very truly,

(Sgd) KILERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dott. Aloide De Gasperi
The President of the Council of Ministers
Italian Government
Rome.

Copy to: Polad (A)
Polad (B)
CA Section (5)
Dr. Bombassei
Land Forces 3/0

see 17.76

1391

PA
51
2

785017

CONFIDENTIAL

ALLIED FORCE HEADQUARTERS
APO 512

AG 383.6 GBI-O

24 December 1945

A P 824

SUBJECT: Disposition of Neo-Fascists.

TO: All Concerned.

21

DEC 24 1945

In view of a ruling by the Combined Chiefs of Staff, the following policy with regard to Italian nationals who served with the Fascist Republican Army or with the German Armed Forces will be placed into effect:

1. ~~Italian~~ Nationals who served with the Fascist Republican Army or with the German Armed Forces may, at the discretion of the Supreme Allied Commander, be transferred to the custody of the ~~Italian~~ Government. Final disposition of such personnel will be the sole responsibility of the ~~Italian~~ Government.

2. ~~Italian~~ Nationals who are War criminals or who may be of value in War Crimes investigations or of value as witnesses may be released, provided they are not wanted by an Allied nation, from Allied custody to ~~Italian~~ Government upon the express understanding that the ~~Italian~~ Government will not release them from ~~the~~ custody without prior authority of the Supreme Allied Commander.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

Edmund R. Shugart
EDMUND R. SHUGART
Colonel, AGD
Adjutant General

DISTRIBUTION:

1 - SACS
1 - G-1 (A)
1 - "A" Branch
1 - G-2
1 - G-3 (MTO)
1 - G-3 (AFHC)
1 - G-3 (CMF)
1 - G-4
1 - G-5
1 - G(Maint)
1 - US POLAD

1 - Number 3 District
1 - Number 2 District
1 - CG, PDS
1 - CG, Rome Area, MTOUSA
1 - RAAC
1 - XIII Corps
1 - ALCOM
2 - AG Records
1 - AG M & D

28 DEC 1945

138975

CONFIDENTIAL

CONFIDENTIAL

(19355)

785017

AC/4076/2/L

17 October 1945

My dear Mr. Prime Minister:

I have received a memorandum dated 8 October 1945 from the Liaison Officer for the Ministry of Foreign Affairs referring to my letter AC/4076/2/L to you dated 31 July 1945 concerning the position of republican fascists.

There is no change of policy on the part of the Allied authorities regarding the custody of neo-fascist personnel and I must beg you, my dear Mr. Prime Minister, to be so good as to let me have an early reply to my letters AC/4076/2/L of 31 July 1945 and 13 September 1945.

Yours very truly,

ELERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
The President of the Council of Ministers
Italian Government
Rome

Copy to: CA Section - For legal s/c Your AC/4076/2/L 10/8/45 refer
Marchese Buttadini - bear (Your minute of 8 Oct 45 refer)

785017

8263 90

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

CC/535
OCT 10 1945
H1

GGH/lc.

9 October 1945.

AO/4076/2/L.

SUBJECT : Neo-Fascists. in Allied custody.

OCT 11 1945

TO : Chief Commissioner, *office* -

1. Your attention is directed to the fact that no reply has so far been received from the Prime Minister to your letters of even reference dated 31 July 45 and 13 Sept. 45 on the above subject.

39

63

2. The situation of Neo-Fascist personnel in Allied custody is consequently becoming more unsatisfactory every day.

G. G. Hannaford

G. G. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

1387

Mr. Thomas
478421

(L. G. Bennett)

785017

82634

0021

CONFIDENTIAL

Rome, 8 October 45

MINISTERO DEGLI AFFARI ESTERI

Uff. di Collegamento con la C.A.

OCT - 9 1945

TO : Executive Commissioner.
SUBJECT : Policy concerning the custody
of republican fascists.

The Presidency of the Council of Ministers would like to know if there is any change in the policy concerning the custody of fascist republicans arrested by the Allied Authorities as outlined in the letter of Admiral Stone to President Parri dated July 31 Prot. A.C. 4076/2/L - Office of the Chief Commissioner.

39

(March. Cittadini Cesi)

B/U
15/10
M. B.

See M. 40.
J.D.

EC DIST 8 OCT 45

ACTION CA. SEC.

INFO. CHIEF COMM.

1386

9/10
A

785017

82639

C 21015
SEP 201121AE/83A7
SEP 201145A

PRIORITY

SEP 21 1945

FROM: MTCUSA

TO: MTCUSA FOR CORRALAND, INFO ALONG, PERBASE

UNCLASSIFIED.

Effective 25 September 1945, turn over all Italian female prisoners of war to control of Italian Government at FLORENCE female prisoner of war camp. Agreement on this action has been concluded, and military mission Italian Army is notifying Italian Government. UNITED STATES property left will be turned over to Military Mission Italian Army representatives on the ground. This not a transfer of title to UNITED STATES property but assumption of use on loan basis pending substitution of Italian items for UNITED STATES items.

DIST

INFO-ACTION: Land Forces SC
INFO: Chief Commissioner
Ex Commissioner 2
GA Sec
IPW SC
Pub Safety SC
File 2
Vloot

HEADQUARTERS

20 SEP 1945

1384

21/9

(Mas Kenney)

Luk for 249

785017

8263

65

12/4076/2/L.

13 September 1945

SEP 13 1945

My dear Mr. Prime Minister:

On 31 July last I wrote to you stressing that it was the desire of the Allied Forces to hand over to Italian judicial authorities for trial, neo-fascist personnel at present in Allied prisoners' camps.

I pointed out however that this Commission had been instructed that all neo-fascist personnel held in custody by the Allies should remain in some form of custody until after the release of all cooperator personnel now held by the Allies in any part of the world. Consequently I requested from you the undertaking of the Italian Government that all personnel so handed over would be retained in custody, unless sentenced to death and executed, until all cooperator personnel had been released, whatever the result of the criminal proceedings against neo-fascists might be.

This Commission has received further applications from Italian judicial authorities requesting that neo-fascist personnel be handed over to them for trial. This however cannot be done until your assurance that the procedure above referred to will be adhered to by the Italian Government is received.

Would you therefore be good enough to let me have an answer to my letter of 31 July at your early convenience.

Yours very truly,

ELDER V. STONE

ELDER V. STONE
Rear Admiral, USNR
Chief Commissioner

Prof. Ferruccio Parri
The President of the Council of Ministers
Italian Government
Rome

SEEF 71

1383

(PA)

13/9

785017

8263
RESTRICTED

VX 41925

SEP 081620B

7/7009

SEP 091030B

PRIORITY

From: MFOUSA SIGNED COMBINED CITE HAGAP
To: PNRBASE, ALCON INFO FOR COMMAND MFOUSA

SEP 10 1945

RESTRICTED.

Granted is authority to make available for use of Italian Government prisoners of war enclosure number 336 to accommodate Italian military prisoners. Enclosure, buildings and fixtures only will be turned over. Italian representatives through ALCON should contact PNRBASE immediately to complete negotiation. Same conditions imposed as for use of prisoner of war enclosure number 337 recently loaned Italian Ministry of War.

DIST

A. A. S. C.
ACTION: ~~Lead Force 55-2~~
INFO: Chief Commissioner
Ex Commissioner 2
~~See Lead Force 5A.~~
File 2
Floor

SEP 66

RESTRICTED

HEADQUARTERS
9-SEP-1945
C

1382

(Not Kinsley)

DAK HA

See memo, 64.

10/9

785017

625274
8263Ex Comm
(60)014668
AUG 26 1225HF/3402
AUG 26 1630H
PRIORITY

From: MTCUSA

To: CG MTCUSA POW COMMAND INFO ALCOM. PHURASE

AUG 27 1945

UNCLASSIFIED

Effective 28 August 1945, turn over Prisoner of War enclosure Nr 337 to control of Italian Govt in accordance with agreement reached in conference on 22 August. Military Mission Italian Army is notifying Italian Govt. Property left will be turned over to Military Mission Italian Army representatives on the ground. This is not a transfer of title to UNITED STATES property but an assumption of use. Title will be dealt with at a later date.

RECEIVED
27 AUG 1945
MTCUSA

Dist

Info-Action - CA Sect
Info - Chief Commissioner
Exec Commr 2
Land Forces 2
Disper
File 2
Fleet

F-51
1381

Sum 61462
6263
964

(C/C) (no letter)
AD

8263 HQ ALCOM. 3666
 Subject: Neo-Fascist Prisoners, Pisa Camp

Land Forces
 Sub Commission, AC (MMIA)
 Rome
 6/6

25 August 1945

To : Minister for War (5)

AUG 27 1945

Further to conversation with the Minister for War, a conference was held at the Pisa Camp on 22 August with representatives of CG, MTOUSA and the MTOUSA POW Command, Colonel Viselli of your office, Colonel Marinari, Commanding the Italian 3d Guard Regiment, and Colonel Kerr and Major Selby, MMIA, and the following points were agreed:

1. Effective date of transfer of prisoners and camp to Italian War Ministry control - 28 August 1945

2. Camp Equipment and Property

a. All necessary equipment and property now in use at the camp will be left in place, including US and Allied property and captured property (German and Italian).

b. A detachment of US officers and men, to be attached to MMIA, will take over all such property from the POW Command, and will loan the property to the Italian Command.

c. The property includes:

Semi-permanent buildings
 Huts
 US motor vehicles
 Electrical generators
 Water pumps and tanks
 Tentage, mess equipment, clothing, etc.
 Signal equipment

d. It is planned that such property and equipment as can be furnished from Italian Army stocks be substituted for the US Army property, as soon as convenient, in order to reduce the amount of US Army property gradually. For instance, Italian Army telephones can replace US Army telephones. This will be a matter to be arranged mutually on the spot between the US Detachment and the Italian Camp Commander.

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1. Effective date of transfer of prisoners and camp to Italian War Ministry control - 23 August 1945

2. Camp Equipment and Property

a. All necessary equipment and property now in use at the camp will be left in place, including US and Allied property and captured property (German and Italian).

b. A detachment of US officers and men, to be attached to MMIA, will take over all such property from the POW Command, and will loan the property to the Italian Command.

c. The property includes:

Semi-permanent buildings
Huts
US motor vehicles
Electrical generators
Water pumps and tanks
Tentage, mess equipment, clothing, etc.
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3. Rations

a. The ration of the prisoners is as follows:

US Army Items

Flour or biscuit	8-4/5 oz
Canned meat	3-3/5 oz
Dry vegetables	1-3/5 oz
Sugar	1-1/5 oz
Milk powder	1/2 oz
Coffee	4/5 oz
Cheese	1/8 oz

cc: CA SEC
ECON. SEC

(Information)

Italian Items

Fresh vegetables	3 oz
Fresh fruit	4 oz
Salt	3/4 oz
Olive Oil	1 oz

About 2,000 calories

b. The US Army portion of the ration will be drawn from US Army sources until 1 December 1945, by the US Detachment on the basis of the strength present in the camp. There will be no charge to the Italian Government for the US Army rations.

c. The Italian portion of the items will be drawn by the Camp Commander from Italian Army Depots.

d. Colonel Viselli stated that the baking of bread for the camp would be done on contract with civilian bakeries in Pisa. This is satisfactory, or you can transfer an Italian Army bakery to the camp, and utilize the prisoners for labor.

4. Medical care and supplies

a. There is a field hospital in the camp, now staffed by German POW's, who will be removed when the camp is turned over to you.

b. Arrangements have been made to transfer to the camp one Italian hospital just released by PBS, to take over the commitment. This unit will be placed under command of the Italian Camp Commander.

c. Medical supplies for the prisoners are from captured German stocks, and a 90-day level is being built up in the camp where the supplies are available. Any additional supplies needed will be furnished from Italian Army sources, supplemented if necessary from US Army sources.

d. Hospitalization of the prisoners beyond the capability of the field hospital in the camp will be in established Italian Army hospitals in the vicinity of the camp.

e. A number of the prisoners are now hospitalized in US military hospitals. As soon as possible such prisoners will be returned to the camp or transferred to Italian Army hospitals by the WFOUSA POW Command.

c. The Italian portion of the items will be drawn by the Camp Commander from Italian Army Depots.

d. Colonel Viselli stated that the baking of bread for the camp would be done on contract with civilian bakeries in Pisa. This is satisfactory, or you can transfer an Italian Army bakery to the camp, and utilize the prisoners for labor.

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d. Hospitalization of the prisoners beyond the capability of the field hospital in the camp will be in established Italian Army hospitals in the vicinity of the camp.

e. A number of the prisoners are now hospitalized in US military hospitals. As soon as possible such prisoners will be returned to the camp or transferred to Italian Army hospitals by the MTCUSA POW Command.

5. POL

1379

The POL necessary for the operation of assigned motor vehicles and camp equipment will be drawn from Allied sources until 1 December 1945 by the US Detachment and will not be a charge against the War Ministry allotment. This does not include the motor vehicles organically assigned to the Italian Army units in the camp.

6. US Liaison Detachment

a. A US Liaison Detachment will be attached to the camp. This will be an MIA unit.

b. The Liaison Detachment will not command the camp, but will assist the Italian Camp Commander in every way possible.

3. The principal functions of this detachment are:

- (1) Responsibility for all US Army property.
- (2) Securing and turning over to the Camp Commander the necessary US Army rations, POL, spare parts for US Army equipment, etc.
- (3) Liaison for the Camp Commander with Allied agencies, MMIA, etc.
- (4) Training Italian personnel in operation of US Army equipment, electrical generators, water pumps, etc, and assisting in the operation where necessary.

7. Prisoners wanted by the Allies

The Allies reserve the right to demand and receive from the Italian Government any prisoner in the camp, at anytime.

8. Additional prisoners

Except for those prisoners returned by the POW Command from hospitals, no additional prisoners will be admitted to the camp from any source.

9. Troops

a. Presently assigned to the Italian Command is the Hq 3d Guard Regiment and the 508 and 509 Guard Battalions, and a field hospital.

b. It will be necessary to assign additional personnel, such as engineers, electricians, motor mechanics, clerks, commissary, etc, as needed by the Camp Commander. This personnel will be added to the W/E of the Regimental Headquarters, as requested by you. Submit your proposals.

CPTK/lak

cc: CG, MTOUSA (5)
CG, PES (4)
CG, MTOUSA POW Command (4)

CLAYTON P. KERR, Colonel
for Major General
Land Forces
Sub Commission, AC (MMIA)

1378

US Army equipment, electrical generators, water pumps, etc, and assisting in the operation where necessary.

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b. It will be necessary to assign additional personnel, such as engineers, electricians, motor mechanics, clerks, commissary, etc, as needed by the Camp Commander. This personnel will be added to the W/E of the Regimental Headquarters, as requested by you. Submit your proposals.

CLAYTON P. KERR, Colonel
for Major General
Land Forces
Sub Commission, AC (MMIA)

1378

CPK/lak

cc: CG, MTOUSA (5)
CG, PBS (4)
CG, MTOUSA POW Command (4)
HQ, ALCON (3)
MMIA LO, Pisa Camp (6)
MMIA LO, PENEASE
MMIA LO, Florence

INTERNAL

MA to GOC
Q (3)
SD (3)
A (3)
ST (1)

G FIVE AMHQ

4250

27 August 45

PRISCIITY

CONFIDENTIAL PD

PARA ONE PD IN ACCORDANCE WITH DISCUSSIONS WHICH TOOK PLACE ON SEVEN AUGUST BETWEEN COLONEL HYUN NUDERA AND THIS HEADQUARTERS IT WAS AGREED THAT POW CAMP AT NUDERA SHOULD BE HANDLED OVER TO ITALIAN GOVERNMENT FOR ACCOMMODATION OF PRISONERS NOW CROWDED PRISONS IN NUDERA PD

PARA TWO G FIVE AMHQ FROM ALGER SITE AGUAT PAREN

PARA TWO RE COMMANDANT PISA POW CAMP REPORTED TO REPRESENTATIVE OF THIS HEADQUARTERS THAT NUDERA CAMP HAS BEEN COMPLETELY DEMANTLED PD

PARA THREE PD ACCOMMODATION IS URGENTLY REQUIRED FOR APPROXIMATELY THREE ZERO ZERO ZERO ZERO PRISONERS IN ORDER TO RELIEVE THE DANGEROUS SITUATION CREATED BY OVERCROWING OF PRISONS PD

PARA FOUR PD REQUEST YOUR ASSISTANCE IN THE MATTER PD

1377

Civil Affairs Section

475:47

M. GARR Brig.

STANDARD FLOWING
CNC DIA
Asst Adjutant.

SEE 1756

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AC/14027/1/PS

23 August 45

SUBJECT : Report of trip to Pisa.

TO : Director = Public Safety Sub-Commission.

1. Attention is requested to the following correspondence in Ex. Com. file 8263/EC wherein specific arrangements were described for a trip to Pisa and Modena for the purpose effecting arrangements to turn over the Concentration Camps at these locations to the Ministry of War and the Ministry of Grace and Justice, respectively; (A) Folio 43, (B) Minutes 44 and 45, (C) Folio 49, (D) Minutes 46 and 50, (E) Note attached to Folio 49.

2. It is submitted that all correspondence referred specifically to arrangements to visit both the Pisa and Modena camps in one day and that the effective date was finally established as of 22 Aug 45.

3. Accordingly, the undersigned accompanied by an interpreter of this S/C, two representatives of the Ministry of Grace and Justice, and an Italian Army Colonel representing the Minister of War, arrived at Ciampino Air-Port where we were later joined by Colonel Kerr, MMIA, and Colonel Davis, G-1 MATOUSA. Col. Davis stated that he had no knowledge of the scheduled trip to Modena and indicated that it would be most difficult to visit both Pisa and Modena in one day. The undersigned described the terms of his orders and stressed the interest of this S/C in having the Modena camp turned over to the Ministry of Grace and Justice. After some discussion it was decided to proceed to Pisa and there make further arrangements if found practical.

4. Immediately upon arrival at Pisa the undersigned was informed that the Modena camp was completely evacuated and almost completely torn down; with all tents removed and electrical facilities, etc. entirely dismantled. Said evacuation and break-up was described as having been completed as of 19 Aug 45. No one from the Rome group appeared to have any knowledge of this development.

1376

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1376

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5. The representatives of the Ministry of Grace and Justice state that the taking over of the Modena camp cannot be considered under these circumstances.

6. In view of the importance of the Modena camp to the Ministry of Grace and Justice, and the close interest of this S/C in insuring additional accommodations to relieve the most critical prison situation in the history of the Allied occupation, the following is considered pertinent:

A. The evacuation and break-up of the Modena camp was evidently carried out without the knowledge of G-1 MATOUSA, since

See File 8263/EC
54
61-62

-2-

53
Col. Davies stated that he had not been advised. Neither had MIA or Allied Commission any advance information as to this action having been taken.

B. The evacuation and break-up of the Modena camp appears to have been started and completed between the date of the start of correspondence, which had for one of its objectives the taking over of this camp by the Ministry of Grace and Justice, and the actual trip to the north. The break-up was reportedly completed three days prior to this trip.

C. The loss of the Modena camp eliminates the only possibility of relieving the critically overcrowded conditions of practically every prison in the four regions still under AMG control within a reasonable period of time. With the facilities now available to the Italian Government there appears to be but little likelihood that the Ministry of Grace and Justice can secure and equip another site for the accommodation of a large number of prisoners.

D. The failure of this trip to achieve any objective results is a matter of the greatest concern to this S/C, and it is suggested that the question of securing additional prison accommodations for the use of the Ministry of Grace and Justice be taken up with higher headquarters. It cannot be stressed too strongly that the overcrowded conditions of Italian prisons, especially those in AMG territory, presents a grave threat to the Public Security of Italy.

See 55

R. M. Freeman
R.M. FREEMAN Capt. CMP.
Prison Officer.

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See 58


R.M. FREEMAN Capt. CMP.
Prison Officer.

1375

RMF/80

Executive Committee 1263
 HEADQUARTERS ALLIED COMMISSION
 APO 394
 CIVIL AFFAIRS SECTION

10.
 16 August 1945.

AC/4076/2/L.

SUBJECT : Neo-fascist Officers.

AUG 1 1945

TO : See distribution.

1. Attention is drawn to the final sentence of paragraph 10 of this HQ letter of 10 June 1945 reference AC/4076/2/L, which requires the arrest and surrender to the Allies of high ranking neo-fascist officers.

2. AFHQ has ruled that no distinction is to be drawn between high ranking officers and other personnel of the neo-fascist forces.

3. The sentence above mentioned will therefore be cancelled. Neo-fascist personnel, regardless of rank, will be treated in accordance with either para 5 or the first part of para 10 of the letter of 10 June 1945 or this HQ letter, same reference, of 11 August 1945 as the case may be.

For the Chief Commissioner:

G. R. UPJOHN, Brig.,
 VP CA Section.

DISTRIBUTION:

AFHQ, G-5 Section
 RC, Liguria Region (12) (Attn: RIOS and RPSOs)
 " Piemonte (24)
 " Lombardia (24)
 " Venezia (36)
 " Venezia Giulia (24)
 for distribution to PLOs and PPSOs.

SCAO AMG 5 Army

G-2 5 Army

Executive Commissioner

Land Forces S/O

1374

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For the Chief Commissioner:

G. R. UPJOHN, Brig.,
VP CA Section.

1374

DISTRIBUTION:

AFHQ, G-5 Section
RO, Liguria Region (12) (Attn: RLOs and RPSOs)
" Piemonte (24)
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for distribution to PLOs and PPSOs.

SCAO AMG 5 Army

G-2 5 Army

Executive Commissioner

Land Forces S/C

Navy S/C

Air Forces S/C

Public Safety S/C

Public Health S/C

Local Govt S/C

Legal S/C

Education S/C

Monuments, Fine Arts and Archives S/C

Displaced Persons S/C

PA 16/5

(Mr. Kennedy)

785017

49

Ref/2063/19/10.

13 August 1945.

SUBJECT: New Fascist Prisons under U.S. Control.

TO: C - II, Allied Forces Headquarters.
(Att. Colonel Hyde).

1. Confirming telephone conversation (Col. Hyde - S/CAR
Hedge) of 13 August 1945.

2. It is noted that IV Command wish to postpone the
proposed visit to Ziga and Hologn Camps and the handover of
the Camps, until the 1st September 45.

3. This HQ is anxious for the handover to take place
as soon as possible in order to relieve the acute overcrowding
of civilian prisoners in the North, and as agreed verbally, will
await notification from Col. Hyde or Col. Devine as to the
earliest date when it could be effected, and their suggestions
with regard to a date for the visit to the Camps.

For the Chief Commissioner:

E. TALBOT

Brigadier,
Executive Commissioner.

see M. 50
SEE Folia 53

Copy to: M.H.L.A. (Ref their memorandum G/6 dated 8 Aug 45)
Public Safety Submissions

1373

BU
20/8
Noted

8263

48

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION

APO 394

CIVIL AFFAIRS SECTION

AC/407642/L.

/rlp.
11 August 1945.

SUBJECT : Detention of neo-fascist personnel.

AUG 1 1945

TO : See distribution.

1. This directive is issued to clarify the status of neo-fascist personnel who are now in custody in Italian prisons in AOC territory.

2. Certain regions are understood to desire the release without qualification of some or all neo-fascist personnel now held in custody against whom it is not intended to bring any criminal charge.

Other regions desire that for reasons either of security or public safety neo-fascist personnel now in custody should remain in custody.

3. Subject to para. 4 below, it is entirely a matter for the discretion of Regional Commissioners, to be decided upon consideration of local circumstances whether such personnel should be released or further detained, or whether some should be released and some retained.

4. So far as concerns the release of neo-fascist personnel who may have been returned to Italian custody from Allied custody it is the declared policy of Combined Chiefs of Staff that no neo-fascist who is or has been in Allied custody should be set at liberty before all cooperator personnel have been released. This latter event has not occurred. This Commission has therefore requested the Italian Government to ensure that any neo-fascist personnel handed back to the Italians from Allied custody will, unless sentenced to death and executed, remain in Italian custody until after the release of all cooperator personnel by the Allies.

5. With the exception indicated in para. 4 above, all neo-fascist personnel whom it is desired to release may be set at liberty forthwith.

6. They should not be retained in a common jail but should be transferred to an internees camp. It is appreciated, however, that in many areas this will not be possible and in such areas personnel may be temporarily retained in common jails pending removal.

For your information, arrangements are now being discussed with APO whereby a large internment camp at Modena will, it is hoped, be made available for reception of all such personnel, and they may be retained in common jails until such internment camp is available.

For the Chief Commissioner.

1392

1. This directive is issued to clarify the status of neo-fascist personnel who are now in custody in Italian prisons in ASG territory.
2. Certain regions are understood to desire the release without qualification of some or all neo-fascist personnel now held in custody against whom it is not intended to bring any criminal charge.

Other regions desire that for reasons either of security or public safety neo-fascist personnel now in custody should remain in custody.

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For your information, arrangements are now being discussed with AFHQ whereby a large internment camp at Modena will, it is hoped, be made available for reception of all such personnel, and they may be retained in common jails until such internment camp is available.

For the Chief Commissioner:

DISTRIBUTION:

AFHQ, G-5 Section

2C, Liguria Region (12) (Attn: ELAs and RPSOs)

" " " (24)

" " " (24)

" " " (36)

" " " (24)

For distribution to PLOs and RPSOs.

SCAD AHS 5 Army

G-2 5 Army

Executive Commissioner

Land Forces S/C

Navy S/C

Air Forces S/C

Public Safety S/C

Public Health S/C

Local Govt S/C

Legal S/C

Education S/C

Monuments, Fine Arts & Archives S/C

Displaced Persons S/C

G. R. Rubright
Chief, AFHQ, AFHQ, AFHQ
AFHQ Section.

(MAJ K) 100.

785017

~~7-26-45~~
CONFIDENTIALFX 33407
AUGE/3404
AUG 102000
ROUTINE
AUG 11 1945AFHQ SIGNED MCNARNEY CITE NAGAP
AGWAR WASHINGTON INFO AMST NASS ALCON

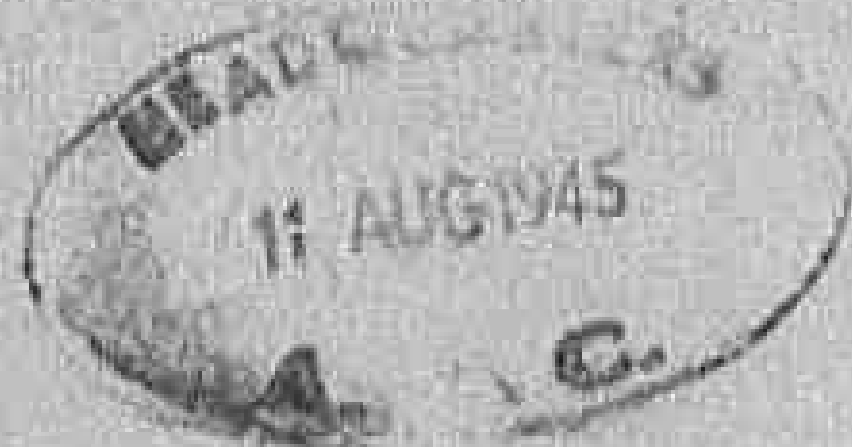
AUG 11 1945

CONFIDENTIAL.

Arrangements now being made here to turn over to Italian Government for holding and guarding all Italians in our custody including Neo-Fascists and Non-Cooperators. Reference is made to URAD WX 22754 and cables cited therein pertaining to 4050 surplus Italian officers in NASS. It is believed that these officers are not Non-Cooperators but simply surplus to overall needs in Italian Service Units. Propose that these be moved to ITALY, turned over to Italian Government for their holding or release. Your concurrence is requested.

DIST

INFO-ACTION WND & POW SC
INFO CHIEF COMMISSIONER
EX COMMISSIONER
CA 5 HQ
L FORCES
FILE 2
FLOAT

**CONFIDENTIAL**

1371

(S/DR P)

785017

8263

113

Subject: Neo-Fascist Prisoners in Pisa Camp under US Control

Land Forces
Sub Commission, AC (MOMIA)
Rome
G/6

8

August 1945

AUG 9. 1945

MEMORANDUM:

TO : Executive Commissioner, ALCOM (2)

1. Following the conference in your office yesterday, I personally visited the Minister for War regarding the taking over of the Pisa Camp by the Italian Government, and the following points were discussed and action will be taken as indicated:

a. The Minister for War will recommend to his Government that he become responsible for the Pisa Camp and the prisoners therein. To secure Government approval will take three to five days.

b. The US will furnish until 1 December 1945, items of the ration as shown on inclosure attached hereto under the heading "Allied Items" and the Italian Army will furnish the balance. This ration list was taken from the AFHQ publication.

c. The present two ITI-ITI Guard Battalions plus the Third Guard Regimental Headquarters will be assigned by the Allies to the camp and released to the Minister for War for guarding purposes.

d. The small US liaison detachment will remain at the camp for the time being. This liaison detachment will not command the camp, but will assist in administration until such time as the Italians are thoroughly familiar with the job. The size of this detachment would be agreed when representatives of all concerned visit the camp.

e. The disposition of these prisoners will, when the War Ministry takes over, become a matter for decision of the Italian Government. It is fully realized that if the population of the camp decreases, both the Allied and Italian commitment will also decrease.

(15 page held)

- 1 -

(S/DRP)

see M 44 to 46
see Folio 49

785017

2. The Minister for War does not desire to assume responsibility for a camp to be established at Modena. He is going to recommend to the Italian Government that the Italian Army furnish two battalions for guarding the camp, but that the Minister for Justice assume the administration of the camp including feeding the prisoners on the civilian prison ration scale. This appears to be the best solution in order not to commit the Italian Army to take over civilian responsibility.

3. As soon as the Italian Government finally acts on the Minister's recommendations, it would be well to have representatives of the War Minister, Minister for Justice, MMIA, Public Safety Sub Commission, POW Command, and AFHQ visit these camps and make arrangements on the ground. During the conference yesterday the offer was made for a plane to come to Rome and pick up the parties concerned, so that the camps could be visited in one day. It is requested that tentative arrangements be made for the plane to be available next Tuesday, 14 August, and I be advised if the plane will be available.

CLAYTON P. KERR, Colonel
for Major General
Land Forces
Sub Commission, AC (MMIA)

CPK/lak

Incl 1: POW Rations

* M.E.

AC to provide an
interpreter

Col Hyde (A)

Freedom 51 - 8

1369

Chiamperio

0785

Note to Briggs

MMIA A notifying Cont. rep.

AFHQ

for Com

POW Command, making arrangements for
Public Safety 2

7 August 1945

(11)

POW RATIONSAllied Items

Flour or biscuit	12 oz
Canned meat	2 oz
Dry vegetables	3 oz (P/B/L)
Sugar	1/2 oz
Milk powder	2/3 oz
Coffee	1/2 oz
Cheese	1/4 oz

Italian Items

Fresh vegetables	8 oz
Fresh fruit	4 oz
Salt	3/8 oz
Olive oil	1 oz

About 2,000 calories

1368

785017

40

Ref: 8263/40/20.

7 August 1945.

SUBJECT: Italian Neo-Fascist Soldiers.

TO : Land Forces Sub-Commission (M&IA)
Attn: Col. Kerr.

With reference to conversation at this morning's meeting,
attached is correspondence for your information AND ACTION.

1 36 + 39

V/E T. A. A. A. A.
Chief Staff Officer,
To the Executive Commission.

Encs: 2.

1367

per BC 21/2
MP Noted
per MP 22/2

PA
7/8

h.

785017

8263

Ex. Com.

Ref: AC/4076/2/L.

31 July 45.

AUG 1 1945

My dear Mr. Prime Minister:

As you are aware this Commission has been requested from time to time by Italian judicial authorities to hand over to them for trial various neo-fascists who have been taken into custody by the Allied Forces. This has happened on several occasions when the neo-fascists had previously been removed from Italian jails by the Allied Forces.

This Commission has informed both the Minister of War and the Minister of Justice that the Allied Forces are prepared to hand over such persons for trial by the Italian Courts provided that the charge against them is of some positive act of collaboration and not merely the charge of being members of the neo-fascist forces.

This Commission has now been instructed that all neo-fascist personnel who are held in custody by the Allies must remain in some form of custody until after the release of all co-operator personnel who may now be held by the Allies in any part of the world.

The Allied Forces desire to continue the handover to Italian authorities of neo-fascist personnel in accordance with the policy mentioned above; in view of the recent instructions, however, this policy can only be continued if the Italian Government will undertake that all personnel so handed over will be retained in custody, unless sentenced to death and executed, until all co-operator personnel have been released, whatever may be the result of the criminal proceedings of the neo-fascists.

In order not to delay the trial of neo-fascist personnel by the Italian authorities, I shall be glad to have your assurance that the above procedure will be adhered to by the Italian Government.

Yours very truly,

XX

1366

[s] Ellery W. Stone

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

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

Copy to KMD-1 POW.
Copy to Land Forces see 40.

See 2nd 1/8

MP.

785017

SECRETF27953
JUL 25 1659BF/1350
JUL 26 1400B
ROUTINEFrom: FREEDOM SIGNED SACRED CITE WING
To: ALCON ROME

CONFIDENTIAL

313 H Col/Reg 12

SECRET.

1. Combined Chiefs of Staff have declared policy that all neo-Fascist military personnel whether male or female, prisoners of war or surrendered enemy personnel and all non-cooperator prisoners of war shall remain in custody until all cooperator personnel wherever held, have been released.

2. Accordingly the turnover of neo-Fascists military personnel and non/cooperator prisoners of war to the Italian Government is contingent upon the undertaking by the Italian Government to retain such persons in their custody until all cooperators wherever held have been released.

3. You are requested to take up this matter with the Italian Government with a view to procuring their agreement to act in accordance with paragraph 2 above.

DIST

ACTION: WMD & POW SC
INFO: Chief Commissioner
CA Sec
File 2
Float

H. P. Picken

You have let
to long signed on
important policy like
this to secure

SECRET

Copy to Lord Fraser in Tokyo

F13637/7

Beant with

27/7

M379
80PA
27/7

785017

826391
RESTRICTED

Ex Comm.

EXX/12/20/C/03.4
JULY 16/1430h

1/9723
JULY 16/2040h
ROUTINE

From: LEGAL DIVISION AND VENEZIA REGION
To: ALDO ACCAS

JUL 17 1945



RESTRICTED.

Reference AFHQ signal EX 20293 dated 10 July. It is understood that both number 1 District and 26 AFHQ are requesting express authority from AFHQ to hand over to Allied custody two fascist personnel not required for trial in Italian courts but now in Italian custody. This headquarters strongly supports such request in the interests of public safety. It is feared that if two fascists not required for trial are released grave disorders may result. Considered most desirable that such persons be removed from this part of ITALY and be held in Allied custody

REF

ACTION : CAS (2)

**INFO : CHIEF COMMISSIONER
EX COMMISSIONER
PUBLIC SAFETY
FILE (2)
HCAF**

1364

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RESTRICTED

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34

~~CONFIDENTIAL~~
 HEADQUARTERS ALLIED COMMISSION
 APO 394
 CIVIL AFFAIRS SECTION

AC/4076/2/L.

/r18.
13 July 1945.

SUBJECT : Status of Neo-Fascist Personnel.

JUL 13 1945

TO : See Distribution List.

1. Further to this Commission's directive of 10 June 1945, reference as above, and subsequent communications concerning paras. 6 and 7 thereof, AFHQ have now notified this Commission as follows:

"Neo-Fascist military personnel in Allied custody who have not been recorded POW status and who are requested for trial by Italian Government may be turned over to Italian custody."

2. Any neo-fascists therefore who have already been removed from Italian custody to prisoner of war or concentration camps, but have not been officially recorded prisoner of war status come within the terms of this order if they are requested for trial by the Italian Government.

3. It is accordingly requested that the military authorities issue the necessary orders to enable such personnel to be returned when requested and that all possible facilities be afforded to the Italian authorities to enable them to ascertain whether persons desired for trial are in fact held in Allied custody.

By command of Rear Admiral STONE:

G. R. Upjohn
 G. R. UPJOHN, Brig.,
 VP CA Sec, HQ AC.

DISTRIBUTION:

Hqs (Attn: HLCs).

EMILIA, LIGURIA, PIEMONTE, LOMBARDIA, VENETIE and VENEZIA GIULIA Regions
(for distribution down to HLCs).

SCAs, 5th and 8th Armies;

Hq, IV Corps, G-5;

5th Army, G-2;

8th Army, G-3I (b);

Exec Comr;

Public Safety S/C;

Land Forces S/C (MMIA);

Navy S/C;

Air Forces S/C.

1363

Copy to 9001/EC

SECRET

(1 - STAKE - C-1)

(1 - STAKE - C-1)

785017

Ex. Comm. 4825

32

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FTH/AMB/pc

5 July 1945

JUL 7 1945

G-5: 383.6-11

SUBJECT : Neo Fascists Military Personnel.

TO : Headquarters, Allied Commission, APO 394.

1. On 20 June 1945 Fifth Army signalled this Headquarters certain enquiries concerning disposition of former members of Republican Fascist Forces (2825, 20 June 1945.)

2. On 26 June 1945 you made enquiry as to whether this Headquarters was taking action on subject signal (607 of 26 June 1945). The enquiry has been repeated (1183 of 4 July 1945).

3. Attention is invited to our signal to Fifth Army EX 14026 of 28 June 1945, in reply to their enquiry. Your Headquarters is listed as an information addressee.

For the Assistant Chief of Staff, G-5:



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

See M 33

1 SPARE HELD

P/A 1362

(Mrs. Anderson)

30

AFHQ

11/25

4 JUL 45

ROUTINE

IN CLEAR PD

URGENT¹⁸ OUR SIX ZERO SEVEN OF TWO SIX JUNE 45

PLEASE TO ADVISE THE OFFICE HAVE BEEN IN ALCON CITY AGING PABSE

GRATISFUL IF WE MAY BE INFORMED OF ANY ACTION TAKEN ON SIGNAL TWO EIGHT TWO

FIVE OF TWENTY JUNE FROM FIVE ARMY

30

26

B/u
8/7
1361
15/7
12/32

Office of New Consistency

75

(Sg) ESM
104

785017

Ex Commissioner (2)

31A

CONFIDENTIAL

EX 14026

E/7179

JUNE 28/1113B

JUNE 28/1600B

PRIORITY

FRONT: AFHQ SIGNED SACRED CITY PHOT

10: 5TH ARMY INFO: 8TH ARMY, 15 ARMY GROUP, ALLIED ROLES

CONFIDENTIAL.

1. Your para 1 first sentence agreed only in so far as persons in question have expressly been accorded PR status. Refr 2825. Under 43 383.6/121 GBT - of 18 May 1945, however, surrendered personnel are not to be accorded PR status except on express instructions of AFHQ.

2. Concerning balance your para one, NEO-fascists will be taken from Italian custody into Allied custody only in accordance with express direction from AFHQ. The fact that NEO-fascists now in Italian custody were formerly in Allied custody will not in itself require their removal to Allied custody.

3. Agree your para two. See our 96761.

LIST

INFO-ACTION : LAND FORCES SC (2)
PUBLIC SAFETY SC

INFO : CHIEF COMMISSIONER
CA SEC
FILE 9369
FICAT
LEGAL SC
EX COMMISSIONER

CONFIDENTIAL

11/11/45
(Att. General)

785017

30

AFHQ
REPEATED 5th Army

607

26 June 45.

Priority

26

CONFIDENTIAL PD

REFERENCE SIGNAL TWO EIGHT TWO FIVE OF TWENTIETH JUNE FROM HEADQUARTERS
FIFTH ARMY PD

PAREN TO GEORGE FIVE AFHQ FROM HEADQUARTERS ALCOM REPEATED GEORGE FIVE
FIFTH ARMY CITE AGEKE PAREN

PLEASE INFORM US IF YOU ARE ACTING ON THIS SIGNAL. ~~WHICH SHOULD HAVE~~
~~BEEN ADDRESSED TO THIS HEADQUARTERS IS~~

Copy To: CA Sec
(+ Lcom sec)

Office of Executive Commissioner

300

E. Talbot
Lieut. Col.

See 31-32
BO 2/7 (NOTED)

1359

785017

8263
CONFIDENTIAL
6072825
JUN 20 1945E/5978
JUN 21 0830B
PRIORITY
JUN 21 1945

From: HQ 5 ARMY FROM G-5 SECTION CITE F 240
 To: AFHQ FOR PROMPT FOR ACTION RPT TO HQ ALCOM HOME FOR INFO. TO HQ 15 ARMY
 GROUP FOR G-5 FOR INFO

CONFIDENTIAL

Reference is made to AFHQ letter dated 6 March 1945 AG 983.6/121BRI-0 concerning captured members Republican Fascist armed forces, letter HQ ALCOM dated 10 June 1945 AG/4076/2/L subject "Status of Neo-Fascist personnel" and AFHQ cable VR 177 time date group 191753B. Application of AFHQ letter to present situation is difficult and following is proposed course of action by 5 ARMY or which approval is requested.

1. All members of Republican Fascist armed forces now in Allied prisoner of war camps will continue to be treated as prisoners of war. Italians now in Italian custody will not be removed therefrom on the ground that they are prisoners of war unless this status is established by the prisoner. Allied Military Government will provide an opportunity for a hearing on this subject. The burden of proof will rest on the person asserting prisoner of war status.

2. Persons in Italian custody charged with specific crimes, other than simple membership in Fascist forces, may be tried in Italian courts without regard to their possible status as prisoners of war.

HEADQUARTERS

21 JUN 1945

LIST

INFO-ACTION: Legal 3450 429
 INFO: Chief Commissioner
 Ex Commissioner
 CA Sec
 File 2
 Float

CONFIDENTIAL

785017

8263

25

JUN 21 1945

Ref: AG/4076/2/L.

20 June 1945

My dear General:

You will remember that I mentioned to you in MILAN the conflicting ideas regarding Italian neo-Fascist soldiers and you told me that unless they had been captured in battle they were not regarded as POW.

You will observe from the attached directive issued from here that we have taken the view that such soldiers should be put at the disposal of the Italian authorities whether they have been put in jail by the partisans, as is often the case, or whether they are at large. 5th Army take the view that such neo-Fascist soldiers are the responsibility of the Army and if found in Italian jails must be removed by 5th Army and placed in POW camps. They are acting on this assumption.

See AFHQ have submitted to the Combined Chiefs of Staff a study on the general policy of neo-Fascist personnel without referring to this specific type of case and pending a reply have refused to authorise the surrender to the Italian authorities of men who have been taken into POW camps from Italian jails.

I should be grateful if, without waiting for approval from the Combined Chiefs of Staff, which, I submit, is unnecessary, you could cause the directive sent out by us to carry ~~our~~ your authority.

Yours sincerely,

(Signed) MAURICE LUSH.

Lieut. General Sir Brian H. Robertson, Bt.,
K.C.V.O., C.B., C.B.E., D.S.O., M.C.,
Chief Administrative Officer,
ALLIED FORCE HEADQUARTERS.

Copy to: Executive Commissioner. _____

1357

MIL/JG.

785017

COPY

INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSION

JUN 21 1943

Originator's Reference: 2739

Message Centre No. E/5430

Date/Time of Origin: JUNE 170923B

Date Time Rec'd: June 171020B

Precedence: PRIORITY

FROM: G-5 ARMY FOR HUMS OTTE OUR P236

TO: HQ ALOCM.

CONFIDENTIAL

CONFIDENTIAL.

Reference your cable 9304 dated 7 June, also letter AO/4076/2/L dated 10 June, subject: Status of Neo Fascist personnel both of which had direct distribution to Regional Commissioners; as these communications are modified by AFHQ cable VR 1777 dated 13 June request that a communication from ALOCM having distribution similar to that of 2 mentioned above be issued to implement the modifications made by AFHQ cable. Also suggest desirability of modifying paragraph 8 of ALOCM letter, as AFHQ cable indicates status of Prisoners of War held by Allied and consequences of that status do not depend on Italian law. Our cable P234 of 11 June asked for a copy of AFHQ Directive reference AS 383.6/124 GECO, cite in your cable 9304 of 7 June. Not received yet. Would appreciate sending us copy fastest means.

DEST

ACTION - LEGAL
INFO - CHIEF COMMISSIONER
CAS
FILE 2
FICAT

CONFIDENTIAL

785017

C O P Y

C A B L E

JUN 21 1945

FROM : Allied Commission Legal Sub-Commission.

TO : AFHQ G-5

Signal No. 9780

Date: 14 June 1945

Precedence: PRIORITY

RESTRICTED.

1. Reference is made to your FX XRAY 92421 of 13 June and relevant letters.

2. On about 27 May 2300 Neo fascist personnel then in Italian custody in Como and Sondrio Provinces were removed by Allied troops on order of 4th Corps and transferred to camps at Modena and Piacenza. 4th Corps informed AMG Lombardia that this was in pursuance of directive of 6 March 1945. These 2300 included several criminals whom Italian Courts wished to try for murders and similar acts. It is considered that these persons are properly subject to Italian jurisdiction and their removal has caused great resentment. It is not known whether or not they have been officially informed that they are prisoners of war but in any case it is suggested that individuals whom the Italian authorities wish to try for serious crimes should be returned. If desired it can be provided that in the event of acquittal they are handed back to prisoner of war cage. Request necessary authority both in respect of this group of neo fascists and any other similar cases.

LEGAL Sub-Commission
302

1355

785017

G O X

INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSION

JUN 21 1945

Ref. FX 92421

Message Centre No. E/4909

Date/Time of Origin: Jun 131753B

Date Time Rec'd: JUN 131935B
Precedence: PRIORITY

TO : ALOCM ROME INFO 15 ARMY GROUP, 8 ARMY, 5 ARMY.

CONFIDENTIAL

CONFIDENTIAL

1. Reference is made to ALOCM letter AG/4076/2/L. subject: Status of Neo Fascist personnel, dated 10 June 1945, and to ANHQ letters to ALOCM AG 383.6/121GEG-O dated 5 June, subject: Disposal of Prisoners in LOMBARDIA Region and G-5: 383.6-11 dated 6 June, subject: Fascist Republicans - Prisoners of War.
2. No authority exists for release from Allied custody of Neo Fascist personnel in custody as prisoners of war. Directives in conflict with this which are set forth in para 6 and 7 of ALOCM letter of 10 June are not authorized.
3. Neither does authority exist for final paragraph of ALOCM letter of 10 June which creates separate category for high ranking Neo Fascist officers.

DISTACTION: Legal S/C
INFO : Chief Commissioner
CA Sec
File 2
Fleat

1354

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION

APO 394

CIVIL AFFAIRS SECTION

AO/4076/2H.

SUBJECT : Status of neo-fascist personnel.

TO : See distribution.

/rlp.
10 June 1945.

10 June 1945 Red

1. Certain confusion appears to exist as to the status of neo-fascist military personnel who have been taken into custody by the Italian authorities or who may be apprehended in the future by either Allied or Italian authorities. It has been suggested that these personnel are entitled to treatment as prisoners of war, and in this connection reference has been made to AFHQ directive AG-383-6/121 GBI-O of 6 March 1945.

2. In order to clarify the position certain questions were addressed to AFHQ and this letter is based upon the answers received. AFHQ have stated that the problem has been referred for final decision to the Combined Chiefs of Staff, and the terms of this letter are accordingly subject to any further instructions which may be issued hereafter by the Combined Chiefs of Staff.

3. In September 1944 the Italian Government agreed that Italian neo-fascists, in uniform and organized under the provisions of international law, captured by the Allies, should be treated as prisoners of war in accordance with the Geneva Convention in the same manner as German prisoners of war.

The term "neo-fascists" includes all Italian fascists who fought for the Republican Italian Government since the Italian Armistice.

4. From the point of view of the Italian Government the purpose of this agreement was, undoubtedly, to secure reciprocity of treatment for soldiers of the (official) Italian Army when captured by the Germans. It would seem to follow from this agreement that the Italian Government should not now seek to prosecute neo-fascists on the sole ground that, by fighting on the side of the Germans, they are guilty of treachery or collaboration with the Germans.

5. It is no part of this agreement that neo-fascist personnel who are now either at large or in Italian custody should be taken into Allied custody or control. On the contrary, they should be left in Italian custody and, if the Italian authorities desire to institute criminal proceedings against them, they should be allowed to remain subject to trial or other disposition in accordance with Italian law. In this connection, however, it may be desirable to draw to the attention of the Italian Courts the existence of the agreement of September 1944 as indicating that such proceedings should not be instituted solely on the ground of fighting with the neo-fascist forces.

1. Certain confusion appears to exist as to the status of neo-fascist military personnel who have been taken into custody by the Italian authorities or who may be apprehended in the future by either Allied or Italian authorities. It has been suggested that these personnel are entitled to treatment as prisoners of war, and in this connection reference has been made to AFHQ directive AT-383-6/21 GBI-O of 6 March 1945.

2. In order to clarify the position certain questions were addressed to AFHQ and this letter is based upon the answers received. AFHQ have stated that the problem has been referred for final decision to the Combined Chiefs of Staff, and the terms of this letter are accordingly subject to any further instructions which may be issued hereafter by the Combined Chiefs of Staff.

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5. It is no part of this agreement that neo-fascist personnel who are now either at large or in Italian custody should be taken into Allied custody or control. On the contrary, they should be left in Italian custody and, if the Italian authorities desire to institute criminal proceedings against them, they should be allowed to remain subject to trial or other disposition in accordance with Italian law. In this connection, however, it may be desirable to draw to the attention of the Italian Courts the existence of the agreement of September 1944 as indicating that such proceedings should not be instituted solely on the ground of fighting with the neo-fascist forces.

6. It follows from the above that where such neo-fascists have already been removed from Italian custody to prisoners of war or concentration camps and the Italian authorities desire to try them for serious crimes (and not solely on account of their neo-fascist status) they should be handed back to the Italian authorities for trial.

7. It is accordingly requested that the military authorities issue the necessary orders to prevent the further removal from Italian prisons of neo-fascist personnel now incarcerated, and to enable any such personnel who have already been removed and are required for trial as above, to be returned.

8. In certain cases in Lombardy region persons who have been brought to trial before the Italian courts have claimed to be outside the jurisdiction of these courts by virtue of their prisoner of war status. In such cases the court should be informed that the question is a matter solely of Italian law, to which perhaps the agreement mentioned in paragraph 3 may have some relevance, and that the Allies have no cause to intervene.

Approved by the 900th Air Refueling Wing

785017

9. It is however possible that among the neo-fascists in Italian custody there may be found Italians who are listed as war criminals by the United Nations War Crimes Commission. If any such case comes to light this Commission should be informed forthwith.

10. So far as concerns neo-fascist personnel who are still at large and have not yet been taken into custody by either Allied or Italian authorities, there is no obligation on the Allies to arrest such personnel or make them prisoners of war. The decision as to the action to be taken concerning them must be the responsibility of the Italian Government, subject always to the right of the Allies to require, even in Italian Government territory, that such personnel as may be desired shall be handed over to the Allies for internment on security grounds.

All high ranking officers of the neo-fascist navy, army and air force will be arrested, if still at large, and handed over to the Allies for internment.

BY command of Rear Admiral STONE.

G. R. UPJOHN, Br-3,
VP CA Sec, HQ AC.

DISTRIBUTION.

PCS (Attn. RLOs)
TOSCANA, EMILIA, LIGURIA, PIEMONTE, LOMBARDIA, VENETIE AND VENEZIA
GIULIA Regions (for distribution down to FLOs);
Zone Commissioners, NAZIS, ANZONI.
SC40s, 5th and 8th Armies;
HQ, IV Corps, G-5;
HQ, 15th Army GP, G-5;
HQ, 15th Army GP, G-2; } request action as in Para. 7
5th Army, G-2; }
8th Army, G-SI (b); }
AFHQ, G-5;
AFHQ, AG;
AFHQ, G-2;
RAC;
Executive Commissioner;
Public Safety Sub-Commission;
Land Forces Sub-Commission (MILA);
Navy Sub-Commission;
Air Forces Sub-Commission;
AC Liaison Officer, RAC.

All high ranking officers of the neo-fascist navy, army and air force will be arrested, if still at large, and handed over to the allies for internment.

BY command of Rear Admiral STONE.

G. R. UPJOHN, ET AL.
VP CL Sec, HQ AO.

DISTRIBUTION.

AOs (Attn. FLOs)
TOSCANA, EMILIA, LIGURIA, PIEMONTE, LOMBARDIA, VENETIE AND VENETIE
CIVILIA Regions (for distribution down to FLOs);
Zone Commissioners, NAZIS, ANCONA.

SCAGS, 5th and 8th Armies;

Hq, IV Corps, G-5;

Hq, 15th Army GP, G-5;

Hq, 15th Army GP, G-2;

5th Army, G-2;

8th Army, G-SI (by);

AFHQ, G-5;

AFHQ, AG;

AFHQ, G-2;

AFHQ;

Executive Commission;

Public Safety Sub-Commission;

Land Forces Sub-Commission (MUDA);

Navy Sub-Commission;

Air Forces Sub-Commission;

IC Liaison officer, RAC

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request action as in Para. 7

Westure, RAC.

785017

COPY

- Original -
file 9001/EC

23

CONFIDENTIAL

ALLIED FORCE HEADQUARTERS
AFO 512

AG 383.6/121 GBI-0

6 March 1945

SUBJECT : Disposal of Present and Former Members of the Republican
Fascist Armed Forces Captured by the Allies.

TO : All Concerned.

1. In accordance with the policy approved by the Combined Chiefs of Staff, all Italians serving in the Republican Fascist Armed Forces who fall into the hands of the Allies, either during operations or behind our lines, wearing either uniform or a fixed distinctive emblem within the terms of the Hague Convention respecting the Laws and Customs of War on Land, will be treated as enemy prisoners of war.
2. This policy applies not only to personnel of the Republican Fascist Army, Navy and Air Force, but also to such forces as "The Black Brigades" (Brigate Nere) and "National Republican Guard" (Guardia Nazionale Repubblicana) with the exception that members of the GNR drawn from the CC.RR. (Carabinieri Reale) will be treated in accordance with paragraph 3 (d) below.
3. Italians who are encountered in the course of our advance will fall into one of the following classes :
 - a. Members of the enemy armed forces in uniform. These will be disposed of as military prisoners of war.
 - b. Men who, although unarmed and in civilian clothes are found on investigation to have been members of the enemy armed forces at the time when they were over run. These will also be disposed of as military prisoners of war.
 - c. Civilians - including those who are able to prove that, either by dismissal or desertion, they had already ceased to be members of the enemy armed forces at the time they were over run. These will only be arrested if they are considered to be a danger to security in which case they will be disposed of as civilian internees.
 - d. CC.RR. personnel will normally be instructed to report to the nearest AMG Public Safety Officer, who will arrange for them to proceed to the appropriate CC.RR. reception centre where they will be screened. These centres are at present located at ROME (for officers) and FLORENCE (for enlisted men). Any information which which FSP/CIC may obtain concerning such members which would assist the screening officers at the reception centres in deciding how to deal with them, should be passed to the nearest Public Safety Officer. If no Public Safety Officer is readily available, it would be of assistance to AMG if such CC.RR. personnel were despatched to the reception centre concerned. CC.RR. personnel will only be arrested if positive information is obtained indicating that they will probably present a danger to Allied

security/.....

- 2 -

if left at liberty. In that case they will be disposed of as military prisoners of war.

4. In order to ensure that such persons who have the status of military prisoner of war are not mistaken for civilian internees, even though they may be wearing civilian clothes, it is important that their escort should be provided with a nominal roll of all prisoners of war in civilian clothes stating that they are to be treated as prisoners of war because they have been identified as members of the enemy armed forces and adding when possible, the unit or organization to which they belonged. This document should be clearly distinguishable from the arrest report used for civilian internees.

BY COMMAND OF FIELD MARSHAL ALEXANDER :

R.H. FRESE
Captain, AGD
Asst Adjutant General

785017

8263

(22)

12
HQ 15 Army Group, 5 Army, 8 Army and IV Corps for information AFHQ and Regional Commissioners (Attas Regional Legal Officers) EMILIA, LIGURIA, PIEMONTE, LOBARDIA, VENEZIA and VENEZIA GIULIA Regions

9304

7 June 1945

PRIORITY

RESTRICTED PD

SUBJECT IS MEMBERS OF BRIGATE NERE AND SIMILAR ORGANIZATIONS IN ITALIAN PRISONS IN CIVILIAN CLOTHING PD.

PARIN TO HQ FIFTEEN ARMY GROUP CMA FIFTH ARMY CMA EIGHT ARMY AND FOUR CORPS CMA AND FOR INFORMATION TO AFHQ AND REGIONAL COMMISSIONERS PARIN ATTENTION REGIONAL LEGAL OFFICERS PARIN EMILIA CMA LIGURIA CMA PIEMONTE CMA LOBARDIA CMA VENEZIA AND VENEZIA GIULIA REGIONS FROM HQ ALCON CITE ASLIG PARIN

PARA ONE PD AFHQ HAS DIRECTED THAT PENDING FURTHER INSTRUCTIONS FROM COMBINED CHIEFS OF STAFF SUCH NEO FASCIST MILITARY PERSONNEL IN ITALIAN CUSTODY WILL BE LEFT IN ITALIAN CUSTODY FOR TRIAL AND DISPOSITION BY ITALIAN COURTS UNDER ITALIAN LAW PD REFERENCE IS ABIN GEORGE THREE EIGHT THREE POINT SIX SLANT ONE TWO ONE SLANT GEORGE EASY GEORGE EDOES OF FIVE JUNE PD

PARA TWO PD IT FOLLOWS FROM THIS DIRECTIVE THAT SUCH PERSONS SHOULD NOT THEREFORE BE REGARDED AS PRISONERS OF WAR PD

PARA THREE PD REQUEST THAT NECESSARY INSTRUCTIONS BE ISSUED IMMEDIATELY TO MILITARY UNITS FOR SUCH PRISONERS TO BE LEFT IN PRISON FOR TRIAL

LEGAL SUB-COMMISSION

Internal distribution

302

Executive Commissioner

C. A. See

Public Safety Sub-Commission

PA 11/6.

COPY

IPW/1/13/41

24 May 1945

SUBJECT: Return of soldiers of the Brigade Nere from the North.

TO : Italian High Commissioner for Prisoners of War.

1. The President of the Council of Ministers wrote on 14 May 1945 letter No. 16878 to Admiral Stone, regarding soldiers of the Brigade Nere who were returning to the Provinces, and causing serious trouble in the villages.

2. I replied to Mr. Bonomi on 21 May 1945 - my reference I.P.W./1/13/38.

3. I have now been requested by the Armies to cite individual instances, and I shall be pleased if you could get this information for me from the Prime Minister so that I may forward it as evidence.

J. A. CAMPBELL
Lieut.-Colonel
Director
WMD & IPOW Sub-Com/

Copy to E.C. (2)

(Sent by CSO)
PA
29/5

1350 21

785017

COPY

(19)

CAS 544

E/1849
May 22134 OD

From: 15 ARMY GROUP CITE CAS 544

To : ALCOM CITE ACKMD

SECRET

Ref your ALCOM 8089. You are requested to be specific.
Unless individual instances of violence are cited it is difficult
to establish evidence.

Dist

Action - WMD - & IPW SC
Info - A/President
Chief Commissioner
File 2
Float

1349

Copy to E.C. (2)

785017

8262
C O P Y

(18)

G-5 15 th ARMY GROUP

8089

21 MAY 1945

PRIORITY

MAY 28 1945

SECRET PD

PARA ONE PD ITALIAN GOVERNMENT COMPLAIN OF SOLDIERS OF THE
BRIGADE NERE RETURNING TO THE PROVINCES CAUSING TROUBLE AND
BLOODSHED PD

PARA TWO GEORGE DASH FIVE FIFTEENTH ARMY GROUP FROM ALCOM CITE
ACWMD PAREN

PARA TWO PD THEY REQUEST STEPS BE TAKEN TO GATHER ALL SUCH
ELEMENTS INTO CONCENTRATION CAMPS IN NORTH ITALY UNTIL POSITION
FULLY DEFINED PD

WMD & IPOW SUB COM

288

Nicholas Piombino
CWO. U.S.A.
Asst., Adjutant

Copy to E.C. (2)

1348

785017

8263
C O P Y

(17)

Ref. IPW/1/13/38

21 May 1945

15 MAY 28 1945

My dear Mr. Prime Minister,

With reference to your letter N° 16876 dated 14 May 1945 addressed to Admiral Stone.

I have to inform you that when the matter was referred to the Armies in the North, I was assured that everything possible was being done to round up all neo-fascists, who would be immediately interned.

I have again requested that all action possible be taken to ensure that all neo-fascists are taken into custody.

Yours very truly,

(J.A.C.)

J.A.C.

J.A. CAMPBELL
Lieut.-Colonel
Director
WMD & IPOW Sub-Com.

His Excellency Ivanoe Bonomi
The President of the Council of Ministers
Italian Government
Rome

1347

Copy to E.C. (2)

785017

82630

(15)

Translation

The President of the Council of Ministers

16876

Rome, 14 May 1945

Dear Admiral,

various Prefects informed me that elements of the neo-fascist formations and chiefly soldiers of the Brigade Nere are beginning to return to the provinces, coming from North Italy; their arrival in the villages cause serious trouble and even bloodshed.

To avoid those who are recognized from being a cause of new trouble, as well as to prevent those who escape popular anger from escaping also legal punishment, I ordered the arrest of the elements who have already arrived; I shall be most grateful if you will suggest to the Allied Military Authorities the advisability of gathering in adequate concentration camps in North Italy the members of the neo-fascist formations till their position will be defined, or somehow, to prevent their return as long as the necessary security measures have not been decided with the competent offices of the Commission.

Waiting for your answer, I remain,

Truly yours,

S. I. Bonomi

Admiral Henry W. Stone
Chief Commissioner
Allied Commission
Rome

E.C. DIST-16 MAY 45

ACTION: WHD:16045

INFO: CHIEF COMMR

1346

CHIEF

see M 16

14/5

c.c.

(MAG Sins)

BU 26
ET
5
Noted

785017

~~SECRET~~

~~CONFIDENTIAL~~

13

Tel: 300

11 April 1945.

12/4

Ref: 8263/13/EC.

SUBJECT: Status of Personnel of Italian Fascist Forces
in event of enemy surrender.

TO : War Material Disposal and Italian PW Sub-Commission.

The attached extract from the Minutes of SACRED's (Political)
Conference held on 5 April 1945, subject as above, is forwarded for
your information.

Major E. Tatham

Chief Staff Officer,
To Executive Commissioner.

Incl:
as above

see M 14

1345

PA.
12/4

EXTRACT.

~~CONFIDENTIAL~~
EXTRACT.

Extract from the Minutes of SACRED - (Political)
Conference held on 5th April 1945.
(Original on File 217/EC).

Minute 4.

"4. STATUS OF PERSONNEL OF ITALIAN FASCIST FORCES IN EVENT OF ENEMY SURRENDER.

(JPS Study No. P/273 (Final)).

THE CONFERENCE had before them a draft paper, recommending that, in the event of enemy surrender, Italian Fascist forces should be treated on the same terms as disarmed Germans, until such time as the policy regarding the status and treatment of Italian prisoners of war is settled, and attaching a draft cable to the Combined Chiefs of Staff requesting their approval.

BRIGADIER GENERAL EBERLE, in answer to a question by the Deputy Supreme Allied Commander, stated that the term "neo Fascists" applied to those Italian Fascists who fought for the Republican Italian government since the Italian Armistice. In NAf 876, it had been proposed to the Combined Chiefs of Staff that those Italians falling within the general term "Italian neo Fascists" would not be turned over to the Italian government for custody in the same way as certain other categories of Italian prisoners of war and civilian internees. The proposal of the Joint Planning Staff was that the "neo Fascists", who were already prisoners of war, and those Italian Fascists captured as a result of German surrender, should be considered to be in the same group as far as concerned their handover to the custody of the Italian government. It might not be necessary for the Supreme Allied Commander to retain these personnel in Allied custody for as long as would be the case in regard to German prisoners of war and "surrendered Germans".

LIEUTENANT GENERAL ROBERTSON questioned the necessity of despatching the telegram which was now before the Conference. He was of the opinion that the Combined Chiefs of Staff should not be asked to consider at this time a question so involved, especially as they had already been informed that these Italians would initially be treated on the same terms as disarmed Germans.

THE DEPUTY SUPREME ALLIED COMMANDER directed:

- (a) That the recommendation of the Joint Planning Staff, that personnel of the Italian Fascist forces should be treated on the same terms as disarmed Germans, until such time as the policy regarding the status and treatment of Italian prisoners of war in Allied hands is settled and the Italian Government is deemed by the Supreme Allied Commander to be in a position to deal with them, should for the present be accepted as theatre policy.

- (b) That no further communication should be despatched to the Combined Chiefs of Staff on this subject pending a reply

had before them a draft paper, recommending that, in the event of any surrender, Italian Fascist forces should be treated on the same terms as disarmed Germans, until such time as the policy regarding the status and treatment of Italian prisoners of war is settled, and attaching a draft cable to the Combined Chiefs of Staff requesting their approval.

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- (b) That no further communication should be despatched to the Combined Chiefs of Staff on this subject pending a reply to MAF 876 on receipt of which the subject should be reviewed.

1343

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13

P/273 (Final)

~~SECRET~~

4263.

of

ALLIED FORCE HEADQUARTERS

Mediterranean Joint Planning Staff

SECRET

COPY NO. 25

~~CONFIDENTIAL~~

30 March 1945

APR 3 1945

STATUS OF PERSONNEL OF ITALIAN FASCIST FORCES
IN THE EVENT OF ENEMY SURRENDER

Cover Note by MJPS

1. In accordance with instructions received in a memorandum from the Chief of Staff dated 23 March 45, the MJPS have examined the status which is desirable to afford to personnel of the Italian Fascist forces in the event of enemy surrender in ITALY.
2. A paper is attached containing their recommendations on the policy which should be adopted, together with a draft signal to the Combined Chiefs of Staff.

W. A. ADMIRAL

G. L. EBERLE
Brig. General, U.S.A.
G-3 Plans

R. B. Lokenham

L. T. PANKHURST
Air Commodore
MAAF Plans

W. A. ADMIRAL

W. A. ADMIRAL
Commander
Staff Officer, Plans

DISTRIBUTION

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

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2. A paper is attached containing their recommendations on the policy which should be adopted, together with a draft signal to the Combined Chiefs of Staff.

W. A. M. 13/5

G. L. 330013
Brig. General, U.S.A.
G-3 Plans

R. B. C. 13/5
for L. T. PANKHURST
Air Commodore
MAF Plans

W. A. M. 13/5
W. A. M. 13/5
Commander
Staff Officer, Plans

DISTRIBUTION
List 'A'

URGENT

18a

SECRET

P/273 (Final)

SECRET**ALLIED FORCE HEADQUARTERS**

Mediterranean Joint Planning Staff

30 March 1945

**STATUS OF PERSONNEL OF ITALIAN FASCIST FORCES
IN THE EVENT OF ENEMY SURRENDER****OBJECT**

1. To examine the status which it is desirable to accord the personnel of the Italian Fascist forces in the event of enemy surrender.

PRESENT POSITION

2. Paragraph 2 h of ZAM 497 stated that "the status of Italian prisoners of war now or hereafter held in ITALY other than those captured since the armistice was signed should be terminated by you upon adequate assurance being given by the Italian Government that their services will continue to be made available on terms satisfactory to you as Supreme Allied Commander subject to Combined Chiefs of Staff approval".
3. Proposals regarding the release of Italian cooperators in ITALY are under discussion here. Proposals regarding the treatment of non-cooperators and civilian internees were forwarded to the Combined Chiefs of Staff for their approval in MAF 276 (See Appendix 'A'). This approval has not yet been received. Every precaution should be taken to ensure that these personnel, particularly the cooperators, are not in any way prejudiced by the status accorded to Italian Fascist troops fighting against the Allies.
4. At present all Fascist troops captured in battle are accorded prisoner of war status in accordance with a reciprocal agreement affecting Italian forces fighting for the Allies captured by the Germans.
5. There are six divisions and certain naval and air formations of Italian Fascist forces which together with service personnel may total up to 500,000. A very large number of these, however, will disappear in the event of Italian surrender in ITALY, either by being absorbed by the patriot forces or by getting rid of their arms and uniforms and assuming civilian status. Therefore, the number likely to be involved should not exceed 150,000.

FUTURE POSITION

SUBJECT

1. To examine the status which it is desirable to accord the personnel of the Italian Fascist forces in the event of enemy surrender.

PRESENT POSITION

2. Paragraph 2 h of EAM 427 stated that "the status of Italian prisoners of war now or hereafter held in ITALY other than those captured since the armistice was signed should be terminated by you upon adequate assurance being given by the Italian Government that their services will continue to be made available on terms satisfactory to you as Supreme Allied Commander subject to Combined Chiefs of Staff approval".
3. Proposals regarding the release of Italian cooperators in ITALY are under discussion here. Proposals regarding the treatment of non-cooperators and civilian internees were forwarded to the Combined Chiefs of Staff for their approval in NAF 876 (See Appendix 'A'). This approval has not yet been received. Every precaution should be taken to ensure that these personnel, particularly the cooperators, are not in any way prejudiced by the status accorded to Italian Fascist troops fighting against the Allies.
4. At present all Fascist troops captured in battle are accorded prisoner of war status in accordance with a reciprocal agreement affecting Italian forces fighting for the Allies captured by the Germans.

FUTURE POSITION

5. There are six divisions and certain naval and air/formations of Italian Fascist forces which together with service personnel may total up to 500,000. A very large number of these, however, will disappear in the event of a German surrender in ITALY, either by being absorbed by the patriot forces or by getting rid of their arms and uniforms and assuming civilian status. Therefore, the number likely to be involved should not exceed 150,000.

POSSIBLE STATUS

6. "To treat them as prisoners of war".

In this event they will have the right to claim to be fed and clothed in accordance with the Geneva Convention and would thus be in a better position than Italian civilians. It is undesirable that we should saddle ourselves with this liability.

7. "To hand them over to the Italian Government on surrender".

The Italian Government has at present neither the transport nor the facilities to deal with them.

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E/273 (Final)

SECRET

8. "To treat them on the same terms as the disarmed Germans until such time as the policy regarding the status and treatment of Italian prisoners of war in Allied hands is settled and the Italian Government is deemed by SACMED to be in a position to deal with them".

This means that priority could still be given to cooperators who had been promised priority release. Fascists would not get preference and the final decision as to their treatment would be placed in the hands of the Italian Government. This course would minimize possible partisan reprisals against these personnel.

CONCLUSION

9. That the policy set out in paragraph 8 should be adopted.

ACTION RECOMMENDED

10. a. That the draft signal to Combined Chiefs of Staff at Appendix 'B' be sent.
b. That no communication on this subject be sent to the Italian Government at this stage.

P/273 (Final)

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ALLIED FORCE HEADQUARTERS

APPENDIX 'A'

Mediterranean Joint Planning Staff

30 March 1945

TO FOR ACTION: ACWAR for Combined Chiefs of Staff,
ANSSO for British Chiefs of Staff.

FOR INFO : SHAFF

REF NO : FX 40206

SIGNED : ALEXANDER CITE: FEGAP

This is MAF 876.

1. In furtherance of the added responsibilities given to the Italian Government by ACWAR cable FX-29633, FAN 487, it is proposed that the following classes of Italians can be turned over to the Italian Government for custody:

Class 1 - Those Italian prisoners of war now in Allied custody in this theatre (ITALY and SICILY) who were captured before the Italian Armistice, who are not now in a Cooperator/Prisoners of War Service Unit Status, and who have not been repatriated for political or ideological reasons.

Class 2 - Those falling under the general term "civilian internee". All Italian civilian internees in British or UNITED STATES custody in ITALY and SICILY, except those earmarked as "suspected war criminals", or such other whose custody is not desired by this headquarters to be transferred to the Italian Government.

Class 3 - Those Italians who have returned or have been returned, to ITALY proper under the category of displaced persons, but have been screened insecure on arrival.

2. Those Italians falling within the general term "Italian Neo Fascist" will not be turned over.
3. Such agreement if negotiated will be subject to overall right of this Headquarters to review and correct conditions under which this personnel is held and to review and reconfine if necessary cases of those who might be released by Italian Government.
4. Allied Commission concurs but has not yet made plan known to Italian Government.

FOR INFO : SHARP

REF NO : FX 40206

SIGNED : ALEXANDER CITE: FEGAP

This is IAF 876.

1. In furtherance of the added responsibilities given to the Italian Government by AOWAR cable WX-29633, FAN 487, it is proposed that the following classes of Italians can be turned over to the Italian Government for custody:

Class 1 - Those Italian prisoners of war now in Allied custody in this theatre (ITALY and SICILY) who were captured before the Italian Armistice, who are not now in a Cooperator/Prisoners of War Service Unit Status, and who have not been repatriated for political or ideological reasons.

Class 2 - Those falling under the general term "civilian internee". All Italian civilian internees in British or UNITED STATES custody in ITALY and SICILY, except those earmarked as "suspected war criminals", or such other whose custody is not desired by this headquarters to be transferred to the Italian Government.

Class 3 - Those Italians who have returned or have been returned, to ITALY proper under the category of displaced persons, but have been screened insecure on arrival.

2. Those Italians falling within the general term "Italian Neo Fascist" will not be turned over.
3. Such agreement if negotiated will be subject to overall right of this headquarters to review and correct conditions under which this personnel is held and to review and reconfine if necessary cases of those who might be released by Italian Government.
4. Allied Commission concurs but has not yet made plan known to Italian Government.
5. Negotiations are still in progress on the vital question of release of Italian prisoner of war cooperators in ITALY.
6. Request your concurrence to this plan.

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P/273 (Final)

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ALLIED FORCE HEADQUARTERS

APPENDIX 'B'

Mediterranean Joint Planning Staff

30 March 1945

FROM: AFHQ

TO : AGWAR for Combined Chiefs of Staff,
AMSSO for British Chiefs of Staff.

REF: CHIEF FORWARD

This is MAP _____.

1. Status to be accorded Italian Fascist forces in event of enemy surrender under consideration here.
2. Consider every precaution must be taken to ensure that such forces do not receive preferential treatment over civilians and Italian cooperators.
3. Propose.
 - a. That initially Italian Fascist forces to be subject to same status and treatment as German forces on surrender in ITALY.
 - b. Provided proposals in MAP 876 are approved and implemented that disarmed Italian Fascists be handed over when time considered suitable to Italian Government to be dealt with by them.
4. Your approval requested.

1339

REFD: CHIEF FORWARD

This is MAF _____.

1. Status to be accorded Italian Fascist forces in event of enemy surrender under consideration here.
2. Consider every precaution must be taken to ensure that such forces do not receive preferential treatment over civilians and Italian cooperators.
3. Propose.
 - a. That initially Italian Fascist forces to be subject to same status and treatment as German forces on surrender in ITALY.
 - b. Provided proposals in MAF 876 are approved and implemented that disarmed Italian Fascists be handed over when times considered suitable to Italian Government to be dealt with by them.
4. Your approval requested.

Forwarded (12)
per [signature]

1339

(18a)

SECRET

785017

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

TBJ/HMR/mls

3

G-5 : 383.11

31 October 1944

SUBJECT : Treatment of Italian Neo-Fascist Soldiers.

TO : Headquarters, Allied Commission, APO 394.

1. Further to this Headquarters signal F 29562 of 24 Sept. 44 and your reply of S-346 of 26 Sept. 44. For your information the following is paraphrase of signal sent to the Combined Chiefs of Staff.

2. The Chief of General Staff of National Defence, under the presidency of the Provisional Government of the French Republic has given formal agreement that captured Italian Neo-Fascist soldiers shall be treated as prisoners of war in accordance with the Geneva Convention.

For the Asst. Chief of Staff, G-5 :

T. B. JACKMAN,
Lt. Colonel.

Cof S. Distribution

CA Sec

I. P.O.W.

Land Forces S/c

A/C

Political Sec

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AFHQ

HQ ACC

S-346

26 SEPT

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PRIORITY

ACTING CHIEF COMM.

SECRET PD FOUR FOX TWO NINE FIVE SIX TWO CITE PHOENIX OF SEPTEMBER TWO FOUR PAREN
TO AFHQ FROM HQ ACC FROM STONE PERSONAL PAREN ITALIAN GOVERNMENT AGREES THAT
ITALIAN AND DASH FASCISTS IN UNIFORM FIGHTING AND ORGANIZED UNDER PROVISIONS
OF INTERNATIONAL LAW WHO MAY BE CAPTURED BY ALLIED FORCES SHALL BE TREATED UNDER
GENEVA CONVENTION IN THE SAME MANNER AS GERMAN PRISONERS OF WAR

AUTHENTICATED:

MILLET W. STONE
Captain, USNR
Acting Chief Commissioner

1337

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Date Time	26 SEP 1944
Via	Swift 1211
Initials	cm

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APRIL 1944
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SEPT 24/1125

PRIORITY

CITE: 7123

HO ACC. APO 394

254
Rec'd 24 Sep 1615
By DFE

SECRET. POLICY HAS BEEN APPROVED BY COS THAT ITALIAN FASCISTS CAPTURED BY ALLIED FORCES IN UNIFORM AND ORGANIZED AND FIGHTING IN ACCORDANCE WITH PROVISIONS OF INTERNATIONAL LAW WILL BE TREATED UNDER GERMANY PRISONERS OF WAR CONVENTION AS GERMAN PRISONERS OF WAR.

NASA REQUESTED YOU WILL APPROACH ITALIAN AUTHORITIES WITH VIEW TO SECURING THEIR AGREEMENT TO ABOVE POLICY. IN SO DOING THEY SHOULD BE INFORMED THAT IF THEY AGREE THE INTERNATIONAL RED CROSS WILL BE ADVISED AND WILL endeavor IN TURN TO OBTAIN OFFICIAL CONFIRMATION FROM GERMAN AUTHORITIES OF VERBAL ASSURANCE ALREADY GIVEN THAT IF ITALIAN SOLDIERS IN ROYAL ITALIAN ARMY ARE CAPTURED BY GERMANS THEY WILL ALSO BE CONSIDERED AS PRISONERS OF WAR UNDER THE CONVENTION.

NASA IT IS NECESSARY THAT APPROACH TO ITALIAN GOVERNMENT BE MADE PROMPTLY AND THAT CABLE VIEWS BE SENT IMMEDIATELY

CONFIDENTIAL

SECRET

SEPTEMBER 24/1950

AGORIST

ACTION: C.S.O. (2) 1336

INFO

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