

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

ACC

10000/109/1613
(VOL. II)

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

10000/109/1613
(VOL. II)

DEFASCISTISATION POLICY
APR. - SEPT. 1944

0004

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 6

25 SEP Recd

18th September 1944.

To : Headquarters, Allied Control Commission
(R.C. and M.G. Section)

Subject : Defascism.

Reference : L/1489.

172

Reference your 313/172/CA dated 18th August 1944.

The Committees in question have not been formed due to failure of the High Commissioner to appoint members of the Provincial Commissions.

As soon as these nominees are appointed and approved it will be possible to proceed with the work of the Commission.

MN/ajs.

HEADQUARTERS
22 SEP 1944
A. C. C.

J. A. O. PENNYQUICK.
Colonel.
Regional Commissioner.

5461

HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

198
No action
7

ACC/14/22/Int.

22 September 1944

SUBJECT : - Pool of Prefects

TO : - RC and MD Section

Reference your 313/CA of 16 Sept. the position as of to-day's date is as follows : -

- 1. Prefects Provisionally allotted to
- | | |
|--------------------------|-------------------------------|
| SPECIALE, Rosario | - Pool |
| VACCA DE DOMINICIS | - Apuania |
| STELLA | - Pool |
| DE GOYZUEFA | - Pesaro (dispatched 20/9/44) |
2. Vice Prefects to be promoted to Prefects
- | | |
|--------------------------|-------------------------------|
| ALES | } Pool |
| FONTANELLI | |
| MASCIOLO | |
| QUERCI | |
| PEZZALI, | } Forli' (dispatched 20/9/44) |
| SPECIALE, Girolamo | |
| TORTORICI | |
| CIPRIANI | |
| FOTI | - Ravenna |
| MOZZI | - Pistoia |
| | - La Spezia |
3. Prefects and Vice-Prefects for Provinces in Central and Southern Italy in order to release more suitable Prefects for the North:
- | | |
|-------------------|--------|
| PASCUCCI | } Pool |
| GIAMMICHELE | |
| MANCINI | |
| SIRACUSA | |
| CIRACLO | |
4. Prefects of Provinces in Southern and Central Italy considered suitable for transfer to the North (Designate Bologna)
- | | |
|-------------------|--------|
| FORNI | } Pool |
| ZANFRAMUNDO | |
| CAVALIERI | |

NOTE - In addition to the above the Ministry has supplied the names of some 28 Prefects believed to be in hiding behind the enemy lines; particulars are being obtained as to these -

197

NOTE 2 - The Prime Minister has personally expressed the desire to nominate certain outstanding high-ranking personages (and not necessarily career officials) for the Provinces of
Turin
Milan
Genoa
Venice

They will be supported by specially selected and competent Vice-Prefects Vicario for the purpose of advising them as to the detail of correct administrative procedure.

R. G. B. Spicer Col.

R. G. B. SPICER
Colonel
Director
Interior Sub-Commission

RCH/ cm.

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref/ 3/3/CA.

16 Sept 1944

SUBJECT : Italian candidate Prefects.

TO : ACC Interior Sub-Commission.

Kindly furnish this Office with a list of the Italian candidate Prefects available for assignment to Provinces in Regions IX, X, XI, XII in prospect of liberation.

Signed Col Fiske

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

5458

0008

195
CLP

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & R.G. Section
AEO 394

Ref/313/Ca.

18 September 1944.

SUBJECT: O.V.R.A.

TO : R.C.'s Regions IV, V, VIII, IX, Liguria, Piemonte, XI, and XII.
SCAO's Fifth and Eighth Army.

1. As formerly, all formations of O.V.R.A. will be disbanded, and their personnel suspended from duty. If Security Agencies require it or, if they are regarded as potentially dangerous in any particular case personnel should also be interned.
2. Lists of all O.V.R.A. personnel dealt with as above will be sent to Administrative Section showing who have been interned and who have been merely suspended.
3. It has been agreed with the Italian Government that disbanded O.V.R.A. personnel will be dealt with as follows :
 - (a) The Espionage Commission responsible for the police forces will give priority to consideration of all ex-O.V.R.A. personnel;
 - (b) Those not purged may if otherwise suitable be reinstated in the police force but such personnel will be split up and distributed so as to break up personnel who have previously served together;
 - (c) Individual members of O.V.R.A. and fascist informers who have committed crimes will be tried and punished in accordance with the provisions of the Decree for Sanctions against Fascism.

Copy to: R.C.'s Regions I, VI and Southern.
Admin. Section.

M. S. LUGLI,
Brigadier,
Executive Commissioner.

for
Mr Shipp 2.17

SUBJECT: O.V.R.A.

TO : R.C.'s Regions IV, V, VIII, IX, Liguria, Piemonte, XI, and XII.
S.C.A.O.'s Fifth and Eighth Army.

1. As formerly, all formations of O.V.R.A. will be disbanded, and their personnel suspended from duty. If Security Agencies require it or, if they are regarded as potentially dangerous in any particular case personnel should also be interned.
2. Lists of all O.V.R.A. personnel dealt with as above will be sent to Administrative Section showing who have been interned and who have been merely suspended.
3. It has been agreed with the Italian Government that disbanded O.V.R.A. personnel will be dealt with as follows:
 - (a) The Epuration Commission responsible for the police forces will give priority to consideration of all ex-O.V.R.A. personnel;
 - (b) Those not purged may if otherwise suitable be reinstated in the police force but such personnel will be split up and distributed so as to break up personnel who have previously served together;
 - (c) Individual members of O.V.R.A. and fascist informers who have committed crimes will be tried and punished in accordance with the provisions of the Decree for Sanctions against Fascism.

Copy to: R.C.'s Regions I, VI and Southern.
Admin. Section.

for
M. S. LUSH,
Brigadier,
Executive Commissioner.

11/11/44

0010

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

194

SECRET

HEADQUARTERS
ALLIED CONTROL COMMISSION
U.S. AND U.S. SECTION
APO 394

Ref: 315/174/GA

9 September 1944.

SUBJECT: Italian advisors on defascistization.

TO : S.C.A.C. A.H.G. 5th Army.
Regional Commissioner, Region IX, A.C.C.

174

1. We refer to our letter of 16 August 1944 Ref: 313/174/GA.
2. The names of two more persons given to us by the Administrative Section as suitable for advisors for Parma will be found below together with information about them. There is also some information about Dr. Giuseppe Micheli whose name was suggested in our previous letter.
3. These persons are:
 - (a) Dr. Felice Corini, of Parma University; former M.P., always against fascism; a Catholic leader.
 - (b) Dr. Rodolfo Marchi, professor of public law at Parma University; refused to give his oath as professor to Mussolini.
 - (c) Giuseppe Micheli, former M.P.; former Cabinet Minister. Nobody knows as he does all the people, villages, folkways of the mountains in the region of Parma, Piacenza, Modena. It is his hobby. Most popular in the whole region.
4. As we urged in our last letter on this subject, it is necessary that consultation with these persons be kept strictly secret so as not to compromise the persons themselves, their families or their future usefulness.

193

W.G.S. Dillard
Mayer

for ROBERT E. FLETCHER,
Colonel.
Deputy Executive Commissioner.

174
193

Copy to Admin. Section.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DE/3.2/AS

7 Sep 44.

SUBJECT : SCAO's Advisers.

7 SEP Recd

TO : RCMG.

1 Herewith are further names of advisers for Parma:

Dr. Felice CORINI, of the Parma University, former M.P., always against fascism, a catholic leader.

Dr. Teodosio MARCHI, professor of public law at the Parma University, refused to give his oath as professor to Mussolini.

Giuseppe MICHELI, former M.P., former Cabinet Minister. Nobody knows as he does all the people, villages, folklore of the mountains in the region of Parma, Piacenza, Modena. It is his hobby. Most popular in the whole region.

2 Dr. CORINI and MARCHI are ready to accept a public office, in the city, in the province.

Not so Signor MICHELI. But just because of that he might be most useful for disinterested information.

3. This office names of H. Aug. 44 under above reference refers

[Signature]
H.R. CRIPPS, Colonel
for G.R. UPJOHN, Brigadier,
Vice President Admin. Sec.
(Absent on duty)

Ext. 608
SHW/mt

See to Fifth Army, General Reg. Ex.

Re 8/15

see 194

0012

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

MEMORANDUM: to Lt. Col. J. Shipp.

6 September 1944. 192-A

1. In accordance with your instructions I had an interview today with Prince Doria the Mayor of Rome on the subject of employing former members of the O.V.R.A. for police work after they had been properly screened.
2. The immediate reaction of the Mayor was that it was "immoral". When we discussed the matter further he admitted that there had undoubtedly been members of the regular police who had done occasional and very brief service as members of OVRA. This service, he said, sometimes lasted no more than two months.
3. I asked Prince Doria whether he as Mayor of Rome would, if the matter were put up to him, employ former members of the OVRA for police work. After some thought he said there might be a few, the "small fry", the men who had merely obeyed orders as policemen who would theoretically be considered by him if the problem were presented to him. He was not willing to hazard a guess about what percentage of the total ~~of~~ OVRA ~~such~~ persons would make but he thought that they would be very few in number.
4. When I asked the Mayor whether he considered that there was any danger that the small fry would be tainted by reason of their work in OVRA, he replied that it would be difficult to answer categorically but that the possibility existed.
5. Prince Doria agreed that any former members of OVRA who had been the so called efficient members of the organization must undoubtedly be considered tainted. It is to be assumed, that they might be blackmailed, as members of any Allied Police Organization, by their former associates.
6. I asked the Mayor what he thought the reaction of the press in the U.K. and U.S.A. would be if they learnt that "screened" members of the OVRA were to be employed as policemen by the Allies. He answered that the reaction would undoubtedly be unfavourable.
7. If the spontaneous reaction of an Italian official who knows that in OVRA there were some inconsequential robots was that employment of former members of the organization would be ~~immoral~~, is it unlikely that opinion at home would be less condemnatory. *yes*
8. Prince Doria agreed that the safest plan on the whole, even though it would work hardship on the small fry regular police who were occasional members of the organization, would be to employ them in no police capacity.
9. For such persons, who have been properly screened, other employment was indicated.

W.D.

WILLIAM A.S. DOLLARD.
Major.
Civil Affairs Branch.

seen by Col Shipp

7/11/44

5454

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

HEADQUARTERS, REGION IX
ALLIED MILITARY GOVERNMENT
Public Safety Division
APO 394

FILE : R.IX/PS/1/26.

SUBJECT: Defascism.

TO : R.C. & M.G. Section, HQ., Allied Control Commission.

1. Reference your 313/172/CA dated 18 Aug 44.
2. As no provinces in this Region have yet been occupied a NIL return is submitted in respect of the period ending 30 Aug 44.

For the Regional Commissioner.

E.J. Bye, Lt-Col.
E.J. BYE, Lt-Col.,
Regional Public Safety Officer,
Region IX.

ert/

HEADQUARTERS

1001 1944

619

3453

CH

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/6A/AS

SUBJECT : Defascism - Fortnightly Return.

TO : Sec Distribution.

1 It has been decided to ask all Ministerial Sub-Commissions to make a return on Defascism on a stereotyped form a draft of which has been submitted to the Asst High Commissioner and approved by him.

2 One form at least should be completed by each Ministerial Sub-Commission (two if it deals with both civil servants and outside bodies) but this will not prevent a separate return being required for any large organisation or group of organisations such as banks which have a particular or separate importance which it may be desirable to watch separately.

3 These returns will be for the information of Sub-Commissions.

4 Sub-Commissions will keep Administrative Section informed of the position by aggregating the returns received by them and submitting to Administrative Section two returns one for Civil Servants the other for other concerns.

5 Ministries will be informed that we require the information in this form and that we ask this with the approval of the Asst High Commissioner.

6 Sub-Commissions can obtain form from Chief Clerk, Administrative Section supplies of the form in Italian at the rate of 10 (5 Months) for each Ministerial Sub-Commission with which they deal of either or both forms as may be necessary and also form in English for their aggregated returns to Administrative Section.

7 The first return will be made immediately after the 15 Sep and will consist of two sets of forms. An opening form showing the position as at the 30 Aug and a second form showing the position as at 15 Sep.

8 With regard to the form itself, a comparison of the columns mentioned below shows

Coln	indication
c/o	how far investigation is complete.
d/c	the proportion of suspensions.
e/d	the progress made with hearings and cases pending.
	the attitude of the

5 Sep 44
15 SEP Recd

619

- 3 These returns will be for the information of Sub-Commissions.
- 4 Sub-Commissions will keep Administrative Section informed of the position by aggregating the returns received by them and submitting to Administrative Section two returns one for Civil Servants the other for other concerns.
- 5 Ministries will be informed that we require the information in this form and that we ask this with the approval of the Asst High Commissioner.
- 6 Sub-Commissions can obtain from Chief Clerk, Administrative Section supplies of the form in Italian at the rate of 10 (5 Months) for each Ministerial Sub-Commission with which they deal of either or both forms as may be necessary and also forms in English for their aggregated returns to Administrative Section.
- 7 The first return will be made immediately after the 15 Sep and will consist of two sets of forms. An opening form showing the position as at the 30 Aug and a second form showing the position as at 15 Sep.
- 8 With regard to the form itself; a comparison of the columns mentioned below shows

<u>Cols</u>	<u>indication</u>
a/b	how far investigation is complete.
d/c	the proportion of suspensions.
e/d	the progress made with hearings and cases pending.
f/e	the proportion of convictions, the attitude of the commission.
g/f	how far the decisions are accepted.
h/g	progress of hearing of appeals and appeals outstanding.
i/h	the proportion in which decisions are upset and the attitude of the appeal Tribunal.
j Less i/c	shows the total proportion dismissed.

Dist 469
SMM/dec

5422

[Signature]
S.H. WHITE Lt Col,
for VP Admin Section

DISTRIBUTION: Admin Sec
Econ Sec
Polit Sec
R&MG Sec
Interior SC
Legal SC

Finance SC
Commerce SC
Public Works SC
Finance BU
Agric SC
Army SC

Air SC
Navy SC
Communications SC
Transportation SC

3132

190

W.D.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

6 SEP 1944
5 SEP 44

DE/35/AS

SUBJECT: Defascism - Appointment of Major E.L. Palmieri.

TO : See Distribution.

1 Major E.L. Palmieri has been appointed special liaison officer for Defascism. He will visit your Sub-Commission to contact your officer responsible for supervising defascising. Will you please arrange for him to be put into the picture so far as your own organization and progress is concerned and introduce him to the officials at the Ministries who are responsible for defascising and ask them to give Major Palmieri particulars of their own particular set up progress and difficulties. Will you please also arrange for Major Palmieri to attend the deliberations of their Sub-Commissions.

2 It is hoped that with Major Palmieri in touch with the work of all Ministries we shall be able to get a picture of their relative efficiency keenness and progress; see where the weak spots are and enable us to devise improvement or exert pressure as may be desirable.

3 His work should be invaluable, will you please give him every assistance or facility you can.

[Signature]

S.H. WHITE Lt Col.
for VP Admin Section

Ext 469
SHW/jer

DISTRIBUTION: Admin Sec
Exec Sec
Polit Sec
RCAF Sec
Interior Sec
Legal Sec

Finance Sec
Public Works Sec
Army Sec
Agriculture Sec

Air Sec
Navy Sec
Communication Sec
Transportation Sec

80

as your own organization and progress is concerned and introduce him to the officials at the Ministries who are responsible for derascis- ing and ask them to give Major Palmieri particulars of their own particular set up progress and difficulties. Will you please also arrange for Major Palmieri to attend the deliberations of their Sub-Commissions.

2 It is hoped that with Major Palmieri in touch with the work of all Ministries we shall be able to get a picture of their relative efficiency knowers and progress; see where the weak spots are and enable us to devise improvement or exert pressure as may be desirable.

3 His work should be invaluable, will you please give him every assistance or facility you can.

White

S.H. WHITE Lt Col,
for VP Admin Section

Ext 469
CHW/jwr

DISTRIBUTION: Admin Sec
Econ Sec
Polit Sec
RCAF Sec
Interior SC
Legal SC

Trade SC
Commerce SC
Public Works SC
Finance SC
Agric SC
Army SC

Air SC
Navy SC
Communication SC
Transportation SC

D 649 5451

Ref 313/190/CA

6th September, 1944

SUBJECT: O.V.R.A.

TO : V. P. Admin. Section

1. Before issuing this I must call attention to 3 b. I am of opinion that the recruitment of any member of O.V.R.A. in Italian Police agencies would be imprudent and have unfortunate reactions. I think the paragraph should be omitted.

MSL
M. S. LUSH
Brigadier
Executive Commissioner
For Acting Chief Commissioner

To Ex Com.

I do not agree. Members of O.V.R.A.

were always picked from existing police agencies to work in O.V.R.A. offices. In other words to be a member of O.V.R.A. was essentially "an attachment" sometimes for quite short periods by members of the regular police forces. Hence an ex O.V.R.A. police member if he survives expurgatory proceedings merely goes back to being an ordinary policeman. Furthermore I draw your attention to the fact
Back

0019

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

that para 3 is not an action para
for R. C. S. but merely an info para as to
the steps which in agreement with Acc.
the Italian Govt will take in regard to
suspended personnel.

May the instruction please be

Signed:

GPR

13 Sep.

Is/Whe GVP & am now

Satisfied, Issue.

HS/16/9

17/9

0020

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

313 /
HEADQUARTERS
ALLIED CONTROL COMMISSION
ADMINISTRATIVE SECTION
APC 39A

190 SEP 1944
1 SEP Recd

AGC/14755/PS

SUBJECT : O.V.R.A.

TO : R.C. & M.G. Section.

The attached instruction relating to the disbandment of O.V.R.A. is forwarded herewith for approval and distribution.

190 SEP
G. R. Upjohn
GERARD R. UPJOHN
Brigadier
V.P. Admin. Section.

WOL/C.

002

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. Section
APO 394

190E
155

SUBJECT : G.V.R.A.

1 September 1944.

TO : Regional Commissioners
Regions IV, V, VIII, IX, X,
XI, XII, S.C.A.C.'s 5th Army,
8th Army.

1. As formerly, all formations of G.V.R.A. will be disbanded, their personnel suspended from duty. If Security Agencies require it or, if they are regarded as potentially dangerous in any particular case personnel should also be interned.

2. Lists of all G.V.R.A. personnel dealt with as above will be sent to Admin. Section showing who have been interned and who have been merely suspended.

3. It has been agreed with the Italian Government that disbanded G.V.R.A. personnel will be dealt with as follows :

- (a) The Epuration Commission responsible for the police forces will give priority to consideration of all ex G.V.R.A. personnel ;
- (b) Those not purged may if otherwise suitable be re-instated in the police force but such personnel will be split up and distributed so as to break up personnel who have previously served together;
- (c) Individual members of G.V.R.A. and fascist informers who have committed crimes will be tried and punished in accordance with the provisions of the Decree for Sanctions against Fascism.

MSL

M.R. LUSH, Brigadier,
Executive Commissioner.

5448

WRS/C.

Copy to R.C. Regions I, IV,
Southern Region,
Adm. Sec.

0022

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref 313/189/CA

6th September, 1944

SUBJECT: Defacement

TO : V. P. Admin. Section

Notes of meeting of representatives of Sub
Commissions - 4th September, 1944

1. Are we wise to send officers of the A.C.C. to purging meetings. This seems to me a move against leaving responsibility to the Italian Government. Should we not encourage them to purge and not associate ourselves in the purging.

M. S. LUSH
Brigadier
Executive Commissioner
For Acting Chief Commissioner

B/V
5428/9

0023

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

V.P. Admin. Sec.

Are we wise to send Officers of the AEC
to Purgas meetings. This seems to me a
move against leaving responsibility to the 9th Gnt.
Should we ask
Encourage them to purge ~~but~~ and ~~do~~ not associate ourselves in
the future. 11/5/5. 5446

0024

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

313

188

Defascism
Notes of meeting of representatives
of Sub Commissions.

W.D.

4 Sep 44

4 SEP Recd

- 1 It was considered that greater efforts should be made to make the present defascising scheme function successfully before attempting to find other methods.
- 2 With this subject in view -
 - i The Italian Government should be pressed to issue at once regulations for the conduct of proceedings before the Purging Commissioners.
 - ii Sub-Commissions should press the Purging Commission to proceed more quickly and with this object should open direct liaison with the Com-missions and attend some of their sessions.
 - iii The Purging Commission should be asked to commence making returns of their actions.
 - iv That the matter should be reconsidered in 14 days time with the adequacy of progress under the present scheme.
- 3 It was suggested that if the new scheme were adopted it would be better to word the decree to dismiss at a future date those who had not made application to remain in the Service than there need be no break in efficiency as planning to fill vacancies could be made.

DISTRIBUTION:-

Admin Sec	Educ S.C.	Air S.C.
Econ Sec	Commerce S.C.	Navy S.C.
Polit Sec	Public Works S.C.	Communications S.C.
RCMG Sec	Finance S.C.	Transportation S.C.
Interior S.C.	Agric S.C.	
Legal S.C.	Army S.C.	

10025

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

4 September 1944.

187

MEMORANDUM: to Lt. Colonel Shipp.

1. In accordance with your wishes I attended the meeting of the Admin. Section on defascism in which the plan of the Italian Government outlined in the Memorandum of 2 Sept. 44. Ref:DF/3.10/AS was discussed.
2. Various objections were raised against the plan to dismiss Italian Officials by grade within a few days.
3. The merit of the plan in that it imposes obligations for defascising ^{upon} ~~the~~ Italians and speeds up the process was emphasized.
4. The conclusions reached at the meeting appear to be that:
 - (a) it will be suggested that instead of suspending people outright they will be told that they will be suspended within two weeks if they cannot produce evidence of their political acceptability;
 - (b) that members of the Admin. Section will sit in on the meetings of the Italian Epuration Commissions to observe, not to participate in the proceedings. The presence of Allied Officials at these meetings is intended to offer encouragement to Italian Officials and to speed up the process;
 - (c) to make an attempt to discover where the present system of defascism is not working: i.e. to have specific examples provided.
5. Another meeting of the Administrative Section ^{on this subject} is planned for a fortnight hence.

A

W.D

WILLIAM A.S. DOLLARD.
Major.
Civil Affairs Branch.

Ex Comm.

Major Dollard says that Brig Upjohn will inform you and H.C. of these proposals and his action to be taken on them.

I am rather doubtful of the point at A. If we sit in at meetings of Epuration Commissions, shall we not be considered by the Italian as in fact taking part in them? It is hoped to avoid this by having Allied reps sitting ^{not} at the table but in the body of the room. 5th/4/9.

I agree

2. The very good proposal in para 2 of 186 has been postponed for 2 weeks.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DE/3.10/AS

2 Sep 44

3 SEP Recd

SUBJECT : Defascism

TO : As Distribution

1 A meeting of the representative of the Sub-Commissions concerned to supervise defascism will be held at 0900 hours on Monday 4. Sep 44 in the room of the VP Admin Sec (No 58 5th floor). Will you please arrange to be represented.

2 The following matters will be discussed or dealt with:
a Oral reports from Sub-Comms - difficulties or problems.

b Proposed legislation

i The Italian Government is encountering serious difficulties in that the most senior officials are somewhat securely entrenched - that much documentary evidence has been destroyed - that persons under suspension cannot be replaced until their cases have been decided - that relatively long time is elapsing between suspension and dismissal and that the disorganisation of work caused by this delay is serious.

ii Accordingly the Italian Government is considering publishing a decree peremptorily dismissing on a certain date all officials of grade I to IV. Providing that every official so dismissed may submit an application for re-employment. The applications will go before the appropriate Ministerial Defascising Commissions, those refused re-employment will lose their pensions. The others will be re-instated. The Italian Government suggests that some 4/500 persons will have to be dealt with and average of only some 20 or so per commission which they think could be dealt with by the commissions in two days.

iii They therefore hope that all liquidation of senior officials would be completed in two or three days only that the present disorganisation be finished the necessary promotions made and anti-fascists take charge of the machinery.

iv The proposal is ingenious in that it makes persons their own purgers. If a man has knowledge of a fascist he should ~~will not~~ apply for re-employment and risk his pension. It achieves quickly at one stroke without the labour and time involved by investigation or the friction and ill feeling of a trial the purging of all the in fact the bulk of that in which ACC is interested

the room of the VP Admin Sec (No 50 5th floor). Will you please arrange to be represented.

- 2 The following matters will be discussed or dealt with-
- a Oral reports from Sub-Comms - difficulties or problems.
 - b Proposed legislation
 - i The Italian Government is encountering serious difficulties in that the most senior officials are somewhat securely entrenched - that much documentary evidence has been destroyed - that persons under suspension cannot be replaced until their cases have been decided - that relatively long time is elapsing between suspension and dismissal and that the disorganization of work caused by this delay is serious.
 - ii Accordingly the Italian Government is considering publishing a decree peremptorily dismissing on a certain date all officials of grade I to IV. Providing that every official so dismissed may submit an application for re-employment. The applications will go before the appropriate Ministerial De-fascising Commissions, those refused re-employment will lose their pensions. The others will be re-instated. The Italian Government suggests that some 4/500 persons will have to be dealt with and average of only some 20 or 30 per commission which they think could be dealt with by the commissions in two days.
 - iii They therefore hope that all Duration of senior officials would be completed in two or three days only that the present disorganization be finished the necessary promotions made and anti-fascists take charge of the machinery.
 - iv The proposal is ingenious in that it makes persons their own purgers. If a man has knowledge of a fascist he will not apply for re-employment and risk his pension. It achieves quickly at one stroke without the labour and time involved by investigation or the friction and ill feeling of a trial the purging of all the senior ranks - in fact the bulk of that in which ACC is interested and will create the minimum likelihood of trouble or martyrdom - for no one need take this course.
 - v Fascists of course who retire will draw their pensions but the cost and immense labour of investigation will be saved, time will be saved and the chance of strife avoided. This will not of course free those who retire from proceedings in respect of "ordini" or "enrichment"

Ext 469
SHW/jwr

DISTRIBUTION: Admin Sec
Econ Sec
Polit Sec
RMG Sec
Interior S.C.
Legal S.C.

Enuc S.C. Air S.C.
Commerce S.C. Navy S.C.
Public Works S.C. Communications S.C.
Finance S.C. Transportation S.C.
Agriculture S.C.
Army S.C.

S. H. WHITE Lt Col,
For VP Admin Section

0023

313/48017
185

HEADQUARTERS REGION II
ALLIED MILITARY GOVERNMENT
APO 94

EXECUTIVE MEMORANDUM
NUMBER 4)

WD
167
1 SEP 1947
249

DEFASCISM

1. A.C.C. Directive, 313/167/CA dated 4 August 1947, imposes on Regional Headquarters certain responsibilities in regard to the operation of Defascism as ordered in Decree 159. The Region is made responsible for:-

- (a) Checking the results achieved in the Region by the Central Commissions, which are being set up by each Ministry in Rome to deal with all officials of that Ministry.
- (b) The actual formation and functioning of the Provincial Commissions which will investigate officials and employees of the Communes, Provinces, public welfare institutions, and bodies under control of the local authorities.

2. This question is one of prime importance and the Regional Commissioner directs that all Provincial Commissioners and Heads of Special Divisions give it particular attention and ensure that the requirements of paragraphs 6, 9, and 10 of the Directive are strictly followed regardless of considerations of expediency or convenience.

3. In order that HQ A.C.C. may be kept informed of the progress of defascism in the Provinces, a return will be made on the attached pro-forma to reach this HQ on the 15th and 30th of each month. It is emphasized that the return will not be made while the Provinces are under Army control. This return relates only to the activities of the Provincial Commissions. It is also necessary for Provincial Commissioners to keep this HQ informed from time to time of the progress of defascism by Ministerial Communications.

4. It will be appreciated that the Decree will not apply to any Province until it comes under Regional control and that, so long as they are operating in Army areas, Provincial Commissioners and their officers will receive their policy instructions on this subject from the appropriate Army A.M.G. It is, however, considered that nothing in the present Directive affects the existing system of screening personnel, which will be continued at least until such time as the Commissions are in operation.

By order of Lt. Col. ROMAN:

H. H-S HARTLEY
Lt. Col.
Executive Officer

0029

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

to deal with all officials of that Ministry.

- (b) The actual formation and functioning of the Provincial Commissions which will investigate officials and employees of the Communes, Provinces, public welfare institutions, and bodies under control of the local authorities.

2. This question is one of prime importance and the Regional Commissioners direct that all Provincial Commissioners and Heads of Special Divisions give it particular attention and ensure that the requirements of paragraphs 6, 9, and 10 of the Directive are strictly followed regardless of considerations of expediency or convenience.

3. In order that HQ A.C.C. may be kept informed of the progress of defascism in the Provinces, a return will be made on the attached pro-forma to reach this HQ on the 15th and 30th of each month. It is emphasized that the return will not be made while the Provinces are under Army control. This return relates only to the activities of the Provincial Commissions. It is also necessary for Provincial Commissioners to keep this HQ informed on time to time of the progress of defascism by Ministerial Commissions.

4. It will be appreciated that the Decree will not apply to any Province until it comes under Regional control and that, so long as they are operating in Army areas, Provincial Commissioners and their officers will receive their policy instructions on this subject from the appropriate Army A.M.G. It is, however, considered that nothing in the present Directive affects the existing system of screening personnel, which will be continued at least until such time as the Commissions are in operation.

By order of Lt. Col. ROMAN:

OFFICIAL:

H. H-S HARTLEY
Lt. Col.
Executive Officer

James D. Freese
JAMES D. FREESE
Capt., CMP
Adjutant

DISTRIBUTION:
"A"

Plus copies to: ca. P.LO
P.P.S.O.

11/5442

10032

184

FOURNIGHTLY REPORT ON WORKING OF
PROVINCIAL DEFASCISM COMMISSIONS

Region _____
Province _____

1. Persons:

The total number of cases investigated to-date is _____ of whom
_____ or _____ % have been dismissed from their posts.

2. Institutions:

Particulars by classes of the concerns to be defascised are:
(i.e. Welfare or Benevolent Institutions, hospitals etc.,
which "depend from" Provinces or Communes.)

Classes											TOTAL
Number											
Cleared											

Under "Cleared" are included institutions investigated and as to which it
is believed no further defascising is required.

3. I consider the progress made to be :

The total number of cases investigated to-date is _____ of whom
_____ or _____ % have been dismissed from their posts.

2. Institutions:

Particulars by classes of the concerns to be defascised are:
(i.e. Welfare or Benevolent Institutions, hospitals etc.,
which "depend from" Provinces or Communes.)

Classes											TOTAL
Number											
Cleared											

Under "Cleared" are included institutions investigated and as to which it
is believed no further defascising is required.

3. I consider the progress made to be :

5441

0032

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

183

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.G. AND M.G. SHIPMAN
APO 394

Ref/313/183/CA

30 August 1944.

SUBJECT: Decree against fascism.

TO : Provincial Commissioner, A.C.C. Foggia Province.

182

1. To refer to your letter of 25 August 1944 Ref/PD/1095.
2. Attached you will find a copy with which you asked to be supplied, of our letter of 4 August 44 Ref/313/167/CA.
3. We are also sending you attached a copy of the "Decree as to Sanctions against Fascism" for which you did not ask, but it was believed that you might have intended to ask for this.

167

W.G.J. Oldham
Major

for HENRY S. PINKS,
Colonel.
Deputy Executive Officer.

ENCs: copy of letter 313/167/CA
Decree as to Sanctions against Fascism.

107

5440

0033

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

313 ⁷
Ref: -78/1095- CA B. 182
25 11 44

Subject: -Defacement.

To: -HQ A.C.C.
P.O. and L.C. Section.

From: -A.C.C. Togoria Province.

30 AUG Recd

Reference your 313/172/CA dated 18 Aug

May I please be supplied with your 313/157/CA dated 4 Aug to which you refer.

1-3-52
Lt. Colonel
A/Provincial Commissioner.
A.C.C. Togoria Province.

HVB/EBI.

RE CO
20 08 1944
ACC

on 183 / 54311

0034

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

181

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. AND M.C. SECTION
APO 394

Ref/313/181/GA

26 August 1944.

SUBJECT: Request for copies of D.L.L. 159 "Sanctions against Fascism".

TO : Regional Commissioner, Region 8, A.C.C.

1. This is to acknowledge your letter of 22 August 1944 Ref: EVIII/200/53 addressed to R.C. and M.C. Section.

2. The Admin. Section A.C.C. have informed us that the scale of issue of these instructions is: Regional HQ. (2) (R.C. & R.L.O.)
P.C. (1) each.

3. Admin. Section says further that it is not considered necessary for the R.F.S.O. or R.P.S.O. to have copies for themselves and that the P.L.O. can use the office copy of the P.C.

4. Attached are six copies of D.L.L. 159 which the Admin. Section have given us to send to you.

5. Since only 200 copies were printed and very few are now left, Admin. Section have asked us to inform you that only those copies needed to complete the scale of issue might be supplied and that it would be necessary for you to specify the number for that purpose.

W.G.S. Dallas Mayo
for NORMAN E. FINE.
Colonel.
Deputy Executive Commissioner.

Copy to Admin. Section.

ENCL: 6 copies of D.L.L. 159.

11A
3134

0035

RCmg.

181A

The sec of issue is RQ HQ. (2) (RCR RHO)
PC (1) ea.

It is considered that PLO can use the PC for copy
and it is not considered that RPSO or PPSO need a copy
to themselves. They are not responsible for any action under
the decision. Six further copies are herewith.

If R III requires any to complete the scales of issue
may the numbers be specified.

for the 200 printed very few are left.

Admin

25 AUG 1944

[Signature]
L. VP.

0338

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

Handwritten:
L. V. R.

Handwritten:
3431

Handwritten:
25 Aug 1944

0037

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

313

C.A. Br. 180

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

RVIII/200/33

22 Aug 44

25 AUG Recd

SUBJECT : Defascism

TO : HQ, AOC, (Attention RC & MG Section) ✓

1. Receipt of your 313/176/CA dated 19 Aug 44 and the 6 copies of the translation of DIL 159 "Sanctions against Fascism" forwarded therewith are acknowledged. 164

2. It is the desire of the RLO of this Region however that the RISO and each PC, PLO and PPSO also be in possession of the document. Would you therefore kindly forward a further 24 copies.

For the Regional Commissioner

J. Howard Salter
J. HOWARD SALTER,
Major, R.A.,
Adjutant.



5430

see 181

0038

313.

119

12/5.10/45

NOTES OF A MEETING OF L'ETASCIEM - 19 AUGUST 1944

Present : All Sub-Commission concerned except Interior. 24 AUG Recd

Col. UPJOHN reported that the progress being made by the Italian Government was on the whole very satisfactory at least three more decrees had been received proposing further powers, these were under discussion. Sub-Commissions would be informed of the contents when these had been settled. There was also a draft of proposed regulations which were being looked into by legal. He had also received a copy of a circular letter which the High Commissioner had written to the judging commissions. Sub-Commissions should know of the contents of these and a copy would be circulated after he had had Le- gal Sub-Commissions comments.

Col. UPJOHN then referred to the Pellegrini incident and that while AGC had the view that no person might be indispensable it was necessary, in the Allied interest that Army operations should not be adversely affected. The Army required, and it was agreed that high grade technical experts should not be suspended unless a capable substitute was forthcoming while none could be found the suspension would be deferred until the Army was no longer interested or a substitute was found. A letter on the subject was being issued. Sub-Commissions would consider with the appropriate Army service whether any and what Italians came within this provision and arrange accordingly with the Ministry. The Sub-Commissions most likely to be affected by this were Communications, Transportation and Public Works.

Reports were received from Sub-Commissions Commerce, Communications and Agriculture expressed dissatisfaction with the rate at which their Ministries were working. In some, the delay was due to the absence of the Minister from Rome on important work and the reluctance or inability of any one to act for him in his absence.

Reference was made to the proposal by the Army to purge itself rather than by the Statutory Commission.

Reference was made to Art. 22 and the payment of persons suspended thereunder a conference between Finance, Legal and Admin Sec would discuss the matter.

Reference was made to the type of information required to enable progress to be effectively watched Lt Col White was instructed to draw a pro-forma. When this was agreed fresh instructions as to reports would be issued cancelling the present instructions.

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Reports were received from Sub-Commissions Commerce, Communications and Agriculture expressed dissatisfaction with the rate at which their Ministries were working. In some, the delay was due to the absence of the Minister from some on important work and the reluctance or inability of any one to act for him in his absence.

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DISTRIBUTION: Acting Chief Commissioner

HC & MG SECTION

Agriculture Sub-Comen.

Legal Sub-Comen.

Commerce Sub-Comen.

Communication Sub-Comen.

Education Sub-Commission

Finance Sub-Comen.

Admin Section

Army Sub-Comen.
Public Works & Utilities Sub-Comen.
Transportation Sub-Comen.
Political Section

Air Sub-Comen.

Navy Sub-Commission

Shipping Sub-Comen.

File

5435

W.D.

0040

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
AFC 394
ADMINISTRATIVE SECTION

313 L

178

DE/ZB/AS.

W-1

20 Aug 44

21 AUG Recd

SUBJECT : Defascism.

TO : RCGs, Regions, I, II, III, IV, V, VI, VII, VIII, IX.

Reference DE/ZB/AS. of 31 Jul.

165

Documentary evidence relating to persons to be purged centrally may be sent in bulk to Admin Sec instead of to the several Sub-Commissions concerned.

EXT 469
SHW/gal

S.H. White
S.H. WHITE Lt Col,
for A/Hd. Admin Sec.

Copies to : Econ Sec 10.
Adm Sec 8.
RCMG Sec 2. ✓

11/11

78
5-184

0041

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

313 L

177

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

W.D.

DE/3B/AS

20 Aug 44

SUBJECT : Defascism.

21 AUG Recd

TO : All Sections and Sub-Commissions.

- 1 In order to ensure continuity of services necessary for military purposes it has been decided that Italians employed in the higher grades in technical professions and in public utility undertakings will not be removed from such appointments for reasons of apuration without the prior consent of the Allied Authorities having been obtained.
- 2 Sub-Commissions responsible for the supervising of Defascism will arrange with the appropriate Minister that no higher grade employee engaged in a technical profession or in a public utility undertaking whose work is or may be necessary for military purposes shall be dismissed or suspended without the consent of ACC having been previously obtained and that such consent cannot be given if no adequate replacement is available. It will therefore facilitate the granting of consent in cases of doubt if the names and qualifications of suitable substitutes are submitted with the request for suspension.
- 3 It should also be impressed upon Ministers that no information as to any proposed action should be allowed to be come known prior to consent being granted by ACC.
- 4 It should be emphasised that this instruction applies only to technical experts and that the numbers affected will be kept to a minimum.
- 5 Sub-Commissions are reminded that the Army is particularly interested in the services of communications, transportation and in the provision of electricity but interests in other spheres must not be overlooked.
- 6 No action hereunder is authorised beyond such as is essential to protect military interests and any delay imposed shall be the minimum necessary for that purpose and every possible assistance shall be afforded to the quickest termination of operation proceedings as is consistent with military interests.

Ext: 469.
SHW/rb.


S.H. WHITE, Lt Col
for G.R. UPTON, Colonel,
Acting Head, Admin Section.

5433

10042

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Phone: 484-76

176

Ref/313/176/OA.

19 August 1944.

SUBJECT: Defascism.

TO : R.C. Region VIII.

1. Reference your RVIII/200/27 of 14 August 1944, six copies of the translation of ILL 159 "Sanctions against Fascism" are forwarded herewith. 175

2. It is confirmed that the separate communication referred to in para.8 of our 313/167/OA of 4 August 1944 has not yet been published. 164

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

HA

5432

R 31/200/24

HEADQUARTERS
ALLIED AIR FORCE COMMAND
REGION V

313

CAR. 107



SUBJECT: Defection.

14 AUG 1945

TO : HQ, ACC. (Attention R 3 & 4 Section). ✓

16 AUG Recd

1. Reference R 3/167/CA dated 2 Aug 45.
2. My copies of the translation of EIC 159 "Sanctions against Defectors" which do not appear to have been received at this HQ please be forwarded as soon as possible.
3. My it also please be advised that the separate communication referred to in para 3 has not yet been published.

For the Regional Commissioner:

Blair J. Phillips
MAJ. GEN. (RET.),
1st Lieut. MA,
Regional Commissioner.

Copy to: R 3, O.

Rec 176

Send copy that
and inform that
Separate communication
referred to in para 3
167 has not yet been
published
Sent 17/8
17/8
17/8



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

~~SECRET~~HEADQUARTERS
ALLIED CENTRAL COMMISSION
R.C. & M.C. SECTION
APO 304

Ref 313/174/CA

16th August 1944

SUBJECT: Italian "Advisers" on Defascistisation

TO : RGAOs 5 Army
 RGAOs 8 Army
 Regional Commissioner, Region VIII
 " " " IX
 " " " X

1. In the following list are set out the names of anti-fascist citizens in various towns who should be consulted as to the removal of Fascists in their cities.

<u>PLACENZA</u>	Conte Avv. Francesco Pollastrelli Ing. Ettore Martini Dott. Zennaro	Via S. Antonio 5
<u>PARMA</u>	Dott. Giuseppe Micheli - Notaio Avv. Gustavo Ghidini Marchese Antonio Nelli Ingegnere di Soragna	
<u>PIACENZA</u>	Avv. Giovanni Manenti Avv. Gino Montecchi	
<u>MODENA</u>	Avv. Alessandro Coppi Avv. Giuseppe Casali	Via Castellaro 2 Direttore del Banco di S. Genesio
<u>GENOVA</u>	On. Avv. Antonio Ruggiero Pico Senatore Federico Ricci	ex Sindaco di Genova
<u>PERUGIA</u>	Avv. Luigi Brocchi	
<u>PADOVA</u>	Conte Antonio Sestini	
<u>RAVENNA</u>	Ing. Edoardo Castellucci	
<u>BARSA AZUNIA</u>	Dott. Mario Casarato Prof. Rinaldo Piconi	Villa Maschi Via Palastro-Casa Maschi

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

174A
- 2GARRARA ANTONIA Coma. Cresto AscoliVIANCINO Avv. Canocci

Pietrasanta - Via di Mezzo

PORTAFIORE Generale Pietro Ferrari

4. 2. I must emphasize that these names are given to you, to assist you, by "Advisers" and it is not intended that they should hold any office.

3. It is necessary the ^{int.} consultation of them be kept strictly secret so as not to compromise either the persons themselves or their future usefulness.


 WILLIAM E. PINES
 Colonel
 Deputy Executive Commissioner

Copy to:
 Admin. Section

0044

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
AFO 394
ADMINISTRATIVE SECTION

DE/3.2/AS

11 Aug 44

SUBJECT : SCAO's Advisers

TO : Executive Commissioner.

13 AUG Recd

SECRET

1 Herewith are further names of "Advisers" for the towns stated.

PIACENZA

Conte Avv. Francesco Pollastrelli
Ing. Ettore Martini
Dott. Zanninoni

PARMA

Dott. Giuseppe Micheli - Notaio
Avv. Gustavo Ghidini

Via S. Antonio 5

REGGIO EMILIA

Marchese Antonio Meli Lupi di Soragna
Avv. Giovanni Menenti

MODENA

Avv. Gino Montesori
Avv. Alessandro Coppi
Avv. Giuseppe Casali

Via Castellaro 2
Direttore del Banco di
S. Gemignano

GENOVA

On. Avv. Antonio Boggiano Pico
Senatore Federico Ricci
Avv. Luigi Brocchi

ex Sindaco di Genova

FORLI'

FAENZA

RAVENNA

MASSA APUANIA

Conte Antonio Zucchini
Ing. Edmondo Castellucci

Dott. Mario Casonato
Pro f. Rinaldo Piconi

Villa Massoni
Via Palestro-Casa Masettini

CARRARA APUANIA

VIA REGGIO

PONTEREMOLI

Comm. Oreste Ascoli
Avv. Cancogni
Generale Pietro Ferrari

Pietrasanta - Via di Mezzo

2 You will no doubt call the attention of those concerned that consultation shall be as secret as reasonably may be, so as not to compromise either the persons named or their future usefulness.

G. R. UPJOHN, Col
A/Hd. Admin Sec.

Ext: 469
SHW/18

Adviser R.C. & R.C.
designate accordingly

M/10/8

Sec 174
3424

485

0047

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

172

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Phone:
484034

Ref/313/172/CA.

23 August 1944.

SUBJECT: Defascism.

TO : R.C.'s Regions I, II, III, IV, V, VI, VII, VIII & IX.
R.C. Region "Z".
SCAO's Fifth & Eighth Armies.

1. I refer to para.8 of 313/167/CA of 4 August 1944.
2. In order that this HQ may be kept informed of the progress of defascism by the Provincial Commissions in your Region, a bi-monthly return is required as of 15th and 30th of each month to reach this HQ by 18th and 3rd.
3. The attached pro-forma covers all the information that is required. Until all Provincial Commissions in your Region are functioning the number that have not yet started should be stated in the return.
4. I would emphasize that these returns relate only to the activities of the Provincial Commissions and that it will also be necessary for you to keep this HQ informed from time to time of the progress of defascism by the Ministerial Commissions, see para.6 of 313/167/CA.

Norman E. Fiske
NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

Copy to: Admin. Section.

342

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

171

Fortnightly Report on Working of
Provincial Defascism Commissions

Region _____

Province _____

1. Persons:

The total number of cases investigated to-date is _____ of whom
_____ or _____ % have been dismissed from their posts.

2. Institutions:

Particulars by classes of the concerns to be defascised are :
(i.e. Welfare or Benevolent Institutions, hospitals etc.,
which "depend from" Provinces or Comraes.)

Classes							TOTAL
Number							
Cleared							

Under "Cleared" are included institutions investigated and as to which it
is believed no further defascising is required.

3. I consider the progress made to be :

0029

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

313 Civil Affairs 170
8926

Subject: Italian advisors on Defascistization.

Main H.Q., A.M.G.
Eighth Army.

CA/72.

3 Aug 44.

9 AUG Recd

H.Q. & M.G. Section,
H.Q., A.M.G.
A.P.O. 394.

153

1. Reference your 313/154/CA of 25 Jul 44.
2. This letter is returned to you as La Spezia falls within Fifth Army area.

W. B. ...
Group Captain,
Officer Commanding,
H.Q., A.M.G. Eighth Army Main.

*9/6
see 153 note.
Col Shipp to see.*

5423

Names handed to Col. Mayne on 2/8.
No action necessary. 9/8. 1/A

0050

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

HEADQUARTS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

SECRET

(24A)
169

Ref: 313/154/CA

25 Jyly 44

Subject: Italian Advisers on Defascistisation

To: SCAO 8th. Army

Main

? *See 22nd referring name to Acc.*

Further to my letter of 22 July, I can give you now three names for the town of La Spezia:
Avv. Paolo Boracchia
Dott. R. Gambini
Dott. ~~Rechi~~ BEGHI

Refer to Acc.

Norman E. Pisko
Norman E. Pisko
Colonel
Deputy Executive Commissioner



5424

168
313 d
17/32/AS

25 OF A MEETING ON DEFASCISM - AUG 14

1 8 AUG REC

Present : All Sections and Sub-Commissions responsible for supervising Defascism
(col 2 of A/CC 250 of 15 Jul) except Army Sub-Commission.

Col Upjohn explained some of the principal features of Part II of the decree and that we are not at present taking a sharp interest in the other parts.

The object to be achieved is the removal of notorious and ardent fascists from the heads of all departments and national concerns and for the removal of all those who are notorious and conspicuous locally from their positions. It was not intended to dismiss large numbers of the unimportant because they had been fascists. To do so might disorganise administration; it might create an unemployment problem; it would create a core of persons with a grievance. Most would require to be maintained.

Having explained the machinery, Col Upjohn impressed on the Sub-Commissions the importance of getting their Commissions at work quickly. They must press for names, excuses should not be accepted. It was not proposed to screen the persons appointed we must trust the Italians not to appoint fascists. To screen would cause a great deal of delay but if anything was known or found out against any appointed it should be reported. It was pointed out that if all Presidents were taken from the Legal side it might affect the working of the Courts. Attention would be drawn to this

The cases of all persons either removed or not re-employed would have to be brought before the Commission. Those exonerated might be re-employed. It was being arranged that we should be notified of cases against such persons so that any evidence we had might be presented and our views made known.

Attention was called to the circular letter on the decree. It would be for Regions to keep Sub-Commissions informed of conspicuous fascists who were not dealt with and see that dismissals were in fact carried out. Regions will supply Sub-Commissions with such reports and returns as may be essential to show progress but paper should be kept down as much as possible.

No person is indispensable, we are pledged to remove notorious fascists and the will be removed. If they have rendered or are rendering good work to the Allied cause they will be brought before the Commission but evidence in mitigation may be given and they may be excused or a punishment less than dismissal may be awarded under Arts 14, 16 or 17 as may be appropriate.

The question of payment during suspension was raised. It was considered that Art 22 was equitable and in accord with Allied practices. Punishment should not be inflicted on persons before they were found guilty. It was up to Sub-Commissions to ensure that there was no undue delay.

There was no objection to Ministers suspending persons by arrangement with Sub-Commissions working as advisory bodies if they so wished.

The Italian Government proposes to use local Committees of National Liberation to assist in obtaining local information for it.

excuses should not be accepted. We was not proposed to screen the persons appointed we must trust the Italians not to appoint fascists. To screen would cause a great deal of delay but if anything was known or found out against any appointee it should be reported. It was pointed out that if all Presidents were taken from the legal side it might affect the working of the Courts. Attention would be drawn to this

The cases of all persons either removed or not re-employed would have to be brought before the Commission. Those exonerated might be re-employed. It was being arranged that we should be notified of cases against such persons so that any evidence we had might be presented and our views made known.

Attention was called to the circular letter on the decree. It would be for Regions to keep Sub-Commissions informed of conspicuous fascists who were not dealt with and see that dismissals were in fact carried out. Regions will supply Sub-Comms with such reports and returns as may be essential to show progress but paper should be kept down as much as possible.

No person is indispensable, we are pledged to remove notorious fascists and the will be removed. If they have rendered or are rendering good work to the Allied cause they will be brought before the Commission but evidence in mitigation may be given and they may be excused or a punishment less than dismissal may be awarded under Arts 14, 16 or 17 as may be appropriate.

The question of payment during suspension was raised. It was considered that Art 22 was equitable and in accord with Allied practices. Punishment should not be inflicted on persons before they were found guilty. It was up to Sub-Commissions to ensure that there was no undue delay.

There was no objection to Ministers suspending persons by arrangement with Sub-Commissions working as advisory bodies if they so wished.

The Italian Government proposes to use local Committees of National Liberation to assist in obtaining local information for it.

Distribution: Acting Chief Commissioner;

- ✓ HC & MJ SECTION
- Agriculture Sub-Comm. (2)
- Legal Sub-Comm. (2)
- Commerce Sub-Comm.
- Communications Sub-Comm.
- Education Sub-Commission
- Finance Sub-Comm.
- Admin Section (2)
- Spares (10)

- Army Sub-Comm.
- Public Works & Utilities Sub-Comm.
- Transportation Sub-Comm. (1 & 2)
- Political Section (2)
- Air Sub-Comm.
- Navy Sub-Commission
- Shipping Sub-Comm.
- File (2)

See 18/198

EC 5
9/8/8

W. S. G. 18/198

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref: 313/167/GA

Subject: Defascism.

To: Regional Commissioners, Region: I II III IV V VI VII VIII IX X.
S.C.L.C.'s 5 and 8 Armies.

4 August 44

1. MIL 159 "Sanctions against Fascism" was published on July 29. A translation has already been circulated for distribution down to Provincial Commissioners.
2. The decree has already been extended to Military Government Territory which is under Regional Control and all Regional Orders or other instructions on this subject will no longer be enforced.
3. The decree which is in six parts, deals with three main classes of cases:
 - a. Part I declares certain political acts committed in the past to be crimes against the state, sets up courts to try such cases and lays down the punishments.
 - b. Part II provides the machinery for investigating the political background of officials and of employees of national concerns and of local bodies and directs the removal from office or employment of those with fascist sympathies.
 - c. Part III provides for the investigation of cases of "enrichment" and for forfeiture of property where no satisfactory explanation of "enrichment" is forthcoming.
 - d. The other three parts are of an administrative nature.
4. So far as ACC is concerned 3a and 3c are for the time being regarded as matters domestic to the Italian people though ACC may have to take supervisory steps later; but, ACC is pledged (as is the Italian Government) to remove fascists and to clear Italian administration and industry of fascism, 3b therefore is very much the concern of ACC.
5. The decree provides for the setting up in every Ministry of a commission

167
H. G. Sharp
F. L. P. C. M. G.
7/8

164

- 1612
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 2. The decree has already been extended to Military Government Territory which is under Regional Control and all Regional Orders or other instructions on this subject will no longer be enforced.
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 - a. Part I declares certain political acts committed in the past to be crimes against the state, sets up courts to try such cases and lays down the punishments.
 - b. Part II provides the machinery for investigating the political background of officials and of employees of national concerns of local bodies and directs the removal from office or employment of those with fascist sympathies.
 - c. Part III provides for the investigation of cases of "enrichment" and for forfeiture of property where no satisfactory explanation of "enrichment" is forthcoming.
 - d. The other three parts are of an administrative nature.
 4. So far as ACC is concerned 3a and 3c are for the time being regarded as matters domestic to the Italian people though ACC may have to take supervisory steps later; but, ACC is pledged (as is the Italian Government) to remove fascists and to clear Italian administration and industry of fascism, 3b therefore is very much the concern of ACC.
 5. The decree provides for the setting up in every Ministry of a commission which is responsible for investigating the political history and in appropriate cases dismissing or otherwise dealing with not only the officials of that Ministry down to junior officials in rural areas but of all employees of national concerns for which under Italian law the Ministries are responsible, again right down to the branch offices.
 6. At HQ ACC the appropriate Sub-Commission is responsible for ensuring that defascism is effectively carried out by these Commissions (col 2 of A/CC 25C of 15 Jul). Though these Sub Comms will be notified by the Ministerial Commissions of persons dismissed, that will give them no picture of the persons ~~defascising~~ in Regions who ought to be but have not been dealt with, nor with the rate at which defascising is proceeding; for this information they must rely upon reports from Regions. At Regional level Regional Commissioners will be responsible for supervising the progress of defascising: he will ensure that his divisional officers keep him and Sub-Comms fully informed of the progress of defascism and in particular report persons who should be but have not been dealt with and see that any dismissals ordered are effectively carried out.

11/12

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

313

166

30th July 1944

SUBJECT: Defascistisation.

313

CAB 101

TO : Acting Head Adm Section.

3 1/2 Recd

1. I believe that you will get far better results if you channel the responsibility for defascistisation in Regions through the Regional Commissioners. When it gets down to that level the Regional Commissioner is the man who deals with the Prefect and, indeed, with many of the senior government officials. He has all the authority which may not be shared by many of the representatives of Sub-Commissions and he has also the overall interest in seeing that his Region is defascistised. I therefore suggest that the last half of para 6 should read:-

"At Regional level Regional Commissioners will be responsible for supervising the progress of defascistisation. *this' the div. officer* The Regional Commissioner will see that the divisional officer concerned complies with reasonable and proper requests of Sub-Commissions for returns or other information. It will be the Regional Commissioner's responsibility to see that the Divisional officer in his Region keeps him and the Sub-Commissions fully informed of the progress of defascistisation."

2. Paragraph 8 should read:-

"The responsibility for supervising the progress of defascistisation by the Provincial Commissions also devolves upon the Regional Commissioner."

3. Is the word 'Defascise' correct?

(Sgd) H. S. Lister

Brigadier,
Executive Commissioner.

MBL/JG.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 354

Ref: 313/167/CA

Subject: Defascism.

To: Regional Commissioners, Region: I II III IV V VI VII VIII IX X.
S.C. & C.'s 5 and 8 Armes.

4 August 44

1. M.L. 159 "Sanctions against Fascism" was published on July 23. A translation has already been circulated for distribution down to Provincial Commissioners.

2. The Decree has already been extended to Military Government Territory which is under Regional Control and all Regional Orders or other instructions on this subject will no longer be enforced.

3. The Decree which is in six parts, deals with three main classes of cases:
a Part I declares certain political acts committed in the past to be crimes against the state, sets up courts to try such cases and lays down the punishments.

b Part II provides the machinery for investigating the political background of officials and of employees of national concerns and of local bodies and directs the removal from office or employment of those with fascist sympathy.
c Part III provides for the investigation of cases of "enrichment" and for forfeiture of property where no satisfactory explanation of "enrichment" is forthcoming.

d The other three parts are of an administrative nature.

4. So far as ACC is concerned 3a and 3c are for the time being regarded as matters domestic to the Italian people though ACC may have to take supervisory steps later; but, ACC is pledged (as is the Italian Government) to remove fascists and to clear Italian administration and industry of fascism. 3b therefore is very much the concern of ACC.

5. The Decree provides for the setting up in every Ministry of a commission which is responsible for investigating the political history and in appropriate cases discharging or otherwise dealing with not only the officials of that Ministry

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167
H. L. Sharp
F. L. P. Sharp
7/18

164

1. MIL 159 "Sanctions against Fascism" was published on July 29. A translation has already been circulated for distribution down to Provincial Commissioners.
2. The decree has already been extended to Military Government Territory which is under Regional Control and all Regional Orders or other instructions on this subject will no longer be enforced.
3. The decree which is in six parts, deals with three main classes of cases:
- a Part I declares certain political acts committed in the past to be crimes against the state, sets up courts to try such cases and lays down the punishments.
 - b Part II provides the machinery for investigating the political background of officials and of employees of national concerns and of local bodies and directs the removal from office or employment of those with fascist sympathy.
 - c Part III provides for the investigation of cases of "enrichment" and for forfeiture of property where no satisfactory explanation of "enrichment" is forthcoming.
 - d The other three parts are of an administrative nature.
4. So far as ACC is concerned 3a and 3c are for the time being regarded as matters domestic to the Italian people though ACC may have to take supervisory steps later; but, ACC is pledged (as is the Italian Government) to remove fascists and to clear Italian administration and industry of fascism. 3b therefore is very much the concern of ACC.
5. The decree provides for the setting up in every Ministry of a commission which is responsible for investigating the political history and in appropriate cases dismissing or otherwise dealing with not only the officials of that Ministry down to junior officials in rural areas but of all employees of national concerns for which under Italian law the Ministries are responsible, again right down to the branch office.
6. At HQ ACC the appropriate Sub-Commission is responsible for ensuring that defascism is effectively carried out by these Commissions (col 2 of A/OC 25C of 15 Jul). Though these Sub Comms will be notified by the Ministerial Commissions of persons dismissed, that will give them no picture of the persons ~~defascising~~ in Regions who ought to be but have not been dealt with, nor with the rate at which defascising is proceeding; for this information they must rely upon reports from Regions. At Regional level Regional Commissioner will be responsible for supervising the progress of defascising; he will ensure that his divisional officers keep him and Sub-Comms fully informed of the progress of defascism and in particular report persons who should be but have not been dealt with and see that any dismissals ordered are effectively carried out.

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-2-

7. The decree also provides for the setting up in every province of a Provincial Commission which is responsible for dealing with the officers and employees of local bodies, welfare institutions and the like which are under the control of provinces or communes and do not come directly under any Ministry.

8. The responsibility for supervising the progress of defascising by the Provincial Commissions devolves upon the Regional Commissioner. Instructions as to the returns required to enable progress to be watched will be the subject of a separate communication.

9. The usual distinction between military and Italian Government territory will apply; namely that in the former the responsible officer can direct the prefect to set up a commission and ensure that it functions; in the latter he can only advise and press. In the latter case if no satisfactory response is obtained, the matter will be reported so that HQ APC (which has received the Italian Government's undertaking that defascising will be dealt with expeditiously) can through that Government bring pressure to bear on the defaulting party.

10. It is important that as much progress as possible should be made in areas soon to be restored to the Italian Government. If it is possible to get provincial commissions formed and functioning before the Italian Government takes over, much time will be saved.

11. Nothing in this decree affects the right of a CA officer in Military Government territory to remove any Italian officials from their employment whether for fascism, incompetence, corruption or for any other reason.

In Army areas in particular, it is important that the directions contained in Exco Memo 67 should continue to be effectively applied.

Copy to : Acting Chief Commissioner.

Eccon Sec

Admin Sec

Pol Sec

Army Sub Coman

Navy Sub Coman

Air Sub Coman

Communication Sub Coman

Security Branch

ERO

File

NORMAN E. FISKE,

Colonel,

Deputy Executive

Commissioner.

(10)
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obtained, the matter will be reported so that HQ AOC (which has received the Italian Government's undertaking that defascising will be dealt with expeditiously) can through that Government bring pressure to bear on the defaulting party.

10. It is important that as much progress as possible should be made in areas soon to be restored to the Italian Government. If it is possible to get provincial commissions formed and functioning before the Italian Government takes over, much time will be saved.

11. Nothing in this decree affects the right of a CA officer in Military Government territory to remove any Italian officials from their employment whether for fascist, incompetence, corruption or for any other reason.

In Army areas in particular, it is important that the directions contained in Exec Memo 67 should continue to be effectively applied.

Copy to : Acting Chief Commissioner.

Exec Sec	(10)
Admin Sec	(10)
Pol Sec	(2)
Army Sub Comen	(2)
Navy Sub Comen	(2)
Air Sub Comen	(2)
Communication Sub Comen	(2)
Security Branch	(2)
WFO	(2)
File	(2)

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

0060

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

313

166

30th July 1944

SUBJECT: Defascistisation.

313

ent. 166

TO : Acting Head Adm Section.

Recd

1. I believe that you will get far better results if you channel the responsibility for defascistisation in Regions through the Regional Commissioners. When it gets down to that level the Regional Commissioner is the man who deals with the Prefect and, indeed, with many of the senior government officials. He has all the authority which may not be shared by many of the representatives of Sub-Commissions and he has also the overall interest in seeing that his Region is defascistised. I therefore suggest that the last half of para 6 should read:-

"At Regional level Regional Commissioners will be responsible for supervising the progress of defascistisation. *this' the dir. ofr* The Regional Commissioner will see that the divisional officer concerned complies with reasonable and proper requests of Sub-Commissions for returns or other information. It will be the Regional Commissioner's responsibility to see that the divisional officer in his Region keeps him and the Sub-Commissions fully informed of the progress of defascistisation."

2. Paragraph 8 should read:-

"The responsibility for supervising the progress of defascistisation by the Provincial Commissions also devolves upon the Regional Commissioner."

3. Is the word "Defascise" correct?

Lt Col H. S. Lush

Brigadier,
Executive Commissioner.

MSL/JG.

3421

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

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DP/23/43.

31 Jul 44.

SUBJECT : Defascism.

TO : Regional Commissioners,
Regions I, II, III, IV, V, VI, VII, VIII, & IX.

3 AUG Recd

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- 1 Will you please arrange to review what documentary evidence including Schedu Personale as is in your hands and arrange to transmit that which relates to persons whom you think should be removed from office, to the appropriate Sub-Commission (v. col 2 of L/CC of 15 Jul). So that evidence may be laid before the appropriate Ministerial Commission.
- 2 This evidence should include documents, records and other papers of any operation proceedings which were in hand or contemplated. It should also include evidence as to persons who have been removed from office as these are regarded as only suspended until they are removed from office under this decree.
- 3 In this connection you will no doubt bear in mind that parastatal or "national" undertakings will be purged by the Commission of that Ministry responsible for supervising the work of such concern.

G.R. Burgess
 G.R. BURGESS Col,
 Adm. Admin Sec.

Copies to: Economic Section (10)
 ROCE Section (2)
 Administrative Section (10)

Ext 469
 SIM/gal

*Spoke Col White when will send a copy to
 Freddie Rev.*

86 418

0062

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

313

164

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 39A
ADMINISTRATIVE SECTION

IF/2-3/43

2 AUG. 44 2 AUG Recd

SUBJECT : Defascism

RE : Distribution Below.

1. The enclosed copies of an English translation of ILL 159, Sanctions against Fascism, is for distribution down to Provinces.
2. It is hoped that the translation will be of assistance as a means of ready reference but it will be appreciated that it is not always possible to find "la mot juste" and that it is the Italian version which is authoritative and to which reference must be made whenever any point is in question.
3. A short general instruction of Defascism has been prepared and will be issued as soon as possible.

[Signature]
G.H. UPJOHN, Col
Asst. Dir., Admin. Sec.

DISTRIBUTION:

	<u>Copies of enclosure</u>
Secretary General	(2)
ALL Sections	(2)
ALL Sub-Commissions	(2)
ALL Regions *	(6)
CC. AFHQ	(6)

*-Regions I & II - 2 extra each

Ext: 525
LHW/gb

*4 Col 8th pp
To see N. ...
LHW/gb
8/18*

[Signature] *[Signature]*

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10083

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

163

THE

DECREE

AS TO

SANCTIONS AGAINST FASCISM

- | | |
|----------|-------------------------|
| Part I | - Crimes |
| Part II | - Punishing |
| Part III | - Enrichment |
| Part IV | - Fascist Funds |
| Part V | - The High Commissioner |
| Part VI | - Miscellaneous |

0064

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

Part I	- Crimes
Part II	- Purging
Part III	- Enrichment
Part IV	- Fascist Funds
Part V	- The High Commissioner
Part VI	- Miscellaneous

5418

PUNISHMENT OF CRIMES

1. All penal provisions issued to safeguard institutions and political organisations created by fascism are hereby repealed. Decisions already pronounced by virtue of such provisions are hereby annulled.
2. Members of the Government and high ranking members of fascist, guilty liberty of the people, of creating the constitution, of destroying the governing the fortunes of the country bringing it to the present disaster shall be punished by penal servitude for life and, in cases where the responsibility is greater, by death.
They shall be tried by a High Court of Justice composed of a President and eight members, chosen by the Council of Ministers, from among high ranking judicial officials serving now or in retirement and from among other persons of unquestionable repute.
3. Those who organised fascist squads, committing acts of violence and pillage and those who promoted and directed the revolt of 28 October 1922 shall be punished according to Art 120 of the Penal Code 1889.
Those who promoted and directed the Coup d'Etat of 3 January 1925 and those who have since contributed by a violent action to maintain the fascist regime in power shall be punished in accordance with Art 118 of the Penal Code.
Whoever has committed any other crime for fascist reasons or taken advantage of the political situation created by fascism shall be punished according to the laws obtaining at the time of the crime.
4. Those crimes described in the preceding Article shall be tried by the Court of Assize, by the Tribunal and by the Proctors according to their respective jurisdiction.
The Court of Assize shall be composed of two judicial officials as described in the law as to the constitution of the Courts of Assize, and of five lay judges chosen by lot from special lists of citizens of unblemished moral and political behaviour.
5. Whoever, whether a member of the Armed Forces or not, after 8 September 1943 has committed a crime against Italy and the military honour of the State, by any kind whatsoever of action collaboration help or assistance given to the German invader shall be punished according to the provisions of the Military Penal Code of War.
Members of the Armed Forces shall be tried by Military Courts, civilians by ordinary Courts.
6. Any limitation of time with regard to the offence or the punishment thereof shall not apply to any person guilty of, any crime described in this decree, who becomes of the existence of the fascist regime has not been punished.
For the same reason sentences and pardons granted after 28 October 1922 in respect of any crime described in this decree shall be invalid, any already granted shall be revoked.
The High Commission

- 3 Those who organized fascist squads, committing acts of violence and pillage and those who promoted and directed the revolt of 28 October 1922 shall be punished according to Art 120 of the Penal Code 1889.
- Those who promoted and directed the Coup d'Etat of 3 January 1925 and those who have since contributed by a levantine action to maintain the fascist regime in power shall be punished in accordance with Art 118 of the above-mentioned code.
- Whoever has committed any other crime for fascist reasons or taken advantage of the political situation created by fascism shall be punished according to the laws obtaining at the time of the crime.
- 4 These crimes described in the preceding Article shall be tried by the Court of Assize, by the Tribunal and by the Pretors according to their respective jurisdiction.
- The Court of Assize shall be composed of two judicial officials as described in the law as to the constitution of the Courts of Assize, and of five lay judges chosen by lot from special lists of citizens of undoubted moral and political behaviour.
- 5 Whoever whether a member of the armed forces or not, after 8 September 1943 has committed a crime against Italy and the military defence of the State, by any kind whatsoever of action collaboration help or assistance given to the German invader shall be punished according to the provisions of the Military Penal Code of War.
- Members of the armed forces shall be tried by Military Courts, civilians by ordinary Courts.
- 6 Any limitation of time with regard to the offence or the punishment thereof shall not apply to any person guilty of, any crime described in this decree, who because of the existence of the fascist regime has not been punished.
- For the same reason amnesties and pardons granted after 28 October 1922 in respect of any crime described in this decree shall be invalid, any already granted shall be revoked.
- The High Commissioner may propose the revocation of any royal pardon already granted.
- When a decision regarding any such crimes has been influenced by any moral coercion resulting from fascism, such decision may be declared to be legally non-existent.
- Declarations in this respect shall be made by a Section of the Supreme Court of Cassation appointed by the Minister of Justice.
- The provisions of this decree shall not apply in regard to any crimes punishable by imprisonment for three years or more.
- 7 The punishment prescribed for any crime described in this part may be reduced by up to one quarter and imprisonment for not less than five years may be substituted for a sentence of death or of imprisonment for life.
- a. If the accused had before the outbreak of this war either retired from political life or had been openly opposed to fascism;

-3-

- b If the accused has actively participated in the struggle against the Germans
 - c Where no other extenuating circumstances exist imprisonment for 30 years shall be substituted for penal servitude for life and other penalties shall be reduced by one sixth.
- The guilty party shall be declared not punishable if he distinguished himself by special acts of valour in the struggle against the Germans.

6 Any person who for fascist reasons or, by taking advantage of the political situation created by fascism has committed acts particularly serious which while not being offences in the eyes of the law are nevertheless contrary to the rules of social and political integrity shall be subjected to temporary disqualification from holding any public office or to loss of political rights for a period of not more than ten years.

Whenever such a person is deemed to be a danger to society he may be sent to an agricultural colony or a labour institution for a period of not less than one or more than ten years.

The provisions contained in this Article shall be administered by a Provincial Commission provided over by a judicial official and composed of two other members chosen by lot from among the lay judges described in Art 4.

In regards members of the legislative assemblies or other institutions who by their votes or actions contributed to the maintenance of the fascist regime and made war possible, they shall be dismissed from their office on decision of the High Court described in Art 2, without prejudice to any of the other provisions set out in this Decree in so far as they may be applicable.

9 Without prejudice to any legal action, the property of any citizen who has betrayed his country placing himself voluntarily and actively at the service of the German invaders shall be forfeited to the State.

In penal proceedings such forfeitures shall be pronounced by a judicial authority competent to pronounce sentences of condemnation. In other cases referred to thereby the High Commissioner, by the Tribunale territorially competent.

10 In regard to any matter not specifically provided for by this part the rules of the Code of Penal Procedure shall obtain whenever may be applicable.

PART II REGULING OF THE ADMINISTRATION

11 Officials and employees of the following bodies shall be subject to operation proceedings:-

- (1) civil and military State Administrations, even if autonomous;
- (2) local authorities and other public bodies and institutions;
- (3) special concerns operating under public authorities or bodies and private concerns recognised by the State as controlling public utility undertakings or concerns having national wide interests.

sent to an agricultural colony or similar institution for a period of not less than one or more than ten years.

The provisions contained in this Article shall be administered by a Provincial Commission provided over by a judicial official and composed of two other members chosen by lot from among the lay judges described in Art 4.

As regards members of the legislative assemblies or other institutions who by their votes or actions contributed to the maintenance of the fascist regime and made any possible, they shall be dismissed from their office on decision of the High Court described in Art 2, without prejudice to any of the other provisions set out in this Decree in so far as they may be applicable.

9 Without prejudice to any legal action, the property of any citizen who has betrayed his country fleeing himself voluntarily and actively at the service of the German invaders shall be forfeited to the State.

In penal proceedings such forfeitures shall be pronounced by a judicial authority competent to pronounce sentences of condemnation. In other cases referred to thereby the High Commissioner, by the Tribunal territorially competent.

10 In regard to any matter not specifically provided for by this part the rules of the Code of Penal Procedure shall obtain whenever may be applicable.

PART II

PERSONS OF THE ADMINISTRATION

11 Officials and employees of the following bodies shall be subject to operation proceedings:-

- (1) civil and military State Administrations, even if autonomous;
- (2) local authorities and other public bodies and institutions;
- (3) special concerns operating under public authorities or bodies and private concerns recognized by the State as controlling public utility undertakings or concerns having nation wide interests.

12 The following shall be dismissed from service:

- (1) any person, particularly if when holding high office, who has by participating actively in the political life of fascism or by showing himself as a consistent apologist of fascism, shown that he is unworthy of serving the State;
- (2) any person who has obtained an appointment or promotion through ~~party~~ favoritism of the party or of fascist officials of high rank.
- (3) Any employee who has been guilty of fascist bias incompetence or corrupt practices such as have been introduced by fascism into public administration, shall be likewise dismissed.

Whenever evidence of an offence is found during an operation proceeding, such evidence shall be reported to the competent authority.

1611

14. Any person who has held the position of "socialista" or "socialista" or "anarchista", "Mafia su Roma", "Socialista italiano" or who has been an officer in the Fascist Militia if he has been guilty of Fascist participation or improper conduct shall be dismissed from his office or employment, but if not so guilty he may be awarded less severe punishment.
15. Any person who has received undue promotion or any preference in any competitive examinations because of his Fascist position may in lieu of dismissal be reduced in rank or be returned to his former position.
16. Any person who has after 8 September 43 distinguished himself in the struggle against the Germans may be excused from dismissal or other disciplinary measure.
17. Any employee who, after 8 September 43, moved to North Italy with or has pledged allegiance to or has in any way collaborated with the (Republican) Fascist Government shall be dismissed.
- Punishment of lesser degree may be awarded to such as show that he or his relatives were exposed to serious threats or danger.
- Any person who by his acts has effectively aided the patriots or has undermined the work of the Germans or of the (Republican) Fascist Government which they were apparently serving, may be excused from punishment.
- In every case on account shall be made of the allowances that were due under the original terms of employment and of any excess payment which may actually have been received. Any special allowance or sum granted or paid on account of any transfer to the North will be deducted.
18. The Commission of first instance to hear operation proceedings will be a Commission to be established in every Ministry or autonomous authority or body. When personnel of different classes or functions is employed in a Ministry more than one Commission may be established in that Ministry.
- Such Commissions will be appointed by the competent Minister and will be composed of a judicial or administrative magistrate either serving or retired, who will preside over them, and of the Chief of personnel or of an official of the administration, and of a third member nominated by the High Commissioner for the Sanctions against Fascism.
- A Commission to be appointed by a Prefect composed of a judicial official, either serving or retired, an official of the Prefecture, and a member to be nominated by the High Commissioner, will be instituted for Couriers, provinces, Public Welfare Institutions and under the control of the local authority.
- According to the provisions set out in the preceding paragraphs substitute members may be appointed and the Commission may be divided into Sub-Commissions.
19. Not less than three shall be allowed to an employee whose dismissal is proposed to prepare his defense.
- The Commissions, or any member delegated by them, shall have the power to examine witnesses, to require the production of documents and documents, to

Fascist Government shall be dismissed.

Penishment of lesser degree may be awarded to such as show that he or his relatives were exposed to serious threats or danger.

Any person who by his acts has effectively aided the patriots or has undermined the work of the German or of the (Republican) Fascist Government which they were apparently serving, may be excused from punishment.

In every case an account shall be made of the allowances that were due under the original terms of employment and of any excess payment which may actually have been received. Any special allowance or sum granted or paid on account of any transfer to the North will be disallowed.

18 The Commission of first instance to hear operation proceedings will be a Commission to be established in every Ministry or autonomous authority or body. When personnel of different classes or functions is employed in a Ministry more than one Commission may be established in that Ministry.

Such Commissions will be appointed by the competent Minister and will be composed of a judicial or administrative magistrate either serving or retired, who will preside over them, and of the Chief of personnel or of an official of the Administration, and of a third member nominated by the High Commissioner for the Sanctions against Fascism.

A Commission to be appointed by a Prefect composed of a judicial official, either serving or retired, an official of the Prefecture, and a member to be nominated by the High Commissioner, will be instituted for Communes, Provinces, Public Welfare Institutions and under the control of the local authorities.

According to the provisions set out in the preceding paragraphs substitute members may be appointed and the Commission may be divided into Sub-Commissions.

19 Not less than ten days shall be allowed to an employee whose dismissal is proposed to prepare his defence.

The Commissions, or any member delegated by them, shall have the power to examine witnesses, to require the production of deeds and documents, from judicial or administrative authorities and may personally hear the interested party if he applies for such a hearing.

20 The finding of the Commission of the first instance shall be communicated to the High Commissioner and to the party concerned. The interested party may within three days, and the High Commissioner within twenty days appeal to a central Commission appointed by the President of the Council of Ministers and composed of a president, two officials of the central administration, two judicial or administrative magistrates serving or retired and two other members nominated by the High Commissioner for Sanctions against Fascism.

In the same manner substitute members may be appointed and the Commission may be divided into sub-commissions.

21 Dismissal from office, in accordance with the finding of the Commissions, shall be carried out by the authority which normally has such power. The same authority shall put into effect the punishments hereby authorized in accordance with the finding of the Commissions.

22 Any employee dismissed from office shall be entitled to such pension privileges as may be due to him according to the provisions then in force.

In more serious cases forfeiture of pension privileges may be ordered. Any employee the subject of censure proceedings may be suspended from ~~office~~.

In such cases he shall receive, for his support, his salary ~~without~~ any other further allowance. Suspension from office shall be ordered by the competent Minister, or in cases under para 5 of Art 18 by the Prefect.

23 Commissions responsible for inspecting the registers shall be set up in each professional association or other body responsible for keeping registers of professional men, artists and skilled workers shall apply the principles set out in the preceding articles.

Such Commissions shall be appointed by the competent Minister or by any authority designated by him, and shall be composed of a President, a member nominated by the body keeping the register in question and of a member nominated by the High Commissioner for Sanctions against Fascism.

An appeal against a finding of a Commission may be lodged within the time set out by Art 20, to a Central Commission which shall be established, for each professional association or body, by the competent Minister and composed of a President, of two judicial or administrative judges, serving or retired, of four members nominated by the professional associations and of two other members nominated by the High Commissioner for Sanctions against Fascism.

In less serious cases a temporary suspension from the exercise of a profession, art or trade may be ordered in lieu of being struck off the register.

24 An employee dismissed from office may appeal to the State Council only on grounds of incompetence (i.e. of the Commission or officer concerned).

25 The proceedings set forth in this part shall be initiated within 6 months of this decree becoming effective.

Any proceeding before the Commission of First Instance shall be ended within three months after its initiation.

For the territory not yet liberated and for that part which has been liberated but not yet restored to the administration of the Italian Government, the time limit indicated in the first paragraph is extended to six months after the restoration of such territories to the Italian Administration.

PART III Disposal of Profits derived from the Rensio.

26 Profit derived from participation in or adherence to the fascist regime shall be forfeited to the State regardless whether or not a penal proceeding

each professional association.
of professional men, artists and skilled workers shall apply the principles set out in the preceding articles.

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PART III Disposal of profits derived from the Regime.

26. Profit derived from participation in or adherence to the fascist regime shall be forfeited to the State regardless whether or not a penal proceeding is instituted for acts constituting an offence.

An increase of property obtained after the 28 October by persons holding public offices or in any way engaged in political activity as a fascist shall be presumed to constitute a profit derived from the regime unless the party concerned shall show that such increase was derived from a legitimate source and this shall be the case even if the property acquired has ceased to belong to the same person.

Such presumption shall likewise apply to increases in property of the ascendants, descendants and spouse of any person, who even if not a member of the fascist party, maintained relations as associate or client with the persons indicated in the first paragraph.

In assessing increases of property consideration shall be given to property in any way acquired or held through intermediaries.

-5-

27 Specific property constituting profit derived from the regime and owned by the debtor (Note: Without any explanation the decree uses the word "debtor" to denote the person who has acquired profit from the regime) may be forfeited to the State.

28 The entire property of the debtor is liable for the satisfaction of the assessed debt to the State as profit derived from the regime.

In cases contemplated by the 3rd para of Art 26 persons not put in first paragraph of the said Article shall be liable jointly with their spouses, associates or clients.

29 If the property of the debtor is not sufficient to pay the amounts owed to the State the following dealings with property (by the debtor) shall be considered void:

- (1) transfers made by the debtor without valuable consideration during the five years prior to 25 July 43;
- (2) any disposition made after such date.

As far as the State is concerned property acquired within the five year period prior to 25 July 43 by the spouse of the debtor shall for the purpose of satisfying the State's claim for profit derived from the regime be considered as belonging to the debtor.

30 The investigation and assessing of the amount of the profit derived from the regime shall be within the jurisdiction of a Special Section of the Provincial Commission for Taxation, comprised of the President of the Tribunal of a Judge delegated by him and of four Commissioners appointed by the Minister of Finance on the nomination of the Prefect from citizens of proven probity and competence.

The Special Section shall initiate the investigation^{of} information by the High Commissioner or by a finance or taxation officer or an one signed by a private citizen.

The said Section shall also adjudicate complaints of the debtor or of the finance office against the proposed assessment of the profit derived from the regime.

The hearing shall be open to the public and both the Advocate dello Stato and the person the subject of the investigation may adduce evidence in rebuttal; the latter may choose to be represented by a procuratore legale or by an advocate.

The decision shall be communicated to the debtor, to the finance office concerned and to the High Commissioner.

31 The Special Section of the Provincial Commission shall have all the powers of investigation, entry, search, control and inquiry, conferred upon the agents for direct taxation and upon the administrative commissions for investigation of extraordinary war profits.

The privilege to abstain from testimony in cases not envisaged in Art 352 of the CPP shall not apply.

The witness or expert who does not voluntarily carry

considered void:

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 - (2) any disposition made after such date.
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The hearing shall be open to the public and both the *Avocaturn dello Stato* and the person the subject of the investigation may adduce evidence in rebuttal; the latter may choose to be represented by a *procuratore legale* or by an advocate.

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The privilege to abstain from testimony in cases set out in Art 352 of the C.P. shall not apply.

Any person summoned as witness or expert who does not faithfully carry out his duties or gives false evidence shall be punished in accordance with Articles 386, 372 and 373 of the C.P.

Any person who fails to comply with other requests of the Section shall be punished by imprisonment up to six months or by fine from 300 to 5,000 lire.

Administrative or other bodies having knowledge of cases in which profit has been derived from the regime, shall immediately report the same to the High Commissioner. Any person responsible for making any such report who fails to do so shall be punished in accordance with the preceding paragraph.

Personnel of the judicial police or of other administrative or technical branches of the administration may be assigned to the Special Section for the execution of its duties.

- 32 The debtor and the *Avventura dello Stato* may within thirty days lodge an appeal against the decisions of the Special Section of the Provincial Commission. The High Commissioner may also appeal within 60 days. The appeal shall be adjudicated by a special section of the Central Commission for taxation comprised of a President, a judicial official holding a grade not lower than that of a first president of Court of Appeal, and of four commissioners; all to be appointed by the Council of Ministers. The provisions of the last two paragraphs of Art 30 and of Art 31 shall apply to the proceedings before the Special Section of the Central Commission.
- 33 The decisions of the Special Section of the Central Commission may be opposed before the *Magistrato* Section of the Cassation solely on the ground of absolute lack of jurisdiction. An appeal must be lodged by the debtor or by the *Avventura dello Stato* within 15 days; the High Commissioner may appeal within 6 months.
- 34 The High Commissioner may, even after the lapse of the above period but not after the lapse of two years, move that the decision, although final be annulled on the ground that facts of considerable importance have been discovered always provided that the reasons set out in the decision disclose that such facts were not in evidence in the previous proceeding. Such amendment of the decision is in any case within the jurisdiction of the Special Section of the Central Commission.
- 35 Even before the Special Sections of Provincial Commissions are constituted, the Presidents of the Tribunal may, upon request of the High Commissioner or of the Finance Administration, order by decree a protective attachment of credits or realties belonging to persons set out in Art 26 although they may be held by third parties. Such power may be exercised by the Presidents of the Commissions by virtue of their office. Provisions of para. 7 and 8 of Art 19 of the Consolidated text of laws on the extraordinary tax in excess war profits, approved by RD 3 June 43, No 598, shall apply.
- 36 A decree of the High Commissioner shall be published in the *Gazzetta Ufficiale* of the Kingdom, listing persons who are considered profiteers of the war; any person who may hold property belonging to such person or who may be indebted to him in any way whatever, shall be required to declare the same following the form and within the time limits established in the said decree; also he shall not return the property or fulfill his obligations to his creditor. Any such blocking shall become void if an attachment is not ordered within 60 days after the lapse of the time limit for the above said declaration. Any person who may fail to comply with the duties set forth in this Article shall be punished in accordance with Art 31 para 4; he shall also be liable for any consequential loss suffered by the State.

-7-

PART IV Confiscation of Fascist Property.

36 The property of the disbanded fascist national party and of organisations suppressed by RDL 2 August 43, No 704, shall devolve upon the State.

Such property shall be used for the public service or the public benefit, this shall be effected on the proposal of the High Commissioner by decree of the President of the Council, in agreement with the Competent Ministries. If necessary such property may be transferred to another public body or organisation promoting welfare, sport or the like.

39 The finance administration of the State shall provide for the collection of assets of the fascist national party and the suppressed organisations.

PART V

The High Commissioner.

40 To supervise the carrying out of this decree the office of High Commissioner for Sanctions against Fascism is created.

The High Commissioner shall be nominated by the Council of Ministers and appointed (i.e. by the President) and shall for the duration of his term of office rank as a judicial officer of the first grade.

He shall be assisted by Assistant High Commissioners for each of the branches of his jurisdiction.

In the event of the High Commissioner being unable to act each of the Assistant High Commissioners may so far as his own branch is concerned act in his name.

The Assistant High Commissioners shall be appointed by the President of the Council of Ministers on the nomination of the High Commissioner and shall rank as judicial officials of the third grade.

Not more than two Commissioners may be nominated for any one branch of the High Commission. They shall be appointed in the manner described in the preceding paragraph.

Sufficient judicial and other officials shall on request be assigned to the office of the High Commissioner and a nucleus of judicial police shall be placed at his disposal composed of personnel of the carabinieri of the public security or of the finance guards. Persons not members of the Administration may be employed in the secretarial offices.

The High Commissioner and his subordinate officers may call on the judicial police who will carry out their orders.

41 The High Commissioner shall direct and supervise the work of all organisations by which Sanctions against Fascism are carried out.

The High Commissioner shall be ~~bound~~ ^{empowered} on his own initiative or on the demand of any public authority or on an information signal by a private individual to commence proceedings in respect of any crime described in Art 2 and to carry out investigation as may be necessary and to render the accused to the High Court in which he or his delegate act as "Ministers Public".

In cases of exceptional gravity the High Commissioner may exceed the normal powers in that respect and refer to the High Court any person ^{other than} referred to in Art 2 and for any crime whether or not such is mentioned

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The High Commissioner and his subordinate officers may call on the judicial police who will carry out their orders.

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The High Commissioner shall be ~~empowered~~ ^{enabled} on his own initiative or on the demand of any public authority or on an information signed by a private individual to commence proceedings in respect of any crime described in Art 2 and to carry out investigation as may be necessary and to demand the aid used to the High Court in which he or his delegate act as "Ministero pubblico".

In cases of exceptional gravity the High Commissioner may exceed the normal powers in that respect and refer to the High Court any person ^{or persons} ~~other~~ those referred to in Art 2 and for any crime whether or not such is mentioned in Art 2.

Without prejudice to the power of the Ministero Pubblico, Public Authorities, and other bodies or organisations the High Commissioner may on his own initiative or on the information of a private individual commence proceedings.

(1) In respect of other crimes mentioned in Part I.

(2) To apply the provisions set out in Art 6.

(3) To forfeit property belonging to persons who have collaborated with the Germans in accordance with Art 9.

(4) Before the appropriate commissions of first instances and before the Central Commission with regard to appeals, for purging the administration and for dismissing officers or employees from their office or employment.

(5) Before the Local and Central Commissions for taxation, for assessing and forfeiting as profit derived from the fascist regime, with power in exceptional cases to commence proceedings for rectification of any decision of the aforementioned Central Commission.

He may also

- (6) make proposals for the correct and proper use of property previously belonging to the Fascist Party or to fascist organizations.
- (7) Exercise any other functions contained in this decree or in any other decrees or regulations.

PART VI Transitory and Final Provisions.

- 42 For the application of this decree all prerogatives including those set out in Arts 26, 37 and 47 of the Constitution are hereby abrogated.
- 43 Any public official or any person engaged in the public service responsible according to the provisions of this law for punishing fascist crimes, for purging the administrations, for forfeiting any profit derived from the regime and for confiscating fascist property, who may commit any offence set out in and punishable by virtue of Arts 341, 346, 347, 348, 349, 320, 323, 324, 326 and 328 of the Penal Code shall be punished in accordance with the provisions of these articles but increased by from one third to one half.
- 44 Proceedings already initiated for the punishment of fascist crimes for purgation and for the forfeiture of profit derived from the regime shall be carried through in accordance with the provisions of this decree, without prejudice to any action already taken incompatible with those rules.
Decisions already given shall be reviewed if they are in conflict with the provisions of this decree.
- 45 Successive decrees will be issued to provide when necessary for the execution of the rules established by the preceding Parts. b.
The Minister of the Treasury is hereby authorized to make his own decrees the necessary variations in the State Budget occasioned by the functioning of the High Commissioner and the organizations established by this decree.
- 46 Royal Decree laws 9 August 43 No 720, of 28 December 43 No 29/B, of 26 May 44 No 134, are hereby abrogated.
The provisions contained in Royal Decree law 12 April 44 No 101, so far as they relate to the contents of this decree are also abrogated.
- 47 This decree will come into force etc. etc.

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Ref/513/161/CA.

1 August 1944.

SUBJECT: Guardia Nazionale Republican.

TO : HQ. AAI.

1. With reference to your AAI/1402/5/CSX(b) of 4 July 1944 the principles laid down in para.3 (a) (i) and (ii) are agreed to.
2. Arrangements already exist with regard to the CC.RR for screening and re-assigning both officers and men at CC.RR Reception Centres. At present forward Reception Centres have been established at GROSSETO on the west coast and CHIETI on the east coast. It is, therefore, recommended that the following be substituted for your para.3 (b) (i) and (ii) :

"CC.RR.

CC.RR officers and men : to be transported as soon as practicable to CC.RR Reception Centres where they will be screened.

CC.RR Reception Centres are established at GROSSETO (West Coast) and CHIETI (East Coast).

In all cases, local discretion to be exercised and the above principles to be regarded as a guide to be interpreted in the light of personalities and local circumstances.

3. If you agree with these amendments to your proposals and issue a directive on these lines will you please send us a copy.

Brigadier,
Executive Commissioner,
For A/Chief Commissioner.

Copy to: Admin Section.
Public Safety Sub-Commission

5413

0081

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

313 L C.A. Be 57
Subject: Italian Advisors on Defascistisation. 7501

Main H.Q., A.M.G.
Eighth Army.

0A/72

R.C. & M.G. Section,
H.Q., A.M.G.
A.P.O. 394.

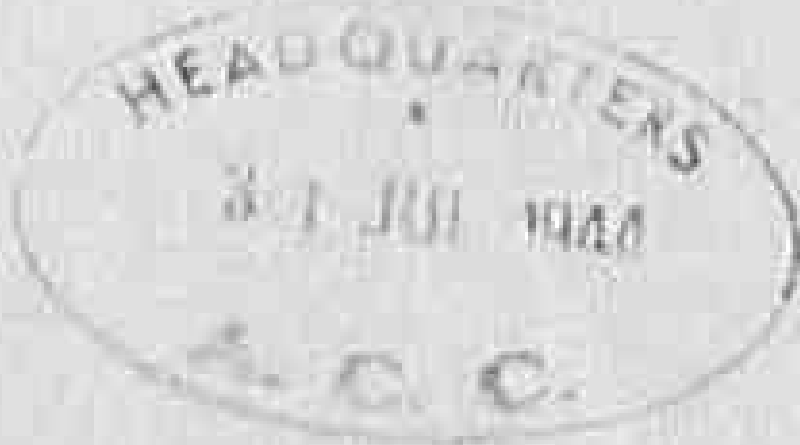
26 JUL 1940

31 JUL Reed

1. Reference your 313/-/CA of 22nd July, 44.
2. The cities of PISI and LUCCA are within A.M.G. Fifth Army area, and correspondence is accordingly returned herewith. It has not been sent to Fifth Army direct, as they would not have the original instructions concerning the use of Italian Advisors on Defascistisation, which presumably you will wish them to receive.

Swank Cr Shipp
to file to 5th Army
C.A.A. in
Aug 5

Er Bee etc
Group Captain,
Officer Commanding,
H.Q., A.M.G. Eighth Army Main.



2 31/7

118
I will like
can read 112

10082

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

RC-MY-Section

313 L

136

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/2.H/AS.

30 JUL 44.

31 JUL Recd

SUBJECT : Defascism.

TO : RCMB-Section (2)✓
Economic Section (10)
Political Section (2)
Navy Sub-Commission (2)
Army Sub-Commission (2)
Air Sub-Commission (2)
Communications S.C. (2)

*Copy to RC
Report 1-6 IX
Aug/44 g.*

- 1 The Defascism Decree has been issued and will at once come into force in both Military and Italian Government Territory.
- 2 A translation of the relevant parts is being prepared and will be circulated as soon as possible.
- 3 The attention of Sub Comms mentioned in Col 2 of A/CC 250 of 15 Jul is drawn to the fact that there is no longer even a purely theoretical reason for Ministries not submitting the names of the persons appointed to Ministerial Commissions.
- 4 It is also pointed out that para 7 of A/CC of 15 Jul is no longer correct; the defascising of national concerns under the new decree is the responsibility of the Ministerial Commission responsible in Italian law for control of the concerns in question. The supervision of defascising these concerns including their branch offices will therefore devolve upon the sub-commissions concerned who can of course act through their "field officers".

G + L.A.A.

G.R. UPJOHN Col,
A/RA Admin Sec.

Copy to : Acting Chief Commissioner
Administrative Section (10)

SEH/gal.

Ext 608.

*cc. Put extra copies to
distribute on same basis as 140.
54 IX 315*

0083

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

55

313/157/CH

29 July 1944

146

Reference your letter of 15 July 44. I understand that you have got all the latest decrees and orders on Defascistation in the brief prepared for you by Administrative Section on the PELERINE Case.

If there is anything here you want on the subject please let me know. It was very nice seeing you again.

5410

Col. Charles M. Spofford
G-5 AFHQ (Adv.)

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

To Maj Talbot

I'm sorry but Col Spofford
left before Col Fiske could
take this matter up with
him. Col Fiske is not
in this morning. W.C.

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

Dep Ex. Com.

154

1. Re 146, V. P. Adm. Soc. is preparing a very full brief for Col Spofford on the PELEGRINE case, which fully covers the ground of Col Spofford's opinion since it contains all the latest orders & decrees.

2. As you will be seeing Col Spofford & hear he I want I thought he might tell him this.

S. J. 29/7

88

0086

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

153

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

SECRET

Ref: 313/15A/CA

23 July 44

Subject: Italian Advisors on Defascistization

To: SCAG 8th Army

Further to my letter of 22 July, I can give you now three names for the team of La Spezia:

Avv. Paolo Boracchia
Dott. R. Gambini
Dott. ~~XXXX~~ BESI


Norman E. Fiske
Colonel
Deputy Executive Commissioner

Should have been to
5th Army from 6th
Shipping to ship to 5th
Army at AAI in May 5.

431/7

5408

0037

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

152.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref: 313/155/CA

25 July 44

Subject: Gioventu' Italiana

To: Region II

142

1. I refer to your E.O.A./42/W/ of 11 July.
2. I have now heard from the Education Sub-Commission and can inform you that the organisation known as "GI" has no legal status in Italian territory and is not to be recognised. Any useful work that it has been doing will now go into the regular school channels and into the Patronato Scolastico, now in process of formation.

SK
Norman E. Pike
Colonel
Deputy Executive Commissioner

Copy to Education Sub-Commission.

5407

0082

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

313
L

22 JUL Recd

151

To Colonel Upjohn (before 1030)

This will give you
a background to the
problem which I mentioned
yesterday.

A.E.B.

13/VII

140

CA. B.

I suppose that para 7 of MOC 250.
~~Do you think there is any~~
of 15 Jul is being observed by Rome.

22 JUL 1944

Spella F...

HWA

R/284

cc. Handwritten this without the reference;
it's useful in the file concerning the
handwritten reference.

H 24/7

5406

0089

150
Recd Jul 24

ROME REGION ~~A.C.C.~~
ALLIED MILITARY GOVERNMENT
A. P. O. 394 U. S. ARMY

5AR/62

FINANCE DIVISION

10. July. 1944

Subject: Interpretation of Regional Orders.

To: Regional Commissioner,
H.Q., A.M.G., Rome Region.

1. At the Staff Conference held yesterday I was instructed to obtain "schede personali" for all personnel of Organisations in the City (ex Governatorato) of Rome, which come under the control of this Division, with a view to the implementation of Regional Order No.1.
2. Generally speaking these organisations are the Banca d'Italia, the other 28 Banks in Rome, the Commercial Insurance Companies, and of course the City of Rome.
In addition, certain control is exercised over the Intendente di Finanza and his various Tax Agencies, Lotto and Monopoly Agencies etc.
It is my opinion that this Division should not occupy itself with the Intendente di Finanza and the Agencies controlled by him as these matters should be decided by H.Q. A.O.C. only, being of a State level.
3. I am therefore sending out "schede personali" for personnel only of Banca d'Italia, all other Banks and the Comune of Rome. On receipt of the completed "schede personali" I shall study them and refer names to you for immediate dismissal.
I am ordering the Banks and Commercial Insurance Companies not to dismiss any personnel until the "schede personali" have been submitted to me for examination.
I have taken this step because I feel you would wish to have my recommendations before taking action which might result in wholesale dismissals with a possible consequent disruption of the banking machinery of the City.

Subject: Interpretation of Regional Orders.

To: Regional Commissioner,
H.Q., A.M.G., Rome Region.

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I am ordering the Banks and Commercial Insurance Companies not to dismiss any personnel until the "schede personali" have been submitted to me for examination.
I have taken this step because I feel you would wish to have my recommendations before taking action which might result in wholesale dismissals with a possible consequent disruption of the banking machinery of the City.
4. Institutions like IRI, IMI, INCE, Opere Pubbliche are under the direct control of H.Q. A.C.C. and I shall take no action with regard to such institutions.
5. I shall be grateful for your written confirmation that the above measures have your approval.

E.R. Leigh-Jones
W/Cdr/ Reg. Fin. Officer.

0091

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

149

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

SECRET

Ref/313/-/DA

22 July 1944

SUBJECT: Italian Advisors on Defascistization.

TO : SCAG 8th Army and R.C. Region VIII

1. I refer to my Signal No. 601 of 18 July to SCAG 8th Army in which was set out the names of four antifascist citizens of Florence who should be consulted as to the removal of fascists in that City.
2. I am now in a position to give three names for PISA and LUCCA which are as follows:

<u>PISA</u>	Mr. ARMANDO ENZO BIANCHI Prof. VINCENZO BONDI	Former Cabinet Minister. Director of Clinical Medicine University.
<u>LUCCA</u>	Prof. MANFREDI.	Former MP of Pisa University.

3. I must emphasize that these names are given to you to assist you by advice and it is not intended that these should hold any office. It is necessary that consultation with them be kept strictly secret so as not to compromise either the persons themselves or their future usefulness.

NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

Copy to:
Main Section
A/Chief Commissioner

5404

313 *Revised Section*
21 JUL 44
108

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/4/14/43

20 JUL 44

SUBJECT : Defascism.

TO : Distribution as below.

With reference the A/CS Letter 250 of 15 Jul.

- 1 It is understood that some Ministries are suggesting that they are unable to proceed with the formation of the Ministerial defascising commissions as the authorising decrees have not been passed.
- 2 Ministries are perfectly aware of the new proposals which the decree will authorize and can perfectly well save time by considering now what persons they will appoint when this decree is passed. They can also supply us provisionally with the names of these persons to enable us to put screening in hand.
- 3 If this is not done much time will be quite unnecessarily lost after the decree comes into effect before the commissions will be able to get to work.
- 4 The Sections and Sub-Commissions mentioned in Col 2 of A/CS 250 of 15 Jul are therefore requested to press the Ministries concerned for the names of the persons they propose to appoint and to get them screened.

1 R 1 1 1 1
G. E. UFFORD, Col
A/Secy, A/CS Sec.

DISTRIBUTION: Acting Chief Commissioner.
Administrative Section.

- 1 It is understood that some Ministries are suggesting that they are unable to proceed with the formation of the Ministerial defuncting commissions as the authorizing decrees have not been passed.
- 2 Ministries are perfectly aware of the new proposals which the decrees will authorize and can perfectly well save time by considering now what persons they will appoint when this decree is passed. They can also supply us provisionally with the names of these persons to enable us to put screening in hand.
- 3 If this is not done much time will be quite unnecessarily lost after the decree comes into effect before the commissions will be able to get to work.
- 4 The Sections and Sub-Commissions mentioned in Col 2 of A/OE 250 of 15 Jul are therefore requested to press the Ministries concerned for the names of the persons they propose to appoint and to get them screened.

7 R 1 1 1 1
G.S. URSOBY, Col
Head, Adm Sec.

DISTRIBUTION:
 Acting Chief Commissioner.
 Administrative Section
 Economic Section
 EC & ID Section
 Political Section
 Navy Sub-Commission
 Air Sub-Commission
 Communications Sub-Commission
 File

(10)
 (10)
 (2)
 (2)
 (2)
 (2)
 (2)

SNV/sb
 Ext: 469.

67

3

0094

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

ADVISED HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

148A

ACC/14620/PS.

20th July 1944.

SUBJECT : Guardia Nazionale Repubblicana

TO : Executive Commissioner
R.C. of M.G. Section

1. Reference is made to your letter 313/122/CA dated 9th July 1944, enclosing letter AAI/1402/5GSI(b).
2. A.C.C. directive dated 28th May, referred to in para 2 of A.A.I. letter, cannot be traced, but this is probably a clerical error for A.C.C. directive dated 26th May.
3. As far as this Sub-Commission is concerned the instructions laid down in paragraph 3a (i) and (ii) regarding M.U.S.N. and P.A.I. appear suitable.
4. As regard CC.RR. arrangements already exist for screening and re-assigning both officers and men at CC.RR. Reception Centres. At present forward Reception Centres have been established at Grosseto on the West Coast and Chieti on the East Coast.
5. It is therefore recommended that the following be substituted for paragraph 3 (b) (i) and (ii).

"CC.RR.

CC.RR. officers and men: to be transported as soon as practicable to CC.RR. Reception Centres where they will be screened.

CC.RR. Reception Centres are established at Grosseto (West Coast) and Chieti (East Coast.)

In all cases, local discretion to be exercised and the above principles to be regarded as a guide to be interpreted in the light of personalities and local circumstances."

6. It is to be understood that this arrangement does not preclude individual CC.RR. officers or men being interned where there is definite information that they are a danger to security.

7. It is recommended that the papers be referred to Army Sub-Commission.

5402

PAUL G. KIRK
Colonel Inf.

Chief Public Safety Sub-Comm.

22 JUL 1944
313 R
SECRET & CONFIDENTIAL 747

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/4/1.1/AS

19 Jul 44

SUBJECT : SCAO's Advisers.

TO : Executive Commissioner. ✓ 138

Further to my DF/4/1A/AS of 14 Jul.

- 1 I submit the names of six other Italians who are in a position to give useful advice to SCAO's when composing the lists of fascists in respect of the towns under which their names appear.

8 PISA Avv. ARNALDO DELLO SBARBA
Prof. VINCENZO ROSSI

Former Cabinet Minister.
Director of Clinica Oculistica,
University.

8 LUCCA Prof. MANCINI,

Former MP of Pisa University.

10 SPEZIA Avv. PAOLO BORACCHIA
Dott. R. GAMBINI
Dott. BECHI

Reprin I

- 2 It is of course understood that the above would act as advisers only, and not that they should hold any office. It is desired that consultation shall be as secret as reasonably may be, so as not to compromise either the persons named or their future usefulness.

[Signature]
G.R. UPJOHN, Col
A/Head, Adm Sec

Copy to: Acting Chief Commissioner.

Sent to SCAO 8 Aug
under 154
A/260

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

CMS/r1

Ref/DO/53

15 July 1944

*See attachment
on Cover*

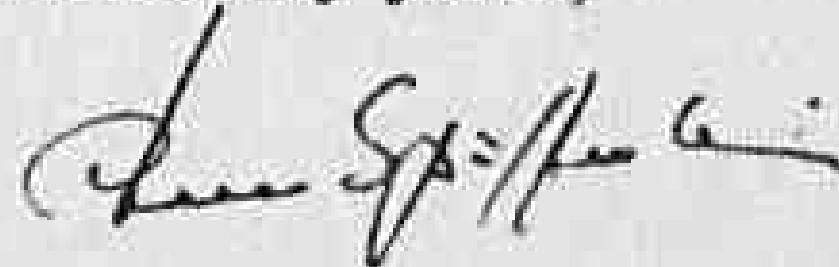
My dear Lush:

As you are undoubtedly aware, there has been a good deal of comment in the British and American press on the defascistization measures in Rome. I have been asked for information and have been able to reply in a general way. I do, however, require a little more detailed information, specifically, copies of the present epuration decrees and any recent defascistization orders which have been issued by or under the authority of ACC

I would appreciate having these as promptly as they may be furnished under the circumstances of your move to Rome. Also, I should like any information on the progress of the campaign to date which will give me background which may be useful.

I expect to see you within the next week or so.

Very sincerely yours,



CHARLES M. SPOFFORD
Colonel, G. S. C.
Asst. Chief of Staff, G-5

Brigadier Maurice S. Lush, OBE, MC
Executive Commissioner
Headquarters, Allied Control Commission
APO 394

0097

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

SECRET

681

141

EIGHT ARMY RPTD FIVE ARMY

ACC ADV

681

18 July 1944

SECRET

PRIORITY

Civil Affairs Branch

AS RESULT OF NEGOTIATIONS BETWEEN ACC AND ITALIAN GOVERNMENT LATER HAS GIVEN
 FOLLOWING FOUR NAMES OF PAIR AND JUST BUT FIRM ANTI FASCISTS WHO MAY BE EXPECTED TO BE
 FOUND IN FLORENCE PD PAREN TO EIGHT ARMY FOR AMG RPTD FIVE ARMY FOR AMG FIRM ACC ADVANCE
FOR LUSH PAREN FIRST DOCTOR PIRACCINI FORMER MP WELL KNOWN AND MUCH RESPECTED BY
 FLORENTINES PD SECOND AMBASSADOR G CORA CMA VIA DEL BOBOLINO FIVE CMA ENGLISH SPEAKS
 ENGLISH PD THIRD PROFESSOR PIERO CALAMANDREI CMA NOTED JURIST PD FOURTH AVVOCATO
 GIORGIO MIGLIORINI CMA VIA GIUSEPPE GIUSTI ONE EIGHT CMA HAS ENGLISH MOTHER CMA KNOWS
 ONE BY ONE ALL MEMBERS OF FLORENTINE SOCIETY CMA MAY ALSO GIVE RELIABLE INFORMATION FOR
 BOLOGNA AND MILAN PD YOU SHOULD CONSULT THESE CITIZENS AS TO THE PRINCIPAL FASCISTS IN
 IMPORTANT POSITIONS IN FLORENCE PD WHILE BASIC POLICE AS TO DEFASCIZATION REMAINS AS
 LAID DOWN IN EXECUTIVE MEMORANDUM SIX SEVEN YOU SHOULD ATTACH THE GREATEST WEIGHT TO THE
 ADVICE OF THESE MEN PD I MUST EMPHASIZE THAT YOU SHOULD CONSULT THESE MEN IN THE GREATEST
 SECRECY AND ON NO ACCOUNT CAN THEIR NAMES BE MADE PUBLIC

Region VIII (BY HLS)
 Admin Sect.
 Secy-Gen.
 Security Br.

L.T. MONTANT, Jr.
 1st Lieut. AGD
 ADJUTANT.

SECRET

PVA

5399

3139 RC & MY Section
(New Regions) 140

17 JUL Recd CONFIDENTIAL

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 594

A/CC 250

SUBJECT: Defascistization.

TO : Distribution Below.

15 Jul 44

Copy sent to Regan T-6 18/7
1. H. H. H.

1 This memorandum is concerned with the defascistization of the personnel of national ministries at the seat of the Government including ministries temporarily situated elsewhere for convenience. It is not concerned with local bodies nor with governmental representatives in the field e.g. Prefects.

2 In each ministry there has been or will shortly be set up a committee to advise each minister on the defascistization of the personnel in his ministry and it is essential that such work be completed as soon as possible.

3 In order therefore, to ensure that the various ministries do get to work on this matter, Sections and Sub-Commissions of this HQ will be responsible for ensuring that these boards are immediately set up (where this has not already been done), and that they carry out their work speedily and effectively.

4 Appended below are the ministries for which Sections and Sub-Commissions will be responsible. It is appreciated that in some instances (e.g. Public Safety in the Ministry of Interior) more than one Sub-Commission is concerned. In these cases, the Sub-Commission named in column 2 will be the responsible authority and will co-ordinate the work with those named in column 3.

MINISTRY		1	2	3
		Sub-Comm. or Section	Sub-Comm.	
Foreign Affairs		Political Section		
Interior		Interior		Public Health Public Safety PRO re Press, and Information.
Grace and Justice		Legal		Public Safety
Treasury Finance		Finance		
Industry, Commerce		Commerce		Property Control
				(Industry

national ministries at the seat of the Government including ministries temporarily situated elsewhere for convenience. It is not concerned with local bodies nor with governmental representatives in the field e.g. Prefects.

- 2 In each ministry there has been or will shortly be set up a committee to advise each minister on the declassification of the personnel in his ministry and it is essential that such work be completed as soon as possible.
- 3 In order therefore, to ensure that the various ministries do get to work on this matter, Sections and Sub-Commissions of this HQ will be responsible for ensuring that these boards are immediately set up (where this has not already been done), and that they carry out their work speedily and effectively.
- 4 Appended below are the ministries for which Sections and Sub-Commissions will be responsible. It is appreciated that in some instances (e.g. Public Safety in the Ministry of Interior) more than one Sub-Commission is concerned. In these cases, the Sub-Commission named in column 2 will be the responsible authority and will co-ordinate the work with those named in column 3.

<u>MINISTRY</u>		<u>Sub-Comm or Section</u>	<u>Sub-Comm</u>
Foreign Affairs		Political Section	
Interior		Interior	
Grace and Justice		Legal	{ Public Health Public Safety PRO re Press. and Information.
Treasury Finance }		Finance	Public Safety
Industry, Commerce & Labour		Commerce	Property Control
Public Works		Public Works	{ Industry Labour
Agriculture		Agriculture	
Public Instruction		Education	Food
WAR		ARMY	MEALS
Aviation		Air	
Marine		Navy	
Communications (Posts & Tel.) (Roads & Rlys) Transportation			Shipping.

5398

-2-

5 If Sub-Commissions have any information as to the fascist antecedents of any person concerned in their ministry, they should place any such information at the disposal of the minister concerned. If there is any doubt as to whether any information should or should not be disclosed on security grounds, the Security Branch RG & MG will be consulted.

6 It is obviously impracticable that all the personnel of ministries should be screened by the Security Branch. Directors of Sub-Commissions will exercise their discretion in referring the most important personnel in their respective ministries to the Security Branch for screening; this will particularly apply to the members of the ministerial committees.

7 NATION-WIDE INSTITUTIONS & PARASTATAL INSTITUTIONS.

A separate directive will shortly be issued with regard to the defascistisation of nation-wide institutions (e.g. Banca d'Italia, Banca di Napoli, assicurazioni companies and so on) and of parastatal institutions (e.g. I.R.I., I.N.E. and E.I.A.R.).

In the meantime the following principles are laid down for guidance.

(a) The defascistisation of the Head Office wherever situated of such institutions will be the responsibility of HQ ACC and not of the Regional Commissioner of the Region within which the Head Office is found.

(b) The defascistisation of branch offices, even those situated in the same city as the Head Office, will be the responsibility of the Regional Commissioner of the Region in which such offices are found.

8 Vice Presidents will ensure that the above instructions are carried out in their respective Sections. Progress reports to be rendered weekly commencing MONDAY 24 Jul 44 to Vice President, Administrative Section who will be the coordinating authority.

Distribution: Acting Chief Commissioner.
Administrative Section
Parastatal Section

WILLIAM W. STONE
Captain, USNR
Acting Chief Commissioner.

(10)

A separate directive will shortly be issued with regard to the defascistization of nation-wide institutions (e.g. Banca d'Italia, Banca di Napoli, assurance companies and so on) and of parastatal institutions (e.g. I.R.I., I.M.E. and S.I.A.R.).

In the meantime the following principles are laid down for guidance.

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0103

MILLY W. STONE
Captain, USNR
Acting Chief Commissioner.

Distribution:

Acting Chief Commissioner.	(10)
Administrative Section	(10)
Economic Section	(12)
EC & MC Section (for Regions)	(2)
Political Section	(2)
Navy Sub-Commission	(2)
Army Sub-Commission	(2)
Air Sub-Commission	(2)
Communications Sub-Commission	(2)
File	(2)

U. S. CONFIDENTIAL
Equals British CONFIDENTIAL

RC & HQ Section

139

HEADQUARTERS
ALLIED CONTROL COMMISSION
Office of the Acting Chief Commissioner
APO 394

ENC/WD

A/CC 250

14 July 1944

SUBJECT: Defascistization of Governmental Institutions in Rome

TO : Vice Presidents
Independent Sub-Commissions
Regional Commissioner, Rome Region
Regional Commissioner, Region IV

1. The responsibility for the removal of Fascist officials and employees of governmental institutions in Rome and their replacement is established as follows:

Municipal Institutions - Rome Region

Provincial Institutions - Region IV (with the concurrence of Rome Region where indicated)

National Institutions - Allied Control Commission

2. Initially, and until such time as the Italian Government can itself undertake the task of defascistization of national ministries and parastatal institutions, this work will be carried on by the relevant subcommission. The director or deputy director of each subcommission should, in consultation with the minister or under-secretary, set up and supervise the necessary machinery within each ministry.

3. Orders of dismissal and appointment will be promulgated by the ministry concerned.

4. Included as national institutions are all bodies of a national character which have heretofore been under the control of a ministry of the National Government but shall not include regional subdivisions thereof.

ELBERT W. STONE
Captain, USNR
Acting Chief Commissioner

5397

U. S. CONFIDENTIAL
Equals British CONFIDENTIAL

0103

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

313
15 AUG 1944

112 138

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/4/1A/AS

14 July 1944

SUBJECT : Defascistisation.
TO : Acting Chief Commissioner.

129-130

See 1147

1. Following your instructions to Acting Head of Administrative Section yesterday, I am directed to submit for your approval a revised draft of a memorandum on this subject.

R.R. Cripps
R.R. CRIPPS,
Colonel, GSO,
Admin Section

Copy to: Executive Commissioner.
VP Economic Section.

CONFIDENTIAL 137

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

MEMORANDUM

SUBJECT : Defascistisation.

TO : Administrative Section (10)
Economic Section (10)
Political Section (2)
Navy Sub-Commission (2)
Army Sub-Commission (2)
Air Sub-Commission (2)
Communications Sub Coman (2)

..... Jul 44.

1 This memorandum is concerned with the defascistisation of the personnel of national ministries at the seat of the Government including ministries temporarily situated elsewhere for convenience. It is not concerned with local bodies nor with governmental representatives in the field e.g. Prefects.

2 In each ministry there has been or will shortly be set up a committee to advise each minister on the defascistisation of the personnel in his ministry and it is essential that such work be completed as soon as possible.

3 In order therefore, to ensure to ensure that the various ministries do get to work on this matter, Sections and Sub-Commissions of this HQ will be responsible for ensuring that these boards are immediately set up (where this has not already been done), and that they carry out their work speedily and effectively.

4 Appended below are the ministries for which Sections and Sub Comans will be responsible. It is appreciated that in some instances (e.g. Public Safety in the Ministry of Interior) more than one Sub Coman is concerned. In these cases, the Sub Coman named in column 2 will be the responsible authority and will co-ordinate the work with those named in column 3.

<u>MINISTRY</u>	<u>Sub Coman or Section</u>	<u>Sub Coman</u>
Foreign Affairs	Political Section	
Interior	Interior	{ Public Health Public Safety PRO. re Press & Information.
Grace & Justice	Legal	Public Safety

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<u>1</u> MINISTRY	<u>2</u> Sub Comm or Section	<u>3</u> Sub Comm
Foreign Affairs	Political Section	-
Interior	Interior	{ Public Health Public Safety PRO. re Press & Information.
Grace & Justice	Legal	Public Safety
Treasury } Finance }	Finance	Property Control
Industry, Commerce & Labour	Commerce	{ Industry { Labour
Public Works	Public Works	- 5390
Agriculture	Agriculture	Food
Public Instruction	Education	MPAA
WAR	ARMY	-
Aviation	Air	-
Marine	Navy	-
Communications (Posts & Tel) (Roads & Rlys) Transportation	Communications (Roads & Rlys) Transportation	- Shipping

-2-

- 5 If Sub Comms have any information as to the list antecedents of any person concerned in their ministry, they should place any such information at the disposal of the Minister concerned. If there is any doubt as to whether any information should or should not be disclosed on security grounds, the Security Branch HQHQ will be consulted.
- 6 It is obviously impracticable that all the personnel of ministries should be screened by the Security Branch. Directors of Sub Comms will exercise their discretion in referring the most important personnel in their respective ministries to the Security Branch for screening; this will particularly apply to the members of the ministerial committees.
7. NATION-WIDE INSTITUTIONS & PARASTATAL INSTITUTIONS.
- A separate directive will shortly be issued with regard to the defascistisation of nation-wide institutions (e.g. Banca d'Italia, Banca di Napoli, assurance companies and so on) and of parastatal institutions (e.g. I.R.I., I.M.E. and E.N.A.R.).
- In the meantime the following principles are laid down for guidance.
- (a) The defascistisation of the Head Offices wherever situated of such institutions will be the responsibility of HQ HQC and not of the Regional Commissioner of the Region within which the Head Office is found.
 - (b) The defascistisation of branch offices, even those situated in the same city as the Head Office, will be the responsibility of the Regional Commissioner of the Region in which such offices are found.
- 8 Vice Presidents will ensure that the above instructions are carried out in their respective Sections. Progress reports to be rendered weekly commencing MONDAY 24 Jul 44 to Vice Presidents, Administrative Section who will be the coordinating authority.

ELIARY W. STONE,
Captain, USAR,
Acting Chief Commissioner.

0102

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

insurance companies and so on) and of parastatal institutions (e.g. I.R.I., I.N.I. and E.N.A.R.).

In the meantime the following principles are laid down for guidance.

- (a) The defascistisation of the Head Offices wherever situated of such institutions will be the responsibility of HQ ACC and not of the Regional Commissioner of the Region within which the Head Office is found.
 - (b) The defascistisation of branch offices, even those situated in the same city as the Head Office, will be the responsibility of the Regional Commissioner of the Region in which such offices are found.
- 8 Vice Presidents will ensure that the above instructions are carried out in their respective Sections. Progress reports to be rendered weekly commencing MONDAY 21 Jul 44 to Vice Presidents, Administrative Section who will be the co-ordinating authority.

MALCOLM W. STONE,
Captain, USRR,
Acting Chief Commissioner.

Copy to : Acting Chief Commissioner.
RCARE Section (12) for Regions.
File (2)

5393

15 JUL Recd

313 *Low*

~~SECRET & CONFIDENTIAL~~ 135

ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DE/4/12/AS.

14 Jul 44.

SUBJECT : Defascistization.

TO : Executive Commissioner. *134*

1 Reference para 3a of my DE/4/12/AS dated 12 Jul addressed to the Acting Chief Commissioner, copy to you, Genit SPORZA has given me the names of the following fair and just but firm anti-fascists who may be expected to be found in the City of Florence.

Dr FERRACCINI - former M.P. - most loved and respected in the popular classes.

Ambassador G. GUERRE - via del Bobelino 5 - Retired; speaks English.

Professor PIERO CALAMANDREI - a noted jurist.

Avv. GIORGIO MIGLIORINI - via Giuseppe Giusti 18 - has an English mother; knows one by one all members of Florentine Society. May also give reliable information for Bologna and Milan.

2 The procedure as I understand it will be as follows - SCAGs, Armies and RCs Regions will continue basically to employ Executive Memoranda No 67 BUT before making final decisions they will consult the above persons for their advice and they may advise that certain names be added to or subtracted from the list. The decision rests of course with AMG but naturally the advice of these citizens is entitled to the greatest weight.

11 3 In issuing the appropriate instructions to SCAGs and RCs please make it plain that the above mentioned citizens are to be consulted SECRETLY and that their names will in no case be made public.

R. B. Gifford
G.P. UPJOHN Col,
L/Rd. Admin Sec.

(Signed in absence of G.P.)

Copy to Acting Chief Commissioner.

see 141

5394

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 994
ADMINISTRATIVE SECTION

DE/14/14/AS

12 Jul 44

SUBJECT : Defascistisation.

TO : Acting Chief Commissioner.

- 1 I had a conversation with Count SFORZA yesterday on the above subject.
- 2 The urgency of the matter was pressed upon the Count and he entirely agreed. IF his actions approximate in any degree to his words, the defascistisation problem will be rapidly solved.
- 3 The following points were covered:
 - (a) The Count will see Bonomi and in a very few days, let us have lists of 3 or 4 fair and just but firm anti-fascists who may be expected to be found in each of the principal cities in the North. Such lists to be passed on to SCAO's AMG and RO's who would consult these persons as to the principal fascists in important positions in the locality who should be instantly dismissed. The names of such anti-fascists to be kept secret so as to avoid local pressure being brought upon them.
 - (b) The new amending decree will be passed at the Cabinet meeting on Saturday subject to any amendments on minor points that SFORZA and AOC may agree. SFORZA will then see me on Sunday or Monday with one of his staff officers (a hopeful feature) with a view to immediate action being taken thereon.
 - (c) The Count also informed me that in each Ministry a committee had been or would be set up to advise each Minister in defascistising his Ministry. The boards are to deal only with the Ministries their work being confined to that level. To my own knowledge, such committees have been set up in the Ministries of Justice and Foreign Affairs.
- 4 As I consider that this Commission is vitally concerned in the cleansing of ministerial personnel and that we must ensure that this work is carried out speedily and effectively, I submit the attached draft memorandum for your approval and signature. It is addressed to all Sections and branches concerned, who have dealings with Ministries.
- 5 I also attach for your consideration a draft of a reply to the Prime Minister's letter of the 26 June 44.

Copy to: Executive Commissioner.
VP Economic Section.

J. R. LUTHER, Colonel
Acting Head Admin Section.

CONFIDENTIAL

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

MEMORANDUM

.. Jul 44

SUBJECT : Defascistization.

TO : Administrative Section. (10)
Economic Section. (10)
Political Section (2)
Navy Sub-Commission (2)
Army Sub-Commission (2)
Air Sub-Commission (2)
Communications Sub-Comm (2)

- 1 This memorandum is concerned solely with the defascistization of the personnel of national ministries at the seat of the Government including ministries temporarily situated elsewhere for convenience. It is not concerned with local bodies nor with governmental representatives in the field e.g. prefects.
- 2 In each ministry there has been or will shortly be set up a committee to advise each minister on the defascistization of the personnel in his ministry and it is essential that such work be completed as soon as possible.
- 3 In order therefore, to ensure that the various ministries do get to work on this matter, Sections and Sub-Commissions of this HQ will be responsible for ensuring that these boards are immediately set up (where this has not already been done), and that they carry out their work speedily and effectively.
- 4 Appended below are the ministries for which Sections and Sub-Commissions will be responsible. It is appreciated that in some instances e.g. Public Safety in Ministry of Interior, Air in Ministry of War and Aviation, other Sub-Commissions than those named below are concerned. In these instances, the named Sub-Commission will be responsible for co-operation and co-ordination with the other Sub-Commissions.

MINISTRY OF DEFENSE

Foreign Office
Ministry of Interior
Ministry of Grace and Justice
Ministry of Treasury)
Ministry of Finance)
Ministry of Industry & Commerce
Ministry of Public Works

ACC. HQ.

Political Section.
Interior Sub-Commission
Legal Sub-Commission
Finance Sub-Commission

Industry & Commerce Sub-Commission.
Public Works & Utilities Sub-Comm.

- 1 This memorandum is concerned solely with the defascistization of the personnel of national ministries at the seat of the Government including ministries temporarily situated elsewhere for convenience. It is not concerned with local bodies nor with governmental representatives in the field e.g. prefects.
- 2 In each ministry there has been or will shortly be set up a committee to advise each minister on the defascistization of the personnel in his ministry and it is essential that such work be completed as soon as possible.
- 3 In order therefore, to ensure that the various ministries do get to work on this matter, Sections and Sub-Commissions of this HQ will be responsible for ensuring that these boards are immediately set up (where this has not already been done), and that they carry out their work speedily and effectively.
- 4 Appended below are the ministries for which Sections and Sub-Commissions will be responsible. It is appreciated that in some instances e.g. Public Safety in Ministry of Interior, Air in Ministry of War and Aviation, other Sub-Commissions than those named below are concerned. In these instances, the named Sub-Commission will be responsible for co-operation and co-ordination with the other Sub-Commissions.

INDIAN GOVERNMENT

Foreign Office
 Ministry of Interior
 Ministry of Grace and Justice
 Ministry of Treasury)
 Ministry of Finance)
 Ministry of Industry & Commerce
 Ministry of Public Works
 Ministry of Agriculture
 Ministry of Public Instruction
 Ministry of War & Aviation
 Ministry of Marine
 Ministry of Labour
 Ministry of Communications)
 Post & Telegraph)
 Railways & Roads

ACC. HQ.

Political Section,
 Interior Sub-Commission
 Legal Sub-Commission
 Finance Sub-Commission
 Industry & Commerce Sub-Commission,
 Public Works & Utilities Sub-Comm.,
 Agriculture Sub-Commission,
 Education Sub-Commission
 Army Sub-Commission
 Navy Sub-Commission,
 Labour Sub-Commission,
 Communications Sub-Commission,
 MI Sub-Commission.

- 5 Vice Presidents will ensure that the above instructions are carried out in their respective sections. Progress reports to be rendered weekly commencing MONDAY 24 July 44, to Vice President Administrative Section who will be the co-ordinating authority.

WILLY J. STONE

Captain, USAF

Acting Chief Commissioner.

Copy to: Acting Chief Commissioner.

AC & HQ Section (12) For Reference
 File (2)

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

132
2
REACTHEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

... Jul 44

I have to acknowledge your letter of the 26 June relating to your request for the implementation of your defascistisation decrees in newly liberated territories as soon as possible.

I asked Colonel Upjohn (Acting Head of the Administrative Section in the absence of Lord Stansgate) to discuss this matter with you, which he did last Saturday morning. I should like to affirm once again the points pressed by Col Upjohn to you, namely that;

- (i) ACC is only too anxious to use even in territory not yet restored to your administration, Italian Government decrees and agencies.
- (ii) The matter is vitally urgent and we rely on the Government to complete its plans at the earliest possible moment.

Colonel Upjohn also saw H.E. Count SPORZA on Tuesday when the following conclusions were reached subject to your approval.

- (1) H.E. Count SPORZA undertook, after discussion with you, to supply in a very few days the names of 3 or 4 fair and just but firm anti-fascists who may be expected to be found in each of the principal localities as we move North, and who would be secretly consulted by my officers for advice as to the immediate suspension from office of the important fascists in the locality.
- (ii) That the amending decree (without which we cannot proceed) will be passed at the meeting of ministers on Saturday next subject to any small amendments that might be agreed between H.E. Count Sporza and ACC.

You will I am sure agree that the above proposals form a basis for a quick and efficient handling of the problem before us and I again urge on you the vital necessity for immediate action in this matter.

Finally, I understand that each minister has or is about to set up a committee to advise him on the defascistisation of his own ministry and I am issuing instructions to my Sub-Commissions to assist in this work with all the power at their means.

His Excellency, Ivanoe Bonomi,
President of Council of Ministers,
Italian Government.

5391

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

HEADQUARTERS
ALLIED GENERAL COMMISSION
R.C. & M.C. SECTION
APO 394

Ref/313/124/CA

13 July 1944

SUBJECT: Guardia Nacional Republicana.

TO : Security Branch.

Reference conversation (Maj. Reardon - Maj. Harvey)
there is sent to you for information copy letter from AAI
dated 4 July 1944.

[Signature]

NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

3390

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. Section
APO 394

130

9 July 1944

Ref/513/123/CA.

SUBJECT: Guardia Nazionale Repubblicana.

TO : HQ. Allied Armies in Italy.

Your letter AAI/1402/5/GSI(b) of 4 July 1944 is acknowledged. The matter is being gone into and you will be advised of our views shortly.

JH
Brigadier,
Executive Commissioner,
For Acting Chief
Commissioner.

5389

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. Section
APO 394

129

Ref/313/122/CA.

9 July 1944

SUBJECT: Guardia Nazionale Republicana.

TO : Admin. Section.
Public Safety Sub-Commission.

121

The attached copy letter received from AAI dated 4 July 1944 is forwarded for your information and comments. Para. 3 (b) (ii) would appear to be rather drastic and you will no doubt cover this point in your reply.

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

Incl.
AAI/2402/5/GSI(b) of
4 Jul 44.

131
See 124

5388

0114

CAB

letter

119

125

When is the ~~draft~~ in defecistichia prepared by CA 14 John issued by me circa July 3rd?

Federal Govt Officials are dealt with not by Rome Region but by H.Q. A.C.C. after consultation between Sub Commission & the appropriate Ministries. V.P. Admin Sec is issuing a directive on this.

15/7/44

NA Sec 140 Mr Hare
The Speaker took Mr Hare
to the ...
The separate ...
mentioned in ...
of 140 ...
... will deal with ...

SW 19/7

5387

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

ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

313 *WJ* 15 JUL 1944

GGH/jpl

127

ACC/R/32/L

6 July 44

Subject: Dismissal and non-payment of salary to officials of the Ministries and the Supreme Court, under Rome Area Expiration Decree.

To : V. P. Admin, for Executive Commissioner.

1. A letter from the under Secretary to the Minister of Justice is enclosed together with various annexures in regard to the above.

2. It is obvious that the officials mentioned therein do not fall within the scope of the Regional Commissioner's decree, whatever their political antecedents may have been. Numerous similar cases have been reported to the undersigned, unofficially.

3. Could the attached documents be communicated to the Regional Commissioner and necessary instructions given.

4. Could this Sub-Commission be informed of the action taken.

G. G. Hammar

to Col

Stalin's Bench

f

RICHARD H. WILMER
Colonel, CAC

Acting Chief Legal Officer.

Enc: 3 Documents.

Ex Com -
what is status
of declassification
of federal govt
officials?
Herewith my doc
1

See 128

5380

MINISTERO
GIUSTIZIA E GIUSTIZIA
IL SOTTOSGREGARIO DI STATO

126
Roma, 6 luglio 1944

Al Signor Colonnello G.G. HANNAFORD

S E D E

Facendo seguito alla nota del 1° corrente ed alle successive conversazioni, nel corso delle quali si è chiarito non essere applicabile all'Amministrazione Centrale della Giustizia ed alla Corte di Cassazione l'ordinanza POLETTI sull'epurazione, questo Ministero si permette chiedere disposizioni per la revoca del provvedimento, che ha trovato subito esecuzione.

Distinti ossequi.

IL SOTTOSGREGARIO DI STATO

Guido Carcano

C o p i a

125

CORTE SUPREMA DI CASSAZIONE

N. 212/R.C.

Roma, 28 giugno 1944

Risposta a telexpresso
n. 2878 del 27 giugno 1944

A S.E. IL MINISTRO DI GRAZIA E GIUSTIZIA

Eccellenza,

Con riferimento a telexpresso in data di ieri, concernente la sospensione del pagamento delle competenze del corrente mese al personale avente la qualifica di "squadrista", "marcia su Roma", "sciarpa Littorio", informo che la sospensione del pagamento dello stipendio si è effettuata nei riguardi di:

1°) COSTAMAGNA Cav. di Gr. Cr. Dr. Carlo, Consigliere di Cassazione, che dalla graduatoria del Ministero di Grazia e Giustizia risulta "squadrista";

Egli dagli atti esistenti in questo Ufficio risulta non soltanto squadrista, ma anche iscritto al Partito nazionale fascista dal 5 luglio 1921 e risulta altresì che, a suo tempo, avrebbe dichiarato di aver partecipato saltuariamente a squadre di azione a Roma ed in Liguria - Savona - negli anni 1920-21-22.

2°) BRUNELLI Gr. Uff. dr. Giovanni, Consigliere di Cassazione.

Dalla Graduatoria del Ministero di Grazia e Giustizia risulta anche egli formalmente annoverato "squadrista", senonchè come già ebbe a far notare in precedenza e come per altro emerge dal promemoria che si alliga alla presente, ebbe riconosciuta la qualifica di "squadrista" e retrodatata la iscrizione al P.N.F. al 12 settembre 1919 in dipendenza della sua qualifica di "Te-
3584

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

gionario Fiumano", ai termini di una disposizione d'indole generale a suo tempo impartita dal Segretario del Partito.

3°) PICHI LUIGI, Usciere capo in soprannumero.

Non risulta ufficialmente "squadrista" senonchè dagli atti esistenti in questo Ufficio si rileva che a suo tempo egli dichiarò "di aver fatto parte di squadre di azione in Roma (nel 1922) quale iscritto al gruppo "mutilati" con a capo il Console Candelori - reiscritto al P.N.F. dall'11 marzo 1935".

Risulta altresì che con rapporto del 24 marzo 1939 n. 79, fu, fra l'altro, riferito al Ministero della Giustizia, che successivamente il Pichi aveva dichiarato di recedere dall'ottenere il riconoscimento della qualifica di "squadrista" non essendo in grado di fornire documenti in proposito.

4°) PUCCI COSTANTINO, Usciere giudiziario.

Anch'egli non è qualificato "squadrista" nella graduatoria del Ministero della Giustizia. Dagli atti però esistenti in Ufficio risulta che a suo tempo egli dichiarò di "aver fatto parte della squadra di azione di Rocca Priora (Roma) diretta dal Console Santovetti - iscritto al P.N.F. dal 1° ottobre 1922".

Di tale situazione con lo stesso rapporto 24 marzo 1939, sopra indicato, fu data notizia al Ministero.

Mentre informo l'E.V. di quanto precede, resto in attesa di conoscere le determinazioni che riterrà di adottare in correlazione con le speciali situazioni prospettate, concernenti particolarmente il dott. Brunelli (che, si noti, fu destinato in applicazione a questa S.C. con provvedimento del 18 aprile 1920 e nel luglio dello stesso anno era in possesso delle sue funzioni), nonchè degli uscieri Pichi e Pucci.

IL PRIMO PRESIDENTE
F:to Casati

C o p i

124

R. PROCURA GENERALE PRESSO LA CORTE SUPREMA DI CASSAZIONE

Prot. 732

Risposta al foglio 27.6.1944 n. 2878

Roma, 2 luglio 1944

Eccellenza il
MINISTRO DI GRAZIA E GIUSTIZIA

R O M A

In relazione al biglietto urgente di servizio del 27 giugno u.s. n. 2878, comunico che - come risulta dagli atti e documenti di ufficio attentamente esaminati, e dalle stesse dichiarazioni fatte dai magistrati, dai funzionari e dagli uscieri di questa Procura Generale - nessuno di essi è insignito dei distintivi di squadrista, Marcia su Roma, Sciarpa Littorio, ad eccezione del sostituto procuratore Generale di Appello, applicato Comm. Gesualdo MANZELLA, che è Sciarpa Littorio.

P. IL PROCURATORE GENERALE

FUBBIANI

Prot. 132
Risposta al foglio 27.6.1944 n.2878

Roma, 2 luglio 1944

Eccellenza il
MINISTRO DI GRAZIA E GIUSTIZIA

R O M A

In relazione al biglietto urgente di servizio del 27 giugno u.s. n.2878, comunico che - come risulta dagli atti e documenti di ufficio attentamente esaminati, e dalle stesse dichiarazioni fatte dai magistrati, dai funzionari e dagli uscieri di questa Procura Generale - nessuno di essi è insignito dei distintivi di squadrista, Marcia su Roma, Sciarpa Littorio, ad eccezione del sostituto procuratore Generale di Appello, applicato Comm.Gesualdo MANZELLA, che è Sciarpa Littorio.

p. IL PROCURATORE GENERALE

RUBBIANI

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

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

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ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

D
R
A
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T

6 July 1944

SUBJECT: Defascistization of Governmental Institutions
in Rome

TO : All Subcommissions, A.C.C.
Regional Commissioner, Rome Region
Regional Commissioner, Region IV

1. Responsibility for the removal of Fascist officials and employees of governmental institutions in Rome and their replacement is as follows:

Municipal Institutions	- Rome Region
Provincial Institutions	- Region IV (With the concurrence of Rome Region)
National Institutions	- where indicated)
	- Allied Control Commission

2.8 Initially, and until such time as the Italian Government can itself undertake the task of defascistization of Regional Ministries and Parastatal institutions, this work will be carried on by the pertinent subcommission. The Director, or Deputy Director, of each Subcommission should establish himself in Rome, and in consultation with the Minister or Under Secretary, set up and supervise the necessary machinery within each Ministry for executive action.

3. Orders of dismissal and appointment will be promulgated by the Ministry concerned.

3. Requests for dismissal and appointment will be forwarded to the Executive Commissioner, who will issue the necessary orders.

3. Requests of dismissal and appointment will be forwarded to the Executive Commissioner for transmittal to the Regional Commissioner Rome Region, who will issue the necessary orders.

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(2)

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4. Included as Regional Institutions are all bodies of a national character which have heretofore been under the control of a ministry of the National government.

313 8 JUL 1944 C A B 5375
Subject:- Guardia Nazionale Repubblicana HQ ALLIED ARMIES IN ITALY 121

CONFIDENTIAL

AAI/1402/5/GSI(b).

Executive Commissioner, A.C.C.

4 Jul 44

1. The question has arisen as to how members of the component agencies of the Guardia Nazionale Repubblicana should be treated from the security point of view, when overrun and identified by our forces.
2. The difficulty of laying down a satisfactory and definite ruling on this matter is appreciated, but it is felt that a directive should be issued for the guidance of Armies, as the G.N.R. is not covered by A.C.C. directive dated 28 May on "Disposal of Italian Military Personnel encountered during the advance Northwards".
3. It is suggested that the following principles might be adopted as the most appropriate and practicable:-
 - (a) M.V.S.M. and P.A.I.
 - (i) If found in uniform: to be treated as ordinary PW (in accordance with para 1(a) of A.C.C. Directive dated 26 May).
 - (ii) If found in civilian clothes: officers normally to be interned, unless specific reasons to contrary: ORs to be ignored unless positive information forthcoming as to the likelihood of their endangering our security, in which case to be interned.
 - (b) CC.RR.
 - (i) If found in uniform: both officers and ORs to be instructed to change into civilian clothes.
 - (ii) Officers to be considered for internment, but each case to be treated on its merits: ORs to be ignored.
 - (c) In all cases, local discretion to be exercised and the above principles to be regarded as a guide to be interpreted in the light of personalities and local circumstances.

4. May we please have your views ?

Copy to:- G-2 (CI), Fifth Army
G.S.I. (b), Eighth Army.

Brigadier
B.C.S. (I).

10127

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

SECRET

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

U. S. SECRET

SECRET

5-5379

GRU/ap

11715

C.A. Br

ACC/4039/1/L

30 Jun 44

SUBJECT : Treatment of Italian Officials
encountered in advance northwards.

TO : Executive Commissioner.

1. Pursuant to our recent conversation I am
enclosing a suggested form of executive memorandum which
consolidates and more fully explains the directive and
memorandum of the Chief Commissioner dated 24 May 1944.

Urgent

C.A. B.

Issue once my
signature

done

su 67

119

G. R. Upjohn

G. R. UPJOHN,
Colonel,
Chief Legal Officer.

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SECRET

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Equals British

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HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.S. Section
APO 504

5 July 1944

EXECUTIVE MEMORANDUM

WAGNER

67)

TREATMENT OF ITALIAN OFFICIALS ENCOUNTERED IN ADVANCE HOSTILITIES.

1. Inasmuch as the Directive and the separate Memorandum of the Chief Commissioner both dated 24 May 1944 have given rise to a few questions, the following constitutes a revised and consolidated directive, designed to meet those questions and possibly to forestall others.
2. Many of the Italian officials in the area north of the line marking the beginning of the recent offensive were placed in office by the so called Republican Fascist Government or by the Germans. Others, however, nay, despite their hostility to the Fascist Government, have been compelled through coercion to remain in office or through devotion to duty may have chosen to remain and serve their people. Others stayed at their posts for some months and then for alleged fear of persecution deserted. It is impossible at a glance to say in which of these classifications a particular public servant should be placed. Obviously many of the first classification, particularly those highly placed, will have fled before our advancing troops, but on the other hand many will remain and there must be dealt with in accordance with this directive.
3. The object of ASC is to rid the country as we retake it of the important Fascist and of persons put in office by the Republican Government. While many important Fascists are not necessarily men who are now holding important administrative posts considerations of expediency make it necessary for ASC and AGC to confine themselves to an examination of those holding the more important posts.
For this purpose two lists have been prepared and are attached hereto. List A contains a list of Italian governmental and ministerial officials which should be cleaned of fascist personnel as quickly as possible as the officials are important. The list contains three categories in order of importance.
List B contains a list of purely fascist officials and serves as a guide as to what type of fascist party members are particularly dangerous.
4. These two lists will normally be used together. Thus if you find a person who occupies one of the offices in List A and who has had one of the party affiliations contained in List B he is likely to be an official to be removed at once.
However an official holding office in List A who has merely been put into office by the Fascist Republican Government should be classified whether or not he

Many of the Italian officials in the area north of the line marking the beginning of the recent offensive were placed in office by the so-called Republican Fascist Government or by the Germans. Others, however, may, despite their hostility to the Fascist Government, have been compelled through coercion to remain in office or through devotion to duty may have chosen to remain and serve their people. Others stayed at their posts for some months and then for alleged fear of persecution deserted. It is impossible to decide to any in which of these classifications a particular public servant should be placed. Obviously many of the first classifications, particularly those highly placed, will have filed before our advancing troops, but on the other hand many will remain and there must be dealt with in accordance with this directive.

5. The object of AGC is to rid the country as well as through it of the important fascist and of persons put in office by the Republican Government. While many important fascists are not necessarily men who are now holding important administrative posts considerations of expediency make it necessary for AGC and AGS to confine themselves to an examination of those holding the more important posts.

For this purpose two lists have been prepared and are attached hereto. List A contains a list of Italian governmental and ministerial officials which should be cleaned of fascist personnel as quickly as possible as the offices are important. The list contains three categories in order of importance.

List B contains a list of purely fascist officers and serves as a guide as to what type of fascist party members are particularly obnoxious.

4. These two lists will normally be used together. Thus if you find a person who occupied one of the offices in List A and who has no other party affiliations contained in List B he is likely to be an official to be removed at once.

However an official holding office in List A who has never been put into office by the fascist Republican Government should be decided whether or not he belongs to one of the fascist offices mentioned in List B.

5. Officials (as well as any other persons) regarded as potentially dangerous should in addition be looked up immediately. They may be interned or if the Italian Government requests that they be turned over to it suitable arrangements should be made to comply with the request. Whenever a person is interned a report must forthwith be made to HQ AGC, AG & AGS Section.

6. It is emphasized that in carrying out the important duty of ridding the country of fascists nothing herein is intended to prejudice the right of AGC and AGS to dismiss and/or intern individuals at their discretion in proper cases without reference to their present official position or past fascist office.

7. In Rome officials of the Ministries and members of the Court of Cassation and of special courts of national, as opposed to local, jurisdiction will be dealt with by HQ AGC direct and not by Army Region. Such offices in List A are marked with an asterisk.

8. SCAGS and AGS have full discretion in occupational areas to retain as a purely temporary expedient a fascist in office when the immediate administration

.....AGC & AGS

5378

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

- Sheet Two -

of any locality renders this essential. In all such cases the work of the individual should be closely supervised and application should be made at once for a replacement to the appropriate Sub-Commission.

320/42/5A.

DISTRIBUTION :

U.S. Regions IV, V, VIII, IX, SCAGS AVE 5th and 8th Armies.

4/Chief Commissioner.

Executive Commissioner.

Deputy Executive Commissioner

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F.B.I.

Civil Affairs Branch (2 Copies)

Spares (20 Copies)

W. S. DSH.
Director,
Executive Commissioner,
for Chief Commissioner.

LIST 'A'

Category 1.

- x 1. Ministers.
- x 2. Undersecretaries of State.
- x 3. Chiefs of Cabinet and Private Secretaries of Ministers.
4. National Counsellors of the Chamber of Fasci and of Corporations.
5. Chief of the police attached to the Government.
6. Prefects in charge of provinces and assigned to the Ministry.
7. Presidents, Judges, prosecutors of the republic and Assistant Prosecutors of the republic at the *civile* tribunals.
8. Secretary General, vice-secretary general, administrative secretary and vice-secretary, members of the National Directorate, inspectors general, vice-inspectors general and respective private secretaries of the Fascist National Party.
9. Federal Secretaries, administrative federal secretaries, federal inspectors, members of federal directorate, main inspectors of the Fascist National Party.
10. Directors and vice-directors of IIL.
11. Directors and vice-directors of the Opera Militare.
12. Directors and vice-directors of the Opera Nazionale Dopolavoro.
13. Political secretaries of all communes.
- x 14. Governor and vice-governor of Rome.
15. President (preside) of the provinces and vice-president (vice-preside).
16. Mayors (podestà) of cities with a population of more than 50,000 inhabitants.
17. Officers of any rank in the militia including those "fuori ruolo". (unassigned) and those who hold a civilian authority only.
18. Ambassadors and consuls of the republican government.
19. Inspectors general of public safety.
20. Presidents and directors of the national council of corporations.
21. All members of the National republican guard composed of volunteers with duties pertaining to public safety.

8. Secretary General, vice-secretary General, administrative, secretary and vice-secretary, members of the National Directory, inspectors General, vice-inspectors General and respective private secretaries of the fascist national party.

9. Federal Secretaries, administrative federal secretaries, federal inspectors, members of federal directory, and inspectors of the fascist national party.

10. Directors and vice-directors of OIL.

11. Directors and vice-directors of the Opera Balilla.

12. Directors and vice-directors of the Opera Nazionale Dopolavoro.

13. Political secretaries of all communes.

x 14. Governor and vice-governor of Rome.

15. President (preside) of the province and vice-president (vice-preside).

16. Mayors (podestà) of cities with a population of more than 50,000 inhabitants.

17. Officers of any rank in the militia including those "under review" (unassigned) and those who hold a civilian authority only.

18. Ambassadors and consuls of the republican government.

19. Inspectors general of public safety.

20. Presidents and directors of the national council of corporations.

21. All members of the National Republican Guard composed of volunteers with duties pertaining to public safety.

Category 2.

x 1. President of the Court of Cassation.

x 2. Procurator General of the Court of Cassation.

x 3. President of the Court of Accounts.

x 4. President of the Council of the State.

x 5. Advocate General of the treasury (advocate general criminal).

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- 2 -

6. Principals (rettori) of universities.
- x 7. Directors general of all ministries.
- x 8. Personal heads of all ministries.
9. Mayors (podestà) of all communes with a population of less than 50,000 inhabitants.
10. Members of the fascist directory (direttorio dei fasci) of all communes.
11. Presidents and directors of the Provincial Council of corporations.
12. Presidents and provincial and communal directors of the Opera Nazionale Balilla, Dopolavoro and OIL.

Category 3

1. Vice-Prefects and chiefs of cabinet of prefects.
2. Prosecutors of the republic.
- x 3. Advocates General of Cassation.
4. Presidents and secretaries of provincial syndicates of all professions and callings.
5. University professors who do not hold regular appointment (non di ruolo) but merely "charged" (incaricati) with instruction.
6. Provincial Superintendents of Studies (Sovrintendenti agli Studi).
7. Intendants of Finance.

Declassified E.O. 12356 Section 3.3/NND No. 785017Category 2

1. Vice-Prefects and chiefs of cabinet of prefects.
2. Procurators of the republic.
- x 3. Advocates General of Cassation.
4. Presidents and secretaries of provincial syndicates of all professions and callings.
5. University professors who do not hold regular appointment (non di ruolo) but merely "charged" (incaricati) with instruction.
6. Provincial Superintendents of Studies (Oroveditori agli Studi).
7. Intendants of Finance.

x Officials marked with an asterisk will be dealt with by HQ AGO.

LIST "B"

- A. A person who had the title or qualification of "Sanspaurista", "Squadrista", "Antemarcia", "Mauris su Roma", or "Societa litteris".
- B. A person who was, during the fascist regime, a member of the Central Government, a member of the Grand Council, a member of the Academy of Italy, or a member of the Special Court for the Defence of the State.
- C. A person who was a president, vice-president or executive secretary of a corporation, confederation, federation, or syndical union.
- D. A person who was a member of the fascist party and who was nominated as a senator on or after 3 January 1925 and who subsequently to such nomination obtained any office or post in any administration or undertaking included in Art. IV.
- E. A person who was a national secretary or national vice-secretary of the fascist party, or a member of the national directory, or a national inspector.
- F. A person who was nominated as a senator before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post included in List "A".
- G. A person who was a fascist member of parliament or who was a national Commissioner.
- H. A person who was a secretary federal, a federal vice-secretary or an administrative vice-secretary.
- I. A person who was a member of the federal directory or of the directory of a fascio di combattimento or a fiduciario titolare of a chief centre of a province.
- J. A person who was a federal inspector or a zone inspector.
- K. A person who was a president or a member of the Corte Centrale of the federal disciplinary commission of the fascist party.
- L. A person who was, during the fascist regime, a president or a vice-president of consultors or rectors of a provincial administration.
- M. A person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief centre of a province.
- N. A person who was, during the fascist regime, mayor of a comune which had, at the date of the last census, a population of more than 50,000.
- O. A person who was a political secretary.

the fascist administration of the fascist fasci.

2. A person who was a national secretary or national vice-secretary of the fascist party, or a member of the national directory, or a national inspector.
- X. A person who was nominated as a senator before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post included in List 'A'.
- G. A person who was a fascist member of parliament or who was a national councillor.
- H. A person who was a secretary general, a federal vice-secretary or an administrative vice-secretary.
- I. A person who was a member of the Federal Directory or of the Directory of a fascio di combattimento or a fascio di rione of a chief centre of a province.
- J. A person who was a federal inspector or a zone inspector.
- K. A person who was a president or a member of the Corte Centrale of the federal disciplinary commission of the fascist party.
- L. A person who was, during the fascist regime, a president or a vice-president or consultant or recter of a provincial administration.
- M. A person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief centre of a province.
- N. A person who was, during the fascist regime, mayor of a comune which had, at the date of the last census, a population of more than 50,000.
- O. A person who was a political secretary.
- P. A person who was a provincial fiduciary of the female fasci.
- Q. A person who was, during the fascist regime, a president, a vice-president, a director or a manager of a Statal, municipal or public service organization.
- R. A person who was, during the fascist regime, a political radio commentator.
- S. A person who was, during the fascist regime, a director or chief editor of a newspaper or a political magazine.
or publicist
- T. A person who was, a professional journalist/and who, after 3 January 1925, excited the ideas and political aims of fascism.
- U. A person who was a member of the Milizia Volontaria Sicursara Nazionale in permanent active service, and who was not a person referred to in any other paragraph of this article and who, while such a member was :

5376

-2-

- (1) a member of the Milizia Controcorrente or the Milizia Costiera, or
- (2) a member of the Milizia Forestale who had been an official or employee of the former forest administration before the creation of the Milizia Forestale, and

V. A person who has been decorated by the German Government for special political services rendered to the Nazi Party.

NOTE.

For the purpose of this guide, the terms "fascism", "fascist party" and "fascist regime" include their equivalents as set up by Mussolini after the Armistice.

10 1 3 8

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

U. S. SECRET
SECRET

313-6 JUL 1944
SECRET

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION.

CABY 12145
3396
110

4/23.2/43

5 Jul 44

SUBJECT: MS. VN Arrests.

TO: Regional Commissioner, Rome Region.

- 1 Reference your RF/1 dated 30 Jun 44 which has been forwarded to this Section by the EXECUTIVE COMMISSIONER.
- 2 Will you please forward to this Section a nominal roll of those arrested and held, showing appointment held prior to arrest and present location. They should be divided into categories (a) and (b) as defined in 313/106/CA dated 2 Jun 44.

G. R. Lippert
G. R. LIPPERT, Colonel,
Acting Head, Admin Section.

Copy to: RC & MC Section.
Public Safety Sub-Commission.

SECRET

HEADQUARTERS
-6 JUL 1944
A. C. C.

U. S. SECRET

SECRET

0139

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

115

Executive Commissioner.

Eparation and Defascistization.
Folio 114.

You will wish to see this letter from Col Spicer, which he attempts to clarify the difference between Eparation and Defascistation.

J. Kearney May

27th June 44

*This doesn't get on much further.
I will discuss at V.P.s meeting.*

DW 27/6.

Ex Comm
Any further FOS
Action plan?
No
Alma
Reg

3374

10140

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

Telephone message 0845 Tuesday 27th June 44;

LT.COL. SPICER Interior Sub-Com. *SPEAKING*.

Further to Lt:Col. Spicer's letter ref.. Epuration and Defascistisation, I consider OVRA comes in an entirely different category viz; Armistice terms, thus legal have advised.

(To be attached to letter).

message received by SSM L. Warom:

5373

313
27 JUN 44
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
AFO 394

ASS/3A/Int

26 June 1944

SUBJECT: Epuration and Defascistization

TO : EC and MC Section (Civil Affairs)

1. After consultation with the Italian Government, I can only clarify the position as follows:

I. Epuration - A further decree was promulgated today, 26 June, dated June 24, 1944. This Epuration organization and action is being handled entirely by the Italian Government under the direction of Count Sforza and Signor Berlinguer.

II. Defascistization - The integrating decree which modifies and/or amplifies the previous three decrees dealing with Defascistization is still on the stocks. This new integrating Decree links up ~~the~~ the three previous decrees - but this has not been published by the Italian Government.

2. The Council of Ministers themselves deal with the first six grades of government officials.

3. The grades below the sixth grade are dealt with by the Provincial Councils, and these Councils also deal with parastatal officials, such as bank managers, etc.

4. Signor Onedeo is not a cabinet minister, and as I have already reported to Region VI, is therefore automatically no longer chairman of the committee which was to organize such Provincial Committees. Up to the time of writing this letter, his successor has not been appointed.

R. G. B. Spicer Colonel

R. G. B. SPICER
Colonel
Director
Interior Sub-Commission

Copy to: EC Region VI
ECRS/jst

5372

1450

0142

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

113

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. Section
APO 394

SECRET

Ref/313/113/CA.

24 June 1944.

SUBJECT: Defascistisation Reports.

TO : R.C.'s Regions I, II, III, IV, V, VI, VII, VIII, IX & Rome.

1. It is understood that the Minister of Interior has issued instructions to Provinces to make reports on the 15th and 30th of each month on the progress of defascistisation in their Provinces.

2. In order to come into line with this, previous instructions contained in para. 4 of my letter dated 5 May 1944 regarding weekly reports are cancelled. Regional Commissioners should send in their reports on the 15th and 30th of each month instead.

GWIS/RAC.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Copy to: SCAOs 5th and 8th Armies.
Admin Section.

1/12

5371

10143

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref/313/112/CA

22 June 1944

SUBJECT: Defascistisation Policy.

TO : Rome Region
Region VIII

Copies of correspondence issued by this Headquarters concerning Defascistisation is passed to you for information and action. Please acknowledge on attached form.

L E
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

JSR/JR

MA
5370

0144

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

REAR HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

RVIII/200/2.

23 June 44.

SUBJECT : Defascistisation - Policy.

TO : R.C. & M.C. Section, H.Q., A.G.C. ✓

- 1/. Receipt of your 315/112/CA dated 22 June 44, forwarding copies of correspondence on the above subject is acknowledged.
- 2/. The form of acknowledgement was not attached.

For the Regional Commissioner:

William J. McCreath
WILLIAM J. MCCREATH
MAJOR. AUS.
Asst Executive Officer.

5369

0145

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
P.C. & M.C. SECTION
APO 394

Ref/313/111/CA

17 June 1944

SUBJECT: Espionage.

TO : Political Section.

Attached letter C-5 O9L.112-2 of 12 June 1944 is forwarded for your attention. Please advise this Branch of action taken.

MS
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

DE/JR

6/4 111
336230/p

10146

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

Spofford
CMS/TBJ/thh

G-5 091.112-2

12 June 1944

SUBJECT: Expiration

TO : Headquarters, Allied Control Commission, APO 394.

Attached is a copy of a letter of 5 June and of the enclosure thereto received by the Supreme Allied Commander setting out a recommendation made by the Advisory Council of Italy at their meeting on 2 June. The receipt of this has been acknowledged here. Will you please ensure that the recommendation is brought to the attention of the Italian Government.

CHARLES M. SPOFFORD,
Colonel, G.S.C.,
Asst. Chief of Staff, G-5.

Incls: as above

CONFIDENTIAL

10147

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

Major G.W. - 116

Political Section and
pass this on to Lt.
Ford and let us
have a copy so
that we can tell Rci
+ AFHQ

JG
11/6

CC

Take 111 - 115
off file + pass to
Pol. Sect.

we should be informed
of action later

0145

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

P. A. 1/2 E. C. Green.

Please note E.C. to give rating on 6.105.
which he does not appear to have seen

No alteration is to be made.

SS 13/0

at front corner -
5366

cc, R. 100-3

100, 100, 100

do not record anything off
definite ones. 1/6

0149

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

CAB

109

Are weekly defense refills coming
in from ^{Regain} other than VII?

MS 10/6

5365

Executive Commissioners

In para 4 of folio 8 (enclosed file 62 Capt. Mooker reported that at Admin. Sec. meeting Col. Spicer had urged the inclusion of "SEGRETARI COMUNALI" in Category A (list sent out with your letter of 106)

Col. Spicer's original suggestion was for inclusion in Cat. C (see folio 100)

I have spoken to Col. Spicer who agrees that Cat. C is sufficiently high for these Communal Secretaries, and he still urges inclusion.

Recommendations

1. List be amended to include Communal Secretaries in Cat. C
2. Copy of 106 now be sent to Region 8, with copy of Chief Comm's original directive.

WJG
9/6

5363

0151

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

CAB

109

Are weekly defense refats coming
in from ^{Regain} other than VII?

MM 10/6

5365

0152

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

Regions 2, 6, 7, 8 Army
145

CCB/10032/8 INFO DIV 260M
dated 21 Apr

0153

Executive Commission

In para 4 of folio 8 (enclosed file, 62 Capt. Madden reported that at Admin. Sec. meeting Col. Spicer had urged the inclusion of "SEGRETARI COMUNALI" in Category A (list sent out with your letter of 106)

Col. Spicer's original suggestion was for inclusion in Cat. C (see folio 100)

I have spoken to Col. Spicer who agrees that Cat. C is sufficiently high for these Communal Secretaries, and he still urges inclusion.

Recommendations

1. List be amended to include Communal Secretaries in Cat. C
2. Copy of 106 now be sent to Region 8. with copy of Chief Comm's original directive.

MD
9/6

5363

0154

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



GOVERNO DELLA LIBIA

IL VICE GOVERNATORE GENERALE

313

107

These returns should be collected & given
before each VPs meeting

MS 2/6

Capt Becker

Will you handle this please

Mr. Warner

with this

letter on keep on eye

YH

MS 2/6

106

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 394

SECRET

Regional Control and Military Government Section.
+++++

Ref: 313/106/CA.

2 June 44.

SUBJECT: Treatment of Italian Officials encountered
on advance Northwards.

TO : SCAO, AMG 5 Army.
SCAO, AMG 8 Army.
Regional Commissioner, Region IV.
Regional Commissioner, Region V.

1. I attach list referred to in para. 4 of the Chief Commissioner's directive of 24th May showing the three categories of Italian official appointments as proposed by the Italian Government and approved by the Chief Commissioner.
2. Officials in categories (a) and (b) should be arrested and handed over to F.S.S. or C.I.C. for evacuation through P.O.W. channels to 371 P.O.W. Camp where officials in category (a) will be held pending application from the Italian Government and officials in category (b) pending further instructions.
3. Records of all persons arrested with as full details as possible should be forwarded to this Headquarters at the earliest opportunity. It is important that these records be carefully maintained and furnished regularly.

MEI/JG.

M. G. L.
Brigadier,
Executive Commissioner.

Copy to: R.C., Region 3. } with copies of original
Admin Sec (2) } directive.

5362

COPY.

105

Il nastro parere e che le tre categorie di funzionari italiani che si incontreranno durante l'avanzata degli Alleati verso il settentrione dovrebbero essere così distinte per quanto riguarda i provvedimenti da prendere da parte delle Autorità Alleate:

CATEGORIA "A" (funzionari che saranno arrestati e consegnati al Governo Italiano):-

- 1 - Ministri
- 2 - Sottosegretari di Stato
- 3 - Capi Gabinetto e segretari particolari dei Ministri
- 4 - Consiglieri Nazionali della camera dei fasci e delle corporazioni
- 5 - Capo della polizia presso il governo
- 6 - Prefetti a capo delle provincie e assegnati al Ministero
- 7 - Presidenti, giudici, procuratori della repubblica e sostituti procuratori della repubblica presso i tribunali speciali
- 8 - Segretario generale, vice segretario generale, segretario e vice segretario amministrativo, membri del direttorio nazionale, ispettori generali, vice ispettori generali e rispettivi segretari particolari del partito nazionale fascista
- 9 - Segretari federali, segretari federali amministrativi, ispettori federali, componenti il direttorio federale, ispettori di zona del partito nazionale fascista
- 10 - Direttori e vice direttori della GIL
- 11 - Direttori e vice direttori dell'opera balilla
- 12 - Direttori e vice direttori dell'opera nazionale dopolavoro
- 13 - Segretari politici di tutti e Comuni
- 14 - Governatore e vice governatore di Roma
- 15 - Preside delle provincie e vice presidi
- 16 - Podesta delle città con popolazione superiore a 50 mila abitanti
- 17 - Ufficiali della milizia di qualunque grado ed anche fuori ruolo, compresi quelli che hanno soltanto attribuzioni civili
- 18 - Ambasciatori e consoli del governo repubblicano
- 19 - Ispettori generali di pubblica sicurezza
- 20 - Presidenti e direttori del consiglio nazionale delle corporazioni
- 21 - Tutti gli appartenenti alla guardia nazionale repubblicana che e composta di volontari con funzioni di pubblica sicurezza

CATEGORIA "B" (funzionari che saranno arrestati e internati):

- 1 - Primo presidente della corte di cassazione
- 2 - Procuratore generale della corte di Cassazione
- 3 - Presidente della Corte dei Conti
- 4 - Presidente del consiglio di Stato
- 5 - Avvocato generale erariale
- 6 - Rettori delle universita
- 7 - Direttori generale di tutti i ministeri
- 8 - Capi del personale di tutti i ministeri

- 6 -
- 7 - Presidenti, giudici, procuratori della repubblica e sostituti procuratori della repubblica presso i tribunali speciali
- 8 - Segretario generale, vice segretario generale, segretario e vice segretario amministrativo, membri del direttorio nazionale, ispettori generali, vice ispettori generali e rispettivi segretari particolari del partito nazionale fascista
- 9 - Segretari federali, segretari federali amministrativi, ispettori federali, componenti il direttorio federale, ispettori di zona del partito nazionale fascista
- 10 - Direttori e vice direttori della GIL
- 11 - Direttori e vice direttori dell'opera balilla
- 12 - Direttori e vice direttori dell'opera nazionale dopolavoro
- 13 - Segretari politici di tutti i Comuni
- 14 - Governatore e vice governatore di Roma
- 15 - Preside delle provincie e vice presidi
- 16 - Podesta delle città con popolazione superiore a 50 mila abitanti
- 17 - Ufficiali della milizia di qualunque grado ed anche fuori ruolo, compresi quelli che hanno soltanto attribuzioni civili
- 18 - Ambasciatori e consoli del governo repubblicano
- 19 - Ispettori generali di pubblica sicurezza
- 20 - Presidenti e direttori del consiglio nazionale delle corporazioni
- 21 - Tutti gli appartenenti alla guardia nazionale repubblicana che e composta di volontari con funzioni di pubblica sicurezza

CATEGORIA "B" (funzionari che saranno arrestati e internati):

- 1 - Primo presidente della corte di cassazione
- 2 - Procuratore generale della corte di Cassazione
- 3 - Presidente della Corte dei Conti
- 4 - Presidente del consiglio di Stato
- 5 - Avvocato generale erariale
- 6 - Rettori delle università
- 7 - Direttori generali di tutti i ministeri
- 8 - Capi del personale di tutti i ministeri
- 9 - Podesta di tutti i Comuni con popolazione inferiore a 50 mila abitanti
- 10 - Componenti il direttorio dei fasci di tutti i comuni
- 11 - Presidenti e direttori del consiglio provinciali delle corporazioni
- 12 - Presidenti e direttori provinciali e comunali dell'opera nazionale balilla, del dopolavoro e della GIL

CATEGORIA "C"

(funzionari che saranno licenziati ed ai quali sarà concessa libertà):

- 1 - Vice prefetti e capi di gabinetto dei prefetti
- 2 - Procuratori della repubblica
- 3 - Avvocato generale della cassazione
- 4 - Presidenti e segretari dei sindacati provinciali di tutti le professioni e mestieri
- 5 - Professori di università che non siano di ruolo, ma soltanto "incaricati dell'insegnamento"
- 6 - Provveditori agli studi
- 7 - Intendenti di finanza

nota - ci permettiamo di chiarire che i gerarchi fascista sono stati inclusi in questo elenco perché l'amministrazione fascista li considera funzionari.

104

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

27 May 1944

SUBJECT: Treatment of Italian Officials on Army Advance.
TO : Chief Commissioner.

- 1 Reference Chief Commissioner's Directive dated 24 May 1944, on subject of Italian Officials encountered during the Northward Advance.
- 2 I enclose, arranged by classes (a) (b) (c) in par 4.
- 3 ⁹⁶ (A) A selected list prepared by Dr. Berlinguer and H.E. Omodeo.
- 4 ¹⁰³ (B) Comprehensive lists prepared by Legal, Interior ⁹⁹ Sub-Commissions. ¹⁰⁰
- 5 The other Sub-Commissions do not find it possible or relevant to prepare lists. It may be considered desirable to obtain a list from Economic Sub-Commissions. From this material a specific orders can be prepared for the SCAO's Regional Commissioners.

and

Stansgate
Stansgate
VP Admin Sec.

Action taken.

M/2/6

5350



ALTO COMMISSARIATO PER LA PUNIZIONE
DEI DELITTI E DEGLI ILLECITI DEL FASCISMO

L'ALTO COMMISSARIO

103

Il nostro parere è che le tre categorie di funzionari italiani che si incontreranno durante l'avanzata degli Alleati verso il settentrione dovrebbero essere così distinte per quanto riguarda i provvedimenti da prendere da parte delle Autorità Alleate:

Go
CATERIA A (funzionari che saranno arrestati e consegnati al Governo Italiano) -

- 1 - Ministri
- 2 - Sottosegretari di Stato
- 3 - Capi Gabinetto e segretari particolari dei Ministri
- 4 - Consiglieri Nazionali della camera dei fasci e delle corporazioni;
- 5 - Capo della polizia presso il Governo
- 6 - Prefetti a capo delle provincie e assegnati al Ministero
- 7 - Presidenti, Giudici, procuratori della repubblica e sostituti procuratori della repubblica presso i tribunali speciali;
- 8 - Segreteria generale, vice segretario generale, segretario e vice segretario amministrativo, membri del direttorio nazionale, ispettori generali, vice ispettori generali e rispettivi segretari particolari del partito nazionale fascista;
- 9 - Segretari federali, segretari federali amministrativi, ispettori federali, componenti il direttorio federale, ispettori di zona del partito nazionale fascista -

italiani che si incontreranno durante l'avanzata degli Alleati verso il settentrione dovrebbe essere così distinte per quanto riguarda i provvedimenti da prendere da parte delle Autorità Alleate:

^{Ge}
CATERIA A (funzionari che saranno arrestati e consegnati al Governo Italiano) -

- 1 - Ministri
- 2 - Sottosegretari di Stato
- 3 - Capi Gabinetto e segretari particolari dei Ministri
- 4 - Consiglieri Nazionali della camera dei fasci e delle corporazioni;
- 5 - Capo della polizia presso il Governo
- 6 - Prefetti a capo delle provincie e assegnati al Ministero
- 7 - Presidenti, Giudici, procuratori della repubblica e sostituti procuratori della repubblica presso i tribunali speciali;
- 8 - Segretario generale, vice segretario generale, segretario e vice segretario amministrativo, membri del direttorio nazionale, ispettori generali, vice ispettori generali e rispettivi segretari particolari del partito nazionale fascista;
- 9 - Segretari federali, segretari federali amministrativi, ispettori federali, componenti il direttorio federale, ispettori di zona del partito nazionale fascista -
- 10 - Direttori e vice direttori della *Fil*
- 11 - direttori e vice direttori dell'opera Galilla
- 12 - direttore e vice direttore dell'opera nazionale del lavoro;
- 13 - Segretari politici di tutti i Comuni -
- 14 - Governatore e vice Governatore di Roma -

5359



ALTO COMMISSARIATO PER LA PUNIZIONE
DEI DELITTI E DEGLI ILLECITI DEL FASCISMO

L'ALTO COMMISSARIO

- 1032
- 15 - Preside delle provincie e vice presidi
 - 16 - Pedestà delle città con popolazione superiore a 50mila abitanti
 - 17 - ufficiali della milizia di qualunque grado ed anche fuori ruolo, compresi quelli che hanno soltanto attribuzioni civili-
 - 18 - Ambasciatori e consoli del governo repubblicano -
 - 19 - Ispettori generali di pubblica sicurezza -
 - 20 - Presidenti e direttori del consiglio nazionale delle corporazioni -
 - 21 - Tutti gli appartenenti alla guardia nazionale repubblicana che è composta di volontari con funzioni di pubblica sicurezza

CATERIA B - (funzionari che saranno arrestati e internati):

- 1 - Primo presidente della corte di cassazione
- 2 - Procuratore generale della corte di Cassazione
- 3 - Presidente della Corte dei Conti
- 4 - Presidente del consiglio di Stato
- 5 - Avvocato generale erariale
- 6 - Rettori delle università
- 7 - Direttori generale di tutti i ministeri
- 8 - Capi del personale di tutti i ministeri
- 9 - Pedestà di tutti i Comuni con popolazione inferiore a 50mila abitanti -

- 16 - Podestà delle città con popolazione superiore a 50mila abitanti
- 17 - ufficiali della milizia di qualunque grado ed anche fuorile, compresi quelli che hanno soltanto attribuzioni civili-
- 18 - Ambasciatori e consoli del Governo repubblicano -
- 19 - Ispettori generali di pubblica sicurezza -
- 20 - Presidenti e direttori del consiglio nazionale delle corporazioni -
- 21 - Tutti gli appartenenti alla guardia nazionale repubblicana che è composta di volontari con funzioni di pubblica sicurezza

CATERIA B - (funzionari che saranno arrestati e internati):

- 1 - Primo presidente della corte di cassazione
- 2 - Procuratore generale della corte di Cassazione
- 3 - Presidente della Corte dei Conti
- 4 - Presidente del consiglio di Stato
- 5 - Avvocato generale erariale
- 6 - Rettori delle università
- 7 - Direttori generale di tutti i ministeri
- 8 - Capi del personale di tutti i ministeri
- 9 - Podestà di tutti i Comuni con popolazione inferiore a 50mila abitanti -
- 10 - Componenti il direttorio dei fasci di tutti i comuni
- 11 - Presidenti e direttori del consiglio provinciali delle corporazioni -
- 12 - Presidenti e direttori provinciali e comunali dell'opera nazionale balilla, del dopelavere e della gil

5359



ALTO COMMISSARIATO PER LA PUNIZIONE
DEI DELITTI E DEGLI ILLECITI DEL FASCISMO

L'ALTO COMMISSARIO

CATEGORIA C - (funzionari che saranno licenziati ed ai
quali sarà concessa la libertà) -

- 1 - Vice prefetti e capi di gabinetto dei prefetti
- 2 - Procuratori della repubblica -
- 3 - Avvocato generale della cassazione
- 4 - Presidenti e segretari dei sindacati provinciali di tutte le
professioni e mestieri -
- 5 - Professori di università che non siano di ruolo, ma soltanto
"incaricati" dell'insegnamento -
- 6 - Provveditori agli studi
- 7 - Intendenti di finanza
- 8 -

Salerno, 27 maggio 1944

nota - ci permettiamo di chiarire che i gerarchi fascista sono
stati inclusi in queste elenche perchè l'amministrazione fascista
li considera funzionari.

L'Alto Commissario per la defascistizzazione

quali sarà concessa la libertà) -

- 1 - Vice prefetti e capi di gabinetto dei prefetti
- 2 - Procuratori della repubblica -
- 3 - Avvocato Generale della cassazione
- 4 - Presidenti e segretari dei sindacati provinciali di tutte le professioni e mestieri -
- 5 - Professori di università che non siano di ruolo, ma soltanto "incaricati" dell'insegnamento -
- 6 - Provveditori agli studi
- 7 - Intendenti di finanza
- 8 -

Salerno, 27 maggio 1944

nota - ci permettiamo di chiarire che i gerarchi fascista sono stati inclusi in queste elenche perchè l'amministrazione fascista li considera funzionari.

L'Alte Commissario per la defascistizzazione

Or Piccola

L'ALTO COMMISSARIO AGGIUNTO PER LA PUNIZIONE DEI DELITTI

E DEGLI ILLECITI DEL FASCISMO

5557

Mario Rodriguez

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

SECRET

ACC/4/13/Int

26 May 1944

SUBJECT: Italian Officials in Northward Advance

TO : Vice President, Administrative Section

With reference to the Directive from the Chief Commissioner dated 24th May (copy returned herewith), this sub-Commission proposes categorization as follows:

- 4 (a) Prefects
Vice-prefects
Governatore di Roma
Vice-governatore di Roma
- (b) Intendente di Finanza
Capo di Gabinetto
Segretario Generale, City of Rome
Presidente dell'Amministrazione provinciale
Segretario Generale dell'Amministrazione provinciale
Podesta ()
Vice-podesta () Of communes having a population of 100,000
Segretario Comunale () and over
- (c) Consiglieri di Prefettura
Ragionieri Capo, being the actual chief accountancy official of the Prefecture
Uno Segretari di Prefettura
Segretari di Prefettura
Vice-segretari di Prefettura
Segretario particolare
All provincial Rettori
Podesta and Vice-podesta () Of communes having a population under 100,000
Segretari Comunali ()
All Commissari Prefetizi of communes or provinces.

R. G. B. Spicer
R. G. B. SPICER
Lt Colonel
Director
Interior Sub-Commission

CGRM/jgt

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SECRET

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/27/5/44

1. Ref Chief Commissioner's Secret Directive dated 24 May 1944 on subject of differentiation between Italian officials encountered during the northward advance and the disposal thereof; the following is the classification of judicial officers and personnel called for under para 4:-
Senior Officials
2. (a) Primo Presidente della Corte di Cassazione & Corti di Appello
(First President of the Court of Cassation & of Courts of Appeal)

Consiglieri della Corte di Cassazione and Corti di Appello
(Counsellors of the Court of Cassation and Courts of Appeal)

Procuratori Generali & Avvocato Generali of Court of Cassation & Courts of Appeal.

Other Officials
- (b) & (c) Sostituto di Procuratore Generale
Presidente di Tribunale
Procuratori del Re
Sostituti Procuratore
Aggiunti Giudiziari
Pretori
Vice-Pretori
Uditori Giudiziari
Capo Cancellieri
3. The categories of officials under (b) & (c) above have been grouped together in order of relative importance as it is assumed that their treatment will depend upon the rules laid down for screening of Italian officials in Executive Memorandum No. 45 of 17 March 1944.

Richard H. Wilmer

R. H. WILMER
Colonel, CAC
Deputy Chief Legal Officer.

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

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 39.

PERSONAL &
CONFIDENTIAL.

Office of the Executive Commissioner.

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1003/289/EC.

30th May 1944

I am directed by the Executive Commissioner to forward for your information copy of letter AAI/ECS(I)/10 of 26th May 1944, received from Brigadier Airey, BGS1, HQ. Allied Armies in Italy.

27

ESM/JC.

Captain,
PA to Executive Commissioner.

Brigadier-General E. E. Hase,
Senior Civil Affairs Officer,
AMC, 5 Army.

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

HQ ACC, APO 394

Sec'y Gen.

Rec'd 27 May 636

By DFE

TOP SECRET

Headquarters,
A.C.C.

SAI/BGS(I)/DO

26 May 64

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My dear General,

I am so sorry that I was not in when you were here yesterday. I did not get back from Eighth Army until late in the evening.

I entirely agree that we shall have far less trouble if we can remove all Fascists as soon as we get to Rome. From the security angle we shall be very pleased therefore to take into custody all Fascists from the administration that you can do without, together with any other potential sources of unrest.

Yours sincerely

Frederic Ainsley

Idout-General Sir Noel Mason MacFarlane, KCB., DSO., MD.,
Chief Commissioner,
Headquarters,
A.C.C.

th

Brig. Lash

To →

Good

Copy personally to Brig. Gen. Hume
MC

hms 23.5.64

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

COPY.

SECRET. 96

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
OFFICE OF THE CHIEF COMMISSIONER,
APO 394.

DIRECTIVE:

24th May 1944

TO : SCAO 5 Army.
SCAO 8 Army.
Regional Commissioner, Region IV.
Regional Commissioner, Region V.

1. We must differentiate between Italian officials encountered during our present Northward advance and those who we found in office during our initial occupation of Southern Italy.
2. North of the line where operations remained static for several months Italian officials have been serving the Republican/Fascist government throughout a period when liberated Italy under a properly constituted Government was co-belligerent with us.
3. It is to be anticipated that many of these officials will flee before our advance but a proportion will doubtless remain and these should all be dismissed from their posts automatically and replaced by anti-Fascist personnel. As we move North the possibility of finding suitable anti-Fascist personnel should become much greater than it has been hitherto.
4. A list is being prepared and will be issued very shortly showing under the following categories the way in which Italian officials encountered during our Northward advance should be disposed of:-
 - (a) Senior officials who will be arrested and handed over to the Italian Government.
 - (b) Officials who will be arrested and interned.
 - (c) Officials who will be dismissed but who will be allowed to retain their liberty.
5. SCAO's and Regional Commissioners are authorised to make exceptions to the above instructions at their own discretion but only in exceptional cases in which they are convinced either that the individual concerned is entirely free of any Fascist tendencies or that his temporary retention in office is absolutely essential from the war effort angle. It is emphasised that such action should be taken only in the most exceptional cases.
6. Pending the issue of the list referred to in para.4 and subject to the latitude allowed in para.5 all senior officials encountered during our advance will be arrested and held in custody.

(Sgt) EDSEL MASON MACPARKLAND,
Lieutenant Colonel,
Chief Commissioner.

23 - 2 JUN Recd
G O P T

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FM/RJ

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Chief Commissioner
APO 594

Ref. CO/3/391.

24th. May, 1944.

MEMORANDUM:

TO: Regional Commissioner, Region I
" " " II
" " " III
" " " IV
" " " V
" " " VI
" " " VII
S.C.A.O. A.M.C. 8 ARMY (Field)
" " 5 ARMY (Field)
" " 5 ARMY (Rome Hq)

In dealing with the always difficult question of deciding whether an individual should be considered "pacifist" and, therefore, debarred from employment in a public capacity, unless the circumstances are most exceptional, the attached list which defines categories of persons who should be regarded as pacifist is issued as a guide.

MORRISON MACFARLANE
Lieutenant General
Chief Commissioner

5351

SECRET

24 May 94
a. a person who had the title or qualification of "caneapolarista", "squadrista", "antemurale", "garza su roma", or "societa Littoria";

b. a person who was, during the fascist regime, a member of the Central Government, a member of the Grand Council, a member of the Academy of Italy, or a member of the Special Court for the Defense of the State;

c. a person who was a president, vice-president or executive secretary of a Corporation, confederation, federation, or syndical union;

d. a person who was a national secretary or national vice-secretary of the fascist party, or a member of the National Directory, or a national inspector;

e. a person who was a member of the fascist party and who was nominated as a Senator on or after 3 January 1925 and who subsequent to such nomination obtained any office or post in any administration or undertaking included in Article IV;

f. a person who was nominated as a Senator before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post in any administration or undertaking included in Article IV;

g. a person who was a fascist member of parliament or who was a national Councillor;

h. a person who was a federal secretary, a federal vice-secretary or an administrative vice-secretary;

i. a person who was a member of the federal Director or of the Directory of a fascio di combattimento or a fiduciario riante of a chief center of a province;

j. a person who was a federal inspector or a zone inspector;

k. a person who was a president or a member of the corte centrale or the federal disciplinary commission of the fascist party;

l. a person who was, during the fascist regime, a president or a vice-president or councillor or rector of a provincial administration;

m. a person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief center of a province;

n. a person who was, during the fascist regime, a mayor of a comune which had, at the date of the last census, a population of more than 50,000;

o. a person who was a political secretary;

p. a person who was a provincial fiduciaria of the female fasci;

q. a person who was, during the fascist regime, a president, a vice-president, a director or a manager of an administration or undertaking included in Article IV of this Order;

r. a person who was, during the fascist regime, a political radio commentator;

f. a person who was nominated as a member before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post in any administration or undertaking included in Article IV;

- g. a person who was a fascist member of parliament or who was a National Councillor;
- h. a person who was a federal secretary, a federal vice-secretary or an administrative vice-secretary;
- i. a person who was a member of the Federal Director or of the Directory of a fascio di combattimento or a fiduciario nazionale of a chief center of a province;
- j. a person who was a federal inspector or a zone inspector;
- k. a person who was a president or a member of the corte centrale or the federal disciplinary committee of the fascist party;
- l. a person who was, during the fascist regime, a president or a vice-president or consultore or rector of a provincial administration;
- m. a person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief center of a province;
- n. a person who was, during the fascist regime, a mayor of a comune which had, at the date of the last census, a population of more than 50,000;
- o. a person who was a political secretary;
- p. a person who was a provincial fiduciaria of the female fasci;
- q. a person who was, during the fascist regime, a president, a vice-president, a director or a manager of an administration or undertaking included in Article IV of this order;
- r. a person who was, during the fascist regime, a political radio commentator;
- s. a person who was, during the fascist regime, a director or chief editor of a newspaper or a political magazine;
- t. a person who was a professional journalist or publicist and who, after 3 January 1925, exalted the ideas and political aims of fascism;
- u. a person who was a member of the Milizia Volontaria Sicurezza Nazionale in permanent active service, and who was not a person referred to in any other paragraph of this article and who, while such a member, was
 - (1) a member of the Milizia Contrabbandieri or the Milizia Costiere; or
 - (2) a member of the Milizia Forestale who had been an official or employee of the former forest administration before the creation of the Milizia Forestale; and
- v. a person who has been decorated by the German Government for special political services rendered to the Nazi party.

NOTE: For the purpose of this guide, the terms "fascist", "fascist party" and "fascist regime" include their equivalents as set up by Mussolini after the formation.

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HEADQUARTERS ALLIED CONTROL COMMISSION

Office of the Chief Commissioner

APO 394

Ref. CC/G/333.

24th. May, 1944.

MEMORANDUM:

TO: Vice-President,
Administrative Section,
Rear HQ, A.C.C..

*Can't compete
to do this
hardly myself.*
W. M. MacFarlane

1. I attach herewith a report by Lieut-Comdr. J.J. Lawler, Finance Sub-Commission, which has been handed to me by Colonel Foley.
2. The report reveals a most unsatisfactory state of affairs.
3. As regards the summary and recommendations on Page 4:-
 - (a) The summary calls for little comment except that urgent action is very clearly indicated.
 - (b) As regards the recommendations. Various Sub-Commissions and various Ministries of the Italian Government are involved but in my opinion on our side of the house the task of eliminating Fascist organisations is one which should be dealt with by the Interior Sub-Commission working in close cooperation with the Executive Commissioner.
4. Acting on the assumption that Comdr. Lawler's report represents accurately the state of affairs, I would be glad if you would give this question your immediate attention. Should you require the services of any particular officer or officers to occupy themselves entirely with this question and to effect the necessary coordination both on our side and on the Italian side, I would endeavour to make him or them available. I feel, however, that however you decide to tackle the question, the work should be done under the umbrella of the Interior Sub-Commission.
5. I would be grateful if you would let me have your views and comments as early as possible.

W. M. MacFarlane
WOL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Finance Sub-Commission
A20 594

FSR/79.

29 April 1944.

SUBJECT: Dissolution and Liquidation of Fascist Organizations

TO : Col. W.H. Foley, Jr.
Joint Director, Finance Sub-Commission.

In the interval between the fall of Mussolini and the Armistice the Italian Government on 2 August 1943 issued a decree aimed at Fascism. This decree in article 1 suppressed the Fascist party and five named party organizations. In article 5 a list of 28 organizations were transferred to the control of eight ministries and the Presidency of the Council of Ministers among whom they were divided, the Presidency receiving control of 17 of the organizations including Opera Nazionale Dopolavoro. Article 6 provided that the functions assigned to G.I.I. should be assumed by the Ministries of War and Education in their respective fields. Personnel of all of the organizations were retained unless directly employed by the Fascist Party or an organization named in article 1. The liquidation of the party and of the abolished organizations was entrusted to the Finance Ministry, any remaining property to devolve upon the State. Party property pertaining to the functions of organizations named in article 5 and G.I.I. passed to the ministry to which the organization was transferred. The Minister having jurisdiction over the organization was authorized to replace employees formerly selected by the Fascist party. This was the state of the law as of the date of the armistice. The unione and Consiglio Provinciale delle Corporazioni had not been disturbed so that although the party had been abolished the controls developed by Fascism remained.

The terms of the Armistice with the Italian Government, went beyond the decree of 2 August and provided that all Fascist Party Organizations should be immediately dissolved and that the Fascist Militia and Fascist youth organizations should be abolished.

Failure to carry out this term of the Armistice would, it is submitted, subject ACC-AMG to more damaging publicity in the U.S. and the U.K. than any other single act or failure to act.

4. ACTION BY AMDOT - AMG AND ITALIAN GOVERNMENT PRIOR TO 11 FEBRUARY 1944.

1. In Sicily the bank accounts of all Fascist Organizations remained blocked after the banks were permitted to reopen. The Fascist organizations were then legally and formally abolished by Proclamation 7, General Order

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Failure to carry out this term of the Armistice would, it is submitted, subject ACC-AM to more damaging publicity in the U.S. and the U.K. than any other single act or failure to act.

A. ACTION BY AMDOT - AME AND ITALIAN GOVERNMENT PRIOR TO 11 FEBRUARY 1944.

1. In Sicily the bank accounts of all Fascist Organizations remained blocked after the banks were permitted to reopen. The fascist organizations were then legally and formally abolished by Proclamation 7, General Order No. 6 and Official Order Nos. 38 and 39 and their assets (except bank accounts which continued under the supervision of Chief Banking Officer) assigned to the Controller of Property. It should be noted that G.I.L., the Consiglio Provinciale delle Corporazioni, the Opera Nazionale Dopolavoro and eighteen other organizations not abolished by the Italian Government in its decree of 2 August were thus abolished in Sicily. This action, at least formally, effectively abolished the fascist system of control. On 1 December 1943 a Judge of the Tribunale of Palermo was appointed "Commissario Straordinario" to act under the supervision of the Controller of Property in undertaking an orderly liquidation of the financial affairs of the abolished organizations. It was contemplated that a Sub-Commissioner would be appointed in each province. However no appointments were made by AME until 10 February 1944, so that no effective liquidation was done under A.M.G. control. On 22 March 1944 the newly appointed Italian High Commissioner for Sicily confirmed the appointment of the Commissario Straordinario and his Sub-Commissioners and instructed them that hereafter they would work under his direction.

- 2 -

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2. In Reggio, Salerno, Catanzaro, Potenza, Matera e Cosenza the bank accounts of all Fascist Organizations were blocked as territory was taken. On 7 December 1943 Regional Order No. 5 was issued, legally and formally abolishing the fascist organizations. This order which included the unione and Consiglio Provinciale delle Corporazioni did not include C.I.L. and Opera Nazionale Dopolavoro but by an apparent misunderstanding of the order they were added to the organizations under liquidation in Potenza and Salerno. The Banco di Napoli was appointed liquidator of the financial assets to undertake an orderly liquidation of the financial affairs of the abolished organizations and commenced its operations. Other Property was placed in the custody of the local prefect. Chambers of Commerce were organized in Reggio, Catanzaro and Cosenza to undertake the functions of the abolished Consigli Provinciali delle Corporazioni.

In Cosenza Province, however, the Prefect, anticipating the abolition and liquidation of the fascist organizations had appointed a number of local lawyers as "Comissarii liquidatori" and given them possession of the assets of the organizations. In some cases they passed the assets in their possession to the Banco di Napoli under protest. In other cases they not only failed to deliver the property and render any accounting but initiated a campaign against the Banco di Napoli marked by attacks in the local press and personal attacks on members of the staff of the bank. In most cases the organizations were hopelessly insolvent and liquid assets were insufficient to meet even the accrued wages.

In Potenza the ACC authorized the Banco di Napoli to make an advance to pay wages. The Finance Sub-Commission then issued instructions that distribution must be limited to available cash assets. On 21 February 1944 the Regional ACC authorized the Banco di Napoli to recover any advances made to one or more of the organizations in liquidation from any credit balances remaining to other organizations after payment of their outstanding payrolls. This authorization was apparently interpreted as authorizing a general pooling of the resources of the institutions so that in Matera, where C.I.L. was not in liquidation, its funds have been utilized to cover a deficit in wage payments in other organizations.

On 29 February 1944 after the restoration of territory to the Italian Government the Minister of Finance was informed of the status of these liquidations and some of the technical problems of the liquidations were discussed with him. He stated that the problem was one for the entire Cabinet and requested reports on the liquidations for the purpose of formulating a program which would be discussed with us prior to presentation to the Cabinet.

3. In Puglia aside from the decrees of the Italian Government no information is available as to what was done to abolish Fascist Organizations. A decree of 6 December 1943 abolished the various Fascist militia organizations. On 7 December 1943 a "Comissario Straordinario" was appointed for Istituto Assistenza Malattia Lavoratori. On 28 December 1943 a decree provided for defascistization of the personnel of enterprises and parastatal organizations and on 6 January 1944 a decree was adopted retaining other personnel for the government rolls. On 27 January 1944 a decree dissolved the Consigli Provinciali dell'Economia and turned over the administration of their affairs to the Prefect as Commissario.

4. In Naples, Benevento and Avellino liquidation has been started under the supervision of the Controller of Property.

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4. In Maples, Benevento and Avellino liquidation has been started under the supervision of the Controller of Property.

5. In the forward areas and in Sardinia no information is available.

B. ACTION BY AND THE ITALIAN GOVERNMENT SINCE 11 FEBRUARY 1944.

1. In Sicily we are informed that, as in Pesaro, Catanzaro and Cosenza, the Consiglio Provinciale have been replaced by local Chambers of Commerce. The Minister of Industry, Commerce and Labor twice ordered High Commissioner Musotto to abolish the new Chambers of Commerce and reestablish the Consiglio Provinciali dell'Economia. Musotto has refused to obey this order on the ground that this would reconstitute an important Fascist organization. This is discussed more fully below.

2. In restored mainland territory the Italian government has also acted in a fashion inconsistent with the position taken by the Minister of Finance in the forward areas of 29 February 1944 are frequently incompatible with the aim of dissolution of the Fascist organizations.

On 26 January 1944 just prior to the restoration, an instruction was forwarded to the Prefects over the signature of the President of the Cabinet Council calling their attention to the failure, in some cases, to prevent the removal of furniture and fittings of G.I.L. headquarters by Allied Forces. This instruction also stated that the Council of Ministers was studying the problem of appointing a "Commissario Straordinario" to coordinate the activities of the Provincial centers, administer the personnel and above all to conserve the property of the institution pending the definitive allocation of the tasks and activities to the interested Ministries. This instruction is certainly not consistent with the armistice obligation to abolish the Fascist youth organizations.

On 16 February 1944 the Administrator of the G.I.L. at Matera wrote to the President of the Cabinet Council. Referring to a letter of 16 November 1943, he asked to be definitely informed whether the "Center" was to continue to exist or not, stating that the "Center" was already in the course of liquidation by order of A.M.G. and requesting that, if the "Enti" is to continue to exist, a Senior Officer be provided through the 9th Army Corps of Bari as Chief of the "Center", according to the directions of the Chief of Government.

On 7 March 1944 the instructions of 26 January was re-issued, presumably to the prefects of the fourteen provinces restored in February to the Italian Government.

On 9 March 1944, despite the fact that he was aware of the A.M.G. action implementing the terms of the armistice, the President of the Cabinet Council replied to the Matera letter of 16 February 1944 stating that the Ministry of War had been requested to appoint a senior officer as requested. The Prefect was also instructed to conform to the directions in the circular of 26 January. This reply was certainly inconsistent with the position stated by the Minister of Finance, with the known AMG position on G.I.L. and incompatible with the armistice obligation of the Italian Government. By a Royal Decree of 21 March 1944 a "Commissario" was appointed for the temporary administration of the Legion of Julius Caesar and the Legion of Garibaldi. On 22 March 1944 a decree was issued appointing a "Commissario" for temporary administration of Opera Nazionale Dopolavoro. These decrees are not necessarily inconsistent with the armistice obligation and the A.M.G. position but they are inconsistent with the position stated by the Minister of Finance on 29 February 1944.

On 28 March 1944 the Ministry of Industry, Commerce and Labor issued a circular (No. 9) directed to the High Commissioners for Sicily and Sardinia and the Commissarii Straordinari of the Consigli Provinciali Dell'Economia of all mainland provinces restored to the Italian Government in February. This circular provided for resumption of the administrative activities of the council, with their regular personnel. Liquidation was to cease immediately, and funds were to be returned by the liquidators. This action was inconsistent with the actions of the Italian Government in the decree of 27 January 1944 dissolving the Consigli; inconsistent with the A.M.G. action in abolishing and liquidating the Consigli and replacing them by Chambers of Commerce in Sicily and in 3 mainland provinces; inconsistent with the position taken by the Minister of Finance on 29 February 1944; and incompatible with any compliance with the obligation imposed by the

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Similar action was taken in the liquidations of G.I.L. and Opera Nazionale. The Banco di Napoli has been forced to suspend these liquidations in Salerno and awaits further instructions from ACC. No funds have been released to the Consigli.

C. SUMMARY AND RECOMMENDATIONS.

In administering the term of the Armistice providing for abolition of Fascist organizations ACC-AND has failed to adopt any uniform method of operation within its own territory and has failed to supervise the activity of the Italian Government in the restored territory. In consequence the abolition and liquidation of these organizations has not been and is not being successfully carried out.

It is submitted that all of these organizations should be abolished.

Any governmental functions which they formerly performed should be transferred to the appropriate governmental department. Funds of the abolished organizations should not be made available for such purposes. Budgetary needs of the Government department are best handled in the normal legal way.

In the improbable event of a liquidation dividend from any abolished organization it can be covered in as "miscellaneous receipts" of the Italian Treasury.

It is recommended:

a. That one officer, familiar with the Italian people, the Italian language and the operation of the Fascist system be charged with the responsibility of correlating the efforts of the Italian Ministries and of various Sub-Commissions in the restored territory and in all activated regions. Several officers who have lived in Italy for long periods and thus have this knowledge are available in A.C.C. One such officer is Captain James Utley (B), Regional Intelligence Officer of Region II.

b. That a letter (a proposed draft of which is attached) be sent to the Capo del Governo calling his attention to the unsuccessful efforts of both the Italian Government and A.M.S. to satisfy this obligation of the Armistice and informing him that one officer is now responsible for our activities in this respect.

J. J. Lawler
J. J. LAWLER
Lt.-Colr, USOOR,

Finance Sub-Commission.

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zations should not be made available for such purposes. Budgetary needs of the government department are best handled in the normal legal way.

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Provincial Council of Corporations (taken from the Enciclopedia Bancaria - Vol. I - Sperling & Kupfer - Editors - Milano 1942)

By Royal Decree of 13 April 1926, No. 731, and successive amendments introduced by R.D. 16 June 1926, No. 1071, and also by Law 13 June 1931, No. 871, there were formed, as outlying provincial activity organizations (which also had corporative syndicate control powers), the Provincial Councils for Corporative Economy. However, the twofold necessity of coordinating the concrete activities of said organizations with the larger and wider activities on a national basis entrusted to the 22 categories of Corporations and of orienting the organizations toward a necessary, if only approximated, parallel function, determined their deep and radical transformation, which step was actuated by the Codified Law on Councils, approved through R.D. 20 September 1934, No. 2011, amended by R.D. Law 3 September, 1936, No. 1900 and successively by R.D. Law 28 April 1937, No. 524, changed into law on 3 June 1937, No. 1000, and further amended by R.D. Law 2 May 1938, No. 768.

By strength of the above decrees, the Provincial Councils of corporative economy assumed the title of Provincial Councils of Corporations. The old Chambers of Commerce, began to disappear, because of the rapid and intense development of the former.

The activity of the Councils is engaged through Sections, which are normally three,

- a) Agricultural
- b) Industrial
- c) Commercial.

Whenever the needs and the peculiar economic characteristics of the Province require it, a fourth section may be formed; d) Maritime.

Each section is headed by a President, who is appointed by the Minister of Corporations, upon proposal of the Secretary of the P.N.F. (National Fascist Party).

The provincial Councils of Corporations act under jurisdiction of the Ministry of Corporations of whom they constitute the outlying organization, together with the dependent Provincial offices which function as secretaries to the Councils. They are managed by a Presidency Committee, presided over by the Prefect of the Province, and made up of the Secretary of the P.F. (Fascist Party), of a Vice-President who takes the place of the President and ensures the continuity of functioning of the organization; of Section Presidents and representatives of the Union of employers and employees, professionals and artists, and of the National Association of Corporations.

The sections, each one within its special field of activity of productive economy, have tasks of general or particular nature. Generally, they exercise supervision over the entire provincial economic activity, be it in proposals for practical systems of the same and the betterment and perfecting of production.

Among particular tasks, which are numerous, special mention is made of those problems regarding collection of local usages and customs and keeping lists of experts and specialists.

The Presidency Committee - which has absorbed the powers of inter-syndical provincial Committees, and also that undoubtedly very important and revolutionary, of declaring itself on the legitimacy of provisions of discipline in regard to

By strength of the above decrees, the Provincial Councils of corporate economy assumed the title of Provincial Councils of Corporations. The old Chambers of Commerce, began to disappear, because of the rapid and intense development of the former.

The activity of the Councils is engaged through Sections, which are normally three;

- a) Agricultural
- b) Industrial
- c) Commercial.

Whenever the needs and the peculiar economic characteristics of the Province require it, a fourth section may be formed; d) Maritime.

Each section is headed by a President, who is appointed by the Minister of Corporations, upon proposal of the Secretary of the P.N.F. (National Fascist Party).

The provincial Councils of Corporations act under jurisdiction of the Ministry of Corporations of whom they constitute the outlying organization, together with the dependent Provincial offices which function as secretaries to the Councils. They are managed by a presidency Committee, presided over by the Prefect of the Province, and made up of the Secretary of the P.N.F. (Pasei di Corporazioni or Combattimento); of a Vice-President who takes the place of the President and ensures the continuity of functioning of the organization; of Section Presidents and representatives of the Union of employers and employees, professionals and artists, and of the National Association of Corporation.

The sections, each one within its special field of activity of productive economy, have tasks of general or particular nature. Generally, they exercise supervision over the entire provincial economic activity, be it in proposals for practical systems of the same and the betterment and perfecting of production. Among particular tasks, which are numerous, special mention is made of those problems regarding collection of local usages and customs and keeping lists of experts and specialists.

The presidency Committee - which has absorbed the powers of inter-syndical provincial Committees, and also that undoubtedly very important and revolutionary, of declaring itself on the legitimacy of provisions of discipline in regard to workers who hold syndical office, in order to ascertain eventual retaliation on the part of employers who have them on their payrolls - oversees the stipulations of collective work contracts on the part of professional associations, which is conducive to more expeditious action; ascertains, determines and controls prices; intervenes in requests (applications) for new industrial installations, giving its opinion for the final examination by the Corporations of that category; it is, substantially, the organization which traces, even from the political-social point of view, the directive lines for all economic action within the Province.

Finally, the Provincial Councils of Corporations have a General Council, formed of law members and surgically appointed members. They may also contain corporate commissions for the study of particular problems, or for problems which interest two or more sections of the Council itself.

Domenico Pellegrini Sampietro

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