

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

785017

ACC

10000/109/1693

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

785017

10000/109/1693

ALIENS
MAR. - JUNE 1944

384
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

JM/gmf

9119

19

ACC/14071/L

5 June 1944

SUBJECT: Proposed General Order - Aliens.

TO : Deputy Executive Commissioner.

1. Reference your letter 381/18/CA of 3 June 1944.

2. The fair copy of the above General Order has today been passed to Public Safety Subcommittee with our certificate that it is in proper form for signature by Executive Commissioner.

see file 625.

Jasper Moore

J. MOORE, Captain
For Chief Legal Officer

HEADQUARTERS

6610

10/6/44

10/6/44

2700

2700

17A

B/H

10/6/44

HEADQUARTERS
ALIENS CONTROL COMMISSION
R.O. & M.C. SECTION
APO 394

Ref/304/10/0A

3 June 1944

SUBJECT: Proposed General Order - Aliens.

TO : Admin. Sect. (for Legal Sub-Commission)

Reference this Headquarters letter
282/161/0A of 24 May 44 addressed to Region III
copy to you, may this Hq. please be advised of
the present position.

J.H.
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

See 191

6/11
25/6
27/05
19/6
notes
Noted
Tom

785017

HEADQUARTERS
ALY U CONTROL COMMISSION
H.C. & H.C. Section
APO 394

*Ref. this letter to
H. advise this file
when we have sent
Order will be*

Ref/232/131/CA.

24 May 1944.

SUBJECT: Regional Orders.

TO : H.C. Region XII.

1. Reference your R/2017 of 19 May 1944, the position of the three draft Regional Orders is as follows :

(a) Aliens.

This Order is being prepared, as you know, for issue as a General Order. Since, among other things, the proposed legislation has to do with matters concerning internment, the Public Safety Sub-Commission felt obliged to consult A.A.I. before making any recommendations on the subject.

(b) Public Meetings.

This Order has been prepared and approved. It is being published as General Order No. 25 and is now in the hands of the printers.

(c) Newspapers and Publications.

Reference is made to this HQ letter 291/19/CA of 4 April 1944. The suggested Decree has been drafted and approved but is under discussion with the Italian Government. It is hoped that it will be finally approved before the next meeting of the A.P.B. on 29 May 1944.

JH

2704

MORRIS H. FISHER,
Colonel,
Deputy Executive
Commissioner.

JHS/140.

Copy to Admin Section - For Legal Sub-Comm.

File 231.
: 231.
: 231.
: 231.

Bu 3/6

Nataly

27 Ann need

384

6507/16

E. A. Br.
J-5432

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/rlp.
25 April 1944.

ACC/4120/1/L.

SUBJECT : Proposed Region III Regional Order on Aliens.

TO : RC & MG Section.

1. Reference yours 384/15/CA of 22 April 1944.
2. Copy of administrative instructions was requested in ours of 5 April 1944 (ACC/4120/1/L), but was not received from you until 18 April 1944. It was thereupon immediately placed in the hands of the Public Safety Sub-Commission for its consideration.
3. Since, among other things, the proposed legislation has to do with matters concerning internment, the Public Safety Sub-Commission felt obliged to consult with Hq, AAI before making any recommendations on the subject.
4. As soon as the wishes and policy of Hq, AAI have been determined and communicated to us by Public Safety Sub-Commission, we shall be prepared to advise you in the premises.

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



Lt Col Shrin

2703
Dose. More delays are anticipated.
It should have been
written but should have been
telephoned.

21/4

1 agree
21/4

Noted
21/4
Bu 10/10

~~PTA~~

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

Ref/384/15/CA

22 April 1944

SUBJECT: Proposed Region III Regional Order
on Aliens.

TO : To Admin. Sect. (for Legal Sub-Comm.)

1. Reference is made to our 384/B/CA of
1st April, your ACC/4120/1/L of 4 April and
5 April and our 384/13/CA of 16 April.

2. Can this Section be advised of the la-
test situation in regard to the dropping of a ge-
neral order on aliens to apply to all region, ref.
your ACC/4120/1/L of 4 April para 3.

duffy
W
NORMAN E. PIERCE
Colonel
Deputy Executive
Commissioner

all
16
Bu. *1 June* *2702*
Sw. n/s
Noted

C.S.O.

14

Ref 8, 9 & 13. Do you agree that we
might send her a reminder? I hope
because you may know some background
in this.

S. 21/4.

Yes; if you have not seen her I have.

S. 21/4

2701

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

Ref/384/13/CA

16 April 1944

SUBJECT: Proposed Regional Order By Reg. III.

TO : Admin. Sect. (for Legal Sub-Comm.)

As requested in your AOC/4120/1/L of 5 April attached hereto is copy of administrative Instructions, in connection with proposed Regional Orders, which is also returned herewith.

N.E. Fisk
NORMAN E. FISK
Colonel
Deputy Executive
Commissioner

B/4
21/4
[Signature]

384 APR Recd
SECRET

S. 1554
12

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army
LEGAL DIVISION

JWO/bda
3/6031/L

13 April 1944.

Subject: Administrative Instruction.
To : A.C.C., R.C. & M.G. Section.

1. Reference is made to your letter 9 April 1944,
subject: Proposed Regional Order by Region III.
2. Copy of Administrative instruction in connection
with this order, is attached.

John W. Chapman
JOHN W. CHAPMAN,
Lt. Col., J.A.G.D.,
Reg. Legal Officer.

cc. sent 14-12 and
attached to 10
Legal (thru Admin. Div.)
as requested in 10.
2700

HEADQUARTERS
13 APR 1944

SECRET

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

Ref/384/11/CA

9 April 1944

SUBJECT: Proposed Regional Order by Region III

TO : R.C. Region III

Reference your proposed Regional Order concerning aliens, their registration, restriction of movement, etc.

1. This order is being considered for issue as a general order by Allied Control Commission.

2. It is understood you intend to issue certain administrative instructions in connection with the proposed order. Will you please send us a copy of these proposed instructions for forwarding to Legal Sub-Commission.

see 15

NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

see 10
2699

See

any further action

Not note para 2 compliance
with

9/4

B/H
1/8/4
Noted
1/8/4

785017

RE. HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

384E
6 APR Recd

CAB
J-3088
GRU/ap

ACC/4120/1/L.

5 April 1944.

SUBJECT : Proposed Regional Order by Region III.

TO : Deputy Executive Commissioner.

1. Supplementary our ACC 4120/1/L dated 4 April 1944 in response to your ref. 184/8/CA dated 1 April 1944.

2. It now appears that Region III intended to issue certain administrative instructions in connection with the proposed regional order. May we have a copy of such administrative instructions?

Encl. Region 3 Order referred to.
(Please return with your
reply)

see 16
Gerald R. Upjohn
Colonel,
Chief Legal Officer.

see 13
8698
see 11

384 15
5 APR Recd
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
AFO 374

CA Br
11-3040

/emf

4151
8

ACC/4120/1/L

4 April 1944

SUBJECT: Proposed Regional Order by Region 3.

TO : Deputy Executive Commissioner. 8

1. Ref your ³⁸⁴2178/CA dated 1 April 1944.

2. Since it is proposed that legislation substantially of the character set forth in proposed Regional Order enclosed in the above be made operative in all of occupied territory, the form thereof should be by way of General rather than Regional Order.

3. In collaboration with Col. Young, we therefore are drafting a General Order to cover the subject matter of the Regional Order.

4. May we suggest that Region 3 be advised accordingly and that the aforesaid Regional Order be not published.

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

Col Insko

Do you agree with para 4 abt 2697

Agreed
J

MS 74 21 64

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

Ref/881/8/CA.

1st April 1944.

SUBJECT: Proposed Regional Order by Region III.

TO : Admin. Section - For Legal Sub-Commission.

1. The attached copy of a revised draft sent forward by Region III, who proposed to issue it as a Regional Order, is forwarded.

2. I have discussed this order with Col. Young of Public Safety Sub-Commission who is in agreement with the draft but considers that it should apply to the whole of AMG territory. He also thinks provision should be made to exclude refugees who are temporarily residing in camps set up under A.C.C. control. If this is done the matter of registration of these refugees after they leave the camp can be taken up separately with the Italian Refugee Branch.

3. I am in agreement with Col. Young's suggestions. The situation appears to be the same as the recent proposed order by Region III on the subject of publications. Would you please let me have your comments on this proposed order.

NORMAN E. PIERCE
Colonel,
Deputy Executive
Commissioner.
2696

Copy to: R.C. Region III.

BU 5 Apr.
Again 8/4
H. L.

31. Mar. 44. 7
SUBJECT: Col. Poletti's Proclamation on registration of Aliens and
Restriction of Enemy Aliens.

Action.

A. I cleared with Capt. Ballance at Salerno on this. He states that:

1. Basis of this Proclamation was the 5 Dec letter from A.C.C. per
Col. Kirk.

2. It is O.K. except it should exclude Refugees who are temporarily
residing in Camps set up under A.C.C. control.

B. Col. Shipp suggests it be taken up with Col. Young tomorrow when he is
here.

JW
J.W. CUNLIFFE
Capt.

2695

P.S.

How did we get this letter addressed to Region III?

^{Col}
From Poletti by hand

Consider Ex. Memo. out of this.

*Col Young (PS) Comment scheme
is ok but should apply to all
Army Territory - To Legal Sec.*

SECRET

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY
REGIONAL PUBLIC SAFETY OFFICE

PS/6.4

23 March 1944

SUBJECT: Aliens - Regional Order.

TO : Regional Commissioner, Region 3.

1. Herewith revised draft of proposed Regional Order on aliens, together with draft Administration Instruction which it it suggested should accompany same.

2. Both have been approved by the Legal Division.

3. For your approval, please.

CTF/dr

C. T. Francis
C. T. FRANCIS
Lieut. Colonel, G. L.,
Regional Public Safety Office.

SECRET

see 8
2694

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

Regional Order }
Number }

March 1944.

Considering, that unrestricted movements on the part of aliens constitutes a danger to security:

I, Charles Poletti, Lieutenant Colonel, Regional Commissioner, Region 3, by virtue of power vested in me, hereby

ORDER

Article I

Definitions

In this Order -

(a) the expression "alien" means a person who is a national of any State other than Italy; and

(b) the expression "enemy alien" means a person who is a national of any of the following States, that is to say, Bulgaria, Finland, Germany, Japan, Rumania, San Marino, and Siam.

Article II

Registration of Aliens.

Section 1. Every alien shall, on or before 1 April 1944, present himself or herself in person to the local authority of Public Safety of the Commune in which that alien resides, for registration. **2693**

Section 2. On the registration mentioned in Section 1 of this present Article the identity card of the alien will be endorsed on the blank page thereof to show that such alien was so registered.

Article III

Carrying of Registration Cards by Aliens.

all

I, Charles Poletti, Lieutenant Colonel, Regional Commissioner, Region 3, by virtue of power vested in me, hereby

ORDER

Article I

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Section 2. On the registration mentioned in Section 1 of this present Article the identity card of the alien will be endorsed on the blank page thereof to show that such alien was so registered.

Article III

Carrying of Registration Cards by Aliens.

Every alien shall at ^{all} times carry his or her registration card endorsed in the manner prescribed in Article II of this order.

Article IV

Restriction of Movement of Enemy Aliens.

Notwithstanding anything contained in any Proclamation or Order to the contrary, no enemy alien shall travel more than ten (10) kilometers from his place of residence, or change his place of residence, without a permit issued by the Allied Military Government. Application for a permit mentioned in this Section

- 2 -

41
will be made in writing to the authority mentioned in Section 1 of Article II of this Order with whom the applicant registered.

Article V

Penalties.

Any person who violates the provisions of this Order shall upon conviction by an Allied Military Court be liable to imprisonment or fine, or both, with or without other lawful punishment as the Court may determine.

Article VI

Saving for Italian law.

The provisions of this Order are in addition to the provisions of the Italian law relative to aliens and do not supersede or otherwise affect such provisions of Italian law. Such provisions of Italian law will be obeyed by every alien.

Article VII

Saving for Allied personnel.

Nothing in this Order shall apply to -

(a) any person who is a member of the armed forces or the merchant navy of any of the United Nations; or

(b) any person who is a national of any of the United Nations and who is in possession of an identity card issued by the Allied Forces or the Allied Military Government or the Allied Control Commission.

Article VIII

Extent of Order and Effective Date.

This Order shall extend to the Provinces of ~~Avellino~~^{Avellino}, Avellino and Benevento and shall become effective on, from and after ¹March 1944.

CHARLES POLETTI
Lieut. Colonel, ~~3rd~~^{1st},
Regional Commissioner.

tp.

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Saving for Italian law.

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CHARLES POLETTI
Lieut. Colonel, ~~3rd~~^{3rd} R.,
Regional Commissioner.

tp.

SECRET

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

ADMINISTRATIVE INSTRUCTION)
NUMBER)

March 1944

ALIENS

1. The Regional Commissioner has made a Regional Order N° dealing with aliens and enemy aliens as defined in the Order. This Order will be carried into effect.
2. All possible steps will be taken by all police authorities to see that no alien evades registration prescribed by and that no enemy alien circulates in a manner prohibited by the Regional Order and also that all aliens comply with all existing Italian laws dealing with aliens.
3. All Questori will at once re-establish the Italian system of alien (stranieri) control and will check and bring up to-date all existing records of aliens.
4. The records of all aliens will be scrutinized in conjunction with the military security services.
5. Every German male national who is of the age of 16 years or over will be interned unless an exemption has been obtained from the Allied Control Commission.
6. A recommendation for an exemption mentioned in paragraph 5 will be made to the Provincial Commissioner of the province in which the person to whom the application relates, resides. If the Provincial Commissioner considers the application worthy of support he will forward it, through channels, to the Allied Control Commission with his comments on it.

S E C R E T

2

7. Special consideration will be given to an application, mentioned in paragraph 5, which relates to a person who has had to leave his country of residence because of the danger to his life or liberty, or on account of his race, religion, or political belief, and who is regarded on the scrutiny mentioned in paragraph 4 as being above suspicion.

8. If on the scrutiny mentioned in paragraph 4 it appears that any alien (not being a German male national) is regarded as suspicious from the security point of view a special report will be made by the Questore to the Provincial Commissioner of the province in which that alien resides and his instructions obtained on the case.

9. Applications for permits mentioned in Article IV of the Regional Order will be passed to the Provincial Officer or Provincial Police Officer of the Allied Military Government district in which the applicant resides. The officer to grant such a permit will be

- (a) for travel or change of residence only within an Allied Military Government district, the Provincial Officer of that district;
- (b) for travel or change of residence beyond an Allied Military Government district but wholly within a province, the Provincial Commissioner of that province; and

new
line

(c) for travel or change of residence outside a province the Regional Commissioner/or in any case an officer appointed for the purpose by the Provincial Officer, the Provincial Commissioner or the Regional Commissioner as the case may be. Any officer through whose hands an application passes may refuse his consent.

2691

10. The Questore will keep records of all applications referred to in paragraph 9 above and of the results of those applications.

11. The Internees and Displaced persons Sub-Commission, Allied Control Commission, is responsible for the welfare and care of internees and displaced persons of all nationalities, including Italians,

...../ Other

other than nationals (including prisoners of war) of the British Commonwealth of Nations and the United States of America

12. A report on the progress made in carrying out the Regional Order and this Instruction will be made by each Provincial Commissioner to reach this Headquarters (Public Safety Division) on 14 April 1944.

CHARLES POLETTI
Lieutenant Colonel,
Regional Commissioner.

CTF/dr

S E C R E T

2690

2 2 1 8