

100

1000012015666

I.P.O.W. '1/24.III. Trials of Italian P.W. Co

Dec. 1945 - AUG. 1946

III. Trials of Italian P.W. Co-operators By Military Court

4009
4040

Case III

06, 1946

1488 POWERS SUB COMMISSION A.S.

M.M.I.

ITALIAN PRISONERS OF WAR DIVISION

IPW/11/4/333

26 August 46

Subject : IPW Release

To : Ministry of War - Gabinetto

- 1/. His Britannic Majesty's Government has decided to repatriate all Italian PWs who are now serving sentences as a result of their convictions by Court Martial or by Military Court.
- 2/. In view of this decision the sentences of all Italian PWs will be remitted. Those PWs who have been convicted of serious crimes against the Civil Code will have their sentences remitted with effect from the date on which they are handed over to the Italian authorities in Italy; in all other cases the sentences will be remitted with effect from the date of embarkation.
- 3/. A nominal roll giving full particulars of the convictions and sentences of each PW will be handed to the Italian Representative in each Command, and arrangements will then be made with said Representative as to which PWs will be taken to Italy in custody and which PWs will have their sentences remitted on embarkation.
- 4/. The repatriation of Italian PWs referred to above will not take place until the general repatriation of Italian PWs in each Command has been completed.
- 5/. The above mentioned policy does not apply to Italian PWs convicted in Italy of war crimes.

of their convictions by Court Martial or by Military Court.

2/. In view of this decision the sentences of all Italian PWs will be remitted. Those PWs who have been convicted of serious crimes against the Civil Code will have their sentences remitted with effect from the date on which they are handed over to the Italian authorities in Italy; in all other cases the sentences will be remitted with effect from the date of embarkation.

3/. A nominal roll giving full particulars of the convictions and sentences of each PW will be handed to the Italian Representative in each Command, and arrangements will then be made with said Representative as to which PWs will be taken to Italy in custody and which PWs will have their sentences remitted on embarkation.

4/. The repatriation of Italian PWs referred to above will not take place until the general repatriation of Italian PWs in each Command has been completed.

5/. The above mentioned policy does not apply to Italian PWs convicted in Italy of war crimes.

Copy to -

Gen. Mannerini - Autonomous Office for War Veterans.
Ministry of Post War Assistance
Mr. Wilson - British Embassy

33
4040
J. G. RAGG, Lt. Colonel
Chief
IWW Division

333

M.M.I.A.

CONFIDENTIAL.

[Handwritten initials]
SUBJECT: IPW - Release.

833

CHQ CHF.

3821/A2.

21 Aug 46.

Land Forces Sub Commission,
Allied Commission,
MIA,
IPW Division. ✓

1. The attached copy of War Office memorandum 0103/8034/PW of 23 July is forwarded for information and transmission to the Italian Government.
2. Please inform the Italian Government that it is not the policy to release such IPW as have been convicted in Italy of War Crimes.

[Handwritten: notified]
[Handwritten signature]

DSF/MC.

[Handwritten signature]
JB ROBERTSON, Brig,
DAG.

Copy to:- A-3

[Handwritten: 332]
4039

1/24

RECEIVED OF	WAR DIVISION
26	AUG 1946
Received	
Log No	9545

MAYFAIR 9400

C O P Y

THE WAR OFFICE
CULZON STREET HOUSE,
CULZON STREET,
LONDON, W.1.

C403/6034/P.W.4

23rd July, 1946

Sir,

I am commanded by the Army Council to inform you that they have decided to repatriate all Italian prisoners of war who are now serving sentences as a result of their convictions by Courts-Martial or by Military Courts.

In view of this decision, the sentences of all Italian Prisoners of war will be remitted. Those Prisoners of war who have been convicted of serious crimes against the civil code will have their sentences remitted with effect from the date on which they are handed over to the Italian authorities in Italy; in all other cases the sentences will be remitted with effect from date of embarkation.

I am to request that before these prisoners of war are transferred to Italy, a nominal roll giving full particulars of the convictions and sentences of each prisoner of war will be handed to the Italian Representative accredited to your Command. Arrangements will then be made with the Italian Representative as to which prisoners of war will be taken to Italy in custody, and which prisoners of war will have their sentences remitted on embarkation.

Should there not be an accredited Italian Representative in your Command, the nominal roll should be forwarded to the War Office (P.W.4.) for transmission to the Italian Representative in London. You will then be advised which prisoners of war are to be taken to Italy in custody.

The repatriation of Italian Prisoners of War referred to above will not take place until the general repatriation of Italian Prisoners of War in your Command has been completed.

In view of this decision, the sentences of all Italian Prisoners of war will be remitted. Those Prisoners of war who have been convicted of serious crimes against the civil code will have their sentences remitted with effect from the date on which they are handed over to the Italian authorities in Italy; in all other cases the sentences will be remitted with effect from date of embarkation.

I am to request that before these prisoners of war are transferred to Italy, a nominal roll giving full particulars of the convictions and sentences of each prisoner of war will be handed to the Italian Representative accredited to your Command. Arrangements will then be made with the Italian Representative as to which prisoners of war will be taken to Italy in custody, and which prisoners of war will have their sentences remitted on embarkation.

Should there not be an accredited Italian Representative in your Command, the nominal roll should be forwarded to the War Office (P.W.4.) for transmission to the Italian Representative in London. You will then be advised which prisoners of war are to be taken to Italy in custody.

The repatriation of Italian Prisoners of War referred to above will not take place until the general repatriation of Italian Prisoners of War in your Command has been completed.

I am,

Sir,

Your obedient servant,
(SGd) ??

4038

Commander-in-Chief, Middle East.

Commander-in-Chief, Allied Force Headquarters.

General Officer Commanding-in-Chief, East Africa.

Commander North Caribbean Area.

Copies to:- Secretary of State for Foreign Affairs.

Secretary of State for the Home Department.

Under Secretary of State, The Dominions Office.

Under Secretary of State, Colonial Office.

WERP/18

LAND FORCES SUB COMMISSION A.O.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/331

19/7/46

SUBJECT : Claim for loss of blankets

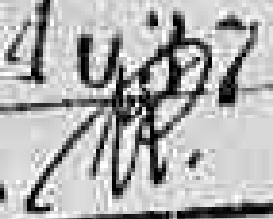
TO : Autonomous Office for War Veterans, Min. of War

Lt. SIMIANI, Carlo n° 330956

Ref your n° 12901/50, dtd 9 July '46

1. I have gone into this case and consider that no useful purpose will be served in returning the correspondence to the appropriate authorities, and reopening the case.
2. It is quite clear, taking into consideration the value of blankets as "barter" at the time, that the PW received fair treatment. No evidence of theft is apparent and had the incident of the "lost blankets" occurred in connection with a British soldier, the treatment would have been the same.
3. No further action is being taken in this matter.
4. All correspondence is returned herewith.


J.E. REGIS
Lt. Col.
Chief
IPW Div.

DATE	AUG 26 1946
ENTERED	4037
INITIALS	

Encl.: 5

Rome, 9 July 1946

MINISTRY OF WAR
Autonomous Office for War
Veterans and Repatriated PWs

Prot.n.12901/50 RPGR

TO : LAND FORCES SUB COMMISSION
A.C. (M.M.I.A.)
ITALIAN POW DIVISION
CIVIL AFFAIRS SECTION

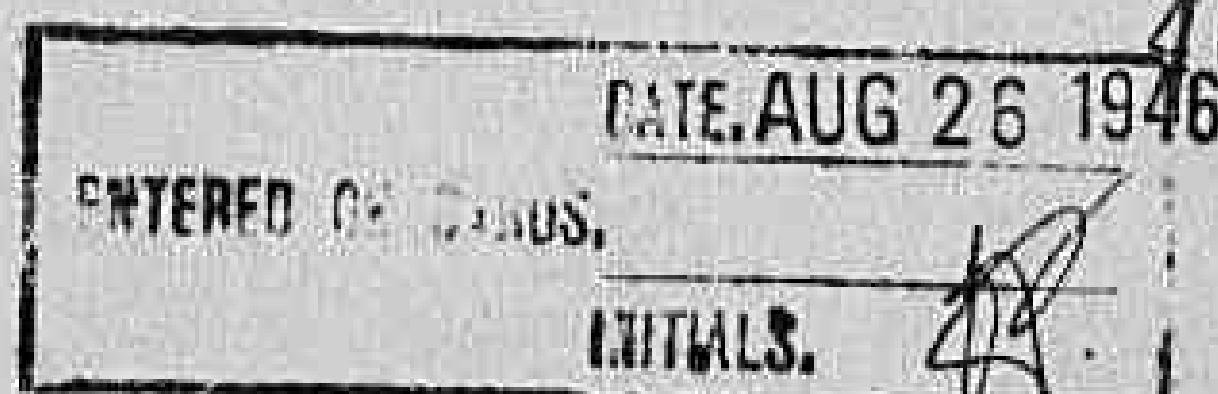
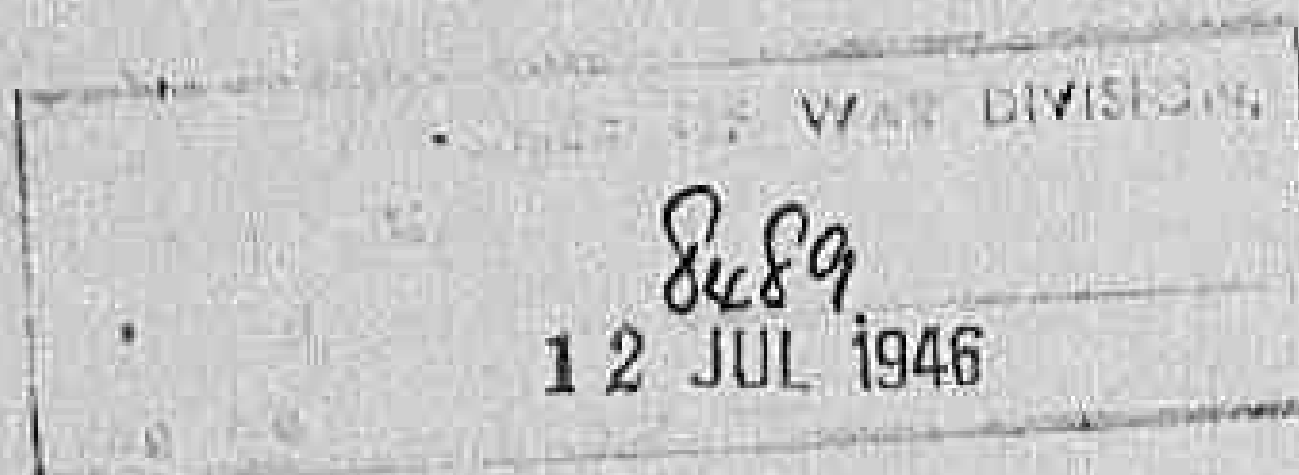
ROME

SUBJECT : POW Lt.SIMIANI Carlo -

Herewith attached is copy of letter 2844 dated march 1946 from the Federal Political Department relative to a protest submitted by the officer in question regarding the theft of 4 blankets assigned to him.

Attached also are the enclosures belonging above mentioned letter.

frat. 2844
signed/GEN.A.MANFERRINI



124

WERP/fs

LAND FORCES SUB COMMISSION A.C.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/329

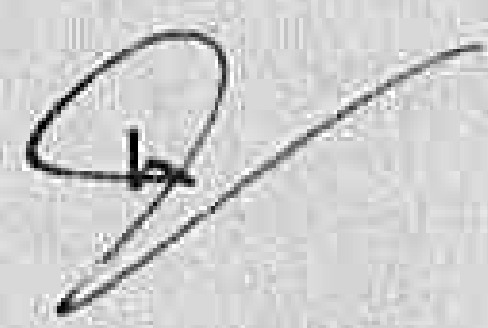
1/6/46

SUBJECT : Military Tribunal

TO : Tribunale Supremo Militare, attn. U.Bersari Procuratore Gen.Mi

Ref your letters 1927, 24/5/46, re Pantaleo, G. &
1925, 24/5/46, re Versace, L.

The first PW was sentenced by Commander, 3 District, C.M.F.
Second PW referred to by Military Court convened by Commander,
British Troops North Africa.
This information is sufficient for registering of sentence in
Italian Territory.


J.E. REGIS
Lt.Col.
Chief
IPW Div.

4035

GENERAL MILITARY PROCTOR

FILE : 1925 P.G.

Rome 24 May 1946

SUBJECT: Soldier VERSACE Leo son of Giuseppe.

TO: : Allied Commission, S/C, IPW Div., Rome.

Reference your letter IPW/1/24/258 dtd 7 Sept 45.

Please specify what Military Court ^{Martial} Marshall in North Africa judged on the 11 July 45 the POW in question as this Office must have the sentence registered in Italian Territory.

S/ By the Military General Proctor

U. Borsari

*Military Court concerned
these by Commander
British Troops North Africa*

328

1/24

PRISONER OF WAR DIVISION,	
(S. C.)	28 MAY 1946
Received	6970
Log. No.	

4034

GENERAL MILITARY PROCTOR

FILE : 1927 P.G.

Rome 24 May 1946

SUBJECT: POW Soldier PANTALEO, Giacomo son of the late Donato
POW C.28252.

TO : Allied Commission, S/C, IPW DIV., Rome.

Reference your letter (?) sent from the A.C. to the Ministry of War, will you please specify as to what British Military Court Marshall sentenced, on the 28 Aug 45 the POW in question, as this Office must provide for the registration of his sentence in Italian Territory.

S/ The General Military Proctor
U. Borsari

Commanda, 3 District, C.M.F.

327
4033

ITALIAN PRISONER OF WAR DIVISION,	
(MCM) A. C.	28 MAY 1946
Received	
Log. No.	6971

124

WERP/18

LAND FORCES SUB COMMISSION A.C.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/326

17/5/46

SUBJECT : Military Court

TO : Procura Generale Militare
Presso il Tribunale Supremo Militare
attn. Procuratore Gen. Mil., U. Bersari

Sold. RANA, Nazzeno; sold. ZUCCARELLI, Giovanni;
" GUERRA, Giuseppe; " MINELLI, Millo

Ref your letters 1704 PG, dtd 14/5; 10703 PG, dtd 14/5/46

1. The a/m PW were tried by Military Courts convened by the G.O.C. N° 3 District, C.M.F.
2. The findings and sentences were confirmed in all cases and promulgated to the accused by G.O.C. N° 3 District, the convening officer.

*22 290
2796*

[Signature]

326
4032

J.E. REGIS
Lt. Col.
Chief
IPW Div.

WERP/is

LAND FORCES SUB COMMISSION A.C.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/323

8/4/46

SUBJECT : IPW required for Trial

TO : E.H.Q., O.M.F.

FELICIANI, Ferdinando Capt.

Ref your 3659/A2 , 25/Oct/45

1. In your a/q. letter it was requested that arrangements be made by this Division to secure custody of the a/n PW, and arrange with N°2 District for his transfer to Brescia. There is a record here, however, which shows that this H.Q. was merely to inform you of the whereabouts of Feliciani; this was the result of a telephone conversation between the ex G.S.O.II of this Division, and Capt. Davies formerly of your H.Q.

2. Full enquiries have been made, but the only information available is as follows:-
"Capt. Feliciani was a federal secretary of the P.N.F. for the Prov. of Brescia from October 1942 up to May 1943, headquarters at Bologna. As Capt. of the 11th Bersaglieri, on the 8th Sept. '43 he was captured by the Germans and deported to Germany. Repatriated in March 1944, he was enrolled in the republican forces. He commanded at Brescia the company "Morte" and in that position after a few months, left for Parma. Arrested on the day of the insurrection, the 17th June he was turned over to the Allied Military Command who interned him in a concentration camp as a PW. Since then he has not returned to Brescia. A charge was made against him in June 1945, by Luciano Pettecello (lawyer) of the General Prosecutor's Office, to the special Tribunal, as having collaborated with the Germans in aggressions etc. etc. This charge is pending against him up to date in the Law Courts - Special Section. He is highly thought of in Brescia."

J.E. REGIS, Lt. Col.
Chief IPW DIV

323

MINISTRY OF WAR
CABINET

FILE : 206604/II

Rome 1 April 1946

SUBJECT: Capt FELICIANI, Bernardo (Bersagliere).

TO : Allied Commission, S/C, IFW Div., Rome.

Reference your letter IFW/1-24-298 dtd 18 November 1945.

The General Direction of Public Safety communicated as follows on the 7 March regarding Capt. FELICIANI, Bernardo (attention above referred to letter).

"" Reference your letter you are informed that: the following is the information received from the prefecture of Brescia regarding the Officer in question, ulterior information can be obtained by this Ministry from the A.C.

Capt. FELICIANI was a federal secretary of the P.N.F. for the Province of Brescia from October 1942 up to May 1943, headquarters at Bologna.

As Capt of the 11th. Bersaglieri, on the 8th. Sept 1943 he was captured by the Germans and deported to Germany. Repatriated in March 1944, he was enrolled in the republican forces.

He commanded at Brescia the company "Morte" and in that position after a few months, left for Parma.

Arrested on the day of the insurrection, the 17th. June he was turned over to the Allied Military Command who interned him in a concentration camp as a POW. Since then he has not returned to Brescia.

A charge was made against him in June 1945, by Luciano Pettoello (lawyer) of the General Proctor's Office, to the Special Tribunal, as having collaborated with the Germans in aggressions etc. etc. This charge is pending against him up to date in the Law Courts - Special Section. He is highly thought of in Brescia. X

S/ BY ORDER OF THE HEAD OF THE CABINET
(illegible)

322

1. IN PRISONER OF WAR DIVISION,	
(A) A. C.	
Received	15 APR 1946
Log. No	4951

4030

RESTRICTED I.P.W.
 IMPORTANT

PX 6087

202123A

RECEIVED 21 FEB 1946 1050 G/9607

FEB 21 0915A

PRIORITY

AFHQ 'A' BRANCH CMC

ALCOM INFO JAG NAPLES



RESTRICTED

Reference our signal PX50827 of 15 Feb. Letter referred to is
 16171/21/A-3 of 7 Jan 46.

AO DIST

ACTION: LMAL. ←

INFO: CHIEF COMMISSIONER

I P W

FILE 2

FLOAT

HEADQUARTERS

21 FEB 1946

A. C.

RESTRICTED

Italian Prisoner of War Sub. Commission

10 AC 402 394

Received

Log No. 308

21 FEB 1946

4029

1/24

IPW Division ALCOM

18 1000 Feb 46

N.A.S.C. Casablanca

AMET

1236

UNCLASSIFIED

PARA ONE PD REUR PETER LOVE NAN FIVE ZERO TWO OF ONE EIGHT JANUARY
REPLY HAS NOW BEEN RECEIVED FROM MTOUSA QUOTE THERE IS NO PROTECTING
POWER FOR SUBJECT ITALIAN PERSONNEL PD AS A MATTER OF COURTESY CMA
HOWEVER CMA NOTICE OF THE TRIAL WILL BE GIVEN TO THE ITALIAN GOVERNMENT
AND THE PARTICULARS FURNISHED TO THEM WHICH ARE NORMALLY REQUIRED TO BE
FURNISHED TO THE PROTECTING POWER BY ARTICLE SIX ZERO OF THE GENEVA
CONVENTION CMA WITH THE EXCEPTION OF PARTICULARS OF THE COURT WHICH WILL
TRY THE CASE PD NOTICES OF TRIAL WILL BE FORWARDED THROUGH THE ALLIED
COMMISSION WITH A COPY TO THIS HEADQUARTERS AND WILL REACH THE ITALIAN
GOVERNMENT NOT LESS THAN SEVEN DAYS BEFORE THE DATE FIXED FOR THE HEARING
PD SIMILARLY CMA AS REQUIRED BY ARTICLE SIX FIVE OF THE GENEVA CONVENTION
CMA SENTENCES PRONOUNCED AGAINST SUCH PERSONNEL BY A MILITARY COURT WILL
BE COMMUNICATED TO THE ITALIAN GOVERNMENT THROUGH THE ALLIED COMMISSION
WITH A COPY TO THIS HEADQUARTERS PD FURTHER CMA AS REQUIRED BY ARTICLE
SIX SIX OF THE GENEVA CONVENTION CMA A SENTENCE OF DEATH PRONOUNCED BY A
COURT DASH MARTIAL WILL NOT BE EXECUTED UNTIL THREE MONTHS HAVE ELAPSED
FTER SUCH COMMUNICATIONS TO THE ITALIAN GOVERNMENT QUOTE PD

ROUTINE

IPW Division

Italian Prisoner of War Sub-Commission
HQ AC AFO 394
Dispatch FEB 18 1946
Log No 1340

511

4028
G.J. LEONE
CWO, U.S.A.
Asst. Adjutant

320

C O P Y

CONFIDENTIAL AND URGENT.

Subject: - WAR CRIMES - Shooting of LEROUX and GOODWIN.

GHQ CMF.

16171/21/A-3.

7 Jan. 46.

HQ Allied Commission.

Copy to - G-5 AFHQ
DIAG. GHQ CMF.

Reference HQ ALCOM signal 9890 dated 31 Dec 45 (not to G-5).

1. It is agreed that the three men in question should be tried at the PADUA Assizes in January.
2. It is requested that you will inform this HQ of the charges and findings of the Court. Should any death sentences be awarded it is requested that they should not be put in effect without reference to this HQ. Similarly, should any of the accused be acquitted they should be retained in custody.
3. The reason for these requests is that this HQ possesses evidence sufficient to justify the trial of these three men for murder and it is necessary for this HQ to reserve the right to bring these men to trial after the completion of the case at the PADUA Assizes.
4. Will you please obtain confirmation that

ALLEGRO Antonio and
FONTANO Silvio

are also in Italian custody (AFHQ letter G-1 (Br) 15184/A-3 dated 8 Sep 45 refers).

Sgd. illegible

Major General,
DIAG.

MMW/mem.

Italian Prisoner of War Sub-Commission
HQ AC APO 394 FEB 1946
Received
Log No 3384

See 312

Auth. by
Legal 8/

4027

319

1/24

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: C 22/65
 Date/Time of Origin: FEB 14 1824 A
 Message Centre No: G/9310
 Date Time Rec'd: FEB 15 0945
 Precedence: ROUTINE

FROM: MTOUSA FROM AFHQ

TO : ALCOM

M.M.L.A.

12/15

SIGNALS

UNCLASSIFIED.

This answers your cable 424 to MTOUSA from IPW division

Lana Forces S/G MMLA, dated 21 January 1946:

There is not protecting power for subject Italian Personnel.

As a matter of courtesy, however, notice of the trial will be given to the Italian Government and the particulars furnished to them which are normally required to be furnished to the protecting power by article 60 of the GENEVA convention, with the exception of particulars of the court which will try the case. Notices of trial will be forwarded through the Allied Commission with a copy to this HQ and will reach the Italian Government not less than 7 (seven) days before the date fixed for the hearing.

Similarly, as required by article 65 of the GENEVA convention, sentences pronounced against such personnel by a Military court will be communicated to the Italian Government through the Allied Commission with a copy to this HQ. Further, as required by article 66 of the GENEVA convention, a sentence of death pronounced by a court - Martial will not be executed until 3 months have elapsed after such communications to the Italian Government.

4026

FROM: MTCUSA FROM AFHQ

TO : ALCOM

UNCLASSIFIED.

This answers your cable 424 to MTCUSA from LPW division

Land Forces S/C MMIA, dated 21 January 1946:

There is not protecting power for subject Italian Personnel. As a matter of courtesy, however, notice of the trial will be given to the Italian Government and the particulars furnished to them which are normally required to be furnished to the protecting power by article 60 of the GENEVA convention, with the exception of particulars of the court which will try the case. Notices of trial will be forwarded through the Allied Commission with a copy to this HQ and will reach the Italian Government not less than (seven) days before the date fixed for the hearing.

Similarly, as required by article 65 of the GENEVA convention, sentences pronounced against such personnel by a Military court will be communicated to the Italian Government through the Allied Commission with a copy to this HQ. Further, as required by article 66 of the GENEVA convention, a sentence of death pronounced by a Court - Martial will not be executed until 3 months have elapsed after such communications to the Italian Government. /

It is desired that you transmit these instructions to NASC, CASABLANCE, with an information copy to AMEL. Complete.

FOR NO 553 AC-DIST

INFO: CHIEF COMMISSIONER, FILE 2

ACTION: 1PW, ACTION

Italian Bureau of War and Communications

22 320 318

124

3848-

JFW

SUBJECT:- Transfer of Italian PW to Italian Authorities for Trial.

GHQ CME

TO:- Land Forces Sub-Commission,
Allied Commission, MMIA,
IPW Division.

3659/A2

14 Feb 46

T. 103987 Sold. DI VIRGILIO Orlando.

NT

no have

Further to our even number dated 16 Jan 46, copy to you.

1. The above mentioned PW is now reported as having been transferred from 'S' PW Camp to the Italian Repatriation Camp on 19 Dec 45.

2. As this subject is no longer in British custody no further action will be taken by this GHQ.

N/A. JFW

J. Davies S/Capt
Major General,
D.A.G.

MB/ER.

Copy to:- Headquarters, No.3 District.
(Your 404/4A dated 7 Feb 46 refers.)

no have

317

4025

1/24

Italian Prisoner of War Sub Commission
HQ AC APO 394
Received 18 FEB 1946
Log No 3324

RECEIVED 18 FEB 1946
495



IX 60827
FEB 15 1853A

3/9368

FEB 16 0900

ROUTINE

"A" BRANCH ONE AFTER
ALCOM, INFO: JAG NALES

RESTRICTED

1 Pow

RESTRICTED:

Reference our letter of even reference dated 7 January 46. Please signal reply soonest to paras 2 and 4. This information essential for preparation War crimes trial.

Due 319
m/a by ab. per Regal

AC DIST

ACTION *LEGAL

INFO* CHIEF COMMISSIONER

I P W

FILE 2

PLCAT

316
4024
16 FEB 1946

Italian Prisoner of War Sub Commission
HQ AC APO 894

Received

Log No

097

RESTRICTED

1/24

MH/fs

LA FORCES SUB COMMISSION A.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/312

27/Jan/46

SUBJECT : Transfer of Italian PW to Italian Authorities
for Trial.

TO : Public Safety S/C,
Security Division,
ALLIED COMMISSION

DI BATTISTA, Luigi

- 1./ The attached letter (copy) has been received from
GHQ, C.M.F.
- 2./ Will you please inform the relevant Italian Authorities.

J.E. REGIS
Lieut. Col.
Chief
IPW Div.

Italian Prisoner of War Sub-Commission
HQ AC APO 394
Dispatched **JAN 28 1946**
Log No **651**

4023

Security Division only deal
with cases of certain interest.
No 3 Dist is apparently
the people concerned!

Wells Cpl

Encl.: copy of letter: GHQ CMF, 2659/42

GRAMMAR!

SUBJECT: Transfer of Italian PW to Italian Authorities
for trial.

TO: Headquarters,
N°3 District

GHQ CMF

3659/A2

22/Jan46

DI BATTISTA, Luigi

1. This GHQ letter constitutes authority for the above mentioned PW now held at 209 PW camp, to be handed over to the Italian authorities for trial by the CORTE DI APPELLO of ROME on a charge of collaboration with the Germans.

2. It is requested that Headquarters, N° 3 District will make the necessary arrangements for the transfer of DI BATTISTA from 209 Camp to the appropriate Italian Authorities.

(Signed:)Major General
D.A.G.

MB/ER.

Copy to: GHQ, 2nd Echelon
Land Forces Sub Commission, Allied Commission, MMIA
IPW Division. (Yr IPW/1/24/301 dtd 6 Dec 45 refers)
209 PW Camp.

315
4022

MH/fe

LAND FORCES SUB COMMISSION A.C.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/314

28/Jan/46

SUBJECT : GIAVARA, Mario for trial

TO : Ufficio del Pubblico Ministero,
Presso la Corte Straordinaria d'Assise,
PADOVA

1. Ref your letter N° 327 dated 22 Nov.1945.
2. A communication was sent to Allied Force Headquarters, on 7/Dec/45.
3. A reply has been received (ref.G-5:383.6 dated 21/Jan/46) stating that all Italian PW in American hands in Italy have been handed over to the Italian Authorities.
4. It is therefore suggested that you get in touch with the Ministry of the Interior to determine the whereabouts of GIAVARA.
5. The warrent for the arrest of GIAVARA is returned herewith.

J.E. REGIS
Lieut.Col.
Chief
IPW Div.

4021

314

Copy to: Public Safety S/C., A.C.
Encl.: Warrent for arrest.

282³

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

26 JAN 1946

G-5: 383.6

21 January 1946

SUBJECT: ^a Givara, Mario

TO : Headquarters, Allied Commission,
A.P.O. 394

1. Reference your letter IFW/1/24/300 of 7 December 1945.
2. Please be advised that all Italian POWs have been turned over to the Italian Government and above named subject is not in custody of American authorities.
3. Warrant returned herewith.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

M. F. A. Parsons

F. G. A. PARSONS,
Brigadier,
Acting Assistant Chief of Staff G-5.

Incl:
as above

Re-register 1/24

424
113

Italian Prisoner of War Sub Commission

25	GT: 1946	DATE: 25	GEN 1946	APD 304
ENTERED ON CARDS.		Received		24 JAN 1946.
INITIALS.		Log No		2300

5/3

AH/fb

LAND FORCES SUB COMMISSION A.C.
M.M.I.A.
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/312

27/Jan/46

SUBJECT : Transfer of Italian PW to Italian Authorities
for Trial.

TO : Public Safety S/C.
Security Division.
ALLIED COMMISSION

DI BATTISTA, Luigi

- 1./ The attached letter (copy) has been received from
CHQ, C.M.F.
- 2./ Will you please inform the relevant Italian Authorities.

[Signature]
J.E. REGIS
Lieut. Col.
Chier
IPW Div.

4019

Encl.: copy of letter: CHQ CMF, 2629/A2

IPW Division LAND FORCES S/C, MDA

21 1130 Jan 46

To - WTCUSA

424

UNCLASSIFIED

SUBJECT IS COURTS MARTIAL OF ITALIAN PRISONERS OF WAR PD

PARA ONE PD FOLLOWING CABLE HAS BEEN RECEIVED FROM NASO JDOA CASABLANCA QUOTE PREVIOUS DIRECTIVES FROM HEADQUARTERS WTCUSA REQUIRED NOTIFICATION TO SWISS CONSULATE TWO ONE DAYS PRIOR TO TRIAL OF ANY ITALIAN SERVICE UNIT PERSONNEL PD WHEN SWISS CONSUL INFORMED US THAT THIS PROCEDURE SHOULD CHASE OMA WE QUERIED AFRICAN MIDDLE EAST THEATRE HEADQUARTERS AS TO POLICY PD AFRICAN MIDDLE EAST THEATRE INFORMED US THE MATTER HAD BEEN TURNED OVER TO ALLIED COMMISSION PD NOW OMA WE WANT TO KNOW IF WE SHOULD NOTIFY ANY PROTECTING POWER OR OTHER AGENCY PRIOR TO TRIAL OF AN ITALIAN SERVICE UNIT MAY OR DO WE HANDLE JUST AS AN AMERICAN SOLDIER BEING TRIED PD WE DO NOT DESIRE TO SEND THESE CASES TO ITALY FOR TRIAL OMA BUT WANT TO HOLD THEM HERE WHERE WITNESSES AND FACTS ARE AVAILABLE PD REQUEST REPLY SOON AS WE ARE BUILDING UP CASES NOW PD QUOTE PD

PARA TWO PD LEGAL SUB COMMISSION ALLIED COMMISSION HAS NO INFORMATION ON THIS MATTER PD

PARA THREE PD PLEASE ADVISE PD

OF PRIORITY

IPW Division

511

Italian Prisoner of War Sub-Commission
 HQ AC 400 304
 Dispatched JAN 21 1946
 Log No. 424

309 4017

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: **PLN 502**

Date/Time of Origin: **JAN 180945Z**

Message Centre No: **9/7620**

Date Time Rec'd: **JAN 181600**

Precedence: **PRIORITY**

FROM: **JDOA CASABLANCA**

TO : **AICOM**

UNCLASSIFIED:

Reurad number 141 dated 11 January CITE A C I P W. Never received your cable 9370

dated 14 December to QSOS Mediterranean Base Section. For your information. Correct

name this Headquarters is North African Service Command. Our cable was not asking

you to try these cases. Previous directives from Headquarters MFOUSA required

notification to Swiss Consulate 21 days prior to trial of any Italian Service

unit personnel. When Swiss Consul informed us that this procedure should cease,

we queried African Middle East theater Headquarters as to Policy. African Middle

East theater informed us the matter had been turned over to Allied Commission. ²⁰

Now, we want to know if we should notify any protecting power or other agency

prior to trial of an Italian Service Unit man or do we handle just as an American

soldier being tried. We do not desire to send these cases to Italy for trial, ^{and}

but want to hold them here where witnesses and facts are available. Request reply

soon as we are holding up cases now. ²⁰

AC DIST

ACTION - I.P.W.

INFO - CHIEF COMMISSIONER

FILE 2

FLOAT

4016

TO : ALCOM

UNCLASSIFIED:

Reurad number 141 dated 11 January CITE A C I P W. Never received your cable 9370 dated 14 December to Q30S Mediterranean Base Section. For your information. Correct name this Headquarters is North African Service Command. Our cable was not asking you to try these cases. Previous directives from Headquarters MTOUSA required notification to Swiss Consulate 21 days prior to trial of any Italian Service unit personnel. When Swiss Consul informed us that this procedure should cease, we queried African Middle East theater Headquarters as to Policy. African Middle East theater informed us the matter had been turned over to Allied Commission. PD Now, we want to know if we should notify any protecting power or other Agency prior to trial of an Italian Service Unit man or do we handle just as an American soldier being tried. We do not desire to send these cases to Italy for trial, CMIQ but want to hold them here where witnesses and facts are available. Request reply soon as we are holding up cases now. PD

AC DIST

ACTION - I.P.W.
INFO - CHIEF COMMISSIONER

FILE 2
FLOAT

4016

307

302, 303

18 JAN 1946

Italian Prisoners of War Commission

18 JAN 1946

212

785020

Declassified E.O. 12065 Section 1-402/WHDC NO.

IPW Division ~~NY 123~~

Land Forces g/c AC

10 January 1946

JDOA CASABLANCA

141

RESTRICTED

PARA ONE PD REUR CABLE DATED EIGHT JANUARY FOUR SIX WITHOUT REFERENCE NUMBER SUBJECT COURT MARTIAL MATTERS PERTAINING TO ITALIAN PRISONERS OF WAR ED

PARTE TO FOR ACTION JIS DOG ONE ABLE CASABLANCA FROM ALOON CITY AGIFW PAREN

PARA TWO PD OUR CABLE NINE THREE SEVEN ZERO DATED ONE FOUR DECEMBER TO HQ SUB MEDITERRANEAN BASE DND CASABLANCA READE QUOTE PARA ONE PD REUR HARRY SIX FIVE TWO SEVEN OF ONE ZERO DECEMBER NOT UNDERSTOOD PD PARA TWO PD IF YOU WISH ITALIAN GOVERNMENT TO TRY THESE CASES THEY MUST BE REPATRIATED UNDER ESCORT AND ETA AND PORT OF ARRIVAL NOTIFIED TO THIS DIVISION QUOTE PD

4015

1/24

file

Italian Prisoner of War Sub-Commission
HQ AC APO 394
Despatched JAN 11 1946
Log No 248

307

ROUTINE
IPW Division

THOMAS H. GUNLAY
1st Lt., USA

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference:

Date/Time of Origin: JAN 081015Z

Message Centre No: 6/7013

Date Time Rec'd: JAN -090930A

Precedence:

PRIORITY

FROM: JDOA CASABLANCA

TO : ACTION: ALCOM ROME

RESTRICTED

RESTRICTED.

302

Subject is our message H-6527 dated 10 December 45 requesting instructions 4014 concerning procedure to be followed in clearing court-martial matters (H-6641) pertaining to Italian prisoners of war through the Italian government through your Commission. Reply has not been received. General court-martial case now pending against member Italian Service Unit. Please cable instructions relative pre-trial notification.

AC DISTRIBUTION

ACTION: LAND FORCES SC
I P W DIV

INFO: CHIEF COMMISSIONER
FILE (2)
FRONT

HEADQUARTERS

19 JAN 1946

RESTRICTED

Copy of 205 to
JDOA Casablanca

TO : ACTION: ALDOM FOLE

RESTRICTED

RESTRICTED.

302

Subject is our message H-6527 dated 10 December 45 requesting instructions 4014 concerning procedure to be followed in clearing court-martial matters (H-6641) pertaining to Italian prisoners of war through the Italian government through your Commission. Reply has not been received. General court-martial case now pending against member Italian Service Unit. Please cable instructions relative pre-trial notification.

AC DISTRIBUTIONACTION: LAND FORCES SC
I P W DIVINFO: CHIEF COMMISSIONER
FILE (2)
FLOAT

RECEIVED JAN 12 1946

19 JAN 1946

RESTRICTED

305

See file

306

Italian Prisoner of War Sub-Commission
HQ AC APO 384 JAN 1946
Received 1946
Log No

1/21

IPW Division Hq A.C.

5 Jan 46

1230

I 20A Case

HQ SOS MEDITERRANEAN BASE-SMO. CASABLANCA

9911

RESTRICTED

PARA ONE PD REUR CABLE DATED TWO SEVEN DECEMBER WITHOUT REFERENCE NUMBER SUBJECT COURT
MARITAL MATTERS PERTAINING TO ITALIAN PRISONERS OF WAR AND HQ SOS MEDITERRANEAN BASE-SMO
CASABLANCA HARRY SIX FIVE TWO SEVEN DATED ONE ZERO DECEMBER PD-

PARSE TO FOR ACTION MARG RPTD HQ SOS MEDITERRANEAN BASE-SMO CASABLANCA FROM IPWAS PARYE

PARA TWO PD OUR CABLE NINE THREE SEVEN ZERO DATED ONE FOUR DECEMBER TO HQ SOS MEDITERRANEAN
BASE-SMO CASABLANCA READS QUOTE PARA ONE PD REUR HARRY SIX FIVE TWO SEVEN OF ONE ZERO
DECEMBER NOT UNDERSTOOD PD PARA TWO PD IF YOU WISH ITALIAN GOVERNMENT TO TRY THESE CASES
THEY MUST BE REPATRIATED UNDER HBCORT AND KIA AND PORT OF ARRIVAL NOTIFIED TO THIS DIVISION
PD QUOTE PD

4013

305

File 1/24

ROUTINE

IPW Div.

a'o
DEC 271456Z6/6583
JAN 021045A

ROUTINE

NASC

ACTION: ALCOM ROME

RESTRICTED.

302.

Subject in our message H-6527 dated 10 December 45 requesting instructions concerning procedure to be followed in clearing of court-martial matters (H-6641) pertaining to Italian prisoners of war through the Italian Government through your commission. Reply has not been received. General court-martial case now pending against member Italian Service unit. Please cable instructions relative pre-trial notification.

AC DISTRIBUTIONACTION: LAND FORCES S/C (2)
IPWINFO: CHIEF COMMISSIONER
FILE (2)
FLOAT

ACTION

See 305. 4012

304

Italian Prisoner of War Sub-Commission
40 AC APO 384 - 3 JAN 1946
Received _____
Log No _____ 189

1/24

HQ SOS MEDITERRANEAN BASE SEC CASABLANCA

9340

14 Dec.

ROUTINE

~~RESTRICTED.~~

PANA ONE PD REUR HARRY SIX FIVE TWO SEVEN OF ONE ZERO

DECEMBER NOT UNDERSTOOD PD

PANEN TO FOR ACTION HEADQUARTERS SOS MEDITERRANEAN BASE SEC
CASABLANCA FROM ACIPW PANENPASA TWO PD IF YOU WISH ITALIAN GOVERNMENT TO TRY THESE
CASES THEY MUST BE REPATRIATED UNDER ESCORT AND ETA AND
PORT OF ARRIVAL NOTIFIED TO THIS DIVISION PD

303

4011

IPW Division

485001

DEC 12 1943
Asst. Asst.
CNO USA

4/24

JPW

RESTRICTED

H 6527

Zmk 1016002

9/9/45

DEC 13 1215

ROUTINE

HQ 503 MEDITERRANEAN BASE SEC CASABLANCA ✓

ALCOM ←

RESTRICTED

Directive has been received from command to clear all court-martial matters pertaining to ITALIAN prisoners of war including members service units through the ITALIAN government your commission, instead of through the SWIS committee as heretofore. Detailed instructions are requested concerning procedure to be followed.

AC DLT

ACTION: LAND FORCES S/C (2)
(1998 DIV)

INFO: CHIEF COMMISSIONER

FILE (2)

FLAT

RESTRICTED

HEADQUARTERS
13 DEC 45
C

4010

ACTION

302

11/24

Prisoner of War Sub Commission
AC AND 304 13 DEC 1945
Received
Log No 163

f
HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION
ITALIAN PRISONERS OF WAR DIVISION

IPW/1/24/301

6 Dec. '45

SUBJECT : DI Battista Luigi required for trial.

TO : G.H.Q.
CMF

1. The a/n IPW who is at present in 209 camp "Afragola", NAPLES is required for trial by the Corte di Appello of Rome, convened at Rieti.
2. The charge against him is of collaboration with the Germans after the 8th of September '43.
3. Herewith attached is correspondence forwarded to us by the Procura del Regno of Rieti.
4. Please inform us of any action you may take.

For the Chief Commissioner

J.E. REGIS
Lieut Col.
Chief IPW Div.

See 311

4009

Copy to: Public Safety S/C Security Div. for information
Encl.: as above

301

