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10000/125/93 23/PAT — A.A.I. ADMIN. INSTRUCTIONS
AUG. 44 — OCT. 44

15 OCT Recd.

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1 OCT 1944

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546 Patriot R
(3 copies)
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HQ., ALLIED ARMIES IN ITALY

3074/26/A(O)

12 Oct. 44.

AMENDMENT NO 1TO ADMINISTRATIVE INSTRUCTION NO 58DISPOSAL OF PATRIOT VOLUNTEERS IN ARMY AREAS

The following amendment will be made to the above-mentioned Administrative Instruction:-

Para 8 After "scale" ADD "from A.C.C. stocks".

Amendment made
15/15

TDG/VRT

for
Major General,
Chief Administrative Officer.

DISTRIBUTION:- As for Adm Instr No 58.

NO.	INITIALS.	DATE.
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- 9 SEP Recd

ACC PATRIOTS R. (3)

SEEN.	INITIALS	DATE.
Col. MC CARHY	MC	
Maj. MAG IUS	P. J.	
Maj. ORAGE		
Cap. IVADOMI		
Col. IAVA		
C. G.		

SECRET

ALLIED ARMIES IN ITALY

3078/A(0)

7 Sep 44

Copy No. 70

58

ADMINISTRATIVE INSTRUCTION NO. 58

DISPOSAL OF PATRIOT VOLUNTEERS IN ARMY AREAS

GENERAL

It is intended that Italian Patriots who volunteer for military service will be enlisted into the Italian Army. The Patriots Branch of the Allied Control Commission are responsible for making the necessary arrangements for the collection, evacuation and disposal of such Patriots.

2. This Organization will be capable of handling, if necessary, up to several hundred such volunteers per day, and will be designed to move volunteers from Corps and Army Areas back to the main Italian Army Enlistment Centres which have been established at ROME and GENOA. It is probable that the latter Centre will be moved at a later date to a more forward location.

SELECTION

3. Screening agents will be established in Army Areas to select suitable recruits for the Italian Army from the lines of Patriot volunteers held by A.G. Officers. These screening agents will operate under the orders of the Army HQ in which they are located.

4. At Corps Level PSS/CIC will assist in the screening process, where necessary, and every effort will be made to ensure that only suitable recruits are moved back to Army Headquarters.

5. All accepted volunteers will be given a pass stating that they will be taken on the strength of the Italian Army on arrival at the Enlistment Centres referred to in para 2 above.

MOVEMENT OF ACCEPTED VOLUNTEERS

6. Volunteers will be evacuated along the main Army supply routes to Army Road and Headquarters, and thence to the Italian Army Enlistment Centres, by the most suitable means available.

(c) Requests for road movement will be made to the formation HQ concerned by Civil Affairs Officers in forward areas and by the Camp Commandant of Patriot Camps in rearward areas (See para 7)

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Declassified E.O. 12356 Section 3.3/NND No. 785016

GENERAL

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2. This Organisation will be capable of handling, if necessary, up to several hundred such volunteers per day, and will be designed to move volunteers from Corps and Army Areas back to the main Italian Army Recruitment Centres which have been established at Rome and Genoa. It is probable that the latter Centre will be moved at a later date to a more forward location.

SECTION

3. Screening agents will be established in Army Areas to select suitable recruits for the Italian Army from the lists of Patriot volunteers held by AIG Officers.

These screening agents will operate under the orders of the AIG in which they are located.

4. At Corps level RSB/CIC will assist in the screening process, where necessary, and every effort will be made to ensure that all suitable recruits are moved back to Army Headquarters.

5. All accepted volunteers will be given a pass stating that they will be taken on the strength of the Italian Army on arrival at the Recruitment Centres referred to in para 2 above.

MOVEMENT OF ACCEPTED VOLUNTEERS

6. Volunteers will be evacuated along the main Army supply routes to Army Head and Headquarters, and thence to the Italian Army Recruitment Centres, by the most suitable means available.

(a) Requests for road movement will be made to the formation HQ concerned by Civil Affairs Officers in forward areas and by the Camp Commandant of Patriot Camps in rearward areas (See para 7)

(b) Requests for rail movement will be made to Movements with whom all details will be arranged.

(c) In no circumstances will volunteers be moved from Corps Areas until they have been screened.

ADMINISTRATION

7. The responsibility for general administration of Italian volunteers will rest with the Patriots Branch, AIG, and that Branch will establish such camps and billeting areas in Corps, Road and Railhead areas as may be necessary, by agreement with the formation concerned. Wherever possible, these camps will be established in existing buildings. Equipment for the camps will in the first place be/

10/11/11

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OG Fifth (US) Army
1st Major H. B. Bickel, Army

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Receipt is acknowledged of Copy No. of AFHQ Distr No 202 issued under
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Date

(Signed)

In lieu of AFHQ 16

Sheldon, Col
Major-General,
Chief Administrative Officer.

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18 AUG Recd
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18 AUG 1944SECRETHEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394Phone:
478201

Ref/125/66/CA.

18 August 1944.

SUBJECT: Powers and Rights of Allied Forces and
Allied Military Government in Unoccupied Italy.

TO : Distribution below.

1. Attached hereto is copy of AAI Administrative Instruction No. 48 dated 8 August 1944.
2. This supersedes our letter 125/18/CA dated 23 March 1944.

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.DISTRIBUTION:

Group 2 & List "C".

SECRET.

HQ., ALLIED ARMIES IN ITALY

AAI/3064/A(O)

8 AUG. 44.ADMINISTRATIVE INSTRUCTION NO. 48POWERS AND RIGHTS OF ALLIED FORCES AND ALLIED MILITARY GOVERNMENT IN UNOCCUPIED ITALY

This Instruction supersedes Administrative Instruction No. 6, reference AAI/3064/A(O) dated 15 Mar. 44.

1. Definition

For the purposes of this Instruction the term "Italian Government Territory" refers to territory forming part of ITALY, SICILY and adjacent islands handed over to ITALIAN Government and jurisdiction, subject to the guidance and instruction of the Allied Control Commission under the Chief Commissioner acting for the Commander-in-Chief, A.A.I.

2. General

The object of this Instruction is to clarify the more important rights reserved to the Allied Forces by agreement with the ITALIAN Government, in such territory forming part of Italian Government Territory which may be handed over to the ITALIAN Government from time to time, in respect of which full powers of Government will otherwise be possessed by the ITALIAN Authorities.

Apart from these reserved rights, Allied Military Government in ITALIAN Government Territory comes to an end. All Proclamations and Orders of the Military Governor and those made by his authority cease and are no longer operative; no such Proclamation or Order can be issued in the future.

Although there will be officers of the Allied Control Commission in ITALIAN Government Territory, they will be there to advise and control the ITALIAN Government, and act as Governors. One of the most important functions of the Regional and Provincial Officers of the ACC will be liaison between Allied Military Formations in the area and the ITALIAN administrative officials. All but the most routine dealings between the ITALIAN administration and the Allied Military authorities must be conducted through the local ACC. When the ITALIAN Government is directly represented on a control board or committee the Military may, of course, deal directly with that organization without the intervention of ACC.

3. Requisitioning

The Allied Forces have retained the power and right to requisition private and public property and services in ITALIAN Government Territory - this right must be exercised sparingly and only for reasons of genuine military necessity. This right will be exercised through the ITALIAN authorities. If, for example, a building is needed by the Military, it should be requisitioned through the Sindaco of the town where the building is situated, with the assistance of the Provincial Officer of the ACC. The requisitioning should be done through the

For the purposes of this instruction the term "Italian Government Territory" refers to territory forming part of Italy, Sicily and adjacent islands handed over to ITALIAN Government and jurisdiction, subject to the guidance and instruction of the Allied Control Commission under the Chief Commissioner acting for the Commander-in-Chief, A.A.F.

2. General.

The object of this instruction is to clarify the more important rights reserved to the Allied Forces by agreement with the ITALIAN Government, in such territory forming part of ITALIAN Government Territory which may be handed over to the ITALIAN Government from time to time, in respect of which full powers of Government will otherwise be possessed by the ITALIAN Authorities.

Apart from these reserved rights, Allied Military Government in ITALIAN Government Territory comes to an end. All Proclamations and Orders of the Military Governor and those made by his authority cease and are no longer operative; no such Proclamation or Order can be issued in the future.

Although there will be officers of the Allied Control Commission in ITALIAN Government Territory, they will be there to advise and control the ITALIAN Government, and not as Governors. One of the most important functions of the regional and Provincial Officers of the ACC will be liaison between Allied Military Formations in the area and the ITALIAN administrative officials. All but the most routine dealings between the ITALIAN administration and the Allied Military authorities must be conducted through the local ACC. When the ITALIAN Government is directly represented on a control board or committee the Military may, of course, deal directly with that organisation without the intervention of ACC.

3. Requisitioning.

The Allied Forces have retained the power and right to requisition private and public property and services in ITALIAN Government Territory - this right must be exercised sparingly and only for reasons of genuine military necessity. This right will be exercised through the ITALIAN authorities. If, for example, a building is needed by the Military, it should be requisitioned through the Sindaco of the town where the building is situated, with the assistance of the Provincial Officer of the ACC. The usual formalities of requisitioning used in Military Government territory will be strictly followed in ITALIAN Government territory. The property of fascist societies, whether dissolved or not, must not be seized without giving a receipt, and then only if required for reasons of military necessity.

4. Allied Military Courts

As the Proclamation of the Military Governor ceases to operate in ITALIAN Government Territory

-2-

Government Territory, all crimes will normally be tried under ITALIAN law and in ITALIAN Courts. The Allied Forces, however, have reserved to themselves the right to hold Allied Military Courts in ITALIAN Government Territory for the trial of civilians who commit acts seriously hostile to the Allied Forces and to punish them in accordance with the ITALIAN Penal Codes.

The reservation of this right is not intended to encourage the trial of civilian offenders by Allied Courts, but is to enable them to deal with the most serious offenses against Allied personnel or property which cannot be dealt with by the ITALIAN Courts. If such an offense has been committed the military authorities will give a full statement of the facts to the local representative of the ACC with the request that an Allied Military Court be convened to hear the charges. It will be the responsibility of ACC to find the charges and recommend the sentence. It is emphasized that only in the most exceptional cases will the ACC recommend a sentence in ITALIAN Government Territory be referred to Allied Courts and then only on order of ACC.

Consequent on reservation of the power to try such offenders there is reserved to the Allied Forces the power to arrest persons who are believed to have committed such offenses. With regard ITALIAN officials and officers of the ITALIAN Armed Forces should, however, only be arrested in collaboration with the appropriate ITALIAN official (e.g. the Prefect or the Commanding Officer of the officer concerned). In all cases of arrest the agreement of the local ACC officer will be obtained beforehand, except in an emergency, when he will be informed immediately after the arrest.

5. Military Zones.

The right is reserved by the Commander-in-Chief to declare specific areas in ITALIAN Government Territory to be Military Zones. Upon the issue of such a declaration, the right to exercise the powers of military government in the Zone in question becomes once more vested in the Commander-in-Chief. It is hoped that the need for the establishment of such Zones will never arise, but should the situation in any area become such as to convince the District Commander that such action is necessary, he should, after consulting the Regional Commissioner, report accordingly to HQ giving full reasons to justify his view. The Allied Forces may also occupy any part of ITALIAN territory, but the right to constitute a Military Zone will render it unnecessary to exercise this right in respect of any local disorders.

6. Military and Civilian Internees

The Allied Forces may continue to hold or require the ITALIAN Government to hold in custody military or civilian internees in ITALIAN Government Territory. If the Allied Forces require to arrest any person for security or other reasons such arrest should be carried out in collaboration with ITALIAN officials unless, in any particular case, it is found that a request to the ITALIAN police to arrest a suspect would be ineffective. In all such cases the local ACC officer must, except in emergency, be informed of the intention to make the arrest, whether it is to be effected by the Allied or ITALIAN authorities. If he is not in agreement, the matter will be referred to higher authority. Normally such persons will be detained in 371 PW Camp.

7. Use of Troops in Aid of the Civil Power.

It may happen that the local ITALIAN authorities may ask for the assistance of Allied troops in quelling civil disturbances.

have committed such offenses. High ranking ITALIAN officials and officers of the ITALIAN Armed Forces should, however, only be arrested in collaboration with the appropriate ITALIAN official (e.g. the Prefect or the Commanding Officer of the officer concerned). In all cases of arrest the agreement of the local ACC officer will be obtained beforehand, except in an emergency, when he will be informed immediately after the arrest.

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6. Military and Civilian Internees

The Allied Forces may continue to hold or require the ITALIAN Government to hold in custody military or civilian internees in ITALIAN Government territory. If the Allied Forces require to arrest any person for security or other reasons such arrest should be carried out in collaboration with ITALIAN officials unless, in any particular case, it is thought that a request to the ITALIAN police to arrest a suspect would be ineffective. In all such cases the local ACC officer must, except in emergency, be informed of the intention to make the arrest, whether it is to be effected by the Allied or ITALIAN authorities. If he is not in agreement, the matter will be referred to higher authority. Normally such persons will be detained in 374 PW Camp.

7. Use of Troops in Aid of the Civil Power.

It may happen that the local ITALIAN authorities may ask for the assistance of Allied troops in quelling civil disturbances.

If such a request is made the local commander will point out that the quelling of civilian riots or disturbances is a matter for the ITALIAN Administration and he will refuse such assistance, unless he is of the opinion that it is necessary for the protection of Allied Military interests. Furthermore, before rendering such assistance the local commander will warn the local official requesting his assistance that the territory in question will be made forthwith an Allied Military Zone (see para 5 above).

/If time

-5-

para 7 contd.

If time permits the local commander will consult the local ACC officer and seek instructions from his Superior Commander before giving assistance; in any event he will inform his Superior Commander of any request made to him and the action taken thereon without delay.

3. Process in ITALIAN Courts

No member of the Allied Forces may be prosecuted or sued in ITALIAN Courts.

5. Emergency Action

It is appreciated that an emergency may arise which requires immediate action by the Allied Forces for their protection and security, but except in such emergency all action required from the ITALIAN Administration should invariably be taken through the medium of the Regional or Provincial Commissioner. Where immediate action is taken without previous reference to ACC for emergency reasons, the appropriate ACC Officer will be informed as soon as possible.

10. Assistance to ITALIAN Authorities.

Apart from the powers and rights described above, it should be remembered that the transfer of territory to the ITALIAN Government is made as part of the policy of the Allied Governments.

It is the duty of all Allied officers to assist the central and local Government authorities in acquiring and maintaining authority, and to avoid thoughtless acts which may undermine the authority of the police, the Sindaco, or the Prefects.

/VPT

W. J. Johnston
Major General.
Chief Administrative Officer.

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[Handwritten signature]

Major General.
Chief Administrative Officer.

/VET

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- 2 Polish Corps
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- O-in-C MED
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- AAF/MTO
- 26 B.I.U.

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