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APO 512

15 November 1943

MEMORANDUM FOR: His Excellency, Marshal Badoglio.

I have been informed by General Eisenhower that he cannot recommend to the Allied Governments the acceptance of your proposed revision to the amended Naval Agreement because he is convinced that such revision would not be acceptable to them.

It is stated that the Allied Governments have agreed to the modification proposed by the Italian Government in the Long Terms of Surrender, but to clarify and define their position and rights with respect to the Italian Navy and Merchant Marine they have demanded an additional statement in the Naval Agreement asserting the right of the United Nations to make such disposition of any or all of Italian ships as they see fit. The amended Naval Agreement must be looked upon as an instrument which sets forth in some detail an important way in which the Italian Government can effectively contribute to the winning of the war in acknowledging the right of the United Nations to specify the ways in which Italian collaboration can be most effectively rendered.

It is further stated that if the Italian Government cannot accept the amended Naval Terms as submitted, the Instrument of Surrender as signed at Malta must stand as originally written without modification, thus affirming the unconditional surrender of the Italian Ground, Air and Naval Forces. The Naval Terms which have not yet been signed then automatically become a working arrangement subject to such variations as the United Nations desire.

Kenyon A. Joyce 3401
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