

1470

ACC

10000/132/138

376.0

Franco-Italian Co
April 1944 - MARCH 1945

10000/132/138

376.c

Franco-Italian Complaints

April 1944 - MARCH 1945

XXXXXXXXXXXXXXXXXXXX

Office of the Executive Commissioner

Ref: E/326

5 March 1945

SUBJECT: Franco Italian Complaints

TO : G-5 Section, Allied Force Headquarters

1. Your letter, G-5: OLA.13-7 of 21 February 1945 is hereby acknowledged.
2. Your assumption in Paragraph 3 of the letter under reference is correct.

For the Chief Commissioner:-

4673

226

Major,

For Brigadier,
Executive Commissioner

ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM

SUBJECT: *Claudio Sarni.*
TO: *V. P. Pol Sec.*

FILE No.

28 Feb 1945

*I raised this point at COS. meeting
on 13 Feb see para 7th ^{of the minutes} where ~~Ex~~ directed you
to take further action.*

JPM

4672

ALLIED [REDACTED] COMMISSION

INTER-OFFICE MEMORANDUM

Political Section

2/FFB.1945

SUBJECT: Franco Italian Complaints

FILE No. P/826

TO : Vice President
Civil Affairs Section

26 February 1945

With further reference to the cases of Tassotti and of Sani,
I enclose herewith copy of letter received from G-5, AMHQ regarding
this matter.

[Signature]
Vice President,
Political Section

1 Encl: Ltr No. G-5: 014.13-7 dtd 21 Feb 45.

467.1

(1845)

COPY

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

H. Y. Anderson

G-5: OL.13-7

21 February 1945

SUBJECT: Franco Italian Complaints.

TO : Headquarters, Allied Commission
APO 594

Reference your F/826 of 17 February.

1. The cases of TASSOTTI and of SAMI, together with five other cases of Franco - Italian, disputes have been under discussion for sometime in an endeavour to arrive at a policy for dealing with these and similar complaints. A letter defining this policy is now being finally commented on by the Political Advisors and interested sections at this Headquarters.

2. These cases were discussed generally with Brigadier Upjohn on his visit on 27 January who stated he would look into the SAMI case as this apparently was within your competence to settle.

3. It is assumed that there are no fresh cases of illegal arrests in Italy by the French.

For the Asst. Chief of Staff, G-5:

/s/ H. Y. Anderson, Maj.
/t/ H. Y. ANDERSON
Major, R.A.

4670

1845

Ref: P/326

17 February 1945

SUBJECT: Arrest of Italian Subjects by French Police

TO : C-5 Section, Allied Force Headquarters
 Copies to: U. S. Political Adviser
 British Resident Minister

1. Reference is made to the Political Section's letters nos P/505/34 of January 19th., P/326 of January 16th., P/483.2 of February 5th., and to enclosed correspondence regarding the arbitrary action of the French military authorities in arresting Italian subjects in Italy.

2. So far as this Commission is aware, the French higher authorities have not yet furnished any arguments in justification of their subordinates' action in these cases and the latter are thereby encouraged to proceed in a similar manner whenever occasion arises. It is the opinion of the Legal Sub-Commission of this C-5 and C-5 Section, AFHQ in their letter C-5 000.5 of December 13, 1944, have expressed in that opinion - that such action on the part of the French authorities is entirely illegal and a gross breach of international law. This would also point out that the inequality with which the French authorities apparently carry out these arrests reflects badly on the prestige of the A.E. in Italy.

3. In these circumstances, the Commission must ask that instructions be issued at an early date to French units in this country to observe the canons of accepted international practice and to take no action derogatory to the authority of this Commission either in AEF territory or territory administered by the Italian Government.

For the Chief Commissioner,

Major A. J. STEWART

Vice President, Political Section

4669

Also related

Correspondence

in P/483.2 + P/505/SA

Mr. Halford is going to write a memo on these issues
generally - Big job in week 14 Feb.

To Political

Ref discussion at C.O.S. meeting this morning this file
on Claudio Sani + also your P/826 are returned to you for
appropriate action.

It is greatly regretted that the original of the
Claudio Sani papers have been lost for the moment but
they will be returned to you as soon as possible.

13 Feb.

GRM

V.P. Ch. Sater.

I attach a d/c. letter to AFHQ for
your convenience.

14/2/45

V.P. Pol Sec.

Agreed.

GRM

Halford
(A. S. HALFORD)
Asst. Political Officer
Political Section

4668

VP. CA Section.

(1)

French of Italian subjects by the French military authorities.

As I explained on the telephone, I am not familiar with the specific case you mentioned, but I attach the file which seems to have decided the policy (or procedure, rather) in these cases.

The Italian named TASSOTTI was arrested in Rome in July 1944 (see flag "A"). The French rep^{re} as he A.C. was contacted & replied that he thought it was a useless to refer the case to higher authority (see flag "B"). Mr. Scott mentioned the matter to G-5, AFHQ. (see flag "C"). Major S/C was also contacted & gave an opinion that the action of the French authorities was wholly illegal & a gross breach of international law. (see flag "D") G-5, AFHQ. concurred in the Major S/C's view (see flag "E") & eventually stated that the whole business seems to be too "subjected" to representation through the diplomatic channel (see flag "F").

3. A similar attitude was manifested by the French rep^{re} as he A.C. in connection with the arrest of a French Lt. working on the island of Cepreia. This case was referred to Col. Fiske. Gen. de Serin's reply at flag "G" is

Ref: P/806

16th January 1945

SUBJECT: Arrest of Italian subjects
by French Military authorities.TO : G-5 Section, Allied Force
Headquarters.

Reference to memorandum G-5:014.13-7 of December 26th.

Attached for your information is a copy of a further memorandum from the Ministry of Foreign Affairs regarding the arrest by the French Military authorities of Signori Tassotti, Manca, Baccabella and Scarpino.

2. It is requested that this additional information be passed to the interested authorities.

For the Chief Commissioner:

H.L.G.A. HOPKINSON,
Acting Vice-President,
Political Section.

1 enclosure:

copy of memo. from the
Ministry of Foreign
Affairs dated 20.12.44.

4668

also related
correspondence on
8/472.2 and 8/505/SH

918

Ministero degli Affari Esteri

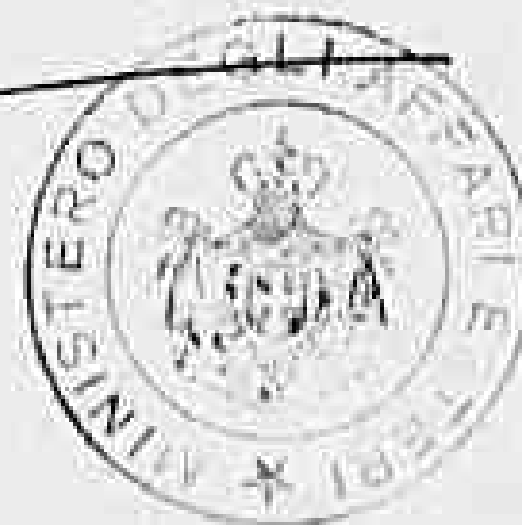
6/115/59
✓MEMORANDUM FOR THE POLITICAL SECTION A.S.

With reference to the Aide-Memoire n° 6/1122/475 of November 26th, 1944, the Ministry for Foreign Affairs has to inform that, according to data in their possession, the arrests of the Italian citizen Tosetti and others were made by persons belonging to the 2nd French Bureau and that the French Military Justice has taken charge of the proceedings.

All the men were arrested in Rome, and in particular Mr. Tosetti was sought for at his residence in via Niccolò III n° 2, and arrested in the factory of the Firm Bologna in via S. Francesco n° 41.

All the above mentioned individuals were kept in custody for a certain period of time in the barracks of the 21^e Fennetaria in via Lomano, and taken to Naples and from there to Alghero, where they still are.

Rome January 13th 1945



4665

J.K.
H
12/1/45

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

WTH/sls

26 December 1944

G-5: 016.13-7

SUBJECT: Arrest of Italian Citizens by French Military Authorities.

TO: Headquarters, Allied Commission, APO 394.

Reference your letter of 18 December 1944.

The cases of Tassotti, Banca, Scobella and Scarpino are being discussed with the Political Advisers at this Headquarters with a view to representations thru Diplomatic channels.

For the Acting Asst. Chief of Staff, G-5:

4664

referred
Mordine Attabene
31 Dec 44
gwr

F. T. Hammer, Jr.
F. T. HAMMER, Jr.,
Colonel, Ordnance,
Legal Adviser.

Political WS
6654

RECEIVED
28 DEC 1944

INCOMING MESSAGE
HEADQUARTERS ALLIED COMMISSIONOriginator's Reference: F 74389
Date/Time of Origin: DEC 26/1442Message Centre No: C/5466
Date Time Rec'd: DEC 26/1525
Precedence: ROUTINEFROM: AFHQ SIGNED SACRED CITE FHG
TO: ALOOM FOR SCHOTT

CONFIDENTIAL.

ACTION

Your 826 of 18 December refers.

Request name of military authority ordering arrest. Also place date arrests

DIST

ACTION : POL SEC (2)

INFO : CHIEF COMMISSIONER
FILE (2)
FLOAT

826

CONFIDENTIAL

4663

Ref 326

18 December 1944

MEMORANDUM TO: G-5 Section, Allied Force Headquarters;
Copy to: H. W. Political Advisor,
British Resident Minister.

SUBJECT: Arrest of Italian Citizens by French Military Authorities.

1. Reference is made to G-5 Section's memorandum No. G-5:000.5 dated 13 October 1944.

2. The Political Section appreciates the fact that AFH is in agreement with the substance of the opinion of the Legal Sub-Commission, A.C., quoted in Political Section's memorandum No. 326 dated 8 December 1944.

3. Further reference is made to Political Section's memorandum No. 326 dated 25 October 1944 on the same subject wherein it was suggested that the matter of the arrest of an Italian citizen by the French military authorities should be reviewed on a higher level since the Commission was unable to take further action in the matter.

4. It would be greatly appreciated were G-5 Section to raise this question in higher circles and advise the Political Section of any action taken or decision reached in the matter in order that a reply may be made to the Italian Ministry of Foreign Affairs.

For the Chief Commissioner:-

WILLIAM W. BOHART
Vice-President, Political Section

4662

*Political
file**CANSEN**547*ALLIED FORCE HEADQUARTERS
G-5 Section
APO 532

FTH/as.

C-5: 000.5

13 December 1944

SUBJECT: Arrest of Italian Citizens by French Military
Authorities.TO : Headquarters, Allied Commission, APO 394. *1?*1. Reference is made to your letter of 8 December 44,
on this subject.2. This Headquarters is in agreement with the substance
of the opinion of the Legal Sub Commission, A.C., quoted in
para 5 of your letter.

For the Acting Asst. Chief of Staff, C-5:

4661

*F. T. Hammond, Jr.*F. T. HAMMOND, JR
Colonel, Ord
Legal AdviserRECEIVED
13 DEC 1944
C-5

Ref: 826

8 December 1944

MEMORANDUM TO: G-5 Section, Allied Force Headquarters, APO 512

SUBJECT: Arrest of Italian Citizens by French Military Authorities.

*Copies of this
+ sent to
OS PA 4-
BRM
18 Dec 44*

1. Reference is made to Political Section's memorandum No. 826 dated 26 October.

2. The communication under reference reported the arrest of one Masareno Tassotti, an Italian subject, by French military authorities and the refusal of the French Representative to the Allied Commission to consider his release.

3. There has been received from the Italian Ministry of Foreign Affairs an additional memorandum No. 6/988/418 dated 9 November 1944, of which a copy is attached, reporting the arrest by French military authorities of three additional Italian citizens.

4. In an aide-memoire No. 6/1122/475 dated November 28, 1944 the Ministry stated that these Italian subjects were arrested in Rome by the French on the charge of having attempted, prior to the outbreak of the present war, to break open a safe belonging to the French Embassy. The Ministry maintains that these individuals should be brought before Italian courts only.

5. The Legal Sub-Commission, A.C., has rendered the following opinion in the matter:

"In the opinion of the Legal S/C, the action of the French authorities in kidnapping, the four Italians referred to in the aide-memoire of the 28th November, is entirely illegal and a gross breach of international law."

6. The opinion of AFHQ in this matter is sought and an early expression thereof requested.

For the Chief Commissioner:-

4660

WILLIAM W. SCHOTT
Vice President, Political Section.

Encl: Memorandum No. 6/988/418 dtd 9 Nov 44.

Copy

Ministero degli Affari Esteri

6/988/418

MEMORANDUM FOR THE POLITICAL SECTION A.C.

Reference is made to memorandum No. 6/670/297 of October 3rd. 1944, concerning the Italian citizen Nazareno TASSOTTI, who was arrested by the French Military Authorities, charged with an offence that he would have committed in Rome before the war.

Information has now reached this Ministry that the French Military Authorities have also arrested the following Italian citizens:

1. Riccardo BOCCABELLA
2. Raffaele MANEA, n.c.o. of the Reali Carabinieri (Maresciallo Maggiore)
3. Vitaliano SCARFINO, n.c.o. of the Police Corps (Maresciallo ordinario)

Said persons, arrested under the same charge of offence committed before the war have been transferred to Algiers together with Signor Tassotti, and are presumably still there.

In view of the seriousness of the case, the Ministry for Foreign Affairs draw the attention of the Political Section on the above mentioned memorandum and would be grateful to receive meanwhile an answer on the decision reached with regard to Signor Tassotti.

Rome, 9th November, 1944.

4659

HEADQUARTERS ALLIED COMMISSION
AFC 594
LEGAL SUB-COMMISSION

4063 / WS

/rlp.
4 December 1944.

AG/4005/1.

SUBJECT : Arrest of Italian citizens by French Military Authorities.
TO : Political Sec (Attn: Mr. Wm. W. Schott).

1. In the opinion of the Legal S/C, the action of the French authorities in ~~detaining~~ the four Italians referred to in the aide-memoire of the 28th November, is entirely illegal and a gross breach of international law.

W. E. Behrens
W. E. BEHRENS,
Colonel,
Deputy Chief Legal Adviser

Incls: n/c

Legal Sub-Comm.

Herewith the additional
information which you
suggested might be obtained
prior to giving an opinion
in this case.

Dec. 3).

W. Washett.
Pol. Sec.



M. 6/1122/475

*Ministero degli Affari Esteri*CONFIDENTIAL

For the personal attention of Mr. Schott -

A I D E - M E M O I R E

The Italian citizens TASSOTTI, BOCCABELLA, MANCA and SCARPINO (ref. Memorandum n° 6/988/418 of November 9th) were arrested by the French Military Authorities in Rome under the charge of having attempted to break open a safe belonging to the French Embassy.

This attempt would have been carried out a few years ago (before the war).

Further details are not known to the Ministry.

It is to be emphasized again, however, that this offence can, in any way, be judged exclusively by Italian Tribunals.-

Rome, November 28th 1944



4657

11 November 1944

TO : Legal Sub-Commission
FROM : Political Section

Please be so good as to study this dossier and return it with
any comment you may afford the Political Section.

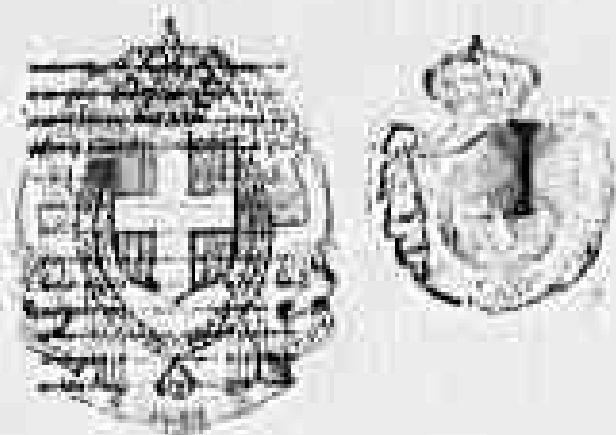
WWS
William W. Schott

1 Encl: Memorandum dtd 9 Nov 44,
No. 6/988/418

*Legal Section stated orally asked to return dossier
if possible committed.
Mr. El Hadjari asked to provide info.
WWS*

14 Nov.

4656



6/988/418 ✓

Ministero degli Affari Esteri

MEMORANDUM FOR THE POLITICAL SECTION A.C.

Reference is made to Memorandum n° 6/370/397 of October 3rd, 1944, concerning the Italian citizen Nazareno TASSOTTI, who was arrested by the French Military Authorities, charged with an offence that he would have committed in Rome before the war.

Information has now reached this Ministry that the French Military Authorities have also arrested the following Italian citizens:

1. Riccardo BOZZABELLA
2. Raffaele MANCA, n.c.o. of the Reali Carabinieri (Maresciallo Maggiore)
3. Vitaliano SCARFINO, n.c.o. of the Police Corps (Maresciallo ordinario)

Said persons, arrested under the same charge of offence committed before the war have been transferred to Algiers together with Signor Tassotti, and are presumably still there.

In view of the seriousness of the case, the Ministry for Foreign Affairs draw the attention of the Political Section on the above mentioned Memorandum and would be grateful to receive meanwhile an answer on the decision reached with regard to Signor Tassotti. *Edm* 4635

Rome, 9th November, 1944.



HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION
APO 394

Ref #886

26 October 1944

MEMORANDUM TO: G-5 Section, Allied Force Headquarters;
Copies to: U. S. Political Advisor,
British Resident Minister.

SUBJECT: Arrest of Italian citizen TASSOTTI by French Military
Authorities.

1. There has been received from the Italian Ministry of Foreign Affairs memorandum, No. 6/670/297 of October 3, 1944 concerning the arrest and detention by French Military Authorities of one Nazareno Tassotti, an Italian, a copy of which is attached.

2. This matter was referred to the French Representative on the Allied Control Commission who advises the Political Section under date of October 25 that Tassotti has admitted charges referred against him and that the French Military Justice would not find it possible therefore to release him. The French Representative also expressed the opinion that a reversal of this decision could not be expected from higher French military authorities.

3. It would appear that nothing further can be done by ACC and it is suggested that this case be reviewed on a higher level and that ACC be advised of any decision taken thereon in order that a reply may be made to the Italian Ministry of Foreign Affairs.

For the Chief Commissioner:

WILLIAM W. SCHOTT
Vice-President, Political Section

Encl:
Mem 6/670/297 fr IMFA;
3 Oct 44.

*2 copies sent to High Command
U.S. representative A.C.C.*

HEADQUARTERS
ALLIED CONTROL COMMISSION
OFFICE OF THE FRENCH REPRESENTATIVE
APO 394

ROME, October 25th, 1944.
JE/SM n° 115

To : POLITICAL SECTION
Subject : Arrestation of Italian citizen TASSOTTI by French
Military Authorities.

- 1°/ On September 20th 1944, in a letter to Mr PRUNAS dealing with the release of Tassotti, Monsieur COUVE de MURVILLE, French Delegate on the Advisory Council, explained that TASSOTTI having admitted the very serious charges brought against him, the French Military Justice would not find it possible to release the prisoner.
- 2°/ This Section does not believe that a direct request to the higher Military Authorities will bring a different reply./.

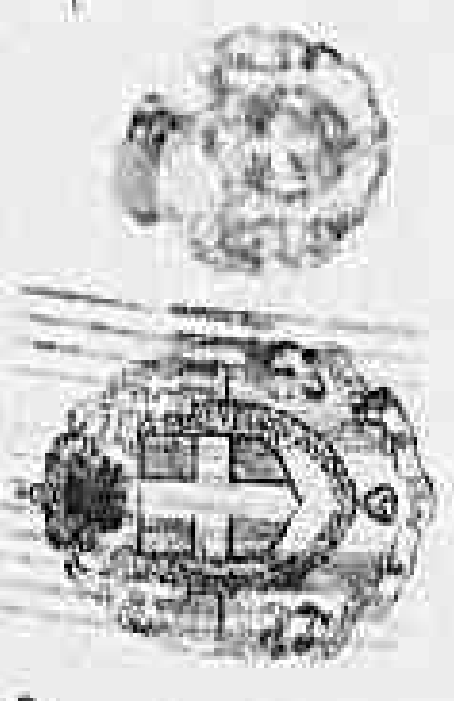
Jean de Noue

P.O. Lieutenant J. de NOUE,
Assistant.

4653

1195

Arrest of Tassotti by French



Ministre degli Affari Esteri

6/40 294

MEMORANDUM FOR THE POLITICAL SECTION A.C.

The Royal Ministry for Foreign Affairs has the honour to acquaint the Allied Commission with the following facts:

On the 17th July ult. the French Military Authorities arrested, in Rome, the Italian citizen Nazareno TASSOTTI, a mechanic employed in the "Bologna Works" in Via S. Teodoro and after a few days they transferred him, under arrest, to Naples where, it is believed, he still is. It appears that Tassotti is charged with an offence that he would have committed in Rome a few years before the war.

To the representations made by the Royal Ministry for Foreign Affairs and to the request that he should be released, the French Authorities have answered that in the meantime Tassotti has confessed to the offences with which he is charged and that therefore he cannot be subtracted from the French military justice which is empowered with the proceedings.

On the other hand, information has reached this Ministry that numerous Italian citizens have been arrested by the French in Italy and subsequently transferred to Algiers.

The Royal Ministry for Foreign Affairs feel themselves bound therefore to request the Allied Commission to recall the French authorities to a more strict observance of the limits of their effective competence in Italy and to invite them to release Signor Tassotti immediately.

These arrests appear in point of fact thoroughly illegal. In the first place, according to the Armistice terms, the exercise of the rights of an occupying power in Italian territory is attributed to the Allied Commander-in-Chief, and does not appertain separately to the French military forces operating with the Allies.

826

4652

Copy sent to the Ministry of the Interior

MEMORANDUM FOR THE POLITICAL SECTION A.C.

The Royal Ministry for Foreign Affairs has the honour to acquaint the Allied Commission with the following facts:

On the 17th July ult. the French Military Authorities arrested, in Rome, the Italian citizen Nazareno TASSOTTI, a mechanic employed in the "Bologna Works" in Via S. Teodoro and after a few days they transferred him, under arrest, to Naples where, it is believed, he still is. It appears that Tassotti is charged with an offence that he would have committed in Rome a few years before the war.

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4652

*copy sent to the Ministry of the Interior
Tassotti, 1946
for info of political section*

French military justice as such cannot therefore order an arrest or exercise penal jurisdiction other than as regards members of the French Military Forces.

In the second place, it is not in the rights of an occupying Power to arrest and subject to penal procedure the inhabitants of occupied territory for offences committed in the said territory before the occupation and particularly for offences that do not concern the safety of the military forces of occupation and that cannot be considered war crimes.

If the French Authorities in releasing Tassotti will charge him with a fact that, under Italian law, is considered an offence, the competent Italian judicial authorities will instruct against Tassotti the regular penal procedure.

Rome, October 3, 1944.



HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4005/L.

/rlp.
4 December 1944.

SUBJECT : Arrest of Italian citizens by French Military Authorities.

TO : Political Sec (Attn: Mr. Wm. W. Schott).

1. In the opinion of the Legal S/C, the action of the French authorities in ~~arresting~~ the four Italians referred to in the side-memoire of the 28th November, is entirely illegal and a gross breach of international law.

Incls: n/c

4651
W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

Liaison Division

Ref: 376.0/EC(7)

18 March 1945

SUBJECT: Italian Citizens Made Prisoners by French Troops.

TO : Italian Ministry of Foreign Affairs

1. Reference is made to Memorandum No. 6/784/333 of 14 March 1945.
2. It is regretted that this case is not considered to relate to an area where the Supreme Allied Commander has jurisdiction, nor is it considered that it directly affects his interests.
3. It is suggested that the Italian Government should deal directly with the French Provisional Government in this matter.

R.

Officer-in-Charge
Liaison Division

276.0

4650



Ministero degli Affari Esteri

6/484/333

MEMORANDUM FOR THE ALLIED COMMISSION

Subject: Italian citizens made prisoners by French troops.

Further to the Memorandum 6/236/134 of January 27th, the Ministry for Foreign Affairs beg to communicate to the Allied Commission the names of 5 other wardens belonging to the penal Sanatorium of Pianosa who were made prisoners on March 19th, 1944, by French colour troops and who are believed to be at present interned in concentration camp n° 10 T.A. in similar conditions to those already indicated in the afore mentioned Memorandum:

- Warden Francesco VENTURA, P.O.W.
- Warden Tommaso AMARENA, P.O.W. n° 67053 - Camp n° 10 T.A.
- Warden Alfredo ROMANO, P.O.W. - Camp n° 10 T.A.
- Warden Filiberto NOVELLINO
- Warden Giuseppe DI STEFANO.

4649

The Ministry for Foreign Affairs would be very grateful for those steps that the Allied Commission will see fit to take in the matter.

VW4

Rome, March 14th 1945

file

Ref: 17/83.2

5 February 1945

SUBJECT: Italian Citizens Imprisoned in Slovakia.

TO : G-5 Section, Allied Force Headquarters
Copies to: U. S. Political Adviser
British Resident Minister

1. For some months the Italian Ministry of Foreign Affairs has requested the release and relief of certain Italian Prison Warders who were arrested on the Island of Pianosa. Political Section has endeavored unsuccessfully to obtain some action in this matter direct and also has appealed to the French Representative on the Allied Commission and the last reply from General de Gavin, which appears definitive in its refusal to assist in this matter, is submitted herewith.

2. There now has been received from the Italian Ministry of Foreign Affairs Memorandum No. 6/286/134 dated 27 January 1945 of which a copy is attached.

3. It would be appreciated were G-5 Section to consider this problem with a view to taking some positive action for its solution, or to provide political action with material for a reply to the Ministry.

For the Chief Commissioner:

WILLIAM W. KENNY
Vice President, Political Section

2 Encs:

4648

1 - Ltr No. 24/83/1003/23 dtd 29.11.44.

2 - Memo No. 6/286/134 dtd 27.1.45.

Rel. 1/2/45
1/2/45
1/2/45



Ministero degli Affari Esteri

subject: Italian citizens
imprisoned in Pianosa.

W.S.

SL? we will take this up with
G-5? We will - seem to be able
to accomplish anything with Gen. & Sec.

MEMORANDUM FOR THE POLITICAL SECTION A.S.

Further to Memorandum n. 5/120/59 of August 2nd,
3/582/241 of September 17th and 3/351/372 of October 34th
concerning the imprisonment by Moroccan troops of Italian
prison warders in the Island of Pianosa on March 19, 1944,
the Ministry for Foreign Affairs informs the Allied Commission
that it has been approached by the Ministry of Justice with
a view to intervening on behalf of said warders whose fa-
milies are at present in absolute distress.

It would be much appreciated therefore if a deci-
sion on this matter could be kindly solicited from the com-
petent Allied Military Authorities.

This Ministry would be particularly appreciative,
were it possible to know the actual state and residence of
the 9 following warders, now interned in the undermentioned
concentration camps, and whether they could be released, consi-
dering that they were not performing a military duty, but
were arrested while carrying out their functions of warders in
the prison of Pianosa:

Warder	Giuseppe APARO - POW Camp N.10 T.A.
"	Vincenzo DI CIBARE - POW Camp N.10 T.A. n. 37059
"	Antonio DI MANZIO - POW Camp N.10 T.A. n. 37055
"	Carmino MANENTE - POW Camp 10 T.A.
"	Vincenzo MALZEO - POW Camp 10 T.A. n. 37057
"	Silvio MAURICI - POW Camp 10 T.A. n. 37058
"	Davide PALUMBO - POW Camp 10 T.A. n. 37052
"	Francesco TOSSANO - POW Camp 10 T.A. n. 37050
"	Luigi GRASSO - POW Camp 10 T.A. n. 37073

Rome, 37th January 1945



HEADQUARTERS ALLIED COMMISSION
APO 394
POLITICAL SECTION

2 December 1944

Ref 483.2

SUBJECT: Money and possession of Signor Alessandro Gredi.

TO : Regional Commissioner,
Sardogua Region, Allied Commission.

Reference is made to letter 763/12/CA dated 19 September 1944, in which attached were copies of Political Section letter dated 17 September and memorandum no. 65/532/241 from the Italian Ministry of Foreign Affairs.

Would you please forward to this Section a report of the investigation/action made by you so that we may make a reply to the Italian Ministry of Foreign Affairs.

By Command of Commodore STONE:

WILLIAM W. SCHUTT
Vice-President, Political Section

483.2
4646

HEADQUARTERS ALLIED COMMISSION
APO 394
POLITICAL SECTION

Ref # 493.2

2 December 1944

MEMORANDUM TO: Italian Ministry of Foreign Affairs, Rome.

SUBJECT : Treatment of Italian Citizen transferred from Capraia to Corsica.

Reference is made to your three memoranda (Nos. 6/532/241, 6/351/372 and 6/329/393 dated September 17, October 24 and November 2 respectively) on the subject of the treatment of Italian citizens transferred from Capraia to Corsica.

This matter was referred to the French Representative of Allied Commission who has now replied and a copy of this communication in the premises is attached.

WILLIAM W. SCHOTT
Vice-President, Political Section

Encl:
copy of ltr from French
Representative, A.C.

1645

HEADQUARTERS ALLIED COMMISSION

Office of the French Representative

APO 394

ROME, November 29th, 1944.
XS/SL/1003/AC

To : POLITICAL SECTION A.C.
(attention Mr William W. SCHOTT)

Object : Treatment of Italian citizens transferred
from Capraia to Corsica.

- 1/ In reference to your Memorandum of November 12th, the matter concerned has been thoroughly investigated.
- 2/ In the present state of things, French Citizens in Italy have no legal recourse against the Italian Government for damages sustained by them such as looting, thefts, which occurred to them on Italian soil. These matters will probably be settled at the Peace Conference.
- 3/ It is possible, and most unfortunate, that Italian citizens, in certain rare and isolated cases, have been forced to sustain certain personal losses and damages in Corsica.
- 4/ The French Representation in A.C. is, however, endeavouring to bring the facts contained in your memorandum before the French Authorities, but it would seem astonishing that the French Government would take the necessary measures which would not be met by similar measures on the part of the Italian Government.



X. de SEVIN, General A.C.
French Representative.

4644

Ref: 1/234

23rd January 1945

SUBJECT: Ill-treatment of Italian
Republican Soldiers
captured by the French.

TO : C-5 Section, Allied
Force Headquarters.

There is attached a copy of a memorandum furnished by the
Italian Ministry of Foreign Affairs regarding the ill-
treatment of certain Italian Republican Soldiers by the French
military authorities.

2. It is suggested that these complaints should be referred
to the Provisional French Government through diplomatic
channels.

For the Chief Commissioner:

H.I.S. M. ROBERTSON,
Acting Vice President,
Political Section.

1 enclosure: copy of memo. from MFA
dated 12th January '45.

Copies to: U.S. Political Adviser,
British Resident Minister.

4643

243.2

I

C.O.S.

R. see the attached memo. no 6/199/95
 of Jan 12th. from the to. Ny. A.

I suggest that these complaints be
 referred to C-5 Section, AFHQ, for action through
 the diplomatic channel.

H. H. H. H.
 for A/V.P. (Br.)
 20/1/45

T

H. H. H. H.

Political Section

Yes, and the letter can go out
 from POT Sect.

E. H. C.O.S.

4642

22/1.

Ministero degli Affari Esteri

6/199/95

MEMORANDUM FOR THE POLITICAL SECRETARY A.I.

Reference is made to Memorandum 86/61/22 dated July 28th last, concerning the acknowledgement of the "status" of P.O.W. in favour of the Italian republican soldiers captured by the Allies.

Please find herewith an extract of reports forwarded by the International Red Cross of Algiers concerning a few incidents occurred to Italian republican prisoners in French hands.

Rome, 12th January 1945

Encl.

4641

Ministero degli Affari Esteri

EXTRACT OF REPORTS FORWARDED BY THE INTERNATIONAL RED CROSS
OF ALGERIA ON THE 2nd DECEMBER 1944

- 1) - The following Italian officers Major Mino VARDI, a professor in Rome University, Capt. BARBANO, Lieut. ZEI and Lieut. RINALDI, while in Algeria in July 1944, were compelled to unload 120 tons of coal and 2700 of flour notwithstanding their physical inability to such a heavy work.
- 2) - The aforesaid officers have been several times ill-treated and hit by French soldiers with serious consequences.
- 3) - Sergeant Giovanni VENUTI, a war invalid, was fastened and heavily beaten by eight French soldiers.
- 4) - Serg. CHELUCCHI, a University student, was tied to a post with his head down and threatened to be killed lest he cried "Long live France".
- 5) - The republican P.O.W. captured in the Elbe Island in July 1944, then transferred to Corsica and then in Algeria, have not been able, so far, to send news to their relatives. Moreover, they are deprived of beds, blankets and clothes.
- 6) - At present, some Corsican non commissioned officers and Moorish soldiers, in charge of the aforesaid P.O.W. make use of corporal punishments contrary to the Geneva Convention, doing their best to make life difficult for the prisoners.

4640

August 21
Republican POWs
 O P
Primer
referred to by
v. a. R. H. H.

WAR CONTROL COMMISSION

Inter office Memo.

From : WAR MATERIALS DISPOSAL & ITALIAN PRISONERS OF WAR SUB COMMISSION
 Subject: Disposal of PW of Non-German Nationality.
 To : Political Section.

H.Q., A.A.I. have issued an Administrative Instruction on Disposal of PW of Non-German Nationality, para B of which deals with ITALIANS, and reads as follows:

" PW of Italian nationality captured whilst serving in the Italian Republican Army will be evacuated to 209 PW Camp. HQ 3 District will arrange for their evacuation in the status of PW to NORTH AFRICA, prior sanction being obtained from HQ, A.A.I. They will be treated similarly to ordinary German PW. "

Col. Campbell says this
was issued 2 or 3 days
ago.

J.A. Campbell
 J.A. CAMPBELL,
 Lt. Colonel,
 Director, GP. TROOP.

4639
21/3/2

AAI MAIN

COPY

(Example)

1711405

DISTNO DISTREE

DISTONE

A 830

RESTRICTED (.) ITALIAN PW CAPTURED WHILST FIGHTING WITH REPUBLICAN
ARMY WILL BE DESPATCHED TO 209 PW CAMP AFRAGOLA AND THERE HELD PENDING
EVACUATION TO N A (.) EVACUATION WILL BE ORDERED BY THIS HQ AS SOON AS
ACCOMMODATION IN N A BECOMES AVAILABLE.

Copy to: G31(o) MOV 3072/16/A(o) Master file

(SGT) A.G. DAWTRY Major

4638

COPY
(Germans)
TO: DISTWO DISTHREE PBS INFO MMIA

301930B

FROM: FILPOT

A743

FIRST (.) PLEASE SUBMIT TO MMIA LIST OF NAMES ALL ITALIAN PW FROM
FASCIST REPUBLICAN ARMY HELD BY YOU (.) ADDITIONAL LISTS TO BE SUB
MITTED AS MORE PRISONERS CAPTURED (.) SECOND (.) THESE PW TO BE
SEGREGATED (.) THIRD (.) FOR MMIA (.) YOUR ASC?1 OF 26 JUNE REFERS (.)
IMPOSSIBLE TO PROVIDE SEPARATE CAMP FOR THESE PW

7-10-50
4637

HEADQUARTERS ALLIED CONTROL CO 'MISSION

31st July 1944

Date

To From

To From

Dep. Pres.

Labor

Chief of Staff

Education

A. D. C.

Interior

Secretary

Public Health

P. R. O.

Public Safety

Mil. Sec.

Public Utilities

Comm. Sec.

Agriculture

Pol. Sec.

AG

Econ. & Admin. Sec.

Hq. Comdt.

Fin. Sub-Sec.

Transportation O.

Legal Sub-Sec.

Supply Officer

G-2

Billeting O.

Army

Stenographic Section

Navy

File Section

Air

P/W

War Material Disposal

Displaced Persons

Industry

Approved

For your information
 For comment
 Contents noted
 For necessary action
 For necessary action & return
 For compliance
 For file

Ref attached letter
 NY 6/61/24 dated 28 July
 from Italian Foreign Ministry
 I understand that a
 statement has already
 been issued by N. B. G. A. I
 that all Italian taken
 prisoner fighting with the
 Germans will be treated
 as P.W. Special arrangements
 made for P.W. cases have been
 made and list of names
 are being prepared (attached).
 The Campbell H. H. H.

R. MINISTERO
DEGLI
AFFARI ESTERI

Nr. 6/61/27

Spoke Mr. Campbell

MEMORANDUM FOR THE ALLIED CONTROL COMMISSION

POLITICAL SECTION

In the course of a recent conversation with the President of the Council of Ministers, Mr. Bradervant, delegate of the I.R.C.C., expressed, on behalf of the Central Geneva Committee, the wish to receive an official communication to the effect that Germans and Neapolitan Italians made prisoners by Italian troops shall be considered as prisoners of war. Mr. Bradervant added that a similar communication would shortly be forthcoming from the Allies and he explained that such a statement would be of great help to the I.R.C.C. in their endeavour to obtain that the German authorities recognise as prisoners of war Italian troops deported in Germany after the Armistice of 8 September.

It is suggested that the above-mentioned statement would be much more effective if it were issued simultaneously by the Allied Authorities and the Italian Government.

The Ministry of Foreign Affairs would, therefore, much appreciate if it were informed if and when the Allied authorities are prepared to issue the official communication requested by the I.R.C.C. *EdB.*

ROME, July 28th, 1944



In the course of a recent conversation with the President of the Council of Ministers, Mr. Dadrerent, delegate of the I.A.C.C., expressed, on behalf of the Central Geneva Committee, the wish to receive an official communication to the effect that Germans and Republican Italians made prisoners by Italian troops shall be considered as prisoners of war. Mr. Dadrerent added that a similar communication would shortly be forthcoming from the Allies and he explained that such a statement would be of great help to the I.A.C.C. in their endeavour to obtain that the German authorities recognise as prisoners of war Italian troops deported in Germany under the Armistice of 8 September.

It is suggested that the above-mentioned statement would be much more effective if it were issued simultaneously by the Allied Authorities and the Italian Government.

The Ministry of Foreign Affairs would, therefore, much appreciate if it were informed if and when the Allied authorities are prepared to issue the official communication requested by the I.A.C.C. *LAB.*

ROME, July 28th, 1944



XXXXXXXXXXXXXXXXXXXX

Office of the Executive Commissioner

Ref: P/826

14 March 1945

SUBJECT: Franco-Italian Complaints

TO : Italian Ministry of Foreign Affairs

1. Reference is made to the following memoranda:

- a. No. 6/236/134 of 27 January 1945
- b. No. 6/115/52 of 11 January 1945
- c. No. 12/02180/7 of 4 October 1944
- d. No. 6/6/2 of 2 January 1945
- e. No. 6/137/66 of 12 January 1945
- f. No. 6/199/95 of 12 January 1945

2. It is considered that the Italian Government should deal directly with the French Provisional Government, through their respective Ambassadors, concerning all Franco-Italian disputes or complaints, except in those cases relating to areas where the Supreme Allied Commander has jurisdiction, or in those cases directly affecting his interests. These latter cases should, in the first instance, be referred to Allied Commission.

3. Of the cases under reference, only that relating to Bari, your memorandum no. 6/137/66, is considered to affect the Supreme Allied Commander's interests directly.

2

Captain,
for Brigadier,
Executive Commissioner

4634

SECRET

Office of the Pol Advisor

2392

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

11 March 1945

SUBJECT: Franco-Italian Complaints.

TO : Headquarters, Allied Commission, APO 394.

Reference your following letters relating to Franco-Italian disputes:

Your Ref.	Date	Subject
① 820	9 Aug 1944	PIANGSA Guards.
② 826	26 Oct 1944	Arrest of TASSOTTI and others.
③ AC/376/1	24 Oct 1944	Mistreatment of Italians in CORSICA.
④ F/376.1/385	11 Jan 1945	Trials of Italian servicemen in CORSICA.
⑤ F/505/3A	19 Jan 1945	Arrest of SANI in ROME.
⑥ DM/1/381	21 Jan 1945	Mistreatment of POW's.
⑦ F/213	23 Jan 1945	Mistreatment of POW's.

1. The above cases have been under discussion for some time in an endeavour to arrive at a policy for dealing with these and similar disputes, the majority of which are of no direct concern to the Supreme Allied Commander or the British or American Governments.

2. The Political Advisors at this HQ both agree that it would not be proper to bring the U.S. and U.K. Ambassadors at LAGE into the disputes and are of opinion that the Italian Government should now deal directly with the French Government through the respective ambassadors recently appointed.

3. The Supreme Allied Commander likewise does not wish to be concerned except in cases relating to areas where he has jurisdiction or which otherwise directly affect his interests.

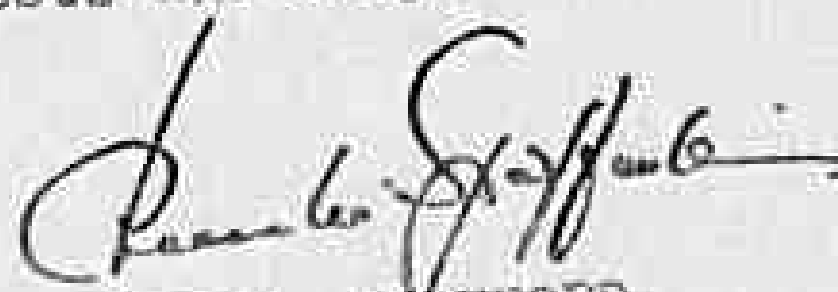
4. You are therefore requested to inform the Italian Government that they should deal directly with the French Provisional Government through their respective Ambassadors concerning all Franco-Italian disputes or complaints, except that cases relating to areas where the Supreme Allied Commander has jurisdiction or otherwise directly affecting his interests shall, in the first instance, be referred to you.

4633

HEADQUARTERS
12 MAR 1945
SECRET

J76.0

5. Of the specific cases referred to above only that relating to SANTI is considered to affect SAC's interests directly.



CHARLES M. SPOFFORD
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

4632

HEADQUARTERS ALLIED COMMISSION
POLITICAL SECTION
APO 394

21 November 1944

Ref. #483.2

MEMORANDUM TO: Italian Ministry of Foreign Affairs, Rome.
SUBJECT: Fardor Iena Ferruccio.

There has been received by the Public Safety Sub-Commission, A.C., the attached dossier which was submitted to the Political Section for investigation and action.

This matter was referred to the French Representative of A.C. who now has replied and a copy of this communication in the premises is attached.

For the Chief Commissioner:-

WILLIAM M. SCHOTT
Vice-President, Political Section

Encls

483.2

4631

HEADQUARTERS ALLIED COMMISSION

Office of the French Representative

APO 394

ROME, November 17th 1944
XS/3M n° 138

TO : POLITICAL SECTION.

SUBJECT : Complaints of Italian Nationals.

Reference: Your Memorandum October 14th, 1944.

1°) Serious investigations were carried out in reference to complains made by Mrs ALBERTI, Francesca and Mr FERRUCCIO, Iesu.

2°) The French Military Authorities in Corsica have given this Office the following information:

" ALBERTI, Aldo was arrested by the French C.I.C. authorities, as he was positively accused of having been a secret agent operating for Italian occupation troops in Corsica. He also was believed to have played an important part in suppressing the resistance movement organized in the Southern part of the Island. However proof of this was not sufficient enough to bring him before a military court. ALBERTI on whom, however, the gravest suspicions remain, was set free on October 12th 1944. A decision was taken by the Prefect of Corsica on October 18th to expel him from the island. It must be noted, yet, that contrary to the affirmation of his wife, Alberti has never been tortured.

" Iesu FERRUCCIO is only known to the French C.I.C. in Corsica for having stopped in the Island in Transit during his trip Caprara-Sardegna. In the opinion of the French authorities, the belongings which are missing to him, may be found with the Italian authorities who dealt with the repatriation of Iesu Ferruccio to Sardegna."

JM Levin
X. de SEVIN, General A.C.

TO: General X. De Sein,
French Representative,
Hq Allied Control Commission

FROM: Political Section

It would be appreciated were this case to be investigated and the results thereof made known to the Political Section with the return of the attached dossier.

W. Schott
WILLIAM W. SCHOTT

14 October 1944

4629

V.F. Civil Affairs Section.

This is matter to be taken
up with French administration
in Corsica.

10 Oct 1944 JWB
Public Safety S/C.

Political Section ✓

With your attention, request that the
matter being discussed be made known to
the United States military authorities.

10 OCT 1944

4628

Translation ABC

26/9/44

MINISTRY OF GRACE AND JUSTICE

No 94942/8168

Subject: Custody Agent IESU Ferruccio.

To A.C.C. P.S. Subcommission

We send to that Commission the attached exposure of the Custody Agent IESU Ferruccio of the Asinara Agricultural Settlement, for competent provisions.

For the Minister

4623

2376

Translation ABC

19/8/44

Custody Agent IESU Ferruccio
to
MINISTRY OF GRACE AND JUSTICE.

The undersigned, custody Agent of the Asinara Agricultural Settlement, informs the Ministry of Grace and Justice of what follows.

Following dispositions of the Capraia Allied Command, I was transferred, in April, with others, to Bastia (Corsica).

The American Lt. Merik Voad accompanied us and handed us over to the French Police; I was searched, and my pocket-book, containing 3140 lire, was taken from me. This money represented the amount I should have but could not send to my family, owing to the German blockade. In my pocket-book were also my identity card and some family photos. The French Police requisitioned also my luggage.

I was kept there five days and then sent to Cagliari, from where I wrote twice to the General Attorney, asking restitution of my belongings.

After over a month the luggage arrived; one suit-case was empty and from the others a great number of things were missing. I never saw my pocket-book nor my money again, notwithstanding my repeated requests addressed to the Italian Command in Corsica.

So I beg that Ministry to make the necessary arrangements to give me back my belongings.

Iesu Ferruccio.

4626

2346

Translation ABC

Cagliari 25/6/44

GENERAL ATTORNEY OFFICE OF SARDINIA

No 5022 Answer to No 5245

Subject: Evacuated from the Capraia and Gorgona Settlements.
Vexing treatments by French Authorities at Bastia.

To the Director of the ASINARA Penal Settlement.

With reference to above numbered letter, we notify that this Office has already informed the High Commissario about the vexing treatment undergone by the personnel of the Capraia and Gorgona Settlements, by hands of French Authorities.

The High Commissario assures to have immediately informed the Foreign Office so as to settle this unpleasant matter.

The General Attorney of the Kingdom

Sgd Spallanzani

Asinara 21/8/44

F. C. C.

The Secretary

4625



Translation ABC

Cagliari 25/6/44

GENERAL ATTORNEY OFFICE OF SARDINIA

No 5022 Answer to No 5245

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To the Director of the ASINARA Penal Settlement.

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The General Attorney of the Kingdom

Sgd Spallanzani

Asinara 21/8/44
P. C. C.
The Secretary

4624

2376

TRANSLATION CC/rrc 29 Sept 44

COMANDO MILITARE DELLA SARDEGNA
Chief of Staff Operations Office

No. 11900/23/2/OP

APO 50, 26 September 1944

SUBJECT: Application of Mrs. Alberti Francesca

TO : Colonel Simmons, AGC, Elmas.

In returning the attached letter to you, I deeply thank you for the kind interest you have taken in this matter.

In spite of all the interest displayed by our authorities in Corsica, the imprisonment of Mr. Alberti Aldo, ex Italian Consul in Corsica, has continued since last February, and to date the French authorities have not even informed the defence attorney, Marcel Mirtil, of the charges made against the accused.

It would be desirable to determine for what reasons Alberti has been arrested, to hasten as much as possible the eventual trial and to free him, if he is found not guilty, instead of sending him to a concentration camp at Algiers, as rumored.

If you could, and would deem it opportune and possible to accomplish this, peace would undoubtedly be brought back to a family already hardly tried by fate.

The Commanding General
- Brunetto Brunetti -
/s/ Brunetti

4623

Y FLS/vjt

Headquarters A.A.I.
ALLIED CONTROL COMMISSION
Army Sub Commission
A.P.O. 534, U.S. Army

16 September 1944

SUBJECT: Application, Mrs. Alberti Francesca

TO : Commanding General, Italian Forces in Savlinia

1. The attached letter is referred to you for remark and recommendation as to what action you believe this office can take.

F. L. SIMMONS
Colonel, Infantry
Senior Liaison Officer

4622

cc application

TRANSLATION of/c 16 SEPT 1944

HEADQUARTERS VII ARMY CORP
Personnel OfficeAppendix No. 1
No. 04/7603/pat

A.P.O. 112, 14 September 1944

SUBJECT: Application Mrs ALBERTI Francesca

TO : COLONEL SIMONS
Chief Army Sub Commission in Sardinia, Cagliari

The attached application by Mrs. ALBERTI Francesca asking for the assistance of the Allied Commission for the liberation of her husband, Italian Citizen arrested in Corsica last February by order of French Authorities, is herewith forwarded with the kind request to consider the application with benevolence.

THE COLONEL CHIEF OF STAFF
/t/ A. Pederzani
/s/ Pederzani

4621

Mrs. Applications

TRANSLATED GC/gc 16 SEPT 1944

Sassari, 5 September 1944

TO THE ALLIED HEADQUARTERS OF SARDINIA

I, the undersigned ALBERTI Francesca, wife of ALBERTI Aldo, Italian Consul of Portovecchio (Corsica) who until lately performed welfare and repatriation functions for countrymen, am taking the liberty of informing your Headquarters, on which I place confidence, of my painful situation:

" On the 17 February 1944 my husband, agent of the Italian Foreign Affairs Ministry, was arrested by order of French Authorities and confined in the jail of Ajaccio, where he is at present. I wish you to be aware of the fact that my husband never committed misdeeds during the performance of his duties; he just complied with orders received from his superiors. When I left my husband upon his arrest, he was sick, and he has already been confined for 6 months and I have not heard from him since that date. I interested some people in Ajaccio in order to have news concerning his health. I learned by these people who were able to contact my husband, that he is hospitalized at the Ajaccio Civil Hospital owing to the mistreatments suffered during questioning, and after which he was found not guilty, and that he was tortured twice; it is to be noted that my husband is 60 years old, sick, with a family composed of 4 children and me to support.

I have reason to believe as a result of what I learned, that when trial is closed, it is their intention not to free him but to send him to Algeri in order not to allow him to tell about the mistreatments he suffered. That means to loose him forever.

I deeply beg the benevolence of the Allied Headquarters of taking an interest in this case in order to have my husband back in Sassari, where I live and am waiting for him, as soon as possible.

Hoping that my application will be accepted with the greatest comprehension, I give you my thanks and regards.

/s/ (Francesca Alberti)
/s/ Francesca Alberti
Via Dell' Insinuazione No. 2

*Major Bell wishes to
be informed of reply
to this.*

12 November 1944

13 Nov 44

MEMORANDUM TO: French Representative to the Allied Commission
FROM : Political Section, A.C.

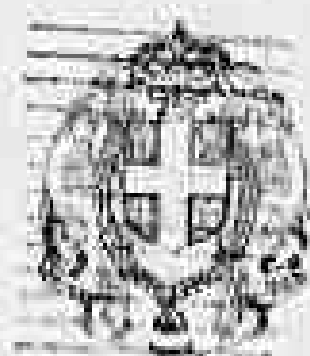
1. The Political Section of the Allied Commission presents its compliments to the French Representative to the Allied Commission and has to enclose copies of three self-explanatory notes (Nos. 6/532/241, 6/851/572 and 6/929/393 dated September 17, October 24, and November 2 respectively) regarding the treatment of Italian citizens transferred from the Island of Capraia to Corsica and thence to Sardinia.
2. An inquiry in this matter has been made by the Allied Commission of the Regional Commissioner, Sardinia Region, A.C., but no reply has been received.
3. Political Section would appreciate being advised of any action taken in this matter, to enable it to reply to the Italian Ministry of Foreign Affairs.

WILLIAM W. SCHOTT
Vice President, Political Section

3 Encls: As in Para 1 above.

483.2

4019



6/999/393

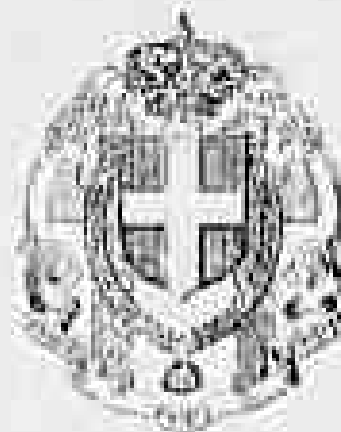
*Ministero degli Affari Esteri*MEMORANDUM FOR THE POLITICAL SECTION, A.C.

Further to Memorandum N.6/851/372 of October 24, 1944 on the question of the treatment of Italian citizens transferred from the Island of Capraia to Corsica, and thence to Sardinia, the Ministry for Foreign Affairs encloses herewith the requested copy of its Memorandum N.6/532/241 dated September 17th, 1944.

Rome, November 2nd, 1944.

Encl.

4618

C O P Y

No - 6/851/372.

*Ministero degli Affari Esteri*MEMORANDUM FOR THE POLITICAL SECTION A.C.

Further to memorandum n.6/120/59 of August 2nd and n.6/532/241 of September 17th on the question of the treatment of Italian citizens transferred from the Island of Capraia to Corsica, and thence to Sardinia, the Ministry for Foreign Affairs has now received a claim signed by the warders of the Penal Colony of Capraia for the return of their moneys which were sequestered by the French Police Authorities of Bastia (Corsica), on their arrival in April last.

The claim signed by the three warders, Alessandro Gradi, Antimo Marzano and Duilio Minghella, states that after four days stay in Bastia they were made to depart for Sardinia, without however returning them any of their sequestered possessions. Only after one month and a half, whilst they were still in Cagliari, the rifled luggage arrived, almost empty. Warder Alessandro Gradi and Warder Duilio Minghella received each only one suitcase of the two they had had sequestered, and nobody has ever received the money. Warder Gradi was in possession of Lire 5000 and of a post Office Savings Book showing a balance of Lire 300; Warder Marzano had in his possession Lire 5153 and Warder Minghella, Lire 2800.

As the procedure followed by the French Authorities, to the detriment of numerous warders of the said Penal Colony, obliged to evacuate the Island of Capraia by order of the Allied Authorities, finds no justification, the Ministry for Foreign Affairs would be grateful if the Allied Commission could kindly approach the competent French Authorities with a view to obtaining the return of the sums of money in question.

Rome, October 24th, 1944.

4637

COPY

HEADQUARTERS
ALLIED CONTROL COMMISSION
RC and MC SECTION
ATO 394

Ref: 763/12/CA

19 Sept 44

SUBJECT: Money and possession of Signor Alessandro Gredi.

TO : Regional Commissioner, Region VI, ACC.

1. Attached is a copy of a letter passed to R. C. and M.G. Section by the Political Section, ACC. This letter dated 17 Sep 44, Ref Br. 65/592/241 is from the Italian Ministry of Foreign Affairs.
2. The event described apparently took place when Capraia was administered by Sardinia.
3. Would you please cause an investigation of the case and send us a report so that we may inform the Political Section of the possibility of a favourable action on the request of the Ministry of Foreign Affairs.

for /s/ W. A. S. Dollard
NORMAN E. Fiske
Colonel
Deputy Executive Commissioner.

4618

COPY6/532/241

MEMORANDUM FOR THE ALLIED CONTROL COMMISSION
POLITICAL SECTION

The Ministry of Foreign Affairs has been informed that Alessandro Gradi, a warder at the penal colony of Capraia (L'ghorn) was, on 3th April ult., by order of the American Authorities, transferred to Bastia (Corsica).

Arrived at Bastia, the French police with-held his luggage, the sum of Five thousand lire and his Post Office savings book, having a balance of Three hundred lire.

Gradi, who was subsequently transferred from Corsica to Sardinia, was given back his luggage, which had been practically emptied, but neither the money nor the Savings book.

The Ministry of Foreign Affairs will be obliged if the A.C.C. will kindly enquire into the matter and obtain, from the responsible authorities, the return at least of the cash and the Savings book, so as to enable Warder Gradi to purchase some clothes that he badly needs owing to the pilfering in question.

The Ministry of Foreign Affairs shall be glad to know, in due course, the result of the enquiry on this matter.

Rome, 17th September 1944.

4615

6/120/59

Ufficio Collegamento A.A.

MEMORANDUM FOR THE ALLIED CONTROL COMMISSION.- Political Section -

The Ministry of Foreign Affairs has received the following information from the Military Command in Sardinia.

During the night of March 19th ult. a coup was carried out by Moroccan troops in the Island of Pianosa (Tuscan archipelago), in the course of which 41 Italian prison warders were attacked, robbed of their possessions (wallets, watches, etc.) embarked and taken to Bastia, where they were imprisoned for 13 days in the Marboeuf Barracks and thence sent to the Ajaccio prisons.

Four of these warders were engaged by the French authorities to carry out a second coup in the Island of Pianosa, but no further news has been received concerning them. The rest were released on the 29th April and were placed under the British Command for manual work. A group of 13 warders are at present working at Corte, they have, however, been unable to give any information concerning their 24 other companions.

The Military Command in Sardinia approached in due course the French and Allied Authorities in order to obtain the release of the warders in question but up to date without success.

The Ministry of Foreign Affairs would therefore be glad if the Allied Control Commission would intervene with the competent military authorities with a view to obtaining the release of the above mentioned warders employed in the criminal prisons of Pianosa, as they must be considered civilians who were arrested whilst carrying out their functions.

The Ministry of Foreign Affairs will appreciate an early reply on the matter.

ROME, 2nd August, 1944.

SECRET

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

25 November 1944

G-5: 014.13-7

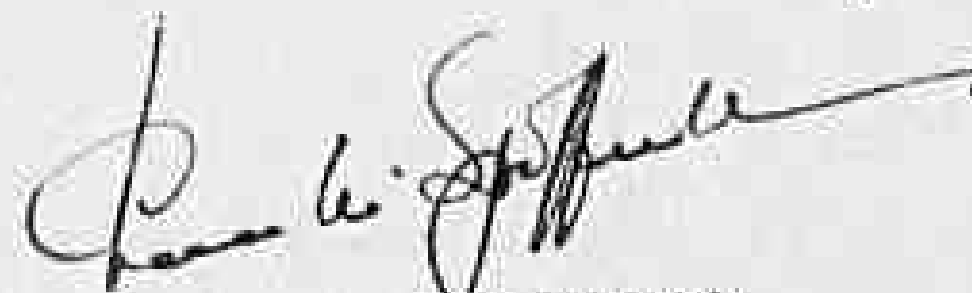
SUBJECT: French Military Administration in MTO.

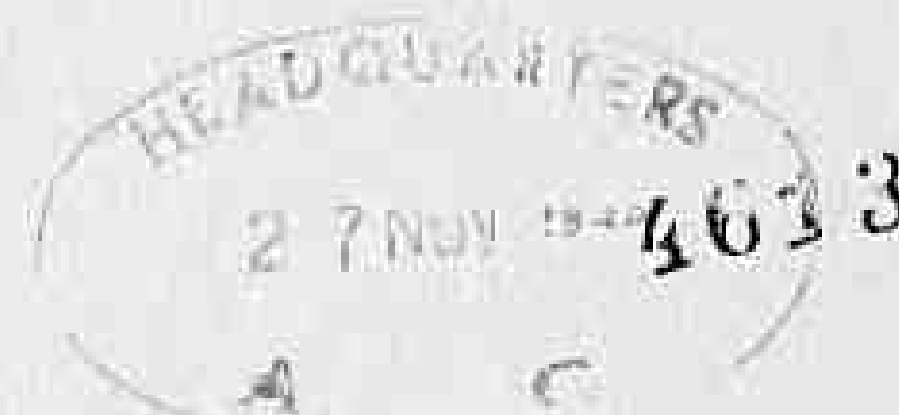
TO : Headquarters, Allied Commission,
(Attn: Political Section),
APO 394.

1. Under date of 7 October 1944 (Ref. 820) you wrote this Headquarters respecting the release of Italian prison guards who were abducted from the Island of Pianosa and imprisoned in Corsica as prisoners of war.

2. Under date of 24 October 1944 (Ref. 376.1) you brought to the attention of this Headquarters the complaint of the Italian Government respecting the treatment of Italian soldiers captured at Elba, who had been taken to Corsica where they were not treated in accordance with the provisions of the Geneva Convention.

3. Each of the above matters is being brought to the attention of the Provisional Government of France through diplomatic channels.


CHARLES M. SPOFFORD
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5



SECRET

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION
APO 394

Ref: 320

7 October 1944

MEMORANDUM TO : G-3 Section, Allied Force Headquarters
Copy to: British Resident Minister
U. S. Political Adviser

SUBJECT : Italian Prison Guards at Pianosa.

1. Reference is made to Memorandum No. 320 of August 9, 1944 from the Political Section, A.C.C., regarding the release of Italian prison guards who were detained from the Island of Pianosa.
2. There has now been received an additional note No. 6/647/262 dated September 30, 1944 from the Ministry requesting an early reply to their first communication.

WILLIAM M. CONDEE
Vice President, Political Section

483.2

4632

note 16/031/342-02424
16/120/159-Arg

1. Callahan
for checking
Oct 30



Ministero degli Affari Esteri

1
n. 6/647/282

MEMORANDUM FOR THE POLITICAL SECTION A.C.

This Ministry would appreciate a reply to memorandum of August 2nd n°6/120/59 concerning a group of Italian prison warders who were abducted from the Island of Pianosa (Tuscan Archipelago) by Moroccan troops and imprisoned at Ajaccio (Corsica). *Calb.*

Rome, 30th September 1944.



4611

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION
APO 394

Ref /BEO

9 August 1944

MEMORANDUM TO: G-5, Allied Force Headquarters;
Copies to: U. S. Political Adviser;
British Resident Minister.

SUBJECT: Italian Prison Guards at Pianosa.

In a memorandum, a copy of which is enclosed, the Italian Ministry of Foreign Affairs has informed the Political Section of an attack on 41 Italian prison guards by Moroccan troops on the Island of Pianosa and of their subsequent deportation and detention. The Ministry further request the intervention of the competent Allied military authorities with a view to obtaining the release of these prison guards and their return to Pianosa. Information of the action taken will be appreciated.

WILLIAM W. BURGOTT
Political Section

Encl
Memo 6/130/39;
2 Aug 44.

4610

470 483.2

C O P Y

MINISTERO DEGLI AFFARI ESTERI

No. 6/120/59

MEMORANDUM FOR THE ALLIED CONTROL COMMISSION
POLITICAL SECTION

The Ministry of Foreign Affairs has received the following information from the Military Command in Sardinia.

During the night of March 18th ult. a coup was carried out by Moroccan troops in the Island of Pianosa (Tuscan Archipelago), in the course of which 41 Italian prison wardens were attacked, robbed of their possessions (bullets, watches etc.) embarked and taken to Bastia, where they were imprisoned for 15 days in the Marboeuf barracks and thence sent to the Ajaccio prisons.

Four of these wardens were engaged by the French authorities to carry out a second coup in the Island of Pianosa, but no further news has been received concerning them. The rest were released on the 29th April and were placed under the British Command for manual work. A group of 13 wardens are at present working at Corte, they have, however, been unable to give any information concerning their 24 other companions.

The Military Command in Sardinia approached in due course the French and Allied authorities in order to obtain the release of the wardens in question but up to date without success.

The Ministry of Foreign Affairs would therefore be glad if the Allied Control Commission could intervene with the competent military authorities with a view to obtaining the release of the above mentioned wardens employed in the criminal prisons of Pianosa, as they must be considered civilians who were arrested whilst carrying out their functions.

The Ministry of Foreign Affairs will appreciate an early reply on the matter.

/s/ C.C.B.

ROME, 2nd August, 1944.

4609

Memorandum #65/532/241 of 17 Sept 44
from Italian Ministry of Foreign Affairs

Passed to Civil Affairs Section for
appropriate action--18 September 1944

4008

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

Ref: 763/12/CA

19 September 1944.

SUBJECT: Money and possessions of Signor Alessandro Gredi.

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

1. Attached is a copy of a letter passed to R.C. and M.C. Section by the Political Section A.C.C. This letter dated 17 September 1944, Ref: Nr. 65/532/214 is from the Italian Minister of Foreign Affairs.
2. The event described apparently took place when Capraia was administered by Savignia.
3. Would you please cause an investigation of the case and send us a report so that we may inform the Political Section of the possibility of a favorable action on the request of the Minister of Foreign Affairs.

W. G. S. Holland
Major
for NORMAN E. BURKE.
Colonel.
Deputy Executive Commissioner.

Incl: 1.

Copy to Political Section.

4607

ALLIED [REDACTED] COMMISSION

INTER-OFFICE MEMORANDUM

Office of the Executive Commissioner

SUBJECT: Treatment of Italian POWs in French
Custody in North Africa

FILE No. P/826

14 March 1945

TO : Director, War Materials Disposal
and Italian Prisoners of War Sub-Commission1. Reference is made to your MEMO/1/381 of 21 January
1945.

2. AMIR, G-5 Section has advised this office that the Italian Government should deal directly with the French Provisional Government, through their respective Ambassadors, concerning all Franco-Italian disputes or complaints, except in those cases related to areas where the Supreme Allied Commander has jurisdiction, or in those cases otherwise directly affecting his interests, which shall, in the first instance, be referred to the Allied Commission.

3. AMIR does not consider that the case under reference affects SAC's interests directly.

4006

Captain,
for Brigadier
Executive Commissioner

copy

HEADQUARTERS ALLIED COMMISSION
APO 394
WAR MATERIALS DISPOSAL AND
ITALIAN PRISONERS OF WAR SUB COMMISSION

IPW/1/381

21 January 1945

TO: Allied force headquarters, APO 512
Attention G-5 Section

SUBJECT: Treatment of Italian POW under French custody in
North Africa.

1. The Italian High Commissioner for Prisoners of war again requests the intervention of the Allied Commission on behalf of the Italian POW held in French custody.

2. The High Commissioner states that a Military Dr. attached to the Italian Navy reported on the treatment of Italian POW in certain French camps in Tunisia, and the following extract from the High Commissioner's letter is given:

" We judge it necessary to inform you that at bona some hundred s of our prisoners are working as farmers and under very bad conditions, in the past and in the present. They have no clothes or shoes and since the beginning of the winter they have been coming to the Italian hospital to ask for shirts and shoes, as they have received no distribution of these articles.

We have been able to clothe a very few in English uniforms that in some cases were in surplus numbers.

They live in stables, for the greater part, sleeping on straw and have no blankets. They are fed on dry beans, very rarely meat, and no cigarettes.

No sanitary or medical assistance except what they receive from Italian doctors of nearby groups. Only the very ill are transported to the French Military Hospitals, and with the Arabs, left alone, and hardly any attention or cure is given them. No disinfection, no quinine against malaria is given them. Against the regulations of the Directors of their working centers, we obtained from the English the permission to bring them to our hospital saved hundreds of these unfortunates from Pernicious Malaria.

It is requested that the proper authorities be informed

of these facts, not only to ascertain who is responsible, but to above all, find out if this state of affairs is still in existence and if so, to take urgent measures to correct it that we may assure our Compatriots, of living conditions to which they have a right as co-belligerents (of those who are holding them prisoners) in the common war against the Germans."

3. I shall be pleased if you will advise me of any action taken in this matter.

For the Chief Commissioner:

J.A. CAMPBELL
Lieut. Colonel,
Director
WMD & IPOW Sub-Comm.

4004

1 2 4 7

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

TREATMENT OF ITALIAN TROOPS
ON THE ISLAND OF CORSICA

RESEARCHERS ALLIED CONTROL COMMISSION
 POLITICAL SECTION
 No. 394

24 October 1944

Ref: 376.1

MEMORANDUM TO: S-5 Section, Allied Force Headquarters
 Copies to: British Resident Director,
 U. S. Political Advisor,
 British High Commissioner,
 U. S. Representative, A.C.C.,
 Army Sub-Commission, A.C.C.

1. With reference to our memorandum No. 376.1 of the 1st September regarding incidents which occur in Corsica involving Italian service personnel we forward a copy of a letter from the Under-Secretary for Foreign Affairs requesting that the possibility should be examined of securing that the Italian troops detained under arrest or as prisoners by the French authorities in Corsica be handed over to the Allied Authorities.

2. We shall be glad to know what reply should be returned to this request.

For the Chief Commissioner:

4603

H. A. Casale
 Vice President, Political Section

1 Encl: Air No. 12/32120/7 and 1 set 12.

ALLIED CONTROL COMMISSION
INTER OFFICE MEMO

HC
WS

376.1/385

From: Chief Staff Officer

Ext.. 300

SUBJECT:

FILE No. ⁹⁹⁶~~8259~~/COS

24 Oct. 1944

TO: Political Section.

I refer to your remarks at the COS meeting this morning.
The attached file^{8259/COS} is passed to you for retention. You will see that
the draft submitted by you has been approved by COS.

W. Shipp
Chief Staff Officer,
To the Chief of Staff.

4602

DRAFT

Memorandum to: G-5 Section, Allied Force Headquarters;
Copies to: British Resident Minister,
U. S. Political Adviser,
British High Commissioner,
U. S. Representative, A.C.I.
Army Subcommissioner, ACC

With reference to our memorandum No. 376.1 of the 1st September regarding incidents which occur in Corsica involving Italian service personnel we forward a copy of a letter from the Under-Secretary for Foreign Affairs requesting that the possibility should be examined of securing that the Italian troops detained under arrest or as prisoners by the French Authorities in Corsica be handed over to the Allied Authorities.

2. We shall be glad to know what reply should be returned to this request.

Issue.

NY/286A.

4601

23 October 1944

TO : Chief of Staff
 FROM : Political Section

1. This file has begun to "swan" ^{Here} and is a slight divergence of view between JMAA and the Political Section as to what should be done on paper 29, see General Browning's Minute marked 31 and my Minute marked 32. The file then somehow got back to General Browning who made a further suggestion at 33. As to that suggestion I do not know what authorities we would have to approach apart from C-in-C Med, to be able to give any undertaking to the French that "we'll stop anymore sporadic landings".

2. May I ask either that we have a brief meeting to decide what action is approved or obtain a ruling from the Acting Chief Commissioner.

38
 H. A. CACCIA

V. P. Political Section

Correia is, so far as I know, under AEFHQ from the military point of view & the French Government from the administrative point of view. The A.E.C. here nothing to do with it & in this case should merely act as the official post office to pass on to the authorities concerned (AEHQ) the representations of the Italian Govt. ⁴⁰⁰⁰ Action accordingly.

MS/23/X

I agree, but in its present vague state, or should we attach a draft, but I would describe Italians to be more specific? I ~~think~~ it is as before! MS 23/X

... We can then go back at his Italian Ministry
to F.A. for such details.

33

ATC 167x

I would say to the French "We'll stop any more
sporadic landings. No more Italians in
CORSECA. Let us sweep the board clean,
so as not to have any more friction between
you & the Italians. Make a gesture.
Stand over all Italians & let CORSECA
again be wholly French."

R.B.

17 Oct.

Agreed.
19/10/54
R.B. & D.M.

34.

C.O.S.

Please see Minutes 31-33 ref. a reply to
Folio 29 (Flagged at "4") dated 14 Oct.

As this matter is taking time, Marchese Cittadini
is telling the minister that it is in hand and he
will have a reply as soon as possible.

21st Oct.

H. Mason Tecom

35

M. Sa.

4589

1 letter you had not finished with this file but it

so as not to have any more.
You & the Italians. Make a gesture
Hand over all Italians & let COSCA
again be wholly French?

L.B.

17 Oct.

Aguedi
1949
Pol. Sup. Div. 17

34.

C.O.S.

Please see Minutes 31-33 ref. a reply to
Folio 29 (Flagged at "A") dated 14th Oct.

As this matter is taking time, Marchese Cittadini
is telling the minister that it is in hand and he
will have a reply as soon as possible -

21st Oct.
H. Mason Jean

35.

4593

Pol. Sec.

1 letter you had not finished with this file but it
Marchese got to us with 33 and comments. No action
has been taken on 34. Would you now be ready to answer 29?

*-H. confirms
Gen. Brannings
minute at 31

23. 10. 44.

3rd meeting
17/23/44

W. J. King LRA

MINUTE SHEET

30

General Browning,
Army Sub-Commission

Mr. Caccia
Political Section

Encl. 29, flagged at 'A' is a further letter we have received from the Italian Ministry of Foreign Affairs concerning incidents with the French on CORSICA.

C.O.S. would be grateful for your comments. Incidentally, no reply has been received from AFHQ to Mr. CACCIA's letter of 1st Sept (Encl. 24, flagged at 'B').

13.10.44
Chief of Staff Section

H. Mason J/cdr.

C.O.S.

31

The 5000 non-Italian speaking Italians are being transferred under American command to Southern France. Presumably pressure can be put on the French now to release all the Italians from CORSICA.

L. Browning
Maj. Gen
PMHA

14 OCT.

32

From General Browning's minute I take it that the only Italian Service personnel in Corsica after the withdrawal of 5000 will be "Italian Soldiers & partisans who sporadically land". If so, I doubt whether any effective steps can be taken with French authorities.

As regards Italian troops detained under arrest or as POWs -
4558

Encl. 29, flagged at "A" is a further letter to the French on Italian Ministry of Foreign Affairs concerning incidents with the French on CORSICA.

C.O.S. would be grateful for your comments. Incidentally, no reply has been received from AFHQ to Mr. CACCIA's letter of 1st Sept (Enc. 24, flagged at "B").

13.10.44
Chief of Staff Section

H. Mason J/can.

C.O.S.

31

The 5000 non-Italian speaking Italians are being transferred under American command to South France. Presumably pressure can be put on the French now to release all the Italians from CORSICA.

L. Browning
Maj. Gen
PMA

14 Oct.

32

From General Browning's minute I take it that the only Italian Service personnel in Corsica after the withdrawal of 5000 will be "Italian Soldiers & partisans who sporadically land". If so, I doubt whether any effective steps can be taken with French authorities.

As regards "Italian troops detained under arrest or as POW", again is it any good asking that they should all "without exception" be handed over? I find this letter too general to take up in its present form with higher authorities (it also lacks any sense of balance, given the fact that the Italians were in occupation of Corsica for many months). If authorised Pot. Sec. would be ready to insist through Gen de Sevin or his Aide whether further facts/proven smoke-fund authorities to take action & if so what sort of details are required. ^{details}

A/c 419

ROUGH TRANSLATION

29



*Il Sottosegretario di Stato
per gli Affari Esteri*

Rome, October 4th, 1944

7 OCT Recd

Dir. Gen. Aff. Pol. Uff. III
n. 12/62180/7

A/c 16 A
479

Dear Admiral,

President Bonomi, with letter dated 7th August, no. 396/1, had occasion to write to you concerning the serious incidents that were constantly occurring in Corsica.

In order to do all that was possible within their means to avoid the repetition of similar incidents, the Italian Government some time ago decided to withdraw the Italian troops from Corsica and subsequently withdrew the Italian units attached to the Group of Companies of specialized workers. Unfortunately, it is not in their power to avoid the deplorable excesses of all kinds which are being continued by the French Administration and Military Commands in Corsica against Italian troops and civilians who are still on the Island.

The civilians are being ruthlessly persecuted : from arbitrary arrest without any minimum legal guarantee, to greivous ill-treatment systematically inflicted by the supervision staff, and to expulsion effected in such circumstances as to imply practically the spoliation of all the assets belonging to the expelled person.

The crews of the Royal naval units, at the orders of the Allied Command, anchored in the ports of the Island, are the object of constant and unjustified attacks and Italian soldiers and partisans who sporadically land in connection with war operations on the mainland, are generally arrested the moment they arrive and detained in prison without any reason

Admiral Ellery W. Stone, U.S.N.R.,
Acting Chief Commissioner,
Allied Commission - ROME.



*Il Sottosegretario di Stato
per gli Affari Esteri*

-2-

for an undetermined period.

I particularly wish to draw your attention on the manner in which Italians detained under arrest or prisoners are treated in Corsica. From numerous reports I have received, it would, in fact, appear that Italian soldiers detained in prison in Corsica are subjected to the most inhumane treatment, from the most painful privations to the gravest humiliations and tortures, and that the Italian troops who, attached to the German formations, have been taken prisoners by the French in Elba and on the mainland, and to whom according to recent agreements the status of prisoners of war should be granted, are being instead treated as if they were common criminals and are herded together in ordinary prisons.

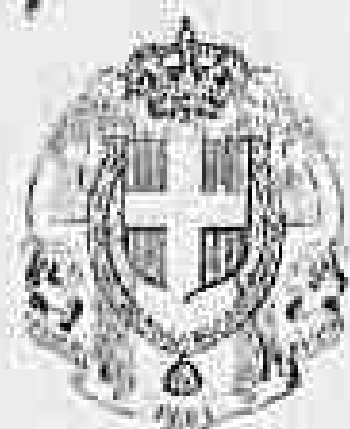
As regards particularly the republican troops made prisoners, the interest taken in order to obtain that the Geneva Convention be applied to them is also based on the fact that it would be advisable not to furnish to the Germans any pretext for reprisals towards the troops of the Italian Army that are by them taken prisoners on the Italian front.

In consideration of the necessity to put a stop to such a situation, I find myself obliged to have recourse to your courtesy and to ask you kindly to examine the possibility of obtaining that the Italian troops detained under arrest or as prisoners by the French in Corsica be, without exception, handed over to the Allied Authorities.

C. VISCONTI VENOSTA

4556

A/c 419



n° 12/ 62450/4

D1

Ministero degli Affari Esteri

Dir. Gen. Aff. Pol. - Uff. II

Signor Ammiraglio,

con lettera in data 7 agosto u.s., n° 296/3, il Presidente Bonomi ha avuto occasione di intrattenerLa sui gravi incidenti che continuamente si verificavano in Corsica.

Al fine di fare tutto quanto era nelle sue possibilità per evitare il ripetersi di siffatti inconvenienti, il R° Governo ha da tempo disposto il ritiro delle truppe italiane dalla Corsica e, successivamente, esso ha fatto ritirare i quadri italiani del Gruppo Compagnie Lavoratori Speciali. Non é tuttavia - purtroppo - in suo potere di evitare i deplorabili eccessi di ogni genere che, da parte dell'amministrazione e dei Comandi francesi in Corsica continuano a verificarsi contro gli italiani, militari e civili, che ancora si trovano nell'Isola.

I civili vengono fatti oggetto della più spietata persecuzione, che va dall'arresto operato arbitrariamente e senza la minima garanzia legale, ai gravi maltrattamenti inflitti sistematicamente da parte del personale di sorveglianza ed all'espulsione eseguita in circostanze tali da implicare praticamente la spogliazione dell'espulso da ogni suo avere.

Gli equipaggi di unità della R° Marina che stazionano nei porti dell'Isola alle dipendenze dei Comandi Alleati vi sono fatti oggetto di continui ed ingiustificabili eccessi ed

All'Ammiraglio Ellery W. Stone

ff. Presidente della Commissione Alleata di Controllo

R O M A

ed i militari e partigiani italiani che sporadicamente vi approdano in relazione alle operazioni in corso nella penisola, vengono generalmente arrestati all'atto del loro arrivo e trattenuti senza motivo nelle prigioni a tempo indeterminato.

Attiro particolarmente la Sua attenzione sul modo nel quale in Corsica vengono trattati gli italiani detenuti in arresto e prigionieri. Da numerose segnalazioni pervenutemi risulta infatti che i militari italiani detenuti nelle carceri in Corsica vengono fatti oggetto di un trattamento dei più inumani, che va dalle più penose privazioni alle più gravi umiliazioni e torture, e che i militari italiani i quali, trovandosi inquadrati nelle formazioni tedesche, sono stati fatti prigionieri dai francesi all'Elba e nella penisola, ed ai quali in base ai noti recenti accordi deve riconoscersi lo stato di prigionieri di guerra, vengono invece trattati alla stregua di delinquenti comuni ed ammassati nelle carceri.

Per quanto concerne in particolar modo i militari repubblicani fatti prigionieri l'interesse ad ottenere nei loro confronti l'applicazione della Convenzione di Ginevra é fra l'altro fondato anche sulla preoccupazione di non fornire ai tedeschi pretesti per rappresaglie nei riguardi dei militari del R° Esercito che da essi vengono fatti prigionieri sul fronte italiano.

In considerazione della necessità che venga posto termine a siffatta situazione, mi vedo costretto a ricorrere alla Sua cortesia pregandola di voler esaminare la possibilità di ottenere che i militari italiani detenuti in stato di arresto o trattenuti in qualità di prigionieri da parte dei francesi in Corsica vengano senza eccezione consegnati alle Autorità Alleate.

*Mi vedo estremamente
duo
q h/wu T. Plun*

CONFIDENTIAL
AL IED CONTROL COMMISSION

INCOMING MESSAGE

7203

TO: AFHQ RPTD AAI COS NATOUA ACC SARDINIA FOR SIMMONS ACC by hand
FROM: ITALIA SIGNAL MESSAGE CENTER No: _____
REFERENCE No: O 575 CLASSIFICATION: _____
DATE AND TIME OF ORIGIN: OCT 061420A PRECEDENCE: ROUTINE 28 OCT Recd .
OFFICE OF ORIGIN: _____

CONFIDENTIAL. Further to our O 573 dated 3 Oct. 400 SLAVS also in
CALABRIA DIV.

Dist

Info-Action-O o S (3)
Info -A/CC
Pol Sec
Disper & Rep
File (2)
Float



4594

CONFIDENTIAL

DATE and Time of RECEIPT OCT 061900A

Distribution:

Copy passed for 'A' files

CONFIDENTIAL
 ALLIED CONTROL COMMISSION
 INCOMING MESSAGE

6885

TO: AFHQ RPTD AAI SOS NATOUA ACC SARDINIA FOR SIMMONS ACC BY HAND
 SIGNAL MESSAGE CENTER No: 25/03
 FROM: MMIA CLASSIFICATION:
 REFERENCE No: .573 PRECEDENCE: IMPORTANT
 DATE AND TIME OF ORIGIN: OCT 3/1600 OFFICE OF ORIGIN: CITE: NONE

CONFIDENTIAL. REQUEST FUTURE POLICY ON YUGOSLAVS AT PRESENT WORKING FOR ALLIES.
 5000 PERSONNEL ARE CLASSIFIED AS USITIS IN CORSICA. 1400 PERSONNEL ARE INCL IN 205 DIV
 IN SARDINIA. IF POLICY IS NOT TO SHIP TO MAINLAND IT WOULD APPEAR THAT SARDINIA AND CORSICA
 WOULD BE DOMINATED BY YUGOSLAVS ON WITHDRAWAL OF ALLIED FUNDS. IF POLICY IS TO SHIP TO
 MAINLAND WHAT TYPE OF EMPLOYMENT IS ENVISAGED IN VIEW POLITICAL COMPLICATIONS.

ACC DIST

INFO-ACTION : C.O. S (2)

INFO : A/CC
 POL SEC
 DISPER & REP SC
 FILE (2)
 FLOAT

CONFIDENTIAL

OCTOBER 3/1735

DATE and Time of RECEIPT

Distribution:

File 24

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION
AND 304

Ref: 376.1.

1st September, 1944.

MEMORANDUM TO: C-5, Allied Force Headquarters
Copies to: British Resident Minister
U.S. Political Advisor.

We enclose a copy of a letter from the Italian Prime Minister to the Acting Chief Commissioner regarding incidents which have occurred in Corsica involving Italian troops. These incidents raise two questions. First, whether Italian Service personnel in Corsica should or should not be subject to local jurisdiction; secondly, what arrangements be made to prevent the recurrence of these incidents, such as keeping Italian Service personnel within restricted areas or withdrawing them altogether from Corsica.

2. As regards the first point we have been advised by the Legal Sub Commission that a special agreement would be necessary between the French and Italian authorities to entitle Italian Service personnel in Corsica to be tried by Italian courts. In the absence of any such agreement the French courts have jurisdiction. We have sounded the French member of the Control Commission, General de Levin, on this question and, after he had consulted the French member of the Advisory Council, he expressed the same views as those held by the Legal Sub Commission. General de Levin went further and pointed out the difficulties of arriving at any Franco-Italian agreement at the present time to entitle the establishment of Italian courts in Corsica. In the first place, France was still technically at war with Italy and, as a question of principle, it would be incongruous to negotiate any such agreement. In the second place, the French provisional government was at the moment entirely concerned with its establishment in France and it was improbable that they would undertake any such negotiation at this for the present. Finally, the Italians in Corsica were in no worse position in this respect than French Service personnel had been in Great Britain: the French, therefore, could have little sympathy with Italian arguments about "honour".

3. As regards the second point, the Italian Under-Secretary for War has already raised with the Army Sub Commission the question of the withdrawal of Italian troops from Corsica and for convenience we attach the relevant correspondence. From this correspondence it will be seen that the Army Sub Commission have recommended that when there is no further need for these Italian troops they should be transferred from Corsica to their homes and be demobilized. It is not known where their homes may be and it is fully realized that as these soldiers do not speak Italian, they may come from areas to which it would be impossible at present to return them. Nevertheless, their withdrawal from Corsica and demobilization would have obvious

/advantages

23

- 4 -

advantages from the point of view of the Army Sub Commission, as well as from the point of view of Franco-Italian relations.

4. It will be appreciated if in due course we may be informed what reply should be returned to the Italian Prime Minister's letter. In the meantime the Italian Foreign Office are being told orally that it is very doubtful whether there is any prospect of their obtaining satisfaction so far as the question of jurisdiction is concerned.

H. A. Gooch
Vice-President

Copies to: British High Commissioner in Italy
U.S. Representative on the Advisory Council
Army Sub Commission, H.A. A.C.C.

4661



Rough Translation

Rome,

7 Aug 1944

HQ AGC, APO 394
458 Sec'y Gen.
Rec'd 8 Aug 1945
By SKH

Dear Admiral,

In the course of the last few months there have been in Corsica numerous incidents between Italian and French troops, some of which are reported in the attached list.

Neither the intervention of the Command of the Italian troops stationed in the Island, nor the steps taken informally with the French Committee in Algiers, have up to date yielded any practical result, either in refraining the French troops from acts of provocation towards the Royal Army and Royal Navy, or in respect of obtaining recognition for the Italian troops, in accordance with generally accepted international usage, of a status corresponding to their activity and to their qualification of members of armed units in foreign territory.

3 Encls

On the contrary, the incidents have gradually reached such gravity that, accepting the viewpoint of General Lazzarini, Commanding Italian troops in Corsica, the Allied Command considered advisable, last May, to authorize the return to Italy of the units of the 7th Italian Army Corps which had continued to serve in Corsica after the end of the operations against the Germans for the liberation of the Island and after the return to Italy of the major part of the said Army Corps.

After the withdrawal of these troops, last May there remained in Corsica a group of Companies of ¹⁵⁰⁰ 900

Admiral Ellery W. Stone, U.S.N.
Acting Chief Commissioner.
Allied Control Commission.
R O M E.

=====

See 22



2)

8

specialised troops, composed of a Company of the Forestry Militia and 25 Companies of troops drawn from Italian provinces bordering on Yugoslavia. Furthermore, there remained the Members of the Commission for the Liquidation of war damages in Corsica.

The incidents, however, continued, always against Italian officers and N.C.O. and the staff of the Liquidation Commission, reaching such proportions as to induce the Italian Command, in agreement with the Allied Command, to withdraw temporarily to Sardinia, in May last, the 25 Companies abovementioned. The advisability of withdrawing also the Officers and personnel of the Liquidation Commission was also examined.

It is evident that similar solutions, whilst they are not the most suitable to ease the discomfort to which Italian officers and men are subjected owing to the attitude of the French Authorities and troops towards them, give, on the other hand, no guarantee that similar incidents will cease. In fact, even if all the Italian officers and troops still there were to be withdrawn, the presence of Italian Army and Naval units, either in Corsica or other French territory, cannot be avoided for the future for operative reasons, as the British Naval Authorities have themselves pointed out, as for example, in connection with the calls of Italian vessels in French ports.

Furthermore, there is another aspect of the question which I consider even more serious, namely, ⁴the ³fact that the French Authorities have decided that Italian troops must be subject to local jurisdiction, as any civilian.

This is a juridical principle unacceptable to



3)

the Italian Government, not only because it is contrary to international juridical custom, but because it is incompatible with military dignity and honour.

In fact, to submit Italian troops on duty on French territory to local jurisdiction is equivalent to non-recognition of their military status.

To ask that they be tried by an Italian Military Court does not mean, on the other hand, that certain offences would not be punished, nor in effect, that they would not be as seriously punished as by the local jurisdiction. 5

I enclose herewith a list of Italian soldiers and sailors who are at present detained in French prisons in Corsica. I should be grateful if you would kindly approach the Allied High Command in order that the juridical position of Italian troops on French territory be clarified and, particularly, in order to obtain that the troops at present in prison, awaiting trial, be duly handed over to the Italian Military Authorities. 1 \

I enclose also copy of a letter, dated 27th April 1944, from the Commander of the French Army Corps in Corsica, General Martin, wherein he justifies the French viewpoint, at least as regards this particular case, by stating that the application of the French penal law was due to the fact that the incident had taken place on French soil and that French civilians were involved.

I wish to recall in this connection that the territorial principle of penal law offers some exceptions, one of them being the immunity from local penal jurisdiction of members of foreign armed forces.

The fact that French civilians are involved

4) 6

in the incident does not make less valid the above principle, but can have the only consequence that such civilians would be tried by the local Court, whilst the military would be tried by the Military jurisdiction of the State to which they belong.

The attitude adopted by the French authorities appears, furthermore, to be based on the standpoint that Italian troops in Corsica should be considered as workmen and not as troops engaged on specialised work.

The speciosity of the argument is evident when it is considered that Italian troops in Corsica are there serving as specialised units of the Royal Army and Royal Navy and that, for this very reason, are attached to allied military formations. They are not therefore independent individuals or members of civil labour units, militarized or otherwise, but are troops incorporated in military formations.

I shall be most grateful, dear Admiral, for all the kind attention you will give this matter, the moral value of which is obviously very great, and on which, as a question of principle, we could hardly compromise.

I feel sure, on the other hand, that the Allied Military Authorities under whose orders Italian troops work in Corsica, will not allow that these units who are contributing so loyally to the common cause be subjected, on a territory where so many Italian lives have been lost in the common fight against the Germans, to a treatment not consonant with military honour.

Believe me, dear Admiral,
Sincerely yours,

Walter Bonanni

5

LIST OF INCIDENTS INVOLVING ITALIAN TROOPS

Affecting members of the Royal Army :

On February 2nd, 1944, artilleryman Antonio Salomone, at present on duty with the 320 Service Group was driving his lorry, Lancia 3 RO, licence plate R.E. 964I on the road along the Sports Camp of Ajaccio when an argument occurred with some French troops on a lorry which had previously damaged the left front mudguard of the Lancia. Artilleryman Salomone was manhandled and later, some ~~hand~~ ^{hand} ~~granad~~ ^{granad} having been found under his seat, he was handcuffed and taken first at the Police station and subsequently to the French hospital for treatment.

On February 10th, 1944, Artilleryman Giovanni Jodice was returning from Casamozza driving a military lorry when he was stopped by a small car on which were a French officer and four French soldiers. With no apparent reasons, the Officer repeatedly hit Jodice and then left together with the other soldiers.

On February 14th, 1944, Artilleryman Quinto Gianfelice stopped for a drink of a water whilst from Ajaccio he was going to Bastia driving a military lorry. He was surrounded by a threatening group of French troops and civilians. On his withdrawing from the spot, two shots were fired against him, but was not hit.

On April 3rd, 1944, near the wharf of the port of Ajaccio, Bersagliere Igino Zucchelli, attached to a French Command, was, without reason, and in the presence of French troops and civilians, slapped in the face by a Corsican captain, commanding a Company of Moroccan troops embarking for the Italian front.

On April 7th, 1944, a N.C.O. Italian driver, was taken to the Police station of Ajaccio for the control of his identity papers, when he was slapped and insulted by the police in uniform.

A similar incident occurred in the zone of Mezzana in respect of two Italian soldiers on the part of a N.C.O. of the French police. 4506

On April 7th, 1944, an Italian military lorry in transit in the zone of Zonza was fired at : one shot went through the driver's door, but fortunately no one was hit.

In the late afternoon of April 9th, at Cauro, several soldiers of the 7th Car Centre, intervened in a violent discussion between two American soldiers and several local civilians, with the aim of stopping the row. The civilians, reinforced by others who rushed from the nearby houses, armed with sticks and pistols,

-2-

turned against the Italian soldiers, much inferior in number and unarmed (according to existing orders) hitting some of them with their sticks and firing several shots which fortunately hit nobody.

On the afternoon of April 9th, at Vezzani in the course of a fight between several engineers of the 106th Signal Company and a group of civilians, who had provoked them, three engineers were severely knifed in the back, rendering necessary their transport to the Hospital of Corte.

On April 12th, Sargeant Giovanni Strazzabosco, on duty with the American Command at Ajaccio, whilst he was returning, at 9 p.m. to his barracks, was assaulted in Corso Napoleone by French sailors and civilians. Repeatedly hit, the N.C.O. was able to able to disengage himself; was however caught again, trown to the ground and severely manhandled. Seeing himself lost, Strazzabosco threw against the assailants a hand grenade he had in his pocket, wounding several civilians. Strazzabosco, hardly able to stand, tried to escape through a small alleyway, but was once more assaulted and knifed in the back. Having fallen to the ground he was stamped on and again hit. Taken to the Police Station he was again manhandled by the Police. He is at present detained.

Numerous other incidents are reported in respect of Italian officers members of the Mixed Commission for war damages, in the course of their enquiries for damages sustained, in the form of insults and threats. These incidents are all the more serious as they generally took place in the presence of French officers, members of the same Commission, who always adopted a passive attitude, and not always only passive.

Affecting personnel of the Royal Navy :

On the evening of March 31st several Italian sailors, stationed at Bastia, reacted towards some French soldiers who had insulted them in a house of ill-fame. After having returned to their barracks, they again had a fight with French sailors : two of the latter were hit with hand grenades.

The local French police arrested 7 Italian sailors.

The British Naval Command at Bastia, to which are attached the Italian naval units, sent one of their Officers, Lieut. Clark to the Police station, where the French Commissioner pointed out that in Corsica Italian troops are considered civilians and as such tried. It is further reported that several of the abovementioned Italian sailors were manhandled in prison by the French police.

On the evening of April 4th, at Bastia, following the incident of March 31st, above mentioned, six French sailors and an armed civilian assaulted a N.C.O. and three Italian sailors

3

-3-

who were returning to barracks. One of the sailors was caught, immobilized and threatened with a knife. Through the intervention of another sailor, armed with a knife, he was saved from certain death. An exchange of shots ensued, fortunately without consequences. Following this incident seargent Rason was arrested by the French police.

On April 12th, at Ajaccio, whilst the personnel of the corvette "IBIS" was returning on board, was assaulted by a large group of French sailors who, assisted by a large body of boys armed with stones, and by several civilians, severely hit them with sticks and stones. The personnel at last managed to get on board with the help of the American Police and little assistance on the part of the French Police. One man was wounded and several badly hurt.

Subsequently the crowd crossed the precinct of the port towards the corvette anchored at the wharf. The Commander of the "IBIS", after having made arrangements for an eventual armed defense, left the wharf for another anchorage. The French sailors fired a shot which slightly wounded the Commander in the cheek.

In the port of Ajaccio, for the last 8 months, two Italian tugboats, "TURBINE" and "LUIGI", of the Royal Italian Navy, carryout all the work of the port. The living conditions of the crews of the two tugboats are always precarious owing to the continuous attacks and threats of the French sailors, soldiers and civilians.

On April 16th, the tugboat "LUIGI", doing service to a French cruiser was the target of spitting and rubbish; the Italian crews were also threatened by the sailors of the French cruiser notwithstanding the presence of their Officers.

During the night of April 23rd, six or seven French sailors went on board the tugboat "TRUBINE", armed with knives, with the intention of assaulting the crew. The expedition failed owing to the intervention of the Commander of the tugboat.

4584

2

LIST OF ITALIAN SOLDIERS ARRESTED IN CORSICA
AND THERE DETAINED.

January 27th, 1944	-Engineer Leone COLLURA - 9th Hydro Company EEVINCO
March 31st, 1944	-Vice Chief Electrician) COZZANI) -Vice Chief Torpedoman) Embarked on BONVICINI) M.S. 24 - ViceChief Engineer) TRUSIANI) - Radio-telegraphist) BRUNO) - Torpedo-firing) TREVISAN) - Gunner CASATI) - Second navigator) GALLETTI)
April 4th, 1944	- Seargent RASON - Bastia
April 12th, 1944	- Seargeant R.E. STRAZZABOSCO - American Command-Ajaccio
April 24th, 1944	- Caporal Giovanni CALLEGARO - 2nd AutoUnit Bastia

4583

C O P I A
COMMANDEMENT FRANCAIS
DES OPERATIONS EN CORSE

P.C., le 27 avril 1944

Etat Major
2^e Bureau
n° 1276/S/2

Le Général de Corps d'Armée Henry Martin,
Commandant Français des Opérations de Corse,
Commandant les Forces Terrestres Françaises
et Alliées en Corse

à

Monsieur le Général Commandant les Troupes
Italiennes en Corse.

Objet: SÉRGENT STRAZZABOSCO Giovanni -

En réponse à votre lettre n. 3003 en date du 23
avril 1944 au sujet de l'incident auquel s'est trouvé mêlé
le SÉRGENT STRAZZABOSCO Giovanni, j'ai l'honneur de vous
faire connaître que cette affaire qui s'est passée en terri-
toire français et à laquelle sont mêlés des civils français,
est de la compétence des Tribunaux français.

Le SÉRGENT STRAZZABOSCO, inculpé de coup et
blessures volontaires pour lancement de grenade, a été
arrêté.

Une information est actuellement ouverte
lui.

4382
Signé : MARTIN

20

General Browning,
Army Sub Commission.

1-14

/with you

I apologise for inflicting this large bundle of papers and minutes on you. But I think that you should see it before we write to A.F.H.Q. in the sense of my minute of the 29th August in case Italian military authorities have also raised the question of the treatment by the French of their Service personnel. In particular it would be helpful to know how many Italian troops are still on the island and whether any decision has already been taken to withdraw them.

W. Hopkins
for H. A. Caccia ✓/Cdr

Political Section,
31.8.44.

Mr Caccia.

The attached explains
the situation

1 Sept.
Rome

L. Browning
Maj. Gen.

4581

SUBJECT: Italian Troops in CORSICA

Army Sub Commission (AMIA)
H.Q. A.C.C.
R O H L

29/14/1

29 Aug 44

A.F.H.Q. (through Hq A.A.I.)

1. Attached copy of translation of letter from Italian Minister of War is forwarded for your information.
2. The situation of the Italian Army in CORSICA is summarized as follows:-
 - a. Approximately 5,000 Italian Army troops are in CORSICA working under U.S. Command. With the exception of a few Italian officers these troops are non-Italian speaking, being of YUGO-SLAV origin.
 - b. Due to difficulties between the Italian and the French, the Italian officers exercise no command of the troops. Their function is solely confined to administration of the troops and paying them for the Italian Government.
 - c. The troops are organized under U.S. control and their operation and messing is under U.S. control.

3. It is not practicable to send Italian officers to CORSICA to command these troops. The information reaching the Minister for War that U.S. command personnel would soon be withdrawn had not previously reached this Hq. However, it is probably correct, as the need for these troops in CORSICA will cease whenever NORBASE is moved from the island.

4. It is recommended that when NORBASE has no further need for these troops and U.S. personnel is withdrawn that these troops be transferred from CORSICA to their homes and be demobilised as they cannot form a suitable part of the Italian Army on account of racial difficulties. This 5,000 allowance for service troops could either be made up by the formation of new Italian units suitable for Allied use, or the ceiling be reduced, *-preferably the former.*

L. Branning

AX

Major General
Army Sub Commission AGC

4580

1. Attached copy of translation of letter from Italian Minister of War
recommended for your information.

2. The situation of the Italian Army in COBISICA is summarized as follows:
 - a. Approximately 5,000 Italian Army troops are in COBISICA working under U.S. Command. With the exception of a few Italian officers these troops are non-Italian speaking, being of YUGO-SLAV origin.
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 - c. The troops are organized under U.S. control and their operation and messing is under U.S. control.
3. It is not practicable to send Italian officers to COBISICA to command these troops. The information reaching the Minister for War that U.S. command personnel would soon be withdrawn had not previously reached this HQ. However, it is probably correct, as the need for these troops in COBISICA will cease whenever NURESE is moved from the island.
4. It is recommended that when NURESE has no further need for these troops and U.S. personnel is withdrawn that these troops be transferred from COBISICA to their homes and be demobilized as they cannot form a suitable part of the Italian Army on account of racial difficulties. This 5,000 allowance for service troops could either be made up by the formation of new Italian units suitable for Allied use, or the ceiling be reduced. *-preferably the former*

Major General
Army Sub Commission ADC
M M I A

0347

Copy to Political Section HCE
on 1 Sept.

TRANSLATION

SUBJECT: Cadre of non-Italian Speaking Coys in CORICA

Italian Ministry of War
Cabinet

Ref No: 12319/3.4

Date: 26 AUG 44

Military Mission to the Italian Army

As you are already aware it was decided some time ago to withdraw all Italian troops from CORICA owing to the hostile attitude of French military, civilians and authorities.

About 5,000 Italian military (non-Italian speaking) were left on the island employed on labour under Allied control.

As serious incidents continued to take place, which particularly victimized officers and senior NCO's of said non-Italian speaking units, an agreement was finally arrived at between Gen LAMBERTI and the American HQ in CORICA, whereby all Italian officers and NCO's were withdrawn and American officers formed the Cadre of the Coys leaving to the Italian officers the adm and disciplinary control only of the Coys.

This solution greatly improved the situation.

Nevertheless the Allied Authorities in CORICA have recently requested that non-Italian speaking Italian officers and NCO's be appointed to command these Coys as the American officers cannot be retained in these Coys any longer.

As far as the NCO's are concerned we have been able to solve the matter at once by promoting the best men of the units to I/Sjts and Sjts.

We cannot however meet the demand for Italian speaking officers for the 26 Coys as such officers are not available in liberated ITALY.

On the other hand, bearing in mind the situation, we do not consider it would be advisable to send Italian officers again to CORICA and 4618d strongly advise that officers and possibly NCO's in charge of these Coys continue to be American or English.

Should you not consider this solution feasible it would become imperative to send Italian officers provided, of course, their freedom of movement and respect was guaranteed by the local French elements.

I call your attention to this delicate matter and sincerely trust that you may be able to decide favourably.

Date: 26 Aug 44

Military Mission to the Italian Army

As you are already aware it was decided some time ago to withdraw all Italian troops from COBIA owing to the hostile attitude of French military, civilians and authorities.

About 5,000 Italian military (non-Italian speaking) were left on the island employed on labour under Allied control.

As serious incidents continued to take place, which particularly victimised officers and senior NCO's of said non-Italian speaking units, an agreement was finally arrived at between Gen LAMARCA and the American HQ in COBIA, whereby all Italian officers and NCO's were withdrawn and American officers formed the Cadre of the Coys leaving to the Italian officers the admin and disciplinary control only of the Coys.

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As far as the NCO's are concerned we have been able to solve the matter at once by promoting the best men of the units to L/Sjts and Sjts.

We cannot however meet the demand for Italian speaking officers for the 26 Coys as such officers are not available in liberated Italy.

On the other hand, bearing in mind the situation, we do not consider it would be advisable to send Italian officers again to COBIA and ⁴⁸ 26 Coys. We strongly advise that officers and possibly NCO's in charge of these Coys continue to be American or English.

Should you not consider this solution feasible it would become imperative to send Italian officers provided, of course, their freedom of movement and respect was guaranteed by the local French elements.

I call your attention to this delicate matter and sincerely trust that you may be able to decide favourably.

(abc)

signed Gen. GALIA

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION

15 29 August 1944

TO: 1 - Colonel Wilmer
2 - Acting Chief Commissioner

HQ ACC. APO 394

901 Sec'y Gen.

Rec'd 30 Aug 1944

By *OK*

As suggested in my minute of the 25th August this question has been referred to General De Sevin and the French Authorities. Their opinion is contained in the note attached which in brief agrees with the view stated by Colonel Wilmer, namely that a special agreement would be necessary to entitle Italian service personnel in Corsica to be tried by Italian courts. In the absence of any such agreement the French courts have jurisdiction and General De Sevin pointed out to me the difficulties of arriving at any such agreement at the present time. In the first place, France was still technically at war with Italy and as a question of principle it would be incongruous to negotiate any such agreement. In the second place the French Provisional Government was at the moment mainly concerned with its proximate transfer to French territory and it was scarcely probable that they would undertake any such negotiation as this for the present. In any case the Italians in Corsica were in no worse position in this respect than French service personnel in Great Britain: the French therefore could have no sympathy with the Italian arguments about "honour".

We therefore get driven down to Paragraph 5b of Colonel Wilmer's minute, i.e. the withdrawal of all Italian Military personnel from Corsica or keeping them within their own military areas. As to that I gather from the Prime Minister's letter that the majority of Italian troops have already been withdrawn; but I do not know whether it would be worth while bringing this aspect to the attention of A.F.H.C. with a suggestion that if all Italian troops cannot be withdrawn American & British authorities

In the meantime I would suggest that I should see Sig. Prunas and tell him that there is "nothing doing" over the question of jurisdiction.

HAC
H.A. CACCIA

OK by
I approve the foregoing
Revised H.A. Caccia
29 Aug 1944
col acc
a/c

4578

in
Corsica
should
be asked
to do
if in
best to
prevent
incident's
arising

27 Août 1944

NOTE

10) Les questions soulevées par la présence de formations militaires italiennes en Corse sont de la compétence des autorités françaises.

Si toutefois ces questions soulèvent des incidents qui seraient de nature à nuire à l'effort de guerre commun, il va de soi qu'il appartiendrait aux autorités militaires alliées d'en saisir directement les autorités militaires françaises soit en Corse, soit à Alger, pour les régler d'un commun accord.

Les autorités italiennes étaient d'ailleurs sans doute du même avis sur cette question de compétence puisqu'elles ont, il y a quelques mois, saisi officiellement la Délégation française au Conseil Consultatif pour les Affaires italiennes des difficultés dont elles avaient eu connaissance. Des enquêtes ont été faites à la demande de la Délégation française et le Ministère des Affaires Etrangères italien a été informé d'une manière précise de la position du Gouvernement provisoire.

20) Sous réserve de cette position de principe sur la compétence, il est bon que la Commission de Contrôle Alliée soit informée à son tour du point de vue français.

Deux questions sont soulevées par la lettre de M. Bonomi : d'une part, les incidents dont auraient été victimes des militaires italiens, d'autre part, le problème de la juridiction compétente pour juger ces derniers lorsque des délits sont commis par eux sur territoire français, en fait en Corse.

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a) Sur le premier point, les incidents signalés par M. Bonomi sont de date déjà ancienne et antérieure à l'évacuation de Corse des unités militaires italiennes proprement dites. Ils n'ont pas au surplus un caractère de très grande gravité et, sans parler des cas où ils peuvent être provoqués par l'attitude des militaires italiens eux-mêmes, on ne saurait s'étonner que de tels incidents aient lieu dans un territoire qui a été occupé pendant dix mois par l'armée italienne, où la population a été soumise à un régime très rigoureux, et ceci à une époque où le gouvernement italien affirmait sa prétention d'annexer le département de la Corse.

b) La question de la juridiction compétente est une question au sujet de laquelle le juriste de la Commission de Contrôle a donné un avis qui concorde avec le point de vue adopté par le Gouvernement français. Sauf accord spécial, les militaires étrangers doivent être jugés par les tribunaux locaux. Il n'y a rien là qui soit contraire à l'honneur et à la dignité militaires. A titre de référence on précisera que tel est le régime appliqué en Grande-Bretagne aux militaires français, aucun accord spécial n'étant intervenu qui aurait, comme c'est le cas pour les troupes américaines stationnées dans ce pays, attribué compétence aux tribunaux spéciaux de l'armée intéressée./.

qui a été occupé pendant dix mois par l'armée italienne, ou la population a été soumise à un régime très rigoureux, et ceci à une époque où le gouvernement italien affirmait sa prétention d'annexer le département de la Corse.

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45.6

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

Ref / /CA

25th August 1945

SUBJECT: Italian Troops in CORSICA

TO : Lt. Col. Brown, Liaison Officer

1. With reference to the last minute in this correspondence by Mr. Caccia will you please find out what General de Sevin's views are and let me have it back as soon as possible.

G. Z. I. SHIPP

G. Z. I. SHIPP
Lt. Colonel

4575

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION

TO: Acting Chief Commissioner

SUBJECT: Jurisdictional Position of Italian Troops in
French Territory.

This appears to be a case for decision by higher authority and to involve an investigation by Allied authorities on the spot as a continuation of incidents such as these indicated is detrimental to the war effort. At any rate, an attempt at an agreement as to jurisdiction should be made, preferably as indicated by Colonel Wilner. Such an agreement between the U.S. and France worked excellently at Oran. Both sides also had a verbal agreement to permit an observer of one of the sides to attend court sessions of the other where nationals of the two countries were involved.

As a matter of possible interest, the senior American Army Commander in Corsica, Brigadier General Ratté, has reported that the conduct of the Italian troops under his authority, mostly Yugoslavs by origin, has been excellent.


WILLIAM W. SCHOTT

P.S. From what Pennings told me yesterday I gather that the Italian Govt may have raised this question informally with the French representative on the Advisory Council. Before putting up any proposals to AFHQ it might therefore be as well to find out from General de Serin what has passed & what French reaction is here. HHC 25/vm.

4574

14

Acting Chief Commissioner

Jurisdictional Position of Italian
Troops in French TerritoryPolitical Section
R.C. & R.G. Section) IN TURN

A/CC 014.13

15 August

13

1. Reference Legal Sub-Commission's letter ACC/4162/L of 14 August 1944, subject as shown above.
2. Forwarded for recommendations.

MILERY W. STONE
Captain, USNR
Acting Chief Commissioner

2 Incls:

- 1 - Ltr (see para 1 above)
- 2 - Translation of ltr of 7 Aug 44 from Ministry of Foreign Affairs (with 3 inclosures)

13

4573

Hq ACC - Sec'y Gen.
DISPATCHED
Date-Time 15 Aug 1944
Via 21491
Initials 1314R

Fees H. 1314R

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

RHW/pa.
14 Aug 44.

ACC/4168/L.

SUBJECT : Jurisdictional Position of Italian
Troops in French Territory.

TO : The Acting Chief Commissioner.

HQ ACC, APO 394
615 Army Gen.
Rec'd 14 Aug 1944
By RRB

1. Reference your A/CC 014.13 dated 9 August 1944,
received in the Legal Sub-Commission to-day.

2. There appear to be two possible classes of cases in-
volved (a) offences by Italian military personnel against French
citizens military and civilian and (b) offences by French ci-
tizens military and civilian against Italian military personnel.

3. Taking up the first class, in the absence of occupa-
tion as in this case, difficulties have always arisen where
troops of one nation are on the soil of another. Ordinarily the
military tribunals of the nation whose soldiers are on foreign
soil should have the right to try them for offences committed
against citizens of the other nation. However, this seems ge-
nerally to have been the matter of agreement or statute, indicat-
ing that in the absence of such agreement or statute the local
tribunals may assume jurisdiction. There has been a contrary con-
tention at times, but I have never thought it well founded in
view of the fact that it has been thought necessary to make
agreements or to enact statute to take care of the situation.
For instance in the last war the United States and France
entered into an agreement whereby our Courts Martial would have
exclusive jurisdiction in absence of waiver to try American mi-
litary personnel for offences against French nationals. I be-
lieve similar arrangements were made between Great Britain and
France. In this war Great Britain enacted a statute to give
effect to the same principle as to American military personnel
in the U.K. and likewise Australia enacted a statute to the
same end. As I recall it the Darlan agreement contained a pro-
vision that accomplished the same purpose in North Africa, just
as our reservations as to unoccupied territory in Italy provide.
Consequently in the absence of such agreement or statute the
French, consistent apparently with their previous policy, I

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believe have the right to try Italian soldier for offences against the French.

4. As to the second class of cases, the French Courts civil or military as the case may be would have the exclusive right in Corsica to try French nationals for offences against Italian military personnel.

5. To avoid the present difficulty there appear to be only two courses to follow :

(a) Have an agreement or understanding that for offences by Italian military personnel ~~the~~ Italian military tribunals shall have exclusive jurisdiction and for offences against Italian military personnel committed by French military personnel or civilians the French Courts shall have exclusive jurisdiction. A formal agreement may be considered objectionable on several grounds but certainly some understanding could be reached which would have the same practical effect if the high authorities in Corsica of both nations will abide by it in good faith.

(b) Withdrawal of all Italian Military personnel from Corsica or keeping them within their own military areas. These are tactical matters the practicability of which can be determined only by higher military authority.

6. I return herewith the translation which you transmitted. If you have an extra copy I would be glad to have it for possible future reference.

Richard H. Wilmer
RICHARD H. WILMER,
Colonel, C.A.C.,
Acting Chief Legal Officer.

4571

BWS/a/p

A/CC 014.13

9 August 1944

My dear Mr. Prime Minister:

This is to acknowledge receipt of your letter 00296/3 of 7 August 1944 wherein you requested the Commission to approach the Allied High Command relative to the jurisdictional position of Italian troops in French territory.

I have submitted this matter to the Legal Sub-Commission for opinion. Upon receipt of opinion and recommendation from them I will take further appropriate action.

Very truly yours

HELMUTH W. STONE
Captain, USNR
Acting Chief Commissioner

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

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No. A.C.C. Sec'y Gen.
DISPATCHED
Date-Time 10 AUG 1944
Via 1050
Initials 41

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Files A/C/701

Office of the Acting Chief Commissioner

Jurisdictional Position of Italian
Troops in French Territory.

Administrative Section
(For Legal Sub-Commission)

A/CC 614.13

9 August

4

1. Attached is copy of translation of letter 00296/3 from H.E. Bonomi dated 7 August 1944, requesting the Allied Control Commission to "approach the Allied High Command in order that the position of the Italian troops in French territory be clarified", etc.

2. Your comments and recommendations will be appreciated.

Incl-
as in para 1 above.

Stone.

1-9 10

763

Hq A.C.C. - Sec'y Gen.
DISPATCHED
Date-Time 10/10/50
Via [initials]
Initials [initials]

Files A/CC/400

Ref: P/376.1/385

Subj: Trial of Italian Servicemen
in Corsica by French Courts.

January 11th, 1945

To: G-5 Section, Allied
Forces Headquarters.

Reference G-5 memorandum, G-5:014.13-7 of November
25th, 1944.

1. Attached hereto is a copy of a memorandum from the Italian Ministry of Foreign Affairs regarding the alleged intention of the French authorities in Corsica to try Italian servicemen in French civil courts in contravention of accepted international practice.
2. It is requested that this matter may be raised with the Provisional Government of France through diplomatic channels as in previous cases and this Commission informed in due course of the nature of the reply to be returned to the Italian Government.

For the Chief Commissioner:

H.I.G.A. HOPKINSON,
Acting Vice-President,
Political Section.

Copies to: U.S. Political Advisor,
British Resident Minister at AFHQ,
U.S. Embassy,
British Embassy,
Land Forces Sub-Commission, AG.

4568

1 enclosure: copy of HPA
memorandum
of 2nd Jan.
1945

376.1/385

H.H.

I suggest we send
a copy of his memo to
S-2 with a copy of previous
action & ask them to
take the matter up. Or
if also ask the Dept.

Need this go up

to C.O.S.S.
General he had
before see the diff
6/1/75

Ministero degli Affari Esteri

Mr. Halford

There are pps

6/6/2

Mr. Jan 5

MEMORANDUM FOR THE POLITICAL SECTION A.C.

The Ministry for Foreign Affairs, with reference to President Bonomi's letter to Admiral Stone n° 29613 of August 7th, feel themselves bound to draw again the A.C.'s kind attention to a question which, though envisaging a limited number of cases and persons, is extremely important as it concerns the fundamental principles of any military collaboration in all countries and all nations.

As the A.C. are certainly aware, by order of the Allied Command Italian military detachments have remained in Corsica for special purposes. The men belonging to these detachments now find themselves in a particularly painful situation owing to the fact that the French Authorities refuse to recognize their juridical status.

Unfortunately, these soldiers have been often involved in incidents, some of them extremely regrettable, following which the French Authorities have seen fit to subject members of the Italian Armed Forces to the jurisdiction of the ordinary Courts of the Island.

As some of these trials are scheduled to take place in the near future (see encl. 1) the Ministry for Foreign Affairs wish to interest the A.C. in obtaining that the Italian soldiers detained in Corsica be committed to the competent Italian military Courts.

4863

This request is based on principles of international law.

The Italian soldiers in Corsica, like those operating in any other territory non-subject to Italian sovereignty, are incorporated in regular units under Italian commands recognized and accepted by the United Nations. They must therefore be com-

P.T.O.

considered as forming an expeditionary force abroad destined to cooperate with the Armed forces of belligerent States.

The situation, therefore, of our troops in Corsica must be viewed in the light of the principles of International law which are expounded in several agreements (amongst others the 1910-French declaration of July 4th - August 13th 1917) with which the Italian penal military legislation complies. According to these principles, the military formations of a State, should they be authorized to stay on the territory of another State, remain exclusively subjected to the penal military jurisdiction of the State to which they belong and are therefore exempt from the penal jurisdiction of the country in which they find themselves. Therefore, according to the Italian military penal law code (art. 235-237) the members of an Italian military corps operating in foreign territory, are exclusively liable to Italian military jurisdiction.

These principles of international law can be modified only through freely-stipulated agreements between subjects of international law. No agreement to this effect, has, however, been stipulated between Italy and France and should even the French allege the existence of a law derogating from this principle, this law internationally would have no relevance.

An important precedent in favour of the Italian point of view is to be found in a previous case which took place in Corsica.

Following some incidents at Lumio (Calvi) between Italian aviators and Corsican civilians, in which two of the latter were killed, a trial was held before the military Court of Oristano. The 6 aviators charged with manslaughter were tried, by order of the Supreme Allied Command, in Bardonia. One of them was condemned to 24 years prison. A Commission, presided by an American Colonel and with a French Major as member, were

Ministero degli Affari Esteri

- 2 -

present at the trial. The French, in this case, agreed to the trial taking place in Savona and sent there the witnesses of French nationality.

This procedure constitutes an acknowledgment of the competence of the Italian Military Courts as regards offences committed by Italian soldiers in French territory.

The Italian Government have repeatedly requested the French Authorities to provide an equitable settlement of the question. The French, however, have objected that in the present state of the relations between the Italian and French Governments, and before the establishment of these relations, it would be venturesome to establish the jurisdiction of the Italian Courts in French territory, and have refused to recognize their quality as judges of military collaboration for-
national.

As the Italian servicemen now in the judgment are in custody on request of the Allied Command (that this cannot be ignored by France in the same way in which they cannot ignore the recognition of the Allied Governments of one status of collaboration), the Ministry for Foreign Affairs feel themselves compelled to appeal to the A.C. in order to obtain that the exclusive competence of Italian jurisdiction as regards these servicemen be recognized by the French Authorities.

Rome, January 2nd 1945



ELENCO DEI MILITARI ITALIANI ARRESTATI IN CORSICA
E TUTTORA SOLA' DETENUTI

27 gennaio 1944 Geniere Leone COLLEURA, della 9^a Compagnia - Be-
vinco. (1)

31 marzo 1944 S.C.elettricista COZZANE - M.S. 24 (2)
 S.C.silurista BONVICINI M.S. 24 (2)
 S.C.motorista TRUSIANI M.S. 24 (2)
 Radiotelegrafista BRUNO M.S. 24 (2)
 Silprista TREVISAN M.S. 24 (2)
 Cann.Armareolo CASATI M.A.S. 507 (2)
 Sottonocchiere GALLETTI M.A.S. 507 (2)

4 aprile 1944 Sergente RASON-Bastia

14 aprile 1944 Caporale Giovanni CATTOLARO - 2° Centr.Aut.Bastia.

(1) il processo avrà luogo a Bastia nelle prime settimane del
dicembre 1944.

(2) il processo avrà luogo a Bastia nel febbraio del 1945.

4565

Chief of Staff,

The attached draft letter to C-3, A.P.H., is submitted for

your approval.

7.1.45

AK

Political Section

PO Sect.

I am directed by COS to
say that draft is approved.
S. J. Davis

11.1.45.

4564

1 297

C O P Y

File

HEADQUARTERS ALLIED COMMISSION
APO 394
POLITICAL SECTION

P/505/S.A.

19 Jan 45

SUBJECT : Arrest of Italian Subject by French Police
TO : G-5 (A/HQ)

- 1 Attached is a copy of a Memorandum from the Italian Minister for Foreign Affairs regarding the arrest by the French Police Authorities of another Italian subject.
- 2 The Political Section fully share the concern of the Minister of Foreign Affairs at the arbitrary method adopted by the French Authorities in cases of this sort and it most earnestly requests the Allied Forces to raise this matter to the highest level through diplomatic channels in order that similar abuses of recognised laws may cease in the future.

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506

FOR THE CHIEF COMMISSIONER :

(Sgd)
H. L. MAPKINSON
Political Sec.

Copies to : U.S. Political Advisor
French Resident Minister

Encl: Memorandum No 6/137/68 dated 12 Jan 45
from the Minister of Foreign Affairs.-

4563

*Also related
correspondence in
8/18/44 and 11/18/44*

C O P Y

From : The Minister of Foreign Affairs

Memorandum for the Political Section, A.C.

6/137/68

The Ministry for Foreign Affairs have been informed that the Italian Citizen, Claudio SANNI, son of Battista and CALDERONI Maria, born in Siena in 1922, repatriated for reason of war from France where his family is still resident was arrested in Rome on Nov 1 1944 by the French Police and taken to the Caserma Margherita in Via Legnano where he is still in custody as suspected of having drawn a false declaration of his civil status in order to expatriate from France.

The Minister of Foreign Affairs begs the Allied Commission to kindly request the French Local Authorities to release the above mentioned as any charge against him falls under Italian jurisdiction.

Rome, 12 Jan 45

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