

0802

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

785015

ACC

10000/136/93

APPOINTMENT OF ITALY
MAR. 1944 - DEC. 1946

10000/136/93

APPOINTMENT OF ITALIAN GOV'T OFFICIALS, POLICY
MAR. 1944 - DEC. 1946

0864

LIST OF PAPER

203/CC

Office of the
Chief Commissioner

ALLIED COMMISSION

File under No. 203 APPOINTMENT OF ITALIAN GOVERNMENT OFFICIALS -
POLICY

From: 10 Mar 44

To:

SECRET

Page 2

SERIAL NUMBER	FROM-	DATE	TO-	SYNOPSIS
13	AC/4039/4/L, Stone	4 Aug 45	Parri	IG free to remove AMG appointees in territory restored to its admin.
14	Parri, 11878/2/1.3.1	7 Aug 45	Stone	Decree on AMG-apptd Ital officials.
15	AC/4039/4/L, Stone	22 Aug 45	Parri	Decree on AMG-apptd Ital Officials.
16	2372 Lombardia Fin.	15 Nov 45	Fin. S/C	Bassi gives complete satisfaction
17	P 223 HQ piemonte Reg	16 Nov 45	AC	Savio dismissed
18	Ltr Fano	23 Apr 46	CC	Resignation of post held by Fano; Incl.
19	Cbl 3278 EC	25 May 46	ACABRIT	Coppini appointed political representative
20	Cbl 3638 Stone	13 Jun 46	AFHQ G-5	Discussion - Appointment of De Gasperi as Luogotenente to King Umberto
21	Ltr 310/221/EC Knisley	10 Jul 46	Jug Deleg	Election of temporary Head of It State
22	Ltr CC 203 Stone	18 Jul 46	AFHQ G-5	Appointment of Filpo as Undersec fr Posts and Telecomm (Considerations)

1726

SECRET

G. S. Form 100 (Old No. 480)
Revised July 20, 1918

LIST OF PAPERS

203/CC

Office of the
Chief Commissioner

File No. 203 APPOINTMENT OF ITALIAN GOVERNMENT OFFICIALS-
POLICY

ALLIED COMMISSION

From : 10 Mar 44
To :

Confidential

Vol. I Page 4

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
23	Cbl 8245 SACMED NAF 1182	18 Jul 46	CCS	List of Service Ministers in new It Govt (Retention of DeCourten)
24	Cbl FX 73810 SACM NAF 1247	18 Dec 46	CCS	Resignation of De Courten; SACMED approval of appointment of Maugeri

The file has been checked to.

Confidential

1728

Confidential

203/CC

Office of the
Chief Commissioner

ALLIED COMMISSION

LIST OF PAPERS

File under No. 203 APPOINTMENT OF ITALIAN GOVERNMENT OFFICIALS,
POLICY

SECRET

Page 1

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
1	Ltr MacFarlane CC CC/P/134/000.1	10 Mar 44	Badoglio	Wish all appointments of senior officials to be approved by ACC and to enjoy prior consultation
2	Ltr 739 Badoglio	13 Mar 44	MacFarlane	No government appointment be made without previous agreement with the Commission
3	Ltr 4872 Badoglio	16 May 44	MacFarlane	Desire for consultation with ACC on all appointments down to Prefect 2 cl.
4	Ltr CC/P/314 MacFarlane	21 May 44	Badoglio	Prior consultation only on senior officials.
5	Ltr CC/P/342 MacFarlane	26 May 44	Badoglio	Agree with you that you should consult us on all appointments down to Vice Prefect.
6	9/1 A/CA Upjohn	18 Nov 44	A/Pres AC	Approval of appointment of Italian officials by AC. Considerations for MacMillan's New Deal for Italy plans.
7	Extract 216/CCS Lush	21 Nov 44		Minutes of A/Pres' conference, re surrender of Control by Allied authorities of legislation & appointment of Italian officials.
8	Extract cbl FAN 487 CCS	31 Jan 45	AFHQ AC	CCS Directive: 2(d): Allied Commission will abandon practice of approving Italian appointments in territory under the jurisdiction of the Italian Government.
9	Aide Memoire, Macmillan	24 Feb 45	Bonomi	AC will not OK appts in IG territory except certain mil appts.
10	Cbl AC ExC, 7111	6 May 45	AFHQ	In event of chg, shd new govt be required to give assurances on mil appts, etc
11	Cbl AFHQ F-74570	12 May 45	AC	Undertakings to be signed by any new Ital Govt.
12	CC 225-8, Stone	12 Jun 45	Bonomi	Undertakings to be signed by any new Ital Govt.
13a	Ltr 4168/4.7 Scelba	10 July 46		Adress of Correspondence

SECRET

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

785015

DEC 19 1946

TOP SECRET

EX 73810
DEC RPT

H/8593

DEC 180915

ROUTINE

AFHQ SIGNED SACRED CITE RHGIC
 ACTION: AGWAR WASHINGTON FOR CCS
 INFO: CABINET OFFICES WHITEHALL FOR DOS C IN C MED ALCOM
 ROME.

TOP SECRET.

23

THIS IS NAF 1247 REF NAF 1132 PARA 6.

ITALIAN GOVERNMENT HAS ACCEPTED RESIGNATION OF ADMIRAL DE COERTER
 AS CHIEF OF NAVAL STAFF.

I HAVE APPROVED APPOINTMENT REAR ADMIRAL FRANCESCO MAUGERI
 AS CHIEF OF NAVAL STAFF IN HIS PLACE AT REQUEST OF ITALIAN GOVERNMENT.

203/12

1723

AC DIST

INFO ACT: NAVY

INFO: C. COMM.

EX. COMM.

POLAD (A)

POLAD (B)

FILE

SKELETON

DEC 18 1946

24

TOP SECRET

0868

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

785015

JUL 19 1946

MESSAGEFORM		MESSAGE CENTER NO. 8245	TRANSMITTING MEANS	CRYPTOGRAPH OR CLEAR TEXT	
CALLS V	STA. NR	PRECEDENCE PRIORITY	TRANSMISSION INSTRUCTIONS	ORIGINATOR	DATE-TIME GROUP 1820198
ACTION		EXEMPT	OPERATING SIGNALS		GROUP COUNT BR 365
FROM: (Originator) SACMED CITE FHQEG					
ACTION TO: AGWAR FOR CCS -					
INFORMATION TO: CABINET OFFICES WHITEHALL FOR CCS - CINCOMED - ALGOM ROME -					
REF NR. EX 69362 . REUR FAN 677 PD THIS IS NAF 1182 PD					
PARA ONE PD FOLLOWING ARE SERVICE MINISTERS IN NEW ITALIAN GOVERNMENT WHICH WAS SWORN IN ON ONE FIVE JULY PD MARINE DASH GIUSEPPE MICHELI CMA CHRISTIAN DEMOCRAT ; WAR - CIPRIANO FACCHINETTI CMA REPUBLICAN ; AIR - MARIO CINGOLANI CMA CHRISTIAN DEMOCRAT PD					
PARA TWO PD I NOTIFIED MY APPROVAL OF ALL ABOVE APPOINTMENTS PD CINGMED AGREED THAT APPOINTMENT OF MICHELI WAS SUITABLE FROM ALLIED VIEWPOINT PD					
PARA THREE PD PRIOR TO FORMATION OF NEW GOVERNMENT CMA PRIME MINISTER DE GASPERI WAS TOLD INFORMALLY BY CHIEF COMMISSIONER CMA ALLIED COMMISSION CMA OF VIEWS EXPRESSED IN PARAGRAPH THREE OF YOUR SIGNAL PD					
PARA FOUR PD ADMIRAL DE COUTEN HOWEVER SUBSEQUENTLY INFORMED CHIEF COMMISSIONER THAT HE HAD ALREADY NOTIFIED PRIME MINISTER THAT HE WAS NOT PREPARED TO CONTINUE AS MINISTER OF MARINE IN NEW GOVERNMENT PD					
PARA FIVE PD ADMIRAL DE COUTEN EXPLAINED THAT CMA WHILE HE APPRECIATED					
SECURITY CLASSIFICATION					
ORIGINATING AGENCY		DATE-TIME GROUP		OFFICIAL TITLE	
SYMBOL		PRECEDENCE PRIORITY		SIGNATURE TOP SECRET	
PAGE		OF			

WD AGO FORM 11-168
15 JUN 1945

This form supersedes WD AGO Form 11-168, 23 Aug 44, and WD AGO Form 801, 12 Mar 43, which are obsolete.

see 24

785015

This form supersedes WD AGO Form 11-168, 23 Aug 41, and WD AGO Form 801, 12 Mar 43, which are obsolete.

SECRET

00203

18 July 1946.

MEMORANDUM FOR: MR. STONE, Undersecretary for Posts and Telecommunications.

TO: G-3 Section, Allied Force Headquarters, 400 512, US Army.

1. This will confirm two telephone conversations with General Hamblen on the subject of the appointment of Luigi De Filipo as Undersecretary of Posts and Telecommunications. There is attached hereto his dossier as supplied by the U.S. Army and organization in Rome.
2. I reviewed the attached with the British Ambassador and my U.S. Political Advisor who shared my view that it was not sufficient to warrant the Allied Commission's disapproval of this appointment, although this post is one required for approval in the annex attached to the Macmillan Memorandum which implemented FAR 487. General Hamblen concurred in this view and I have informed the Prime Minister that if the Italian Government desires to appoint Signor De Filipo, the Allied Commission would not disapprove his appointment.
3. Moreover, there are certain ameliorating factors which affect this decision. In preceding governments, the post of Undersecretary for Telecommunications was created specially for Dr. Fano who has held this or similar posts in each Italian Government since the armistice. In recent governments, an additional Undersecretary for Posts has been appointed. The present position is not limited to telecommunications but is a general administrative position dependent from the Minister.
4. The Minister has advised the Prime Minister that he intends to bring into his ministerial "cabinet" Professor Ferrari-Toniolo, who is Professor of Telecommunications of the Istituto Ferrari in Turin. Professor Ferrari-Toniolo is a man of high technical qualifications and it is expected that he will specialize on the telecommunications side of the Ministry, reporting directly to the Minister himself.
5. In these circumstances I am personally satisfied that, particularly now that hostilities are over, there is no valid basis for objection to the appointment of De Filipo.

/s/ Ellery W. Stone

ELLEERY W. STONE
Rear Admiral, USN
Chief Commissioner

SECRET

SECRETLuigi DE FALPO

Born at VIGIANELLO (Province of Potenza) 1898. Did not graduate. Hobby has been economics and finance. Entered Socialist Party when 24 years. Stated to have been in the NITTI circle. Very close friend of GULLO who lived near his birthplace. During Fascism lived at Potenza, Rome and Milan. Later departed to Paris and from there to Moscow where for seven years he was a member of the Political school. Returned to Italy just before the outbreak of war in '39 or '38. From the beginning was suspected of being sent back to Italy as a Russian agent though this could not be proven. Entered into active role of Communist Union organization. Became Secretary of Labor at Potenza where he successfully ran as Communist Deputy. Has the complete backing of the Party, however he is considered to be a moderate in the party but this opinion is tempered by his suspicious background and the attempt to uncover his contact with the Russian Intelligence service.

His succession to FANO is calculated by the Party as a strategic manœuvre to unionize the employees in the Telephone and Telegraph system in the event all systems are taken over by the State.

1782

SECRET

(22)

Prof. Ferrari-Toniolo,
prof. ~~all~~ di telecomunicazioni
all' Istituto G. Ferrari e
Toniolo

1720

ALCOM CITE ACSCC FROM ADMIRAL STONE

1311008 JUNE 1946

AFHQ FOR GEORGE FIVE UNCLE SUGAR POLAD BRITISH RESLIN
 RPTD TO SICILY, BARI, NAPLES, BOLOGNA, LIBORNO, PIEMONTE, LIGURIA,
 LOMBARDIA, BOLZANO, VENEZIE, AMG UDINE, AMG THIRTEEN CORPS FOR
 ALCOM CHIEF LIAISON OFFICERS

3638

SECRET

DURING THE PAST TWO DAYS AS A SOLUTION TO THE PRESENT IMPASSE BROUGHT ABOUT BY
 RESERVATIONS OF THE COURT OF CASSATION ON THE RESULTS OF THE REFERENDUM CMA DISCUSSIONS
 HAVE TAKEN PLACE BETWEEN THE CROWN AND THE GOVERNMENT LOOKING TO THE APPOINTMENT OF
 DEGASPERI AS LUOGOTENENTE IN ADDITION TO HIS POSITION AS PRESIDENT OF THE COUNCIL OF
 MINISTERS PD THE KING WOULD THUS REMOVE HIMSELF FROM THE POLITICAL SCENE UNTIL THE
 FINAL REPORT OF THE COURT OF CASSATION PD SINCE AGREEMENT COULD NOT BE REACHED ON
 THE TERMS OF SUCH AN APPOINTMENT THE COUNCIL OF MINISTERS LAST NIGHT PASSED A RESOLUTION
 CONFIRMING THAT THE REPORT OF THE COURT OF CASSATION ON TEN JUNE AUTOMATICALLY HAD
 BROUGHT ABOUT A TRANSITORY REGIME DURING WHICH TIME AND UNTIL THE CONVENING OF THE
 CONSTITUENT ASSEMBLY THE EXERCISING OF THE FUNCTIONS OF THE HEAD OF THE STATE RESTS
 WITH THE PRESIDENT OF THE COUNCIL PD

PARA TWO PD THE KING REMAINED IN ROME LAST NIGHT BUT NOT AT THE QUIRINALE AND IS
 EXPECTED TO AWAIT THE FINAL REPORT OF THE COURT OF CASSATION AT SOME POINT OUTSIDE THE
 CITY PD

PARA THREE PD REPORT ON PUBLIC ORDER FOLLOWS

DISTRIBUTION:

US Ambassador	Polad (A)
BR Ambassador	Polad (B)
Ex Commr 2	VP CA Section
	CC Files

URGENT

Chief Commissioner

HQ ALCOM

25 MAY 46

AGABRIE

3278

RESTRICTED

ITALIAN MINISTRY OF FOREIGN AFFAIRS REQUEST THAT GENERAL CLARK PRESIDENT
ALLIED COUNCIL VIENNA BE INFORMED THAT THE ITALIAN GOVERNMENT HAS APPOINTED
DOCTOR MAURILIO GOTTINI AS ITALIAN POLITICAL REPRESENTATIVE IN VIENNA CMA
FOLLOWING THE RAISING OF THE COMMERCIAL REPRESENTATION IN VIENNA TO THE
RANK OF POLITICAL REPRESENTATION ED

2103/10

PRIORITY

Office of the Executive Commr

(19)

300

NICHOLAS PIOMBINO
CWO, USA
Assistant, Adjutant

0875

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

785015

SIR:

Colonel Scudder sends the attached letter
to you directly with the thought that you might
want to deal with the matter personally.

Handwritten:
Has Scudder made notes concerning and
not to be discussed with Fano?

Translation*Comm 3/c*

IL SOTTOSEGRETARIO DI STATO
PER LE POSTE E LE TELECOMUNICAZIONI

-:-:-:-:-

Rome, 23 April 1946.

Dear Admiral,

I feel it my duty to send you copy of letter to On.
De Gasperi about the intolerable situation which I have al-
ready referred to you by Col. Schudder.

Upon leaving the post which I have occupied for nearly
three years for the good of my Country, I must present to
you my most sincere thanks for the comprehension and bene-
volence which you have used in cooperation with my work, thus
helping me in that reconstruction and reorganization of the
telecommunication services.

With the most sincere gratitude, as a member of the
government, for the friendly collaboration given to the re-
generation of my country, I take advantage to tell you per-
sonally of my affectionate gratitude for your kindness to-
wards me.

Hoping to come in person to express viva voce the
above, which I have done now by hand, with a sentiment of
pain and bitterness.

With greatest regards

/s/ M. Fano

To : Admiral Ellery W. STONE
Chief Commissioner, A.C.

R O M E

22 April 1946
ACTION 177
INFO - 22
CC

(AB)

File 5 -

Translation

IL SOTTOSEGRETARIO DI STATO
DELLE POSTE E DELLE TELECOMUNICAZIONI

--:--:--:--

Rome, April 23rd, 1946.

Dear De Gasperi,

After my verbal communication of a few days ago, I am now writing to inform you of my inderogateable decision to be relieved of my appointment of 'Sottosegretario di Stato', and pray you to take action accordingly.

With great sincerity I explained viva-voce the reasons which oblige me, for my dignity as a man, to seek an immediate solution to this question. This I now confirm in writing, on account of the impossibility to remedy a situation which has become unbearable.

I promised you then to delay for a few days the publication of an open letter stating the reasons for dimission, or to create a personal reaction which would render these reasons ineluctable, and this in order for you to have the possibility to give to my retirement a different official aspect. With all my great Patriotic love, I cannot continue to collaborate fully and enthusiastically, in an atmosphere of hostility where all my work is openly belittled and where I am offended in my self-esteem.

My conscience is quite clear that I have for nearly three years given my whole personality, and contributed with moral and material sacrifices of no light nature, to the best accomplishment of my task, but now it is a question of my personality and my integrity being attacked. On the other hand it would not be just, if - as a prize for my long and ungrateful work - the Government should ask me to continue.

If you could, therefore, grant me one minute to define this small regrettable affair, I should be most grateful.

I also think that my question could be united with that of our colleague Ivan Lombardo, who perhaps will be leaving his appointment to take that of the 'Segretario Generale del P.S.I'.

0877

...or my appointment or 'Sottosegretario di Stato', and
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which oblige me, for my dignity as a man, to seek an immediate
solution to this question. This I now confirm in writing, on
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our colleague Ivan Lombardo, who perhaps will be leaving his
appointment to take that of the 'Segretario Generale del
P.S.I'.

Awaiting your kind reply

/s/ M. Fano

To : On. Dr. Alcide DE GASPERI
Presidente del Consiglio dei Ministri

R O M A

(AB)

Il Littorale
PER LE POSTE E PER LE TELECOMUNICAZIONI

Roma, 23 Aprile 1946

Caro Ammiraglio,

ritengo doveroso inviarLe in copia lettera diretta in data odierna al Presidente del Consiglio On. De Gasperi a seguito e conclusione di una situazione in sostenibile creatasi e di cui ebbi a riferirLe tramite il Col. Scudder.

Nel lasciare l'incarico che ho retto per quasi tre anni per il bene del mio Paese non posso fare a meno di porgere a Lei il mio grazie più vivo ed incondizionato per la comprensione e la benevolenza con cui ha voluto e saputo sempre coadiuvare l'opera mia e facilitare il mio compito di ricostruzione e riorganizzazione dei servizi di telecomunicazioni.

Con la più sincera gratitudine come uomo di Governo per la amichevole collaborazione data alla rinascita del mio Paese, colgo anche l'occasione per dirLe personalmente la mia affettuosa riconoscenza per quanto da Lei sempre benevolmente disposto nei miei riguardi.

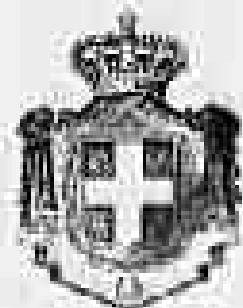
Riservandomi di venire di persona ad esprimerLe a viva voce quanto sopra, lo faccio ora per iscritto con un senso di dolorosa amarezza.

Con molta deferenza.

(M. Fano)

All'Am. Ellery W. STONE
Presidente della Commissione Alleata
ROMA

(18)

*Il Sottosegretario di Stato*

DELLE POSTE E DELLE TELECOMUNICAZIONI

Roma, 23 Aprile 1946

Caro De Gasperi,

faccio seguito alla mia comunicazione verbale di alcuni giorni or sono per pregarti di voler prendere senz'altro atto del mio inderogabile desiderio di essere al più presto sollevato dall'incarico di Sottosegretario di Stato.

Ti ho con molta franchezza esposti a voce i motivi reali che impongono alla mia dignità di uomo una immediata soluzione del problema e ciò ti confermo per iscritto data la impossibilità di sanare una situazione ulteriormente insostenibile.

Ti avevo allora verbalmente promesso di soprassedere per qualche giorno alla pubblicazione di una esplicita lettera aperta motivante le mie dimissioni o di far luogo ad una reazione personale che le rendesse ineluttabili e ciò per darti modo di esaminare la possibilità di dare al mio allontanamento una diversa impostazione ufficiale, ma è certo che con tutto il mio più profondo amor di Patria non posso continuare a dare collaborazione piena ed entusiastica in un campo nel quale l'opera mia è non solo apertamente osteggiata e sminuita ma motivo di continua offesa al mio amor proprio.

Ho la coscienza di aver per circa tre anni dato tutto me stesso e contribuito con sacrifici morali e materiali non lievi al miglior assolvimento del mandato affidatomi, ma il mio spirito di sacrificio non può giungere fino al punto di consentire che venga compromessa la

mia personalità ed intaccata la mia integrità morale e penso d'altro canto che non sarebbe giusto che, come premio del mio lungo ed ingrato lavoro, il Governo me lo chiedesse.

Se potrai quindi concedermi ancora un minuto per definire questa piccola incresciosa pratica di Governo, te ne sarei grato e pensando che la mia questione potrebbe essere abbinata a quella del collega Ivan Lombardo che lascerà forse il suo incarico per quello di Segretario Generale del P.S.I. e pensando alla facilità di risolvere il problema con un minimo di buona volontà.

Attendo un Tuo cortese cenno e Ti porgo le più vive grazie per quanto vorrai fare in merito a quanto sopra.

Cordialissimi e grati saluti.

(M.Fano)

All'On. Dr. Alcide DE GASPERI
Presidente del Consiglio dei Ministri
R O M A

P 223

G 3717

161407

Routine

Hq Piemonte Region AMG

Alcom cite ADPSP rptd ACLAB

Unclassified.

Para 1. Vice Questore Savio, Torino, dismissed on orders of Provincial Commissioner because during absence of Questore and without consent of PFSO allowed confidential information and documents concerning fascist activity to become available to left wing newspapers contrary to an order given by Questore on the previous day.

Para 2. Savio was member of Communist party and workers have come out on strike as a protest today.

AC DIST

Act - P.Safety S/C (2)

Info - C.Comm

Labour S/C

Local Govt S/C (2)

File (2)

Float

203/10

(17)

1713

2372
151100

03707
161215

Routine

AMG Lombardia Region Finance Officer
Finance S/O, Hq, A.C. APO 394

Restricted.

Para 1. Your signal 8218 gives no reason for proposed change.

Para 2. Intendenti Bassi is efficient and gives complete satisfaction. Have investigated ~~the~~ matter and can see no reason for change.

Para 3. If general policy is that Intendente dealing with matters regarding fascist profits etc should not be the one who held the office before liberation, then no objection to the change.

Para 4. In view of Bassi's excellent service in MILAN, it is suggested he should not be given and inferior Intendenza but rather a position comparable to his present one. Could be recommended for position is Conservatoria delle Ipoteche, MILAN.

AO DIST

Act - Finance S/O.

Info - C. Comm.

Legal S/O (2)

File (2)

Float

203/cc

1712

16

AG/4039/L.

22 August 1945. /rlp.

My dear Mr. Prime Minister:

I thank you for your letter of 7 August 1945 enclosing the draft of a proposed decree on the status of officials appointed by AMG to public offices, and of officials removed or dismissed by AMG in the process of epuration.

The principles of the proposed decree are entirely acceptable to this Commission and I agree that it will be most helpful if the decree is passed as soon as possible in order that officials appointed or removed by AMG may have no doubt as to their true legal status.

Yours very truly,

y W. Stone

HENRY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri,
The President of the Council of Ministers,
Italian Government, Rome.

1711

Translation

The President of the Council of Ministers
11878.2/1.3.1.

Rome, 7 August 1945

My dear Admiral,

According to the agreements previously made to settle the legal effect of the handing over of the territories by the Allied Military Government to the Italian Administration, it was decided that the appointments and dismissals from public or private charges, ordered by the Government itself, would remain unchanged, being considered as fully valid in relation to Italian laws.

On the basis of the former agreements, the R.L.D. of February 11th, 1944, n. 31., concerning the juridical regime of the territories which have been returned to Italian Administration, explicitly confirms, in the second para of art. 1, the validity of the appointment and dismissals mentioned, rendering them equal to acts of the Italian Government. The regulation has been reproduced in identical terms, in the following decree, which issued new orders about the said legal regime (art. 1., third para, Decree of the Lieutenant 20 July, 1944, n. 162).

As you well know, ever since it was first enforced, this principle received a logical modification, for it was admitted that similar A.M.G. regulations were to be considered as not having a definitive character, and liable therefore to revocation on the part of the Italian authorities, in agreement, of course, with the Allied Commission.

Later on, the Mac Millan Memorandum, of February 24th, acknowledged a still greater autonomy to the Italian Government, for what concerns the appointments, granting them greater powers, also regarding those made by the Allied Authorities. Besides, as for the dismissals ordered by A.M.G. for motives of epuration, the Allied Commission ordered them to be assimilated to purely suspensive regulations, so as in no way to prejudice the definitive decisions following the epuration judgements.

Considering this new juridical situation, the clause which, formerly, referred to the efficaciousness of the appointments made by A.M.G. has been eliminated in Document A, which goes with the various restitutions of territory to the Italian Government.

However, as the regulation contained in the above mentioned art. 1 of the D.L.R. n. 162 remains in force, the Italian Government is still linked, speaking from a strictly legal point of view, to the appointment and dismissal acts issued by the Allied Authorities. The question takes a particularly delicate character for what concerns the replacement of people summoned by A.M.G. to fulfil certain charges, for, according to the Italian law which is now in force, the persons concerned might argue of the validity of the charge, going on after the passage of

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1710

- 2 -

the territories, and also take legal action to support their claims.

Such being the case, it is urgently necessary to make an adequate modification to the regulation in question.

To my mind, the most advisable criterion would be to consider every appointment made by A.M.C. as the pure and simple conferring of a mission to exercise given functions. Such a solution, while perfectly in accordance with the agreements already made on this subject with the Allied Organs, would enable the Italian Administration to revoke any moment the said charges, and make all the replacements which would be deemed necessary in the offices in question, according to the Italian laws on such charges, except for what concerns such registering in the establishment as would be deemed advisable. Besides, the new decree should be drafted so as to have the people appointed by the Allies carry on their functions as long as no other administrative act on the part of the Italian Authorities intervenes; this to have the continuity of functions in public offices assured at the time of the handing over of the territories, and enable the Italian Government to proceed, gradually, to make new appointments.

The enclosed legislative decree, which I want to communicate to you, has been drafted on such lines. As you well understand, this regulation is most urgent in relation with the recent passages of territories, and those which will ~~later~~ take place later on.

Waiting to hear your opinion on this matter, I remain, my dear Admiral,

Yours very truly,

A. Ferruccio Parri

E.C. DIST - 11 AUG 45

trans. e/c

ACTION: CR 141 (2)

INFO: CHIEF Command

Ex Command

1708

Ref: AC/4039/A/L

4 August 1945

My dear Mr. Prime Minister,

I wish to assure you that, in accordance with Mr. MacMillan's Aide Memoire of 24 February 1945, the Italian Government is perfectly free to remove, in territory restored to its administration, any officials who may have been appointed to posts in that territory during the time that the territory was under the administration of Allied Military Government.

In this connection I feel I should explain to you the purpose of condition number 3 which appears in the proclamation issued by the President of the Council of Ministers on the occasion of the handover of any piece of territory. The sole object and intent of that portion of this condition which recognizes all appointments as "legal, valid and binding" are to ensure that the acts done by such officials during their tenure of office under Allied Military Government are formally recognized as valid and of full effect in law and that the officials themselves are protected against any suggestion that they have acted, during that period, without proper authority.

I should point out to you that the wording of this condition was fully discussed with the Ministers of Justice and Finance in Salerno. They agreed to the necessity of the conditions for the reasons given but added that officials whose appointments by Allied Military Government were originally expressed to be "permanent" might possibly be in a position to argue that they became irremovably appointed by the Italian Government by virtue of this proclamation. The Allied Military Government has therefore been most careful to ensure that all appointments made since that date have been expressed to be "temporary".

The Ministers of Justice and Finance in Salerno agreed that this would meet the difficulty and would enable the Italian Government to remove Allied appointees provided, as was necessary at the time, that they could obtain Allied consent. This consent is no longer necessary, and I hope, therefore, that you will be satisfied that the present proclamation confers upon the Italian Government complete freedom of action in this respect after restoration of territory.

Yours very truly,

Ellery V. Stone

ELLERY V. STONE
Rear Admiral, USN
Chief CommissionerProfessor Ferruccio Parri,
The President of the Council of Ministers,
Italian Government, Rome.

1707

13

Has been seen by
~~Colonel~~ Traumafoad,
but is pending action
by Chief Legal
Advisor. It will be
put before him
directly he returns
from AFHQ -

ok Hold + bring

up in 3 days

B/W

19 AUG

16 Aug

0889

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

785015

Check with EC -

Where's the ans.?

21 Aug

HERE

RE

ART 1

According to Italian law, positions in public offices conferred by the Allied Military Government in the territory under its jurisdiction shall be of a temporary character.

ART 2

Those who, upon the restoration of the territory to the Italian Administration hold public offices conferred to them by the AMG, shall continue to hold these offices until such time as their substitution is ordered by the proper authorities of the Italian Government, unless they are admitted into the regular list (ruolo).

For purposes of remuneration, employees not belonging to the Administration shall be considered on an equal basis as the regular employees in the State classification who perform the same duties. This equal basis shall be established by decree of the Ministry having jurisdiction in conjunction with the Ministry of the Treasury.

Employees not belonging to the Administration and working in bodies other than those of the State shall be paid those salaries established by present laws or by regulations issued for those positions whose duties they perform.

ART 3

Employees of the State or of the bodies referred to in art 2 of L.L. 159 of 27 July 1944 who have been removed or dismissed from office by the AMG for expiration purposes, shall be considered as being suspended from office in accordance with art 22, para 3 of L.L. 159 of 27 July 44.

This suspension shall be effective from the date on which the above mentioned measures were taken.

The charges shall be contested, for the purpose of the expunction trial, within three months from the restoration to the Italian Administration of the territory in which the said measures were taken or, if the territory has already restored, from the effective date of the present decree.

Any other disciplinary measure to be taken against the said employees as a result of legal proceedings taken against them shall be excluded from the above provision.

ART 4

The provision of the present decree shall be valid also for the measures taken by the AMG in the territory which is restored to the Italian Administration before this said decree becomes effective.

ART 5

The present decree shall become effective the day following its publication in the Gazzetta Ufficiale del Regno.

No order.....

proper authorities of the Italian Government, unless they are admitted into the regular list (ruolo).

For purposes of remuneration, employees not belonging to the Administration shall be considered on an equal basis as the regular employees in the State classification who perform the same duties. This equal basis shall be established by decree of the Ministry having jurisdiction in conjunction with the Ministry of the Treasury.

Employees not belonging to the Administration and working in bodies other than those of the State shall be paid those salaries established by present laws or by regulations issued for those positions whose duties they perform.

ART 3

Employees of the State or of the bodies referred to in art 10 of D.L. 159 of 27 July 1944 who have been removed or dismissed from office by the SAC for expiration purposes, shall be considered as being suspended from office in accordance with art 22, para 3 of D.L. 159 of 27 July 44.

This suspension shall be effective from the date on which the above mentioned measures were taken.

The charges shall be contested, for the purpose of the expunction trial, within three months from the restoration to the Italian Administration of the territory in which the said measures were taken or, if the territory has already been restored, from the effective date of the present decree.

Any other disciplinary measure to be taken against the said employees as a result of penal proceedings taken against them shall be excluded from the above provision.

ART 4

The provision of the present decree shall be valid also for the measures taken by the ASB in the territory which is restored to the Italian Administration before this said decree becomes effective.

ART 5

The present decree shall become effective the day following its publication in the Gazzetta Ufficiale del Regno.

IN ORDER.....

(17)

1703

TRANSLATION

MINISTRY OF POST AND TELECOMMUNICATIONS
Undersecretariat of State
Secretariat

Filre No. 4168/4.7

Rome, 10 July 1945.

SUBJECT: Address of correspondence.

TO : To the Companies under control:
STIPEL - TETI - TIMO - SET - TIELVE - STET - ASCOT - RAI - ITALCABLE.

I request you to address your correspondence with this Ministry,
whenever it does not have a character of ordinary ~~business~~ administration,
exclusively to my Cabinet.

THE MINISTER

/s/ Scelba.

A certified true copy.
CHIEF OF THE SECRETARIAT
OF H.E. THE UNDERSECRETARY
OF POST AND TELECOMMUNICATIONS
/s/ illegible
18 May 1946.

See (18)

1700

(12a)

CC 225-8

12 June 1945.

My dear Mr. Prime Minister,

(11)

I have been instructed by Field Marshal Alexander, Supreme Allied Commander, Mediterranean Theater, that any new Italian Government would be requested to confirm adherence to the obligations under the terms of surrender subject to the reservations made in the Macmillan Aide-Memoire of 24 February 1945. The obligation with respect to the Terms of Surrender which your Government gave 18 June 1944 and again on 10 December 1944 will therefore be modified as above indicated and is attached hereto in the form of enclosure "A".

I am also instructed by the Supreme Allied Commander that any new Italian Government will be required to give the same undertaking regarding the institutional question as was given by your Government on 18 June 1944 and 10 December 1944, a copy of which is attached as enclosure "B".

I am further instructed by the Supreme Allied Commander that appointments to the positions of Minister of War, Minister of Marine, and Minister of Air and to certain other positions having military significance will require the approval of the Supreme Allied Commander as set forth in Appendix "A" to the Macmillan Aide-Memoire of 24 February 1945, a copy of which is attached hereto as enclosure "C".

Very truly yours,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

cc: American Ambassador
British Ambassador
G-5, AFHQ
Exec. Comm.
CC Files

1705

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

ENCLOSURE "A"

To: Rear Admiral Ellery W. Stone, USNR,
Chief Commissioner,
Allied Commission,
APO 394.

On behalf of the Royal Italian Government I accept all obligations towards the allies entered into by the former Italian Governments since the conclusion of the Armistice signed on the 3rd September, 1943. It is understood that the rights under the Armistice and surrender instrument with respect to control of the Italian Government will be held in reserve in the matter of day to day administration, subject to overriding military needs.

I declare that every member of the Government has acquainted himself personally with the terms of all such obligations including the terms of the Armistice signed on the 29th September 1943.

ROME, _____ June 1945.

PRESIDENT OF THE COUNCIL
OF MINISTERS

(12)

Encl 'A'

1704

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

ENCLOSURE "B"

TO: Rear Admiral Ellery W. Stone, USNR,
Chief Commissioner,
Allied Commission,
APO 394.

Without the prior consent of the Allied Governments
the Royal Italian Government undertakes not to re-open the
institutional question until such time as Italy has been
liberated and the Italian people have the opportunity of
themselves determining the form of Government.

ROME, _____ June 1945.

PRESIDENT OF THE COUNCIL OF MINISTERS

1708

(12) Incl. B

ENCLOSURE "C"

Minister of War

Minister of Marine

Minister of Air

Any other Minister of Armed Forces who may be
created

Under Secretary for Telecommunications

Director of Railroads

Director General of Pubblica Sicurezza

Commanding General, CC.RR

Chief of Staff, CC.RR

Commanding General, CO.FF.

Appointments in the Army, Navy, and Air Force
in accordance with current practice.

1702

(17) Incl 'C'

F 74570
MAY 122213B

E/552
MAY 130930
PRIORITY

AFHQ SIGNED SACMED CITE FHGEG.
HQ, ALCOM ROME.

SECRET.

Refer ACOM 7111

In accordance with para 2 C of FAN 487 any new Italian Government will be requested to confirm adherence to obligations under armistice. Consider it appropriate, however, that at same time to reaffirm the general principle of FAN 487. Accordingly undertaking will include following sentence: "It is understood that the rights under the armistice and surrender instrument with respect to control of the Italian Government will be held in reserve in the matter of day to day administration, subject to overriding military needs".

2. Undertaking regarding institutional question required as heretofore.

3. Terms of FAN 487 will be followed regarding SACMEDS approval of service ministers and appointments.

DIST
ACTION - EX COM12
INFO - A/PRESIDENT
CHIEF COMMISSIONER
FILE

1702

TOP SECRET

CROSS INDEX SHEET

AC Cable 7111

6 May 1945

CITE: ACXEC

TO: AFHQ G-5

In event of change of government, shall new government be required to give usual assurances as to INSTITUTIONAL QUESTION, adherence to AMBITION TERMS, and prior approval of service appointments by SACRED according to EAM 4877

Document filed in: GC 213-7

x - 200
202
203

See (11)

203/CC

TOP SECRET

(18)

1730

24 February 1945

AIDE MEMOIRE FOR COMMUNICATION TO THE ITALIAN
GOVERNMENT BY THE ACTING PRESIDENT OF THE
COMMITTEE OF THE NEW DIRECTIVE ON THE
FUNCTIONS OF THE ALLIED COMMISSION

EXTRACT:

7. It will no longer be necessary for the Italian Government to obtain approval of the Allied Commission for Italian appointments, whether to national or local offices, in territory under the jurisdiction of the Italian Government except with regard to the attached list (Appendix "A") of positions having military significance. The Italian Government will have the right to alter appointments made previously by AMG authorities.

203/cv

1893

9

APPENDIX "A".

List of Italian Government appointments requiring
prior approval by the Allied Commission

Minister of War

Minister of Marine

Minister of Air

Any other Minister of Armed Forces
who may be created

Under Secretary for Telecommunications

Director of Railroads

Director General of Pubblica Sicurezza

Commanding General, CC.RR

Chief of Staff, CC.RR

Commanding General, GC.FF.

Appointments in the Army, Navy, and Air Force
in accordance with current practice.

Minister of Marine

Minister of Air

Any other Minister of Armed Forces
who may be created

Under Secretary for Telecommunications

Director of Railroads

Director General of Publica Sicurezza

Commanding General, CC.RR

Chief of Staff, CC.RR

Commanding General, GG.FF.

Appointments in the Army, Navy, and Air Force
in accordance with current practice.

1698

① App "A"

SECRETEXTRACT

FROM: AOWAR FROM THE COMBINED CHIEFS OF STAFF (BOOK MESSAGE)

TO: ALEXANDER FOR ACTION

REF. NO. THIS MESSAGE: PX 29639

31 January 1945

FAR 487

- Extract

DIRECTIVE FROM COMBINED CHIEFS OF STAFFFor File # 203/CCSubject Appointment of
Ital Govt Officials

2.***

(c) The Allied Commission shall abandon the practice of approving any Italian appointments in territory under the jurisdiction of the Italian Government except in regard to Service Ministers and such military appointments as you may determine.

SECRET

1637

Complete Directive filed in File # 100/CC New Deal

8

203/CC

S E C R E T

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief of Staff
+++++

Ref: 216/COS

21st November 1944

MINUTES OF ACTING PRESIDENT'S CONFERENCE-20 NOVEMBER 1944.

E X T R A C T

- (e) Surrender of Control by Allied Commission of Legislation and Appointment of Italian Officials.
(i) Appointment of Italian Officials.

Brigadier Upjohn produced Memorandum "C" on the question of appointment of Italian officials. A/President read this out. Chief Commissioner said that this surrender was the most important contribution AC could make in the elimination of "control" in the eyes of the Italian government. In Appendix "C" were the appointments which the Italian Government suggested should still be submitted to AC for approval. A/President asked whether we had any right to veto Ministers. Chief Commissioner said that we had by virtue of the secret agreement between General MacFarlane and General Badoglio, which had been recognised by the present Government. A/President asked about diplomatic representatives. Political Section said that the Italian Government now submitted names for heads of missions but not for junior officials. The latter, however, could be controlled if necessary by the with-holding of military travel authorisations.

A/President expressed doubt as to the propriety of Allied Commission exercising control over appointment of Ministers, but said that this was a matter for the Allied Government to decide. It was decided to accept List "C" as it stood with a very few additions to be made by Civil Affairs and Economic Section.

1690

S E C R E T

SECRET

Ref:- 9/1A/GA

SUBJECT:- Approval of the appointment of
Italian officials by A.C.

TO:- Acting President, Allied Commission. 18 Nov '44.

1. It is requested that clarification may be obtained as to the policy which should be adopted by the Allied Commission in the approval of appointments made by the Italian Government in Italian Government territory, i.e. territory which has been handed back to the administration of the Italian Government and is no longer administered by Allied Military Government. For your information the following is a brief history of the policy hitherto adopted by the Allied Commission, and a statement of the present position.

2. Shortly after the first handover of territory to the Italian Government which took place on the 11th February '44, there was an exchange of letters between the then Chief Commissioner, Lt. Gen. Sir Noel Mason MacFarlane and the then Prime Minister Marshal Badoglio. (Copies of these letters are at App. "A"). In effect by these letters it was agreed that all senior Government appointments would be subject to the prior approval of the Commission.

3. Details were worked out between the Sub-Commissions and the Ministries concerned as to the level down to which appointments made by the Italian Government would be subject to the Commission's approval. Appendix "B" Part I gives a list of offices as finally agreed between the Commission and the Government which were to be subject to the Commission's approval.

With regard to Sub-Commissions in the Economic Section, no detailed arrangements were made, but the practice grew up whereby the Ministries concerned did in fact submit for approval, to the appropriate Sub-Commission, appointments down to the level set out in App. "B" Pt II.

4. The arrangements so made have worked quite smoothly in practice. It is fair to say that in the vast majority of cases no difficulty has arisen and appointments have been approved almost as a matter of course, but the right of approval has proved useful in practice, and occasionally approval for good reason has been withheld. And the Italian Government has been required to submit another appointee for the office.

5. Recently, and in view of the change of name of the Commission, the Italian Government has requested that the practice be revised and they have submitted a very short list of offices which they suggest should be submitted to the Commission for approval. (App. "C").

tion of the Italian Government and is no longer administered by Allied Military Government. For your information the following is a brief history of the policy hitherto adopted by the Allied Commission, and a statement of the present position.

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5. Recently, and in view of the change of name of the Commission, the Italian Government has requested that the practice be revised and they have submitted a very short list of offices which they suggest should be submitted to the Commission for approval. (App. "C").

6. It appears to be a matter of overall policy as to whether or not the Commission should agree to the revised list. It is the opinion of the Civil Affairs Section that the list is too short, and that at any rate the names of directors of personnel in each Ministry should be submitted to the Commission for approval. The main reason for this is that appointments in Allied Military Government territory are always made by the Allied Commission, but in practice the Italian Government is normally consulted over such appointments, and it seems desirable that the Director of personnel should be the person approved by the Commission.

7. In view also of the importance of the C.O.R.R. in Military Government territory, and the important negotiations now in train with

(6)

SECRET "A" TO 2/24/CA dated 1 Nov 44.

Ref: CC/P/134/000.1

10 March 44.

Recent events over certain appointments have shown that it is clearly desirable for us to have a mutually satisfactory arrangement to prevent misunderstandings and subsequent difficulties which it is in all our interests to avoid. I would suggest, therefore, that it should be agreed that you will let me know before any appointment to the Government is actually announced. Equally, I should be glad if you will impress upon all the members of your Government that they should, in turn, consult the appropriate authorities in the Allied Control Commission before making any senior appointments in their own departments either at the seat of the Italian Government or in those provinces under Italian jurisdiction. As they already enjoy close and friendly relations with the Sub-Commission with whom they work, this should be an easy matter to arrange. It is clear that each minister must be strictly accountable for all appointments in his department and the arrangement which I propose should be to their interests in carrying out the work which we are doing together.

I should be glad if you will let me know whether you are in full agreement with the proposals made in this letter. If so, I will give the necessary instructions to the various heads of Sections and Sub-Commissions of the Allied Control Commission as soon as you confirm that members of your Government have been notified of our agreement.

H E Marshal Pietro Badoglio
Capo del Governo.

NOEL WYSON MACFARLANE,
Lieutenant General
Chief Commissioner.

Dear General,

Salerno, 13 March, 1944.

After having worked with me for quite some time, you know that it is my absolute decision to proceed in any matter in full accord with the Allied Control Commission over which you preside.

With regard to this, at next Thursday's Council of Ministers, I shall give definite orders to the effect that no government appointment be made without previous agreement with the Commission.

I hope that the same feelings prevail with the Control Commission toward us, so that it might be possible to come, in common agreement, to a revision of certain positions given to certain persons in the pro-

SECRETDRAFT

Ref:- 9/1 A/6A

SUBJECT:- Approval of the appointment of Italian officials by A.C.

TO:- Acting President, Allied Commission.

18 Nov '44.

1. It is requested that clarification may be obtained as to the Policy which should be adopted by the Allied Commission in the approval of appointments made by the Italian Government in Italian Government territory, i.e. territory which has been handed back to the administration of the Italian Government and is no longer administered by Allied Military Government. For your information the following is a brief history of the policy hitherto adopted by the Allied Commission, and a statement of the present position.

2. Shortly after the first handover of territory to the Italian Government which took place on the 11th February '44, there was an exchange of letters between the then Chief Commissioner, Lt. Gen. Sir Noel Mason MacFarlane and the then Prime Minister Marshal Badoglio. (Copies of these letters are at App. "A"). In effect by these letters it was agreed that all senior Government appointments would be subject to the prior approval of the Commission.

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With regard to Sub-Commissions in the Economic Section, no detailed arrangements were made, but the practice grew up whereby the Ministries concerned did in fact submit for approval, to the appropriate Sub-Commission, appointments down to the level set out in App. "B" Pt II.

4. The arrangements so made have worked quite smoothly in practice. It is fair to say that in the vast majority of cases no difficulty has arisen and appointments have been approved almost as a matter of course, but the right of approval has proved useful in practice, and occasionally approval for good reason has been withheld and the Italian Government has been required to submit another appointee for the office.

5. Recently, and in view of the change of name of the Commission, the Italian Government has requested that the practice be revised and they have submitted a very short list of offices which they request

of appointments made by the Italian Government in Italian Government territory, i.e. territory which has been handed back to the administration of the Italian Government and is no longer administered by Allied Military Government. For your information the following is a brief history of the policy hitherto adopted by the Allied Commission, and a statement of the present position.

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5. Recently, and in view of the change of name of the Commission, the Italian Government has requested that the practice be revised and they have submitted a very short list of offices which they suggest should be submitted to the Commission for approval. (App. "C").

6. It appears to be a matter of overall policy as to whether or not the Commission should agree to the revised list. It is the opinion of the Civil Affairs Section that the list is too short, and that at any rate the names of directors of personnel in each Ministry should be submitted to the Commission for approval. The main reason for this is that appointments in Allied Military Government territory are always made by the Allied Commission, but in practice the Italian Government is normally consulted over such appointments, and it seems desirable that the Director of personnel should be the person approved by the Commission.

7. In view also of the importance of the C.A.P.R. in Military Government territory, and the important negotiations now in train with

- 2 -

regard to the reorganization of that body, it is suggested that the senior staff officers of the Commanding General G.O.M. should be subject to approval, and also appointments to the Court of Cassation, the supreme judicial body of the country.

8. In this connection it must be remembered that in the secret terms agreed between the Commission and the Italian Government on each successive restoration of territory to the administration of the Government, it is always provided that no person appointed by the Allied Military Government may be removed, except with the consent of the Commission. If policy demands that the Italian Government is to have greater latitude in future, then it would seem necessary to modify or abandon this term, because so many appointments involve removal or transfer which requires the consent of the Commission, and thus indirectly the Commission controls appointments in many cases on a far lower level than those indicated in Art. "D". Except as a matter of "honour propre" there does not seem to be any objection to abandoning this provision.

G. R. *Robertson*

G. R. UPJOHN. Brigadier.
VP CA Sec.
D. C. C. S.

APPENDIX "A" TO 2/L/CA dated 1 Nov 44.

Ref: CC/P/134/000.1

10 March 44.

Recent events over certain appointments have shown that it is clearly desirable for us to have a mutually satisfactory arrangement to prevent misunderstandings and subsequent difficulties which it is in all our interests to avoid. I would suggest, therefore, that it should be agreed that you will let me know before any appointment to the Government is actually announced. Equally, I should be glad if you will impress upon all the members of your Government that they should, in turn, consult the appropriate authorities in the Allied Control Commission before making any senior appointments in their own departments either at the seat of the Italian Government or in those provinces under Italian jurisdiction. As they already enjoy close and friendly relations with the Sub-Commission with whom they work, this should be an easy matter to arrange. It is clear that each minister must be strictly accountable for all appointments in his department and the arrangement which I propose should be to their interests in carrying out the work which we are doing together.

I should be glad if you will let me know whether you are in full agreement with the proposals made in this letter. If so, I will give the necessary instructions to the various heads of Sections and Sub-Commissions of the Allied Control Commission as soon as you confirm that members of your Government have been notified of our agreement.

H E Marshal Pietro Badoglio
Capo del Governo.

NOEL WYSON MACFARLANE,
Lieutenant General
Chief Commissioner.

Salerno, 13 March, 1944.

Dear General,

After having worked with me for quite some time, you know that it is my absolute decision to proceed in any matter in full accord with the Allied Control Commission over which you preside.

With regard to this, at next Thursday's Council of Ministers, I shall give definite orders to the effect that no government appointment be made without previous agreement with the Commission.

I hope that the same feelings prevail with the Control Commission toward us, so that it might be possible to come, in common agreement,

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and the arrangement which I propose should be to their interests in carrying out the work which we are doing together.

I should be glad if you will let me know whether you are in full agreement with the proposals made in this letter. If so, I will give the necessary instructions to the various heads of Sections and Sub-Commissions of the Allied Control Commission as soon as you confirm that members of your government have been notified of our agreement.

H E Marshal Pietro Badoglio
Capo del Governo.

NOEL MASON MCWARTLAND,
Lieutenant General
Chief Commissioner.

Saleruo, 13 March, 1944.

Dear General,

After having worked with me for quite some time, you know that it is my absolute decision to proceed in any matter in full accord with the Allied Control Commission over which you preside.

"With regard to this, at next Thursday's Council of Ministers, I shall give definite orders to the effect that no government appointment be made without previous agreement with the Commission

I hope that the same feelings prevail with the Control Commission toward us, so that it might be possible to come, in common agreement, to a revision of certain positions given to certain persons in the provinces recently turned over to the Italian Government, and which render nearly impossible a normal functioning of government.

With cordial greetings,

/s/ Badoglio.

To General Noel Mason McWartland
Chief of the Allied Control Commission,
Naples.

LEGAL

First Presidents of Courts of Appeal
 Consiglieri of Cassation and Appeal
 Procuratori Generali
 Sostituti di Procuratori Generali
 Presidenti di Tribunali
 Procuratori del Re
 Primo Pretori (of towns of pop. 50,000)

INTERIOR

Prefects
 Vice Prefects
 Vice Prefect Inspectors
 Consiglieri Primo Grado
 Consiglieri Secondo Grado
 First Secretary to Prefect
 Special Secretary
 Director of Religious Affairs
 Sindaci) of communes of
 Town Clerk) pop. 15,000

PUBLIC SAFETY

Legion Commanders CC.RR.
 Legion Commanders Guardia di Finanza
 Questori Public Security Service.
 Regional Directors Prison Service
 Commandants (and upwards) Fire Service.

EDUCATION

Rectors
 Professors (titular)
 Presidi of Faculties
 Academy Inspectors of
 schools (local and centralised)
 Heads of Divisions in Ministry
 of Education
 Provveditori
 Presidi of Schools
 Inspectors of Schools
 University Lecturers.

PUBLIC HEALTH

Chief Medical Officer at
 Ministry of Interior.

"App. 12 to 3/14/04 da. 1 13 For 4."

SUBJECT:- Level at which Appointment of Italian Officials should be approved by Allied Commission.

FINANCE: All appointments down to the level of Grade 4., Commissari, Direttori Generali, Segretari Generali of banks, insurance companies and other finance institutions clothed with public interest. Other appointments which the Italian Government may believe to be of interest to the Commission.

PUBLIC WORKS AND UTILITIES: Appointments down to Grade 5 (Isottere Generale del Genio Civile, Capo Compartimento, etc).

COMMERCE & INDUSTRY: Heads and Deputies of Direzione Generale, titular and managing directors of industrial or parastatal institutions. Vice Commissaries of important companies.

LABOUR: Commissioners of National Insurance Agencies and other national agencies formerly linked into the Fascist cooperative structures concerned with such labour matters as welfare, assistance, protection and safety of workers. Appointments to the position of Regional and Provincial Labour Director.

AGRICULTURE: Chiefs of Ministerial Bureaus such as Bonifica and Upsue, Compartimento officials of the rank of agricultural Inspectors and Consorzio Agrario officials.

TRANSPORTATION: Director of Mercantile Marine, Principal Inspector of the General Inspectorate of civil motorisation and transportation concessions. Director General of the Italian State Railways.

SHIPPING: Commissioners of the four subsidized Italian steamship companies, "Italia", "Adriatica", "Tirrenia" and "Orion", formerly "Lloyd Triestino".

FOOD: Direttore Generale dell'Alimentazione and the Head of the Ufficio Nazionale dell'Approvvigionamento e Distribuzione Alimentare.

1892

0913

APPENDIX "G" TO C/IA/CA dated 18 Nov 44

Ministri e Sottosegretari di Stato
Capo di Stato Maggiore Generale dell'Esercito
Capo di Stato Maggiore Esercito
Capo di Stato Maggiore Marine
Capo di Stato Maggiore Aviazione
Principali Rappresentanti diplomatici
Alto Commissario per l'Epureazione
Vice Alti Commissari per l'Epureazione
Direttore Generale della Pubblica Sicurezza
Comandante Generale dei Carabinieri

Added Suggestions:-

High Commissioners for Sicily and Sardinia.

1891

HEADQUARTERS ARMED COMMISSION
APO 394
Office of the Chief of Staff

Tel: Ext 300

Ref: 216/COS

21 November 1944

SUBJECT: Acting President's Meeting - 20 November 1944.
TO : Distribution Below.

1. The attached memorandum, reference 9/1A/CA dated 18 November 1944, is substituted for Memorandum "D", reference 9/1713/CA dated 18 November 1944, submitted at the meeting on 20 November 1944.

Thor Slipp Litch
Brigadier,
Chief of Staff.

Encl.

DISTRIBUTION:

1 ea: Chief Commissioner.
Major-General Lewis, G-4, AFHQ.
Brigadier-General Spefford, G-5, AFHQ.
Chief of Staff.
DCOS, Civil Affairs Section.
DCOS, Establishment Section.
DCOS, Economic Section.
VP, Political Section.
Col Grafftey Smith.

550/cc

1690

FILED A

Ref. CC/F/242.

26th. May, 1944.

Replying to your letter No. 4872/Pres. Cons. of 16th. May regarding the appointment of Italian officials.

2. I recall that in our conversations on this subject we talked about high officials and in my letter No. CC/F/13/000.1 of 10th. March I requested that all members of your Government should consult the appropriate authorities in the Allied Control Commission before making any senior appointments in their Departments either at the seat of the Italian Government or in those Provinces under Italian jurisdiction.

3. I do not feel that it is asking too much to include in the category of high officials all officers down to and including the rank of Vice-prefect, and if you will arrange for the Allied Control Commission to be consulted before any appointments are made to those positions I feel that all misunderstandings and subsequent difficulties will be avoided. I am agreeable that the remaining categories may in the future be left to the Italian Government.

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

S.E. Marshal Pietro Badoglio,
Il Presidente del Consiglio dei Ministri.

1883

COPY

CC/F/314

21 May 1944

(1) I refer to your letter of 16 May 1944 No. 4672, concerning the request from the Control Commission that the names of certain officials be submitted to the Interior Sub-Commission before the relative appointments be effected. In view of the request which I made of you on March 10 that the members of the Government should be asked to consult the Commission before making any senior appointments in their own Departments or in those Provinces under Italian jurisdiction, I am issuing instructions to the appropriate Allied authorities to the effect that they should request prior consultation only insofar as senior officials are concerned. This would include Prefects but not the other officials listed.

NOEL MASON MACFARLANE
Lieutenant General,
Chief Commissioner.

S.E. Marshal Pietro Badoglio,
Il Presidente del Consiglio dei Ministri.

1688

(4)

TRANSLATION

The President of the Council of Ministers

No. 4872/Pres. Cons.

.....
 ::HQ AGC, AFO 394 ::
 :: Sec'y Gen ::
 Trans: HQ'd: 16 May 1100::
 ::BY: DTE ::

Salerno, 16 May 1944

My dear General MacFarlane,

With your communication CG/P/134/000.1 of March 10th last, with the intent of preventing misunderstandings and difficulties, you asked me to inform you beforehand of any appointment to governmental assignments and I arranged to make known to all the members of the Government the necessity of contacting the competent authorities of the Allied Commission prior to proceeding with any appointment whatsoever of high officials in the public administrations.

Certainly you will recall the assurance given by me in this matter with letter No. 759 of March 23rd. However, I think it appropriate to mention that after having expressed your desire to all the Ministers during a Cabinet meeting, I wanted to confirm the above mentioned concepts in an appropriate subsequent circular, which I attach in copy.

Therefore, it is with surprise that I learn now from the Ministry of the Interior that Colonel Spicer had requested, - with letter N. AGC/14/Int. of May 6th - that the names of the following officials be submitted to the Interior sub-commission before the relative appointments be effected:

First Secretary
 Counsellor of 2nd Class
 Counsellor of 1st Class
 Vice Prefect Inspector
 Vice Prefect Vicar
 Prefect of 2nd Class
 Prefect of 1st Class

My assurance, dear General, finds justification in the circumstance that the agreement entered into between you and myself in regard to appointments referred only to public posts and to high officials, with the obvious consideration that control reserved to the Allies is largely guaranteed with intervention in the selection of persons in whom rests the effective direction and therefore the full responsibility for offices and services. On the other hand, in the listing made by Colonel Spicer there are indicated - from the first secretaries to the vice prefects inclusive - officials who, even though having directing functions, must nevertheless be considered merely as executors of directives issued by the Prefect in the Province and by the Minister or by the General Director within the Central Administration.

For the rest, I am anxious to have you consider that the Government would not have any motive to oppose the acceptance of the above mentioned request - desirable as it is to avail itself of the collaboration with the Allies and certain, on the other hand, to be able to demonstrate, even upon the occasion

of modest appointments or promotions, all the loyalty by which its provisions are inspired; but you must also recognize that if any act, including the less important of ordinary administration, must be preceded by establishing contact or more or less prolonged negotiations with the Allied Authorities, the difficulties and impediments already so numerous and serious which the Government is struggling against, will make it impossible to materialize any administrative action whatsoever.

In view of this, I appeal warmly to you to interest Colonel Spicer to desist from the request in question insofar as it concerns the first secretaries, the Councillors and Vice Prefects, and in the meantime please study, dear General, the possibility of informing the dependent Authorities of the limits within which the agreement between you and me is intended.

I thank you in advance also for the kind assurances, with which I am certain you will favor me in the matter.

Cordially,

/s/ BARDOGLIO

TO: General
Sir Noel Mason Macfarlane
President of the Allied Control Commission
BALDWIN

OFFICE OF THE CHIEF OF THE GOVERNMENT

Salerno, 28 April 1944

No. 3809/Pres. Cons.

SUBJECT: Conferment of public offices and appointments to directive posts.

TO : T. E., the Ministers, and T. E., the Under-secretaries of state.

I inform your excellencies that, following similar understandings with General MacFarlane, President of the Allied Control Commission, no public office and no high directive post within the central or local public administrations shall be conferred unless the relative provisions have been agreed upon with the Commission, through the appropriate subcommissions.

I request your excellencies to arrange for exact compliance with this agreement, favoring me with kind assurances in the matter.

THE CHIEF OF THE GOVERNMENT

/s/ BADOLIO

P.C.C.

THE CHIEF OF THE CABINET

1680

(3)

COPY

No. 739. di prot

Salerno, 13 March 1944

Dear General,

DS 51376
26 Jun 1944

After having worked with me for quite some time, you know that it is my absolute decision to proceed in any matter in full accord with the Allied Control Commission over which you preside.

With regard to this, at next Thursday's Council of Ministers, I shall give definite orders to the effect that no government appointment be made without previous agreement with the Commission.

I hope that the same feelings prevail with the Control Commission toward us, so that it might be possible to come, in common agreement to a revision of certain positions given to certain persons in the provinces recently turned over to the Italian Government, and which render nearly impossible a normal functioning of government.

With cordial greetings,

/s/ Badoglio

To General Noel Mason MacFarlane
Chief of the Allied Control Commission
Naples.

203/CC

NF

1684

(2)

copy

/dfe

CC/F/134/000.1

10 March 1944

Recent events over certain appointments have shown that it is clearly desirable for us to have a mutually satisfactory arrangement to prevent misunderstandings and subsequent difficulties which it is in all our interests to avoid. I would suggest, therefore, that it should be agreed that you will let me know before any appointment to the Government is actually announced. Equally, I should be glad if you will impress upon all the members of your Government that they should, in turn, consult the appropriate authorities in the Allied Control Commission before making any senior appointments in their own departments either at the seat of the Italian Government or in those provinces under Italian jurisdiction. As they already enjoy close and friendly relations with the Sub-Commission with whom they work, this should be an easy matter to arrange. It is clear that each minister must be strictly accountable for all appointments in his department, and the arrangement which I propose should be to their interests in carrying out the work which we are doing together.

I should be glad if you will let me know whether you are in full agreement with the proposals made in this letter. If so, I will give the necessary instructions to the various heads of Sections and Sub-Commissions of the Allied Control Commission as soon as you confirm that members of your government have been notified of our agreement.

NOEL LASON MACFARLANE
Lieutenant General
Chief Commissioner

S.E. Marshal Pietro Badoglio
Capo del Governo

1680

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File under No. _____

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS

0924