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Declassified E.O. 12356 Section 3.3/NND No. 785015

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MILITARY ZONES (IN ITALIAN TERRITORY)
JAN. 1945

852/CC

Office of the
Chief Commissioner

ALLIED COMMISSION

LIST OF PAPERS

File under No. 852 MILITARY ZONES
(In Italian Territory)

~~SECRET~~

Page 1

2707

~~SECRET~~

SECRET.

Ref: AC/4176/L.

9 January 1945.

SUBJECT: Military Zones.

TO: Allied Force Headquarters, Item G-5 Section.

1. On each occasion when occupied territory has been restored to Italian administration the terms of restoration have expressly reserved the following right:

"The right to declare any area a military zone and to exercise therein the rights of an occupying power or enforce such other as may be determined by the Allied Commander-in-Chief".

2. Recently disturbances have occurred in territory which has been so restored and there is the possibility of similar disturbances taking place in such circumstances that the power to declare an area a military zone may have to be exercised at short notice.

3. To meet such an emergency, a form of proclamation establishing a military zone has been prepared: a copy is attached.

4. The description of the zone, which will be set out in the schedule to the proclamation, has inevitably been left blank. This course has been adopted so that prior of the body of the proclamation can be prepared in advance, leaving only the schedule to be completed after the final decision has been taken.

5. Will you please submit the attached form of proclamation to the Supreme Allied Commander for his consideration and, if he approves, for his signature?

6. On receipt of the proclamation signed, the necessary arrangements for the printing thereof will be put in hand.

7. It is presumed that the Supreme Allied Commander will desire to appoint a person to carry out his orders in a Military Zone. It is thought that it would only complicate matters and that it is in fact quite unnecessary to appoint a Deputy Military Governor and that all that is required is that the Supreme Allied Commander should appoint the Chief Commissioner, Allied Commission, to be his Chief Civil Affairs Officer of any Military Zone that may be created and thereupon the ordinary channel of command from the Supreme Allied Commander will operate as in AMG territory restored to Regional control.

WILSON W. STONE
Rear Admiral, USN,
Chief Commissioner

Encl: Copy of Proclamation.

DECLARATION

WHEREAS, it is necessary to establish and maintain law and order in the area described in the schedule hereto;

NOW, THEREFORE, I HAROLD M.L.H. ALLENBY, G.C.B., G.C.I., P.M.C., M.C., Field Marshal, hereby proclaim as follows;

ARTICLE 1

The said area is hereby established as a Military Zone and is hereinafter called 'The Military Zone'.

ARTICLE 2

All powers of Government and jurisdiction and final administrative responsibility in the Military Zone are vested in me as Supreme Allied Commander Mediterranean Theatre of Operations and Governor of the Military Zone and shall be exercised through and by the direction of such persons as I may from time to time appoint.

ARTICLE 3

All states, provincial or other public officials or employees shall, unless dismissed, continue in their present offices as officials or employees under my orders.

Any person who:

- (1) Violates or has violated any provision of Italian law;
- (2) Violates any rule, order or regulation governing the administration of the Military Zone or any inhabitants thereof;
- (3) Disobeys any order given under my authority or the authority of the Allied Forces;
- (4) Takes part in any demonstration or assembly not duly authorized;
- (5) Does any act to the prejudice of good order of the Military Zone;
- (6) Does any act to the prejudice of the safety or security of the Allied Forces or any member thereof;
- (7) Conspires or attempts to commit, or assists or procures the commission of any act hereby constituted an offence;

shall be guilty of an offence and shall, upon conviction by a Military Court be liable to punishment by death or by imprisonment or fine or both as the Court may determine and in respect of any offence under sub-para 1 above, the punishment which may be imposed shall not be limited to such punishment as

ARTICLE 2

All powers of Government and jurisdiction and final administrative responsibility in the Military Zone are vested in the Supreme Allied Commander Mediterranean Theater of Operations and Commander of the Military Zone and shall be exercised through and by the direction of such persons as may from time to time appoint.

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All states, provincial or other public officials or employees shall, unless dismissed, continue in their present duties as officials or employees under my orders.

ARTICLE 4

Any person who:

- (1) Violates or has violated any provision of Italian law;
- (2) Violates any rule, order or regulation governing the administration of the Military Zone or any inhabitants thereof;
- (3) Disobeys any order given under my authority or the authority of the Allied Forces;
- (4) Takes part in any demonstration or assembly not duly authorized;
- (5) Takes any act to the prejudice of good order of the Military Zone;
- (6) Does any act to the prejudice of the safety or security of the Allied Forces or any member thereof;
- (7) Conspires or attempts to commit, or assists or procures the commission of any act hereby constituted an offence;

shall be guilty of an offence and shall, upon conviction by a Military Court be liable to punishment by death or by imprisonment or fine or both as the Court may determine and in respect of any offence under sub-para 1 above, the punishment which may be imposed shall not be limited to such punishment as may be prescribed for such offence by Italian law.

ARTICLE 5

Military Courts, which shall be General, Superior or Summary Military Courts, are hereby established and have such jurisdiction as shall be conferred upon them respectively.

ARTICLE 6

A. Any person convicted by a Military Court may within 15 days of conviction present a petition for Review of conviction or sentence.

B. No sentence of death shall be executed unless or until confirmed in writing by me or by an officer expressly authorized in that behalf by me in writing.

ARTICLE 7

This Proclamation shall come into effect throughout the Military Zone upon its first publication therein.

ANNEX

The areas above referred to being the area of the Military Zone is as follows:

HEROLD R. L. S. ALVARADO
Field Marshal
SUPREMACY ALLIED COMMANDER MEXICAN
THEATRE OF OPERATIONS

DATED:

2707

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File under No. 301 - NOTIFICATION, RESOLUTION & CONFERENCES

SECRET

SERIAL NUMBER	FROM--	DATE	TO--	SYNOPSIS
2703				
			SECRET	

INSTRUCTIONS.—When papers on a subject become numerous they will be numbered serially and brief entries made on this form.

