

1702

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

785013

ACC

10000/136/303

1753

Declassified E.O. 12356 Section 3.3/RHD No. 78501

10000/136/303

POW STATUS OF ITALIAN PARTISANS
JULY 1944 - APR. 1945

LIST OF PAPERS

1110/CC

Office of the
Chief Commissioner

ALLIED COMMISSION

File under No. 1110/CC FRISCHER-OF-WAR STATUS OF ITALIAN PARTISANS

~~Confidential~~

Page 2

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
18	Cbl AFHQ F 42699	23 Oct 44	ACC	Your arguments not understood inasmuch as Germans have agreed
19	Cbl AC 5706 CCS	31 Oct 44	AFHQ	Further to difficulties. AAI has supported our view.
20	Ltr 3-01/37/CCS	31 Oct 44	AFHQ	Fwdg of ltr fr CCS AAI supporting AC views on status of It Partisans
21	FC(44)135 (G-5)	13 Nov 44	Pol. Committee	Recommend AC take up with Govt matter of statement; AAI advised propose wearing of insignia by Ital partisans.
22	FC(44) 32nd Mtg	15 Nov 44		Status of Ital Partisans, generally
23	Cbl AFHQ FX-95144	17 Mar 45	AC, 15 A/G	Partisans to wear distinctive insignia; IG to issue statement demanding PW status for them if captured
24	Cbl ACCAS, 3856	19 Mar 45	15 A/G	Distinctive emblem for It Partisans; pls inform instrs issued.
25	Cbl 15A/G, G5/411	21 Mar 45	AC	Emblem for It Partisans.
26	Cbl ACCAS 4110	23 Mar 45	AFHQ, 15A/G, SOMTO	Emblem for It Partisans.
27	Cbl 15 A/G, O-335B	21 Apr 45	AFHQ G-3, SOM, AC	Emblem for It partisans.
28	Cbl AFHQ FX-63853	22 Apr 45	15 A/G, SOM, AC	Emblem for It Partisans
29	6/12.5/CA, Gripps	23 Apr 45	CC	Aide Memoire to Bonomi suggesting IG issue statement demanding PW status for partisans if captured.
30	Aide-Memoire, 6/12.5/CA, Stone	23 Apr 45	Bonomi	Suggest IG issue statement demanding PW status for partisans if captured by Germans.

~~Confidential~~

1110/CC

Office of the
Chief Commissioner

ALLIED COMMISSION

LIST OF PAPERS

File under No. 1110 PRISONER-OF-WAR STATUS OF ITALIAN PARTISANS

TOP SECRET

Page 1

SERIAL NUMBER	FROM--	DATE	TO--	SYNOPSIS
1	Chl AAI A 818	8 Jul 44	PBS & ACC	Segregating It fascists as POWs
2	Chl MHA AQ 1659	8 Jul 44	MHA IO	Fascist soldiers held as POW
3	Ltr 1/158 Bonomi	2 Aug 44	Stone	Request for statement making It partisans part of ICI & according them true POW status. INCL.
4	Ltr Army SC G/19 Gen Browning	5 Aug 44	Stone	Agree with Bonomi's request with certain reservations re reg army
5	Ltr 324.5 Stone	8 Aug 44	CinC AAI (with Incl)	Referring of Bonomi's request for statement on Patriots, Italian
6	Ltr G/19 Army SC Browning	10 Aug 44	Stone	Please amend draft of statement to read "simultaneously"
7	Ltr 324.5 Stone	11 Aug 44	CinC AAI	Emendation as requested by Army
8	Ltr 324.5 Stone	11 Aug 44	Army SC	Emendation has been passed on
9	Ltr G/19 Army SC Browning	15 Aug 44	Stone	Further emendation requested.
10	Ltr 324.58cc Gen	17 Aug 44	Browning	A/CC has passed on 2nd emendatic
11	Ltr 16/1/G(Ops) AAI Harding	25 Aug 44	ACC	Do not consider desired statement practicable nor desirable. INCL
12	Ltr 16/1/G(Ops) AAI C of GS	26 Aug 44	ACC	Enclosing statement on Ital Ar- my's recent contribution. INCL
13	Ltr 324.5 Stone	28 Aug 44	Dash & Patriot Br	Comments on draft pls.
14	Ltr 324.5 Stone	2 Sep 44	Bonomi	CinC has decided statement is undesirable. Incld is statement.
15	Chl AFHQ F 36036	8 Oct 44	ACC	CCS suggests Ital Govt should is- sue statement that Ital partisans should be treated as POW by Germany
16	Chl ACC 5007 CCS	19 Oct 44	AFHQ	Objections. Answer follows soon.
17	Chl ACC 5210 CCS	21 Oct 44	AFHQ	Chief difficulties to CCS propo- sal: no real insignia worn

Confidential

23rd April, 1945.

Reference No.

6/12.5/CA

AIDE MEMOIRE.

1. The Combined Chiefs of Staff suggest that if Italian Partisans fulfill the conditions of Article one of the regulations appended to the Hague Convention No. 4 of 1907, a statement should be prepared for issue by the Italian Government stating the facts and demanding treatment as Prisoners of War in the event of capture by the enemy.
2. Organised Bands working in the North appear to comply with the requirements of the Hague Convention referred to in Paragraph 1 above in every respect other than that of wearing a distinctive emblem. The Supreme Allied Commander has now ordered that such an emblem will be worn to conform with the Regulations of the Hague Convention.
3. It is therefore requested that if you agree you should prepare a statement demanding for Patriots treatment as Prisoners of War in the event of capture by the enemy. The statement to be forwarded to this Commission for submission to and approval by the Supreme Allied Commander and the Combined Chiefs of Staff.

ELBERT W. STONE
Rear Admiral, USNR
Chief Commissioner

Del'd 9.15
(30) 24
4

2006

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB-COMMISSION

Ext. 620

Reference: 6/12.5/CA

23rd April, 1945.

To: The Chief Commissioner
(Through Civil Affairs Section).

1. Attached is an Aide Memoire on the subject of Prisoner of War Status for Patriots, which is submitted for your approval.
2. The terms of the Geneva Convention require that Militia ~~and~~ ^{is a} Volunteer Corps must fulfill the following conditions:
 - (a) be commanded by a person responsible for his subordinates;
 - (b) have a fixed distinctive sign recognisable at a distance;
 - (c) carry arms openly;
and
 - (d) conduct their operations in accordance with the laws and customs of war.

All the conditions dealing with this matter can be found in the Manual of Military Law, 1929, Amendment No. 12: "Laws and Usages of War on Land", Chapter XIV paragraphs 22 to 28.

3. To fulfill the conditions regarding the distinctive sign, 15th Army Group have ordered that Patriots working under their command should wear an Equilateral Triangle 15 Centimetres at the base, made of white cloth sewn on the right breast. Legal Sub-Commission's opinion is that this complies with the requirements of the Geneva Convention.

4. This definition has not been included in the Aide Memoire for the Prime Minister as it is known by this Sub-Commission that some Partisans are already wearing a red and blue arm band, and it would seem that any Partisans wearing a distinguishable mark should be included in the terms of this request pending the time that uniformity has been achieved.

R.R. CRIPPS, Colonel,
Director,
LOCAL GOVERNMENT SUB-COMMISSION.

cc: Exec. Commr.

(29)

1110/2

2005

BEST COPY POSSIBLE

SECRET

Major Q -
 Copy signed
 Sent VP-CA Sec
 Patriotic Br. En
 PX 63853
 APR 22 1216B

D/8404

APR 22 1859B

PRIORITY

AFHQ SIGNED SIGNED GITE FHGCT
 ACTION 15 ARMY GP INFO SCMTG, ALCOM

SECRET

Ref your O-335(B) dated 21st.

Approved with exception of colour of insignia. White material
 will be dyed red or other distinguishing colour before being issued.

Dist

Info-Action - SOM(LO)
 Info - A/President
 Chief Commissioner
 file

Copies to:

En. Cam.

C A Section.

Patriotic Branch.

Done
 24/4/45
 D.F.O.

(28)

SECRET

SECRET

O-325H
APR 2112458

D/8342
APR 2115/218
ROUTINE

15 ARMY GROUP
APR CITE INGT INTO SGM(59 AREA PASS) ALCOM

SECRET.

Reference your FX 62284, cite INGT of 19.

All concerned here agree following insignia most satisfactory and practical.

A 15 cm. equilateral triangle of white cloth sewn on right breast. Can be prepared locally from parachute material. White will rapidly become neutral colour. Request approval before we pass instructions to partisans through all missions.

M/C NOTE:

No trace of FX 62284

DIST

INFO-ACTION: Land Forces 2
OK SEC

INFO : A/PRESIDENT
CHIEF COMMISSIONER
EX COMMISSIONER
PATRIOTS BRANCH
LAND FORCES
FILE (2)
FLOAT

2003

SECRET

AFHQ CITE PROEG INFO 15 ARMY GROUP CIVIL AFFAIRS SECTION 05 SECTION
CMA SOMTO

1110

23 *med*

PRIORITY

SECRET PD

PARA ONE PD WEARING OF DISTINCTIVE EMBLEM BY PATRIOTS IS SUBJECT CMA YOUR
FOX HAY AWAY NINE FIVE ONE FOUR ONE REFERS PD

PARA TWO PD HQ FIFTEEN ARMY GROUP ADVISE THAT PRESENT PLAN CMA IF AGREEMENT TO
SOM CMA E. TO SUPPLY PARTISANS WITH SHOULDER PATCHES WHICH ARE OF PATCH OF
GUARDS PAREN BRITISH PAREN PATCHES CMA BLACK BACKGROUND WITH WORD PARTISANS
IN RED LETTERS PD FIFTEEN ARMY GROUP GEORGE FIVE BLANT FOUR ONE ONE PAREN
NOT TO FIRST ADDRESS PAREN REFERS PD

PAREN TO AFHQ CITE PROEG INFO HQ FIFTEEN ARMY GROUP CIVIL AFFAIRS GEORGE
FIVE SECTION CMA SOMTO FROM HQ ALCON CITE ACCAS PAREN

PARA THREE PD LEGAL OPINION OF THIS COMMISSION IS THAT THE SHOULDER PATCHES
SUGGESTED BY FIFTEEN ARMY GROUP DO NOT CONSTITUTE A FIXED DISTINCTIVE SIGN
WITHIN THE MEANING OF ARTICLE ONE OF THE HAGUE REGULATIONS RESPECTING THE
LAWS AND CUSTOMS OF WAR ON LAND ON THE GROUNDS THAT THEY ARE NOT SUFFICIENTLY
CONSPICUOUS TO BE RECOGNIZABLE AT A DISTANCE PD RECALLED AS ESSENTIAL THAT THE
PATCHES BE OF LARGER SIZE PD FURTHER RECOMMEND THAT THE WORD QUOTE PATRIOTI
UNQUOTE BE USED INSTEAD OF QUOTE PARTIGIANI UNQUOTE PD

9002

1713

PARA FOUR PD THIS COMMISSION IS OF OPINION THAT WEARING OF A DISTINCTIVE SIGN AND THE ISSUE OF A STATEMENT BY THE ITALIAN GOVERNMENT CLAIMING THE BENEFIT OF THE CONVENTION FOR PATRIOTS WILL BE TAKEN AS A FINAL INDICATION BY PATRIOTS THAT THE ALLIES INTEND TO GIVE THEM ALL THE BENEFITS OF MILITARY FORCES SUCH AS HOSPITALIZATION CMA RATIONS AND CLOTHING AND IF SUCH BENEFITS ARE NOT FORTHCOMING IT IS THE VIEW OF THIS COMMISSION THAT GREAT DIFFICULTY MAY BE EXPERIENCED IN DISPERSAL OF PATRIOTS PD

PARA FIVE PD IT IS RECOMMENDED THEREFORE THAT NO STEPS BE TAKEN TO ISSUE A STATEMENT OR TO SEND DESIGNATIONS TO PATRIOTS UNTIL THE REQUEST CONTAINED IN FOUR NAN ABLE FOX EIGHT SIX FOUR IS ACCEPTED

1
20

INT DISTRIBUTION:
Ex Comm.
Patriots Branch
Land Forces S/C
Legal S/C

CA SECTION

608

R.N. CRIPPS Col.

NICHOLAS PIOMBINO
C.W.O. AUS.
Ass Adjutant.

2901

26

4

SECRETG-5/431
MAR 211130AD/5653
MAR 21 1910A
ROUTINEHQ 15 ARMY GROUP (G-5 SECTION)
HQ ALCON

SECRET.

15 ARMY GROUP and 30M will confer.

Refer distinctive emblem for partisans and you will be advised as to instructions to be issued by 15 ARMY GROUP. Present plan if agreeable to 30M is to forward to partisans 100,000 shoulder patches which are of pattern of Guards (British) patches. These will be black background with word partisans in red letters. 5000 patches at a time will be dropped. Beginning date not yet know. You will be given full details as soon as possible. ALLIED COMMISSION cable 3856 refers, also FX 45247 17 March.

24

23

DIST

ACTION: CA Sect
INFO: A/President
Chief Commissioner
Executive Commissioner
Land Forces S/C
I.F.W. S/C
Patriots Br
P.Safety
File

Confidential

15 ARMY GROUP CIVIL AFFAIRS

3856

19 March 45

PRIORITY

23?

SECRET PD

PARA ONE PD DISTINCTIVE EMBLEM FOR ITALIAN PARTISANS IS SUBJECT PD

PARA TWO PD REFERENCE ALLIED FORCE HEADQUARTERS SIGNAL FOX MAY FOUR FIVE TWO

FOUR SEVEN DATED ONE SEVEN MARCH PD

PARA THREE PD MAY THIS COMMISSION PLEASE BE INFORMED IMMEDIATELY OF THE INSTRUCTIONS
YOU ARE ISSUING IN THIS MATTERINT DISTRIBUTION:

Para Branch.

CIVIL AFFAIRS SECTION

437

D.R. GRIPS, Col.

NICHOLAS PIOMBINO
CWO AUS

Asst Adjutant

24

2000



Ministero della Cooperazione

DIREZIONE GENERALE DEL SEGRETARIATO
DEL CONSIGLIO NAZIONALE DELLE CORPORAZIONI
DEGLI AFFARI GENERALI E DEL PERSONALE

Admiral

Ref. attached signal:-

- 1) No design has been considered.
- 2) No member of the Italian Government has been approached or consulted.
- 3) C.A. Section are preparing a memo on the subject.

JAG.

20.3

file 9001/EL
(23)

FILE 9008
A.

1110/44

PL 95141
MAR 171543

SECRET

D/5351
MAR 173024A
PRIORITY

APPROX SIGNED SIGNED CITE THREE
ACTION ALONG ROBE INFO 15 MAY 1943

SECRET

1. It has been determined wherever possible to direct Italian Partisans to wear a prescribed distinctive emblem recognizable at a distance in conformity with the provisions of the COMNAV convention.
2. You are requested to take up with the Italian Govt the preparation of a statement which will demand for Italian Partisans in the event of capture by the Germans treatment as prisoners of war in all cases in which the requirements of COMNAV convention, as set forth in article 1 of annex to HAGUE convention number IV are met.
3. No such statement will be issued unless first submitted to this Hq for approval. (15)
4. Our cables P 16026 of 8 October, P 40463 of 12 October, P 42699 of 23 October, and your ACC 5687 of 19 October: 5210 of 21 October: 5786 of 31 October refer to this matter. (16)
5. Your attention is invited to AG letter 383.6/121 INT-O of 6 March 1943 subject: Disposal of Present and Former Members of the Republican Fascist Armed Forces Captured by the Allies. (17)
6. You are requested to expedite this matter.

Action - Exec Com
Info - A/President
Chief Commissioner
CA Sec, - Patriots
T Safety, - W.M.D.
File (2)
Float

SECRET

1. It has been determined wherever possible to direct Italian Partisans to wear a prescribed distinctive emblem recognizable at a distance in conformity with the provisions of the GENEVA convention.
2. You are requested to take up with the Italian Govt the preparation of a statement which will demand for Italian Partisans in the event of capture by the Germans treatment as prisoners of war in all cases in which the requirements of GENEVA convention, as set forth in article 1 of annex to HAGUE convention number IV are met.
3. No such statement will be issued unless first submitted to this Hq for approval. (15)
4. Our cables F 36036 of 8 October, F 40463 of 12 October, F 42699 of 23 October, and your AGC 5057 of 19 October, 5210 of 21 October, 5706 of 31 October refer to this matter. (16)
5. Your attention is invited to AC letter 383.6/121 of 6 March 1945 subject: Disposal of Present and Former Members of the Republican Fascist Armed Forces Captured by the Allies. 2007
6. You are requested to expedite this matter.

Dist

Action - Exec Com
 Info - A/President
 Chief Commissioner
 CA Sec, - Patriots
 P Safety, - S.W.D.
 File (2)
 Float

Confidential

SCOTT MARO

Marie Desjardis

COPY

TOP SECRET

PC (44) 32nd Meeting

15th November 1944

POLITICAL COMMITTEE

EXTRACT

9. STATUS OF ITALIAN PARTISANS

(Paper No. PC(44) 135) - (21)

THE COMMITTEE HAD before them a paper by G-5 incorporating the views of AAF and the Allied Commission and recommending that :-

- (a) The Allied Commission be directed to take up with the Italian Government the preparation of an appropriate statement so as to ensure treatment as prisoners of war for captured Italian Partisans.
- (b) Distinctive insignia be worn by Italian Partisan Bands in all cases where such procedure was possible.

LIEUTENANT GENERAL SPOTTWOOD emphasised the difficulty in differentiating between regular bands, for whom prisoner-of-war status could logically be claimed, and irregular ones. He thought, as suggested in the paper, that the Committee should be largely guided by the Allied attitude regarding the Volksturm in GERMANY.

LIEUTENANT GENERAL GABRIEL suggested that, as a first move, the Liberation Committee in MILAN should be declared to be part of the Italian Government and General O'Donnell, who was now with the Committee, to be the military head of the Partisans and General Alexander's representative with them. The advantages to be gained from this close contact between the Italian Government and the Milan Committee would be easier government of newly-liberated territory and closer execution of Allied orders regarding anti-aircraft and other operations. It was estimated that one hundred million lire a month would be required to keep the Italian resistance movement going during the coming winter. This sum was beyond the capacity of SOB and he suggested that the Italian Government might be asked to supply these funds, as part of their policy of recognition of the Partisan Movement.

ADMIRAL COMINGHAM felt that it would be difficult to disarm Partisan bands in liberated areas and that it would be necessary to incorporate them into the regular forces, as had been done in FRANCE. The "ceiling" laid down by the Combined Chiefs of Staff would therefore probably be exceeded.

MAJOR GENERAL ROOPE observed that the "ceiling" for the Italian forces was calculated on ration strengths. In view of the world shortage which had developed in certain foodstuffs, it was improbable that any suggestion for the raising of the "ceiling" above its present figure would be well received in WASHINGTON. There was no theoretical limit, however, to the forces which the Italian Government might raise and maintain from their own resources. It would in any case be necessary to import supplies to feed them as civilians.

THE COMMITTEE HAD before them a paper by G-3 incorporating the views of AAI and the Allied Commission and recommending that :-

- (a) The Allied Commission be directed to take up with the Italian Government the preparation of an appropriate statement as to capture treatment as prisoners of war for captured Italian partisans.
- (b) Distinctive insignia be worn by Italian Partisan Bands in all cases where such procedure was possible.

REDACTED GENERAL SPENCER emphasized the difficulty in differentiating between regular bands, for whom prisoner-of-war status could logically be claimed, and irregular ones. He thought, as suggested in the paper, that the Committee should be largely guided by the Allied attitude regarding the Volksturm in GERMANY.

LIEUTENANT GENERAL GAMMEL suggested that, as a first move, the Liberation Committee in MILAN should be declared to be part of the Italian Government and General Cadorna, who was now with the Committee, to be the military head of the Partisans and General Alexander's representative with them. The advantages to be gained from this close contact between the Italian Government and the Milan Committee would be easier government of newly-liberated territory and closer execution of Allied orders regarding anti-aircraft and other operations. It was estimated that one hundred million lire a month would be required to keep the Italian resistance movement going during the coming winter. This sum was beyond the capacity of SOE and he suggested that the Italian Government might be asked to supply these funds, as part of their policy of recognition of the Partisan Movement.

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MR. PARES said that whereas the Partisans received considerable publicity while they were fighting, they seemed to receive little attention of recognition once they were on the Allied side of the line and that this was causing considerable discontent among them. He also reported that the certificates which AAI were delivering to certain Partisans were traded in the black market and had reached a high price.

THE SUPREME ALLIED COMMANDER:

- (a) Endorsed the recommendation that distinctive insignia be worn by Partisan bands wherever possible and directed that G-3 take action accordingly.
- (b) Directed that G-3 ascertain and report to him the numbers of Partisans now operating in regular and irregular bands respectively.

Confidential

22

9008 1110/CC

1720

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

TOP SECRET

15 Nov 44

PG (14) 52nd 148

EXTRACT COPY (cont'd.)

PAR 9 (cont'd.)

- (c) Directed that the Allied Commission ascertain whether the Italian Government would be willing to carry out the Chief of Staff's suggestion at 'X' above.
- (d) Undertook to discuss this subject during his forthcoming visit to Rome.

2003

Person at 4
(4) Under took to discuss this subject during his forthcoming visit to
ROSE.

2805

22 Confidential 2.

Confidential

SECRET

File

EG (44) 135
15th November 1944

ALLIED FORCE HEADQUARTERS

K-416

SECRET

COPY NO 41

POLITICAL COMMITTEE

STATUS OF ITALIAN PARTISANS

Made by Assistant Chief of Staff, C-5

16 NOV 1944

Co

A- The Combined Chiefs of Staff have suggested in FM 434 that if the Italian Partisans fulfill the conditions of the regulations annexed to the Hague convention it would be desirable for the Italian Government to declare, and to demand for the Partisans treatment as prisoners of war in the event of capture. The Combined Chiefs of Staff authorized the Theatre Commander, if he deemed it desirable, to make a supporting statement. COMSEC 193 requested that any statement made by the Italian Government be submitted to the Foreign Office before approval by this Headquarters

2. Objection respecting the alleged danger of further strengthening a patriot movement which may become difficult to handle under a military Government is raised by the Allied Commission. The Commission has taken the position that we should not further build up partisan bands, as when the territory in which they function is taken over by Allied Forces a difficult problem is created for AMG and for Military authorities. The political position of the Yugoslav partisans and the French Maquis are instances as examples to be avoided. The force of this argument is greatened but it is questioned whether the post-liberation control and assimilation of these groups does not depend on a number of other and more important factors. The added measure of future political difficulty which recognition of protected status of the patriots might involve must be measured against the present political and military consequences of action or failure to act on the Allied side. Also it is suggested that if the Allies are encouraging the patriots by radio to armed resistance and are furnishing them with arms, it is not seen how as a matter of fairness the Allied command can fail to attempt to obtain for them the full protection to which they are entitled under the laws of war.

3. The views of AAI have been requested. It is the position of AAI that there are Partisan bands organized with responsible control and bearing arms only who might be persuaded to wear appropriate insignia, and become entitled to the protection of the Geneva Convention. Certain bands could easily be brought into conformity with the required rules. On the other hand there are partisan bands who do not meet the requirements for combatant status. It would be necessary to differentiate between responsible and irresponsible bands.

AAI also states that the Volksturm movement must be considered in this regard. It is suggested that the law of war imposes independent obligations on each belligerent and if members of the Volksturm meet the requirements of the Convention of the status of the Volksturm must the requirements of

1. The Combined Chiefs of Staff have suggested in RMP 434 that if the Italian Partisans fulfill the conditions of the regulations annexed to the Hague Convention it would be desirable for the Italian Government to declare, and to demand for the Partisans treatment as prisoners of war in the event of capture. The Combined Chiefs of Staff authorized the Theatre Commander, if he deemed it desirable, to make a supporting statement. DOWD 193 requested that any statement made by the Italian Government be submitted to the Foreign Office before approval by this Headquarters.

2. Objection respecting the alleged danger of further strengthening a patriot movement which may become difficult to handle under a military government is raised by the Allied Commission. The Commission has taken the position that we should not further build up partisan bands, as when the territory in which they function is taken over by Allied Forces a difficult problem is created for AIG and for Military authorities. The political position of the Yugoslav partisans and the French Maquis are instances as examples to be avoided. The force of this argument is great but it is questioned whether the post-liberation control and assimilation of these groups does not depend on a number of other and more important factors. The added measure of future political difficulty which recognition of protected status of the patriots might involve must be measured against the present political and military consequences of action or failure to act on the Allied side. Also it is suggested that if the Allies are encouraging the patriots by radio to armed resistance and are furnishing them with arms, it is not seen how as a matter of fairness the Allied command can fail to attempt to obtain for them the full protection to which they are entitled under the laws of war.

3. The views of AAI have been requested. It is the position of AAI that there are Partisan bands organized with responsible control and bearing arms openly who might be persuaded to wear appropriate insignia, and become entitled to the protection of the Geneva Convention. Certain bands could easily be brought into conformity with the required rules. On the other hand there are partisan bands who do not meet the requirements for combatant status. It would be necessary to differentiate between responsible and irresponsible bands.

AAI also states that the Volksturm movement must be considered in this regard. It is suggested that the law of war imposes independent obligations on each belligerent and if members of the Volksturm meet the requirements of the provisions of the Hague Convention we are obliged to treat them as prisoners of war without regard to German treatment of Italian Partisans. If Volksturm personnel are not compared within the provisions referred to, we shall be free to treat them without reference to the Geneva Convention.

4. It is believed that a statement from the Italian Government could be so phrased as to demand treatment for Italian Partisans as prisoners of war in such cases as are within the provisions of the Hague Convention and would thus differentiate between regular and irregular partisan bands.

See 22

- 1 -

/5.....

FILES A

A

(21)

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief of Staff

SECRET

Tel: 478803

31 October 1944.

Ref: 3201/37/COS.

SUBJECT: Statement giving Recognition to Patriots.

TO : Allied Force Headquarters,
G-5 Section.

1. Reference my signal 5210 dated 21 October 1944, SACRED's P 42699 dated 23 October 1944, and the last paragraph of my signal 5706 of today.

2. Copy of 16/1/C(Ops) dated 25 August 1944 from Chief of General Staff, HQ AAI, is enclosed.

For the Acting Chief Commissioner:

William M.
Brigadier,
Chief of Staff.

Incl
as above

2002

31 Oct

1728

785015

SECRET

5706

AMHQ

AC HQ

5706

31 Oct 44

SECRET
PRIORITY
OOB

SECRET PD

F 4 2 6 9 9 2 3
PARA ONE PD YOUR FOX FOUR TWO SIX NINE NINE OF TWO THREE OCTOBER PDSIGNED STONE
PARISH TO AMHQ FOR GEORGE DASH FIVE FROM AC HQ/PAWHPARA TWO PD EVIDENCE SHOWS THAT GERMAN HAVE ONLY ACCORDED PW STATUS IN A SINGLE
DISTANCE PDPARA THREE PD THESE BANDS HAVE ALREADY PROVEN DIFFICULT TO HANDLE WHEN OVERTAKEN BY
ALLIED FORCES AND I DO NOT WISH BY OUR ACTION TO CREATE A MORE DIFFICULT PROBLEM FOR
ARM AND MILITARY AUTHORITIES BY BUILDING PARTISANS INTO A POSITION ANALOGOUS TO THE
PRESENT POLITICAL SITUATION OF THE YUGOSLAV PARTISANS OR FRENCH MAQUIS PDPARA FOUR PD ALTHOUGH ITALIAN GOVERNMENT DESIRED TO MAKE A STATEMENT I WOULD REMIND
YOU THAT GENERAL ALEXANDER REFUSED A PREVIOUS REQUEST VIDE PARA THREE OF MY FIVE TWO
ONE ZERO OF TWO ONE OCTOBER PD HIS REASONS FOR SO REFUSING ARE CONTAINED IN A LETTER
TO ALLIED COMMISSION A COPY OF WHICH WE ARE FORWARDING YOUNICHOLAS W. DRAGHOFF
Major, ASD
ADJUTANT

SECRET

SECRET

6871

ACC

68/83

AFHQ SIGNED SAGMED

F 42699

PRIORITY

OCT 231530A

CITE FHGEG

SECRET Status of Partisans is subject.

1. Your 5210 indicates in paragraph 2 that Germans have accorded PW status to Partisans. It would appear unwise for us to ask for less than is already conceded.

2. The Italian Government according to your paragraph three desires to make a statement on the subject; the combined Chiefs of Staff desire to have it made, and the Germans are prepared to concede the substance of the statement. The position of ACC in not facilitating the making of a statement not understood.

3. In reply to your 1A the HAGUE CONVENTION does not set any conditions as to uniform other than the wearing of a fixed distinctive emblem recognizable at a distance.

4. The Italian Government has agreed to treat ITALIAN Neo-Fascists as Prisoners of War.

Dist

→ Action - C o S (D9900)
Info - A/CC
File (K)

Confidential

(18) COS file 3201

23 (ed)

OCT 232000A

This is not in K. He will
H. Carver.
Comment.

Q
24/12

INFORMATION

SECRET

A/cc 700

OCT 21 1946

5210

AFHQ RPTD AAI

AOC HQ

5210

21 Oct 46

SECRET

PRIORITY

OCS SMO

F 3 6 0 3 6 8

SECRET PD YOUR FOX THREE SIX ZERO THREE SIX OF EIGHT SETFORER CITE FIVE PD PAREN TO
 AFHQ REQUESTED AAI FOR BRIG MAINTAINING FROM AOC HQ PAREN PARA ONE PD THERE SEEM TO US
 THREE SERIOUS DIFFICULTIES ABOUT THE COMBINED CHIEF OF STAFF SUGGESTION PAREN AAI
 PAREN ACCORDING TO REPORTS PARTISANS DO NOT APPEAR TO FULFIL CONDITIONS OF UNIFORM
 LAID DOWN BY HAGUE CONVENTION AND IT IS PROBABLY TOO LATE TO REMEDY THIS PD PAREN BAKER
 PAREN IF ACTIVE STEPS WERE TAKEN BY US TO REMEDY AAI WE SHOULD BE IN DANGER OF BUILDING
 UP PARTISAN MOVEMENT INTO A MILITARY ORGANISATION WHICH BASED ON EXPERIENCE MAY BECOME
 EXTREMELY DIFFICULT TO HANDLE WHEN MILITARY GOVERNMENT IS SET UP PD PAREN CHARLIE PAREN
 UNDER EXISTING DIRECTIVES IT WOULD NOT BE POSSIBLE TO ABSORB THEM AS FORMED SERIES INTO
 THE ITALIAN ARMY PD PARA TWO PD RECENT REPORT HAS STATED THAT GERMANS HAVE ACCORDED PW
 STATUS TO SOME PARTISANS PD PARA THREE PD COMMANDER IN CHIEF AAI ON TWO FIVE AUGUST
 DISAPPROVED A SIMILAR SUGGESTION FROM ITALIAN GOVERNMENT PD FOR THESE REASONS WE WOULD
 NOT BE IN FAVOUR OF PURSUING SUGGESTION

2009

(17)

Int. Dist.

A. Sec

Sec

21 Oct

 ✓
 L.T. JENNANT, Jr.
 1st Lt ASD
 ADUTAGE

Confidential

1722

SECRET

320'

A-

5087

3000

ADHQ

ACC HQ

5087

19 Oct 44

SECRET

PRIORITY

COM Sec.

15

SECRET PD IN REPLY YOUR FOR THREE SIX AND THREE SIX OF EIGHT OCTOBER PD PAGE
TO ADHQ FOR GEORGE FIVE FROM ACC HQ PAGE OUR SUGGESTION PRESENTS MANY DIFFICULTIES
PD MATTER BEING FULLY DISCUSSED AT THESE HEADQUARTERS AND REPLY WILL BE SENT YOU
EARLIEST

F 3 6 0 3 6 8

25051

2008

16

19 Oct

Copy to : CA Sec.
Confidential

L.T. MORGAN, Jr.
1st Lt AGD
ADJUTANT

7379

ACC

25/09

AFHQ SIGNED SIGNED

F 36036

ROUTINE

OCT 081745A

CITE FHGEG

SECRET. Suggestion by combined Chiefs of Staff that if Italian Partisans fulfill conditions of Article 1 of Regulations appended to HAGUE Convention Number IV of 1907 a statement should be prepared for issuance by the Italian Govt stating the facts and demanding treatment as Prisoners of War in the event of capture by enemy. Such statement is to be submitted to this Hq and will not be issued until released here.

Dist

Action - ~~CASAC~~ (3)
Info - Pol Sec
Army SC
Patriots Br
IPOW SC
A/CC
~~CASAC~~ CS
File

250-1
2007**Confidential**

OCT 090854A

(157)

8 Oct

Ther
H200

EHS/hjp

A/CC 324.5

2 September 1944

My dear Mr. Prime Minister:

Your letter 1/158 of 2 August 1944 relative to Italian Patriots with which was enclosed a draft copy of suggested statement to be issued by the Allied High Command, has been taken up with the Commander-in-Chief, Allied Armies in Italy.

The Commander-in-Chief has considered that it would not be advisable to make the suggested statement and it is felt that such statement would be most difficult, if not impossible to substantiate. It was pointed out that the patriots do not wear distinctive uniform according to the rules of warfare and do not all bear their arms openly. They cannot be said to have the status of regular fighting troops as an integral part of the Allied Armies in Italy or even of the Italian Regular Army.

The Commander-in-Chief greatly appreciates the actions of the Patriots in Northern Italy and the assistance that they are giving to his campaign. Public recognition of their activities in their desire to hasten the liberation of their country from the Nazi-Fascist yoke is given in the ITALIA COMBATTE broadcasts.

It has already been made clear to the enemy through PMS broadcasts that any enemy who takes mass reprisals against the civil population as a result of patriot activities will be dealt with as war criminals. A copy of the latest broadcast on this subject is attached for your information. This will continually be kept before the enemy through the agency of PMS.

Also, for your information attached is a summary of the Italian Army's activities in support of the Allied Armies in Italy. This was given to the Press in Rome on 25 August with a request that the World Press and the Italian Press in particular would make full use of it to bring before the public the valuable assistance being rendered by the Italian Army in all spheres of the Allied cause.

Yours very truly,

Encl.

His Excellency Ivanoe Bonomi
The President of Council of Ministers
Italian Government

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

FILES (A-B)

SUMMARY OF THE ITALIAN ARMY'S ACTIVITIES IN SUPPORT OF THE
ALLIED ARMIES IN ITALY

The Italian Army, reorganized after the Armistice under Allied supervision, has assumed more and more responsibility and has rendered assistance to the Allied cause.

Since its formation the troops of the Corps of Italian Liberation have been operating continuously in the Appennine sector of the front under both Fifth and Eighth Armies. CIL fighting alongside Polish troops of Eighth Army have recently taken part in the successful advance through the mountainous country where their pre-war training stood them in good stead from PESCARA to the present front line. The CIL by their fighting qualities and fortitude under the many difficulties they have encountered have earned high praise from Senior Allied Commanders.

Still less has been heard of the valuable assistance rendered by the large number of Italian Administrative troops. All these troops employed in the docks, depots and other supply installations in the rear areas have by their work contributed a great deal to the recent Allied victories. The hard work of these Italian units working for the Allied cause in the rear areas deserves high praise and should be appreciated by the Allied Armies in Italy and by the Italian people themselves. Other troops have been placed under command of Armies and are doing valuable work at railheads and dumps. Many Italian Engineer units are giving valuable assistance in maintaining the roads so vital to the supply of the forward troops. Special mention must also be given to the Italian Pack Mule Companies who have done magnificent work in all kinds of weather often under heavy enemy fire bringing supplies forward to the fighting troops over country impassable to the other forms of transport. Italian morale is rising because the Italian soldier is now conscious of the part he is playing in the liberation of his country.

0005

14 D. N. C.

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Acting Chief Commissioner
APO 394

WIS/ajp

A/CC 324.5

28 August 1944

MEMORANDUM TO: Brigadier E. S. Lush
Patriot Branch

IN TURN

1. Reference attached draft of letter to H. E. Ivanoe Bonomi and related correspondence on "Statement Giving Recognition to Italian Patriots".
2. Your comments or concurrence on the attached draft are requested.

5
MILTON W. STONE
Captain, USNR
Acting Chief Commissioner

7 Incls:

- Incl 1 - Ltr fr A/CC, dtd 8 Aug 44
- 2 - Suggested draft of statement submitted by H.E. Bonomi.
- 3 - Ltr fr Adv Hq. AAI, 16/1/G(Ops), dtd 25 Aug 44.
- 4 - Copy of announcement fr Alexander's Hq.
- 5 - Ltr fr Adv Hq. AAI, 16/1/G(Ops), dtd 26 Aug 44
- 6 - Summary of Italian Army's activities
- 7 - Proposed draft of reply to H.E. Bonomi.

12
Patriot Branch X I agree

DESTROYED

SEE 14

MSL. 1/9/48

FILES (A-B)

13
28 Aug324.5-
Patriot Branch
X I agree

SUBJECT: Activities of Italian Army

→ C.S.C. 7423
Advance Headquarters,
Allied Armies in Italy.

16/1/G(Ops)

26 Aug 44.

To: Allied Control Commission

HQ ACC, APO 394

941 Sec'y Gen.

Rec'd 27 Aug 1944

By *DRP*

(5) *AM*
80 AUG 1944
Reference your A/CX 324.5 dated 8 Aug 44.

Attached is a summary of the Italian Army's activities in support of the Allied Armies in Italy. This was given to the Press in Rome on 25 Aug with a request that the World Press and the Italian Press in particular would make full use of it to bring before the public the valuable assistance being rendered by the Italian Army in all spheres of the Allied cause.

H334/JH



H. Mariani
fw
Lieut General,
Chief of General Staff.

12

26 Aug

0000

SUMMARY OF THE ITALIAN ARMY'S ACTIVITIES IN SUPPORT OF THE
ALLIED ARMIES IN ITALY.

The Italian Army, reorganized after the Armistice under Allied supervision, has assumed more and more responsibility and has rendered increasing assistance to the Allied cause.

Since its formation the troops of the Corps of Italian Liberation have been operating continuously in the Appennine sector of the front under both Fifth and Eighth Armies. CIL fighting alongside Polish troops of Eighth Army have recently taken part in the successful advance through the mountainous country where their pre-war training stood them in good stead from PERCERA to the present front line. The CIL by their fighting qualities and fortitude under the many difficulties they have encountered have earned high praise from Senior Allied Commanders.

Still less has been heard of the valuable assistance rendered by the large number of Italian Administrative troops. All these troops employed in the docks, depots and other supply installations in the rear areas have by their work contributed a great deal to the recent Allied victories. The hard work of these Italian units working for the Allied cause in the rear areas deserves high praise and should be appreciated by the Allied Armies in Italy and by the Italian people themselves. Other troops have been placed under command of Armies and are doing valuable work at railheads and dumps. Many Italian Engineer units are giving valuable assistance in maintaining the roads so vital to the supply of the forward troops. Special mention must also be given to the Italian Pack Mule Companies who have done magnificent work in all kinds of weather often under heavy enemy fire bringing supplies forward to the fighting troops over country impassable to the other forms of transport. Italian morale is rising because the Italian soldier is now conscious of the part he is playing in the liberation of his country.

9982

.....

12

Sec. Gen.
7387
SECRETA 73
30 AUG 1944
Adv Headquarters,
Allied Armies in Italy.Subject: Statement Giving Recognition to Italian Patriots.

16/1/G(Ops)

To: A.G.C.

HO ACC. 180.394

25 Aug 44

826
24 Aug 1944

Reference your A/CC 324.5 dated 8 August.

1. The Commander-in-Chief has given careful consideration to the proposal put forward by the Prime Minister of the Italian Government, but he does not consider that the proposed statement is desirable or could be substantiated. The Patriots do not wear distinctive uniform according to the rules of warfare and do not all bear their arms openly. They cannot be said to have the status of regular fighting troops as an integral part of the Allied Armies in Italy or even of the Italian Regular Army.
2. The Commander-in-Chief greatly appreciates the actions of the Patriots in Northern Italy and the assistance that they are giving to his campaign. Public recognition of their activities in their desire to hasten the liberation of their country from the Nazi-Fascist yoke is given in the ITALIE COMBATTIE broadcasts which emanate from this Headquarters and which give them their instructions.
3. It has already been made clear to the enemy through PWB broadcasts that any enemy who take mass reprisals against the civil population as a result of Patriot activities will be dealt with as war criminals. A copy of the latest broadcast on this subject is attached for your information. This will continually be kept before the enemy through the agency of PWB.

HSIC/1K

W. D. Smith
LIEUT.-GENERAL,
CHIEF OF GENERAL STAFF.

0001

(11)

25 Aug

The following special announcement is made from General Alexander's H.Q.:

"As the Germans have been driven northwards the records of atrocities committed by them were considerably increased.

"The records are made by a special branch of the Allied Armies, formed for the purpose of sifting and collecting facts and evidence upon which action will be taken by the Commission for the Investigation and Punishment of War Criminals.

"The list of names of German officers who have given orders and of German soldiers who have obeyed them in carrying out atrocities on Italian civilians is increasing.

"The German Armies in Italy are warned that crimes committed by individuals are being fully documented and justice will be done when the time comes. The following is an extract from the agreement made in Moscow between the Governments of the United States, Great Britain and the U.S.S.R. and which was published on October 30 1943:

"At the time of granting any armistice to any Government which may be set up in Germany those German officers and men and members of the Nazi Party who have been responsible for or have taken a consulting part in atrocities, massacres and executions, will be sent back to the countries where their abominable deeds were done in order that they may be judged and punished according to the Laws of those Liberated countries and of Free Governments which will be erected therein."

"Italian patriots in German Occupied Italy are requested to continue to note all details of atrocities and record units and whenever possible names of officers and men responsible, so that the information may be passed to the Allied troops as the advance continues".

2080

(11)

Secretary General

9

324.5

17 August 4

General Browning, Army Sub-Commission

With reference to your 6/19 dated 15 August 1944, Captain Stone has directed me to inform you that he personally took care of this matter at AAI yesterday.

FRANK J. SLAUGHTER
Captain, A.S.D.
Deputy Secretary General

324.5-

0079

10

Hq ACC Sec'y Gen.
DISPATCHED
Date-Time 17 Aug 1944
Via Memo
Initials BRK

17 Aug.

Files (H) (P) (S)

SUBJECT: Patriots - Status

IMMEDIATE

SECRET

Army Sub Commission, MNIA.
H.Q., A.C.C.

ROME.

G/19

15 Aug 44.

18 AUG 1944

Chief Commissioner, A.C.C.

HQ ACC, APO 394

6325 Sec'y Gen.

Rec'd 12 Aug 11 34

By PRC

1. Thank you for your A/CC 324.5 dated 11 Aug on the above.
2. I am sorry to have to "return to the charge", but my views have still not been represented correctly. (5)
3. Your A/CC 324.5 dated 8 Aug para. 3 used the words:
(6) "regular Italian troops at the front."
As I said in my G/19 of 10 Aug I considered that the tribute should NOT be limited to troops "at the front." I wished the tribute to be for the whole Regular Italian Army.
4. Would you therefore please inform H.Q., AAI at once accordingly.

tvs. LR.
2c.

Major General.
Army Sub Comm, A.C.C.

324.5-P

16 Aug.

Capt Stone took this up personally
and Eng. Mainwaring at AAI.

burned

Log

1. Thank you for your A/CC 324.5 dated 11 Aug on the above.
2. I am sorry to have to "return to the charge", but my views have still not been represented correctly. 5
3. Your A/CC 324.5 dated 8 Aug para. 3 used the words:
6 "regular Italian troops at the front."
As I said in my C/19 of 10 Aug I considered that the tribute should NOT be limited to troops "at the front." I wished the tribute to be for the whole Regular Italian Army.
4. Would you therefore please inform H.Q., AAI at once accordingly.

tvs. LR,
2c.

Major General,
Army Sub Comm, A.C.C.

d. Browning

324.5-Paratroops

16 Aug.
Capt. Stone took this up personally
with Brig. Mainwaring at AAI.
Gen. Browning notified. (17)

Col. Mainwaring

9

15 Aug.

SECRET

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Chief Commissioner
APO 394

EWS/die

11 August 1944

A/CC 324.5

MEMORANDUM TO: Director, Army Sub-Commission
Allied Control Commission

6

Reference is made to your letter of 10 August calling my attention to para 3 of my letter A/CC 324.5 dated 8 August.

5 Thank you for calling this error to my attention. I am writing the C-in-C, AAI at once requesting that the word "subsequently" be changed to "simultaneously."

ELERY W. STONE
Captain, USA
Acting Chief Commissioner

cc: Political Section
Patriots Branch

2077

11 Aug 1944

HQ ACC Sec'y Gen. DISPATCHED Date Time 11 Aug 1510 Via <u>mag</u> <u>PRR</u>
--

8

Free (H) 1/200
Confidential
SECRET

324.5 Patriots

SECRET

WHS/dfo

A/CC 324.5

11 August 1944

Subject: Statement Giving Recognition to Italian Patriots

To: Commander-in-Chief, Allied Armies in Italy

5

1. Reference is made to my letter dated 8 August, A/CC 324.5, on the above subject. The second line of para 3 of my letter incorrectly reflects General Browning's views in that the word "subsequently" should read "simultaneously".

2. I should be grateful if this correction is made on my original letter.

(6)

WILMOT H. STONE
Captain, RMH
Acting Chief Commissioner

cc: Army Sub-Commission
Political Section
Executive Commissioner for
Patriots Branch
Files (A) B

324.5 Patriots

9078

files (A) B 707

54 774

Ha A.C.C. Sec'y Gen.
DISPATCHED
Date-Time 11 Aug 1944
Via 174 9.7.44
Rec'ds PRR

7
Any

Confidential

1742

MEMORANDUM

SUBJECT: Patriots - Status.

A 2144

13 AUG 1944

RECEIVED

Army Sub Commission, M.I.A.,
H.C., A.C.C.

RCM. 9/19
10 AUG 44.

HQ ACC, APO 394
334 Sec'y Gen.
Rec'd 11 Aug 44
DPR

To: Chief Commissioner,
Allied Control Commission.

5

1. I have your 4/CC 324.5 dated 8 August and I must draw attention to your para. 3.
2. In my 4/19 dated 5 Aug I said that I recommended the issue of a statement saying tribute to the "regular Italian Army simultaneously." This appears in your para. 3 as "the regular Italian Army troops at the front subsequently." This is very different. The vast majority of the regular Italian Army is not at the front but doing work in rear areas which is exceedingly valuable. Moreover, the issue of these troops should not be left out of the statement. Of the Italian Army statement separately would have nothing like the same effect as an issue simultaneously.
3. Would you therefore please the C-in-C accordingly at once in order that he may know my actual views before he gives any decision in the matter.

4

Handwritten signature

100

Handwritten signature

324.5

Major General.
Army Sub Comm, A.C.C.

tw.13.

copy to: Political Section A.C.C.
Patriot Branch A.C.C.

To: Chief Commissioner, ✓
Allied Control Commission.

HQ ACC, APO 394
5345th y Gen.
Rec'd 11 Aug 49
by DMR

1. I have your A/C 324.5 dated 8 August and I must draw attention to your para. 3.

2. In my 6/12 dated 5 Aug I said that I recommended the issue of a statement paying tribute to the "regular Italian Army simultaneously." This appears in your para. 3 as "the regular Italian Army troops at the front subsequently." This is very different. The vast majority of the regular Italian Army is not at the front but doing work in rear areas which is exceedingly valuable. Those troops should not be left out of the statement. Moreover, the issue of the Italian Army statement separately would have nothing like the same effect as an issue simultaneously.

3. Would you therefore please the C-in-C accordingly at once in order that he may know my actual views before he gives any decision in the matter.

two LB.

Major General,
Army Sub Comm, A.C.C.

copy to: Political Section A.C.C.
Patriot Branch A.C.C.

d. Browning

324.5
2075

File 11/19/708

10 Aug.

EWS/dfo

A/CC 324.5

8 August 1944

Subject: Statement Giving Recognition to Italian Patriots

To: Commander-in-Chief, Allied Armies in Italy

- (2) 1. The Prime Minister of the Italian Government, desiring to have the Patriots receive maximum support and avoid being treated as fringe timers, has proposed that the Commander-in-Chief, Allied Armies in Italy, issue a statement of which a draft copy is enclosed.
2. The statement has been coordinated with General Browning of my Army Sub-Commission who feels that on the whole the issuance of such a statement would be helpful, and I recommend that such a statement be issued.
- (1) 3. General Browning adds, however, and I concur, that it will be also desirable to issue subsequently another statement, paying tribute to the regular Italian Army troops at the front. The last statement issued by you, praising the work of the Italian troops in the offensive which began in May, was very well received by the Italian press and it seems clear that another such statement would also be helpful to the morale of both the Army and the civilian population.

ELLMY W. STONE
Captain, USNR
Acting Chief Commissioner

1 Encl.
Draft of statement

cc: Army Sub-Commission
Political Section
Executive Commission for
Patriotic Branch
Files A (B)

A/CC 324.5

8 Aug

54 763

Mo ACC - Sec'y Gen.
DISPATCHED
Date: 9 Aug 1944
By: H. G. M. G.
Initials: DHR

filed H. G. M. G. / 100

324.5-1

2074

The Commander-in-Chief of the Allied Armies in Italy has issued the following statement:

1. The Italian Patriots constitute a fighting army under the leadership of Officers and is a part of the Allied Expeditionary Forces in Italy.
2. Italian patriots bear their arms openly against the Germans and have received precise instructions to conduct the war against the enemy according to the rules of warfare. They wear a badge which has been duly notified in accordance with international rules. General Alexander considers these troops as one of the forces at present under his command.
3. The status of regular fighting troops as an integral part of the Allied Expeditionary Forces in the war against Germany places them under the protection of International Conventions. Any reprisal that has been, or should henceforth be, exercised against the patriots organizations and the patriots themselves, would, therefore, represent a violation of the rules of warfare which are binding also on Germany. The Allied Chief Command will make every effort in order that the authors of any atrocity committed against troops acting under its orders shall be placed under trial and duly punished.

H.Q., Allied Armies in Italy

2873

(5) INCL

SUBJECT: Patriots - Status.

A 2145 Army Sub Commission (MILA)

H.Q. A.C.C.

R O M E.

3/13

5 AUG 44

HQ ACC, APO 374

406 Sec. Gen.

Rec. 5 Aug 13-14

By: [Signature]

Captain Ellery W STONE

U.S.N.R.,

Deputy Chief Commissioner.

A.C.C.

1. This proposed statement would certainly tend to raise the morale of the Patriots and give them a certain (doubtful) "cover" against being shot out of hand as franc-tireurs by the Germans. To this extent it would do good.

2. The danger in issuing it is that

(a) When we reach a patriot band in our advance, it might consider that it has a right to be kept on as a formed band. This is contrary to existing policy, and disillusionment or an accusation of double-dealing against the Allies might ensue. This might be serious in areas where patriots are said to be numerous, such as MILAN.

(b) It gives another "puff" to the patriots and focusses Italian eyes on them rather than on the Regular Italian Army, which has been much more valuable, I think, to the Allied war effort.

3. The matter is for decision by A.A.I. of course, but on the whole I think it is worth issuing the statement (excluding the words in brackets) BUT

(a) I would like to see a "cry up" of the Regular Italian Army issued simultaneously.

(b) I think the Italian Govt should be informed that our policy as regards ceiling etc of the Regular Italian Army will NOT be changed as a result of the issue of the statement, even if we overrun all ITALY.

[Signature]

322-15

1. This proposed statement would certainly tend to raise the morale of the Patriots and give them a certain (doubtful) "cover" against being shot out of hand as francotireurs by the Germans. To this extent it would do good.
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 - (b) it gives another "puff" to the patriots and focusses Italian eyes on them rather than on the Regular Italian Army, which has been much more valuable, I think, to the Allied war effort.

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- (a) I would like to see a "cry up" of the Regular Italian Army issued simultaneously.
- (b) I think the Italian Govt should be informed that our policy as regards ceiling etc of the Regular Italian Army will NOT be changed as a result of the issue of the statement, even if we overrun all Italy.

AEC.c.2

D. Brown
Major General
Army Sub Commission A.C.C.
M M I A

(4)

5 am

322.5

File 1003/2/201

1742



IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

TRANSLATION

Ref: 1/158

Roma, August 2, 1944

HQ ACC. APO 394

319 Ser. Y Gen.

Rec'd 4 Aug 1944

By *1000*

Dear Admiral,

As you are aware, the Allied Control Commission has recently adopted several practical measures in recognition of the contribution given by Italian patriots to the allied war effort against the Germans. The Italian Government have also acted on the same lines.

The Italian Government are of opinion that such measures could be very usefully developed and integrated in a statement to be issued by the Allied High Command in Italy, of which I take leave to enclose a draft copy.

You will note that the aim of the statement is that of considering the patriots, who are fighting with unbounded vigour and considerable self-sacrifice in the occupied territory, as an integral part of the Italian Corps of Liberation and of the Allied Expeditionary Forces in Italy under the leadership of the Commander-in-Chief, General Alexander.

Such recognition would not only place ~~no~~ ^{no} under the protection of the rules of warfare, but would undoubtedly give them encouragement and incentive of particular significance and importance. I need hardly stress the important place the patriots' movement occupies within the

3

2



IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

-2-

framework of our national life and in the consciousness
of the Country.

I have no doubt, therefore, that you will give
the matter your most earnest consideration in the interest
not only of our own, but also of the common war effort.

Trusting you in advance for the kind interest
I feel sure you will take in the matter,

Believe me,

Yours very sincerely.

cc: Army S/C
Pol. Sec.
Ex. Com. for Patriots Branch

9070

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IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

Roma, - 2 AGO. 1944

HQ ACC. APO 371
389
4 Aug 11 30
DRR

1/158
Caro Ammiraglio.

Come Lei sa la Commissione Alleata di Controllo ha adottato or é qualche giorno alcune misure pratiche per riconoscere il contributo dato dai patrioti italiani allo sforzo bellico alleato contro i tedeschi. Il R. Governo ha da parte sua svolto un'azione parallela nello stesso senso.

Il R. Governo pensa ora che tali misure possano molto utilmente essere sviluppate e integrate con una dichiarazione che fosse fatta dal Comando Supremo Alleato in Italia e di cui Le accludo un progetto.

Si tratta, com'Ella vedrà, di considerare i patrioti, che si battono con tanta energia e con tanta abnegazione nel territorio occupato, come parte integrante del Corpo Italiano di Liberazione e del Corpo di Spedi-

Ammiraglio
Ellery W. Stone, U.S.N.
Acting Chief Commissioner
Allied Control Commission

ROMA

3

6000

zione Alleato in Italia, agli ordini del Comandante in Capo Generale Alexander.

Un siffatto riconoscimento non solo li porrebbe sotto la protezione delle leggi di guerra, ma darebbe indubbiamente loro un incoraggiamento ed un incentivo di particolarissimo significato e importanza. Lei sa quanto e come il movimento dei patrioti conti nel quadro della nostra vita nazionale e nella coscienza del Paese.

Non dubito per questo ch'Ella vorrà dare alla questione la Sua migliore attenzione, nell'interesse del nostro e dello sforzo bellico comune.

Grato di quanto riterrà di fare in proposito, mi creda molto cordialmente

B. Avering

Ministero degli Affari Esteri

PROGETTO DI DICHIARAZIONE

Il Comandante Supremo del Corpo di Spedizione Alleato in Italia ha fatto le seguenti dichiarazioni :

- 1) - I patrioti italiani costituiscono un esercito combattente, comandato e diretto da ufficiali e comandanti e che fa parte del Corpo Italiano di Liberazione e delle Corpe di Spedizione Alleato in Italia.
- 2) - I patrioti italiani portano apertamente le armi contro il nemico e hanno avuto istruzioni precise di condurre le operazioni contro di esso in conformità alle leggi di guerra. Essi portano un distintivo che è stato regolarmente notificato in base alle norme internazionali. Il Generale Alexander, considera tali truppe come uno degli eserciti che si trovano sotto il suo comando.
- 3) - La qualifica di combattenti regolari e di parte integrante del Corpo di Spedizione Alleato nella guerra contro la Germania, pone tali combattenti sotto la protezione delle Convenzioni internazionali. Ogni rappresaglia che sia stata o continuasse ad essere esercitata contro la orga-

1783

DECLASSIFIED E.O. 12356 Section 3.3/NN0 No. 785015

PROGETTO DI DICHIARAZIONE

Il Comandante Supremo del Corpo di Spedizione Alleato in Italia ha fatto le seguenti dichiarazioni :

1) - I patrioti italiani costituiscono un esercito combattente, comandato e diretto da ufficiali e comandanti e che fa parte del Corpo Italiano di Liberazione e delle Corpe di Spedizione Alleato in Italia.

2) - I patrioti italiani portano apertamente le armi contro il nemico e hanno avuto istruzioni precise di condurre le operazioni contro di esso in conformità alle leggi di guerra. Essi portano un distintivo che è stato regolarmente notificato in base alle norme internazionali. Il Generale Alexander, considera tali truppe come uno degli eserciti che si trovano sotto il suo comando.

3) - La qualifica di combattenti regolari e di parte integrante del Corpo di Spedizione Alleato nella guerra contro la Germania, pone tali combattenti sotto la protezione delle Convenzioni internazionali. Ogni rappresaglia che sia stata o continuasse ad essere esercitata contro le organizzazioni di patrioti e i patrioti stessi, sarebbe dunque violazione delle leggi di guerra che legano anche la Germania. Il Comando Supremo Alleato farà ogni sforzo perché gli

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autori di qualunque atrocità commessa ai danni di combattenti che agiscono sotto i suoi ordini sieno trattati in giudizio ed esemplarmente puniti.

Roma.

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 DES 15780
 8 JUL 1944

DESA LO BEAR 8 AMY INFO MORE AREA BOMB FOR ACC ADV HQ FOR PIDSLEY

DESA

CONFIDENTIAL

AQ 1659

REFERENCE HQ/100 OF 3 JULY. FIRST REBELLIANS AND FASCIST SOLDIERS ARE
 CONSIDERED PW. SEE PARA 1 A OF OUR 9/19 OF 3 JULY. THEREFORE AT DISPOSAL
 OF EIGHTH ARMY. SECOND CONSULT PIDSLEY ON EMPLOYMENT OF HOSPITAL OUR
 1/1646 OF 2 JULY REFERS.

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1	Cbl A 818 AAI	8 Jul 44	PBS ACC	All Itals captured treated as POW & segregated Republican & Fascist soldiers considered as POW
2	Cbl AQ 1659 M21A	8 Jul 44		
3	Cbl AFHQ F 36036	8 Oct 44	ACC	CCS suggests Ital Partisans get POW status if captured in proper uniform. Statement to be made by It Govt & issued here after approval
4	Cbl 5087 ACC CCS	19 Oct 44	AFHQ	CCS suggestion presents difficulties. Reply to be sent soonest.
5	Cbl ACC 5210 CCS	21 Oct 44	AFHQ	Objections to CCS proposal
6	Cbl AFHQ F 42699	23 Oct 44	ACC	Your objections not understood in light of agreement of It & Germ

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