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

ACC

10000/136/325

WAR CRIM
NOV. 1943

0 6 6 4

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

10000/136/325

WAR CRIMINALS, WAR CRIMES PROBLEMS
NOV. 1943 – JAN. 1944; AUG. 1945 – JAN. 1947

0863

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

2608/CC

Office of the
Chief Commissioner

LIST OF PAPERS

ALLIED COMMISSION

File under No. 2608 WAR CRIMINALS
WAR CRIMES PROBLEM

SECRET

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
1	Ltr Circular AFHQ	27 Nov 43		War Criminels - ultimate disposition & interim treatment
2	Extract Minutes 22nd Mtg Adv Council	6 Oct 44		War Crimes Problem: Brit Rep to ACI proposes that matter be handled by ACC
3	Extract Minutes 23rd Mtg Adv Counc	20 Oct 44		Further discussions. Instructions from govts awaited
4	Extract Minutes 24th Mtg Adv Counc	3 Nov 44		Still no instructions recvd.
5	Extract Minutes 25th Mtg Adv Counc	17 Nov 44		ACI adjours further discussion until further orders fr Govt's.
6	Extract Minutes 26th Mtg Adc Counc	1 Dec 44		ACI adjourns further discussion until orders received fr Govts.
7	Extract Minutes 27th Mtg Adv Counc	15 Dec 44		Matter to be discussed by US, UK, & USSR Govts - ACI adjourns further discussions until orders received.
8	Extract Minutes 28th Mtg Adv Counc	5 Jan 45		Item kept in agenda but not discussed until orders recd fr US-UK.
9	Cbl AFHQ FX-67980	29 Apr 45	AC Upjohn, 15 A/G 5/A, 8/A.	WAR Crimes Comm. finds certain It personnel liable to prosecution.
10	Cbl MTOUSA, FX-7743	13 May 45	Comds	Procedure for guarding, treatment of suspected war criminals.

SECRET

0866

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

2608/cc

LIST OF PAPERS

Office of the
Chief Commissioner

ALLIED COMMISSION

File under No. 2608 WAR CRIMINALS
WAR CRIMES PROBLEM

SECRET

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
10a	2214/88/EC, Lush	23 Jun 45	AFHQ G-5	Jugoslav War Criminals.
11	AC/14754/8/PS, Stone	24 Jun 45	Parri	List of persons required by Allies.
12	Interior Dept 500/74036	25 Jul 45	AC	Ital CC.RR alleged war criminals - IG ask for specific info in each case.
13	2214/99/EC, Kemsley	4 Aug 45	Jug Del, ACI	Jugoslav War Criminals.
14	Cbl AC CAS, 3424	9 Aug 45	AFHQ	Jugoslav War Crimes Mission.
15	Cbl AC CAS, 3750	15 Aug 45	AFHQ	Jugoslav War Crimes Mission.
16	Cbl AFHQ, FX-36019	16 Aug 45	AC,Belgrade	Jugoslav War Crimes Mission.
17	Cbl AFHQ, FX-36099	16 Aug 45	Belg,AC	Jugoslav War Crimes Mission.
18	Cbl AFHQ, F-36256	17 Aug 45	AC	Jugoslav War Crimes Mission.
18a	4/29.3/CA Stone	8 Sepy 45	Parri	Jug War Crimes Mission
19	14754/8/PS, Stone	28 Sep 45	Parri	Ital criminals required by Allies.
20	Cbl 480 Br Emb Belgrade	8 Oct 45	CA & CC	Jug delegation to War Crimes Comm.
20a	Cbl EX 48439, AFHQ	12 Oct 45	Br. Emb. Bel	War crimes by Itals against Jugs.
21	4/29.3/CA Stone	16 Oct 45	Parri	Agreement for visit of Jug War Crimes Comm.
22	Cbl AFHQ. FX 48439	12 Oct 45	Br Emb Belgr	Jugoslav War Crimes Mission.
23	Memo Lush	26 Oct 45	Stone	Yugoslav War Crimes Commission.
24	Ltr 4/29.3/CA Stone	1 Nov 45	Parri	Jugoslav War Crimes Commission
25	ltr Stone	21 Dec 45	AFHQ G-5	Persons Wanted by Allied Authorities
26	ltr Browning	10 Jan 46	Stone	War Criminals
27	ltr McCleary	11 Jan 46	Browning	Letter for Signature

6130

Confidential

0867

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

Q. M. C. [illegible] 353 (Old No. 400)
Revised Jul., 26, 1948

2608/CC

LIST OF PAPERS

Office of the
Chief Commissioner

ALLIED COMMISSION

File under No. 2608 WAR CRIMINALS
WAR CRIMES PROBLEM

SECRET

Vol I Page 3

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
28	Ltr 4/29.8/CA EC	16 Feb 46	DAFM (SIB)	Arrest and Hand-over of Italian PW
29	Ltr 4/29.8/CA [illegible]	16 Feb 46	Smodlaka	Arrest and Hand-over of Italian PW
30	Ltr CC 2608 Stone	18 Feb 46	Kirk	Acknowledgement of ltr of 16 Feb
31	Cbl W/16171/90/7	2 Mar 46	Jag Naples	Persons wanted for war crimes
32	Cbl SLME95495	14 Mar 46	Wright	Despatch of Fiala to Bratislava
33	Ltr AC/14318/PS	2 Apr 46	"A" Branch GHQ	Eugenio VENTURA
33a	Ltr 440 De Gasperi	9 Apr 46	CC	Hndovr of It PWs to Jugoslavia
34	Ltr 6517/EC Lush	13 Apr 46	AFHQ G-5	Surrender of It War Criminals to Yugoslavia. Incl
35	Ltr 6517/136/EC	16 Apr 46	De Gasperi	Ack of Ltr of 9 Apr 46

INSTRUCTIONS.—When papers on a subject become [illegible] will be numbered serially and brief entries made on this form.

SECRET

0568

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

O. C. Form 353 (Old No. 499)
Revised July 20, 1918

Office of the
Chief Commissioner

LIST OF PAPERS

File under No. 2608 WAR CRIMINALS - WAR CRIMES PROBLEM

ALLIED COMMISSION

SECRET

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
36	Ltr 6517/143/EC	2 May 46	De Gasperi	Ack of ltr 440 of 9 Apr 46
36a	Ltr SD/266.01-91	23 May 46	Min of For Affs	German War Crimes
37	Ltr Key	3 Jun 46	CC	Forwdng of cbl re surrender & Jugs of Quislings in Italy (approved by US and UK)
38	Ltr Stone	4 Jun 46	Key	Thank-You fr ltr of 3 Jun 46 of Key
39	Cbl 3695 HQ AC	15 Jun 46	Disthree	Arrest of Col Taddei - War Crimes
39a	Ltr 6517/EC Lush	15 Jun 46	Prunas	No Allied Representative to be at Investigating Commission to try It WC
40	Ltr N.549 Villefosse	9 Aug 46	CC	Request handover of It WCs to Fr Government
41	Ltr AC/4119/5/L	20 Aug 46	AFHQ G-5	It Officials claimed by Fr Authorities as War Criminals
41a	Ltr	2 Sep 46		Info re It Officials wanted by Fr
42	Cbl C 62070 C.F	5 Sep 46	ACSEC	Documents held by Ponzetti relating to WC Cosci Furio athos
43	Cbl 4881 Sec Dev	7 Sep 46	JAG Naples	Info re whereabouts of Munzio Nicita
44	Ltr 277/64/46	10 Sep 46	CC	Queries re Investigation Commission to try It WC
44a	Ltr DeGasperi	11 Sept 46	CC	Finding of Inquiry Commission

0572

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

Confidential
SECRET

0869

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

Q. M. G. Form 353 (Old No. 400)
Revised July 26, 1918

LIST OF PAPERS

Office of the
Chief Commissioner

File under No. 2608 WAR CRIMINALS - WAR CRIMES PROBLEM

ALLIED COMMISSION

From: 27 Nov 43

SECRET

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
45	Ltr 6517/208/EC	21 Sep 46	Malcolm	Trnsmtl of info re Investigation Commission to try It WC
46	Cbl FX 72295 SACM	25 Sep 46	UNRRA	Removal of alleged Soviet WC fm Cinecitta' and Di Bagni
47	Ltr 277/72/46	27 Sept 46	CC	Thank you ltr 21 Sept re alleg It war crimes
48	Cbl5080	30 Sept 46	Sec Div	Re Moschini, detained Siena jail not wanted by It auth
49	Cbl AG/00075	4 Oct 46	Sec Div	Vicentini not wanted by GHQ in connection with war crimes
50	Cbl AG00072 CMF	4 Oct 46	Security	WC Oroldo not wanted by this HQ
51	Cbl FX 72496 SACM	4 Oct 46	Security	Handover to French of Valenti and Tisani as WC
52	Ltr 6517/234/EC	4 Oct 46	Min of For Afis	Nazi WC
52a	Cbl AG/00182	7 Oct 46	Sec Div	Request availb info on war crimina. Faini Virgilio
53	Cbl JAB/VW/16/71/74	80ct 46	Sec Div	Moschini not wanted by JAB
53a	Cbl 5151	30ct 46	CMF	War Crimibal Faini Virgilio
54	Ltr4/29.8/C/CA	9 Oct 46	DeGasperi	Req info re It procedures re extrad dition of for nationals
54b	Cbl AG 65	10 Oct 46	Sec Div	Re trans of Virgilio to civil Gaol Padova
54c	Cbl GA 400	16 Oct 46	Sec Div	Info concr war crimn nicola
55	Cbl 5176	12 Oct 46	GHQ CMF	War Criminal Faini not arrested
55a	Cbl FX 72714 ran 695	17 Oct 46	Ex Comm	Re delivery of It WC to be taken up with It Govn by nation req WC
56	Ltr 4/29.8/B/CA	17 Oct 46	AFHQ	Frwd corres adress by Smodlaka to Surpreme Allied Commander Encls
56a	Cbl 5263	21 Oct 46	AFHQ	Re delivery of It War Criminals

C 1 3

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

Confidential

0870

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

C. M. G. Form 353 (Old No. 490)
Revised July 20, 1918

2608/CC

LIST OF PAPERS

Office of the
Chief Commissioner

File under No. 2608 WAR CRIMINALS - WAR CRIMES PROBLEM

ALLIED COMMISSION

SECRET

Vol 1 Page 6

S—6703

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
57	Ltr 4/29.8/B/CA	21 Oct 46	Smodlaka	Deliv of It WC trans to It Gov.
57a	Cbl F72819	22 Oct 46	Ex Comm	Allied policy re It war criminals
58	Ltr 4/29.8/B/CA	24 Oct 46	Smodlaka	Ref 2nd para ltr of 21 Oct 46
58a	Cbl F72838	24 Oct 46	Ex Comm	Allied policy re It WC wanted by US or UK
58b	Ltr SD/266/01-154	24 Oct 46	Fr Rep	Allied policy re It WC
59	Cbl 5307	25 Oct 46	AFHQ	Re extradition of It WC
60	Ltr 534	25 Oct 46	CC	Fr comments on Allied policy re It WC
60a	Ltr Stone	29 Oct 46	Fr. Rep.	Ack of ltr 25 Oct 46
61	Ltr Stone	30 Oct 46	AFHQ	Frwd of ltr from Fr. Rep
62	Ltr 6517/269/EC	1 Nov 46	Nenni	Ack ltr of 23 Oct 46
63	Ltr 6517/270/EC	1 Nov 46	AFHQ	Re alleged It war criminals Encl
63a	Cbl 5386	5 Nov 46	AFHQ	Re extradition of Allied nationals
63b	Cbl 5448	8 Nov 46	AFHQ	Re handing over Czech WC
64	Ltr 936.02	11 Nov 46	CC	Re war criminals wanted by Fr.
64a	Cbl H/7811	11 Nov 46	Legal S/C	Legal procedure zone A, B VG
64c	Cbl AC3/00699	13 Nov 46	Sec Div	Re WC Camaini Guido
64b	Ltr 6535/19/EC	14 Nov 46	De Gasperi	Req reply to ltr 9 Nov 46
65	Ltr CC2608	15 Nov 46	Villefosse	Infrm Fr. Rep of action being taken re ltr 25 Oct 46
66	Ltr 6535/EC Vella	21 Nov 46	Disper	Alleged Soviet Traitors

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

Confidential

0871

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

Q. M. C. Form 353 (Old No. 490)
Revised July 30, 1918

2608/CC

LIST OF PAPERS

Office of the
Chief Commissioner

File under No. 2608 WAR CRIMINALS - WAR CRIMES PROBLEM

ALLIED COMMISSION

From: 27 Nov 43
To :

SECRET

Vol. I Page 7

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
67	Ltr 87420/85450/15.1	4 Dec 46	CC	Data concerning treatment of refug Provided by It crim law
68	Ltr 6535/37/EC	6 Dec 46	AFHQ	Extradition of traitors
69	Cbl AG3/00393	7 Dec 46	Security	Re war criminal Anna Maria Cattani
70	Ltr Stone	11 Dec 46	Cappa	Re Russian prisoners detained in prisons of Parma and Modena
71	Ltr 6537/6/EC	12 Dec 46	Smodlaka	Re handover of Jugo nationals
72	Cbl AG3/00393	17 Dec 46	Ex Comm	Re WC listed by UNWCC
73	Cbl AG3/00396	18 Dec 46	Sec Div	Req info re handover of Wagener
74	Ltr 6536/66/EC	19 Dec 46	Judge Advocate	Frwd of info re WC Neciar
74a	Ltr 6517/314/EC	23 Dec 46	Nenni	Re conclusions reached by investg for war criminals encl
75	Cbl 5900	27 Dec 46	AFHQ	Re handover of alleged Soviet nat.
76	Cbl AG2/01519	28 Dec 46	Ex Comm	Req info re Greek WC Konstantin
76a	Cbl F 74180	1 Jan 47	Ex Comm	Re request for extrad of persons subject to It. jurisdiction
77	Cbl AG3/01771	3 Jan 47	Sec	Transfer to Rome of Gen Wagener
78	Ltr 6535/63/EC	4 Jan 47	Fransoni	Re turnover of 27 alleged Soviet Nationals
79	Cbl AG3/00252	7 Jan 47	RAAC	Wagener to be handed over to Fort Boccea Rome
80	Cbl AG2/00247	7 Jan 47	Hq BTA	Req info re Check nationals
80a	Ltr Sd/266.01	8 Jan 47	Pres Counc of Min	It wc criminals listed by UNWCC on behalf of Yugo
81	Ltr 690/81/EC	9 Jan 47	Smodlaka	Re date for Smodlaka interview with AFHQ rep

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

Confidential

0872

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

2608/CC

Q. M. C. Form 353 (Old No. 490)
Revised July 26, 1918

LIST OF PAPERS

Office of the
Chief Commissioner

File under No. 2608 WAR CRIMINALS - WAR CRIMES PROBLEMS

ALLIED COMMISSION

From 27 Nov 43
To

~~SECRET~~ Confidential

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
81a	Cbl AG3/00582	11 Jan 47	Legal/SC	Re war crimes civilian defence coun
82	Cbl AG3/00475	13 Jan 47	Judvocate London	Re war criminal Gen Wagener
83	Cbl FX 74287	14 Jan 47	Legal/SC	Re trial of Gen Kesselring
84	Ltr 6535/67/EC	14 Jan 47	Fransoni	Definition of "Soviet Citizens"
84a	Ltr 6537/41/EC	16 Jan 47	AFHQ	Frwd of ltr re Yugo traitors
85	Cbl AG3/00771	17 Jan 47	Security Div	Re wc General Wagener and others
86	Ltr 6537/43/EC	20 Jan 47	Dir committee on refugees	Frwd of Smodlaka ltr re Jug traitor

2456

INSTRUCTIONS.—When papers on a subject become numerous, [illegible] numerically and brief entries made on this form.

~~SECRET~~ Confidential

0873

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

U. S. SECRET EQUALS BRITISH MOST SECRET

26

ALLIED FORCE HEADQUARTERS
APO 512

Allied Control Com
AP 54

: : : : : : : : : :
: S E C R E T :
: Auth: CINC, AF :
: Initials: [illegible] :
: 27 November 43 :
: : : : : : : : : :

CIRCULAR: 7

27 November 1943

WAR CRIMINALS

1. The ultimate disposition of persons charged with the commission of war crimes is a matter for consideration by the governments of the Allied Nations.

2. Trials by military courts of persons suspected of war crimes will not be held unless directed by this headquarters. Such persons will be held in custody pending decision as to their disposal. While suspects are under detention all available information about them and about war crimes of which they are suspect will be collected and forwarded to this headquarters.

3. The following procedure will govern:

a. Secret reports, through command channels, will be made to this headquarters containing all possible information concerning the specific individual held under detention as a war criminal suspect and concerning the time, place, character and details of the alleged war crime. It is imperative that each report include not only the names and addresses of witnesses but also the gist of the evidence which each may reasonably be expected to give in any proceedings which may later be resorted to to perpetuate such testimony for trial purposes. In order that these investigations may be kept strictly within command channels, they will be made by persons subject to the direct orders of the Commanding Officer making the report.

b. Reports submitted to this headquarters shall pertain only to persons then being held in detention.

c. For the purpose of this directive, war crimes are acts committed by persons in violation of the laws and customs of war. Should any doubt exist as to whether reported acts constitute war crimes, the case will be reported as above directed for consideration by this headquarters.

d. When reports are received at this headquarters and further investigation is considered advisable, either unit commanders will be directed to make the supplementary investigation or the supplementary investigation will be carried on directly from this headquarters.

(1)

Confidential Confide[illegible] SECRET

0874

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

AFHQ Circular, dtd 27 Nov '43

3. (Cont'd)

e. When any change in the place of detention of a person upon whom a report has been made is directed by any authority other than this headquarters, an immediate report of such change will be made to this headquarters, in order that any supplementary investigation may be expeditiously carried out.

4. Situations may come to the attention of Commanding Officers in which the alleged war criminal is not in detention or may even be performing duties not incompatible with the Allied cause. In order that orderly procedure with respect to such situations may be followed, Commanding Officers will report such cases to this headquarters with all available information.

5. Italians who commit crimes against Italian Nationals are not to be considered as war criminals and such persons will be handed over to Italian Government representatives for trial.

6. Persons who commit crimes against members of the Allied Command during the period of occupation of Italian territory may be charged and tried before military tribunals in accordance with established practice.

7. It is enjoined upon all persons of this command to refrain from giving any publicity whatever to war crimes or war criminals or to any act taken by the military forces with respect thereto.

The release of any information concerning war crimes or war criminals is specifically reserved to this headquarters. (AG 000.5-1 GAP-AGM)

By command of General EISENHOWER:

W. B. SMITH
Major General, G.S.C., Chief of Staff

OFFICIAL:

T. J. Davis

T. J. DAVIS, Actg.
Brigadier General, United States Army,
Adjutant General.

DISTRIBUTION:
See attached
page.

0875

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

AFHQ Circular: War Criminals, dtd 27 Nov '43

DISTRIBUTION:

1 - C-in-C
1 - C/S, AFHQ
1 - DTC
1 - CAO
4 - 15th Army Group
4 - Fifth Army
4 - Seventh Army
4 - Eighth Army
1 - NAAF
1 - Allied Control Commission
1 - G-1 (US)
1 - G-1 (Br)
1 - G-2 AFHQ
1 - G-2 NATOUSA
1 - G-3 AFHQ
1 - G-4 AFHQ
1 - JAG
1 - Mr. Murphy
1 - British Resident Minister
1 - IBS) THRU: CC
1 - PBS) NATOUSA
1 - PMG
1 - MCS
1 - INC
1 - PWB
1 - PRO
4 - AFHQ Adv Admin Ech
1 - NORTH AFRICA Dist
1 - No. 1 Dist
1 - No. 2 Dist

Minutes of 22nd Meeting of ADVISORY COUNCIL FOR ITALY

Held 6 Oct 44

EXTRACT

* * * *

4. WAR CRIMES PROBLEM WITH REFERENCE TO ITALY

The Chairman stated that on instruction from his Government he would like to put forward their views on this subject and suggested that the Representatives correspond with their respective Governments so that at the next meeting the subject may be discussed further. He then read the following statement:

"I have been instructed by His Majesty's Government to place the following matter beofre you for your consideration. As you are aware, the United Nation's Commission for the Investigation of War Crimes, which has its seat in London, has hitherto dealt only with war crimes committed by the enemy against nationals of the United Nations or on United Nations territory. In the course of operations in Italy evidence has, however, come into the possession of the Allied Military authorities of crimes committed by the Germans agains t Italians. Some of this evidence is already in the hands of the Combined Chiefs of Staff and a decision will, sooner or later, have to be taken as to what is to be done with it. The Governments of Great Britain, the United States of America and Soviet Union are, in any event, committed by the Moscow Declaration on German activities to secure redress for such crimes. His Majesty's Government have been discussing this question with the United States Government and heve reached a general agreement in principle that while Italy should not have a seat on the Commission, the British and the United States Governments should, in view of Italy's co-belligernet status, act for the Italian Govemment in transmitting to the War Crimes Commission information relating to German crimes against Italians. There is, however, another aspect of this question to which I should draw your attention. The War Crimes Commission has examined the question of recommending that its terms of reference should be extended so as to enable the Commission to deal with crimes committed by the [redacted] against Italians in Italy. The Commission was unable to reach any decision in this matter, apparently because it felt that it could not recommend the examination of the cases of German crimes committed against Italians so long as so little progress had been made in considering crimes committed

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

"I have been instructed by His Majesty's Government to place the following matter beofre you for your consideration. As you are aware, the United Nation's Commission for the Investigation of War Crimes, which has its seat in London, has hitherto dealt only with war crimes committed by the enemy against nationals of the United Nations or on United Nations territory. In the course of operations in Italy evidence has, however, come into the possession of the Allied Military authorities of crimes committed by the Germans agains t Italians. Some of this evidence is already in the hands of the Combined Chiefs of Staff and a decision will, sooner or later, have to be taken as to what is to be done with it. The Governments of Great Britain, the United States of America and Soviet Union are, in any event, committed by the Moscow Declaration on German activities to secure redress for such crimes. His Majesty's Government have been discussing this question with the United States Government and have reached a general agreement in principle that while Italy should not have a seat on the Commission, the British and the United States Governments should, in view of Italy's co-belligernet status, act for the Italian Government in transmitting to the War Crimes Commission information relating to German crimes against Italians. There is, however, another aspect of this question to which I should draw your attention. The War Crimes Commission has examined the question of recommending that its terms of reference should be extended so as to enable the Commission to deal with crimes committed by the [redacted] against Italians in Italy. The Commission was unable to reach any decision in this matter, apparently because it felt that it could not recommend the examination of the cases of German crimes committed against Italians so long as so little progress had been made in considering crimes committed by Italians against Nationals of the United Nations. I understand that practically no cases of this nature have yet been submitted to the Commission by the national authorities chiefly concerned, namely the French Committee of National Liberation, the Greek Government and the Yugoslav Government.

"His Majesty's Government believe that both aspects of this question could be dealt with if the following procedure were to be adopted. The Allied Control Commission should be invited to act as the agents for the Italian Government in the collection of information regarding crimes committed by the Germans against Italians. This information could be communicated to the War Crimes Commission through the Combined Chiefs of Staff by the Supreme Allied Commander, Mediterranean Command in his capacity as President of the Allied Control Commission. At the same time the Allied Control Commission could ask the Italian Government to give them access to

(2)

0877

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

military archives, records and information regarding the war crimes committed by Italians against nationals of the United Nations and could transmit any such information through the same channels to the War Crimes Commission in London."

The Chairman stated that he appreciated that at this meeting the Representatives could not comment on the proposal of His Majesty's Government and again requested the other Representatives to submit the matter to their respective Governments so that it may be discussed at the next meeting. The Council agreed to this proposal.

* * ** *

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

0879

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

0880

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

EXTRACT From

Minutes of
23rd Meeting Advisory Council 24 October 44

MEETING DATED 20 Oct 44

* * * * * *

2. WAR CRIMES PROBLEM

The Chairman pointed out that at the last meeting the Council agreed that the various Representatives would submit the proposal of the British Representative regarding the war crimes problem with reference to Italy to their respedtive Governments for consideration and instructions. He then inquired whether the British Representative had anything to edd to his proposal as outlined at the last meeting.

Sir Noel Charles stated that he had nothing to add.

The Chairman inquired whether any representative received instructions from his government.

General Vasiliev stated that he had not received any instructions.

M. Exindaris stated that he was without instructions owing to the impossibility of communicating with his government at the present time.

M. Fouchet said that he too was without instructions.

M. Smiljanic also had not received any instructions.

The Chairman stated that he had been authorized by his government to support the British proposal in this matter. He further suggested that, inasmuch as the other representatives were without instructions, discussion of this problem be adjourned until the next meeting and urged the Representatives to telegraph to their respective Governments solliciting prompt instructions.

Sir Noel Charles and the other Representatives agreed to this suggestion.

0881

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

COPY

MINUTES OF THE 24th MEETING OF THE ADVISORY COUNCIL FOR ITALY

November 3, 1944

+ + + + + + +

3. **War Crimes Problem.**

The Chairman noted that at the last meeting the French, Yugoslav, Greek, and Soviet Union Representatives had agreed to telegraph to their respective Governments for instructions regarding the proposal of the British Representative relating to the Italian war crimes problem, which proposal has the support of the United States Representative. He inquired whether any of the Representatives concerned had received instructions.

M. Couve de Murville stated that he regretted to inform the Council that he was still without instructions on this subject.

General Sousloparov, M. Exintaris, and the Chairman also were without instructions.

M. Exintaris stated that in spite of his present difficulty of communicating with his Government he personally had no objections that the British proposal be discussed.

At the suggestion of the Chairman, the Council agreed to again postpone consideration of this subject until the next meeting, at which time, the hope was expressed, all Representatives will be in receipt of instructions from their respective Governments.

+ + + + + + +

(4)

EXTRACT

2. ITALIAN WAR CRIMES PROBLEM.

The Chairman noted that at the last meeting of the Advisory Council the Yugoslav, Greek, Soviet Union and French Representatives were without instructions regarding the proposal of the British Representative relating to the Italian war crimes problem and inquired whether in the meantime any of the Representatives concerned had received instructions. The Chairman reported that he was still without instructions on this subject.

CONTINUED ON FOLLOWING PAGES

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

2. ITALIAN WAR CRIMES PROBLEM.

The Chairman noted that at the last meeting of the Advisory Council the Yugoslav, Greek, Soviet Union and French Representatives were without instructions regarding the proposal of the British Representative relating to the Italian war crimes problem and inquired whether in the meantime any of the Representatives concerned had received instructions. The Chairman reported that he was still without instructions on this subject.

M.

CONTINUED ON FOLLOWING PAGES

2908/CC

(5)

(1)

0883

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

M. Exintaris also reported that he was unfortunately still without instructions.

Dr. Smodlaka too was without instructions.

General Sousloparov reported that he had received instructions to the effect that inasmuch as the British proposal raised a question of a general problem concerning countries other than Italy, his Government suggested that the question be transmitted to the Governments of the United Kingdom, United States, and Soviet Union via the regular diplomatic channels for joint discussion.

M. Exintaris stated that he would like to know whether according to the spirit of the statement made by the Soviet Representative the point is to withdraw the question from consideration by the Advisory Council or to adjourn discussions by the Council pending the receipt of instructions from all Governments represented on the Council. He expressed the opinion that the preparatory work could be continued, particularly regarding crimes committed by Italians in countries which had been occupied by Italian troops. The Greek Delegation, he reported, had already transmitted to the Allied Commission an original list of Italians guilty of such crimes and intends to transmit additional lists, and most likely Representatives of other countries, which also had been occupied by Italian troops, would want to compile and transmit similar lists.

Sir Noel Charles, with reference to the statement of the Russian Representative, inquired in what way the interests of Italy and other European countries would be represented at such discussions by the three powers and if the Russian Representative believed that the question should be discussed first by the three powers and subsequently with the other countries concerned.

General Sousloparov stated that the problem concerned not only Italy alone but other countries as Bulgaria ~~also Bulgaria~~ and Roumania and ~~that~~ he thought the question should be discussed first in a general way by the three powers.

DELETED

Sir Noel Charles pointed out to the Russian Representative that Roumania and Bulgaria were not represented on the Advisory Council for Italy.

The Chairman indicated that in accordance with the British proposal the ACI would represent Italian interests in the premises.

Mr. Kirk noted that the Council was authorized to consider only

0884

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

expressed the opinion that the [redacted] particularly regarding crimes committed by Italians in countries which had been occupied by Italian troops. The Greek Delegation, he reported, had already transmitted to the Allied Commission an original list of Italians guilty of such crimes and intends to transmit additional lists, and most likely Representatives of other countries, which also had been occupied by Italian troops, would want to compile and transmit similar lists.

Sir Noel Charles, with reference to the statement of the Russian Representative, inquired in what way the interests of Italy and other European countries would be represented at such discussions by the three powers and if the Russian Representative believed that the question should be discussed first by the three powers and subsequently with the other countries concerned.

General Sousloparov stated that the problem concerned not only Italy alone but other countries as Bulgaria and Roumania and ~~that~~ he thought the question should be discussed first in a general way by the three powers.

DELETED

~~Sir Noel Charles pointed out to the Russian Representative that Roumania and Bulgaria were not represented on the Advisory Council for Italy.~~

~~The Chairman indicated that in accordance with the British proposal the ACI would represent Italian interests in the premises.~~

Mr. Kirk noted that the Council was authorized to consider only problems concerning Italy and that if the problem now under consideration were enlarged to include other countries, as suggested by the [redacted] Representative, it would be beyond the competency of the Council. [redacted] stated ~~said~~ that the Council at this time is considering [redacted] problem with reference to war crimes committed either by or against Italians. ~~and that there is no question of problem of war crimes regarding either Roumania or Bulgaria.~~

Sir Noel Charles reiterated the British original proposal and repeated it for the record:

"I have been instructed by His Majesty's Government to place the following matter before you for your consideration. As you are aware, the United Nation's Commission for the Investigation of War Crimes, which has its seat in London, has hitherto dealt only with war crimes committed by the enemy against nationals of the United Nations or on

United

(b)

(2)

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

United Nations territory. In the course of operations in Italy evidence has, however, come into the possession of the Allied Military authorities of crimes committed by the Germans against Italians. Some of this evidence is already in the hands of the Combined Chiefs of Staff and a decision will, sooner or later, have to be taken as to what is to be done with it. The Governments of Great Britain, the United States of America and the Soviet Union are, in any event, committed by the Moscow Declaration on German activities to secure redress for such crimes. His Majesty's Government have been discussing this question with the United States Government and have reached a general agreement in principle that while Italy should not have a seat on theCommission, the British and the United States Governments should, in view of Italy's co-belligerent status, act for the Italian Government in transmitting to the War Crimes Commission information relating to German crimes against Italians. There is, however, another aspect of this question to which I should draw your attention. The War Crimes Commission has examined the question of recommending that its terms of reference should be extended so as to enable the Commission to deal with crimes committed by the Germans against Italians in Italy. The Commission was unable to reach any decision in this matter, apparently because it felt that it could not recommend the examination of the cases of German crimes committed against Italians so long as so little progress had been made in considering crimes committed by Italians against Nationals of the United Nations. I understand that practically no cases of this nature have yet been submitted to the Commission by the national authorities chiefly concerned, namely the French Committee of National Liberation, the Greek Government and the Yugoslav Government.

"His Majesty's Government believe that both aspects of this question could be dealt with if the following procedure were to be adopted. The Allied Control Commission should be invited to act as the agents for the Italian Government in the collection of information regarding crimes committed by the Germans against Italians. This information could be communicated to the War Crimes Commission through the Combined Chiefs of Staff by the Supreme Allied Commander, Mediterranean Command in his capacity of President of the Allied Control Commission. At the same time the Allied Control Commission could ask the Italian Government to give them access to military archives, records and information regarding the war crimes committed by Italians against nationals of the United Nations and could transmit any such information through the same channels to the War Crimes Commission in London."

Sir Noel Charles then pointed out that he thought that discussing the matter before the Council was a good way of explaining the basic two points of the British proposal, namely: 1) Collection of information concerning Italian war crimes, and 2) Collection of information concerning war crimes committed against Italians.

0 8 8 6 1

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

examined the question of [illegible]
be extended so as to enable the Commission to deal with crimes committed by the Germans against Italians in Italy. The Commission was unable to reach any decision in this matter, apparently because it felt that it could not recommend the examination of the cases of German crimes committed against Italians so long as so little progress had been made in considering crimes committed by Italians against Nationals of the United Nations. I understand that practically no cases of this nature have yet been submitted to the Commission by the national authorities chiefly concerned, namely the French Committee of National Liberation, the Greek Government and the Yugoslav Government.

"His Majesty's Government believe that both aspects of this question could be dealt with if the following procedure were to be adopted. The Allied Control Commission should be invited to act as the agents for the Italian Government in the collection of information regarding crimes committed by the Germans against Italians. This information could be communicated to the War Crimes Commission through the Combined Chiefs of Staff by the Supreme Allied Commander, Mediterranean Command in his capacity of President of the Allied Control Commission. At the same time the Allied Control Commission could ask the Italian Government to give them access to military archives, records and information regarding the war crimes committed by Italians against nationals of the United Nations and could transmit any such information through the same channels to the War Crimes Commission in London."

Sir Noel Charles then pointed out that he thought that discussing the matter before the Council was a good way of explaining the basic two points of the British proposal, namely: 1) Collection of information concerning Italian war crimes, and 2) Collection of information concerning war crimes committed against Italians.

Mr. Kirk said he thought evidence regarding Italy would have to be collected in Italy and that by the same token evidence regarding other countries, such as Roumania and Bulgaria, could be collected in those countries.

The Chairman suggested that apparently there was some difficulty regarding this subject as far as the Russian Government was concerned and that it might be advisable for the interested Governments to take up the matter directly with Moscow. He ~~pointed out that apparently there is a difference of opinion regarding procedure in this connection and~~ expressed the opinion that the only thing the Council can do at present is to wait for an answer from the Governments which have as yet not expressed their opinions. ← STET

Mr.

(6)

(3)

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

0888

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

Mr Kirk stated that he believed there might be an idea in the mind of the Soviet Union Representative that his Government would receive information relating to Italian war crimes exclusively through the medium of the Allied Commission and that, in his opinion, this did not conform to contemplated procedure. The collection of information along the lines suggested by the British Representative would not preclude obtaining additional information from the Allied Control Commission in Bulgaria or Roumania.

The Chairman noted that the basic principle of the collection of war crimes is to get information at the place where the crime had been committed and to have the crimes judged by local tribunals. Whenever elements of information must be sought in the country of origin of the criminal then the British proposal would be applied, at laest as regards crimes commited by Italians. The Allied Commission would the intermediary between the Governments concerned and the Italian Authorities.

General Sousloparov pointed out that he had transmitted the full text of the British proposal to Moscow and that in reply he had reiceived his instructions from which he could not deviate. He indicated the possibility of further instructions forthcoming in the future.

M. Exintaris stated that the Allied Commission is already collecting information with reference to Italian war crimes and that he had transmitted his first list of Greek war crime cases to the Allied Commission.

Commodore Stone acknowledged receipt of the Greek list and stated that he was not authorized to investigate these cases without specific instructions from the Supreme Allied Commander, which he had not received.

The Chairman ascertained that it was the consensus of opinion to adjourn further discussions of this subject until each Delegation, taking into consideration the statement of the Soviet Representative, had been able to again request instructions from it Government.

5

COPY

MINUTES OF THE 26th MEETING
OF THE ADVISORY COUNCIL FOR ITALY

December 1st, 1944

E X T R A C T

3. Italian War Crimes Problem.

The Chairman noted that this item had been placed on the Agenda for the purpose of ascertaining whether any Representatives had received instructions since the last meeting.

M. Couve de Murville reported that he had been authorised by his Government to support the British proposal relating to the Italian war crimes problem. As regards the statement made by the Soviet Union Representative, he noted that there would be no objections on the part of the French to the adoption for countries like Bulgaria and Roumania of a procedure analogous to that which is proposed for Italy, i.e.,investigation of the cases through the intermediary of the Allied Control Commission and transmission of the dossiers to the War Crimes Commission.

Sir Noel Charles thanked the French Representative for his support of the British proposal.

Dr. Smodlaka stated that he was without instructions from his Government.

The Chairman reported that although he was without instructions from his Government he personally wished to support the British proposal. As far as the declaration of the Soviet Union Representative was concerned, he stated that inasmuch as it has a wider scope of application, one beyond his

0886
Declassified E.O. 12356 Section 3.3/NND No. 785015
2608/2

M. Couve de Murville reported that he had been authorised by his Government to support the British proposal relating to the Italian war crimes problem. As regards the statement made by the Soviet Union Representative, he noted that there would be no objections on the part of the French to the adoption for countries like Bulgaria and Roumania of a procedure analogous to that which is proposed for Italy, i.e.,investigation of the cases through the intermediary of the Allied Control Commission and transmission of the dossiers to the War Crimes Commission.

Sir Noel Charles thanked the French Representative for his support of the British proposal.

Dr. Smodlaka stated that he was without instructions from his Government.

The Chairman reported that although he was without instructions from his Government he personally wished to support the British proposal. As far as the declaration of the Soviet Union Representative was concerned, he stated that inasmuch as it has a wider scope of application, one beyond his competency, he could only await instructions from his Government, which to date he had not received.

Sir Noel Charles thanked the Greek Representative for his support of the British proposal.

Mr.Kirk noted that he had already announced his support of the British proposal and stated that he had no further instructions from his Government in the premises.

General Sousloparov stated that he had presented the views of his Government at the last meeting and had not received any further instructions.

The Chairman suggested that inasmuch as the Yugoslav Representative was still without instructions it might be well to list this item on the agenda of the next meeting for further discussion.

The Chairman...

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

The Chairman suggested that the Council may wish to suggest to the Allied Commission the desirability of beginning to collect information on this subject.

Commodore Stone reported that unfortunately he did not have the staff to undertake this work and that he would require specific instructions from the Supreme Allied Commander authorizing him to perform this function. He referred to the note he had received recently from the Greek Delegation to the Advisory Council listing war crimes committed by Italians against Greeks and in connection therewith reported that he did not have any personnel in Greece to investigate the listed cases and that his authority of operation was limited to liberated Italy.

The Chairman commented that he had sent the lists mentioned by the Commodore Stone for the purpose of finding out if some information relating to these cases were available in Italy and that he did not have in mind the search for information by the Allied Commission in Greece.

Mr. Kirk inquired what the present procedure for the collection of information concerning war crimes was in Greece.

The Chairman replied that for the time being no procedure had been evolved owing to the fact that the Greek Government was still concerned primarily with other questions.

The Chairman inquired whether the Council would consider a proposal that either the Allied Commission or the Advisory Council request permission, in principle, from the Supreme Allied Commander to organize the necessary administrative machinery for the collection of war crimes information.

Mr. Kirk, with reference to the Chairman's proposal, suggested the advisability of requesting the Allied Commission to indicate, in the event the Allied Advisory Council approves the British proposal relating to Italian war crimes, whether the Allied Commission can handle the problem and if not, what facilities would be required to implement the British proposal.

[illegible] was agreeable to all Representatives, except

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

information relating to these cases were available in Italy and that he did not have in mind the search for information by the Allied Commission in Greece.

Mr. Kirk inquired what the present procedure for the collection of information concerning war crimes was in Greece.

The Chairman replied that for the time being no procedure had been evolved owing to the fact that the Greek Government was still concerned primarily with other questions.

The Chairman inquired whether the Council would consider a proposal that either the Allied Commission or the Advisory Council request permission, in principle, from the Supreme Allied Commander to organize the necessary administrative machinery for the collection of war crimes information.

Mr. Kirk, with reference to the Chairman's proposal, suggested the advisability of requesting the Allied Commission to indicate, in the event the Allied Advisory Council approves the British proposal relating to Italian war crimes, whether the Allied Commission can handle the problem and if not, what facilities would be required to implement the British,proposal.

This suggestion was agreable to all Representatives, except General Sousloparov and Dr. Smodlaka.

General Sousloparov stated that he felt until the Council had taken a decision regarding the British,proposal relating to the Italian war crimes problem that it might be inadvisable to make any inquiries at the Allied Commission regarding the implementation of this proposal.

Dr. Smodlaka declared that owing to the fact he had not received any instructions from his Government he could not associate himself with any action relating to this subject which involved a question of considerable concern to his Government.

Mr. Kirk suggested thatinasmuch as Commodore Stone has already informed orally the Council that for the time being he does not have the necessary administrative machinery to implement

the British;....

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

the British proposal, should it be approved by the Council, it really was not necessary to forward a formal inquiry to the Allied Commission in the premises.

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

0894

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

9

ADVISORY COUNCIL
FOR ITALY

27th MEETING

Extract.....

15 December, 1944.

2. Italian War Grimes Problem.

The Chairman noted that at the last meeting the Greek and Yugoslav Representatives were without instructions regarding this problem and that the greek Representative had indicated his personal support of the British proposal relating to the Italian war crimes problem. The Chairman reported that he had received further instructions from his Government informing him that the Soviet Union Gofernment had communicated its point of view in the premises to the British Ambassador in Moscow who, in turn, had informed London. In view of these developments, the Chairmen stated that the Soviet Union Delegation found it inadvisable, for the time being, to further discuss the Italian war crimes problem.

Sir Noel Charles reported that since the last meeting of the Council he had received a telegram from the Brithis Government, in which the attitude of the Soviet Government towerds the international handling of the war crimes question is set out, and stated that it was his understanding that the problem will be discussed by the United States, the Soviet Union, and the British Governments.

Mr. Kirk stated that he had received instructions from his Government indication that the problem of Italian war crimes will be discussed by the British, the Soviet Union, and the United States Governments and, in view thereof, suggesting the advisability of postponing, for the time being, further discussions of this problem by the Advisory Council.

M. Couve de Murville said that he was agreeable to postponing further discussions at this time.

Dr. Sloven Smodlaka stated that he was agreeable to postponing further discussions. He referred to an error in the minutes of the 26th meetion, in which General Sousloperov's comment was recorede before that of Dr. Josip Smodlaka (see page 11, penultimate paragraph) and proposed that the minutes be modified to read as follows quote:

"This suggestion was agreeable to all Representatives, except Dr. Smodlaka and General Scusloparov.

Dr. Smodlaka declared that owing to the fact he had not received any instructions from his Government he could not associate himself with any action relating to this subject which involved a question of considerable concern to his

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

by the United States, the Soviet Union, and the British Governments.

Mr. Kirk stated that he had received instructions from his Government indication that the problem of Italian war crimes will be discussed by the British, the Soviet Union, and the United States Governments and, in view thereof, suggesting the advisability of postponing, for the time being, further discussions of this problem by the Advisory Council.

M. Couve de Murville said that he was agreeable to postponing further discussions at this time.

Dr. Sloven Smodlaka stated that he was agreeable to postponing further discussions. He referred to an error in the minutes of the 26th meetion, in which General Sousloparov's comment was recorede before that of Dr. Josip Smodlaka (see page 11, penultimate paragraph) and proposed that the minutes be modified to read as follows quote:

"This suggestion was agreeable to all Representatives, except Dr. Smodlaka and General Sousloparov.

Dr. Smodlaka declared that owing to the fact he had not received any instructions from his Government he could not associate himself with any action relating to this subject which involved a question of considerable concern to his Government.

General Sousloparov stated that he felt until the Council had taken a dicision regarding the British proposal relating to the Italian war crimes problem that it might be inadvisable to make any inwuiries at the Allied Commission regarding the implementation of this proposal." Unquote.

This modification was accepted by the Council.

M. Exiataris inquired whether, in view of the fact that the basic problem will be discussed in London, the Council still wished to further discuss the question of collecting information regarding Italian war crimes.

The Chairman stated that he was interested to know what Sir Noel Charles thought on further consideration of the problem.

(1)

2620/C.C.

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

Sir Noel Charles expressed his personal view that he did not think that there should be delay in collection all the information possible both as regards Italian war crimes and crimes committed by the Germans against Italians, but that prior to suggesting that further steps should be taken on these lines, he felt that he must await instructions from London.

Mr. Kirk said that the question would appear to be one of form, namely, whether to keep the item on the agenda or wait for further instructions before placing it on the agenda and stated that he had no objections to keeping it on the agenda pending eventual receipt of instructions.

The Chairman noted that the point raised by M. Exintaris was whether pending receipt of instructions the Council would wish to consider the question of collecting information regarding war crimes and with reference thereto asked the Representatives and Rear Admiral Stone to express their opinions.

Sir Noel Charles stated that he thought it better to postpone discussions until the Council received further instructions, he indicated that as a result of the discussion of this problem in London new ideas relating to the question of collecting information might be formulated.

Mr. Kirk stated that his instructions were to suggest the postponement of further discussions of this problem.

Dr. Smodlaka indicated his support of Mr. Kirk's position.

M Exintaris stated that he still holds the view which he expressed at the last meeting of the Council that the initiation by the Allied Commission of the preliminary work of collecting information on war crimes committed by Italians would be useful. However, since the other members of the Council agreed on the postponement of such work, he could not but express the hope that the Council would again consider the problem at the earliest possible date.

M. Couve de Murville stated that he was agreeable to postponing further didcussions of this point pending the receipt of instructions.

Rear Admiral Stone noted that it was quite possible that the discussions between the three Governments might lead to the establishment of a machinery other than the Allied Commission and that therefore it would appear well for the Council to await the results

0 8 9 2 1

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

Sir Noel Charles stated that he thought it better to postpone discussions until the Council received further instructions, he indicated that as a result of the discussion of this problem in London new ideas relating to the question of collecting information might be formulated.

Mr. Kirk stated that his instructions were to suggest the postponement of further discussions of this problem.

Dr. Smodlaka indicated his support of Mr. Kirk's position.

M Exintaris stated that he still holds the view which he expressed at the last meeting of the Council that the initiation by the Allied Commission of the preliminary work of collecting information on war crimes committed by Italians would be useful. However, since the other members of the Council agreed on the postponement of such work, he could not but express the hope that the Council would again consider the problem at the earliest possible date.

M. Couve de Murville stated that he was agreeable to postponing further didcussions of this point pending the receipt of instructions.

Rear Admiral Stone noted that it was quite possible that the discussions between the three Governments might lead to the establishment of a machinery other than the Allied Commission and that therefore it would appear well for the Council to await the results of these discussions.

The Chairman ascertained that apparently it was the consensus of opinion that the item be included in the agenda for the next meeting but not discussed until further instructions had been received and that, with reference to the collection of information relating to Italian war crimes, it was considered advisable for the time being not to make any inquiry in this connection at the Allied Commission.

(1)

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

0 8 6 9 6

MINUTES OF THE 28th MEETING
OF THE ADVISORY COUNCIL FOR ITALY.

5 January 1945.

Extract:

2. Italian War Crimes Problem.

The Chairman noted that this item had been included on the agenda of today's meeting, in accordance with the decision at the previous meeting, pending the discussions between the United States, Soviet and British Governments. He reported that the British Delegation had not received any further instructions and inquired whether any of the other delegations had received instructions.

Mr. Kirk stated that he had not received any further instructions.

General Suslaparov said that he too had not received any further instructions and suggested taking this item off the agenda until such time as instructions were received.

M. Exintaris stated that he thought it advisable to leave the item on the agenda until such time as the question is definitely decided.

M. Couve de Murville stated that he had no objections to leaving the item on the agenda.

The Chairman inquired whether General Suslaparov would object to the question being left on the agenda.

General Suslaparov stated that in spite of the fact that he had no new instructions he considered that, inasmuch as the problem was being discussed by the three Governments, it was advisable to leave it on the agenda.

The Chairman stated that the British Delegation had originally raised the question on instructions from London and that, although subsequently the matter had been taken up directly by the Governments of the United States, the Soviet Union, and the United Kingdom, the British Delegation was still under instructions to keep the matter current and that therefore, subject to General Suslaparov's approval, he would prefer to have the item kept on the agenda until further instructions are received.

General Suslaparov stated that he had no objections to leaving

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

instructions and suggested taking this item off the agenda until such time as instructions were received.

M. Exintaris stated that he thought it advisable to leave the item on the agenda until such time as the question is definitely decided.

M. Couve de Murville stated that he had no objections to leaving the item on the agenda.

The Chairman inquired whether General Suslaparov would object to the question being left on the agenda.

General Suslaparov stated that in spite of the fact that he had no new instructions he considered that, inasmuch as the problem was being discussed by the three Governments, it was advisable to leave it on the agenda.

The Chairman stated that the British Delegation had originally raised the question on instructions from London and that, although subsequently the matter had been taken up directly by the Governments of the United States, the Soviet Union, and the United Kingdom, the British Delegation was still under instructions to keep the matter current and that therefore, subject to General Suslaparov's approval, he would prefer to have the item kept on the agenda until further instructions are received.

General Suslaparov stated that he had no objections to leaving the question on the agenda subject to the understanding that it would not be discussed until such time as some decision had been reached in London.

Dr. Smodlaka made the following statement: "According to instructions received, inasmuch as the British proposal raised a question of a general problem concerning not only Italy, but also other countries, as Bulgaria and Rumania, - I am authorised to declare that Yugoslavia agrees that this question be discussed by the Government of Great Britain the Soviet Union and the United States of America." He further stated that he considered it was not necessary to keep this item on the agenda, inasmuch as it could be listed whenever instructions were received.

Mr. Hopkinson noted that the majority of the Representatives were in favor of leaving the item on the agenda subject to the understanding that it would be discussed only upon receipt of further instructions.

(8)

Mr. Kirk observed that listing or not listing the item was merely a technical matter and that he saw no objections to keeping it listed pending the eventual receipt of instructions in the premises.

The

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

0901

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

C. COMMISSIONS

APR 30 0830
CC 0933

TOP SECRET Copy No 3.

FX 67980
APRIL 29/2159B

D/9119
APRIL 30/0830B
OPERATIONAL PRIORITY

AFHQ SIGNED SECRET CITE FHGAB

ACTION : ALCOM FOR UPJOHN, HQ 15 ARMY GROUP, HQ 5TH ARMY, HQ 8TH ARMY

TOP SECRET.

United Nations War Crimes Commission satisfied sufficient evidence against following principal Italian personnel to prosecute for war crimes against one or more United Nations. BODO Colonel Carabinieri police chief nice 1943, BRUCCIAMONTE IC Carabinieri PETROVAC 1941, CEILINI CAMILLO Maresciallo di Carabinieri, COCCIA Colonel Garrison Commander NIKSIC,1941, GIUNTA FRANCESCO Governor DALMATIA 1943, GRAZIOLI EMILIO Alto Commissario LIUBLIANA, MAINERI General CC 23 FERRARA Division 1943, MUSSOLINI BENITO, PASSARELLO COSIMO Maresciallo Di Carabinieri, PIRZIO-BIROLI ALLESSANDRO General, TESTA Preffeto CARNARO FIUME 1942, TUCCI CARLO General CCC MESSINA Division 1941, BANDINI ALITIO Director of PONZA KL 1942, BELOZZI Major in MONTENEGRO 1941, BONINI SILVIO General CC VENEZIA Division 1941, CAPI FERUCCIO Federal Secretery SPALATO 1941-43, CHINICI DOMINICO General MONTENEGRO 1941, FRANCESHETTI Commissario SPALATO 1941, GAMBARA GASTONE General LJUBLJANA 1941-43, LOTI PIETRO Commissioner Police KOTOR 1941, MAGARIO ALLESSANDRO General LJUBLJANA 1941-43, ROATTA MARIO General LJUBLJANA 1941-43, SPIGO UMBERTO General CCC XVIII Corps DALMATIA 1942-43, TOSKANINO ANTONIO Colonel MONTENEGRO 194 Bde, VASSALLO SILVERO DIRENTOR PONZA KL 1942-43, VINCENZO DE DOCTOR Commissario SPALATO 1941-43, ZERBINO PAULO SPALATO 1941-43. The above named should therefore be held by Allies pending decision of

(9)

TOP SECRET

0902

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

TOP SECRET

FX 67980

United Nations War Crimes Commission as to trial. Should not be tried by any form of Italian tribunne pending instructions from United Nations War Crimes Commission. Further list minor criminals follows by air to AICC. Same procedure will be adopted

DIST

Copy number	1	Action :	CA SEC
"	"	2	INFO :	A/PRESIDENT
"	"	3		CHIEF COMMISSIONER
"	"	4		EX COMMISSIONER
"	"	5		FILE

5270

(9)

0903

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

SECRET

FX 74743
MAY 131403

E/701
MAY 140935
PRIORITY

AGWAR SIGNED CG MTOUSA CITE NAJAG

CG 15 ARMY GROUP, 5TH ARMY, 8TH ARMY, PENBASE, SAF/MTO, 12 AIR FORCE, 15 AIR FORCE, CO PENBASESOUTH, ADRIATIC DEPOT, ALLIED COMMISSION.

SECRET.

For compliance by all units under your command is paraphrased message WX 81347 from AGWAR "Suicide of HENLEIN and press interview by GOERING are disturbing indications as to manner of handling suspected war criminals. It was desired to have HENLEIN fully interrogated as possible witness and perhaps to include him as defendant in prosecutions being planned under presidential directive. (Reference letter to ETO and MTO, 8 May 1945 AG 000.5) (5 May 1945). OBERNDORF, subject: War Crimes, enclosing copy Executive Order number 9547 of 2 May). Press interviews with suspects and enemy prisoners and internees may seriously prejudice trial. Utmost care should be taken to prevent suicide by suspected war criminals who should be held under closest surveillance. Every precaution should also be taken to safeguard valuable witnesses. Press interview of suspected war criminals and enemy prisoners and internees should be forbidden and no statements for the press by such persons released.

DIST

INFO-ACTION - CA SEC
INFO - A/PRESIDENT
CHIEF [redacted]SIONER
EX COM[redacted]
ESTAB SEC
PRB
FILE

SECRET

0904

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

CC

CONFIDENTIAL

Ref: 2214/22/00. 23 June 1945.

SUBJECT: Yugoslav War Criminals.

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

1. Attached hereto is copy of memorandum which was handed to the Commission by the Acting Representative of Yugoslavia on the Advisory Council for Italy which amounts to a request for particulars of disaffected Yugoslavs. It has not been our policy to hand over lists of these persons, but on the other hand we should not be justified in protecting persons guilty of atrocities or other war crimes. It is suggested that persons falling into these categories must be known to the Yugoslav Government and it is therefore recommended that a list of such persons should be requested, when it would be possible to ascertain if any of them are located in any displaced persons camps. There would not, of course, be any objection to providing the names of those who claim Yugoslav nationality.

2. Your comments on this matter before a reply is made to the Representative for Yugoslavia would be appreciated.

For the Chief Commissioner:

H. S. Lush

Brigadier,
Executive Commissioner.

Encl:
Memo Pov.br.785/45
dtd 14 June 45.

2271

Copy to: Pol Adv (A)
Pol Adv (B)
C.A.Sec (for Displaced Persons & Repat.S/C)

184

0905

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

COPY

ACTING REPRESENTATIVE OF JUGOSLAVIA,
ADVISORY COUNCIL FOR ITALY.
Pr.br.785/15.

The Acting Representative of Jugoslavia on the Advisory Council for Italy presents his compliments to the Supreme Allied Commander, Mediterranean Theatre, and has the honour to state:

Information has been received that great number of Ustashas, Chetnics, Ljotic's men, Domobrani, and Nedic's men are being held in allied Camps in Italy (Forli, Taranto, Carbonara etc.)

In order to enabling the Jugoslav Government to forward to you lists of Jugoslav War Criminals for the purpose of separating such criminals from other prisoners, by instructions received from the Jugoslav Government, I have the honour to request that complete list of prisoners in question might please urgently be sent over to the Jugoslav Delegation to the Advisory Council for Italy. I beg leave to emphasize the particular urgence in the premises.

Rome, June 14, 1945.

(Stamp) Jugoslav Delegation to the Advisory Council for Italy

(Sgd) Dr. SS.

To the
Supreme Allied Commander,
Mediterranean Theatre,
Allied Force Headquarters.

10a

0905

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

SECRET.

(1)	(2)	(3)
VASSALLO, Silverio.	Director of Ponza KL.	1942 - 1943.
VERGNA.	Lieutenant, operating in the Province of [illegible]	11.4.41 - [illegible]
VINCENZO, de, Dr.	Comisario di R. Questura, SPALATO.	1941 - Oct 1943.
ZERBINO, Paolo.	Prefect of SPALATO Province.	do.

0907

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

SECRET.

(2)	(3)	
of Ponza KL.	1942 - 1943.	
nt, operating in	11.4.41 -	
inee of Ispalato on. 8.9.43.		
lo di R. Questura,	1941 - Oct 1943.	
f SPALATO	do.	

(5)
Formerly chief of OVRA in MILAN and GENOA. A native of SICILY.

(1) INCL

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

SECRET.

LIST of WITNESSES.

Name	Rank, Unit, Post	
CASANOCCO, Emilio.	Engineer, Civil Commissioner of CRONCHLYE.	Summer 1942.

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

2275

C R E T.

W I T N E S S E S.

ber 1942.

ENCL (11)

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

(1)	(2)	(3)
ALESSANDRO	Lieutenant. CO PORTO FARINA Detachment at BIZERTA.	Dec. 1942 to April 1943.
D'AMIGO, Angelo.	Operating at BIZERTA.	do.
CANPELLI	Supervisor at San Remo prison.	16 July 1943 to March 1944.
LOGAGLIO.	Operating at BIZERTA.	Dec. 1942 to April 1943.
NACCI .	Supervisor of San Remo prison.	16 July '43 to March 1944.
NAZUCCI.	Chief Warder of San Remo prison.	16 July '43 to March 1944.
ROVERO.	Doctor of San Remo prison.	do.
SAVALLI, Joseph.	Operating at BIZERTA.	Dec. 1942 to April 1943.

0911

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

2992

	(3)	(5)
FARINA	Dec. 1942 to April 1943.	
	do.	
prison.	16 July 1943 to March 1944.	
	Dec. 1942 to April 1943.	
prison.	16 July '43 to March 1944.	
r.	16 July '43 to March 1944.	
on.	do.	
	Dec. 1942 to April 1943.	SAVALLI is a Porto Farina fisherman.

0 9 1 2

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

(1)	(2)	(3)
BANDINI, Atilio.	Director of Ponza KL.	1942.
BARASI	Colonel, in "Venezia" Div: Garrison Commander at Bijelo Polje.	Aug - Sep 1941
BELOZZI	Major, with troops occupying MONTENEGRO.	July - Aug 1941.
BIANCHI, Guido.	Captain, with troops occupying MONTENEGRO.	do.
BONINI, Silvio.	General. OC "Venezia" Division operating in MONTENEGRO.	Aug - Sep 1941.
LA BROCA, Giuseppe.	Brigadier, Carabinieri, operating at VELA LUKA, (Dalmatia).	August 1943.
BRUNELI (or BRUNELLI).	Major, OC a battn of the "Messina" Division. Garrison Commander, BERANE.	July 1941.
CAPI, Feruccio.	Federal Secretary of the "Fasci di Combatimento", Spalato.	1941-Oct 1943.
CATALDI, Giovanni Battista.	Captain, with troops occupying MONTENEGRO.	Aug. 1941.

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

SECRET.

KL.	(3) 1942.	(5)	
zia" Commander	Aug - Sep 1941	,	Before the war was Assistant Military Attaché at BELGRADE.
s occupy-	July - Aug 1941.		
ops occupy-	do.		
zia" Division NEGRO.	Aug - Sep 1941.		Comes from BARI.
nieri, LUKA,	August 1943.		
of the n. Garrison	July 1941.		Before the war head of Legal Dept, Municipality of ANCONA.
of the ento",	1941-Oct 1943.		
os occupy-	Aug. 1941.		Comes from PALERMO.

0914

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

SECRET.

(1)	(2)	(3)
CATTELANO	Captain, 11th Battn. Guastatori, operating at RAVNIKA.	25.3.42.
CERETANI	Major, with "Venezia" Division, operating in MONTENEGRO.	Aug - Sep 1941.
CESI, Antonio.	Captain, with troops occupying MONTENEGRO.	July - Aug 1941.
CHINICI, Dominico	General, OC Troops occupying MONTENEGRO.	do.
CIANCARELLA	Colonel, OC 23rd Inf. Regt, operating in Province of Ljubljana.	11.4.41 - 8.8.43.
COPPA	Medical Officer, PONZA KL.	1942 - 43.
DUSTI, Benito.	Carabinieri, operating at VELA LUKA.	Feb., 24 June, 28 June, 1943.
FRANCESCHETTI	Comisario di R. Questura, SPLATO.	1941 - Oct '43.
FRIZARI, Vito	Captain, with troops occupying MONTENEGRO.	Aug 1941.
FURIA, Di, Fernando.	Captain, OC Carabinieri, operating in the Province of Ljubljana	11.4.41 - 8.8.43.

0915

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

S E C R E T.

6280

		(3)	(5)
	. Guastatori,	25.3.42.	
	"a" Division, EGRO.	Aug - Sep 1941.	Before the war was a barrister at VENICE.
	s occupying	July - Aug 1941.	Comes from ANCONA.
	occupying	do.	
	. Regt, e of	11.4.41 - 8.8.43.	Comes from SPEZIA.
	ZA KL.	1942 - 43.	Doctor; was Secretary of PONZA Fascist Organisation.
	at VELA	Feb., 24 June, 28 June, 1943.	Comes from ROME.
	ura, ATO.	1941 - Oct '43.	
	occupying	Aug 1941.	Comes from BARI.
	i, operating bljana	11.4.41 - 8.8.43.	

0916

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

(1)	(2)	(3)
CAETANI, Giuseppe	Tenente di Carabinieri, commanding units operating in DALMATIA.	Feb., June, Aug., 1943.
CALTERIO, Enrico.	Lieutenant, with troops occupying MONTENEGRO.	July - Aug 1941.
CARRA, Gastone.	General, operating in the Province of Ljubljana.	11.4.41 - 8.8.43.
GENELLI	Major, OC 2nd Battn, 83rd Regt, operating at BRODAREVO	April 1943.
GHIY, Giovanni.	Major, with troops occupying MONTENEGRO.	July - Aug 1941.
GIUSEPPE, Paolo.	Lieut Colonel, with troops occupying MONTENEGRO.	do.
GRAZIANI, Fernando.	Colonel, OC 83rd Inf Regt of the "Venezia" Division from Ferrara operating in MONTENEGRO.	Sep, Oct, Nov, 1941, Aug 1943.
GUGLIOTTI	2nd Lieut, 8th Coy, 2nd Battn, 83rd Regt. "Venezia" Division, operating in MONTENEGRO.	do.
GUIDO	Carabinieri, operating at VELA LUKA (Dalmatia).	24.2.43 - 28.6.43.
LOTI, Pietro.	Commissioner of Police, KOTOR.	July - Aug. 1941.

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

SECRET.

	(3)	(5)
ri, rating	Feb., June, Aug., 1943.	
Is	July - Aug 1941.	Comes from PALERMO.
a the	11.4.41 - 8.8.43.	
83rd RODAREVO	April 1943.	Comes from MILAN.
occupying	July - Aug 1941.	
troops	do.	
Regt of on from MONTE-	Sep, Oct, Nov, 1941, Aug 1943.	
nd Battn, Division, RO.	do.	
ng at	24.2.43 - 28.6.43.	
e,	July - Aug. 1941.	

0 9 1 8

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

(1)	(2)	(3)
MACARIO, Alessandro	General, OC the "Isonzo" Division, operating in the Province of Ljubljana.	11.4.41 - 8.8.43.
MARINI	Maresciallo di Carabinieri, NCO i/c of Carabinieri, PONZA KL.	1942 - 43.
MONTAROLI, Sabino.	Captain, with troops occupying MONTENEGRO.	July - Aug. 1941.
MORIGHI, Angelo.	Carabinieri, operating at VILA LUKA (Dalmatia).	Feb., June, Aug., 1943.
MURGANTI.	Carabinieri, operating at VILA LUKA (Dalmatia).	do.
PANICUCCI, Gino.	Captain, OC, 7th Coy, 2nd Battn, 83rd Regt. "Venezia" Division, operating in MONTENEGRO.	Sep, Oct, Nov. 1941, and Aug 1943.
PARRINI, Giuseppe.	Lieutenant of Carabinieri, Local Deputy Commander, operating in MONTENEGRO.	End of June 1943.
PICCOLO IO, Vani.	Lieutenant, with troops occupying MONTENEGRO.	August 1941.
PIZZI, Giuseppe.	Major, OC a battalion operating at BROD.NEVO.	April 1943.

6278

0919

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

8278

(3) 11.4.41 - 8.8.43.		
i, 1942 - 43.		
ty July - Aug. 1941.		Comes from BARI.
t Feb., June, Aug., 1943.		
t	do.	
d Sep, Oct, Nov, in" 1941, and Aug 1943.		
i, End of June 1943.		
August 1941.		Comes from FIORENCE.
April 1943.		

(5)

INCL (1)

0920

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

(1)	(2)	(3)
ROATTA, Mario.	General, operating in the Province of Ljubljana.	11.4.41 - 8.8.43.
ROSSI	Colonel, OC a regiment of the "Venezia" Div., operating in MONTENEGRO.	Aug - Sep 1941.
SCALPA, Giuseppe.	Captain, with troops occupying MONTENEGRO.	July - Aug 1941.
SCASELATI, Franco.	Prefect of Kotor.	do.
SCUTELI.	Carabinieri, operating at Vela Luka (Dalmatia).	Feb., June, Aug 1943.
SORDI, T.	Colonel, operating in the Province of Ljubljana.	11.4.41 - 8.8.43.
SPICO, Umberto.	General, GOC XVIII Corps (13,15,154 and 158 Inf. Divisions) in DALMATIA.	End of 1942 and May 1943.
TOSKANINO, Antonio.	Colonel, with troops occupying MONTENEGRO.	August 1941.

0721

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

SECRET.

	(3)	(5)
the	11.4.41 - 8.8.43.	
t of perat-	Aug - Sep 1941.	
occupy-	July - Aug 1941.	
	do.	
at	Feb., June, Aug 1943.	
the	11.4.41 - 8.8.43.	
ls	End of 1942 and May 1943.	
occupy-	August 1941.	

Canes from BOLOGNA.

0922

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

2628/c
Cont'd from Cotton

SECRET

(1) Name	(2) Rank & Unit	(3) Post and date at which held
BODO	Colonel, Carabinieri	Chief of Italian Police, NICE, 1943.
TURCHI, Ottorino	Caporal-Chef, 7th Coy., 3rd Battn.	Was stationed at FREJUS, in camp at CAIS (Var), Aug. 12, 1943.

0923

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

2608/c
Civil & Cotton

502

JUN 28 RECD
16 Sep

SECRET

(3) Post and date at which held	(5) Miscellaneous Notes.
Chief of Italian Police, NICE, 1943.	Born at ZURICH on a March 28.
Was stationed at FREJUS, in camp at CAIS (Var), Aug. 12, 1943.	

NOV 10

0924

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

(1)	(2)	(3)
D'AMBROSIO, G.....	Colonel	Senior Medical Officer, CASERTA Hospital, September 1942.
AMELLINI, Son of EMILIO and of Maria FARIGLI.	Major	Commandant, POW Camp, No. 75, BARI.
BELLOMO - Nicola	General	COC BARI Command, Nov. 30, 1941.
CALCATERRA Vittorio	Colonel	Commandant, POW Camp No. 57, GRUPPIGNANO, ITALY, Dec. 1941 and after.
CROFOLLO	Colonello	Commandant, POW Camp No. 75 BARI.
FERULIO	Lieutenant, Medical Service	Stationed at BENGHAZI POW Camp, June-Oct. 16, 1942 or later.
LATTANZIO ORONZO	2nd Lieutenant.	Stationed at POW Camp No. 70 PM 3300, FERMO ANCONA, ITALY, Dec. 30 1942 to Jan. 1 1943.
LATTANZIO ANTONIO	Tenente-Colonello	Commandant, POW Camp, No. 75 BARI.

0925

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

(3)
Senior Medical Officer,
CASERTA Hospital,
September 1942.

Commandant, POW Camp,
No. 75, BARI.

GOC BARI Command,
Nov. 30, 1941.

Commandant, POW Camp No.
57, GRUPPIGNANO, ITALY,
Dec. 1941 and after.

llo Commandant, POW Camp
No. 75 BARI.

nant, Stationed at BENGHAZI
l POW Camp, June-Oct. 16,
1942 or later.

euten- Stationed at POW Camp
No. 70 PM 3300, FERMO
ANCONA, ITALY, Dec. 30 1942
to Jan. 1 1943.

Commandant, POW Camp,
llo No. 75 BARI.

(5)

"A" Interned Camp.
Of TARANTO.
? Orofolo

Of PADUA.
Arm Categ Class FANT
COMPL 1887.

0926

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

(1)	(2)	(3)
MORTICELLI	Captain	Stationed at POW Camp No 57, GRUPPIGNANO, Dec. 1941 and after.
NICOLETTI Gugilielmo (?NICOLLETTI)	Colonel	Commandant POW Camp No 66, CAPUA, March-May 1942, Sep. 1942).
OROFALO Stefano	Colonel	Commandant, POW Camp, No 75, BARI.
PALERMO) ?PALERMO?)	Captain	Commandant, BENGHAZI POW Camp, June 1942 to about September 1942.
PANDOLERI (spelling uncertain).	Captain	Stationed at POW Camp No. 70 PM 3300, FERMO ANCONA, ITALY, Dec 30, 1942, to Jan. 1, 1943.
RONCO	Tenente	Stationed at POW Camp No 57, GRUPPIGNANO, Dec. 1941 and after.
SOMERVILLA (or SOMERVELLA)	Captain (since promoted Major)	Commandant, POW Transition Camp No. 75, BARI.
SOMMAVILLA Antonio	Captain	Commandant No. 75 (TORRE TRESCA) POW Camp, BARI, Nov. 1941 and onwards. Commandant No. 78 (SULMONA) POW Camp, ITALY, Dec 26, 1941.

0 9 2 1

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

(2)	(3)	(5)
tain	Stationed at POW Camp No 57, GRUP. IGNANO, Dec. 1941 and after.	
lonel	Commandant POW Camp No 66, CAPUA, March-May 1942, Sep. 1942).	
lonel	Commandant, POW Camp, No 75, BARI.	ARM. CATEG CLASS FANT A H Q 1892.
tain	Commandant, BENGHAZI POW Camp, June 1942 to about September 1942.	
tain	Stationed at POW Camp No. 70 Pi 3300, FERMO ANCONA, ITALY, Dec 30, 1942, to Jan. 1, 1943.	
nte	Stationed at POW Camp No 57, GRUPPIGNANO, Dec. 1941 and after.	
tain nce pro- ed Major)	Commandant, POW Transition Camp No. 75, BARI.	May be the same as Capt SOMMAVILLA, Large mouth; spindly legs; very tall; stoop; clean-shaven.
tain	Commandant No. 75 (TORRE TRESCA) POW Camp, BARI, Nov. 1941 and onwards. Commandant No. 78 (SULMONA) POW Camp, ITALY, Dec 26, 1941.	

0928

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

SECRET.

(1)	(2)	(3)
SPAGNIOLI	Captain, Medical Service.	Stationed at BENGHAZI POW Camp, June-Oct. 16, 1942, or later.
VENTURELLA	Lieutenant, Medical Service.	Stationed at BENGHAZI POW Camp, June-Oct. 16, 1942 or later.
VISMARA, Felice.	Captain	Commandant, BENGHAZI POW Camp, between June 1942 and Oct. 1942, or later.
Unknown		Commandant, DERNA POW Camp, about early April 1941.
Unknown		Officer commanding troops at or near BOMBA (LIBYA) on June 23-24, 1942.
Unknown		Commandant, TOBRUK POW Camp, on or about June 29, 1942.
Unknown		Commandant, DERNA POW Camp, June 24-25, 1942.
Unknown		Commandant, TRIPOLI POW Camp, on or about Nov. 13, 1942.
Unknown	Officer	Concerned with embarkation of prisoners of war on SS. "SCILLIN" or "SCILLON", Nov. 13, 1942.

0929

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

S E C R E T.

6987 (5)

(3) BENGHAZI POW Camp, , 1942, or later.		
BENGHAZI POW Camp, , 1942 or later.		
BENGHAZI POW Camp, 1942 and Oct. 1942,		(Succeeded PALERMO as Commandant).
DERNA POW Camp, April 1941.		
manding troops at or (LIBYA) on June		
TOBRUK POW Camp, on ne 29, 1942.		
DERNA POW Camp, 1942.		
TRIPOLI POW Camp, Nov. 13, 1942.		
with embarkation of f war on SS. "SCILLIN", ", Nov. 13, 1942.		Name of officer could be obtained from the Commandant, POW Camp TRIPOLI or from Captain PARIGI, or from Captain Ugo SIVIERO, CO Naval Forces, TRIPOLI or from Lt Com Pietro CORRAO, Second-in-Command.

INCH

0930

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

SECRET.

(1)	(2)	(3)
Unknown	Officer	I/C Prisoners of War on SS. "SCILLIN" or "SCILLON", Nov. 13-14, 1942.
Unknown	Colonel	Commandant, POW Camp No. 70 FM 3300, FERMO ANCONA, ITALY, Dec. 30, 1942 - Jan. 1, 1943.

0931

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

6298

(3) rs of War on SS. r "SCILLON", Nov. 2.		(5) Name of officer could be obtained from the Commandant, POW Camp, TRIPOLI, or from Captain PARIGI, or from Captain Ugo SIVIERO, CO, Naval Forces TRIPOLI, or from Lt Comm. Pietro CORRAO, Second-in-command.
, POW Camp No. 70 ERMO ANCONA, ITALY, 942 - Jan. 1, 1943.		Believed to be Enrico PAPA.

O.N.I.

0932

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

(1)	(2)	(3)
BRUCCIAMONTE	Brigadiere di Carabiniere.	I/C Carabiniere operating at PETROVAC na MORU, Aug. 1941.
CELLINI, Candido	Maresciallo di Carabiniere.	Head of occupying authorities at Bar (Antivari), Banovina Zotska, 1941.
COCCIA	Colonel	Garrison Commander at NIKSIC, Nov. 11, 1941.
FIOCHI	Captain (Italian Mountain Unit).	Garrison Commander at PETROVAC na MORU, District Boka Kotorska, Banovina Zotska, Aug. 1941.
GIUNTA, Francesco		Governor of Dalmatia, Feb. to July 1943.
GRAZIOLI, Emilio		Alto Commissario della Provincia di Liubliana.
MADORI		Manager of Broadcasting Station at Ljubljana on June 10, 1942.
MAINERI	General	OC, 23rd "Ferrara" Division, stationed at NIKSIC, May 1943.

0933

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

SECRET.

6295

(3)

I/C Carabiniere operating at PETROVAC na MORU, Aug. 1941.

Head of occupying authorities at Bar (Antivari), Banovina Zetska, 1941.

Garrison Commander at NIKSIC, Nov. 11, 1941.

Garrison Commander at PETROVAC na MORU, District Boka Kotorska, Banovina Zetska, Aug. 1941.

Governor of Dalmatia, Feb. to July 1943.

Alto Commissario della Provincia di Liubliana.

Manager of Broadcasting Station at Ljubljana on June 10, 1942.

OC, 23rd "Ferrara" Division, stationed at NIKSIC, May 1943.

(5)

0934

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

(1)	(2)	(3)
PASCARELLO, Cosimo.	Maresciallo di Carabiniere.	Stationed at BUDVA, Aug. and July 1941, at RIJEKA, CRNOJEVICA, Sep. 1941.
PIRZIO-BIROLI, Alessandro.	General	Military Governor of MONTE-NEGRO, June 1942 - June 1943.
ROBOTTI, Mario.	General	Commandante del XI Corpo d'Armata, Ljubljana, April 1942 - March 1943.
ROVER, Giuseppe.	Carabiniere	Stationed at BUDVA, June to August 1941.
SPITALERI	Major (Italian infantry) of the "Tarro" Division.	Garrison Commander at BUDVA, Banovina Zotska, June to Aug 1941; at RIJEKA CRNOJEVICA, Sep 1941.
TESTA		Prefetto de la Province di Carnaro, FIUME, in 1942.
TUCCI	General	GOC "Messina" Division, July, 1941.

0935

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

(3)

(5)

Stationed at BUDVa, Aug. and
July 1941, at RIJEKA, CRNOJEVICA,
Sep. 1941.

Military Governor of MONTE-NEGRO,
June 1942 - June 1943.

Comandante del XI Corpo d'Armata,
Ljubljana, April 1942 - March 1943.

Stationed at BUDVA, June to
August 1941.

Garrison Commander at BUDVA,
Banovina Zetska, June to Aug 1941;
at RIJEKA CRNOJEVICA, Sep 1941.

Prefetto de la Provincc di
Carnaro, FIUME, in 1942.

GOC "Messina" Division, July,
1941.

Christian name:
CARLO.

0936

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

(1)	(2)	(3)
Unknown		OC 48th Regimento d'Infanteria, "Ferrara" Division, operating in MONTENEGRO, May 1943.
Unknown		Commandant of Chiesa Nuova, Province Padova, Concentration Camp, 1942-1943.
Unknown		Commandant of Fraschetto-Alatri, Province Frosinone, Concentration Camp, 1942-1943.
Unknown		Commandant of Gonars Concentration Camp, 1942-1943.
Unknown		Commandant of MONIGO, Province TREVISO, Concentration Camp, 1942-1943.
Unknown		Commandant of RENICCI Concentration Camp, 1942-1943.
Unknown		Commandant of RAB (Yugoslavia) Concentration Camp, 1942-1943.

0937

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

SECRET.

(3)

C 48th Regimento d'Infanteria, Ferrara" Division, operating n MONTENEGRO, May 1943.

Commandant of Chiesa Nuova, Province Padova, Concentration Camp, 1942-1943.

Commandant of Fraschetto-Alatri, Province Frosinone, Concentration Camp, 1942-1943.

Commandant of Gonars Concentration Camp, 1942-1943.

Commandant of MONIGO, Province TREVISO, Concentration Camp, 1942-1943.

Commandant of RENICCI Concentration Camp, 1942-1943.

Commandant of RAB (Yugoslavia) Concentration Camp, 1942-1943.

(5)

Sanitary Major BETTINI might supply name.

0938

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

CC

Ref: AC/14754/8/RS. 24 June 1945.

My dear Mr. Prime Minister:

On the enclosed lists are the names of persons who are required by the Allied authorities. I would be glad if you will give orders for them to be traced and inform me when this has been done.

Should any of these persons be held in custody I would be glad if I may be so informed, together with details as to the place and reason for detention. If there is any intention of bringing any one of them to trial before an Italian court, it is not desired that this should be delayed, neither is there any immediate intention of removing them from the custody of your authorities.

In addressing this request to you personally, my dear Mr. Prime Minister, I must ask that the distribution of the enclosed lists is confined to the smallest number of people required to carry out the work efficiently.

Yours very truly,

Sec 17

ELLERY W. STONE
ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

H.E. Ferrucio Parri,
The President of the Council of Ministers,
Italian Government,
R O M E.

Copy to: Chief Commissioner
Executive Commissioner
Legal Sub-Commission

11

Copy

2602

0939

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

Col Denbo Carter informed that this subject should be kept cleared with AFHQ before reply is made to Gen Ferr.

31st July

0940

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

Translation

JUL 30 RECD 1020

reg n. 80

Interior Department
Direction General of Public Safety

Rome, 25 July 1945

Division A.G.R. Sec. IV
N. 500/74036

To the
Allied Commission
Office of the Chief Commissioner
APO 394

Subject : Individuals asked for by the Allied Authorities.

(11)

The General Command of the C.C.RR. Corps, interested in the verifications about the members of the Corps included in the lists enclosed to note n. AG/14754/8/P.S. of June 24th of this Commission, asked to know the elements relative to the behaviour of the said individuals in the various localities, to be able to take action against them if necessary.

If there is nothing against it, will you kindly enable us to agree to the request.

FOR THE MINISTER

e. (illegible

trans. e/c
ec.

E.C. DIST - 28 JULY 45

ACTION : CA Sec (2)

INFO : CHIEFS Committee

Ex Com

(17)

Seen by CC

0941

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

CE

Ref: 2214/99/50.

4 August 1945

SUBJECT: Yugoslav War Criminals.

TO : Yugoslav Delegation to the Advisory Council for Italy.

With reference to the Displaced Persons and Repatriation Sub-Commission letter DPR/2/G-II (D.P.) dated 7 July 1945 addressed to the Yugoslav Delegation to the Advisory Council for Italy; we have since been instructed that the question of Yugoslav Nationals accommodated in camps in Italy should be taken up by the Yugoslav Government through diplomatic channels.

R W Kenely Maj.
for Brigadier,
Executive Commissioner.

Copy to : D.P. & R. Sub-Commission.

13

0942

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

E.C.
Has Smodlakas letter gone forward?
2 1/1 Encl

JAN 21 1947 C C

CONFIDENTIAL

Ref. 6537/43/xx

20 January 1947

Send on 16 Jan

SUBJECT: Jugoslav Traitors.

TO : The Director
Intergovernmental Committee on Refugees.
Rome.

Enclosed for your information is a copy of letter no. 65/47 dated 15 January 47 from Dr. Smodlaka, the Yugoslav Representative to the Advisory Council to Italy addressed to the Supreme Allied Commander.

This letter contains certain allegations against your organisation and it would be appreciated if you would forward to this Commission any comments that you may wish to make in order that the Supreme Allied Commander may be informed.

FOR THE CHIEF COMMISSIONER:

N. W. HIND-SMITH

Brigadier,
Executive Commissioner.

8148

184

0943

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

COPY

DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Pov. br. 65/47 15 January 1947

TO: Supreme Allied Commander, Mediterranean Theatre.

Through: Chief Commissioner, Allied Commission

1. The Allied Military Authorities in Italy have the duty, even according to the instructions received from the Governments of the United Kingdom and the United States, to take care of arresting and handing over to the Jugoslav authorities of Jugoslav traitors, collaborationists and war criminals living in Italy. In as much as the jurisdiction in Italy has been transferred to the Italian Government, the Supreme Allied Commander is obliged by the Armistice Terms to take necessary steps upon the Italian Government in order that Jugoslav traitors living in Italy be arrested and handed over to the Jugoslav authorities.

2. The Jugoslav Delegation A.C.I. has been informed that aboard the Italian S/S "Andrea Gritti", which was on December 29, 1946, in the port of Genoa and on December 31, 1946, in Naples, among emigrees of various nationalities and more than 100 Jugoslavs, many Jugoslav traitors and well known war criminals whose extradition was repeatedly requested by the Jugoslav Government, have left for South America.

The expenses of the journey of the greatest part of these Jugoslavs were paid by the "Intergovernmental Committe on Refugees", whereas the Vatican "Assistenza Pontifica" procured them visas for South America.

Thus for example the "Intergovernmental Committee" paid the ticket and reserved a place on the ship for the well known traitor and war criminal Modarcin Dragutin (Assistant of the Serbian Fascist leader Dimitrije Ljotic, one of the initiators of the Quisling Fascist "Serbian Volonteers Corps" ("Srpski Dobrovoljacki Korpus"), well known cobelligerant and collaborationist of the Germans since 1941), who left under his full original name. The same Committee paid the expenses for the journey of a considerable number of well known traitors and collaborators of the occupants, among others to Kosicek, a high Ustashi official, Vlaho Zarko, a prominent Ustashi priest, Karadjolo Pio and Omcikus Vojislav, well known Chetniks etc.

R 1/47

The "Assistenza Pontifica" gave besides that also the material aid for the journey in America by the same ship to certain suspicious Jugoslavs, collaborators of the Germans and Fascists.

With documents issued on false names the following renowned traitors and war criminals left Italy by the same ship: The Ustashi Minister dr. Vjekoslav Vrancic (one of the closest collaborators of the Croatian Quisling leader Pavelic), the Ustashi Minister Dr. Stjepan Hefer, the Ustashi Minister Dr. Ante Niksic,

1/64

0944

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

the Ustashi General Canic Matija, Galic a well known slayer from the "Laburicova" Brigade, Public Ivan from the "Handzar" Division etc. etc.

3. The case of the S/S "Andrea Gritti" shows that the responsible Allied and Italian authorities do not sufficiently controle the departure of ships from Italy and that they do not take care to impede leaving Italy of Jugoslav traitors who should be arrested and handed over to the Jugoslav authorities.

It is clear from this case that, further, the "Intergovernmental Committee on Refugees" and the "Assistenza Pontifica" use money and procur vises in order to enable Jugoslav traitors, collaborationists and war criminals, who should be arrested and handed over to the Jugoslav authorities, to leave Italy and to go to the overseas countries, where their being found out and extradition will be even more difficult.

The Jugoslav Delegation protest therefore against such proceeding of the responsible Allied and Italian authorities who have allowed that the a/m Jugoslav traitors and war criminals might leave Italy on Dec. 29 and 31, 1946, instead of being arrested and handed over to the Jugoslav authorities.

4. The Jugoslav Delegation demand that most urgently all necessary measures be taken in order to make impossible any further escaping from Italy of Jugoslav traitors and war criminals, and specially that their emigration to the overseas countries be made impossible. It is therefore necessary, among other, that a most strict controle of all passengers and of their documents be made in the ports before the leaving of steam ships.

5. Furthermore, considering that Jugoslav traitors mostly travel with false documents, it is necessary to make impossible issuing and using of such false documents. The principal Societies where Jugoslav traitors and war criminals are gathered are the "Fraternity of St. Hyerolimus " (Bratovstina Sv. Jerolima), Via Tomacelli 132, Rome, and the "Jugoslav Welfare Society" in Rome, with Branches around Italy. The Ustashi elements get false Identity Cards from the said "Fraternity" The "Yugoslav Welfare Society" received orders from the Allied authorities in Rome that they are not allowed to issue any documents any longer, but they release such documents now to Jugoslav traitors antedated.

Both the Allied and the Italian authorities recognized up to date such Identity Cards, and Jugoslav traitors used such false basic documents for getting the sojourning permission in Italy from the Italian Questura, Mansens and other passports, and necessary visas from various foreing representatives.

6446

The Jugoslav Delegation demand therefore that all activities of the so called "Fraternity of St. Hyerolimus" and of the so called "Yugoslav Welfare Society" be prohibited and particularly that issuing any documents be made impossible to them. At the same time the Jugoslav Delegation inform herewith that documents issued by the a/m societies have no value, and request that this may be communicated to all Allied and Italian authorities.

6. The Jugoslav Delegation request that a copy of this letter be forwarded to the Italian Government.

/S/ Sloven Smodlaka
Jugoslav Representative
Advisory Council for Italy

(81)

0945

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

Ref. : 6537/41/CC

16 January 1947

SUBJECT: Jugoslav Traitors.

TO : AFHQ
Attention: G-5 Section.

Enclosed is letter no. Pov.br. 6547 dated 15 January 1947 addressed to the Supreme Allied Commander that was handed to the Executive Commissioner, this Commission, by Dr. Smodlaka on 15 January 1947.

No action will be taken on para 6 until instructions are received from your Headquarters.

A report on the allegations contained in the letter in question is being prepared and will be forwarded to you at an early date.

FOR THE CHIEF COMMISSIONER:

B. W. Hinde-Smith

Brigadier,
Executive Commissioner.

2602/cc

6445.

0946

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

CONFIDENTIAL

AG3/00771
JAN. NFT

H/9165
JAN.171000
ROUTINE

CHQ CMF
ACSEC HQ ALCOM

CONFIDENTIAL.
Subject war crimes Major General Wagener and others.
Your SD/266.01-97 of 6 Jan refers.
Persons named in 1 (B) of this HQ 16300/2/A3 of 18 Dec 46 available in UK all considered accused except Dallago. Please cable this HQ to whom these persons should be handed over. Still awaiting reply to our signal AG3/00475 of 10 Jan addressed Judvocate copy to you requesting location of witness referred to in your above quoted letter.

AC DIST

ACTION SECURITY
INFO CHIEF COMMISSIONER
EX COMM
FILE
SKELETON

CONFIDENTIAL

JAN 17 1947

0947

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

JAN 15 1947

HEADQUARTERS ALLIED COMMISSION
APO 794
Office of the Executive Commissioner

Ref: 6535/67/EC

14 January, 1947

My dear Mr. Ambassador,

I further refer to your letter No. 1736 of 24th December, 1946, and to my letter 6535/62/EC of the 4th January, 1947, on the subject of alleged Soviet nationals to be handed over to the Russian authorities.

I have been instructed by Allied Force Headquarters to inform you of the Allied policy in such cases. In the Allied view the words "Soviet Citizens" refer only to persons resident within the boundaries of the Soviet Union as at September 1939. Such persons are not repatriated by the Allies against their will, unless they come within one of the following categories:-

(a) persons captured in German uniform

(b) persons who were members of the Soviet Armed Forces on or after 22nd June, 1941, and who were not subsequently discharged therefrom;

(c) persons who voluntarily rendered aid and comfort to the enemies of the Allies.

Very truly yours,

/s/ M. CARR

M. CARR, Brigadier,
Executive Commissioner.

Ambassador Giuseppe Fransoni
Secretary General
Ministry of Foreign Affairs
ROME.

C143

0948

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

JAN 14 1947

FX 74287
JAN. 141047

H/9118
JAN. 141630
IMPORTANT.

AFHQ SIGNED COMGENMED CITE NAJAG
ACTION: HQ ALLIED COMMISSION ROME.
INFO: GHQ CMF.

SECRET

SECRET.

BRITISH AUTHORITIES WILL TRY GERMAN GENERAL KESSELRING. CHARGED WITH ORGANIZING ATROCITIES AGAINST ITALIAN NATIONALS. TRIAL WILL TAKE PLACE IN OR NEAR VENICE ON OR ABOUT 10 FEBRUARY 1947.

REQUEST THE ITALIAN AUTHORITIES BE INVITED TO NOMINATE AN ITALIAN OFFICER TO ATTEND TRIAL AS OBSERVER.

REQUEST JUDGE ADVOCATE BE INFORMED OF NAME AND PARTICULARS OF THE SELECTED OFFICER AT THE EARLIEST PRACTICABLE DATE.

2903/42

SECRET

SECRET.

AC. DIST

ACT: LEGAL
INFO: C. COMN. 6142
EX. COMN.
P. SAFETY.
FILE.
SKELETON.

1831

0949

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

E. Germ.

AG3/00475
JAN. NFT

H/9061
JAN.131000
ROUTINE

GHQ CMF
JUDVOCATE LONDON INFO: ACSEC HQ ALCOM

CONFIDENTIAL

CONFIDENTIAL.
Subject war crimes Major General Wagener and others.
This HQ letter 16300/2/A3 dated 18 Dec refers. N/K
May this HQ please be informed if the personnel enumerated at para 1 B and C have been located and if arrangements for their transfer to Italy have been made.
For ACSEC ALCOM. Your letter SD/266.01-97 dated 6 Jan refers.

22/2962

AC DIST

INFO ACTION SECURITY
INFO CHIEF COMMISSIONER
EX COMM
FILE
SKELETON

received on 13 Jan

1881

CONFIDENTIAL

0950

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

9 pc

HEADQUARTERS ALLIED COMMISSI
APO 794
Office of the Executive Commissioner

Ref: 690/81/EC

9 January 1947

SUBJECT: Jugoslav Traitors.

TO : Dr. Smodlaka,
Jugoslav Representative a.i.
to the A.C.I.
Rome.

Receipt is acknowledged of your letters No. Br 1874/46 dated 27 December 46 and No. Pov.br. 2/47 dated 3 January 1947 regarding Jugoslav traitors.

With regard to the former mentioned letter AFHQ have been asked to name a suitable date for you to meet their representative and discuss this question, and you will be advised of their reply in due course.

The list contained in the second letter has been forwarded to the Supreme Allied Commander, AFHQ.

FOR THE CHIEF COMMISSIONER:

Brigadier,
Executive Commissioner.

2603/22

Dr. Slovan J. Smodlaka,
Acting Representative of Jugoslavia,
Advisory Council to Italy,
ROME.

6140.

correspondence returned by
Jno Ewald

1/21/47

0951

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

C O P Y

DELEGATION OF THE FEDERAL PEOPLE'S
REPUBLIC OF JUGOSLAVIA
TO THE ADVISORY COUNCIL FOR ITALY

Br. 1874/46 27th December 1946

Dear Brigadier Carr,

I have the Honour to confirm receipt of your letter No. 690/67/EC dated 12 December 1946, and in connection with this I would like to repeat my request, contained in my letter of December 7, 1946, to SACMED, to meet the competent representatives of AFHQ in order to discuss with them questions regarding the extradition of Jugoslav traitors, at their earliest convenience.

Very truly Yours

DR. SLOVEN J. SMODLAKA
Jugoslav Representative
for War Crimes to AFHQ.

M. CARR, Brigadier
Executive Commissioner
Allied Commission

6429

(BL) a

0952

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

Pov.br. 2/47 3 January 1947

Dear Brigadier Carr,

With reference to my letter Pov.br.1238/46,dated 7 Dec. 1946,to SACMED and to my letter Br.1874/46,dated 27 Dec. 1946,to you,I have the honour to transmit under cover two copies of our lists of the Jugoslav Traitors,whose extradition has been agreed by the U.K. and U.S. Governments.

Will you be so kind as to forward one copy to SACMED.

I will be very glad to be informed as soon as possible about action taken for finding out,arresting and handing over to the Jugoslav authorities of persons whose names are contatined in the enclosed list.

Encl.as above.

Very Truly Yours

Dr Sloven Brcdlaka

DR.SLOVEN J. BRCDLAKA,
Jugoslav Representative a.i.
Advisory Council for Italy,
Jugoslav Representative to A.F.H.Q.
for War Crimes.

Brigadier
M. CARR,
Executive Commissioner
Allied Commission.

0953

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

CONFIDENTIAL

AG 3/00562
JAN. 111215A

H/9063
JAN.131000
ROUTINE

GHQ CMF
HQ ALCOM LEGAL SUB COMMISSION INFO; 8S AREA

CONFIDENTIAL.
Subject is war crimes civilian defence counsel.
Our 16000/36/A3 of 2 Jan 47 and AG3/00169 of 4 Jan refer.
Undermentioned have requested defence counsel to be provided for their trial commencing 23 Jan. 47.

1. To be tries at Padua Assize Court. 2 Banks case.
   A. CERATI GIOVANNI Ex Member Guardia Nazionale Republicana 1944/45.
   B. VALENTE NICOLA served with GNR 1944 A and B charged with ill-treatment of POW.
   C. BORRINI CARLO served with GNR 1943.
   D. MARSILI SINO served with Black Brigade C and D charged with illtreatment and killing of PW. Suggest one advocate for A and B. One for C and D.
2. To be tried at Mestre 23 Jan 47 with 2 others who have own defence counsel.
   A. MARCONINI CELSO ex Member of Black Brigade charged with illtreatment of POW.
3. All above accused in custody civil Gool Padua and in possession of abstracts of evidence.

A C DIST
ACTION LEGAL
INFO CHIEF COMMISSIONER
EX COMM
P.SAFETY
FILE
SKELETON

JAN 13 1947

CONFIDENTIAL

0954

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

JAN 15 1947

HEADQUARTERS ALLIED COMMISSION
APO 794
Office of the Executive Commissioner

Ref: CD/266.01

January 1947.

SUBJECT: Italian War Criminals listed by UNWCC on behalf of Yugoslavia.

TO : The Presidency of the Council of Ministers,
ROME.

1. Reference this Commission's letter 6517/299/EC dated 17 December 1946, I have been further instructed to inform you that the below named Italian nationals listed by the United Nations War Crimes Commission on behalf of Yugoslavia are of no further interest to the Allied authorities. The responsibility for their continued detention, if in custody, or release, is entirely a matter for the Italian authorities. Any question of their surrender will be a matter for direct settlement between the Italian authorities and the Claimant Government.

a) Major Roberto BRUNELLI - UNWCC List No.5 Serial 73. Disappeared from 209 P.O.W. Camp, present whereabouts not known.
b) Di FURIA Fernando - UNWCC list 5 Serial 85. It appears that Di FURIA may be held in Italian custody.
c) GRAZIOLI Emilio - UNWCC List 2 Serial 35. It appears he may have been brought to trial before the Special Court of Assize of TURIN.
d) LANDINI Giovanni - UNWCC List 12 Serial 112. Present whereabouts not known, last located at 211 PW Camp, North Africa in October 1945.
e) MADORI Gastone - UNWCC List 2 Serial 36. Is held in custody of the Prefettura at PISA.
f) PALERMO Salvatore. - UNWCC List 15 Serial 365. Transferred from custody of Carabinieri Command, BOLZANO to that of the Prosecuting Officer of the Special Court of Assize of TRENTO on 27 August 1946.
g) PAGLIAI Giuseppe. - UNWCC List 5 Serial 102. Appears to have been placed under barrack arrest by Carabinieri HQ, FLORENCE.
h) ROSAILIANA Ricciardo - UNWCC List 26 Serial 95. Was held at '5' PW Camp in April 1946. This camp was transferred to Italian administration, situated in BARI area.
j) TESTA Temistocle. - UNWCC List 2, Serial 44. Was at one time held in Regina Coeli Prison, ROME.
k) BARBERA Gaspare. - UNWCC List 12 Serial 21. Believed held in Regina Coeli Prison, ROME or at disposition of the Prosecuting Officer of the Special Court of Assize, VENICE.
l) ALESSANDRO Italo - UNWCC List 5 Serial 59. Present held at 1 SEP Centre, CMF.

FOR THE CHIEF COMMISSIONER:

6426

Brigadier,
Executive Commissioner.

0955

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

JAN 0 1947

AG2/00247
JAN 071240

H/9001
J N. 081330
IMPORTANT

GHQ CMF.
ACTION: HQ BTA HQ 218 (SEP) SUB AREA ALCOM ROME (DP) DIV
UNRRA ROME NO 1 OZE DET (PW/SEP)CMF.
INFO: AFHQ (FOR JA (MTOUSA) A SEP AFM GP HQ

SECRET.

SIGNAL SOONEST THIS GHQ ANY INFORMATION AS TO THE PRESENT WHEREABOUTS OF FOLLOWING CHECHOSLOVAKIAN NATIONALS;

DR STANISLAV MECIAR. J CIGER-HRONSKY. DR HENRIK BARTEK.

FOR JA (MTOUSA). YOUR IRS OF 27 DEC 46 JA 000 5/17-404 REFERS. MR

2603/22

AC. DIST.

ACTION: DISPER (2)
INFO: CHIEF COMMISSIONER
EX. COMMISSIONER.
FILE.
SKELETON.

6435

Confidential

189

0956

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

AG3/00252
JAN.071000A

H/9010
JAN.050900

IMPORTANT

CHI CMF

HQ RAAG(BE) INFO: JUDVOCATE = ACSEC HQ ALCOM = AFHQ = HQ MMIA = NO 1 OSB DET(EPW/SEP) CMF

CONFIDENTIAL

CONFIDENTIAL.

War crimes. This HQ AG3/04096 of 18 Dec 46 refers. Italian authority to whom Major General Wagener must be handed is commandant military prison Forte Boccee Rome at disposition of Military Tribunal of Rome. Please notify this HQ when handover has been effected.

AC DIST

INFO ACTION SECURITY 2
" " M.M.I.A. 2
INFO CHIEF COMMISSIONER
EX COMM
FILE
SKELETON

CONFIDENTIAL

6494

0957

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

COPY

JAN 6 1947

Ref: 6535/62/EO

4th January 1947.

My dear Mr. Ambassador,

I refer to your letter No. 1756 of 24 December 1946, on the subject of 27 alleged Soviet Nationals to be handed over to the Russian authorities.

I have been instructed to inform you that the Italian Government is at liberty to deal with them in accordance with Italian extradition procedure.

Very truly yours,

/s/ K. CARR,
Brigadier,
Executive Commissioner.

Ambassador Giuseppe Fransoni,
Secretary General,
Ministry of Foreign Affairs,
ROME

Copy to: G-5
Chief Commissioner
Polad A
Polad B
Public Safety

6433

0958

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

AG3/01771

11/8881

NFT

JAN 031030

IMPORTANT

GHQ CMF

HQ RAAC (BE) ACSEC HQ ALCOM ,INFO: AFHQ NO 1 ?2E DET (EPW/SEP) CMF

CONFIDENTIAL:

Subject war crimes.

Major General WAGENER under escort Captain Stevenson Welsh Guards arrives Rome Bu air from UK approx 1600 hrs 2 January 47. This Hq AG3/0.096 dated 18 December 46 refers.

1. For Raac. Please arrange reception and accomodation.

2. For Alcom. Please inform HQ Raac rptd this HQ the Italian Authority to whom Wagener must be handed. Your SD/266 0197 of 11 December refers.

3. ACK.

AC DIST

ACTION - SECURITY

INFO - CHIEF COMMISSIONER

EX COMMR

FILE

SKELETON

6432

0 9 5 9

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

F74180 H/9034

~~ROUTINE~~ JAN NFT JAN 101015

ROUTINE

AFHQ SIGNED SACMED CITE FHGEG

ALCOM ROME ,

CONFIDENTIAL

CONFIDENTIAL:

Reur 5900 of 27 December and further to this HQ's F74076 of 3 January.

1. In cases of requests by other countries for extradition of persons subject to Italian jurisdition. Italian authorities are responsible for decisions and advice as to course they should follow is inappropriate. It is desired, however, that Italian Government should be aware of Allied Policy in such cases.

2. In the Allied view , the word Soviet Citizens refer only to persons resident within the boundaries of the Soviet Union as at September 1939. Such persons are not repatriated by the Allies against their will unless they come within one of the following categories :

A Persons captured in German uniform .

B Persons who were members of Soviet Armed Forces on or after 22 June 41 and who were not subsequently discharged therfrom.

C Persons who voluntarily rendered aid and comfort to the enemies of the Allies.

B

AC DIST

ACTION - EX COMMR

INFO - CHIEF COMMISSIONER

P SAFETY

FILE

SKELETON

CONFIDENTIAL

(by hand)

G/31.

0960

Declassified E.O. 12356 Section 3.3/NND No. 735015

DEC 30 1946

SECRET

H/8791

DEC 281400

IMMEDIATE

AG2/01519

DEC. NFT

GHQ CMF

ALCOM ROME FOR GREEK LEGATION

SECRET.

REF YOUR DPR/S 15/G11 (DF) OF 6 DEC. 46.

AA79567 OBERLT PIASCOS KONSTANTIN HELD BY 218? SEP SUB AREA. CASE HAS BEEN INVESTIGATED AND SUBJECT IS WANTED BY GREEK POLICE AUTHORITIES FOR TRIAL AS COLLABORATOR. ARREST WARRANTS MADE OUT AGAINST PIASCOS. JOINED GREEK ARMY IN 1940 UNIT 31 INFANTRY REGIMENT AND SERVED ON ALBANIAN FRONT. AFTER GREEK CAPITULATION LIVED AS A STRAGGLER?. RECALLED TO GREEK SECURITY BATTALION AND TAKEN BY GERMAN ARMY PARACHUTIST NO 43. PLEASE INFORM THIS GHQ IF GREEK LEGATION WILL ACCEPT SUBJECT FOR HAND OVER TO GREEK POLICE.

A.C. Dis.

Act. Ex. Comm.
Inf. C. Comm.
File
Skeleton C/30

Confidential

DEC 30 1946

(461)

0961

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

6535

CC

H, ALCOM ROME CITY ACEXO 27/0901600

AFHQ G-5

GHQ, CMF HR. EMBASSY - AMERICAN EMBASSY

5900 SECRET

SECRET

SUBJECT IS HANDOVER OF FOUR EIGHT ALLEGED SOVIET NATIONALS FD OUR LETTER SIX FIVE THREE FIVE SLANT THREE EIGHT SLANT EASY CHARLIE OF ONE ONE DECEMBER ONE NINE FOUR SIX REFERS FD

ITALIAN MINISTRY OF FOREIGN AFFAIRS REQUESTS URGENT REPLY FD

INFORMATION RECEIVED TODAY INDICATES RUSSIAN EMBASSY HAS REDUCED NUMBER OF ALLEGED SOVIET NATIONALS TO BE HANDED OVER FROM FOUR EIGHT TO THREE TWO FD ON THE LIST OF THESE THREE TWO NAMES OF FIVE PERSONS APPEAR WHO ARE CLAIMED BY GEORGE HOW QUEEN AS ESCAPED PRISONERS OF WAR AND FOR WHOM DETENTIONS HAVE BEEN ISSUED BY ITALIAN GOVERNMENT FOR THEIR HANDOVER TO ALLIED AUTHORITIES FD

BECAUSE OF RUSSIAN EMBASSY BECOMING MORE INSISTENT ITALIAN MINISTRY OF FOREIGN AFFAIRS HAS INFORMED THIS COMMISSION THAT UNLESS OTHERWISE ADVISED BY FOUR JANUARY ONE NINE FOUR SEVEN IT WILL PROCEED TO HANDOVER TO THE RUSSIAN AUTHORITIES THE REMAINING TWO SEVEN ALLEGED SOVIET NATIONALS FD

AS REGARDS RUSSIAN NATIONALS HELD IN PARMA AND MODENA PRISONS CMA THIS COMMISSION IS ENDEAVOURING TO GET FROM ITALIAN GOVERNMENT THE INFORMATION REQUIRED FD

REQUEST EARLY REPLY TO OUR LETTER UNDER REFERENCE

PRIORITY
EXECUTIVE COMMISSIONER

6429

JOHN R.HAYES
MAJOR AGD
ADJT

(45)

0962

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

Ref. : 6537/311/DC.

23 December 1946

My Dear Mr. Nenni,

I acknowledge with thanks receipt of your letter No. 1691 of 13 December, 1946, with enclosed copy of the second official communique' on the subject of further conclusions reached by the Investigating Commission for War Criminals, which will be issued by the Italian Government.

Yours very truly,

/s/ Ellery W. Stone,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

29 Oct 47

On. Pietro Nenni,
Minister of Foreign Affairs,
Rome.

6198

0 9 6 3

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

COPY

TRANSLATION

MINISTRY OF FOREIGN AFFAIRS.

No. 1691 Seg. Pol.

Rome, 13 December, 1946.

Dear Admiral,

Following my letter No. 1488 dated 23 October 1946, I enclose copy of a second official communique', which will be published during the next few days, regarding the ulterior conclusions reached by the Investigating Commission for war criminals.

With best regards,

Yours truly,

(s) Nenni.

Admiral Ellery W. Stone

Chief Commissioner

Allied Commission

Rome.

6427

(Nina)

0964

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

COPY

TRANSLATION

MINISTRY OF FOREIGN AFFAIRS.

OFFICIAL COMMUNIQUE'

PRESS & RADIO

The Investigating Commission for the supposed war criminals, has continued its work, and, in examining the personal positions of the following suspected war criminals, has resolved to propose to the War Ministry the remission of the acts to the competent Judicial authorities in order to ascertain the eventual responsibilities:

Francesco GIUNTA ex Governor of Dalmatia

Giuseppe ALACEVICH ex political secretary of the fascio of Sebenico

Armando ROCCHI ex "1 seniore" of the M.V.S.N.

Gen. Alessandro PIRZIO BIROLI ex military governor of Montenegro

Emilio GRAZIOLI ex high commissioner of Lubiana

8128

(1941)

0965

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

Secret

CC

Ref. 6536/65/UC. Tel. 358

SUBJECT : Stanislav Hecian.
Listed War Criminal.

19 December 1946

TO : Office of the Theater Judge Advocate,
Headquarters MTOUSA,
Apo 512,
U.S. Army.

1. There are forwarded to you copy of a letter with enclosure from the Czechoslovakian Minister in Rome dated 13 December 1946 and copy of a memorandum from the Ministry of Foreign Affairs dated 13 December 1946 addressed to this Commission on the subject of arrest and hand-over to the Czechoslovakian Authorities of Prof. Dr. Stanislav Hecian.

2. Subject appears as a listed war criminal on the United Nations War Crimes Commission List No. 43, Case No. 345. According to this list, however, Stanislav Hecian is not a Czechoslovakian but a German national.

3. May this Headquarters please be instructed as to the action to be taken in this matter.

FOR THE CHIEF COMMISSIONER.

M Carr
Brigadier,
Exec. Commissioner.

2602/UC

Confidential

6425.

(944)

0966

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

COPY

LEGATION DE LA REPUBLIQUE TCHECOSLOVAQUE

No. 8555/46

Rome, the 13th of December 1946.

Ref.: 6536/52/E.C.

Encl.

Confidential

Excellency,

I have the honour to communicate to Your Excellency that

Prof Dr. Sremislav MACEK, married, born at Prievidza 21th of march 1910 in Czechoslovakia,

has been placed by the United Nations War Crimes Commission in London upon its list of persons who ought to be brought to trial as war criminals in the Part 44 under the number 345 for the crime of complicity in deportation.

I should be very grateful, if Your Excellency would kindly consider any suitable action for the arrest and extradition to the competent Czechoslovak authorities of the above named.

For Your information I enclose herein a copy of my more detailed note to the Italian Ministry of Foreign Affairs.

With assurance of my high consideration I remain, Your Excellency

very sincerely Yours

/s/ Dr. Ján PAULINY-TÓTH
Envoy Extraordinary and Minister
Plenipotentiary of Czechoslovakia

H.E.
ELLERY W. STONE,
Rear Admiral,

ROME

c424.

1941

0967

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

SECRET

COPY

TRANSLATION

No. 0555/46

MINUTES

Rome, 13 December 1946

TO : The Ministry of Foreign Affairs,
R o m e.

The Czechoslovakian Legation in Rome present their cordial compliments to the Ministry of Foreign Affairs and have the honour to inform them that Doctor Professor Stanislav MECIAR, born on the 21 March 1910 in Prievidza Slovakia, ex-secretary of MATICA SLOVENSKA in Turciansky Svätý Martin, holding a slovakian passport issued at Turciansky Svätý Martin No. 440, passport register 110116 of the year 1942 and in possession of an emigration permit for Germany E - 9211/ 1-18/1-45 dated 18 January 1945; married, height 175-178 cm, straight nose, blue-grey eyes, chestnut hair, complexion rose-white, physically of a striking almost feminine beauty, of whom the Legation encloses two photographs, was on the 3 October 1945 placed on the list of War Criminals "A" with the number 345 by the War Crimes Commission in London for crimes of "complicity in deportation".

The Czechoslovakian Legation begs the honourable Ministry of Foreign Affairs to take the necessary steps for the arrest and extradition of the a/m criminal whose whereabouts were established by the Italian police when they carried our a raid on the 5 December in the flat of Signora Elettra PACIFICI fu Luigi, Via del Vantaggio No. 18, Rome, where according to confidential reports the above named is still living.

There is a justifiable suspicion that there are other criminals living in the house inhabited by Mrs Pacifici, collaborators of Dr. Durcansky and Dr. Durcansky himself. The Legation takes the liberty therefore of urging that the whole of this house be raided immediately by the Italian police.

The Legation takes this occasion of renewing to the honourable Ministry of Foreign Affairs the expression of their highest esteem

c/23

1/4/1

0968

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

COPY

Translation

S E C R E T

Ministero degli Affari Esteri
D.G.A.P. V

Rome, 13 Dec 46.

16/41383/136

NOTE FOR THE ALLIED COMMISSION

SUBJECT : MECJAR Stanislao - Czechoslovakian National.

Reference is made to your letter No. 6536/46/EC of the 25 Nov 46.

The Czechoslovakian Legation has informed us that also Mr. Stanislao MECJAR, Slovakian refugee and collaborator of Durcansky is to be included in the list of War Criminals, and have therefore requested his arrest and extradition.

Would you kindly inform us what is the position of MECJAR and whether action is to be taken against him.

For the MINISTER

(Signature)

8422.

1945

0969

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

AG3/01096
DEC.181220A

H/8647
DEC.19143D
IMPORTANT

GHQ CMF

JUDVOCATE LONDON =ACSEC HQ ALCOM = HQ RAAC (BE) = INFO: TROOPERS AFHQ = HQ MMIA = NO 1 C2E DET (EPW/SEP) CMF =

CONFIDENTIAL

CONFIDENTIAL

Subject war crimes. Handover of Major General Wagener applied for by italians for trial by Italian Court. This HQ letter 16300/2/A3 dated 4 December 46 refers. (detailed letter in confirmation follows).

1. For Juavocate. May arrangements please be made to transfer Wagener by air to Rome notifying this HQ repeated HQ RAAC of ETA.

2. For Alcom. Please inform this HQ repeated HQ RAAC the italian authority to whom Wagener should be handed on arrival Italy your SD/2660197 of Dec refers.

3. For HQ RAAC. Please arrange for Wagener to be handed over to italian authority in accordance with para 2 above on receipt of Eta Rome.

AC DIST

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
EX COMM
FILE
SKELETON

6421

DEC 19 1946

CONFIDENTIAL

0970

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

DEC 19 1946

AG3/00991
DEC.171230

H/8622
DEC.190900
IMPORTANT

GHQ CMF
ACTION -ALCOM -INFO- AFHQ

SECRET

War Criminals listed by the UNWCC on behalf of Yugoslavia. Request ~~xxxxx~~ early reply to our 16000/7/A3 OF December 3.

A.C.DIST.
ACTION -EX.COMMISSIONER
INFO -C.COMMISSIONER
SECURITY
FILE
SKELETON

Confidential

0971

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

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

Ref: 6537/6/DC.

12 December, 1946.

SUBJECT: Handover of Jugoslav Nationals.

TO : Dr. Slovon J. Smodlaka,
Jugoslav Representative,
Advisory Council for Italy,
ROME.

Dear Dr. Smodlaka,

1. I refer to your letter POV.br. 1240/46 of 7th December, 1946, and to my letter 4/29.8/GA of 16th September, 1946.

2. In paragraph 4 of my letter under reference I stated that if the wanted man is not under Allied control, requests for arrest should be made to the Italian Government. I also stated in paragraph 5, referring to CUDINA Ciril and KOVACEVIC Matija that, if you require their arrest, it would be necessary for you, as Jugoslav Representative in Italy, to apply to the Italian Government through this Headquarters for their arrest and handing over.

3. In the light of the above quoted paragraphs it is clear that the Allied Commission is only a medium of transmission in this matter between you and the Italian authorities since no diplomatic relations exist between the two Countries.

4. In order to comply with the request contained in your letter under reference, it would be therefore necessary that you attach to your letter a memorandum in which you state the names of the wanted persons, their nationality, the reasons why you want them to be arrested and handed over so that the memorandum could be transmitted by this Commission to the Italian Government for any action they deem necessary.

Yours very truly,

for Air Brigadier

M. CARR, Brigadier,
Executive Commissioner.

0972

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

AE 2608

11 December 1946

My dear Dr. Ceppa:

I wish to acknowledge your letter of 4 December forwarding the data concerning the treatment of foreign refugees provided by the Italian criminal law.

I look forward to receiving further information concerning the investigations now being carried out in regard to prisoners of Russian nationality who are believed to be detained in the prisons of Parma and Modena.

Very sincerely yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. Paolo Ceppa,
The Undersecretary of State to the
Presidency of the Council of Ministers,
Italian Government,
Rome.

8418.

(40)

0973

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

9 1946

AG3/00393

H/8391
DEC 071430

IMPORTANT

GHQ CMF
ACSEC HQ ALCOM

CONFIDENTIAL

CONFIDENTIAL

Your 5702 of 03.Authority given for Italians to transfer Anna Maria Cattani to Rovigo for trial on 11 December.This authority implies speedy trial by Italians.On conclusion of proceedings of Italian court Cattani to be transferred forthwith to carceri giudiziarie Padua irrespective of findings or sentence of Italian Court.Italians must guarantee to do this.Banks case proceedins not yet confirmed nor promulgation effected.

A C DIST

ACTION : SECURITY
INFO : CHIEF COMMISSIONER
EX COMMISSIONER
FILE
SKELETON

6417

0974

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

SECRET CC

DEC 7 1946

Ref: CS.X/37/46

6 December 1946.

SUBJECT: Extradition of Traitors

TO : ALLIED FORCE HEADQUARTERS,

Attention G-5 Section.

1. Reference is made to your letter G-5/ 934.50 dated 5 December 1946.

2. Copy of a memorandum from the Italian Ministry of Foreign Affairs which has just been received under covering letter dated 2 December 1946 is forwarded herewith. The lettered sub-paragraphs of the Chief Commissioner's letter to the Prime Minister were the same as those contained in your letter under reference.

3. The matter is being studied by this Commission and if necessary a further letter will follow shortly.

FOR THE CHIEF COMMISSIONER:

I/M. CARR.
Brigadier.
Executive Commissioner.

Encls: (as above).

Copy to: Poland (A)
Poland (B)
Public Safety Div.
Legal Div.

C2/5 only

C.C.W.
6416

169

0975

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

COPY

MINISTERO DEGLI AFFARI ESTERI

ROUGH TRANSLATION

D.G.A.P. UFF. IV

39631/124

MEMORANDUM FOR THE ALLIED COMMISSION

1. With reference to the Allied Commission's note n.6535/23/20 dated November 22nd, 1946 (subject: Alleged Traitors) the Ministry of Foreign Affairs begs to enclose herewith the data sent to the Presidency of the Council to be used in connection with a reply to a letter which Admiral Stone had addressed to the Prime Minister on October 9th, 1946.

2. On the strength of the a/m information the Allied Commission will be in a position to have the necessary data in order that a decision may be taken concerning the request contained in the Ministry of Foreign Affairs' Memorandum n.15/38014/116 dated November 16th, 1946.

3. The Ministry of Foreign Affairs considers the a/m question as extremely urgent.

Rome, December 2nd, 1946.

0415

1851

0976

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

COPY

MINISTERO DEGLI AFFARI ESTERI

MEMORANDUM FOR THE PRESIDENCY OF
THE COUNCIL

Paragraphs a) and b) of Admiral Stone's letter.

1. The Aliens refugees in Italy are assembled into camps organized by the Allied Commission and into other camps organized by UNRRA and by the Joint Rediatribution Committee, over which camps the Italian Government has still no Jurisdiction.

2. There are several foreign nationals who are residing in the Italian territory without authorization and live uncontrolled by the Allied Authorities.

Those of them who happened to be arrested because not in possession of a permit to stay in Italy or because they are responsible of infringements against laws and regulations, are being sent to the Italian camp of Fossoli di Carpi where appropriate investigations are made about their nationality, the motives of their stay in Italy, and so on.

As soon as a certain number of alien refugees belonging to the same nation is assembled in the aforesaid camp, the diplomatic representative of the nation concerned is invited to visit Fossoli di Carpi in order to ascertain their nationality and to make subsequent inquiries as to their intentions of repatriating or not.

Refugees who intend to return to their country are repatriated by the Diplomatic and Consular authorities of the nation concerned or by UNRRA. The others are with-held pending further decisions. About 40 Soviet nationals have been repatriated thus far. Repatriation of a certain number of Austrian and Hungarian nationals is under way.

Paragraphs c), d) and e) of Admiral Stone's letter.

As concerning individuals who are guilty of common crimes, no distinction is being made, of course, between Italian and foreign citizens as far as it concerns procedure regulations. However, the Ministry of Justice is in a position to supply detailed informations on this matter.

Paragraph f) - As is known, the majority of the so-called political refugees, is still held in custody into camps under the Allies' control. The Italian Government wishes to point out that no foreign nationals have up to now being compelled to return to their country against their will, though it is not sure whether all those aliens who refuse to repatriate are to be considered political refugees.

6414

0977

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

At any rate the Italian Government, in a note dated October 7th, 1946, addressed by the Ministry of Foreign Affairs to the Embassies of the United States of America, Great Britain, U.S.S.R. and France, has expressed the opinion that for all those alien refugees who refuse to return to their country of origin a final settlement should be found in a territory other than Italy.

With reference to the first part of Admiral Stone's letter, it is to be pointed out that the Italian Government has been requested the extradition of the following individuals:

1) by U.S.S.R.: Forty-eight Soviet nationals who have allegedly fought against the Red Army under General Vlassov's command. At present they are detained at Fossoli di Carpi camp.

2) by Czechoslovakia: - The former Czech Minister of Foreign Affairs Mr. Burešmaki who, it seems, lives in Rome and is wanted by the Police. The Prague Government considers him as a "war criminal".

3) by Poland: A Henrik Szatkowski, a Polish citizen who, as it appears, live at present in Italy and is considered a "war criminal" by the Polish Government.

The Ministry of Foreign Affairs has addressed to the Allied Commission the following notes on the matter:

note n.6/3368/1312 dated November 12th, 1946;
" n.16/37966/115 dated November 15th, 1946;
" n.Segret. Pol. 1150 dated November 16th, 1946.

The a/m individuals will be handed over to the Russian, Czech and Polish authorities who have formally requested them, unless the Allied Commission suggests otherwise.

Rome, November 16th, 1946.

8413

0978

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

TRANSLATION

THE UNDERSECRETARY OF STATE TO
THE PRESIDENCY OF THE COUNCIL OF MINISTERS.

87420/85450/15.2

Rome, 4 December, 1946.

Dear Admiral,

In accordance with your letter No. 4/25.3/CA of 9 October last, I am forwarding the data concerning the treatment of foreign refugees provided by our criminal law.

As you are aware, all foreigners at present in Italy are in part collected in camps organized by A.C., U.N.N.R.A., and the Joint Redistribution Committee. The Italian Government has no specific jurisdiction over them up to now; others are residing irregularly in Italian territory and outside any control of the Allied Authorities.

a) Those who are found to be without permits to reside, or deemed responsible for breaches of the laws, are sent to the concentration camp of Fossoli di Carpi, where full inquiries with regard to their nationality, and the reasons for their residence in Italy, are being made. When a certain number of persons of the same nationality is held in the above-mentioned camp, the diplomatic representative of the state concerned is invited to visit them in order to ascertain whether they belong to the state he represents. Eventual requests for repatriation are accepted by the same representative. In this hypothesis repatriation to their own countries is carried out through consular and U.N.N.R.A channels, when in other cases the alien is kept for further decisions.

When a foreign government requests the extradition of one of the above persons, the Minister of Foreign Affairs requires the action of the appropriate department (of the Ministry of Pardon and Justice), which will take steps in conformity with international usages and conventions, or, in their absence, according to the rules of our procedure.

The Italian criminal law allows the arrest of the person to be extradited by means of a warrant at the request of the Ministry of Justice, or from the Attorney-General, or from the Public Prosecutor of the place where this person resides. If the documents justifying the request for extradition do not arrive within the time agreed upon by the Convention, or, in its absence, within the time-limits provided by our Criminal Procedure Code, the arrested person is released.

The personal freedom of foreigners living or temporarily staying in Italy is not restricted except by extradition procedure. It is understood that in case they are brought to trial for crimes committed in Italy, or for offenses committed abroad, their personal freedom may be restricted in compliance with the request of the Ministry of Pardon and Justice in accordance with Art. 10 of the Penal Code; in such cases a warrant of arrest must be issued by the Court or by the Public Prosecutor in charge of the matter.

If foreigners against whom a warrant of arrest or other equivalent foreign document was issued, are arrested by any Police Organization, the latter is obliged

0979

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

to bring the arrested person immediately before the appropriate Magistrate and in every such case inform the Ministry of Justice as soon as possible in order that it may grant provisional liberty.

A foreigner cannot be arrested and put at the disposal of the Judicial Authorities unless these conditions are fulfilled.

It must be pointed out that Police provisions allow also a special detention called "fermo di polizia", applicable to any person, national or foreigner, who cannot justify his position, or who appears to be dangerous to public order safety or morality.

Such detention can only be of a minimum duration, namely for a period strictly necessary to ascertain the identity of a person held in custody or the offense committed. Finally a foreigner can be expelled from the territory of the Italian State.

b) There are no definite rules for the identification of arrested foreigners. Such identification, however, is carried out, according to the circumstances, through the Public Safety or the Ministry of Foreign Affairs.

c) The preliminary investigation, formal or summary, is intended to obtain evidence to prove either the guilt or innocence of the foreigner under arrest, and, if such evidence can only be obtained from abroad, the Italian Law, (in accordance with the rules of the conventions governing hte matter, if there are any), provides that it be carried out through commissions especially appointed to take evidence.

d) It is recognized that a person accused of any offence has an unlimited right to provide for his own defence, except to make slanderous statements to the detriment of third parties, which he may involve by his defence, and save for the discretionary power of the investigating Judge or the Court to reduce the number of witnesses who appear to be clearly surperabundant and not useful for the trial, as well as to reject petitions requesting expert examination or any other similar request which will have no bearing on the case.

In case an accuse is tried without providing for an adequate defense, the sentence is null and void, save for cases dealing with contreventions of slight interest.

e) Trials are to be heard in public, under penalty of nullity. The only exception to this principle is made for trials against minors, or when it is deemed advisable to prevent the public from entering the Court for reasons of public order, morality, or public health.

f) The protection of political refugees is exercised by the appropriate Ministry of Interior, and may we point out that the Italian Government has never up to now obliged any foreigner to be repatriated against his will. In any case the Italian Government has raised such question in a note addressed on October 7 by the Ministry of Foreign Affairs to the Embassies in Rome of the United States, Great Britain, U.R.S.S., and France. The opinion was there expressed that all persons who should refuse to return to their original Countries, would be definitely settled in a territory other than Italy.

f(2)

0980

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

In regard to the first part of the letter, to which we answer, may we draw your attention to the fact that the Italian Government has, up to the present, been interested in the extradition of the following individuals:-

1) from U.R.S.S.:- 48 Soviet citizens who had fought against the Red Army with the troops of General Vlassov. They are at present detained in the concentration camp of Fossoli di Carpi.

2) from Czechoslovakia:- the Ex-Minister of Foreign Affairs, Mr. Durcianski, (Slovak), who appears to be in Rome and is at present wanted by the Police. He is considered by the Prague Government as being a war-criminal.

3) from Poland:- Mr. Henrik Szatkowski, Polish citizen, who is thought to be actually in Italy, and who is considered by the Polish Government as being a war-criminal.

The three above-mentioned requests were contained in three notes addressed by the Ministry of Foreign Affairs to the A.C. under reference No. 8/3368/1318, of 12 inst., No. 16/37966/115, of 15 November, and Segr. Pol. 1150, of 16 November. If the A.C. has no objection the above-mentioned will be handed over to the appropriate Soviet, Czechoslovakian and Polish authorities, who have requested them.

The Ministry of Pardon and Justice has moreover requested the "Procuratore Generale" of the Court of Appeal at Bologna, that urgent investigations be made in regard to prisoners of Russian nationality, who are believed to be detained in the prisons of Parma and Modena.

Further information will be forwarded with regard to this last paragraph.

Yours truly,

(a) Cappa.

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

6410

1691

0981

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

NOV 22 1946

Ref: 6335/SC. 22nd November 1946.

SUBJECT : Illegal Soviet Centres.

TO : Displaced Persons Division.
Attention: Major Branch.

Reference is made to the attached memorandum No. 6/3368/3212 of 12th November, 1946, and to the attached letter which you were proposing to send to A.F.H.Q.

The Executive Commissioner has directed that no action should be taken as regards the memorandum under reference until the Italian Government replies to the Chief Commissioner's letter dated 9th October 1946, on the subject of arrest and extradition of traitors claimed by other countries.

Will you please therefore, consider your letter to A.F.H.Q., G-5 Section as cancelled for the time being.

IN COMMAND OF ROYAL ARTILLERY

Brigadier,
Executive Commissioner.

2 Encls

6/6

0982

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

CC 2608

15 November 1946

My dear Captain:

As I explained in my letter of 29 October 46, I forwarded a translation of your letter file #534, dated 25 October 1946, to Allied Force Headquarters. 60 60A

I have now been advised by AFHQ that the Combined Chiefs of Staff have been informed of the views of the French Delegate to the A.C.I. as expressed by him at the A.C.I. meeting on 25 October concerning the channel established for the delivery of Italian war criminals wanted by the French Government and that no reply can be made to your letter until a further communication from the Combined Chiefs of Staff has been received.

Very sincerely yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Capitaine de Vaisseau Heron de Villefosse,
The French Representative to the
Allied Commission,
Rome.

2408

CC EXCOMM.

(65)

9983

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

AG 3/00699
NOV.13 MFT

H/7863
NOV.150930
ROUTINE

GHQ CMF
ACSEC HQ ALCOM 1 SEP CENTRE INFO: AFHQ (FOR G2 (CI) AND JA MTOUSA) - NO 1 OSE DET (EPW/SEP) CMF POW A OFFICE = DJAG GHQ

UNCLASSIFIED.
Subject is war criminal CAMAINI GUIDO now held war crimes compound 1 Sep Centre and wanted by italians for trial at Ascoli Piceno on 2 Dec.
For 1 Sep Centre. Request you release from Sep Status and hand subject over in custody to Questura of Rimini.
No further war crimes interest to this HQ.
For ACSEC HQ ALCOM. Request you inform public prosecutor of Ascoli Piceno that Camaini Guido will be available in italian custody at Rimini in near future.
Italian authorities must arrange move ex Rimini to Ascoli Piceno.

AC DIST
ACTION SECURITY 2
INFO CHIEF COMMISSIONER
EX COMM
FLOAT
FILE

2407

NOV 15 1946

0984

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

Ref: 6545/19/K

Ref: 4/29.8/C/EC.

14 November 1946.

My dear Mr. Prime Minister,

I refer to my letter No. 4/29.8/C/CA dated 9th October 1946 and subsequent note of 25th October 1946, on the subject of extradition of alleged traitors.

I should be very grateful if an early reply could be given to these letters, please.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dott. Alcide De Gasperi,
President of the Council of Ministers,
Italian Government,
ROME.

Copy: G-5. AFHQ.

2108

0985

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

c/c

CONFIDENTIAL

H/7811
NOV 121100

ROUTINE

NOV 111700A

AFHQ SIGNED SACMED CITE FHGEG

AMG VENEZIA GIULIA ,INFO: ALCOM ROME

CONFIDENTIAL:

Ref Alcom letter 29 October 46 file AC/4132/L. Subject extradition to zone B to you now seen.

Regardless legal position desire courts in zone A shall not try offense commited in zone B. To try such cases in considered legally impracticable and politically undesi

AC DIST

INFO ACTION - LEGAL

INFO - CHIEF CO ISSIONER

EX COMR

FILE

SKELETON

NOV 12 1946

6405

CONFIDENTIAL

0986

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

3195

C. Comm

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 936.02 11 November 1946.

SUBJECT: War Criminals wanted by the French Government.

TO : Chief Commissioner,
Allied Commission,
APO 794.

61

59

Reference your letter of 30 October 1946 on the above subject.

1. The Combined Chiefs of Staff having been informed of the contents of your [illegible] no further action on the complaint of the French Representative seems called for until a further communication from the Combined Chiefs of Staff has been received.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

[illegible]
J.L. [illegible],
Colonel, G.S.C.
Assistant Chief of Staff, G-5.

64

0987

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

8th November 1946

5448

PARA (SER 12)

ITALIAN MINISTRY FOREIGN AFFAIRS REPORT THAT CZECH LEGATION ARE REQUESTING HANDOVER OF FRIEDRICH DERTINGER AS ALLEGED WAR CRIMINAL ON GROUNDS THAT HE IS IN UNITED NATIONS WAR CRIMES COMMISSION LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX.

PARA TWO (2)

THIS COMMISSION IS IN POSSESSION OF LIST DATED TWO OF SEPTEMBER ONE NINE FOUR SIX BUT NOT OF ANY LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX (2) THERE IS NO RECORD OF INCLUSION OF ABOVE NAMED IN ANY LIST IN POSSESSION OF THIS COMMISSION (3) REQUEST INFORMATION AS TO WHETHER ABOVE NAMED IS A LISTED WAR CRIMINAL

6409

PRIORITY

EXECUTIVE COMMISSIONER

JOHN A. HAYES
MAJOR AGD
AG/T

(GSI)

0 0 8 8 1

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

HEADQUARTERS ALSOM

APHQ FOR 645

8th November 1946

5448

SECRET

PARA ONE FD

ITALIAN MINISTRY FOREIGN AFFAIRS REPORT THAT CZECH LEGATION ARE REQUESTING HANDOVER OF FERDINAND DURCANSKY AS LISTED WAR CRIMINAL ON GROUNDS THAT HE IS IN UNITED NATIONS WAR CRIMES COMMISSION LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD

PARA TWO FD

THIS COMMISSION IS IN POSSESSION OF LIST FOUR TWO OF SEPTEMBER ONE NINE FOUR SIX BUT NOT OF ANY LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD THERE IS NO RECORD OF INCLUSION OF ABOVE NAMED IN ANY LIST IN POSSESSION OF THIS COMMISSION FD REQUEST INFORMATION AS TO WHETHER ABOVE NAMED IS A LISTED WAR CRIMINAL

2603/46

785015

HANDOVER OF FERDINAND DURCHDEKY AS LISTED WAR CRIMINAL ON GROUNDS THAT HE IS IN UNITED NATIONS WAR CRIMES COMMISSION LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD

PARA TWO FD

THIS COMMISSION IS IN POSSESSION OF LIST FOUR TWO OF SEPTEMBER ONE NINE FOUR SIX BUT NOT OF ANY LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD THERE IS NO RECORD OF INCLUSION OF ABOVE NAMED IN ANY LIST IN POSSESSION OF THIS COMMISSION FD REQUEST INFORMATION AS TO WHETHER ABOVE NAMED IS A LISTED WAR CRIMINAL

6409Z

FRIGHT

EXECUTIVE COMMISSIONER

JOHN E. HAYES
MAJOR AGD
ADJT

6381

7-6-51/117

0 6 8 6

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

CC

HEADQUARTERS ALOCM

8th November 1946

AFHQ FOR G-5

SECRET

SAAB

PARA ONE FD

ITALIAN MINISTRY FOREIGN AFFAIRS REPORT THAT CZECH LEGATION ARE REQUESTING HANDOVER OF FERDINAND DURCANSKY AS LISTED WAR CRIMINAL ON GROUNDS THAT HE IS IN UNITED NATIONS WAR CRIMES COMMISSION LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD

PARA TWO FD

THIS COMMISSION IS IN POSSESSION OF LIST FOUR TWO OF SEPTEMBER ONE NINE FOUR SIX BUT NOT OF ANY LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD THERE IS NO RECORD OF INCLUSION OF ABOVE NAMED IN ANY LIST IN POSSESSION OF THIS COMMISSION FD REQUEST INFORMATION AS TO WHETHER ABOVE NAMED IS A LISTED WAR CRIMINAL

2-905/12

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

PARA ONE FD

ITALIAN MINISTRY FOREIGN AFFAIRS REPORT THAT CZECH LEGATION ARE REQUESTING HANDOVER OF FERDINAND DURCANSKY AS LISTED WAR CRIMINAL ON GROUNDS THAT HE IS IN UNITED NATIONS WAR CRIMES COMMISSION LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD

PARA TWO FD

THIS COMMISSION IS IN POSSESSION OF LIST FOUR TWO OF SEPTEMBER ONE NINE FOUR SIX BUT NOT OF ANY LIST QUOTE A UNQUOTE OF ONE NINE SEPTEMBER ONE NINE FOUR SIX FD THERE IS NO RECORD OF INCLUSION OF ABOVE NAMED IN ANY LIST IN POSSESSION OF THIS COMMISSION FD REQUEST INFORMATION AS TO WHETHER ABOVE NAMED IS A LISTED WAR CRIMINAL

6403

PRIORITY

EXECUTIVE COMMISSIONER

JOHN E.HAYES
MAJOR AGD
ADJT

163B1

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

0992

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

HQ ALCOM 5NOV1100

AFHQ FOR G-5 SECTION

5386 UNCLASSIFIED

UNCLASSIFIED FD

SUBJECT IS EXTRADITION PD YOUR SIGNAL FOX SEVEN TWO NINE NINE SIX OF ONE NOVEMBER REFERS PD CHIEF COMMISSIONER WROTE TO PRIME MINISTER ON NINE OCTOBER PD REMINDER WAS SENT ON TWO FIVE OCTOBER PD ITALIAN LIAISON OFFICE THIS HOW QUEEN INFORMS SUBJECT CONCERNS DIFFERENT GOVERNMENTAL DEPARTMENTS AND HIGH OFFICIALS IN PROVINCES PD ALCOM IS CONTINUOUSLY PRESSING ITALIAN GOVERNMENT ON THIS SUBJECT AND IT IS HOPED A REPLY MAY BE RECEIVED SHORTLY PD

ROUTINE
EX.COMMISSIONER
J. V. VELLA

5402

JOHN R. HAYES
MAJOR AGD
ADJT

0993

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

HEADQUARTERS ALLIED COMMISSION
A P O 794
Office of the Executive Commissioner

CC

Ref. : 6517/270/XO 1 November 1946

SUBJECT: Alleged Italian War Criminals.

TO : G-5 Section,
AFHQ.
British Embassy, Rome. } under separate letter.
U.S. Embassy, Rome.

Encl

Herewith copy of letter with enclosure addressed to this Headquarters by the Minister of Foreign Affairs on the subject of alleged Italian War Criminals.

FOR THE CHIEF COMMISSIONER:

Brigadier,
Executive Commissioner.

Encls. as above.

2702/22

1493

0994

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

TRANSLATION

CC

THE MINISTER OF FOREIGN AFFAIRS

Segr. Pol. 1438

Rome, 23 October 1946.

Dear Admiral,

Further to my letter No. 19/30829/71 of 11 September 1946, I remit you herewith copy of a communication that will be made in the next days with regard to the first conclusions reached by the Investigating Commission for the war criminals.

Sincerely yours,

/s/ Nenni

11/2492

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

EC DIST - 30/10/46

ACTION - EC
INFO - CC

0995

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

TRANSLATION

COMMUNICATION FOR PRESS AND RADIO

The Investigating Commission for the alleged war criminals has met on 21 and 28 October 1946 carrying out the decision made in the previous meeting of 7 September last repeated here.

("The Investigating Commission continuing its work, having heard the report of the Commisseries charged with the examination of the personal situation of the military personnel and of the civilians suspected of criminal acts outraging the war laws, has established the principle to defer to the military penal justice those who can be arraigned for non-compliance with orders or for not carrying out the same, for crimes against principles of the international war law and against duties of humanity, more particularly with regard to the inviolableness of hostages and the limitation of reprisal rights.")

It has in the meantime examined a list of 40 military and civilian namesthat may be prosecuted, fixing the various personal positions in other meetings. In this meeting the positions of General ROATTA, of BASTIANINI, the Governor of Dalmatia, of the Generals ROBOTTI, MAGALDI , and of Lt. Colonel SORRENTINO have been examined, and it has been decided to propose to the Ministry of War the Transmittal of the files to the competent judicial authorities for the ascertainment of eventual responsibilities.

Lt. Col. CARUSO who became Questore of Rome, was among this first group, but no conclusions were reached in his regard because he was shot after being tried and sentenced for other reasons by the High Court of Justice in Rome.

The report about the decisions made and the particular events which took place in military occupied countries will be submitted shortly.

6209

0996

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 936.02 November 1946.

SUBJECT: War Criminals wanted by the French Government.

TO : Chief Commissioner,
Allied Commission,
APO 794.

Reference your letter of 30 October 1946 on the above subject.

1. The Combined Chiefs of Staff having been informed of the contents of your signal 5307 of 25 October, no further action on the complaint of the French Representative seems called for until a further communication from the Combined Chiefs of Staff has been received.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

R.L. HAMBLEN,
Colonel, G.S.C.
Assistant Chief of Staff, G-5.

Box 4

0997

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

OCT 11 1946

CC

4/29.8/C/CA

9 October 1946

My dear Mr. Prime Minister:

I have been instructed by Allied Force Headquarters to inform you that they have been receiving from the French, Greek, Yugoslav, Russians and other Government requests for the arrest and extradition of their nationals for trial as traitors, to which Allied Force Headquarters are replying by informing these countries that when the person required is living at large in Italy, their requests should be addressed to your Government through the usual diplomatic channels.

It is understood that there are already cases in which certain persons required by other nations are being held by the Italian Authorities. For instance, it believed that the Italian Authorities hold five alleged Russians in Parma prison and fourteen Russians at Modena prison. I would be glad if this Commission could be informed of what is happening about these persons.

I would also be grateful if you could furnish details of how the Italian Government is proposing to deal with these requests and in particular: -

(a) Does the Italian Government arrest and hold persons without production of a charge and, if so, how long are they held if no charge is produced?

(b) What steps are taken to ascertain the true nationality of persons detained?

(c) What steps are taken to see that an offence has been committed?

(d) Does the accused have an opportunity to reply?

(e) Is the hearing in open court?

(f) Are genuine political refugees afforded shelter?

I would appreciate it, my dear Mr. Prime Minister, if I could be given an early reply on the matter.

Yours very truly,

Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

0997

Dr. Alcide de Gasperi,
President of the Council of Ministers,
Italian Government,
ROME.

Spare
26021

953

0998

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

TRANSLATION

HEADQUARTERS ALLIED COMMISSION
Office of the French Representative

No. 534. Rome, 25 October 1946.

SUBJECT: War Criminals.

TO : Admiral Ellery W. Stone, Chief Commissioner, Allied Commission.

Dear Admiral,

I have the honor to acknowledge receipt of your letter of 24 October 1946. I cannot deny that I am rather surprised of this final decision by AFHQ as the letter 6 H.Q. C M F 16443/A 3 of 12 September prescribed the research and immediate arrest of the war criminals concerned.

Certainly the recent directives of the Combined Chiefs of Staff do not allow this measure to be taken any more, but the serious handicap resulting from the fact will not escape your attention, and will not fail to strike the French Government. In fact, - and whether it be question of this or of some other matter subject to an analogous reply -, the French Government perceives that the normal channels foreseen for obtaining compliance with the obligations resulting from the armistice are closed. On the other hand, the French Government is not yet in a position to deal directly with the Italian Government on this clause of the Treaty since the Treaty is not yet in force.

I believe that you will consider it advisable to inform the competent Allied authorities of this objection, and remain,

Respectfully yours,

/s/ C. de Villefosse

Spare
2603/42

0999

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

copy

copy

The British Embassy
ROME

277/64/46

10th September, 1946.

Dear Admiral Stone,

In the Ambassador's absence at Paris, I write to ask whether you have ever heard anything more from the Italian Government about the Commission set up early this year to enquire into the conduct of Italian commanders accused of war crimes.

Apart from Prunas' letter (No.1022 Ses. Sol.) of the 6th August to Brigadier Lush, I have seen no correspondence on the subject since Lush's letter 6517/150/EC of the 20th May to Prunas. Has any Allied observer in fact attended the Commission's proceedings? I should be grateful for any information as to the progress made, in order to be able to inform the Foreign Office.

Yours sincerely

/s/ A.C.E. Malcolm

Rear Admiral Ellery W. Stone, USNR,
Chief Commissioner,
Allied Commission,
Rome.

Spare
2602/cc

1000

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

TRANSLATION

HEADQUARTERS ALLIED COMMISSION
Office of the French Representative

No. 2364. Rome, 25 October 1946.

SUBJECT: War Criminals.

TO : Admiral Ellery W. Stone, Chief Commissioner, Allied Commission.

Dear Admiral:

I have the honor to acknowledge receipt of your letter of 24 October 1946. I cannot deny that I am rather surprised of this final decision by AFHQ, as the letter to H.Q. C.M.F 16113/A 3 of 12 September prescribed the research and immediate arrest of the war criminals concerned.

Certainly the recent directives of the Combined Chiefs of Staff do not allow this measure to be taken any more, but the serious handicap resulting from the fact will not escape your attention, and will not fail to strike the French Government. In fact, - and whether it be question of this or of some other matter subject to an analogous reply -, the French Government perceives that the normal channels foreseen for obtaining compliance with the obligations resulting from the armistice are closed. On the other hand, the French Government is not yet in a position to deal directly with the Italian Government on this clause of the Treaty since the Treaty is not yet in force.

I believe that you will consider it advisable to inform the competent Allied authorities of this objection, and remain

Respectfully yours,

/s/ C. de Villefosse

6204

Stark
2608/2

(1)

1001

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

SECRET

ALCOM CITE ACSCC FROM ADMIRAL STONE 251400A OCTOBER 1946

AFHQ FOR GEORGE FIVE

GHQ CMF

5307

SECRET

YOUR FOX XRAY SEVEN TWO SEVEN ONE FOUR OF SIXTEEN OCTOBER REFERS PD

PARA ONE PD PURSUANT TO PARA TWO THEREOF FRENCH AND YUGOSLAV GOVERNMENTAL REPRESENTATIVES WERE ADVISED OF CCS RULING CONTAINED IN PARA ONE PD

PARA TWO PD PREVIOUSLY YUGOSLAV DELEGATE HAD PLACED QUESTION OF EXTRADITION OF ITALIAN WAR CRIMINALS ON AGENDA FOR ABLE CHARLIE ITEM MEETING TODAY PD AT MEETING TODAY HE STATED THAT QUOTE CHARLIE CHARLIE SUGAR HAD NO RIGHT TO MAKE SUCH A DECISION UNQUOTE IN VIEW OF THE LONG TERM ARMISTICE PD

PARA THREE PD PURSUANT TO PARA FOUR OF YOUR FOX XRAY SEVEN TWO SEVEN ONE FOUR I STATED THAT I HAD BEEN INSTRUCTED THAT MATTER IS ONE TO BE RAISED WITH AMERICAN AND BRITISH GOVERNMENTS PD

PARA FOUR PD FRENCH DELEGATE TO ABLE CHARLIE ITEM STATED THAT THE POSITION OF GOVERNMENTS REQUESTING WAR CRIMINALS WAS EMBARRASSING UNDER CHARLIE CHARLIE SUGAR RULING CMA THAT HE HAD ADVISED HIS GOVERNMENT OF THIS RULING AND THAT HE ASSUMED THAT HIS GOVERNMENT WOULD TAKE UP THE MATTER WITH THE AMERICAN AND BRITISH GOVERNMENTS PD

PARA FIVE PD FOREGOING FOR INFORMATION ONLY

Distribution: Polad A
Polad B
Ex Commr
CC

PRIORITY

Chief Commissioner

222

KELLEY W. STONE
Rear Admiral, USNR
Chief Commissioner

JOHN HAYES
Major
ADJT

2602/42

6203

SECRET

1002

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

29 October, 1946.

My dear Captain,

I wish to thank you for your letter of 25 October concerning Italian War Criminals wanted by the French Government.

I have forwarded a translation of your letter to A.F.H.Q. and shall inform you as soon as a reply is received.

Very sincerely yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Capitaine de Vaisseau de Villefosse
French Representative
A.C.

6202

5 pares

2602/a

1003

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

29 October, 1946.

My dear Captain,

I wish to thank you fer your letter of 25 October concerning Italian War Criminals wanted by the French Government.

I have forwarded a translation of your letter to A.F.H.Q. and shall inform you as soon as a reply is received.

Very sincerely yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Capitaine de Vaisseau de Villefosse
French Representative
A.C.

1004

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

29 October, 1946.

My dear Captain,

I wish to thank you for your letter of 25 October concerning Italian War Criminals wanted by the French Government.

I have forwarded a translation of your letter to A.F.H.Q. and shall inform you as soon as a reply is received.

Very sincerely yours,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Capitaine de Vaisseau de Villefosse
French Representative
A.C.

5290

1005

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

copy copy

Ref. : 6517/EC 15 June 1946.

Dear Doctor Prunas,

I refer to your letter 16004/26 dated the 14th May 1946 addressed to Admiral Stone, on the subject of the Investigating Commission which is examining the question of War Criminals.

As a result of most careful consideration, I have to inform you that while greatly appreciating the invitation, the Allied Authorities do not feel that any useful purpose will be served in sending an observer to be present at the enquiries of the Investigating Commission of Italian War Criminals now being conducted.

Yours very truly,

/s/ M.S.LUSH

Brigadier,
Executive Commissioner.

Doct. R.Prunas,
The General Secretary,
Ministry of Foreign Affairs,
Italian Government,
Rome.

2209

Spare
2608/a

1006

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

CC

Ref.: 6517/269/20 | November 1946

My dear Mr. Nenni,

63.1/P I acknowledge with thanks receipt of your letter No. 1488 of 23rd October, 1946, with enclosed copy of the communique' on the subject of the first conclusions reached by the Investigating Commission for War Criminals, which will be issued by the Italian Government.

Yours very truly,

/s/ Ellery W. Stone
ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Hon. Pietro Nenni,
Minister of Foreign Affairs,
Rome.

2603/E2

6208

1007

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

30 October, 1946.

SUBJECT:- War Criminals wanted by the French Government

TO:- G-5, A.F.H.Q.

59

1. Further to my cable 5307 of 25 October, I am forwarding a translation of a letter received from the French Representative.

60

2. The letter has been acknowledged by this office without comment.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Incl. 1 - Translation of letter
from French Representative.

Copies:- F.C.
Polad. A.
Polad. B.

c227

See

60

1008

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

29 October, 1946.

My dear Captain,

14

I wish to thank you for your letter of 25 October concerning Italian War Criminals wanted by the French Government.

I have forwarded a translation of your letter to A.F.H.Q. and shall inform you as soon as a reply is received.

Very sincerely yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Capitaine de Vaisseau de Villefosse
French Representative
A.C.

785015

9656

1009

Declassified E.O. 12356 Section 3.3/NND No. 735015

TRANSLATION

HEADQUARTERS ALLIED COMMISSION
Office of the French Representative

No. 554. Rome, 25 October 1946.

SUBJECT: War Criminals.

TO : Admiral Ellery W. Stone, Chief Commissioner, Allied Commission.

Dear Admiral,

I have the honor to acknowledge receipt of your letter of 24 October 1946. I cannot deny that I am rather surprised at this final decision by AMG as the letter C.C.S. 870 AFHQ/A 5 of 12 September prescribed the research and immediate arrest of the war criminals concerned.

Certainly the recent directives of the Combined Chiefs of Staff do not allow the measure to be taken any more, but the serious handicap resulting from the fact will not escape your attention, and will not fail to strike the French Government. In fact, - and whether it be question of this or of some other matter subject to an analogous reply -, the French Government perceives that the normal channels foreseen for obtaining compliance with the obligations resulting from the armistice are closed. On the other hand, the French Government is not yet in a position to deal directly with the Italian Government on this clause of the Treaty since the Treaty is not yet in force.

I believe that you will consider it advisable to inform the competent Allied authorities of this objection, and remain,

Respectfully yours,

/s/ C. de Villefosse

6295

(60)

1010

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

HEAD QUARTERS ALLIED COMMI. ION
Office of the French Representative
A P O 394

ROME, le 25 Octobre 1946.

N° 534.-

Le Capitaine de Vaisseau HERON de VILLEFOSSE
Représentant Français à la Commission Alliée
en Italie,

à

Monsieur l'Amiral Ellery STONE
Chief Commissioner
ALLIED COMMISSION

O B J E T : Criminels de Guerre.

Amiral,

J'ai l'honneur de vous accuser réception de votre lettre du 24 Octobre 1946. Je ne suis pas sans éprouver quelque surprise de cette décision finale d'A.F.H.Q. car la lettre 6 H.Q. C M F 16443/A 3 du 12 Septembre prescrivait la recherche et l'arrestation immédiate des criminels de guerre en question.

Sans doute les directives récentes des Combined Chiefs of Staff ne permettent-elles plus de prendre cette mesure, mais le sérieux inconvénient qui en résulte ne saurait vous échapper, et ne manquera pas de frapper le Gouvernement Français. En effet, - et qu'il s'agisse d'ailleurs de cette question ou de toute autre comportant une réponse analogue - , le Gouvernement français se voit fermer la voie normale prévue pour exiger l'exécution des obligations découlant de l'armistice. D'autre part il n'est pas encore en mesure de se prévaloir auprès du Gouvernement Italien de telle clause du Traité puisque ce Traité n'est pas encore en vigueur.

Je pense que vous jugerez opportun de faire part de cette objection aux autoritées alliées qualifiées.

et vous prie, Amiral, d'agréer l'expression de mes sentiments distingués et dévoués.

Ch. de Villefosse

---

(60)

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

SECRET

ALCOM CITE ACSCC FROM ADMIRAL STONE 251400A OCTOBER 1946

AFHQ FOR CMO GE FIVE

GHQ CMF

5307

SECRET

YOUR FOX ZEBRA SEVEN TWO SEVEN ONE FOUR OF SIXTEEN OCTOBER REFERS PD

PARA ONE PD PURSUANT TO PARA TWO THEREOF FRENCH AND YUGOSLAV GOVERNMENTAL REPRESENTATIVES WERE ADVISED OF CCS RULING CONTAINED IN PARA ONE PD

PARA TWO PD PREVIOUSLY YUGOSLAV DELEGATE HAD PLACED QUESTION OF EXTRADITION OF ITALIAN WAR CRIMINALS ON AGENDA FOR ABLE CHARLIE ITEM MEETING TODAY PD AT MEETING TODAY HE STATED THAT QUOTE CHARLIE CHARLIE SUGAR HAD NO RIGHT TO MAKE SUCH A DECISION UNQUOTE IN VIEW OF THE LONG TERM AUTHOR PD

PARA THREE PD PURSUANT TO PARA FOUR OF YOUR FOX ZEBRA SEVEN TWO SEVEN ONE FOUR I STATED THAT I HAD BEEN INSTRUCTED THAT MATTER IS ONE TO BE DEALT WITH AMERICAN AND BRITISH GOVERNMENTS PD

PARA FOUR PD FRENCH DELEGATE TO ABLE CHARLIE ITEM STATED THAT THE POSITION OF GOVERNMENTS REGARDING WAR CRIMINALS WAS EMBARRASSING UNDER CECILIS CHARLIE SUGAR RULING QRA THAT HE HAD ADVISED HIS GOVERNMENT OF THIS RULING AND THAT HE ASSUMED THAT HIS GOVERNMENT WOULD TAKE UP THE MATTER WITH THE AMERICAN AND BRITISH GOVERNMENTS PD

PARA FIVE PD FOREGOING FOR INFORMATION ONLY

6223

Confidential

Distribution: Poland A
Poland B
Ex Comar
CC

PRIORITY

Chief Commissioner

222

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

JOHN HAYES
Major
ADJT

1012

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

HEADQUARTERS ALLIED COMMISSION
APO 794
Office of the Chief Commissioner

OCT 25 1946

Ref: SD/266/01-154

24 October 1946.

SUBJECT: Listed Italian War Criminals

TO : The French Representative
Allied Commission

Encl.

Reference is made to your letter No. 2984 dated 20 September 1946 and enclosures.

I am directed to inform you, on instructions received from AFHQ, that the Combined Chiefs of Staff have ruled that since the Allied Military Government has been abolished throughout the whole of Italy with the exception of VENEZIE GIULIA and the Province of UDINE, requests for delivery of Italian who have been listed as war criminals by the United Nations War Crimes Commission must be taken up directly with the Italian Government by the nation requesting the alleged criminals.

SD/266/01

for Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Copy to: AFHQ, G-5.
Polad (A)
Polad (B)
LPSO (MMIA)
Public Safety Div.
~~Secretary to A.C.I.~~

2202

✓ 4

1013

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

HEADQUARTERS ALLIED COMMISSION
OFFICE OF THE FRENCH REPRESENTATIVE
APO 394

No. 2984 Rome, 20 September 1946

From : THE FRENCH REPRESENTATIVE TO A.C.

To : PUBLIC SAFETY SUB COMMISSION TO A.C.

SUBJECT : Arrest of War Criminals
Enclosures: our letter N. 349 dated 9 Aug. 46
GHQ. CMF Letter n. 16443/43 dated 12 Sept. 46.

Herewith copies of the a/m letters and enclosure and after consulting Lt. Colonel HANNAFORD D/Chief Legal Advisor (Legal Sub Commission) I have the honour to request that you trace and cause the arrest of the three war criminals in question.

S/ Captain de VAISSEAU HERON de VILLEFOSSE
French Representative to Allied
Commission in Italy.

1013

1014

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

SUBJECT : ITALIAN Officials claimed by the FRENCH Authorities as War Criminals

GHQ CMF
16443/A3

12 Sept. 46

Headquarters
Allied Commission.

1. Reference your AC/4119/5/L of 19 Aug. 46

2. It is regretted that there is no record at this Headquarters of the subject claimed by FRANCE as being in BRITISH Custody and therefore it is impossible to carry out the FRENCH authorities wished in the matter.

3. No doubt you will request the location of the suvject wanted by FRANCE from the appropriate ITALIAN authorities and if they can be found they should be arrested and JAG Branch investigators will interrogate to establish idenity, and their handover once identity is established, can be undertaken without further delay. All these are listed in UNWCC List 39.

Sgd.: RW Germans Major
for Brig.
IC Adm.

0380

[0 1 5]

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

TRANSLATION

ALLIED COMMISSION
ITALY

The French Representative

N. 349

Capt. H. DE VILLEFOSSE
French Representative to Allied Commission in ITALY

To the Rear Admiral Ellery STONE
Chief Commissioner

SUBJECT : Arrest of War Criminals
ENCLOSURES : Copy of letter N. 1267 from the Commission in London
Referenza : Art. 29 of the Armistice dated 29 Sept. 1943

I have the honour to ask, on behalf of my Government, that you cause the arrest and the handover to the French authorities, of the following Italian nationals:

BARRANCO, former Chief of OVRA of NIZZA
VALENTE, @ SALERNO, former commissary of OVRA of NIZZA
TISANI, @ PESCARA, or DI RESTA, former Commissary of OVRA in NICE and Captain of Carabinieri.

The a/m Italian nationals are charged jointly with the following crimes, murders, illegal arrests, confiscations shooting and wounding. For these crimes a warrant of arrest has been issued against them by the Military Tribunal of MARSEILLES. They also appear in the lists of War Criminals of the United Nations War Crimes Commission in London. Herewith attached is copy of letter n. 1267 from London with full details of the a/m persons.

S/ HERON DE VILLEFOSSE
P.C.C. Capt. YBERT
Deputy "NAVY" to the French Representative

Distribution

Chief Commissioner A.C.
Embassy (2)
Archives (2)

6279

1016

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

LONDON 1267

List A

1) BARRANCO or BARANCO - Born in 1905 Chief of OVRA (Italian Political Police) in NICE Former Italian Consul at Nice. He appears on the wanted list C.R. file n. 205811, as SIPO, Chief of Gestapo, Nice, Security Suspect.

2) VALENTE @ SALERNO . Major of Carabinieri, OVRA in Nice.

3) TISANI @ PESCARA or Mario Di RESTA or Di ARETA. Captain of Carabinieri, OVRA in Nice (35 years, hight 1m72, black undulated hair).

January - June 1943 Nice (Alpi Marittime)

War Crimes n. 3 : Tortures to civilians
" " " 13 : Looting
" " " 3 : art. 334 P.C. Death sentence
" " " 13 : Art. 440 P.C. - 221 (222 C.J.M.) D.L. 1/9/39 - death sentence.

During the period from January to June 1943, BARRANCO, Chief of OVRA in Nice, VALENTE and TISANI, Commissaries of OVRA, caused the arrest of several persons making them suffer tortures at the Villa "LYNWOOD" the residence of OVRA. They misappropriated to themselves the money and the belongings of the persons who had been arrested.

From January to June, the Italian Political Police of Nice or OVRA, whose Chief was BARRANCO, arrested several persons and made them suffer tortures at villa LYBWOOD, the residence of this organisation.

The main torture used by TISANI and VALENTE consisted in chaining the prisoners making them walk without rest, night and day, without eating or drinking, in the central corridor of the cellar until they fell exhausted. Then the Carabinieri threw water over them to revive them and afterwards they subjected the prisoners to kicks, and hit them with helmets and rifle butts (Reports of BLANCHARD, MESNARD, LEDERMAN, COSTE, CARENCO)

Mr. GUETTA was slapped by TISANI and had his jaw fractured.

Another torture, which was used for Mr. CARANCO, consisted in putting the prisoners in handcuffs. They were pressed by a nail until blood flowed from the hands of the prisoners.

Mr. CARENCO retained the marks for about a year.

Another prisoner was compelled to absorb a great quantity of salt. One day VALENTE, told to Brigadiere, speaking of CARENCO "To morrow

1017

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

he will dig his grave. Meanwhile place him in a cell".

VALENTI and TISANI misappropriated to themselves a great amounts of money and belongings of the persons arrested.

Colonel BERNIS was robbed of 82.000 French francs and Mr. MESNARD of more then 200.000 French francs (golden coins, rare stamps and money).

Report of Mr. MESNARD, dated 30 Sept. 44 (21/6/45, 25/7/45, 31/7/45)

1018

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

F-72838
OCT 241000

W/7419
OCT 251030

ROUTINE

AFHQ SIGNED SACMED CITE FHGEG
ALOOM FOMS

RESTRICTED:

Para 2 does not imply that AFHQ and Aloom will not act in US or UK matters. Ref our F 72819. In such cases they act as principals and not as an intermediary.

510

W/8092

AC DIST

ACTION - MX COMMR

INFO - CHIEF COMMISSIONER

POLAD (A)

POLAD(B)

FILE

FLOAT

CR78

1019

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

CC

Ref: 4/29.8/B/CA.

24 October 1946

My dear Doctor Smodlaka,

I refer to my letter No. 4/29.8/B/CA of the 21 October 1946.

In order to make the position quite clear, I am writing to inform you that the instructions referred to in the second paragraph of my letter of 21 October came from the Supreme Allied Commander who, in turn, had received them from the Combined Chiefs of Staff.

Very truly yours,

/S/ ALLEN W. DULLES
Rear Admiral, USNR
Chief Commissioner

Copy to: AFHQ, G-5.
Poland (A)
Poland (B)
LFSC (MMIA)
Public Safety Div.
Secretary to A.C.I.
CC

24/CA 8-2

8275

(8)

1020

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

F 7221.
~~5263~~
OCT. 22 NFT

H/7385
OCT. 231030
PRIORITY

SACMED CITE FBGEG
ALCOM ROME

SACMED Reply to 5263

CONFIDENTIAL

55a

CONFIDENTIAL.
This Headquarters signal FX 72714 of 16 October relates specifically to persons on Unwcc lists. No other persons are recognized by United Nations to be classified as war criminals, Allied authorities hqve never had any responsibility for their apprehension as such. Paragraph 2 B of our G-5000.5-6 of 4 February 46 is relevant.
Neither AFHQ nor Alcom will act as intermediary between any other country and Italy on war crime matters.
It is agreed that representation referred to in para 4 of FX72714 should be to U.S. and British Governments.

AC DIST

ACTION EX COMM
INFO CHIEF COMMISSIONER
POLAD (A)
" (B)
FILE
SKELETON

8374

OCT 23 1946

CONFIDENTIAL

1021

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

Ref: M/29.8/B/CA

21 October 1946.

My dear Doctor Smodlaka,

56

Your letter Pov.br.1128/46 of 14 October 1946 addressed to the Supreme Allied Commander on the subject of your previous requests for the arrest and handing over of all Italian war criminals who have been listed by the United Nations War Crimes Commission was just about to be transmitted when new instructions from AFHQ made it unnecessary.

I have been instructed to inform you that since the Allied Military Government has been abolished throughout the whole of Italy with the exception of VENEZIE GIULIA and the Province of UDINE requests for delivery of Italians who have been listed by the War Crimes Commission must be taken up directly with the Italian Government by the nation requesting the alleged criminals.

Very truly yours,

[s/] Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr Sloven J. Smodlaka,
Yugoslav Representative, to the A.C.I.
ROME.

Copy to: AFHQ, G-5.
Polad (A)
Polad (B)
LFSC (MMIA)
Public Safety Division.

57

1022

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

CC

HQ ALCOM SIGNED STONE 211745B OCTOBER

AFHQ for G-5 SECTION

5263 SECRET

SECRET PD

5562

YOUR FOX XRAY SEVEN TWO SEVEN ONE FOUR OF ONE SIX OCTOBER ONE NINE FOUR SIX PD I AM ASSUMING IN VIEW OF THIS COMMISSION LETTER FOUR SLANT TWO NINE POINT EIGHT SLANT BAKER SLANT CHARLIE ABLE OF NINE MARCH ONE NINE FOUR SIX TO YOUR HEADQUARTERS WHICH REFERRED ONLY TO ITALIANS LISTED AS WAR CRIMINALS BY THE UNITED NATIONS WAR CRIMES COMMISSION AND THIS COMMISSION LETTER SIX FIVE ONE SEVEN OF ONE THREE APRIL ONE NINE FOUR SIX WHICH WAS A FOLLOW UP OF ABOVE QUOTED LETTER THAT FAR SIX NINE FIVE OF NINE OCTOBER ONE NINE FOUR SIX REFERS ONLY TO ITALIAN LISTED AS WAR CRIMINALS BY THE UNITED NATIONS WAR CRIMES COMMISSION PD THIS IS ALSO IN KEEPING WITH ARTICLE [redacted] EIGHT OF THE REVISED ARMISTICE TERMS PD I AM PROCEEDING ACCORDINGLY IN CONVEYING THE NEW PROCEDURE TO APPROPRIATE GOVERNMENTAL REPRESENTATIVES PD BOTH POLAR AGREE PD ON ORAL INSTRUCTIONS RECEIVED FROM COLONEL HAMBLEN ON ONE EIGHT OCTOBER ONE NINE FOUR SIX CMA PARA FOUR OF YOUR FOX XRAY SEVEN TWO SEVEN ONE FOUR OF ONE SIX OCTOBER ONE NINE FOUR SIX IS BEING INTERPRETED THAT THE MATTER IS ONE TO BE RAISED WITH THE AMERICAN AND BRITISH ~~XXXXXX~~GOVERNMENTS.

C971

URGENT

(Sec-51A)

Office of the Executive Commissioner

343 /s/ M.CARR, Brigfor Rear Admiral,
Chief Commissioner..

1023

Declassified E.O. 12356 Section 3.3/NND No. 735015

COPY

Pov. br. 1128/45

Rome, 14 October 1945

TO : Supreme Allied Commander, Mediterranean Theatre.

THROUGH : Chief Commissioner, Allied Commission.

On behalf of the Jugoslav Government I have the honour to state as follows :

1. By the Article 29 of the "Additional conditions of the Armistice with Italy" the Italian Government was obliged to comply with the following". Benito Mussolini, his chief Fascist associated and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations will as soon as possible be apprehended and surrendered into the hands of the united Nations. Any instructions given by the United Nations for this purpose will be complied with."

2. Upon request of the Jugoslav Government 716 Italians have been inserted in the Lists of the United Nations War Crimes Commission until September 1945.

Mr. Attlee, in the absence of Mr. Bevin, in his note No. U.8375/29/73 of 15 December 1945, informed the Jugoslav Ambassador in London that the Combined Chiefs of Staff had authorized the Supreme Allied Commander, Mediterranean to hand over to Allied Governments criminals of Italian or other ex-enemy nationali wanted by them.

The Jugoslav representative to the Advisory Council for Italy requested subsequently in his letters Pov. br. 16/45 and Pov. br. 37/45 dated 5 and 8 January 1946, from A.F.H.Q. :"A. To arrest without delay all Italian War Criminals who have been listed by the United Nations War Crimes Commission on proposal of Jugoslavia, in order to prevent their escape."B. To hand them over to the Jugoslav authorities."

After that Brigadier Lush, in capacity of the Acting Chief Commissioner, informed us in his letter No. 4/29.8/CA of 16 February 1946, that A.F.H.Q. have forwarded to him instructions as to procedure to be adopted for the arresting of the requested Italian War Criminals, i.e. that all requests will be addressed to U.N.W.C.C. who will take action in the matter and forward the requests to DAMP (SIB) c/o JAG, Naples. Brig. Lush informed us at the same occasion that orders to DAMP (SIB) to arrest persons listed by the War Crimes Commission have already been issued.

Since no Italian war criminal had been handed over to Jugoslavia, the Jugoslav Representative A.C.I. requested again in his letter Pov.br. 273/46 of 28 February 1946," that all Italian war criminals, listed by the U.N.War Crimes Commission, be arrested and handed over to the Jugoslav authorities." Brig. Lush replied that the "request has been passed to AFHQ for action by DAMP (SIB)".

1024

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

- E -

As even after that reply no one was handed over , we requested in our letter Pov.br. 677/46 of 22 June 1946, addressed to the Chief Comissioner, that a list of names of those listed Italian war criminals who have been arrested up to date may be forwarded to us.

- F -

Unexpectedly we received a letter from the Vice President, Civil Affairs Section (No.4/29.8/CA /dated 6 August 1946), informing us that "the question of the handover to the Yugoslav Authorities of Italian registered with UNWCC as war criminals wanted by Yugoslavia is under discussion between the proper Authorities," and "until that discussion is concluded it will not be possible to comply with the request of the Jugoslav Representative A.C.I."

N. R.

We were even more surprised with the explanation given to the Yugoslav Embassy in London from the British Foreign Office in their note No. U.605/71/73 of 17 July 1946, where it is supposed that "as the Yugoslav Government will appreciate the number and in some cases the situation of the Italians in question raises problems which require careful consideration."

The foregoing viewpoint of the Allied Authorities are in contradiction to the quoted statement of Mr. Attlee of 15 December 1945, and the Yugoslav Government consider that there should not be any reason why this matter, which has definitely been settled by the British and U.S. Governments should again be brought under discussion, even less considering that all the United Nations Governments have agreed that all war criminals must be punished.

3. According to Art. 29 of the "Additional Conditions of the Armistice with Italy" the Italian Government is bound to hand over all Italian war criminals. The same obligation is included in Art. 8 of the new Armistice draft as well as in Art. 38 of the draft of the Peace Treaty with Italy. The Yugoslav Government, being a member of the United Nations has the right to demand that the Armistice with Italy be complied with for the benefit of the Yugoslav Government and that all Italian war criminals listed on request of the Yugoslav Government be handed over.

4. In view of the foregoing it is requested that without further delay necessary orders may be issued to your dependent authorities as well as to the Italian Government in order to :

A. arrest without delay all Italian war criminals who have been listed by the United Nations War Crimes Commission on request of Yugoslavia, in order to prevent their escape ;
B. to hand them over to the Yugoslav authorities.

5. Will you please inform me about steps taken with your earliest convenience

DR. SLOVET J. SKODLA?70
YUGOSLAV REPRESENTATIVE a.i.
Advisory Council for Italy.

1025

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

COPY

Jugoslav Delegation
To The Advisory Council For Italy

Pov. br. 16/46

Rome, January 5, 1946

SUBJECT: Arresting and Handing over of Italian War Criminals.

TO : Allied Force Headquarters.

On behalf of the Jugoslav Government the Jugoslav Delegation to the Advisory Council for Italy has the honour to state as follows:

1. A.F.H.Q. have received lists of War Criminals issued by the United Nations War Crimes Commission with orders of the United Kingdom and the United States Governments, transmitted by the Combined Chiefs of Staff, to find the War Criminals according to these lists and to hand them over to the interested Governments of the United Nations.

2. The United Nations War Crimes Commission had listed more than 500 Italian War Criminals proposed by Jugoslavia.

As the Jugoslav Government has not been notified as yet that any of the listed War Criminals in Italy was found, you are courteously requested to inform this Delegation whether and what has been done for finding out listed Italian War Criminals.

3. Not even those Italian War Criminals, listed by the United nations War Crimes Commission, who are kept by Allied Authorities in Italy, and were requested by this Delegation, have not yet been handed over to Jugoslav Authorities

These Italian War Criminals are :

1/Gastone Gambara/ list 5th, Serial number 88 of the United Nations War Crimes Commission - requested by our act Pov.br.1179-45 dated 18 August 1945

2/Pietro Lotti /5th list, serial number 95 of the UNWCC - requested by our act Pov.br.1366/45 dated 11 September 45

3/Fernando Di Furia/5th List, serial number 85, - requested by our act Pov.br. 1798/45 dated 14 November 45

4/Giuseppe Gaetani /5th list, serial number 86, 12 list, serial number 88 requested by our act Pov.br.1798/45, 14 November 45

5/Giuseppe Pardini /5th list, serial number 102/ requested by our act Pov.br. 1798/45 dated 14 November 45

6/Dott.Divincenzo /5th list serial number 115 - requested by our act Pov.br. 1798/45 dated 14 November 45

7/Fumo, major /12 List, serial number 87 - requested by our act Pov.br. 1798/45 dated 14 November 45.

1026

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

4. AFHQ is herewith courteously requested on behalf of the Jugoslav Government to find out, and;

A. to arrest without delay all Italian war criminals who had been listed by United Nations War Crimes Commission on proposal of Jugoslavia, in order to prevent their escape.

B. to hand them over to Jugoslav Authorities.

It is obvious that war criminals quoted under 3 should be included.

Dr. SLOVEN J. SMODLAKA
Deputy Representative of Jugoslavia,
Advisory Council for Italy.

1027

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

JUGOSLAV DELEGATION
TO THE ADVISORY COUNCIL FOR ITALY

COPY

Pov.Br. 37/46

Rome, 8 January 1946.

SUBJECT : Arresting and handover of Italian War Criminal FARINA Guido.

TO : Allied Force Headquarters.

On behalf of the Jugoslav Government the Jugoslav Delegation to the Advisory Council for Italy has the honour to state as follows :

I. A.F.H.Q. have received lists of War Criminals issued by the United Nations War Crimes Commission, with orders of the United Kingdom and the United States Government, transmitted by the Combined Chiefs of Staff to find the resp. war criminals according to these lists and to hand them over to the interested Governments of the United Nations.

2. FARINA Guido, Colonel, Comandante del Presidio Crnomelj, 23rd Inf. Regt. "Como","Isonzo" Div. operating in district of Cernomelj (Jugoslavia), Italian war criminal listed by the United Nations War Crimes Commission (I2th list, serial N° 78) is living at Gorizia, Via Maconi. He is responsible for murder and other crimes.

3. Application is made herewith on behalf of the Jugoslav Government that necessary measures be taken to arrest him, to prevent him from escaping and to hand him over to Jugoslav Authorities.

/s/ Dr. Sloven J. SMODLAKA,
Deputy Representative of Jugoslavia ,
Advisory Council for Italy.

B 66

= B =

1028

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

COPY

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
Office of the Chief Commissioner
APO 394

Ref: 4/29.8/Ca

16 February 1946

Dear Dr. Sholjaka,

Allied Force Headquarters have forwarded to us your letter ref. br. 37/45 of 3 January 1946 and have forwarded instructions as to procedure to be adopted in the future.

In future all requests for arrests of persons whose names are included in the lists issued by the United Nations War Crimes Commission will be addressed to this Headquarters who will take action in the matter. Such requests will be forwarded to DAFM (SIB) c/o JAC, Naples, by this HQ, who will be asked to effect the arrest and inform you of the action taken. The action thereafter will be the responsibility of SIB and not of Allied Commission.

If the person concerned is not on the War Crimes Lists and his arrest is desired, you should forward all applications of this nature for inclusion in the War Crimes Lists to the War Crimes Commission through the usual diplomatic channels.

There is forwarded for your personal copy of letter addressed to DAFM (SIB) c/o JAC Naples, along with list of persons who are on the War Crimes Lists and whose arrest you have requested.

Very truly yours,

/s/ M.S. LUSH
Brigadier,
Acting Chief Commissioner,

Dr. SLOVEN J. SHOLJAKA,
Deput Representative of Jugoslavia,
Advisory Council for Italy,
R O M E.

9346

1029

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

Yugoslav Delegation
To the Advisory Council for Italy

COPY

Pov. Br. 273/46

28 February 1946

Dear Brigadier Lush,

I have the honour to acknowledge receipt of your letter Ref. 4/29.8/CA of 16 February 1946 regarding the handover of Italian War Criminals.

On behalf of the Yugoslav Government I have the honour to request herewith formally that all Italian War Criminals, listed by the United Nations War Crimes Commission, be arrested and handed over to the Yugoslav Authorities. As most of them are living at their proper home in Italy, it will be easy to find them out.

I beg you, will you be so kind as to arrange that I may be informed about every action taken in this matter. Particularly I would appreciate to be informed about the arresting of the Italian War Criminals quoted in your letter 4/29.8/CA of 16 February 46, since I have not received as yet any informations from DAMP (SIB).

Very truly yours,

/s/ Dr. Sloven J. [illegible]A,
Deputy Representative of Jugoslavia
Advisory Council for Italy.

Brigadier M.S. LUSH
,Executive Commissioner
Hq. AC.

D

= D =

1030

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

COPY

Jugoslav Delegation
To The Advisory Council for Italy
Pov.br.677/46

22 June 1946

-D-

Dear Admiral Stone,

1. Reference is made to my letter Pov.br.273/46 of 28 February 1946 to the Allied Commission's letters Ref: 4/29.8/CA of9 March 1946 and to para two(2) of the A.C. letter Ref: 4/29.8/CA of 1 May 1946.

2. The Jugoslav Embassy in London with its note of 10 May 1946 informed the British Foreign Office that our Delegation was authorized to make proposals on behalf of the Jugoslav Government and to be informed by the Allied Authorities in Italy in all matters dealing with traitors, war criminals etc. The British Foreign Office replied to the Jugoslav Embassy in London that the competent authorities in Italy have been requested to help our Delegation in dealing with these matters.

3. I apply to you that AFHQ may kindly forward to me the list of names of the Italian war criminals listed by the United nations War Crimes Commission in London on request of the Jugoslav Government, who have been arrested up to date, with the annotation in which prison each of them is being detained. I beg to be informed too about the measures taken up to date for an efficient capturing and handing over of the Italian War Criminals. An early reply will be much appreciated.

Very truly yours

Dr. SLOVEN J. SMODLAKA,
Acting Representative of Jugoslavia
Advisory Council for Italy

Rear Admiral
Ellery W. Stone
Chief Commissioner
Allied Commission.

6264

E 50

= E =

1031

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

COPY

HEADQUARTERS ALLIED COMMISSION
APO 794
CIVIL AFFAIRS SECTION

Ref : 4/29.8/CA

6th Aug 46

SUBJECT : Handover of Italians Listed by UNWCC to the Yugoslavs.

TO : Dr. Sloven J. SMODLAKA
Deputy Representative for Yugoslavia,
Advisory Council for Italy,
ROME

E

1. Reference your Prov.br.677/46 dated 22 June 46.

2. This Headquarters has been informed that the question of the handover to the Yugoslav Authorities of Italians registered with UNWCC as war criminals wanted by Yugoslavia is under discussion between the proper Authorities.

3. Until that discussion is concluded it will not be possible to comply with your request contained in paragraph 3 of your above quoted letter.

FOR THE CHIEF COMMISSIONER:

M. CARR, Brigadier,
VP CA Section.

CRCB

F 50

= F =

1032

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

COPY

SECRET

SUBJECT : War Crimes - Handover of Italians Listed by UNWCC to the Yugoslavs.

GHQ CMF
I6422/2/A3
26 Jul 46

HQ Allied Commission
APO 394
Civil Affairs Section

Reference your letter 4/29.E/CA dated 29 Jun 46.

I. The question of the handover to the Yugoslav Authorities of Italians registered with UNWCC as War Criminals wanted by Yugoslavia is under discussion between the British and American Governments.

2. Until that discussion is concluded it will not be possible to comply with the request contained in para 3 of Dr. SMODLAKA's letter of 22 June .

Brigadier,
I/C Administration.

R262

Copy to :- Brit Polad
US Polad
G-5

= G =

1033

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

FX 72714
OCT -Ho-

H/7242
OCT 171530

IMPORTANT

AFHQ SIGNED SACMED CITE FHGEG
ALCOM ROME

INFO: GHQ CMF

SECRET

The following is text of CCS signed ~~NAF~~ FAN 695 of 9 October.

"Reference Alcom letter 6517/EC of 13 April 1946 to GHQ CMF. Your request for Italians, including those mentioned in NAF 1165 who are wanted as War criminals by any of the United Nations will be handled as follows since Allied Military Government has been abolished throughout the whole of Italy with the exception of Venezia Giulia and the province of Udine. The request for the delivery of Italians who are alleged War Criminals will be taken up directly with the Italian Government by the Nation requesting the alleged criminals."

2. Ruling will be applied to requests already made which have not yet been complied with. Governmental representatives who have made such requests will be so informed forthwith.

3. Governmental Representatives of United Nations other than British and US will be informed of the above ruling as and when they submit requests to you to arrange for alleged War Criminals to be handed over.

4. In event of a governmental representative questioning validity of above ruling he should be advised that matter is one to be raised with American or British Governments (*) through Diplomatic channels.

5. The ruling is considered to Debar AFHQ or Alcom from acting as a medium for communication between Yugoslav Governmental Representative and Italian Government on matters connected with surrender of alleged Italian War Criminals. Should he raise question Jugoslav representative should be informed accordingly.

1034

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

FX 72714

SECRET

SECRET

AC DIST

Action: Executive Commissioner (2)

Info: Chief Commissioner

File

Skaaeton

Polad (A)

Polad (B)

See [redacted]

(*)-Inserted per authority Colonel Hamblen, G-5 AFHQ, 18 Oct.

OCT 17 [illegible]

SECRET

(5 5 4)

1035

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

ACSEC HQ ALCOM

A BRANCH GHQ CMF

DJAG GHQ CMF

$176

UNCLASSIFIED

SUBJECT IS WAR CRIMINAL PAINI VIRGILIO ED

PARA DOC AG REFERENCE YOUR ABLE GEORGE SIX FIVE DATED TEN OCTOBER FOUR SIX ED

PARA TWO ED PAINI NOT ARRESTED TO DATE ED

ROUTINE

SECURITY DIVISION

367 C.A.C.M.I.S., A.P.O.

JOHN R. HAYES
Major AGD
Adjutant

$259

1036

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

AG 65
OCT.10 NFT

H/7131
OCT.111600
ROUTINE

GHQ CMF
AC SEC RMX ALCOM INFO: DTAG GHQ

58A

UNCLASSIFIED.
Your 5151 of 08. Subject is war criminal Daini Virgilio.
If subject arrested request you instruct italian authorities to transfer to civil Gaol Padova not Naples. Please inform this HQ if arrested.

2683/11

AC DIST

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
FLOAT
FILE

SEE 155

6258

5466

1037

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

GA400
OCT 10

H/ 7128
OCT 111400

ROUTINE

GHQ CMF "A" BRANCH
1 SEP CENTRE „INFO: ACSEC ALCOM

UNCLASSIFIED:

Our FX 72056 of 18 September to Disthree repeated to you. Subject is War Criminal VALENTE NICOLA. Request you cable this HQ repeated ACSEC Alcom.

(A) Names of parents (B) Place and date of birth (C) Home address for ACSEC Alcom.

Your SD/266 401-144 of 30 September.

AC DIST

INFO ACTION : SECURITY DIV

INFO : CHIEF COMMISSIONER

FILE

FLOAT

C257

1038

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

4/29.8/C/CA

4 October 1946

My dear Mr. Prime Minister:

I have been instructed by Allied Force Headquarters to inform you that they have been receiving from the French, Greek, Yugoslav, Russian and other Governments requests for the arrest and extradition of their nationals for trial as traitors, to which Allied Force Headquarters are replying by informing these countries that when the person required is living at large in Italy, their requests should be addressed to your Government through the usual diplomatic channels.

It is understood that there are already cases in which certain persons required by other nations are being held by the Italian Authorities. For instance, it is believed that the Italian Authorities hold five alleged Russians in Parma prison and fourteen Russians at Modena prison. I would be glad if this Commission could be informed of what is happening about these persons.

I would also be very grateful if you could furnish details of how the Italian Government is proposing to deal with these requests and in particular: -

(a) Does the Italian Government arrest and hold persons without production of a charge and, if so, how long are they held if no charge is produced?

(b) What steps are taken to ascertain the true nationality of persons detained?

(c) What steps are taken to see that an offence has been committed?

(d) Does the accused have an opportunity to reply?

(e) Is the hearing in open court?

(f) Are genuine political refugees afforded shelter?

I would appreciate it, my dear Mr. Prime Minister, if I could

E2.8/1c

6256

1039

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

be given an early reply on the matter.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. Alcide De Gasperi,
President of the Council of Ministers,
Italian Government,
ROME.

0754

6955

53

1040

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

ACSEC ALCOM 8 OCTOBER 1946

A BRANCH GHQ CMF

DJAG GHQ CMF

5151 UNCLASSIFIED

534

SUBJECT IS WAR CRIMINAL FAINI VIRGILIO FD
PARA ONE FD REFERENCE YOUR ABEL GEORGE PLANT ZERO ZERO ONE EIGHT TWO
DATED SEVEN OCTOBER FOUR SIX CMA OUR SUGAR DOG PLANT TWO SIX SIX FD
ZERO ONE DASH ONE FOUR ZERO DATED ONE OCTOBER FOUR SIX REFERS FD
PARA TWO FD FAINI DISCHARGED PORTON HOSPITAL TWO JULY FOUR SIX FD
PRESENT WHEREABOUTS NOT KNOWN FD
ITALIAN POLICE REQUESTED TO TRACE CMA ARREST CMA TRANSFER TO CIVIL
JAIL NAPLES AT DISPOSITION OF YOUR GEORGE HOW QUEEN FD

PRIORITY

SECURITY DIVISION

JOHN R. HAYES
Major AGD
Adjutant

367 A. HELLIS, Capt.

2254

1041

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

JAB/NW/16/71/74.
OCT

H/7071
OCT 081600
IMMEDIATE

JAB PADUA
ASMC ALCOM, INFO: JAB NAPLES

CONFIDENTIAL

CONFIDENTIAL.

Reference your signal 5080. MOSCHINI ANGELO now held in SIEPA JAIL is not wanted by this section.

AC DIST

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
FILE
SKELETON

OCT 8 1946

CONFIDENTIAL

1042

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

AG/00182
OCT 071440 A

H/7069
OCT 081200
OF PRIORITY

MXXX GHQ CMF FROM 'A'BRANCH
ALCOM ,INFO:DJAG GHQ

UNCLASSIFIED.

Subject is war criminal FAINI VIRGILIO. Our letters 16171/9/A3 of 30 July and 2 September. Request you state whether any action yet taken or whether any information yet available. Please treat as urgent.

AC DIST

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
FLOAT
FILE

26a/2/92

6352

1043

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

HEADQUARTERS ALLIED COMMISSION
A P O 794
Office of the Executive Commissioner

C - 7 1946

Ref: 6517/234/CC

4 October 1946

SUBJECT: Nazi War Criminals

TO : The Ministry of Foreign Affairs,
Rome.

Memoranda Nos. 6/2958/1151 dated 18 August 46
6/2959/1152 dated 17 August 46
6/2966/1153 dated 18 August 46
6/2957/1150 dated 18 August 46
6/2961/1154 dated 18 August 46

Reference is made to the above-numbered memoranda.

It has not been possible to obtain a positive identification of the persons listed owing to the scanty information supplied.

However there is a record of:

(a) A 736795 Unterscharf HOFMANN Richard

(b) NA 17466 Unterscharf NOGGLER Ferdinand

It may be possible to make further investigation of these PW if you will submit a questionaire for them to complete.

FOR THE CHIEF COMMISSIONER.

A. W. Kinsely.

Brigadier,
Executive Commissioner.

260 2/cc

675

52

1044

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

FX 72496
OCT 041414

II/7002
OCT 051100
ROUTINE

AFHQ SIGNED SACMED CITE PIGEON
GHQ CMF FOR A-3 AIRCOM ROME

CONFIDENTIAL

CONFIDENTIAL.

In view new considerations AIRCOM has been requested suspend action to arrest and hand to French BARRACO VALENTI and TIBANI as war criminals.

AC DIST

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
FILE
SKELETON

OCT 5 1945
2250

CONFIDENTIAL

(51)

1045

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

AG00072

H/7001
OCT 051000

IMPORTANT

GHQ CMF A BRANCH
ACSEC AIGOM INFO DJAG GHQ

CONFIDENTIAL

CONFIDENTIAL

Your L 50800F 01.War criminal Moschina Oroldo not wanted by this HQ.May be released.

AC DIST

ACTION: SECURITY 2

INFO: CHIEF COMMISSIONER

FILE

SKELETON

OCT 5 1946

CONFIDENTIAL

1046

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

AG/00075
OCT.041630B

H/7005
OCT.051000
ROUTINE

GHQ CMF 'A' BRANCH
ACSIC ALCOM

RESTRICTED

RESTRICTED.
Your 5069 of 28 Sept. Our FX 70043 of 2 August gave disposal instructions for war criminal Vicentini Otello.
Vicentini not wanted by this HQ in connection with war crimes.
May be placed unreservedly at Italian disposition.

AC DIST

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
FLOAT
FIRE

Confidential

OCT 5 19

1047

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

30 SEPTEMBER 1946

ACSES ALCOM

JAG NAPLES

A BRANCH GHQ CMF

5080

CONFIDENTIAL

SUBJECT IS WAR CRIMINALS PD

PARA ONE PD REFERENCE YOUR ~~ONE SIX FOUR ONE FOUR SLANT THREE SLANT AFHL DASH THREE DATED ONE FIVE JUNE FOUR SIX~~ PD

WANTED LIST NUMBER TWO SIX BRACKET ITALIANS BRACKET PD

PARA TWO PD MOSCHINI OROLDO IDENTICAL WITH MOSCHINI AROLDO PD

NOW DETAINED IN SIENA JAIL PD NOT REPEAT NOT WANTED BY ITALIAN AUTHORITIES PD

PARA THREE PD REQUEST IMMEDIATE DISPOSAL INSTRUCTIONS PD

IMPORTANT

SECURITY DIVISION

A.H.ELLIS, Capt.

367

JOHN R.HAYES
Major AGD
Adjutant

1048

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

SEP 30 1946

BRITISH EMBASSY,
ROME.

277/72/46

27th September, 1946.

My dear Admiral

Thank you for your letter (6517/208/EC) of the 21st September addressed to Malcolm, about the Commission which is enquiring into the conduct of Italians accused of war-crimes by Yugoslavia.

I have simultaneously had the same information from Prunas, and in reply I have asked him to send me in confidence the names of the forty chosen for trial. As this is an Allied subject, I hope you will ask for the names also, and press to be kept more frequently informed of progress.

Believe me

Yours very sincerely

D. W. Harvey

Rear-Admiral Ellery W. Stone, K.B.E.,
Chief Commissioner,
Allied Commission,
ROME.

6916

1049

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

FX 72295
SEPT 25

H/6833
SEPT 261545B

ROUTINE

AFHQ SIGNED SACMED CITE FHGEG
UNRRA ROME INFO: ALCOM ROME FOR DISPER

CONFIDENTIAL:

CONFIDENTIAL

Reur DP/ADM/11/2 the listed persons who are alleged Soviet War Criminals have been placed in a guarde camp and have been removed from Cinecitta' and Di Bagni. They are in camp for process of Keelhauling.

AC DIST

INFO ACTION : DISPER 2

INFO : CHIEF COMMISSIONER

FILE

SKELETON

SEP 26 1945

CONFIDENTIAL

(46)

1050

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

Ref. 6517/308/50

21 September 1946

Dear Mr. Malcolm -

With reference to your letter no. 277/64/46 dated 10 September 46.

The first information received as to progress of the Commission's work happened to arrive about the same time as your letter.

In their letter, the Italian Government states that the Inquiry Commission of the Ministry of War has decided to commit for trial before a Military Court some 40 persons on charges of infringement of the provisions of International Law in War time, in-humanitarian treatment of hostages and acts of reprisal.

No Allied observer has attended the Commission's proceedings as the Italian proposal that such an observer should be appointed was not agreed to by ACC. Mr. PRIMAS was informed of this decision by Executive Commissioner's letter 6517/50 of 15 June 1946, a copy of which was sent to both Political Advicer.

Yours sincerely,

/s/ Ellery W. Stone
ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

A.C.E. Malcolm, Esq.,
The British Embassy
Rome.

Copy to: Polad (A)

See 47
47
3 Mar

45

1051

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

copy

copy

The British Embassy
ROME

277/64/46

10th September, 1946.

Dear Admiral Stone,

In the Ambassador's absence at Paris, I write to ask whether you have ever heard anything more from the Italian Government about the Commission set up early this year to enquire into the conduct of Italian commanders accused of war crimes.

Apart from Prunas' letter (No. 1022 Sez. Sol.) of the 6th August to Brigadier Lush, I have seen no correspondence on the subject since Lush's letter 6517/150/EC of the 20th May to Prunas. Has any Allied observer in fact attended the Commission's proceedings? I should be grateful for any information as to the progress made, in order to be able to inform the Foreign Office.

WITH EC FILES

Yours sincerely

/s/ A.C.E. Malcolm

cc/809.2

Rear Admiral Ellery W. Stone, USNR,
Chief Commissioner,
Allied Commission,
Rome.

(14)

843

TRANSLATION

Ministero degli Affari Esteri

SEP 14 1946

Rome, 11 September 1946

Dear Admiral Stone,

With letter N.6517/143/E.O. dated 2 May 1946, you have asked to be duly informed of the outcome of investigations held by the Inquiry Commission of the Italian Ministry of War on the presumed Italian war criminals.

Senator Casati, President of the Inquiry Commission, wishes now to bring to your knowledge that said Commission, after having carefully and thoroughly examined personal cases, has come to the conclusion to commit to Military Court all those persons who seem to be indictable for infringement of provisions of International Law in war time and humanitarian principles either by issuing or by executing orders, with special reference to the inviolability of hostages and limitation of reprisal.

In this connection a list containing forty names of members of the armed forces and civilians who seem to be indictable has been drawn up by the a/m Commission who will discuss every personal case on its next meeting.

Believe me, Dear Admiral Stone,

very sincerely yours

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

investigations held by the Inquiry Commission of the Italian Ministry of War on the presumed Italian war criminals.

Senator Casati, President of the Inquiry Commission, wishes now to bring to your knowledge that said Commission, after having carefully and thoroughly examined personal cases, has come to the conclusion to commit to Military Court all those persons who seem to be indictable for infringement of provisions of International Law in war time and humanitarian principles either by issuing or by executing orders, with special reference to the inviolability of hostages and limitation of reprisal.

In this connection a list containing forty names of members of the armed forces and civilians who seem to be indictable has been drawn up by the a/m Commission who will discuss every personal case on its next meeting.

Believe me, Dear Admiral Stone,

very sincerely yours

Admiral Ellery W. STONE
Chief Commissioner
Allied Commission
Rome

6242

Copy to FO

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

Il Ministro degli Affari Esteri

19 / 30820 / 71

Roma 11 settembre 1946

Caro Ammiraglio,

con la Sua lettera n.6517/143/E.C. in data 2 maggio, Ella chiedeva di essere a suo tempo informato dei risultati delle indagini compiute dalla Commissione d'Inchiesta del Ministero della Guerra sui presunti criminali di guerra italiani.

Il Presidente della Commissione, Senatore Casati, Le fa ora sapere che la Commissione, dopo attento e severo esame di situazioni personali, è venuta nella determinazione di deferire alla giustizia penale militare coloro che possono essere inquisiti per essere venuti meno, con gli ordini o nella esecuzione degli ordini stessi, ai principi del diritto internazionale di guerra e ai doveri dell'umanità, ed in modo particolare ai principi della inviolabilità degli ostaggi e alla limitazione del diritto di rappresaglia.

La Commissione ha pertanto redatto un elenco di quaranta nomi di militari o civili, contro i quali può essere elevata l'accusa e si riserva di precisare le singole posizioni personali in una prossima riunione.

Voglia gradire, caro Ammiraglio, gli atti della mia alta considerazione.

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

era sapere che la Commissione, dopo attento e severo esame di situazioni personali, è venuta nella determinazione di deferire alla giustizia penale militare coloro che possono essere inquisiti per essere venuti meno, con gli ordini o nella esecuzione degli ordini stessi, ai principi del diritto internazionale di guerra e ai doveri dell'umanità, ed in modo particolare ai principi della inviolabilità degli ostaggi e alla limitazione del diritto di rappresaglia.

La Commissione ha pertanto redatto un elenco di quaranta nomi di militari o civili, contro i quali può essere elevata l'accusa e si riserva di precisare le singole posizioni personali in una prossima riunione.

Voglia gradire, caro Ammiraglio, gli atti della mia alta considerazione.

R941

Ammiraglio Ellery W. STONE
Capo della Commissione Alleata
R O M A

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

1056

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

ACSEC ALCOM 7 SEPTEMBER 1946

JAG NAPLES

A BRANCH GHQ ONE

4881 CONFIDENTIAL

SUBJECT IS WAR CRIMINALS FD
PARA ONE FD GLORIA HOW QUEEN ONE SIX FOUR ONE FOUR SLANT THREE SLANT
ABLE DASH THREE DATED ONE FIVE AUGUST FOUR SIX REFERS FD
PARA TWO FD NUNZIO NICITA SHOWN IN WANTED LIST TWO SEVEN BRACKET
ITALIANS BRACKETS IS REPORTED LIVING AT PIAZZA MENGOLI NUMBER THREE
BOLOGNA FD

72/8/97

B

3

ROUTINE

SECURITY DIVISION

(43) 367 Lt. A.H. ELLIS. Capt.

6240

PAUL COLE
1st Lt. Air Corps
Asst Adjutant.

1057

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

C 62070
SEPT 051924 B

H/6346
SEPT 60900
PRIORITY

A APHQ FROM A BRANCH GHQ CMF
ACSEC ALCOM

UNCLASSIFIED?

Subject documents held by Avvocato PONZETTI relating to War Criminal COSCI FURIO athos. Our letters 16171/76/A3 of 1 July and 24 July are cancelled. In view imminence of trial consider PONZETTI should retain these documents and produce them in evidence. Our 16171/76/A3 of 2 September to be amended accordingly. Officer commanding accused informed full details of PONZETTI.

22/2092

~~GAC~~ DIST ==

ACTION SECURITY 2
INFO CHIEF COMMISSIONER
FLOAT 2
FILE

B

42

6229

1058

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

E.C. Dist. Exec.
Action: F.C. (Gibson) SEP 9 1946 E.C.
Info: C.C.

TRANSLATION

Rome, 2 September 1946.

Dr Rosario BARRANCO
Italian Police Commissar

For action taken see file 600/EC

No. 4 enclosures.

It appears that recently the French Representative to the Allied Commission in Italy requested Admiral STONE to order the arrestation and delivery to French Authorities of three Italian citizens and namely of the following:

BARRANCO, described as onetime Chief of the OVRA in Nizza,
VALENTE or SALERNO, described as onetime Commissar of OVRA in Nizza,
TIGANI or PESCARA or DI RIETA, also described as OVRA Commissar or Captain of Carabinieri.

The request is motivated by the charge of serious, neither specified nor proven crimes, among which delinquent association, homicides, kidnapping, arbitrary arrests, thefts etc. for which a penal procedure would be taking place in Marseilles, before the Judge of that Military Court; and it is based upon a denunciation made against the abovenamed as "war criminals" to the United Nations Committee in London (file No. 1267).

With reference to the above, in Barranco's interest, it is specified that he can be identified in the person of Dr Rosario Barranco, Italian Police Commissar, once a resident of Nizza, where he was for service reasons in quality of Consular Attache in the Italian Consulate General, regularly accredited with previous approval of the French Government.

Although he was a police functionary depending from the General Direction of P.S. and from the Foreign Office in Rome, Dr Barranco has never belonged to OVRA, and it does not even appear that OVRA had a branch in Nizza.

He had never any employment or service relations with VALENTE who was a Major of Carabinieri, chief of the Military Informations Service (S.I.M.) of the Maritime Alps with the Command of the IV Italian occupation Army in France.

Dr Barranco has never known either TIGANI or Di RIETA, while he remembers PESCARA who was another Major of Carabinieri and died in France in 1943.

The police service of Dr Barranco, described hereafter, had nothing in common with the duties performed by Major Valente and other members of SIM or of the Carabinieri, working in France under the Italian Military Authorities.

Dr Barranco stayed in Nizza for the first time from March 1939 until June 1940 as regularly accredited Consular Attache. When the war broke out, he returned to Italy where he was called up and mobilized as Infantry Lieutenant? In July 1940 he was assigned to the Armistice Commission in Turin and

(41a)

Sec [40], [41]

1059

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

in September 1940 was sent, for a second time, to Nizza as representative of said Commission, always with the rank of an Officer of the Italian Army.

When on 11 November 1942 the Italian military occupation of the territory of Nizza by the IV Army took place, Dr Barranco was officially requested to coordinate in that territory the Public Safety services for the protection of the occupation troops.

After the armistice in September 1943, Barranco who had taken refuge in Italy in order to escape the Germans, was arrested on 23 September 1943 in Bordighera by the German S.S. and taken to Nizza. From there he was transferred to Rome and then to Paris, kept under strict watch by the German S.S. until June 1944 when his internment in Germany was ordered. However, shotly before his departure, with the help of a false passport, Dr Barranco succeeded to escape from the Germans and to take refuge in Italy where he made himself unfindable, eluding the researches of German Commands.

Dr Barranco is completely innocent of all the charges made against him, as they do not refer to him at all, but only to SIM's military services, in which he had no part.

In fact, Villa Lynwood was a little concentration camp of the IV Army entrusted to the Italian Carabinieri, without any interferance of Dr Barranco who therefore has nothing to do with the alleged illtreatments of the inmates, as also results from the statements of the defendants Blanoard, Neumard, Lederman, Costo, Carenco and Guetta who truly never mentioned Barranco's name in their depositions as they could not have any reason to do so.

Evidently, the denunciation sent to London seems unfounded, at least as far as Dr Barranco is concerned, whose name must have been mentioned only by mistake or misunderstanding, for the fact itself that it was known as that of an Italian police fucdionary and many people could imagine that the Carabinieri and their Officers depended from him, while this was not so at all.

On the other hand, Dr Barranco has also carried out other police operations of an ordinary nature, ordered by the Italian Government, in the rightful performance of his duties, performed in perfect legality - before the armistice - applying Italian laws according to his duty and as results from the files still existing in Rome at the Ministry of the Interior where the relative ~~militia~~ reports, minutes, documents and seized valuables are deposited, for which no claim has been made against him. Dr Barranco always restrained himself to perform his duties as officer and as police official and has never acted arbitrarily or overbearingly: no personal charge can be made against him as he always behaved as a loyal servant of the Italian State and as perfect gentleman.

???

41a

1060

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

The charges made against Barranco in the London denunciation sent by French authorities have already been examined in Italy by the High Commissary for the Punishment of Fascist Crimes who - having checked the accusations as well as the defendant's specifications and defense - has not found any personal responsibility and therefore has not considered the opportunity of proceeding against him.

On the other hand, after the September 1943 armistice, and even before, Dr Barranco has been a sympathizer with the French Resistance Cause and has acquired considerable merits towards the French patriots as results from the enclosed photographic reproductions of certificates issued by Colonel Fajol, Major Chotard, Dr Donati and by the statement made by Mr Soniee, once Chief of the Italian Police, interned in Germany by the Germans.

Owing to his attitude, Dr Barranco was not well seen by the Germans who suspected him and in vain asked him to collaborate with them when they arrested him after the armistice.

Besides, after fleeing to Italy, Barranco cooperated with the Allied information services in Switzerland through the French Commander Rossignoli who was residing in Geneva. In April 1945, Dr Barranco's courier, a certain Aldo Neri, having been arrested in Switzerland, Barranco was also implicated in the process for the violation of Swiss neutrality made against Neri. The Command of the American Police in Milan has knowledge of this matter as it intervened in order to obtain from the Swiss authorities Neri's liberation.

Dr Barranco can present all the documents and declarations required for the most detailed inquiry about his person, an objective inquiry which to the present moment has been in vain requested from the French Authorities, even through the Command of the Surete Militaire in Milan.

6226

41a

1061

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

AUG 20 1946

AG/4119/5/1.

20 August 1946.

SUBJECT: Italian Officials denied by the French authorities as war criminals.

TO : Allied Force Headquarters.
Attn: G-5 Section.

40

1. You will find attached a letter from the French Liaison Officer to the Allied Commission whereby the French Government requests the handing over of three alleged Italian War Criminals for trial before a French Court.

2. The French Liaison Officer stated verbally that he understood that these men were still members of the Italian Police Force and had previously been employed by the Allies.

3. This H.Q. would appreciate being informed of whatever action, if any, you intend to take in the matter.

4. As the matter of war criminals does not come within the functions of the Allied Commission I am making no recommendations.

For the Chief Commissioner:

M. S. LUSH

Brigadier,
Executive Commissioner.

Copy to: Chief Commissioner ✓) with copy of letter
Executive Commissioner) under reference.

See 41a

6995

(41)

1062

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

CC

TRANSLATION

ALLIED COMMISSION IN ITALY

Rome, 8th August 1946

N.349

Le Captain de Vaisseau Heron de Villefosse
French Repr. to Allied Commission in Italy to

Rear Admiral Ellery W.Stone
Chief Commissioner - A.C.

SUBJECT: Arrest of war criminals.

Enclosed:Copy of the file n.1267 of London's Commission

Ref. :Art.29 of Armistice 29 September 1943.

I have the honour to ask you, on behalf of my Government, for the arrest, and further for the hand over to the French Authorities, of the following Italian citizens.

BARBARO, ex Chief of the OVRA at Nice.

VALETTE, alias SALERNO, ex commissioner of the OVRA at Nice.

TIBALDI, alias PESCARA or di RENTA, ex commissioner of the OVRA at Nice and Captain of Carabinieri.

These three men are in fact, charged with crimes, murders, illegal arrests, kidnapping, injuries and thefts, for which the investigating magistrate of the Military Tribunal in Marseille gave the order to arrest them.

Besides they appear on the list of war criminals of the United Nations Commission at London.

I enclose herewith the copy of the file n.1267 of London in which you will find more details about the above mentioned people.

/S/ HERON DE VILLEFOSSE

6994.

See 41
41a

for attachment to
AC/319/3/a dated 20/8/46

41

1063

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

COMMISSION ALLIEE
en ITALIE

Le Représentant Français
N° 349

Rome, le 9 Août 1945

Le Capitaine de Vaisseau HERON de
VILLEFOSSE

Représentant Français à la Commission
Alliée en Italie

à

Monsieur le Contre-Amiral KIRBY SMITH
Chief Commissioner A.C.

OBJET : Arrestation de criminels de guerre

P.Jointes : Copie du dossier N°1267 de la Commission de Londres.

REFERENCE : Art. 29 de l'Armistice du 29 Septembre 1943.

J'ai l'honneur de vous demander, de la part de mon Gouvernement, que soit procédé à l'arrestation, et ultérieurement à la remise aux mains des autorités françaises, des trois ressortissants italiens suivants:

BARRANCO, ex-chef de l'O.V.R.A. à NICE
VALENTE, alias BARRANCO, ex-commissaire de l'O.V.R.A. à NICE
TESAN, alias PESCARA ou di RESTA, ex-commissaire de l'O.V.R.A. à NICE et Capitaine de Carabiniers.

Ces trois individus sont en effet inculpés d'association de malfaiteurs, homicides volontaires, arrestations illégales, séquestrations de personnes, coups et blessures, et vols, et de ce fait ont fait l'objet de mandats d'arrêt du juge d'Instruction près le Tribunal Militaire de MARSEILLE. D'autre part ils figurent sur la liste des criminels de Guerre de la Commission des Nations Unies à LONDRES. Je joins à la présente lettre la copie du dossier N° 1267 de LONDRES donnant de plus amples détails sur ces individus.

Sgd.: de Villefosse

6333

(40)

1064

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

copy

copy

Ref. : 6517/EC

15 June 1946.

Dear Doctor Prunas,

I refer to your letter 16004/26 dated the 14th May 1946 addressed to Admiral Stone, on the subject of the Investigating Commission which is examining the question of War Criminals.

As a result of most careful consideration, I have to inform you that while greatly appreciating the invitation, the Allied Authorities do not feel that any useful purpose will be served in sending an observer to be present at the enquiries of the Investigating Commission of Italian War Criminals now being conducted.

Yours very truly,

/s/ M.S.LUSH

Brigadier,
Executive Commissioner.

Doct. R.Prunas,
The General Secretary,
Ministry of Foreign Affairs,
Italian Government,
Rome.

2602/45

2932

39a

1065

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

ACSIC TO ALCOM 15 June 1946

DIRECTOR

CIC CHEF FOR A CHIEF BRANCH

3695 CONFIDENTIAL

SUBJECT IS WAR CRIMES DASH COLONEL CASTELLI TARGET PD

REFERENCE CHANGE NOW QUOTE LETTER ONE SIX ZERO TWO SIX SLASH A DASH 3 UNQUOTE DATED TWO SEVEN MAY FOUR SIX [redacted] PD

PARA ONE PD TARGET HAS BEEN ARRESTED AND NOW DETAINED AS POW/INTERNEE PAREN HELD PAREN PRISON AWAITING DISPOSITION BY MILITARY REPORT PD

PRIORITY

Public Safety S/C

686

A.H. ELLIS, Captain.

NICHOLAS MORELLO
CWO USA
Asst. Adjutant.

1066

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

6 June 1946.

Executive Commissioner:

Please note and return.

Seen by E&C. 15/6

E.W.S.
CC

S-E-C-R-E-T

1067

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

4 June 1946.

My dear Mr. Key:

Thank you for your letter of June 3 enclosing paraphrase of a secret telegram received from the Department of State outlining the most recent American views with respect to the surrender of Quislings and other persons in Italy, requested by the Tito regime, to Yugoslavia.

Sincerely yours,

for ELLERY W. STONE,
Rear Admiral, USNR
Chief Commissioner

David McK. Key, Esq.,
Charge d'Affaires a.i.
American Embassy,
Via Veneto 119,
ROME.

2/8026

XCAL

R930

37

1068

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

JUN 4 RECD
1205

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

S E C R E T

AMERICAN EMBASSY

Rome, Italy, June 3, 1946.

My dear Admiral Stone:

I am enclosing as of possible interest to you and the appropriate officers of the Allied Commission, paraphrase of a secret telegram received from the Department of State outlining the most recent American views with respect to the surrender of Quislings and other persons in Italy, requested by the Tito regime, to Yugoslavia.

Sincerely yours,

David McK. Key,
Charge d'Affaires a.i.

Enclosure:
Paraphrase of telegram.

Rear Admiral Ellery W. Stone, USNR,
Chief Commissioner,
HQ, Allied Commission.

800.

37

1069

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

S E C R E T May 18, 1945

Subject is Quisl' 's in Italy whose surrender to Yugoslavs, US and UK has been approved.

British Embassy here has discussed with Department of State feasibility and desirability of taking further measures to arrest such persons. Embassy London is being informed by Dept that it is not fearful of Yugoslav charges of failure to pursue this question. Opinion of Dept is that records show careful attention has been given to Yugoslav demands for surrender of such people (though request have usually been so vague and lacking in detail that arrest and identification from them would be impossible), and that as a matter of fact the surrender has been authorized of between sixty and seventy persons of this type when they have been located and Zone Commanders in Germany, Italy and Austria instructed accordingly. Latest directive of this type was transmitted at end of March as FAN 654, calling for further efforts to uncover these persons and turn them over to Yugoslav Government, In addition, it seems unlikely that the arrest of a small number of Quislings who may possibly be in Italy would improve relations between Yugoslavia and the US and UK or that such action would in any way eliminate continuing pressure from the Yugoslavs after the departure of Allied troops from Italy, for the return of Yugoslavs whose only crime is their non-adherence to the Tito regime.

****

Decision on surrender of other Yugoslavs requested by the Yugoslav Government is being expedited and coordinated action will be taken with the British Embassy. Again, however, it may be remarked that same difficulties are being experienced in identifying the people by the inadequate identifications, and in some cases, nicknames alone, furnished by the Yugoslavs, and that clear specifications of the crimes allegedly committed by these people are also lacking.

ACHESON ACTING.

6228

37

SECRET

HEADQUARTERS ALLIED COMMISSION
A.P.O. 394
CIVIL AFFAIRS SECTION

REF : SD/266.01-91

23 May 1946

SUBJECT : War Crimes

TO : Ministry of Foreign Affairs

1. Reference your recent applications for the handing over of certain German Military for trial.

2. The policy at present is to hand over to the Italian Authorities responsibility for the trial of enemy nationals accused of atrocities or War Crimes committed against Italians, provided such persons are not required for trial by any Allied Nation.

3. (a) The one exception is the case against German senior officers who were responsible for the organisation and planning of the reprisal campaign against the Italian civil population. This case will be tried before a British Military Court, it has reached an advanced stage of preparation and it is hoped that the German Generals concerned will be brought for trial shortly.

(b) Field Marshal KESSELRING is included among the accused. In view of the fact that the Ardeatine Caves atrocities form a large part of the evidence Col. KAPPLER and Lt. Col. DOLLMAN, if not charged themselves will be required as witnesses.

4. Regarding the application in respect to General MULLER, this cannot be complied with as he was recently transferred to GREEK custody for trial on War Crimes charges.

5. (a) No trace has yet been found of the German Officers listed as responsible for the War Crimes on the Island of CEFALONIA. The documents containing particulars of the charges and the evidence in support are being translated, when completed consideration will

6997

1 0 7 0

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

2. The policy at present is to hand over to the Italian Authorities responsibility for the trial of enemy nationals accused of atrocities or War Crimes committed against Italians, provided such persons are not required for trial by any Allied Nation.

3. (a) The one exception is the case against German senior officers who were responsible for the organisation and planning of the reprisal campaign against the Italian civil population. This case will be tried before a British Military Court, it has reached an advanced stage of preparation and it is hoped that the German Generals concerned will be brought for trial shortly.

(b) Field Marshal KESSELRING is included among the accused. In view of the fact that the Ardeatine Caves atrocities form a large part of the evidence Col. KAPPLER and Lt. Col. DOLLMAN, if not charged themselves will be required as witnesses.

4. Regarding the application in respect to General MULLER, this cannot be complied with as he was recently transferred to GREEK custody for trial on War Crimes charges.

5. (a) No trace has yet been found of the German Officers listed as responsible for the War Crimes on the Island of CEFALONIA. The documents containing particulars of the charges and the evidence in support are being translated, when completed consideration will be given to your request. It is suspected that some of the names may be wrongly spelt, in which case they are useless for tracing purposes. I wish to point out that accurary in this respect is absolutely vital.

(b) If your application is approved all possible assistance, within its powers, will be afforded by the Allied Military Authorities but it must be appreciated that owing to extensive War Crimes investigations at HQ the initiative in this case must be taken by the Italian Authorities.

FOR THE CHIEF COMMISSIONER:

M Carr Brigadier

M. CARR,
Brigadier,
Vice President,
Civil Affairs Section.

16a File

Confidential

Declassified E.O. 12356 Section 3.3/NND No. 735015

1072

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

Ref: 6517/143/EC.

2 May 1946.

My dear Mr. Prime Minister:

With further reference to your letter No. 440 dated 9 April 1946 on the subject of the handing over of Italian war criminals to Yugoslavia I have to inform you that the American and British Governments are fully aware of all the implications of this question and are giving it their active consideration.

It will materially assist the Allied Authorities if you will forward as soon as possible the results of the enquiries now being made by the Ministry of War which you mention in the last paragraph of your letter.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USN
Chief Commissioner

Hon. Alcide De Gasperi
President of the Council of Ministers
Italian Government
Rome.

R928

Copy to:

Polad (A)) 6517/EC dated 13 April 46 and
Polad (B)) 6517/136/EC dated 16 April 46 refer.
CA Section)

(36)

1073

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

QUIRI.

IL MINISTRO DELLA GUERRA.

No.440

Rome, April 9th, 1946.

Dear Admiral Stone,

According to a Reuters' news item dated March 26th it appears that the Governments of the United States and of Great Britain have informed the Government of Yugoslavia that instructions were imparted to the Allied Forces Headquarters at Caserta for the delivery to the latter of Italian war criminals.

I deem it superfluous, dear Admiral Stone, to call you attention upon the extreme seriousness of such a step, should the information be correct. In fact I cannot conceal that a request of delivery to Yugoslavia of Italian subjects would arouse in this country a dangerous reaction and a justifiable indignation since very grave news is daily received of criminal acts perpetrated by the Yugoslav Authorities against Italians, as also testified by repatriated POWs and by the "foibe" of the Carso and Istria regions.

The feelings thus aroused would necessarily react upon certain aspects of the internal situation, the gradual normalisation of which ought not to be perturbed, especially during the period preceding the elections to the Constituent Assembly.

Furthermore, only too well known are the methods followed now by Yugoslav Courts, giving no guarantee whatsoever of compliance with the most elementary principles of justice.

On the other hand there are strong juridical arguments which give support to the fact that in this matter the treatment envisaged for Italy, according to the Moscow Declaration itself, differs from the one established for Germany. In this connection I beg to inform you that the Ministry of War, in order to ascertain the responsibilities into which Italian Commanders as well as other military personnel in territories formerly occupied by Italian Armed Forces might have incurred, and in order to punish those who may prove guilty of war crimes, is carrying out an accurate inquiry, the result of which will be notified to the Allied Commission as soon as possible.

(sgd) DE GASPERI.

6925

Se Alt (36)

533a

1074

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

APR 2 8 1943

COPY

IL MINISTERO DEGLI AFFARI ESTERI

No. 440

Rome, April 9th, 1946

Dear Admiral Stone,

According to a Reuters' news item dated March 26th it appears that the Governments of the United States and of Great Britain have informed the Government of Yugoslavia that instructions were imparted to the Allied Forces Headquarters at Caserta for the delivery to the latter of Italian war criminals.

I deem it superfluous, dear Admiral Stone, to call your attention upon the extreme seriousness of such a step, should the information be correct. In fact I cannot conceal that a request of delivery to Yugoslavia of Italian subjects would arouse in this country a dangerous reaction and a justifiable indignation since very grave news is daily received of criminal acts perpetrated by the Yugoslav authorities against Italians, as also testified by repatriated POWs and by the "foibe" of the Carso and Istria regions.

The feelings thus aroused would necessarily react upon certain aspects of the internal situation, the gradual normalization of which ought not to be perturbed, especially during the period preceding the elections to the Constituent Assembly.

Furthermore, only too well known are the methods followed now by Yugoslav Courts, giving no guarantee whatsoever of compliance with the most elementary principles of justice.

On the other hand there are strong juridical arguments which give support to the fact that in this matter the treatment envisaged for Italy, according to the Moscow Declaration itself, differs from the one established for Germany. In this connection I beg to inform you that the Ministry of War, in order to ascertain the responsibilities into which Italian Commanders as well as other military personnel in territories formerly occupied by Italian Armed Forces might have incurred, and in order to punish those who may prove guilty of war crimes, is carrying out an accurate inquiry, the result of which will be notified to the Allied Commission as soo n as possible.

(sgd) DE GASPERI.

Mario
268/11

1075

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

COPY

IL MINISTERO DEGLI AFFARI ESTERI

No. 440

Rome, April 9th, 1946

Dear Admiral Stone,

According to a Reuters' news item dated March 26th it appears that the Governments of the United States and of Great Britain have informed the Government of Yugoslavia that instructions were imparted to the Allied Forces Headquarters at Caserta for the delivery to the latter of Italian war criminals.

I deem it superfluous, dear Admiral Stone, to call your attention upon the extreme seriousness of such a step, should the information be correct. In fact I cannot conceal that a request of delivery to Yugoslavia of Italian subjects would arouse in this country a dangerous reaction and a justifiable indignation since very grave news is daily received of criminal acts perpetrated by the Yugoslav authorities against Italians, as also testified by repatriated POWs and by the "foibe" of the Carso and Istria regions.

The feelings thus aroused would necessarily react upon certain aspects of the internal situation, the gradual normalization of which ought not to be perturbed, especially during the period preceding the elections to the Constituent Assembly.

Furthermore, only too well known are the methods followed now by Yugoslav Courts, giving no guarantee whatsoever of compliance with the most elementary principles of justice.

On the other hand there are strong juridical arguments which give support to the fact that in this matter the treatment envisaged for Italy, according to the Moscow Declaration itself, differs from the one established for Germany. In this connection I beg to inform you that the Ministry of War, in order to ascertain the responsibilities into which Italian Commanders as well as other military personnel in territories formerly occupied by Italian Armed Forces might have incurred, and in order to punish those who may prove guilty of war crimes, is carrying out an accurate inquiry, the result of which will be notified to the Allied Commission as soo n as possible.

(sgd) DE GASPERI.

1076

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

APR 18 REC'D

Ref: 6517/136/80

16 April 1946

My dear Mr. Prime Minister,

I have to acknowledge your letter ref. No. 440 dated 9 April 1946 on the subject of the handing over of Italian war criminals to Yugoslavia.

This matter has been referred to the proper authorities and if I have any information to give you I will of course communicate at once.

Yours very truly,

M S. LUSH

Brigadier,
Acting Chief Commissioner.

Copy to:- Chief Commissioner —
Polad 'A'
Polad 'B'
C.A. Section.

1077

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

SECRET.

HEADQUARTERS ALLIED COMMISSION
Office of the Chief Commissioner
APO 394

APR 15 RECD

Ref: 6517/EC. 13 April 1946.

SUBJECT: War Criminals.

TO : Allied Force Headquarters.
Attn: G-5 Section.

Encl.

1. I forward herewith copy of a representation received from the Ministry of Foreign Affairs concerning the alleged surrender of Italian War Criminals to Yugoslavia.

2. Whatever may be the accuracy or otherwise of the Reuters reports, the facts are that the Yugoslav Representative on the Advisory Council has requested the surrender of all Italians listed by Yugoslavs as war criminals.

3. This matter has, I understand, been the subject of telegrams between the British Embassy,- British Resmin AFHQ, and therefore AFHQ. US Poland has associated himself with the views of the British Resmin who reflects those of the British Embassy.

4. The matter was referred to SACMED recently by General Infante.

M S [illegible]

Brigadier,
Acting Chief Commissioner.

MSL/JG.

Copy to: Chief Commissioner
Polad (A)
Polad (B)
CA Section
File
Float

copy

34

1078

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

C O P Y

IL MINISTERO DEGLI AFFARI ESTERI

No. 440

Rome, April 9th, 1946

Dear Admiral Stone,

According to a Reuters' news item dated March 26th it appears that the Governments of the United States and of Great Britain have informed the Government of Yugoslavia that instructions were imparted to the Allied Forces Headquarters at Caserta for the delivery to the latter of Italian war criminals.

I deem it superfluous, dear Admiral Stone, to call your attention upon the extreme seriousness of such a step, should the information be correct. In fact I cannot conceal that a request of delivery to Yugoslavia of Italian subjects would arouse in this country a dangerous reaction and a justifiable indignation since very grave news is daily received of criminal acts perpetrated by the Yugoslav authorities against Italians, as also testified by repatriated POWs and by the "foibe" of the Carso and Istria regions.

The feelings thus aroused would necessarily react upon certain aspects of the internal situation, the gradual normalization of which ought not to be perturbed, especially during the period preceding the elections to the Constituent Assembly.

Furthermore, only too well known are the methods followed now by Yugoslav Courts, giving no guarantee whatsoever of compliance with the most elementary principles of justice.

On the other hand there are strong juridical arguments which give support to the fact that in this matter the treatment envisaged for Italy, according to the Moscow Declaration itself, differs from the one established for Germany. In this connection I beg to inform you that the Ministry of War, in order to ascertain the responsibilities into which Italian Commanders as well as other military personnel in territories formerly occupied by Italian Armed Forces might have incurred, and in order to punish those who may prove guilty of war crimes, is carrying out an accurate inquiry, the result of which will be notified to the Allied Commission as soon as possible.

(sgd) DE GASPERI.

34

1079

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

Ref: AG/14318/PS.

2 April 1946.

SUBJECT: Eugenio VENTURA.

TO : "A" Branch,
G.H.Q., C.M.F.

1. On 8th March the Minister of Foreign Affairs of the Italian Government reported to the Chief Commissioner that a Mr. Eugenio VENTURA, an antique dealer of FLORENCE, had been arrested in FLORENCE and was being kept in custody pending his removal to PARIS by the Allied authorities.

2. The Minister of Foreign Affairs protested against this action in the attached letter.

3. On my instructions the Public Safety Sub-Commission sought information from you and elicited the following:

(a) that VENTURA was listed in the United Nations war criminals list and was taken into custody for this reason;

(b) that the "French military authorities" mentioned in the Foreign Minister's letter are members of the French War Crimes Commission in ITALY;

(c) that VENTURA was a French national and that he was at present in British custody in FLORENCE.

4. On this information a letter was prepared for the Minister of Foreign Affairs stating that in view of the facts described above and in view of the obligation of the Italian Government to hand over war criminals, Mr. VENTURA could not be released.

5. Before actually despatching the letter I again instructed that confirmation be sought as to whether Mr. VENTURA was actually on the war criminals list or not. I am now informed by your Section that he is not on the war criminals list but has been arrested in accordance with policy laid down by the C.C.S.

6. In order to enable me to reply to the Italian Government I should be glad to know what this policy is and by what right Mr. VENTURA, a French national in territory under the Italian Government, has been arrested by Allied military authorities without apparently any reference to the Italian Government.

For the Chief Commissioner:

M. S. LUSH

Brigadier,
Executive Commissioner.

Copy to: Chief Commissioner.
Exec. Commissioner.

(37)

MINISTERO DEGLI AFFARI ESTERI.
Il Segretario Generale.

COPY.
Rough Translation.

No. 16/7609/19.

Rome, March 8th, 1946.

Dear Admiral Stone,

A report has been received from Florence by the "Reali Carabinieri" stating that on March 4th inst. at 12 noon the French military authority, with the British Police assistance, have proceeded to arrest Mr. Eugenio VENTURA, an antique dealer, and that same is now under guard in a private hospital, pending his removal to Paris by Allied Authorities.

I have reason to believe that Mr. Ventura's arrest is related to the finding and the seizure by the Italian Authorities, following information supplied by the Allied Commission Monuments and Fine Arts Sub-Commission, of nine pictures by French painters, presumed to have been illegally removed by the Germans and which were found in Mr. Ventura's possession. This matter has been for some time the subject of correspondence between this Ministry and the French Embassy in Rome, which has been informed that said paintings will be returned to the French Government as soon as the latter has furnished proof that the paintings in question were a part of French collections. On the other hand the proper Italian Authorities are investigating Ventura's actual responsibilities and there is no doubt that they will proceed in the matter according to the provisions of law and rigorously:

In view of the above, I am obliged to point out that:

1st - In accordance with provisions of International law as established by custom and usage, the power of punish vested in the Occupation authorities with regard to the occupied State's citizens, only concerns occurrences during the occupation and dangerous to the security of the occupying forces, omitting former occurrences and facts having no connection with the occupation;

2nd - According to the terms of the Armistice between the United Nations and Italy, the enforcement of rights of occupying power is attributed to the Allied Commander-in-Chief and does not belong - separately - to the French armed forces;

6918

3rd - In provinces returned to Italian administration, the Allied Armed Forces' power to undertake arrests may

1080

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

In view of the above, I am obliged to point out that:

1st - In accordance with provisions of International law as established by custom and usage, the power of punish vested in the Occupation authorities with regard to the occupied State's citizens, only concerns occurrences during the occupation and dangerous to the security of the occupying forces, omitting former occurrences and facts having no connection with the occupation;

2nd - According to the terms of the Armistice between the United Nations and Italy, the enforcement of rights of occupying power is attributed to the Allied Commander-in-Chief and does not belong - separately - to the French armed forces;

3rd - In provinces returned to Italian administration, the Allied Armed Forces' power to undertake arrests may be implemented only toward persons who have accomplished actions or crimes to the damage of same Allied Armed Forces;

4th - Even if Ventura's alleged act could be included in those cases in which the Allied Forces have maintained powers of undertaking arrests, Ventura should be judged by the Italian judicial authority, unless the Allies deem it is a case to be submitted to their military courts in Italy, which - though conforming to their own procedure - apply Italian Laws;

5th - Ventura's extradition cannot take place because it is contrary to provisions of Italian laws as well as to the terms of the Italo-French extradition agreement of May 12th, 1870, excluding extraditions of citizens of the respective countries. Nor does the Armistice convention depart from such rule.

It is our viewpoint on the question that Mr. Ventura, instead of being transferred to France, should be handed over to the Italian Authorities which alone have jurisidiction in the matter.

-1-

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

I am convinced, dear Admiral Stone, that you share such opinion and that, accordingly, you will issue suitable instructions to the proper Allied authorities.

I shall be very grateful to you if you will kindly keep me informed as to your action in the matter, and I avail myself of this opportunity, dear Admiral Stone, to convey to you the expression of my friendliest greetings.

Very sincerely yours,

(Sgd) R. PHUMAS.

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

1083

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

MAR 5 RECD

VW/16171/90/7
021500A

H/127
MARCH 041715

IMPORTANT

JAG NAPLES
MMIA ROME

CONFIDENTIAL

CONFIDENTIAL

Following italians urgently wanted for most serious war crime. Bellini Giovanni Bellino.Lieut. Comd Gnr Mesola.Said to be hiding in district.Son of Nino and late San Giorgi Savini.Born Ariano Polesine 26 Nov 08.Borrini Carlo Aldo.Son of Cesare and Riva.Born La Spezia 25 Augo3. Vice Brigadiere OP.Artificial ARM.Hold italian silver medal. Gatti Giorgio.Doctor of law.Age about 35.Height 1 point 75 metres.Paents believed in Milan.Born Campiglia Marittima on 24 Aug 98.Spina Salvatore. Milite.19 brigata nera.Class 1923.Scar near 1 eye.Bullet wound in right calf.Zambemi Giorgio.Capitano Gnr and Comd 2 coy OP Adria.Lame.Son of Genserico or Cesarino and medic Innocenzo.Born Bologna 1 Nov 09.All above arrestable where found.Wanted for interrogation only.Valente Nicolo.Capp [redacted]. Age 30 approx.Height 1 point 65 metres.Member OP Adria. Request all possible action including questura and carabinieri Channels. Request any traces by signal soonest to JAG Naples RPTD A branch GHQ CMF.

AC DIST

ACTION: MMIA

INFO: CHIEF COMMISSIONER
P SAFETY SC
FILE
SKELETON

CONFIDENTIAL

6218

31

1084

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

Cable SIME/95495 dated 14 Mar 46.

Transferred to CE 3955 folio 87

C7142
C917

32

1085

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

CC 2608 18 February 1946.

My dear Mr. Ambassador:

Thank you for your letter of 16 February 1946 forwarding the Sixteenth List of War Criminals.

Very truly yours,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Hon. Alexander Kirk,
American Ambassador,
119 Via Vittorio Veneto,
Rome.

2608 / 2

815

30

1086

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

CONFIDENTIAL

Ref: 4/29.8/CA. 6 February 1946.

Dear Dr. Smodlaka,

Allied Force Headquarters have forwarded to me your letter Pov. br. 37/46 of 8 January 1946 and have forwarded instructions as to procedure to be adopted in the future.

In future all requests for arrests of persons whose names are included in the lists issued by the United Nations War Crimes Commission will be addressed to this Headquarters who will take action in the matter. Such requests will be forwarded to DAFM (SIB) c/o JAG, Naples, by this HQ, who will be asked to effect the arrest and inform you of the action taken. The action thereafter will be the responsibility of SIB and not of Allied Commission.

If the person concerned is not on the War Crimes Lists and his arrest is desired, you should forward all applications of this nature for inclusion in the War Crimes Lists to the War Crimes Commission through the usual diplomatic channels.

There is forwarded for your perusal copy of letter addressed to DAFM (SIB) c/o JAG Naples, along with list of persons who are on the War Crimes Lists and whose arrest you have requested.

Very truly yours,

M. S. LUSH

Brigadier,
Acting Chief Commissioner,

Dr. SLOVEN J. SMODLAKA,
Deputy Representative of Jugoslavia,
Advisory Council for Italy,
R O M E.

Copy to: G. Gen. ✓
Ex. Gen.

29

1087

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

CC 2608 18 February 1946.

My dear Mr. Ambassador:

Thank you for your letter of 16 February 1946 forwarding the Sixteenth List of War Criminals.

Very truly yours,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Hon. Alexander Kirk,
American Ambassador,
119 Via Vittorio Veneto,
Rome.

Sent Plan
2608/rc

1088

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

CC 2608 18 February 1946.

My dear Mr. Ambassador:

Thank you for your letter of 16 February 1946 forwarding the Sixteenth List of War Criminals.

Very truly yours,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Hon. Alexander Kirk,
American Ambassador,
119 Via Vittorio Veneto,
Rome.

212

1089

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

CONFIDENTIAL

FEB 18 REC'D

Ref: W/29.8/CA.

16 February 1946.

SUBJECT: Arrest and Hand-over of Italian War Criminals.

TO: DAFM (SIB).
c/o JAG, MARINE.

Reference is made to letter from AFHQ, G-5 Section, ref. G-5: 000.5-6 dated 4 Feb 46 addressed to this Headquarters, copy of which is attached.

1. There is attached hereto list of persons in the War Crimes List which Dr. Smodlaka, Deputy Representative of Jugoslavia to the Advisory Council for Italy, has requested be arrested and handed over to the Jugoslav authorities.

2. It is presumed that you will take the necessary action and arrange for the Jugoslav representatives being informed so that they may take over the prisoners named.

M. S. LUSH

Brigadier,
Acting Chief Commissioner.

Copy to: C. Com.
Dk. Com

28

1090

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

From: Lt. Colonel H. McCleary, Acting Executive Commissioner.

PERSONAL.

JAN 12 REC'D

6.6.

Ref: 6517/EC. 11 January 1946.

Dear

The Admiral has asked me to reply to your personal letter to him A215 of 10 January. He asks me to request you to be good enough to prepare for his signature a letter to Allied Force Headquarters further to that of his letter 6517/100/EC dated 21 December 1945 on the lines of your DO letter now under reply.

Yours

F. H. McCLEARY

Major General L. BROWNING, CB, CBE, MC,
Land Forces Sub-Commission, A.C.,
(M.M.I.A.) HOLE.

6710
6710

SUBJECT: War Crimin[illegible]s.

PERSONAL

Major General L. Browning, CB, CBE, MC.,
Land Forces Sub-Commission, A.C.,
(M.M.I.A.) R O M E

A 215
10 January, 1946

My dear

1. I feel that I should notify you of certain angles of the situation as regards War Criminals, as below.

2. Request by AFHQ to locate and identify certain Italian personnel started about Aug. 1944. Recently, investigations have been very much more intensified, and under our latest instructions we have to signal GHQ immediately a "listed" person is located. War Office have now said that War Crimes investigations must take first priority and as many cases as possible completed in next few months. GHQ have pointed out that many of the "listed" persons are wanted for interrogation and not as criminals, but MMIA have no means of knowing which from the other. It is not possible to tell from GHQ letters whether the alleged crime is against ourselves or such people as the Yugo Slavs.

3. The list at present contains a great many names, among them six Generals and twenty-nine Colonels.

Best known Generals are BERARDI, ORLANDO AND SCATTINI.

BERARDI AND ORLANDO were released from POW at Allied request in 1943 and made C of S and War Minister by the Allies. BERARDI is now com-manding SICILY. SCATTINI was appointed by General WESSEL, fought with the FRIULI Group which he commanded alongside the Allies and had a fine record. He is still in command. BERARDI and ORLANDO are believed to be connected with incidents in YUGO SLAVIA. ORLANDO seems to have a guilty conscience. The War Office appear to be particularly interested in BERARDI.

4. Arrest, or even detention for interrogation, particularly if at short notice, of senior Generals must inevitably cause alarm and despondency and affect the morale of the Italian Army. This would especially occur if the Generals mentioned in para 3 were suddenly arrested. Arrests in certain cases

6209

Rodi/cc

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

but MMIA have no means of knowing which [illegible]
to tell from CMQ letters whether the alleged crime is against ourselves or such people as the Yugo Slavs.

3. The list at present contains a great many names, among them six Generals and twenty-nine Colonels.

Best known Generals are BERARDI, ORLANDO AND SCATTINI.

BERARDI AND ORLANDO were released from POW at Allied request in 1943 and made C of S and War Minister by the Allies. BERARDI is now commanding SICILY. SCATTINI was appointed by General MESSE, fought with the FRULLI Group which he commanded alongside the Allies and had a fine record. He is still in command. BERARDI and ORLANDO are believed to be connected with incidents in YUGO SLAVIA. ORLANDO seems to have a guilty conscience. The War Office appear to be particularly interested in BERARDI.

4. Arrest, or even detention for interrogation, particularly if 6209 at short notice, of senior Generals must inevitably cause alarm and despondency, and affect the morale of the Italian Army. This would especially occur if the Generals mentioned in para 3 were suddenly arrested. Arrests in certain cases are just starting. The Ministry of War knows that our requests for information are connected with War Crimes, but they don't know who we suspect and who is wanted only for interrogation.

5. Certain signals received from AGWC, (see Appendix 'A') have given orders for the immediate arrest of Italians, and later communications have indicated that persons arrested are not wanted as War Criminals but as witnesses. It is considered that it would be most unfortunate if orders were given for the arrest of a senior serving Italian General and his transfer to a POW Camp, if he was wanted purely as a witness and not as an accused.

6. The whole question although one of extreme delicacy has, up to now been dealt with by AFHQ as a routine matter on a comparatively low staff level, direct with MMIA. I feel it needs looking into and a definite statement of considered policy be made immediately.

Your letter to AFHQ went out under 6517/100/EC dated 21 Dec. A copy attached - Appendix 'B').

(26)

7. While the course of justice must in no way be obstructed,

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

I feel it is my duty to bring the above aspects of the matter to your notice for any action you may think fit.

Yours
/s/ L.B.

Rear Admiral ELLERY W. STONE.
Chief Commissioner,
Allied Commission.

/ec

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

/ec

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

Ref: 6517/I00/EC

21 December, 1945

SUBJECT: Person Wanted by the Allied Autorities

TO : AFHQ (Attn: G-5 Section)

I. There has been lately a considerable increase in the number of request for the information in respect of Italian Officers and men, believe to be connected with War Crimes against the Allies. It is understood that these requests originate with the International War Crimes Investigation Authorities , from whom they are passed via AFHQ to Land Forces Sub-Commission, Allied Commission (MMIA) for investigation by the Italian War Ministry.

2. In recent lists appear the names of serveral Italian Generals and senior officers who are well known to have co-operated wholeheartedly And fought with the Allied Armies in Italy since September 1943, who are still engaged with us in reorganising the Italian Army as required by the Allied Combined Chief of Staff, and on whose services reliance is being placed for future co-operation and success.

3. It is realized that in many cases requestsfor tracing these officers are based on very scanty information and that they may be required more for purpose than for actual indictment; nevertheless, such demands , paticularly when made in their present form, are likely to have a disturbing effect on the morale, confidence and co-operation of the Italian Army.

4. It should also be remembered that the same time there is going on the Italian defascistisation and epuration campaign involving investigations into the former activities of most Italian officers.

5. Although this matter has been discussed with the Ministry of War, it is clear that they are a little disturbed at these requests and it is only natural to suppose that, not knowing for what purpose the information on a individual is required, they may in some cases not pursue their investigations as energetically as they should.

6. It is obvious that inquiries must be made in respect of those

2606/2

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

and fought with the Allied [illegible], still engaged with us in reorganising the Italian Army as required by the Allied Combined Chief of Staff, and on whose services reliance is being placed for future co-operation and success.

3. It is realized that in many cases requestsfor tracing these officers are based on very scanty information and that they may be required more for purpose than for actual indictment; nevertheless, such demands , particularly when made in their present form, are likely to have a disturbing effect on the morale, confidence and co-operation of the Italian Army.

4. It should also be rememberedthat the same time there is going on the Italian defascistisation and epuration campaign involving investigations into the former activities of most Italian officers.

5. Although this matter has been discussed with the Ministry of War, it is clear that they are a little disturbed at these requests and it is only natural to suppose that, not knowing for what purpose the information on a individual is required, they may in some cases not pursue their investigations as energetically as they should.

6. It is obvious that inquiries must be made in respect of those reasonably suspected of crimes and of indifferentiating these and those against whom there are no charges but who are wanted for evidence.

7. With out willing Italian co-operation in this matter we can achieve but little and full co-operation is not assured by the present procedure. It is recommended ,therefore, that a full policy statement should be issued by AFHQ which can be passed to the Ministries concerned; and when requests for tracing individuals are made, this should be accompanied by some remarks or reasons or background for the request. It is felt that by so doing we shall be more likely to achieve our object and to avoid unnecessary unsettlement in Italian minds.

EMERY N. STONE
Rear Admiral, USNR
Chief Commissioner

Copy to:
NavalSub- Commission
Land Forces Sub-Commission, AC (USIA)
Air Force Sub- Commission, AC
CA Section

(25)

2608/2

1098

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

1097

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

DEC 13 RECD CC

AMG PIEMONTE REGION AMG LIGURIA REGION AMG LOMBARDIA REGION
AMG VENEZIE REGION XIII CORPS AFHQ AICOM LO PALERMO AICOM LO BARI
AICOM LO ANCONA AICOM LO BOLOGNA AMG LIVORNO ZONE AMG NAPLES COMMUNE

9263 12 Dec 45 CP PRIORITY

UNCLASSIFIED PD

THE FOLLOWING WILL BE RELEASED TO PRESS WITH EFFECT ZERO ZERO ZERO ONE HOURS

DECEMBER THIRTEEN

PAREN TO AMG PIEMONTE REGION CMA AMG LIGURIA REGION CMA AMG LOMBARDIA REGION CMA AMG VENE ZIE REGION CMA XIII CORPS FOR CG AND AMG CMA AFHQ FOR GEORGE FIVE CMA AICOM LO PALERMO AICOM LO BARI AICOM LO ANCONA AICOM LO BOLOGNA AMG LIVORNO ZONE AMG NAPLES COMMUNE FROM HQ AICOM CITE ACMEC PAREN

QUOTE PD REAR ADMIRAL ELLERY W STONE CMA UNCLE SUGAR MAN ROGER CMA CHIEF COMMISSIONER OF THE ALLIED COMMISSION CMA ANNOUNCED TODAY THAT THE REMAINING ITALIAN TERRITORY NOW UNDER ALLIED MILITARY GOVERNMENT CMA INCLUDING TEN ISLANDS OF LAMPEDUSA CMA LINOSA CMA AND PANTELLERIA BUT EXCLUDING VENEZIA GIULIA AND THE PROVINCE OF UDINE CMA WILL BE RETURNED TO ITALIAN ADMINISTRATION ABOUT DECEMBER THREE ONE PD

THE PROVINCE OF UDINE IS BEING RETAINED UNDER ALLIED MILITARY GOVERNMENT SOLELY FOR MILITARY REASONS AND NOT IN ANY SENSE BECAUSE IT IS CONSIDERED A DISPUTED AREA PD

ALLIED MILITARY GOVERNMENT OFFICERSX WILL BE WITHDRAWN FROM THE AREAS TO BE TRANSFERRED CMA BUT A SMALL NUMBER OF ALLIED COMMISSION LIAISON OFFICERS WILL REMAIN TO FACILITATE THE TRANSITION FROM ALLIED TO ITALIAN ADMINISTRATION PD UNQUOTE

Office of Exec Commissioner
300

Lt, Col.

Int. Dist
C.C.
Br. Embassy
Polad (A)
" (B)
Navy S/C
Land Forces S/C
Air Forces S/C
P.R. Br
C.A. Sec
Econ Sec
Estab Sec

9263/cc

9208

1098

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

Ref: 4/29.3/CA / November 1945

My dear Mr Prime Minister,

It is requested that you let me have an early reply to this HQ letter 4/29.3/CA of 8 September and reminder of 16 October with regard to the Jugoslav War Crimes Mission.

It will not be possible to withold much longer from the Jugoslav Government information regarding the conditions under which the mission will work. If you have any points which you wish to be considered it is essential that they should reach this Commission within the next few days.

Very truly yours,

/s/ Ellery W. Stone,

ELLERY W. STONE,
Rear Admiral, USNR
Chief Commissioner

Professor Pernando Parri,
President of the Council of Ministers,
Italian Government,
ROME.

6205

(24)

1099

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

26 October, 1945.

Chief Commissioner.

Yugoslav War Crimes Commission.

1. In 1944 the Yugoslav Delegation asked for permission to establish a commission of investigation into war crimes in Italy.

2. The matter has been the subject of much correspondence between AFHQ and the Allied Commission, chiefly on the matter of terms of reference which Allied Commission felt should be very carefully drawn up.

3. The present situation is that the Yugoslav Delegation has been twice asked to submit a statement as to what enquiries they are to conduct and particulars of the crimes to be investigated. They have not replied to these requests nor has the procedure yet been agreed upon in spite of the fact that the commission is ready to leave BELGRAD for Italy (a mission of 9 persons). The matter is still held up. No agreement has yet been obtained from the Italian Government in spite of two or three reminders.

MSL/JG.

Files —

890

1100

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

CONFIDENTIAL

EX 16439
OCT 12/1600A

C 654
OCT 13/0230A

IMPORTANT

ACTION: SIGNED SACMED CITE MICEX

BRITISH EMBASSY BELGRADE FOR BROWNING INFO: ALCOM ROME

CONFIDENTIAL.

Ref your 447 of 4 October. On 8 September the Yugoslav Delegation Advisory Council to ITALY was informed by letter from ALLIED COMMISSION ITALY of approval for visit of mission to investigate specific cases in which the Yugoslav government had reason to believe war crimes had been committed by Italians against Jugoslavs. Letter also requested that schedule be forwarded to ALLIED COMMISSION giving brief particulars of each case of alleged war crim to be investigated.

No reply yet received from Yugoslav Delegation. Until required particulars have been furnished permits for the individuals named in your number 447 cannot be considered

M/C NOTE:

No trace of quoted reference

EXIT

INFO-ACTION : EX COMMISSIONER (2)

INFO : CHIEF COMMISSIONER
CA SEC
FILE (2)
FLOAT

CONFIDENTIAL

Ref: 4/29.3/CA

16 October, 1945

(18)a

My dear Mr. Prime Minister:

1. I hope it will be possible for you to let me have your agreement to the visit of a Jugoslav War Crime Mission which I requested in this HQ letter A/29.3/CA of 8 September 45.

2. I should be grateful if you would indicate any conditions which you think it proper and necessary to impose, and suggest the appropriate procedure for the working of the Commission.

Yours very truly

M. S. Lanza Barry

for ELLER W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio PARRI
The President of the Council of Ministers
Italian Government
ROME

2008

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

2. I should be grateful if you would indicate any conditions which you think it proper and necessary to impose, and suggest the appropriate procedure for the working of the Commission.

Yours very truly

M S Linsk Berg
for
ELLER W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio PARRI
The President of the Council of Ministers
Italian Government
ROME

5302

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

1103

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

CONFIDENTIAL

480
OCT 081745A

G 446
OCT 091145A
IMPORTANT

BRITISH EMBASSY BELGRADE

AFHQ INFO ALCOM

CONFIDENTIAL

For G2 from Military Attache.

My 447 of 4 October. Yugo Slav authorities have returned to charge regarding their delegation to War Crimes Commission. Would be most grateful for early reply.

Dist

Info-Action - CI Sect 2
Info - Chief Commissioner
Exec Commr 2
POLAD A
POLAD B
File 2 Floor

CONFIDENTIAL

5301

1104

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

Ref : AC/14754/8/PS

28 September, 1945

My dear Mr. Prime Minister:

(11)

You will recall that on 24th June 1945 I sent you a list of the names of about 300 persons who are wanted by the Allied Authorities, requesting that you give orders for them to be traced and for me to be informed.

As information is being received rather slowly, only ten persons have so far been traced, I must ask you to take such steps as may be necessary to supply the required information more rapidly.

Yours very truly

ELLERY W. STONE
Rear Admiral, USNR
CHIEF COMMISSIONER

Professor Ferruccio PARRI
The President of the Council of Ministers
Italian Government
R O M E

(19)

6306

1105

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

COPY

HEADQUARTERS ALLIED COMMISSION
AFO 394
CIVIL AFFAIRS SECTION

4/29.3/C.A.

8 Sep 45

Dear Mr. Prime Minister,

The Jugoslav Government has requested permission to send to this country a small Mission to record evidence as to certain alleged War Crimes.

The Supreme Allied Commander is disposed to consent to the visit of this Mission subject to such proper conditions and procedure as he may impose on the advice of this Commission. I shall be glad to hear that you have no objection to the visit of this Mission.

If you have any views as to conditions which you think it would be proper for the Allied Commander to impose in protection of Italian interests I could be obliged if you could let me have them within the next few days.

Yours very truly,

M. CARR, Brig.
VI Ca Section.

Prof. Ferruccio Parri
The President of the Council of Ministers,
Italian Government,
ROME.

2299

18a

1106

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

CONFIDENTIAL

F 36256
AUG 171221B

F/4153
AUG 171415B
OP PRIORITY

AFHQ SIGNED SACMED CITE FHGEG
ALCOM ROME

16

CONFIDENTIAL.

Reference our FX 36019 of 16 August - disregard this message entirely and do not communicate content to SMODLAKA. MEETING (Meeting?) requested concerning War Crimes Mission will be subject of decision and advice to you as soon as possible.

DIST

ACTION: CA Sec
INFO: Chief Commissioner
File 2
Float

18

CONFIDENTIAL

1107

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

RESTRICTED

FX 36099
AUG 161907B

F/4211
AUG 171615B
ROUTINE

SIGNED SACMED CITE NIGED
ACTION USMB BELGRADE INFO JUCAMED, ALCOM ROME

RESTRICTED.

(16)

Reur 202 reference our FX 36019.

Decision under consideration. Jugoslav representative Advisory Council ITALY will be notified.

DIST

INFO-ACTION: CA Sec
INFO: Chief Commissioner
File 2
Float

(17)

RESTRICTED

Confidential

1108

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

RESTRICTED

FX 36019
AUG 161611B

F/4289
AUG 181020B
ROUTINE

SIGNED SACMED CITE FHGEG

ALCOM ROME INFO USMA BELGRADE

(15)

RESTRICTED

Reur 3750.

Representatives of this Hq willing to discuss proposed mission with doctor SMODLAKA at conclusion of his interview with British RESMIN Monday 20 August. Desire attendance of ALCOM representative for consideration of arrangements and supervision to be provided mission by ALCOM with cooperation of Italian Govt. Brit RESMIN will be notified exact time and place of meeting for information of Doctor SMODLAKA.

Dist

(17) (18)

Action - C A Section
Info - Chief Commissioner
File 2
Float

M/C Note.

Phone call from AFHQ and confirming cable ref above transmitted to your office Friday August 17.

(16)

Confidential

1109

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

TO: ADJT. GEORGE FIVE SECTION

3750 15 Aug 45 PRIORITY

(14)

CONFIDENTIAL FD

PARA ONE FD SUBJECT IS PROPOSED YUGOSLAV WAR CRIMES MISSION FD REFERENCE THIS HEADQUARTERS THREE FOUR TWO FOUR OF NINE AUGUST FOUR FIVE FD

PASS TO ADJT. GEORGE FIVE SECTION FROM ALCOM CITE ACAS PARIS

PARA TWO FD DOCTOR SMODLAKA CHA YUGOSLAV REPRESENTATIVE ALLIED COUNCIL IS VISITING ANKA, MYDAY TWENTY AUGUST AND HAS REQUESTED AN INTERVIEW AT ANKA, ON THAT DATE AT ELEVEN HUNDRED HOURS TO DISCUSS PROPOSED MISSION FD HE WAS ASSURED THAT YOU WERE CONSIDERING THE MATTER URGENTLY AND INFORMED THAT HIS REQUEST WOULD BE FORWARDED BUT NO HOPE WAS HELD OUT THAT INTERVIEW WOULD BE GRANTED FD

PARA THREE FD REQUEST REPLY URGENTLY AS TO WHETHER INTERVIEW CAN BE GRANTED AND TO WHOM DOCTOR SMODLAKA SHOULD REPORT

See 16

Civil Affairs Section

497

(12)

6295

NICHOLAS PYCHRINO,
CWO USA
Asst. Adjutant.

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

Get Mayors!

This reference, pls

TO: AFHQ, SECRET FIVE SECTION

DTG: 9 Aug 45 ROUTINE

CONFIDENTIAL FD

PARA QUE FD SECRET IS PROPOSED YUGOSLAV WAR CRIMES MISSION FD REFERENCE

CIR FOUR SIXTY TWO MEMO FD ARE SENT CHARLEY ABLE DATED TWO EIGHT

JULY FOUR FIVE FD

PARA TO AFHQ SECRET FIVE SECTION FROM AMCOMGEN ACAS PARA

PARA TWO FD THE YUGOSLAV DELEGATE ON THE ADVISORY COUNCIL FOR ITALY

PARA DOCTOR SUBASIC PAID CALLED TODAY AND ASKED WHEN HE MIGHT EXPECT

A REPLY FD GRATEFUL IF YOU COULD GIVE THIS MATTER YOUR EARLIEST CONSIDERATION

AND RETURN IF PROPOSED MISSION IS APPROVED

Civil Affairs Section

ASF

NICHOLAS PIGGOTT,
CMO USA
Asst Adjutant.

(14)

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

Q. M. C. Form 353 (Old No. 490)
Revised July 20, 1918

DSG AGO

LIST OF PAPERS

File under No. 321 - REPORTS MONTHLY

SECRET

8—6788

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS

SECRET

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

