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DEFASCISTIZATION, GENERAL
MAR. 1945 – AUG. 1946

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(Old No. 490)
May 26, 1918

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SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
187	Ltr 1427/S.P	24 Apr 46	CC-	Epuration of Sulfina & De Frigessi
188	Ltr 13191/F Stone	2 May 46	SCAC AMG Ven Giu	Epuration of Insurance Officials
189	Ltr Mastino del Rio	10 May 46	CC	Request fr disposal of Graziane's Documents; Incls
190	Ltr 700/40/EC CC	14 May 46	De Gasperi	Trial and Handover of Graziani
190a	Ltr Stone	17 May 46	Arpesani	Copy of Ltr 188/CC
191	Ltr 1701/S.P.	23 May 46	CC	Epuration of Insurance Officials
191a	Ltr Beard	28 May 46	Walton	Epuration of insurance Officials
192	Cbl 3325 Lush	28 May 46	SCAO AMG Ven Giu	Epuration of Insurance Officials
192a	Ltr 66805 De Gasp	31 May 46	CC	Dissolution of Fascist Organisation
192b	Ltr Stone	5 Jun 46	Arpesani	Epuration of Insurance Officials
192c	Ltr De Gasperi	6 Jun 46	CC	Processing of Graziani
192d	Ltr Mrs. Graziani	6 Jun 46	CC	Request fr documents re trial of Gr.
193	Ltr Stone	10 Jun 46	Angleton	Disposal of Graziana's Documents
193a	Ltr Arpesani	10 Jun 46	Stone	Please settle case of Sulfina & De Frigessi
194	Cbl FX 67820 CHQ	17 Jun 46	AC	Request confirmation Graziani held Forte Boccea
195	Ltr Stone	11 Jul 46	Arpesani	Wartime collaboration between Italy & German Insurance Companies (Epuration of insurance officials)

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

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176	Memo	Sep 45		Epuration of the Senate.
177	Cbl AC CC, 6121	26 Sep 45	AFHQ	Epuration of Badoglio, B's answer.
178	DF/1A/CA, Stone	6 Oct 45	Parri	Dissolution of Fascist organizations
179	87/213/45 Hopkinson	13 Oct 45	CC	Suggestions Re Purge of Fascists.
180	Ltr Rail Agents Arezzo	25 Oct 45	Stone	Inforcement of Goverment Rail Decrees
181	Cbl 38482 Parri	4 Nov 45	AC	Disposition of prperty Fascist Youth Mc
182	Ltr DF/I.A/CA Stone	10 Nov 45	Parri	Dissolution of Fascist organization
182a	Ltr Frigessi	10 Nov 45	Mr. H. Truman	Removal from It Ins. Co. & Incls
183	Memo White	16 Nov 45	EX Comm.	Epuration of the Education system Enclo: Meeting White- Peretti-Griva Revised Epuration Law
183a	Ltr White	14 Dec 45	CC	Epuration Incl. (/s/ Avv. PERETTI-GRIVA)
183b	Ltr White	18 Dec 45	CC	
184	Ltr AC/4034/14/L Stone	21 Dec 45	De Gasperi	Epuration Incl. Supervision of Epurat. Case of Scaramucci of Casteldelpiano
185	Ltr 13191/F Stone	2 Apr 46	Arpesani	Epuration of Messrs. De Frigessi and Sulfina
186	Ltr DF/1.A/CA Lush	6 Apr 46	De Gasperi	Ack of Ltr 6 Oct 45
~~186a~~	~~Ltr McK Key~~	~~10 Apr 46~~	~~Frigessi~~	~~Ack of Ltr 10 Nov 45 and suggestions~~

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SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
160a	Memo Behrens, CLA	29 Aug 45	CC	Epuration of Senate
160b	Cbl AC Stone 4554	31 Aug 45	AFHQ	Epuration of Senate - Allied support of Badoglio, result of pressure.
160c	Cbl AFHQ F 40528	2 Sep 45	AC	Statement on Badoglio for trial
160d	Memo Stearns SO to CC	3 Sep 45	Halford	Pls prepare statement on Badoglio
161	Ltr, Stone	7 Sep 45	Alex Kirk	Nenni claims MacM's aide-memoire precludes IG being forced consult AC on epuration or legislation on subject. APP: Draft Ltr CC to Parri,DF/2.A/CA.
162	Ltr Cortes, shipowners	7 Sep 45	Stone	Request for release of LAURO, Achille
163	Cbl AFHQ F 42812	12 Sep 45	AC	Re F 40528, views earliest pls.
164	Memo Helford Brit POLAD	14 Sep 45	CC	Views on Badoglio statement. Brit govt does not desire it.
165	Memo Jones, US Polad	14 Sep 45	CC	Views on Badoglio statement for trial
166	Memo, Ex C	14 Sep 45	CC	Views on Badoglio statement for trial
167	AC/4195/L, Behrens	16 Sep 45	CC	Case of Avv.Prof. VASSALLI.
168	Ltr, Amembassy, Key	17 Sep 45	CC	State Dept views epuration of Badoglio.
169	Ltr,Amembassy, Key	17 Sep 45	CC	State Dept holds IG not bound consult AC on legislation on epuration.
170	Parri,45411/10124-6-19/7	17 Sep 45	CC	Implementation of D.L.L.149, 26 Apr, in territories under AMG.
171	Ltr, CC	18 Sep 45	Amembassy	State Dept views epuratn of Badoglio.
172	Cbl AFHQ, F-44222	18 Sep 45	AC	It inquiry into Rome defense vs Krauts,1943 - trial of Gen.Carbone.
173	Ltr,CC	20 Sep 45	Amembassy	State Dept holds IG not bound consult AC on legislation on epuration.
174	1005/145/EC, Talbot	24 Sep 45	Hopkinson	Request FO views on whether IG bound consult AC on epuration legislation.
175	DF/5.23/CA, Stone	26 Sep 45	Parri	Implementation of DLL 149 in AMGT.

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151	Cbl AC PS, 504	25 Jun 45	IV, 5	Disposal of Fascist Republican Govt's M.F.A. personnel & records.
152	Sample Regional Order			Sample Reg Order, AMG, on "Dissabilities of directors & statutory controllers of private enterprises.
153	Cbl AC CAS, 789	28 Jun 45	AMG 5A	Disposal of Fascist Republican Govt's M.F.A. personnel & records.
154	Cbl IV Corps, 3083	29 Jun 45	AC CAS	Disposal of Fascist Republican Govt's M.F.A. personnel & records.
155	DF/3A/CA, Talbot	2 Jul 45	RCs N	FRANCESCHELLI as IG rep in P for appt of Epuration Commissions under DLL 159.
155a	**AFHQ G-5: 383.6-11**	**10 Jul 45**	**AC**	**Marshal Rodolfo Graziani.**
156	DF/4.5/CA, Stone	14 Jul 45	Parri	Marshal Rodolfo GRAZIANI.
157	Ltr, "Marco"...	?? Jul 45	Stone	Grant amnesty to fascists!!
158	Stars & Stripes	1 Aug 45		Borlini, "Hyena of Brescia" shot dead in court by Carabiniere Barattieri.
				7093
159	**Cbl AC CAS, 3329**	**8 Aug 45**	**RCs**	**Info desired on Allied Epuration Commissions personnel - possible IG may take over these commissions.**
159a	Cbl W-50320 TAM 665	16 Aug 45	AHGEG	Re suspension Sulfina as Dir Ins Comp cancellation of powers
160	**Cbl AC CC, 4370**	**28 Aug 45**	**AFHQ**	**Ital inquiry into defense of Rome against Germans in 1943 - proposed trial of Gen Carbone.**

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137	36753/1.2.1, Bonomi	29 May 45	Stone	Marshal Rodolfo Graziani.
138	OSS Int Report 2078 JR	1 Jun 45		Organ & Developmt of Hi Com for Ep.
139	OSS Int Rept JR-2077	1 Jun 45		Defascism in Ministry Foreign Affrs.
140	DO Ltr, Stone	4 Jun 45	Spofford	Ex Memo 67 - treatment of It officials encountered in North - for Senators.
141	6/3E/CA, Stone	5 Jun 45	Bonomi	Arnoldo FRIGESSI di Rattalma
141a	Cbl Ven Reg RXII-024.14	5 Jun 45	AC CAS	Treatmt of Brigata Nera members.
142	DE/4.5/CA, Stone	6 Jun 45	Bonomi	Marshal Rodolfo Graziani.
142a	15 AG, G-5/14/8.4	5 Jun 45	AC CAS	Arnoldo FRIGESSI di Rattalma.
142b	**AFHQ G-5: 383.6-11**	**6 Jun 45**	**CC**	**Marshal Rodolfo Graziani.**
143	DE/4.14/CA, Stone	8 Jun 45	Bonomi	DLL No 149 "Application Sanctions against Politically dangerous fascists" will not be implemented in AMG territry
144	6/3E/CA, Stone	11 Jun 45	Bonomi	Arnoldo FRIGESSI di Rattalma
144a	Lucifero, 6210	11 Jun 45	Stone	Arnoldo FRIGESSI di Rattalma.
145	DE/4.5/CA, Stone	11 Jun 45	Bonomi	Marshal Rodolfo GRAZIANI.
146	Bonomi 38032/10.124.6.19	12 Jun 45	Stone	DLL No 149 "Application Sanctions against pol dangerous Fascists".
147	AFSC/IMT/2/1 247, Brodie	12 Jun 45	S.M.R.A.	Policy on epurating ex-Republican Air Force Personnel.
148	AC/4082/6/L, Behrens	21 Jun 45	CC	Legal views on responsibility imposed upon AC & IC (specifically deals with case of Gen Sbernadori).
149	Cbl AFHQ FX-96761	21 Jun 45	5,8,15,AC	Neo-Fascist mil personnel in It custody for crimes against It to be kept by them for trial according It Law.
150	Cbl 5A, 5081, Cite 251	24 Jun 45	AC	Disposal of Fascist Republican Govt's M.F.A. personnel & records.

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SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
124	CC 2610, Stone	27 Mar 45	Bonomi	Request confirmation ref to corporations in draft decree will be dropped.
125	Speech, Upjohn	6 Apr 45	Adv Council	"Report on Epuration."
126	AC Exec Memo 67(Revised)	7 Apr 45		TReatment of It officials encountered in advance northwards.
127	Ltr, Stearns	9 Apr 45	Adv Council	"Report on Epuration".
127a	DF/3.A/CA, Upjohn	10 Apr 45	Distr	Defascism Policy - North Italy. (Plan)
128	14041/12/PS, Stone	20 Apr 45	Cittadini	Aide-Memoire to Bonomi on appointment of Sig.Scali and Major Marocco. INCL: Aide-Memoire, 17 Apr 45, to PM.
129	1013/1/EC, Lush	27 Apr 45	VP CA Sec	Treatment of Political Prisoners inN.
130	DF/3.A/CA, Lush	28 Apr 45	Alex Kirk	Defascism Policy - North Italy.(Plan)
131	NSC/2296, Warren	29 Apr 45	de Courten	Issuance of Fascist diplomas,fascist ideology in It Navy must stop.
				7691
132	9/15.1/CA, Stone	8 May 45	Bonomi	Issuance of Fascist diplomas,fascist ideology in It Army must stop.
132a	16876, Bonomi	14 May 45	Stone	Evacuation of fascists(Neo-fascist formations & soldiers) fr N.It.
133	14754/6/PS, Upjohn	20 May 45	AFHQ G-5	Evacuation of fascists(neo-fascist formations & soldiers) from N.It.
134	35232.44.PG, Bonomi	23 May 45	Stone	Issuance of Fascist diplomas,fascist ideology will stop forthwith.
135	449, Bonomi	26 May 45	Stone	Arrest of Dr.Arnoldo FRIGESSI Rattalma
136	1517/F, Menapace	28 May 45	CC	Arrest of Dr.Arnoldo FRIGESSI Rattalma (also expected ditto of Michele SULFINA)

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O. N. C. Form 363 (Old No. 430)
Revised July 26, 1918

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196	Ltr 1943/S.P., G. Arpensani	13 July 46	Stone	Re loyalty of Sulfina & De Frigessi
197	Ltr Stone	18 July 46	Arpesani	Further question in Re Sulfina & De Frigessi
198	Ltr Arpesani	18 July 46	Stone	Answer to Stone's question in Re Sulfina & De Frigessi
199	Cbl 4325 Hq AC	25 July 46	AFHQ G-5	Vindication of Sulfina & De Frigessi by Italian Epuration Proceedings.
200	Ltr Stone	26 July 46	Paolo Cappa	Supplementary ltr to 197/CC
201	Ltr Cappa	27 July 46	Stone	Thanks for interest in Re Sulfina & De Frigessi
201a	Ltr 610/4.7	3 Aug 46	Office of CC	Hospitalization of Graziani
202	Cbl F 70218 SACM	3 Aug 46	EC	Wthdrwl of charges agnst Ins Offs
203	Cbl F 70255 SACM	8 Aug 46	EC	Renoval of suspension two Insurance Officials in Ven Giu
203a	Memo 4608/289/AC	10 Aug 46	Key	Request fr info re Insurance Offs
204	Ltr Key	13 Aug 46	Lush	Facts re reinstatement of Insurance Officials
205	Ltr 13191/F	14 Aug 46	Asst Chf Stf AFHQ	Info re Insurance Officials
205a	Memo Green	14 Aug 46	Key	Data re reinstatement of Ins Offs
205b	Memo Stone	15 Aug 46	Green	Clarification of Memo of Green
206	Cbl 4598 Stone	15 Aug 46	AFHQ G-5	Allied & It views re Epuration of Insurance Officials
207	Ltr AC/11344/F3	16 Aug 46	CC (AFHQ G-5)	Removal of Marshal Graziani
208	Ltr Graziani	20 Aug 46	CC	Johnny Jones' views re re-instatement of Insurance Officials
209	Cbl FX 70726 SACM MAT 1038	20 Aug 46	COS	Suspension of It Insurance Officials Sulfini and Frigessi

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Cable FX 70726 dated 20 Aug 46.

Transferred to CC 3753-3 folio 88.

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HEADQUARTERS ALLIED COMMISSION

Office of Political Adviser (A)

20 August 1946.

My dear Admiral Stone:

You will remember that during our discussions of the Frigessi-Sulfina case, I mentioned that we had asked Jonnny Jones to give us his views. These we have now received, and it occurs to me you would like to know what they are.

Johnny's recollection is that he suggested to you avoiding any recommendation that these individuals be reinstated, but that all the facts be submitted to AFHQ for decisions, since the original directive came from CCS (TAB 665). Johnny understood that you were going to reply in this sense to the Italian Government, and it was on this basis that he concurred in your telegram of July 25.

Johnny states further that he is still of the opinion that the final decision should be made at AFHQ on the basis of the facts submitted by the Allied Commission and of the views of AMG in Trieste. AFHQ may wish to consider the intimations it has received from Paris through military channels that AMG may be deliberately attacked by certain delegations at Paris during the discussions of provisional and permanent statutes for the Free Territory of Trieste.

Finally, Johnny observes that AFHQ may want to refer back to CCS for a change in the directive (as you so wisely anticipated) and in any event he would not advise that the Allied Commission accept the responsibility for deciding in favor of Fregessi and Sulfina's reinstatement.

Very sincerely yours,

Joseph N. Greene, Jr.

Joseph N. Greene, Jr.,
Assistant Political Adviser (A)

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

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HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 794

AUG 19 1946

AC/W.364/25

16 August 1946.

SUBJECT : Marshal Ferruccio Parri.

TO : ACC, Via Veneto.

1. With reference to this H.Q letter AC/W.364/25 dated 9th August 46.

2. The Italian authorities have asked this H.Q whether, on account of the lack of accomodation at the Forlanini Nursing Home, there would be any objection to the Marshal's removal for treatment to the 'Villa d'Este' Hospital, Via Cernaia n.28, Rome.

3. A reply has been sent to the Italian authorities to the effect that, under the circumstances as indicated, there is no objection to the change.

for BRIG. GEN. CHIEF COMMISSIONER.

Brig. Gen.

H. Carr, Brigadier.
W. C. Section.

Copy to : Chief Commissioner.

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AFHQ FOR GEORGE FIVE

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YOUR FOX SEVEN ZERO TWO ONE EIGHT OF EIGHT AUGUST REFERS PD

PARA ONE PD ABLE CHARLIES POSITION WITH RESPECT BOTH THESE MEN BASED ON INSTRUCTIONS

FROM CHARLIE CHARLIE SUGAR THROUGH AFHQ CMA NAMELY TAM SIX SIX FIVE PD IT IS ABLE

CHARLIES VIEW CMA AS REPORTED IN MY FOUR THREE TWO FIVE OF TWO FIVE JULY CMA THAT

COMPLIANCE WITH TAM SIX SIX FIVE APPARENTLY HAD BEEN EFFECTED PD MR JONES OF THE AMERICAN

EMBASSY ASSISTED IN THE PREPARATION OF MY FOUR THREE TWO FIVE AND CONCURRED PD MR

JONES HAS BEEN IN PARIS SINCE THE FIRST OF AUGUST PD

PARA TWO PD IN RESPONSE TO FOX SEVEN ZERO TWO ONE EIGHT AMERICAN EMBASSYS POSITION

QUOTE AND THAT OF INDIVIDUAL MEMBERS OF THE EMBASSY STAFF UNQUOTE PAREN THIS INCLUDES

TREASURY REPRESENTATIVE PAREN IS TO SUPPORT AN EARLIER POSITION OF MR JONES THAT

REGARDLESS OF ACQUITTAL BY ITALIAN EPURATION PROCEEDINGS CMA AMG SHOULD NOT REINSTATE

IN VIEW OF ALLIED OBJECTION TO THESE TWO MEN PD MR GREENE WHO HAS TEMPORARILY TAKEN

OVER MR JONES ADVISORY FUNCTIONS HOLDS THAT TAM SIX SIX FIVE NOT FULLY COMPLIED WITH

BECAUSE ITALIAN GOVERNMENT HAS NOT TAKEN OFFICIAL JURISDICTION OVER CENTRAL OFFICES OF

TWO INSURANCE COMPANIES INVOLVED PD ABLE CHARLIE POSITION IS THAT JURISDICTION REFERRED

TO INDIVIDUALS AGAINST WHOM EPURATION PROCEEDINGS SHOULD BE LODGED BY ITALIAN GOVERNMENT

PD IF MR GREENES VIEW IS CORRECT CMA NO PERSON CONNECTED WITH TRIESTE COMPANIES CAN

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BE GIVEN OPPORTUNITY TO PROVE INNOCENCE UNDER TERMS OF TAM SIX SIX FIVE WHICH LEFT EPURATION TO ITALIAN GOVERNMENT NOTWITHSTANDING LOCATION OF THEIR COMPANIES PD PARA THREE PD ABLE CHARLIE DOES NOT QUARREL WITH AMERICAN EMBASSY OPPOSITION TO THESE MEN PER SE BUT IN VIEW OF TAM SIX SIX FIVE ABLE CHARLIE FEELS ADDITIONAL AUTHORITY SHOULD BE SECURED FOR CONTINUING THEIR SUSPENSION IN AMG TERRITORY PD PARA FOUR PD BRITISH EMBASSY FEELS THAT IN FACE OF THE REPUBLICAN GOVERNMENTS DECLARATION OF SATISFACTION WITH THE RECORD OF THESE TWO MEN CMA THE EMBASSY WOULD NOT RECOMMEND INTERVENTION AGAINST ITALIAN GOVERNMENTS WISH TO REINSTATE THEM NOW PD PARA FIVE PD IF MY RECOMMENDATION IS DESIRED CMA SUGGEST THAT CHARLIE CHARLIE SUGAR BE ASKED WHETHER SUSPENSION OF BOTH MEN IN AMG TERRITORY SHOULD BE CONTINUED IN FACE OF THEIR CLEARANCE AFTER EPURATION PROCEEDINGS BY ITALIAN GOVERNMENT

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Chief Commissioner

(7.06) 222

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Secret

From: ALCOM ACSCC FROM ADMIRAL STONE

To : AFHQ FOR G-5

4598

Your F-70218 of 8 August refers.

1. AC's position with respect both these men based on instructions from CCS through AFHQ, namely TAM 665. It is AC's view, as reported in my 4325 of 25 July, that compliance with TAM 665 apparently had been effected. Mr. Jones of the American Embassy assisted in the preparation of my 4325 and concurred. Mr. Jones has been in Paris since the first of August.

2. In response to F-70218 American Embassy's position "and that of individual members of the Embassy staff" (this includes Treasury Representative) is to support an earlier position of Mr. Jones that regardless of acquittal by Italian epuration proceedings, AMG should not reinstate in view of Allied objection to these two men. Mr. Green, who has temporarily taken over Mr. Jones advisory functions holds that TAM 665 not fully complied with because Italian Government has not taken official jurisdiction over central offices of two insurance companies involved. AC position is that jurisdiction referred to individuals against whom epuration proceedings were lodged by Italian Government. If Mr. Green's view is correct no person connected with Trieste companies can be given opportunity to prove innocence under terms of TAM 665

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assisted in the preparation of [illegible]

has been in Paris since the first of August.

2. In response to P-70218 American Embassy's position "and that of individual members of the Embassy staff" (this includes Treasury Representative) is to support an earlier position of Mr. Jones that regardless of acquittal by Italian epuration proceedings, AMG should not reinstate in view of Allied objection to these two men. Mr. Green, who has temporarily taken over Mr. Jones advisory functions holds that TAM 665 not fully complied with because Italian Government has not taken official jurisdiction over central offices of two insurance companies involved. AC position is that jurisdiction referred to individuals against whom epuration proceedings were lodged by Italian Government. If Mr. Green's view is correct, no person connected with Trieste companies can be given opportunity to prove innocence under terms of TAM 6605 which left epuration to Italian Government. not withstanding location of their companies.

3. AC does not quarrel with American Embassy opposition to these men per se but in view of TAM 665 AC feels additional authority should be secured for continuing their suspension in AMG territory under terms of TAM 665.

4. British Embassy feels that in face of the Republican Government's declaration of satisfaction with the record of these two men, the Embassy would not recommend intervention against Italian Government's wish to reinstate them now.

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5. If my recommendation is desired, suggest that CCS be asked whether suspension of both men in AMG Territory should be continued in face of clearance after ~~by~~ epuration proceedings by Italian Government.

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seen without objection!
goes.

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seen without objection
yes.

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(C)

ACTION MOSCC FROM ASSTSECSTATE

25 AUGUST 1943

AMEMB FOR CHARGE D'AFF.

4598

F 7 0 2 1 8 7 1943

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TOUR TOX SEVEN ZERO TWO ONE EIGHT SEVEN NINE THREE

TAM-6 6 5

4 3 2 5 2 3 2nd

PARA ONE RE AMEB CHARGE POSITION WITH RESPECT NOTE TWO OF MEMORANDUM NO. 1 FROM CHARGE CHARGE GERMAN EMBASSY APR. DTD. MARCH TEN SIX FIVE. IN IT HE ASKS CHARGE VIEW CHA AS REGD THE TO KEY POSN. HERE TWO FIVE OF TWO FIVE JULY 1943, THAT CHARGE HAS SIX SIX FIVE APPARENTLY HAS NOT BEEN RECOGD TO BE AN AGENT OF THE GERMAN EMBASSY ACCEPTED IN THE CAPACITY OF HIS POST OF SIX FIVE AND CONCLUDED TO BE JAMES HAS BEEN RECD BY US TO REJECT THE PLEAS OF AGENT TO PARA TWO RE IS CONSIDERED TO FOR SEVEN ZERO TWO ONE EIGHT AGENT POSITION NOTE AND THAT OF INDIVIDUAL MEMBERS OF THE EMBASSY STAFF. IN NOTE TWO IT IS ENCLOSED REGARD A REPRESENTATIVE PAPER IS TO SUPPORT AN ITALIAN POSITION OF AS JAMES THAT IMMUNITY OF AN OFFICIAL BY ITALIAN EXECUTION PROCEDURES CHA AMG SHOULD NOT DESIGNATE IN VIEW OF ALLIED OBJECTION TO THESE TWO NOTE IS AN OBVIOUS MIS HAS RESPONSE MAY TAKEN OVER THE DOMESTIC ADVISORY FUNCTIONS HOLDS THAT SIX SIX FIVE HAS FULLY COMPLIED WITH BECAUSE ITALIAN GOVERNMENT HAS NOT TAKEN OFFICIAL JURISDICTION OVER CRIMINAL OFFICES OF THE DIPLOMATIC CAPACITIES INVOLVED IN AGENT CHARGE POSITION IS THAT JURISDICTION EXTENDED TO INDIVIDUALS AGAINST WHOM EXECUTION PROCEEDINGS SHOULD BE TAKEN BY ITALIAN GOVERNMENT IN IF IN ORDINARY VIEW IS OBJECT CHA NO PERSON CONNECTED WITH THE [illegible] CAN

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BE GIVEN OPPORTUNITY TO PROVE INNOCENCE UNDER TERMS OF TAM SIX SIX FIVE WHICH LEFT EVALUATION TO ITALIAN GOVERNMENT NOTWITHSTANDING LOCATION OF EVIDENCE IN PARA THREE (3) NINE CHARLIE FOUR ONE (QUOTE. WITH AMERICAN EMBASSY OFFICIALS TO THESE MEN PER SE NOT IN VIEW OF TAM SIX SIX FIVE ARE CHARLIE PARA ADDITIONAL AUTHORITY SHOULD BE SOUGHT FOR CONTINUING THEIR SUSPENSION IN AND SECURITY IN PARA FOUR (4) BRITISH EMBASSY FEELS THAT IN FACE OF THE AMERICAN GOVERNMENTS DECLARATION OF SATISFACTION WITH THE RECORD OF THESE TWO MEN CIA DIR SHOULD NOT RECOMMEND INTERVENTION AGAINST ITALIAN GOVERNMENTS WISH TO REINSTATE THEM NOW (3) PARA FIVE (5) OF MY RECOMMENDATION IS DELETED CIA SUGGESTS THAT CONSULTS CHARLIE EQUAL BE ASKED WHETHER SUSPENSION OF BOTH MEN IN AND SECURITY SHOULD BE CONTINUED IN FACE OF FINAL CLEARANCE AFTER REVIEW PROCEDURES BY ITALIAN GOVERNMENT

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US Poland
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Econ Sec
CA Section
Ex Comm
CCFile

PETTITT

Chief Commissioner

322

RALPH W. STONE
Rear Admiral, USNR
Chief Commissioner

2002

SECRET

1606

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

15 Aug 1946

MEMORANDUM TO: Mr. J. M. Greene

With reference to your memorandum of August 14th, I do not think that the second sentence in the third paragraph of your memorandum correctly represents the facts. I did not "ask" you to take back Mr. Key's letter. Instead, I suggested that since it was not clearly responsive to AFHQ's request as to whether the Treasury Representative at the Embassy had withdrawn his objection, the Embassy might desire to withdraw it in order to submit a letter which would be less ambiguous on this point.

Since, as you know, I had heard nothing further from you on this question up to 12:45 p.m. today, I asked you to review a draft signal to AFHQ which I am glad you feel fairly states the situation as of today.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Copy to: Mr. David McK. Key,
Charge d'Affaires, a.i.,
American Embassy, Rome.

Dr. Fusca

1603

1607

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

15 Aug 1946

MEMORANDUM TO: Mr. J. M. Greene

With reference to your memorandum of August 14th, I do not think that the second sentence in the third paragraph of your memorandum correctly represents the facts. I did not "ask" you to take back Mr. Key's letter. Instead, I suggested that since it was not clearly responsive to AFHQ's request as to whether the Treasury Representative at the Embassy had withdrawn his objection, the Embassy might desire to withdraw it in order to submit a letter which would be less ambiguous on this point.

Since, as you know, I had heard nothing further from you on this question up to 12:45 p.m. today, I asked you to review a draft signal to AFHQ which I am glad you feel fairly states the situation as of today.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Copy to: Mr. David McK. Key,
Chargé d'Affaires, a.i.,
American Embassy, Rome.

Dr. Tasca

6990

1608

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

COPY

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

13191/F

14 August 1945

SUBJECT: Michele Sulfina - Assicurazioni Generali, Trieste

TO : Assistant Chief of Staff G-5, AFHQ

1. In reply to your letter G-5/010.11 dated 6 August, arrangements are being made to provide AMG Venezia Giulia with all data in our possession relating to CCS views generally, and to Sulfina in particular. A few days will necessarily elapse before assembly of the material can be completed.

2. In view of your agreement to our action in respect of Sulfina, we should be glad to have your opinion on the somewhat similar case of Arnoldo Frigessi, Direttore Generale of Riunione Adriatica di Sicurta, also of Trieste, whose name has been more or less constantly linked with that of Sulfina in references emanating from CCS.

3. Frigessi was interned by HQ 15 Army Group a short while ago, but this did not, as was expected, close the matter, since after our letter of 2 August was written you about Sulfina, Frigessi has been released, and our Public Safety Sub-Commission has expressed itself unable to recommend any suspensory action on the basis of their own knowledge of him. His internment was originally ordered, it is understood, by G-2, AFHQ, who also approved of his release. Having regard to all the circumstances, would you agree to action in his case parallel to that being taken for Sulfina?

4. In reply to the last sentence of your fourth paragraph, the Italian Government has not yet produced measures for eliminating undesirables from insurance, or any other non-enemy, concerns. This has for many months been engaging the attention of the Civil Affairs Section of the Allied Commission, which has been kept fully advised of CCS requirements on the subject of insurance.

For the Chief Commissioner,

/s/ A.P. Greffrey-Smith
Brigadier
Joint Director
Finance Sub-Commission

Copies to:
CCG AMG Venezia Giulia for CFO
US Embassy (Miss Fogarty) with copy of G-5 letter
13174/F
FIS/017/F

2669

1609

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

15 August 1946.

2057

MEMORANDUM TO: Mr. J. N. Greene

With reference to your memorandum of August 14th, I do not think that the second sentence in the third paragraph of your memorandum correctly represents the facts. I did not "ask" you to take back Mr. Key's letter. Instead, I suggested that since it was not clearly responsive to AFHQ's request as to whether the Treasury representative at the Embassy had withdrawn his objection, the Embassy might desire to withdraw it in order to submit a letter which would be less ambiguous on this point.

Since, as you know, I had heard nothing further from you on this question up to 12:45 p.m. today, I asked you to review a draft signal to AFHQ which I am glad you feel fairly states the situation as of today.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Copy to: Mr. David McK. Key,
Charge d'Affaires, a.i.,
American Embassy, Rome.

Dr. Tasca

2058

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2058b

1610

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

August 14, 1946

MEMORANDUM

TO : Dr. Tasca
Miss Fogarty
Mr. Henderson
Mr. Key

I have this morning discussed at length with Admiral Stone Mr. Key's letter to Brigadier Lush of August 13 replying to the Brigadier's of August 10, regarding the cases of Messrs. Frigessi and Sulfina. As I have mentioned orally, Admiral Stone states that Mr. Jones cooperated in drafting his signal to AFHQ No. 4325 of July 25, in which the Admiral stated "in view of epuration clearance TAM 665 appears to have been complied with and there seems to be no further basis for maintenance of their suspension."

In view of Mr. Jones' agreement with this statement, Admiral Stone has expressed surprise that the Embassy should state that its position remains as set out in Mr. Jones' memorandum of July 15. The Admiral points out that Mr. Jones, after seeing the correspondence exchanged between Arpesani and Admiral Stone between 11 July and 18 July, felt that no position other than that set out in telegram to AFHQ was possible.

After looking at TAM 665, I told the Admiral, that while I would, of course, support any position Mr. Jones had taken, I personally do not agree that TAM 665 has been complied with, inasmuch as Trieste is not "under Italian official jurisdiction". After some discussion of this point during which the Admiral pointed out that TAM 665 contemplates only official Italian epuration in Trieste, eliminating the competence of AMG--sponsored epuration bodies, Admiral Stone changed his tack and asked me to take back Mr. Key's letter of August 13. In so doing he referred to the question asked in the second paragraph of Brigadier Lush's letter of August 10, namely, whether the interest of the Treasury representative at this Embassy in these men had terminated and whether his objections are withdrawn.

I explained that we had deliberately avoided pinning a reply down to Dr. Tasca, since he is considered a member of the Embassy Staff and cannot appropriately be singled out for opinions. Admiral Stone could not agree with this interpretation of Dr. Tasca's position, but he did admit that he himself had never sought or received a direction expression of Dr. Tasca's opinion. In fact, he

1611

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

was at a loss to know why AFHQ should specifically ask for that opinion, unless someone at AFHQ had been corresponding with Dr. Tasca on the matter.

As matters now stand, Admiral Stone still has our first letter, hopes to get another referring specifically to the U. S. Treasury Representative and his views, and is postponing a reply to AFHQ until I let him know whether he may expect this second letter. Admiral Stone has furthermore requested my participation in drafting his reply, in which he proposes to say that his 4325 was concurred in by (POLAD) (A).

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J. N. GREENE

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

COPY

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

13191/F 14 August 1945

SUBJECT: Michele Sulfina - Assicurazioni Generali, Trieste

TO : Assistant Chief of Staff G-5, AFHQ

1. In reply to your letter G-5/019.11 dated 6 August, arrangements are being made to provide AMG Venezia Giulia with all data in our possession relating to CCS views generally, and to Sulfina in particular. A few days will necessarily elapse before assembly of the material can be completed.

2. In view of your agreement to our action in respect of Sulfina, we should be glad to have your opinion on the somewhat similar case of Arnoldo Frigessi, Direttore Generale of Riunione Adriatica di Sicurta, also of Trieste, whose name has been more or less constantly linked with that of Sulfina in references emanating from CCS.

3. Frigessi was interned by HQ 15 Army Group a short while ago, but this did not, as was expected, close the matter, since after our letter of 2 August was written you about Sulfina, Frigessi has been released, and our Public Safety Sub-Commission has expressed itself unable to recommend any suspensory action on the basis of their own knowledge of him. His internment was originally ordered, it is understood, by G-2, AFHQ, who also approved of his release. Having regard to all the circumstances, would you agree to action in his case parallel to that being taken for Sulfina?

4. In reply to the last sentence of your fourth paragraph, the Italian Government has not yet produced measures for eliminating undesirables from insurance, or any other non-statal, concerns. This has for many months been engaging the attention of the Civil Affairs Section of the Allied Commission, which has been kept fully advised of CCS requirements on the subject of insurance.

For the Chief Commissioner,

/s/ A.P. Grafftey-Smith
Brigadier
Joint Director
Finance Sub-Commission

Copies to:
SCAO AMG Venezia Giulia for CFO
US Embassy (Miss Fogarty) with copy of G-5 letter
13174/F
IMS/017/F

0095

1613

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

COPY

THE FOREIGN SERVICE OF THE UNITED STATES
OF AMERICA

SECRET

AMERICAN EMBASSY

Rome, August 13, 1946

Dear Brigadier Lush,

Thank you for your letter of August 10, referring to the cases of Messrs. Frigessi and Sulfina, on which discussions have taken place between the Chief Commissioner, Mr. J. Wesley Jones, and Dr. Arpesani.

The Embassy's position, and that of individual members of the Embassy staff, remains as set out in Mr. Jones' memorandum to you of July 15. Accordingly, I too am loath to recommend any Allied action which will have the effect of reinstating the two men in their former positions.

I note that you say the Italian Government is pressing for their reinstatement, as it is intended to include them in the Italian Delegation at Paris. I do not feel, however, that their possible inclusion in this Delegation should influence our action with regard to their reinstatement at Trieste.

Sincerely,

/s/ David McK. Key
/t/ David McK. Key
Charge d'Affaires ad interim

Brigadier W. S. Lush
Executive Commissioner
Headquarters, Allied Commission
Rome

740/8

2004

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1614

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

SECRET.

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

AUG 14 1946

Ref: 4503/283/30. 10 August 1946.

It will be within your recollection that discussions have taken place between the Chief Commissioner, Mr. Wesley Jones and Dr. Arpesani on the question of the reinstatement in their offices at TRIESTE of Messrs. Frigessi and Sulfina. As a result of these discussions the Chief Commissioner sent the attached telegram to AFHQ and at the same time informed the Under Secretary of the Presidency of the Council of Ministers of his action.

AFHQ have now asked whether the interest in these men of the Treasury Representative at your Embassy has now terminated and whether his objections to them are now withdrawn.

I should be glad if you would enable me to reply to this query as soon as possible. I should add that the Italian Government are pressing for the reinstatement of these two men as they intend to include them in the Italian Delegation at PARIS.

M. S. LUSH

David McK. Key, Esq.,
US Charge d'Affaires A.I.,
US Embassy,
ROME.

Copy to: Chief Commissioner
POLAD (B)
Econ Sec

MSL/JG.

2032

1615

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

TRANSLATION

THE UNDERSECRETARY OF STATE
OF THE PRESIDENCY OF THE COUNCIL OF MINISTERS

Rome, 27 July 1946.

343/S.P.V.

Dear Admiral,

I have received your kind communication regarding Messrs De Frigessi and Sulfina and I wish to renew to you, also in the name of the Government, my most sincere thanks for the interest you have taken in the definition of this matter.

I realize perfectly well the necessity and ~~utility~~ usefulness of transmitting your decision to the Allied Forces Headquarters and I am looking forward to another communication from you assuring me that your instructions have been forwarded to the 13th Corps in Trieste.

Thank you also for the friendly reception this morning and, in the hope of meeting you again in the same atmosphere of friendly understanding, believe me with kindest regards

Respectfully yours,

/s/ Paolo Cappa

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

6609

1616

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

TRANSLATION

THE UNDERSECRETARY OF STATE
OF THE PRESIDENCY OF THE COUNCIL OF MINISTERS

Rome, 27 July 1946.

343/S.P.V.

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Thank you also for the friendly reception this morning and, in the hope of meeting you again in the same atmosphere of friendly understanding, believe me with kindest regards

Respectfully yours,

/s/ Paolo Cappa

2091

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

1617

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

TRANSLATION

THE UNDERSECRETARY OF STATE
OF THE PRESIDENCY OF THE COUNCIL OF MINISTERS

Rome, 27 July 1946.

343/S.P.V.

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Respectfully yours,

/s/ Paolo Cappa

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Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

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

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PRIORITY

AFHQ SIGNED SACRED CITE FHSEG

AIRCOM ROME

SECRET

REFERENCE CONVERSATION BRIG. LUSH/COL HAMBLEN AND OUR

(202) REF F 70218 OF 8 AUGUST PARE SUBJECT.

UNABLE TO REMOVE SUSPENSION TWO INSURANCE HEADS IN VENEZIA

GIULIA, AT THIS TIME.

2610/32

AC DEPT

Action: Ex. Comm (2)

Info: C Comm
Poland (A)
Poland (B)
File
Skeleton

INFO - ~~ACTION~~

HEADQUARTERS
9 AUG 1946
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(203)

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

Cable F-70218 dated 8 Aug 46.

Transferred to CP 3753 folio 89.

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202

1620

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

TRANSLATION

Confidential

MINISTRY OF GRACE AND JUSTICE

Secretariat

File No. 610/4.7. Rome, 3 August 1946.

SUBJECT: Rodolfo Graziani - ex-Marshal of Italy - prisoner

TO : Office of the Chief Commissioner, Allied Commission, Rome.

The President of the First Special Section of the Court of Assizes of Rome has authorized with orders dated 31 July 1946, the hospitalization of the defendant Rodolfo Graziani, once Marshal of Italy, in a clinic of Naples to be chosen by the Prosecutor; and the Prosecutor with letter 1 August 1946 addressed to this Ministry, according to art. 107 of the Ruling for the Institutions of Prevention and Punishment, transmitting copy of the abovesaid authority of hospitalization, has indicated the Ruesch clinic of Naples.

Before authorizing that the above orders be carried out, I beg the Allied Commission to express its view regarding this matter, in compliance with the agreements made.

For the Minister:

/s/ ~~Illegible~~

P. Aurisicchia

Section: Ex Pol

To: CC

Action: PS 5/6077

1621

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

TRANSLATION

THE UNDERSECRETARY OF STATE
OF THE PRESIDENCY OF THE COUNCIL OF MINISTERS

Rome, 27 July 1946.

343/S.P.V.

200

Dear Admiral,

I have received your kind communication regarding Messrs De Frigessi and Sulfine and I wish to renew to you, also in the name of the Government, my most sincere thanks for the interest you have taken in the definition of this matter.

I realize perfectly well the necessity and ~~utility~~ usefulness of transmitting your decision to the Allied Forces Headquarters and I am looking forward to another communication from you assuring me that your instructions have been forwarded to the 13th Corps in Trieste.

Thank you also for the friendly reception this morning and, in the hope of meeting you again in the same atmosphere of friendly understanding, believe me with kindest regards

Respectfully yours,

/s/ Paolo Cappa

s/c/y

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

201

5076

Il Sottosegretario di Stato
alla Presidenza del Consiglio dei Ministri

Roma, 27 LUG 1946

343/S.P.2

Illustre Ammiraglio,

Ho ricevuto la Sua cortese comunicazione nei riguardi dei Sigg. De Frigessi e Sulfina e desidero rinnovarLe, anche a nome del Governo, i miei più sentiti ringraziamenti per l'interessamento da Lei portato alla definizione di tale pratica.

Mi rendo perfettamente conto della necessità e della utilità di comunicare le Sue decisioni al Quartier Generale delle Forze Alleate e resto in attesa di altra Sua comunicazione che assicuri la trasmissione delle Sue istruzioni al 13° Corpo a Trieste.

Grazie anche della simpatica accoglienza che ha voluto riservarmi stamane e, nella speranza di vederLa ancora nella stessa atmosfera di amichevole comprensione, Le invio Ammiraglio l'espressione della mia alta considerazione.

Suo devoto
Pietro Caporali

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

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Suo devmo

Pietro Cappa

8075

Ammiraglio Ellery STONE
Capo della Commissione Alleata

R O M A

201

Declassified E.O. 12356 Section 3.3/NND No. 755015

1624

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

28 July 1946.

SUBJECT: Signori GRIFFA and DE LORENZI

Dear Sir:

Supplementing my letter of 18 July to Mr. Arpesani on the above subject, please be informed that these men were originally suspended from their insurance company posts upon orders of the Combined Chiefs of Staff, transmitted to this Commission by Allied Force Headquarters.

Yesterday, I telegraphed Allied Force Headquarters stating that in view of their clearance or acquittal in epuration proceedings, it did not appear that there was any further basis for not complying with the request of the Italian Government that their suspension be cancelled, and accordingly requested that appropriate instructions be issued to Allied Military Government, 13 Corps, at Trieste, which is now under the direct command of AFHQ.

I requested that a copy of such instructions be furnished to the Allied Commission and upon their receipt I shall be glad to so advise you.

Very truly yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USN
Chief Commissioner

Dr. Paolo Zappa,
The Undersecretary of State,
Presidency of the Council of Ministers,
Rome.

8074

DISTRIBUTION:
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Poland A — Econ Sec
Poland B — CC
VP CA Sec

1625

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

26 July 1946.

SUBJECT: Signori DOLFIN and DE FRIGERIO

Dear Sir:

(197)

Supplementing my letter of 18 July to Dr. Arpesani on the above subject, please be informed that these men were originally suspended from their insurance company posts upon orders of the Combined Chiefs of Staff, transmitted to this Commission by Allied Force Headquarters.

(199)

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I requested that a copy of such instructions be furnished to the Allied Commission and upon their receipt I shall be glad to so advise you.

Very truly yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USN
Chief Commissioner

Hon. Paolo Cappa,
The Undersecretary of State,
Presidence of the Council of Ministers,
Rome.

(201)

DISTRIBUTION:
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Polad A
Polad B
VP CA Sec
Econ Sec
CC

(200)

1626

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

FM ALCOM CITY ADENO 251750JULY1946

ATTN FOR G-5 SECTION

4325 SECRET

SUBJECT IS SULFINA AND PRIEST OF TRIESTE UNDERGROUND ORGANIZED BY YOUR CHOICE DASH FIVE SLANT ZERO ONE WING POINT ONE ONE OF AUGUST EIGHTEEN ONE NINE FOUR FIVE REGARDING SULFINA AND FORWARDING PARAGRAPHS OF TAM SIX SIX FIVE OF SIXTEEN AUGUST ONE NINE FOUR FIVE AND FURTHER LETTER SAME DATE AND REFERENCE REGARDING PRIEST REFER TO BOTH THESE PERSONS HAVE BEEN CLEARED BY ITALIAN LIBERATION PROCEDURES AND ARE FREE TO OPERATE IN ITALIAN GOVERNMENT TERRITORY TO ITALIAN GOVERNMENT HAS REQUESTED THAT SULFINA AND PRIEST BE REQUIRED TO REMAIN OUT OF CENTRAL OFFICE OF COMPANIES IN TRIESTE TO IN VIEW OF SUSPICION SURROUNDING TAM SIX SIX FIVE APPEARS TO HAVE BEEN COMPLIED WITH AND THERE SEEMS TO BE NO FURTHER BASIS FOR MAINTENANCE OF THEIR SUSPENSION TO IF YOU CONCUR WITH ABOVE VIEW REQUEST YOU ISSUE APPROPRIATE INSTRUCTIONS TO ANY TRIESTEAN COPY WITH COPY TO ALCOM TO

COPY TO:→ POLAD 'A'
POLAD 'B'
C.A. Sec.
Econ. Sec.

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PRIORITY

Office of the Executive Commissioner

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CMO USA
A ct Adjt

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

TRANSLATION

PRESIDENCY OF THE COUNCIL OF MINISTERS

The Undersecretary of State

Rome, 18 July 1946.

No. 1968/S.P.

Dear Admiral,

With reference to your request of to-day, I wish toconfirm to you that the answers to both questions contained in the last paragraph of your letter of 11 July must be considered in the affirmative sense. In fact:

1) the Epuration Commission presided by me on 20 April 1946 had already taken into careful consideration the agreements you mention in your abovesaid letter of 11 July 1946.

2) no alteration has to be made to the conclusions reached by the Commission on 20 April 1946.

I believe therefore that in relation with the explanations furnished in this letter as well as in my last, there will be no further difficulty in granting the request of the Italian Government to see fully reinstated in their functions Mr Sulfina and Mr De Frigessi.

Thanking you for your interest which I hope will bring the speedy definition of this matter, I renew to you, dear Admiral, the expression of my sincere cordiality.

Truly yours,

/s/ G. Arpesani

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

1628

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

TRANSLATION

PRESIDENCY OF THE COUNCIL OF MINISTERS

The Undersecretary of State

Rome, 18 July 1946.

No. 1968/3.P.

Dear Admiral,

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Thanking you for your interest which I hope will bring the speedy definition of this matter, I renew to you, dear Admiral, the expression of my sincere cordiality.

Truly yours,

/s/ G. Arpesani

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

6869

1629

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

18 July 1946.

Dear Dr. Arpesani:

I have received your letter of 13 July which referred to my letter of the 11th instant.

I should be grateful if you would advise me if I am to assume that the answers to both of the questions contained in the last paragraph of my letter of 11 July are in the affirmative.

Very truly yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani,
Undersecretary of State,
Presidency of the Council of Minister,
Italian Government,
Rome.

DISTRIBUTION:
Ex Com
Polad (A)
Polad (B)
VP CA Sect.
Econ Sect.
CC

approved
CCCS
7610

PRESIDENZA DEL CONSIGLIO DEI MINISTRI

IL SOTTOSEGRETARIO DI STATO

Roma, 18 luglio 1946

N. 1968/S.P

Illustre Ammiraglio,

con riferimento alla Sua richiesta in data odierna, desidero confermarLe che le risposte ad ambedue le questioni contenute nell'ultimo paragrafo della Sua lettera dell'11 luglio devono essere considerate in senso affermativo. Infatti:

1) la Commissione di Epurazione da me presieduta in data 20 aprile u.s. aveva già preso in attenta considerazione gli accordi da Lei menzionati con la già citata Sua lettera dell'11 luglio 1946.

2) nessuna modifica deve essere portata alle conclusioni che la Commissione emise in data 20 aprile.

Ritengo perciò che in relazione con i chiarimenti forniti con questa lettera e con la mia precedente, non vi sarà più alcuna difficoltà all'accoglimento della richiesta del Governo Italiano di veder pienamente reintegrati nelle loro funzioni i Sigg. Sulfina e De Frigessi.

Nel ringraziarLa del Suo interessamento, che mi auguro possa portare alla rapida definizione di tale pratica, Le rinnovo, gentile Ammiraglio, l'espressione della mia più viva cordialità.

6970

Suo dev.

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

1) la Commissione di Epurazione da me presieduta in data 20 aprile u.s. aveva già preso in attenta considerazione gli accordi da Lei menzionati con la già citata Sua lettera dell'11 luglio 1946.

2) nessuna modifica deve essere portata alle conclusioni che la Commissione emise in data 20 aprile.

Ritengo perciò che in relazione con i chiarimenti forniti con questa lettera e con la mia precedente, non vi sarà più alcuna difficoltà all'accoglimento della richiesta del Governo Italiano di veder pienamente reintegrati nelle loro funzioni i Sigg. Sulfina e De Frigessi.

Nel ringraziarLa del Suo interessamento, che mi auguro possa portare alla rapida definizione di tale pratica, Le rinnovo, gentile Ammiraglio, l'espressione della mia più viva cordialità.

8970

Suo dev.mo

P. Bretani.

Ammiraglio Ellery W. STONE
Capo della Commissione Alleata in Italia

= R O M A =

(98)

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

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

18 July 1946.

Dear Dr. Arpesani:

I have received your letter of 13 July which referred to my letter of the 11th instant.

I should be grateful if you would advise me if I am to assume that the answers to both of the questions contained in the last paragraph of my letter of 11 July are in the affirmative.

Very truly yours,

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

Dr. G. Arpesani,
Undersecretary of State,
Presidency of the Council of Minister,
Italian Government,
Rome.

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COPY —

TRANSLATION

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

1943/S.P. Rome, 13 July 1946.

Dear Admiral,

With referdnce to your letter of the 11th instant, I wish first of all to assure you that, when on 20 April 1946 the Commission presided by me examined the possibility of reinstating in the old position Mr Sulfina and Mr De Frigessi, respectively as general managers of the Assicurazioni Generali of Venice and of the "Riunione Adriatica di Sicurta'", also their activity abroad was examined very carefully.

Such declaration could therefore be sufficient in reply to what you are asking me in the abovementioned letter, but I wish that there should be no doubts left about the complete loyalty of the two abovesaid gentlemen and therefore I shall illustrate the inexactness of the collaboration charges made against them with reference to the agreements stipulated between Italy and Germany on matters of insurance during the war. I make the reservation of proving to youin the end that, even if these agreements could in some way prejudice the Anglo-American Insurance Companies, Mr Sulfina and Mr De Frigessi had absolutely nothing to do with them.

As to the agreements made between Italy and Germany on 26 February 1941 on matters of insurance and reinsurance, as mentioned in paragraph 1, I must remind you that art. 36 of the confidential minutes determined that the German Government would do its best so that the Italian Insurance Companies might continue their normal activity in the territories occupied by German troops (and this fact can certainly not be a reason for charges) and besides that the Italian Companies be granted an adequate participation in the subdivision of the insurance portfolios which could eventually become available in occupied zones.

I must inform you, Admiral, that the vast participation of said Companies in such subdivision amounted to a maximum of 5% of the obtained portfolios. And since in paragraph 3 of the memorandum (attached to your abovementioned letter) the participations obtained in France, in Carinthia and in Southern Syria by the "Generali" of Venice and by the "Riunione Adriatica di Sicurta'" are being contended, in order to reveal the activity of the Italian Companies which, already at that time, was not against, but in the interest of the Allied, it is well that it should be known that - as far as the "Generali" of Venice are concerned - in France they had only the portfolio of the Commercial Union Assurance Company for REASSURANCE. This certainly did not cause any damage to the London Company, inasmuch as if this had not happened, the persons in France who were insured would have without any doubt been obliged to abandon said Company to cover their risks with some German companies. The fact of having assumed only the reassurance of

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said portfolio has to-day enabled the Commercial Union of London to recuperate all the holders of insurance policies it had before the war. Therefore it can be logically affirmed that the action taken in France during that period by the "Assicurazioni Generali" of Venice resulted to the advantage and certainly not to the damage of the Allies. It is to be noted that in that same France during the same period the German Companies assumed, mostly as direct assurance and not reassurance, more than 20 portfolios of Allied Companies.

As to the charges made against the "Riunione Adriatica di Sicurta'", I must remind you that the same formulated charges only mention declarations made by the Company of having an interest in the Lesseleuc Group, but such declaration was not followed by any concrete action, so that no agreement was made in this regard and the Company had no direct or indirect profit from it.

There is still the question of Syria and Carinthia to be clarified now. Here too the inconsistency of the charges is made evident by the facts. In those regions, the "Generali" of Venice and the "Riunione Adriatica di Sicurtà'", either directly or through affiliated companies, had constituted insurance portfolios since more than a century. When the German troops occupied the abovesaid regions, they issued through German insurance companies German policies instead of those which existed previously, issued by the various insurance companies operating there; among others also the Italian insurance policies were substituted. The "Generali" of Venice and the "Riunione Adriatica di Sicurta'" limited themselves to ask for the respect of their pre-existing portfolios, but did not succeed to obtain this completely but only in a measure of 80%.

As to the charges made in paragraph 4 of the memorandum attached to your letter, allow me - Admiral - to transcribe the Italian text, which says in paragraph 2:

"The Itulian Governmental Committee has besides pointed out that the Central Management of the "Assicurazioni Generali" of Trieste owns, at the Handlowy Bank of Warsaw, old frozen credits of a total amount of Zloty 397.980, whose liberation is necessary for the continuation of its work.

"The German Governmental Committee declares that the liberation of bank credits in the Governatorate General can only take place in the limits of the possibilities of the single banks; said Committee will contact the competent authorities of the General Government and will endeavor that the "Assicurazioni Generali" may obtain with regard to these credits the same treatment which is reserved to German titulars of banking credits in the Governatorate General."

It is therefore obvious that the Italian Governmental Committee has only requested the liberation of an old credit, which had existed before the war and had been accumulated through the work of many Italians, and I can't see no crime in this.

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With regard to paragraph 2, the tenor of the agreement in its precise text proves that the Italian and German insurance companies, worried by the autarchic tendencies and the statal interventions favored by the war, were endeavoring in the interest of the freedom of private insurance to find the best means with which - through an agreement between the insuráng enterprises of the various countries, including the neutrals like Switzerland - they could offer to cover sufficiently the markets of the various countries, with the usual system of international reassurance, diffused as much as possible.

Having so replied to the various points of the enclosure to your letter of the 11th instant, I wish now to draw your attention to the specific question to be examined, i.e. the part Mr Sulfina and Mr De Frigessi played in the negotiation and in the stipulation of said agreement.

The attitude of the various Italian insurance companies during the period 1941-45 results perfectly clear from the above: it was an attitude which could not be called disloyal to the Anglo-American insurance companies. But, even admitting rather absurdly, that such attitude caused a damage to Allied Companies, in order to be able to take steps against Mr Sulfina and Mr De Frigessi it should be proved that they were responsible for such an attitude.

Now, since it is not possible to attribute to them the paternity of the agreements made between the Italian and the German Government on 21.2.1941 and 5.8.1941 (since these agreements were made between Governments and not between Companies) it would be necessary to prove that the abovesaid gentlemen at least inspired the spirit of such agreements. Instead, it is possible to prove exactly the contrary, i.e. that they had nothing to do with them and were even, by the express will of the competent Government departments, excluded - for racial reasons - from any negotiation or stipulation of agreements which could somehow have a political background.

The agreements made between the Italian and German Governments in 1941 were preceded by meetings of delegates of the two Nations. I submit to you the minutes of those meetings. The "Generali" of Venice and the R.A.S. were not represented by Sulfina and De Frigessi who were even definitely excluded from the Honorary Committee as well as from the technical one. The reasons are obvious: Fascism wanted to make use of their technical competence, but did not trust their political faith.

Also these last charges collapse therefore and, knowing your loyalty in defending Italian interests, I trust firmly that the examination of this sad episode may soon be closed. In this way we shall give full satisfaction to two Italians who since 13 months are only asking for the restitution of a right: to work honestly for their Country in a field in which they have achieved, also abroad, authority and prestige.

FOR

With my best regards

/s/ C. Arpesani

Il Sottosegretario di Stato
alla Presidenza del Consiglio dei Ministri

Roma, 13 luglio 1946

1943/S.P.

Illustre Ammiraglio,

con riferimento alla Sua lettera dell'11 corr.mese, desidero anzitutto assicurarLe che la Commissione da me presieduta il 20 aprile u.s., quando esaminò la possibilità di reintegrare nelle loro cariche i Signori Sulfina e De Frigessi, alle rispettive Direzioni Generali delle Compagnie di Assicurazioni Generali di Venezia e Riunione Adriatica di Sicurtà, esaminò molto accuratamente anche l'attività che costoro svolsero all'estero.

Tale dichiarazione potrebbe pertanto essere sufficiente in risposta a quanto Ella chiede con la precitata lettera, ma io desidero che non restino dubbi sulla completa lealtà dei due predetti Signori e voglio pertanto soffermarmi ad illustrare la inesattezza delle accuse di collaborazione mosse a costoro, con riferimento agli accordi intervenuti Fra Italia e Germania in materia assicurativa, durante la guerra. Mi riservo da ultimo di dimostrarLe che, anche qualora questi accordi avessero potuto in qualche modo nuocere alle Compagnie di assicurazioni anglo-americane, i Signori Sulfina e De Frigessi ne furono completamente estranei.

Per quanto riguarda gli accordi stipulati tra Italia e Germania il 26 febbraio 1941 in materia di assicurazione e riassicurazione, di cui al punto 1°, devo ricordare che l'art. 36 del protocollo confidenziale stabiliva che il Governo germanico si sarebbe adoperato perchè le Società di Assicurazione italiane potessero conservare la loro normale attività nei territori occupati dalle truppe germaniche (cosa questa che non può certo costituire ragione di addebito) e che inoltre venisse riservata alle Compagnie Italiane una partecipazione adeguata nella suddivisione dei portafogli di assicurazione, che potessero eventualmente rednersi disponibili nelle zone occupate.

Devo informarLa, Ammiraglio, che la larga partecipa-

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Sicurtà, esaminò molto accuratamente anche l'attività che costoro svolsero all'estero.

Tale dichiarazione potrebbe pertanto essere sufficiente in risposta a quanto Ella chiede con la precitata lettera, ma io desidero che non restino dubbi sulla completa lealtà dei due predetti Signori e voglio pertanto soffermarmi ad illustrare la inesattezza delle accuse di collaborazione mosse a costoro, con riferimento agli accordi intervenuti Fra Italia e Germania in materia assicurativa, durante la guerra. Mi riservo da ultimo di dimostrarLe che, anche qualora questi accordi avessero potuto in qualche modo nuocere alle Compagnie di assicurazioni anglo-americane, i Signori Sulfina e De Frigessi ne furono completamente estranei.

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Devo informarLa, Ammiraglio, che la larga partecipazione delle suddette Compagnie in tale suddivisione assommò al massimo al 5% dei portafogli ottenuti. E poichè al punto 3 delle note aggiuntive (allegate alla Sua precitata lettera) si contestano le partecipazioni ottenute in Francia, in Carinzia e in Siria meridionale dalle Generali di Venezia e

Ammiraglio Ellery STONE
Capo della Commissione Alleata

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dalla Riunione Adriatica di Sicurtà, affinchè sia nota l'azione che, fin da allora, le Compagnie italiane svolsero, non contro, ma nell'interesse degli Alleati anglo-americani, è bene si sappia che per quanto riguarda le Generali di Venezia esse in Francia ebbero il solo portafoglio della Commercial Union Assurance Compagnie in RIASSICURAZIONE. Ciò non costituì certo un danno per la Compagnia di Londra, in quanto, qualora ciò non fosse avvenuto, indubbiamente gli assicurati francesi avrebbero dovuto abbandonare tale compagnia per coprire i propri rischi con compagnie tedesche. L'aver assunto la sola riassicurazione di tale portafoglio ha dato oggi modo alla Commercial Union di Londra di ricuperare la massa degli assicurati che vantava anteguerra. Pertanto è logico affermare che l'azione svolta in Francia in tale periodo dalle Assicurazioni Generali di Venezia risultò a vantaggio e non certo a danno degli Alleati. Da notare che nella stessa Francia le compagnie tedesche assunsero nello stesso periodo, per lo più in assicurazione diretta e non in riassicurazione - oltre 20 portafogli di compagnie alleate.

Per quanto si riferisce all'accusa mossa alla Riunione Adriatica di Sicurtà, devo ricordare che la stessa accusa formulata si limita a parlare di dichiarazioni fatte dalla Compagnia di aver interessi al Gruppo Lesseleuc, ma a tale dichiarazione non seguì alcuna azione concreta, tanto che nessun accordo fu redatto in proposito e nessun utile diretto o indiretto la Compagnia potè trarne.

Resta ora da chiarire la questione della Siria e della Carinzia. Anche qui l'inconsistenza dell'accusa è resa evidente dai fatti. In tali regioni le Generali di Venezia e la Riunione Adriatica di Sicurtà, o in proprio o attraverso compagnie affiliate, si erano costituiti portafogli assicurativi da oltre un secolo. Allorquando le truppe tedesche occuparono le pre-

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venuto, indubbiamente gli assicurato[illegible]
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dette regioni fecero emettere, da compagnie di assicurazione
germaniche, polizze tedesche al posto di quelle preesistenti
delle diverse compagnie di assicurazioni, che ivi operavano:
fra l'altro vennero sostituite anche le polizze di assicurazio
ne italiane. Le Generali di Venezia e la Riunione Adriatica di
Sicurtà si limitarono a chiedere il rispetto dei loro preesi-
stenti portafogli, cosa che non riuscirono ad ottenere inte-
gralmente, ma solo in una misura dell'80%.

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Il Sottosegretario di Stato
alla Presidenza del Consiglio dei Ministri

Per quanto riguarda le accuse mosse al punto 4 delle note aggiuntive alla Sua lettera, mi consenta, Ammiraglio, di trascriverLe integralmente il testo italiano, il quale al punto 2 testualmente dice:

"Il Comitato governativo italiano ha fatto inoltre "presente che la direzione centrale delle Assicurazioni Gene- "rali di Trieste ha, presso la Banca Handlowy di Varsavia, vec "chi crediti bloccati dell'ammontare complessivo di Zloty "397.980, la cui liberazione è necessaria per lo svolgimento "del suo lavoro.

"Il Comitato governativo germanico dichiara che la "liberazione di crediti bancari nel Governatorato Generale "può avvenire soltanto nei limiti delle disponibilità delle "singole banche; detto Comitato si metterà in contatto con "le competenti autorità del Governo Generale e si adopererà "affinchè alle Assicurazioni Generali venga fatto relativa- "mente a questi crediti lo stesso trattamento riservato a "titolari germanici di crediti bancari nel Governatorato Ge "nerale."

E' pertanto chiaro che il Comitato governativo italiano ha solo richiesto lo sblocco di un vecchio suo credito, preesistente alla guerra, accantonato dal lavoro di tanti italiani, ed in questo non so veramente scorgere crimine alcuno.

Circa il punto 2°, il tenore dell'accordo nel suo testo preciso, sta a dimostrare che gli assicuratori italiani e tedeschi, preoccupati delle tendenze autarchiche e dagli interventi statali che dalla guerra venivano favoriti, si erano adoperati, nell'interesse della libertà dell'assicurazione privata, per trovare i mezzi più idonei, con cui, mediante accordo tra le imprese assicuratrici dei vari paesi, ivi compresi i neutrali come la Svizzera, venisse offerta sufficiente

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Risposto pertanto ai diversi punti di cui all'allegato 60 della Sua lettera dell'11 corr., desidero ora richiamare la Sua attenzione sulla specifica questione che si deve esaminare, ossia la parte avuta dai Signori Sulfina e De Frigessi nella trattazione e nella stipulazione degli accordi in parola.

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Il Sottosegretario di Stato
alla Presidenza del Consiglio dei Ministri

Da quanto precede risulta assai chiaramente l'atteggiamento delle diverse Compagnie di assicurazione italiane nel periodo 1941-45, atteggiamento che non può definirsi sleale nei riguardi delle Compagnie di assicurazione anglo-americane. Ma, ammesso anche per assurdo, che tale atteggiamento fosse risultato dannoso per le Compagnie Alleate, onde poter prendere un provvedimento nei riguardi dei Signori Sulfina e De Frigessi occorrerebbe dimostrare che essi furono i responsabili di tale atteggiamento.

Orbene: poichè non è possibile far risalire a costoro la paternità degli accordi intervenuti tra il Governo italiano e quello tedesco il 21.2.1941 e il 5.8.1941 (poichè tali accordi furono stipulati fra Governi e non fra Compagnie) bisognerebbe poter dimostrare che i predetti Signori furono per lo meno gli ispiratori dello spirito di tali accordi. Si ha invece la possibilità di poter dimostrare esattamente il contrario, ossia che essi ne furono completamente estranei; anzi per espressa volontà dei competenti organi di Governo vennero - per questioni razziali - esclusi da qualunque trattativa o stipulazione di accordi, che potessero comunque avere uno sfondo politico.

Gli accordi stipulati tra i Governi italiano e tedesco nel 1941 furono preceduti da riunioni di delegati delle due Nazioni. Sottopongo alla Sua attenzione i verbali di tali riunioni:

Le Generali di Venezia e la R.A.S. non furono rappresentati dal Sulfina e De Frigessi, costoro, anzi, furono assolutamente esclusi sia dal Comitato d'Onore, sia da quello tecnico. Le ragioni sono evidenti: il fascismo voleva servirsi delle loro competenze tecniche, ma non aveva fiducia nella loro fede politica.

Anche queste ultime accuse pertanto cadono e conoscendo la lealtà che Ella ha sempre posto nella difesa di interessi italiani ho la ferma [illegible]

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Orbene: poichè non è possibile far risalire a costoro la paternità degli accordi intervenuti tra il Governo italiano e quello tedesco il 21.2.1941 e il 5.8.1941 (poichè tali accordi furono stipulati fra Governi e non fra Compagnie) bisognerebbe poter dimostrare che i predetti Signori furono per lo meno gli ispiratori dello spirito di tali accordi. Si ha invece la possibilità di poter dimostrare esattamente il contrario, ossia che essi ne furono completamente estranei; anzi per espressa volontà dei competenti organi di Governo vennero - per questioni razziali - esclusi da qualunque trattativa o stipulazione di accordi, che potessero comunque avere uno sfondo politico.

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Anche queste ultime accuse pertanto cadono e confidando la lealtà che Ella ha sempre posto nella difesa di interessi italiani ho la ferma fiducia che l'esame di tale triste questione possa essere rapidamente chiuso. Si darà in tal modo piena soddisfazione a due italiani che da circa 13 mesi chiedono solo la restituzione di un loro diritto: lavorare onestamente per il proprio Paese, in quel campo nel quale seppero acquistarsi, anche all'estero, un prestigio ed una autorità.

Colla mia particolare considerazione

P. Arpesani.

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TRANSLATION

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

1943/S.P. Rome, 13 July 1946.

195

Dear Admiral,

With reference to your letter of the 11th instant, I wish first of all to assure you that, when on 20 April 1946 the Commission presided by me examined the possibility of reinstating in the old position Mr Sulfina and Mr De Frigessi, respectively as managers general of the Assicurazioni Generali of Venice and of the "Riunione Adriatica di Sicurta'", also their activity abroad was examined very carefully.

Such declaration could therefore be sufficient in reply to what you are asking me in the abovementioned letter, but I wish that there should be no doubts left about the complete loyalty of the two abovesaid gentlemen and therefore I shall illustrate the inexactness of the collaboration charges made against them with reference to the agreements stipulated between Italy and Germany on matters of insurance during the war. I make the reservation of proving to you in the end that, even if these agreements could in some way prejudice the Anglo-American Insurance Companies, Mr Sulfina and Mr De Frigessi had absolutely nothing to do with them.

attached As to the agreements made between Italy and Germany on 26 February 1941 on matters of insurance and reinsurance, as mentioned in paragraph 1, I must remind you that art. 36 of the confidential minutes determined that the German Government would do its best so that the Italian Insurance Companies might continue their normal activity in the territories occupied by German troops (and this fact can certainly not be a reason for charges) and besides that the Italian Companies be granted an adequate participation in the subdivision of the insurance portfolios which could eventually become available in occupied zones.

I must inform you, Admiral, that the vast participation of said Companies in such subdivision amounted to a maximum of 5% of the obtained portfolios. And since in paragraph 3 of the memorandum (attached to your abovementioned letter) the participations obtained in France, in Carinthia and in Southern Syria by the "Generali" of Venice and by the "Riunione Adriatica"di Sicurta'" are being contended, in order to reveal the activity of the Italian Companies which, already at that time, was not against, but in the

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With reference to your letter of the 11th instant, I wish first of all to assure you that, when on 20 April 1946 the Commission presided by me examined the possibility of reinstating in the old position Mr Sulfina and Mr De Frigessi, respectively as managers general of the Assicurazioni Generali of Venice and of the "Riunione Adriatica di Sicurta'", also their activity abroad was examined very carefully.

Such declaration could therefore be sufficient in reply to what you are asking me in the abovementioned letter, but I wish that there shoubd be no doubts left about the complete loyalty of the two abovesaid gentlemen and therefore I shall illustrate the inexactness of the collaboration charges made against them with reference to the agreements stipulated between Italy and Germany on matters of insurance during the war. I make the reservation of proving to you in the end that, even if these agreements could in some way prejudice the Anglo-American Insurance Companies, Mr Sulfina and Mr De Frigessi had absolutely nothing to do with them.

As to the agreements made between Italy and Germany on 26 February 1941 on matters of insurance and reinsurance, as mentioned in paragraph 1, I must remind you that art. 36 of the confidential minutes determined that the German Government would do its best so that the Italian Insurance Companies might continue their normal activity in the territories occupied by German troops (and this fact can certainly not be a reason for charges) and besides that the Italian Companies be granted an adequate participation in the subdivision of the insurance portfolios which could eventually become available in occupied zones.

I must inform you, Admiral, that the vast participation of said Companies in such subdivision amounted to a maximum of 5% of the obtained portfolios. And since in paragraph 3 of the memorandum (attached to your abovementioned letter) the participations obtained in France, in Carinthia and in Southern Syria by the "Generali" of Venice and by the "Riunione Adriatica"di Sicurta'" are being contended, in order to reveal the activity of the Italian Companies which, already at that time, was not against, but in the interest of the Allies, it is well that it should be known that - as far as the "Generali" of Venice are concerned - in France they had only the portfolio of the Commercial Union Assurance Company for REASSURANCE. This certainly did not cause any damage to the London Company, inasmuch as if this had not happened, the persons in France who were insured would have without any doubt been obliged to abandon said Company to cover their risks with some German companies. The fact of having assumed only the reassurance of said portfolio

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has to-day enabled the Commercial Union of London to recuperate all the holders of insurance policies it had before the war. Therefore it can be logically affirmed that the action taken in France during that period by the "Assicurazioni Generali" of Venice resulted to the advantage and certainly not to the damage of the Allies. It is to be noted that in that same France during the same period the German Companies assumed, mostly as direct assurance and not reassurence, more than 20 portfolios of Allied companies.

As to the charges made against the "Riunione Adriatica di Sicurta", I must remind you that the same formulated charges only mention declarations made by the Company of having an interest in the Lesseleuc Group, but such declaration was not followed by any concrete action, so that no agreement was made in this regard and the Company had no direct or indirect profit from it.

There is still the question of Syria and Cerinthia to be clarified now. Here too the inconsistency of the charges is made evident by the facts. In those regions, the "Generali" of Venice and the "Riunione Adriatica di Sicurta'", either directly or through affiliated companies, had constituted insurance portfolios since more than a century. When the German troops occupied the abovesaid regions, they issued through German insurance companies German policies instead of those which existed previously, issued by the various insurance companies operating there: among others also the Italian insurance policies were substituted. The "Generali" of Venice and the "Riunione Adriatica di Sicurta'" limited themselves to ask for the respect of their pre-existing portfolios, but did not succeed to obtain this completely, but only in a measure of 80%.

As to the charges made in paragraph 4 of the memorandum attached to your letter, allow me, Admiral, to transcribe the Italian text, which says in paragraph 2:

"The Italian Government Committee has besides pointed out that the Central Management of the "Assicurazioni Generali" of Trieste owns, at the Handlowy Bank of Warsaw, old frozen credits of a total amount of Zloty 397.980, whose liberation is necessary for the continuation of its work.

"The German Governmental Committee declares that the liberation of bank credits in the Governatorate General can only take place in the limits of the possibilities of the single banks; said Committee will contact the competent authorities of the General Government and will endeavor that the "Assicurazioni Generali" may obtain with regard to these credits the same treatment which is reserved to German titulars of banking credits in the Governatorate General."

It is therefore obvious that the Italian Governmental Committee has only requested the liberation of an old credit, which had existed before the war and had been accumulated through the work of many Italians, and I can see no crime in this.

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With regard to paragraph 2, the tenor of the agreement in its precise text proves that the Italian and German insurance companies, worried by the autarchic tendencies and the statal interventions favored by the war, were endeavoring in the interest of the freedom of private insurance to find the best means with which - through an agreement between the insuring enterprises of the various countries, including the neutrals like Switzerland - they could offer to cover sufficiantly the markets of the various countries, with the usual system of international reassurance, diffused as much as possible.

Having so replied to the various points of the enclosure to your letter of the 11th instant, I wish now to draw your attention to the specific question to be examined, i.e. the part Mr Sulfina and Mr De Frigessi played in the negotiation and in the stipulation of said agreement.

The attitude of the various Italian insurance companies during the period 1941-45 results perfectly clear from the above: it was an attitude which could not be called disloyal to the Anglo-American insurance companies. But, even admitting rather absurdly, that such attitude caused a damage to Allied Companies, in order to be able to take steps against Mr Sulfina and Mr De Frigessi it should be proved that they were responsible for such attitude.

Now, since it is not possible to attribute to them the paternity of the agreements made between the Italian and the German Government on 21.2.1941 and 5.8.1941 (since these agreements were made between Governments and not between Companies) it would be necessary to prove that the abovesaid gentlemen at least inspired the spirit of such agreements. Instead it is possible to prove exactly the contrary, i.e. that they had nothing to do with them and were even, by the express will of the competent Government departments, excluded - for racial reasons - from any negotiation or stipulation of agreements which could somehow have a plolitical background.

The agreements made between the Italian and German Governments in 1941 were preceded by meetings of delegates of the two Nations. I submit to you the minutes of those meetings. The "Gemerali" of Venice and the R.A.S. were not represented by Sulfina and De Frigessi who were even definitely excluded from the Honorary Committee as well as from the technical one. The reasons are obvious: Fascism wanted to make use of their technical competence, but did not trust their political faith.

Also these last charges collapse therefore and knowing your loyalty in defending Italian interests, I trust firmly that the examination of this sad episode may be soon closed. In this way we shall give full satisfaction to two Italians who since 13 months are only asking for the restitution of a right: to work honestly for their Country in a field in which they have achieved, also abroad, authority and prestige.

With my best regards

/s/ G. Arpesani

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36 - Il Governo Germanico, in relazione al punto I del Protocollo Confidenziale del 17 agosto 1940, si adopererà perchè alle Compagnie di assicurazione italiane ed alle loro società affiliate siano resi possibili nei territori occupati dalle truppe germaniche, la conservazione, il normale sviluppo del loro lavoro, nonchè un'adeguata partecipazione ai portafogli di assicurazione che si rendano liberi. All'attività assicurativa delle Compagnie di assicurazioni italiane e delle società affiliate dovranno essere applicate in tali territori gli stessi principi vigenti per l'attività assicurativa germanica. Le compagnie italiane si riservano di comunicare ai competenti organi i singoli casi di importanza per esse.

37 - Il Governo italiano, tenendo presente la posizione economica conseguita da Compagnie di assicurazioni italiane nel lavoro assicurativo germanico e in particolare con riguardo agli affidamenti avuti da parte germanica per una loro adeguata partecipazione a quello dei territori annessi e dei territori occupati dalle truppe germaniche, non mancherà di tenere in particolare considerazione gli interessi assicurativi germanici in Italia e le iniziative tendenti ad uno sviluppo della collaborazione dei due Paesi in questa materia. Inoltre nessuna misura sarà presa in pregiudizio dell'attività assicurativa in Italia, diretta od indiretta, delle Compagnie di assicurazione germaniche, ciò non vale però per le misure applicabili in generale alle Compagnie di assicurazione operanti in Italia oppure per le misure corrispondenti ad analoghe disposizioni che limitino o impediscano in Germania le possibilità di lavoro delle Compagnie di assicurazione italiane.

38 - Il Comitato assicurativo italo-germanico ha concluso, in data 29 gennaio 1941, le intese allegate al presente Protocollo. I Comitati governativi italiano e germanico dichiarano di approvare le intese stesse.

See (23) for certified copy

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Convegno 28 - 29 gennaio 1941

PRIMO CONVEGNO ASSICURATIVO ITALO-GERMANICO

C O M I T A T O D'O N O R E

FERRARIO Cons.Naz.Dr. Giambattista- Presidente della Confederazione fascista delle aziende del credito e della assicurazione- Presidente

PAOLINI Cons.naz.Avv.Aldo - Presidente della Federazione nazionale fascista delle imprese assicuratrici -V.Presidente

ARCIDIACONO Gr.Uff.Cosimo - Membro elettivo della Giunta Esecutiva della Federazione nazionale fascista delle imprese assicuratrici

BARONCINI Rag.Gr.Uff.Gino - Direttore Generale delle "Assicurazioni Generali" - Trieste

BEVIONE Sen.avv.Giuseppe - Presidente dell'Istituto Nazionale Assicurazioni

BONCOMPAGNI LUDOVISI Sen.Francesco - Presidente della Compagnia "Roma"

CLEVA dr.Gr.Uff.Giulio - Direttore Generale sostituto delle "Assicurazioni Generali" - Trieste

DE SUVICH Sen.Fulvio - Presidente della Riunione Adriatica di Sicurtà

DE VITO Sen.Avv.Roberto - Consigliere della Compagnia "Roma"

GIORDANI Gr.Cord.Ignazio - Vice Presidente della Federazione Nazionale fascista delle impr se assicuratrici

MARCHESANO Gr.Uff.Enrico - Membro elettivo della Giunta esecutiva della Federazione nazionale fascista delle imprese assicuratrici

RUFFINI Gr.Cord.Carlo - Membro elettivo della Giunta esecutiva della Federazione nazionale fascista delle imprese assicuratrici.

VOLPI DI MISURATA Sen.Giuseppe - Presidente delle "Assicurazioni Generali" - Trieste

DE MORI Gr.Uff.Bruno - Direttore della Unione Italiana di Riassicurazione - Segretario Generale

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PRIMO CONVEGNO ASSICURATIVO ITALO - GERMANICO

C O M I T A T O T E C N I C O

Delegazione Italiana

Funzionari ministeriali

CARNEVALI Dott.Gr.Uff.Emanuele Filiberto -Direttore Generale Ministero Corporazioni

D'ADDEZIO Avv.Comm.Michele - Direttore capo servizio Vigilanza sulle assicurazioni private

Delegati

ARCIDIACONO Dott.Gr.Uff.Cosimo - Condirettore generale de "Le assicurazioni d'Italia"

AVONZO Cav.Pietro - Direttore della S.A. "Italia" Trasporti

BELLAVITA Cav.Rag.Alberto -Vice Direttore generale della "Società Reale Assicurazioni"

BIDOLI Dr.Comm.Marino - Condirettore delle "Assicurazioni Generali"

BRUNELLO Dott.Comm.Armando - Presidente del Sindacato Naz. Fasc.Assicurazione Vita.- Direttore Generale della "Compagnia di assicurazione di Milano"

BUFANO Dott.Giuseppe -Direttore della "Compagnia di Roma"

CLEVA Dott.Gr.Uff.Giulio -Direttore Generale sostituto delle "Assicurazioni Generali"

CODA Avv.Gr.Uff.Franco Silvio - Presidente Sindacato Naz. Fasc.Assicurazione Trasporti - Direttore della "Unione Italiana di Sicurtà Marittime"

CULTRERA Prof.Cav.Uff.Raffaele - Capo Servizio Attuariale dell'Istituto Nazionale delle "Assicurazioni"

DE MORI Dott.Gr.Uff.Bruno -Presidente del Sindacato Naz. Fasc.di Riassicurazione -Direttore Generale dell"Unione Italiana di Riassicurazione"

FASSIO Rag.Ugo -Direttore della "Levante"

LONGO Dr.Vittorio -Procuratore delle "Assicurazioni Generali".

MARCHESANO Avv.Enrico -Direttore Generale della Riunione Adriatica di Sicurtà.

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MARINI Cav.Dott.Aldo - Direttore della "Riunione Adriatica di Sicurtà

MELCHIORRI Dr.Cav.Uff.Alberto - Direttore de "L'Anonima Infortuni"

RIEDEL Dott.Luigi -Direttore della "Riunione Adriatica di Sicurtà"

ROMANO Gr.Uff.Duilio - V.Direttore della "Unione Italiana di Riassicurazione"

RUFFINI Cav.di Gr.Cr.Carlo -Direttore Generale della "Compagnia Anonima di Assicurazione di Torino"

SAMBRI Ing.Cav.Uff. Renato -Direttore "Assicurazione Generali" Trieste

URERO Dott.Francesco - Condirettore della "Riunione Adriatica di Sicurtà"

ZOBOLI Dott.Ubaldo -Condirettore della "Riunione Adriatica di Sicurtà"

S E G R E T E R I A

Capo,delle Segreteria : Dr.Gianfranco CALABRESI

Dott. FRITSCH -Dott. MATTIAS - Dott.PIGNATTI -Dott.BALLARIN

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PRIMO CONVEGNO ASSICURATIVO ITALO-GERMANICO

C O M I T A T O T E C N I C O

Delegazione tedesca

Funzionari ministeriali

LANGE direttore Ministeriale, Vice presidente della Deutsche Reichsbank

KLUCKI Direttore Ministeriale, Ministero dell'Economia

Dr. DANIEL Consigliere Ministeriale, Ministero dell'Economia

Dr. BINDHARDT, Consigliere Governativo, Ministero dell'Economia

AMEND presidente -Servizio di Vigilanza sulle Assicurazioni private.

Delegati

Dr. HILGARD -Leiter der Reichsgruppe Versicherungen

Dr. ALSHEIMER -Leiter der Wirtschaftsgruppe Rückversicherung

BOTHE -Leiter der Wirtschaftsgruppe Feuerversicherung

SCHNELL -Leiter der Wirtschaftsgruppe Transportversicherung

KRATOCHWILL -Leiter der Wirtschaftsgruppe Lebensversicherung

NEUMÜLLER- Allianz Versicherung -Ag. Berlin

SCHÜES- Nord-Deutsche Versicherung - A.G. Wien

Dr. HERZOG - Segreteria

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PRIMO CONVENGO ASSICURATIVO ITALO-GERMANICO

Riunione plenaria del 27 gennaio 1941-XIX

Presiede: Cons.Naz. FERRARIO

Presenti: i componenti il Comitato d'onore
i componenti il Comitato tecnico
i componenti la Delegazione germanica

Segreteria: Calabresi - Fritsch - Pignatti

Traduttore ufficiale : Sambri

FERRARIO apre la seduta e porge ai Camerati germanici ed italiani il seguente saluto:

La fratellanza delle armi per cui Germania e Italia marciano fianco a fianco, ha reso ogni giorno più, dal giugno ad oggi, intima e piena la collaborazione fra le due grandi Potenze dell'Asse.

E come l'unione fra i due popoli procede con identità di vedute e fusione di mezzi nel campo militare, spirituale e politico, così essa vuol fissare, iniziare ed estendere la sua azione anche nel campo economico per dare alla collaborazione nei campi di comune interesse quel sempre maggiore intimo accordo che sarà la grande forza delle due Rivoluzioni.

Già in diversi settori economici si sono avvicinati esperti e studiosi.

Oggi questa collaborazione vuolsi proseguire anche nel campo assicurativo, per l'esame delle questioni che interessano i rispettivi mercati, e Voi siete qui, Camerata Lange, con i Vostri elettissimi collaboratori e con tutta la forza della Vostra alta Autorità, del Vostro sapere e della Vostra comprensione, per esaminare con i nostri Rappresentanti, animati dal Vostro stesso sentimento, le questioni comuni per intese da sottoporre a suo tempo al Comitato Italo-tedesco per il traffico commerciale.

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La Confederazione del Credito e dell'Assicurazione, che ha l'onore di presiedere, prende vivo interesse a questo incontro e mentre da a Voi, Camerata Lange, ed ai Vostri eletti Collaboratori il benvenuto tra noi che abbiamo ambito offrirVi la Sede per le Vostre trattative, e certa che anche in questo campo si dimostrerà come l'Asse non sia " una vana parola" e come la collaborazione tra i due nostri paesi sia veramente camerateSca e totalitaria.

E poiché é presente al nostro spirito la fraternità già attuate nel campo delle armi, onde i soldati germanici e quelli italiani, in comunità di eroismi, combattono col nome Germania e d'Italia sulle labbra, mandiamo ad essi la espressione del nostro infinito, indefettibile amore.

CARNEVALI - porge ai componenti la delegazione germanica il saluto della delegazione italiana riaffermando i,propositi di collaborazione che animano la delegazione stessa, onde preparare le basi per una comune attività dell'industria assicurativa dei due Paesi.

LANGE - ricambia il cordiale saluto della delegazione tedesca ai camerati italiani e si dice lieto della iniziativa presa per una feconda intesa fra i due Paesi anche nel campo della attività assicurativa come é già in atto in molti altri settori della vita economica enelle operazioni militari.

PAOLINI - dopo aver rivolto un cordiale saluto ai camerati tedeschi ed aver fatto un particolare richiamo al momento politico in cui si svolge questo primo convegno, esprime il convincimento che i lavori iniziati,con questa Riunione saranno condotti con lo stesso spirito che anima la collaborazione di tutti gli altri settori, per affrontare i vasti compiti che si aprono all'industria assicurativa dei nostri due paesi nel quadro del nuovo assetto Europeo.

HILGARD - dopo avere ricambiato il saluto e ringraziato i camerati italiani per l'accoglienza ricevuta, si sofferma sui problemi che formeranno oggetto di trattazione nel convegno. Esprime poi la sua soddisfazione per il fatto che la nuova fase di collaborazione nel campo assicurativo fra l'Italia e la Germania abbia iniziato proprio in Roma, che ogni volta desta l'ammirazione del visitatore per i sempre nuovi progressi che vi si riscontrano in ogni campo dell'attività civile.

FERRARIO - dichiara chiusa la seduta inaugurale e stabilisce l'inizio dei lavori al giorno 28, ore 9, presso la Sede della Confederazione Fascista delle Aziende del Credito e dell'Assicurazione.

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PRIMO CONVEGNO ASSICURATIVO ITALO-GERMANICO

Riunione plenaria del 29 gennaio 1941 -ore 9

Presiede : CARNEVALI

Presenti : Paolini
Arcidiacono
Bidoli
Bufano
Cleva
Coda
Cultrera
De Mori
Fassio
Longo
Marchesano
Melchiori
Riedel
Romano
Ruffini
Urero
Zoboli
D'Addezio
Hilgard
Alsheimer
Bothe
Herzog
Kratochwill
Neumüller
Schnell
Schües
Sittemberger

Segreteria : Calabresi, Fritsch , Pignatti

Traduttori ufficiali : Sambri, Sittemberger

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CARNEVALI - apre la seduta e fa presente che, per raggiungere una maggiore snellezza delle trattative, é stato proposto di affidare la discussione dei singoli problemi ad un numero ristretto di delegati.

HILGARD - Esprime il compiacimento suo e della Delegazione tedesca di avere uno scambio di idee con i camerati italiani e prega questi di volere precisare gli argomenti da trattarsi. Da parte germanica si vorrebbe portare la discussione nell'ambito dei problemi di carattere generale nei quali le industrie assicurative dei due Paesi potrebbero trovare fecondo terreno di

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collaborazione. A tale fine segnala il problema fondamentale dell'assicurazione trasporti e della riassicurazione.

PAOLINI - Rileva che scopo principale della riunione é quello di gettare le basi per una collaborazione fra le due industrie, collaborazione che nel futuro dovrà concretarsi anche nella creazione di organi attraverso i quali le due organizzazioni potranno svolgere un lavoro proficuo.

Si dichiara d'accordo con i camerati tedeschi sulla necessità di precisare gli argomenti da discutersi in questo primo incontro é a tale fine presenta una bozza di accordo con la quale verrebbero regolati i rapporti tra le organizzazioni assicurative dei due Paesi.

Viene data lettura del testo dell'accordo in italiano e in tedesco. (allegati n.1 e2)

HILGARD - Approva nelle linee generali il testo dell'accordo; esprime però l'avviso che non convenga stabilire il termine fisso di sei mesi per gli incontri fra i due Presidenti, ritendo più opportuno lasciare a questi la facoltà di determinare la data dell'incontro tutte le volte che lo credano necessario.

Segnala come problema di particolare importanza, da considerare nel presente Convegno, quello delle intese da prendere circa l'attività dell'industria assicurativa italiana e di quella germanica specialmente in quei Paesi dove esse hanno particolare interesse. Le difficoltà che si incontrano in questo campo potrebbero formare oggetto di trattative fra le due Delegazioni.

PAOLINI - Esprime il suo compiacimento che i camerati germanici abbiano approvato in linea di massima il progetto italiano. Si dichiara d'accordo sull'opportunità di non precisare la periodicità degli incontri fra i due Presidenti e di lasciare a questi di valutarne l'opportunità ogni qualvolta se ne rendesse necessario.

Approva anche quanto accennato da Hilgard in merito alle intese per lo svolgimento della reciproca attività ed alla necessità;che i rapporti fra l'industria italiana e germanica siano disciplinati specialmente dove queste industrie sono concorrenti.

HILGARD- Propone di nominare una Commissione di quattro delegati per redigere il testo definitivo delle "intese di massima".
Da parte germanica vengono indicati ALZHEIMER E SITTENBERGER.

Da parte italiana vengono indicati CLEVA e MARCHESANO

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CARNEVALI — Dispone che la predetta Commissione inizi senz'altro i lavori alla fine della seduta.

PAOLINI- — Propone la costituzione di una sottocomissione per l'esame dei problemi inerenti il ramo trasporti e la riassicurazione.

HILGARD — E' d'accordo e designa senz'altro da parte germanica per il ramo trasporti: SCHNELL, NEUMULLER,SCHUES; per la riassicurazione: ALZHEIMER.

PAOLINI — Da parte italiana vengono designati per il ramo trasporti BIDOLI - CODA - URURO; per la riassicurazione : DE MORI.

Propone di formare un'altra sottocommissione per l'esame dei problemi inerenti ai rami elementari. Detta commissione avrebbe il compito di studiare anche il disciplinamento del lavoro assicurativo nei Paesi dove la Germania e Italia si trovano in concorrenza.

HILGARD — Approva e a comporre questa sottocommissione indica tutta la delegazione tedesca in quanto i componenti di essa rappresentano i diversi rami.

PAOLINI — Osserva che la sottocommissione così composta sarebbe troppo numerosa.

HILGARD — Per semplificare il lavoro propone di escludere da questa commissione generale i delegati che fanno parte della Commissione trasporti e riassicurazione.

PAOLINI — Da parte italiana vengono nominati : ARCIDIACONO - BUFANO - CULTRERA - MARINI - MELCHIORI e RUFFINI.

HILGARD — Precisa che la commissione per lo studio dei rami elementari sarà formata da: ALZHEIMER, BOTHE,HILGARD,KRATOCHWILL, SITTENBERGER.

PAOLINI — Chiede che la commissione italiana per i trasporti e la riassicurazione sia integrata da qualche altro membro.

HILGARD — E' d'accordo, non essendo necessaria la parità numerica fra i delegati delle due parti.

Sono inclusi nella commissione trasporti e riassicurazione: FASSIO,MARCHESANO,ROMANO.

HILGARD — Solleva il problema delle Casse statali, come ne sono state costituite in Grecia e in Francia, rilevando come esse ostacolino l'attività delle imprese e ritiene necessario lo studio dell'argomento per concretare una linea di condotta co-

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mune nei riguardi di queste istituzioni e delle similari che eventualmente dovessero sorgere.

PAOLINI - Osserva che il problema é molto importante e che potrebbe formare oggetto di studio da parte di una speciale commissione. E' d'avviso che l'azione di detti istituti debba essere ostacolata.

HILGARD - E' d'accordo.

DE MORI - Ritiene che il problema non debba essere esaminato soltanto da un punto di vista negativo, e cioé di ostacolare l'opera di queste Casse statali, ma deve essere esaminato anche da un punto di vista positivo al fine di creare nei paesi interessati la possibilità alle compagnie private di assicurazione di trovare un forte mercato riassicurativo che dia loro il necessario appoggio.

HILGARD - E' pienamente d'accordo. Ricorda a tal fine che, come é già a conoscenza dei camerati italiani, il 4 marzo p.v. il Direttore Generale SCHMIDT, d'accordo con il Ministero dell'Economia Nazionale, terrà una riunione a Monaco per lo studio di questo problema. Propone pertanto di rimandare la discussione dell'argomento all'incontro di Monaco.

PAOLINI - E' d'accordo. Le Compagnie italiane sono liete di aderire all'invito fatto dal camerata Hilgard e di partecipare a questi lavori con i camerati germanici.

HILGARD - Propone un programma di lavoro. Propone che nella mattinata si riuniscano la sottocommissione trasporti e riassicurazione e la sottocommissione per la formulazione dell'accordo per regolare i rapporti fra le organizzazioni assicurative dei due Paesi. Nel pomeriggio dovrebbe riunirsi la commissione generale per l'esame dei rami elementari e nella mattinata del giorno 29 le commissioni al completo, riunite in adunanza plenaria, dovrebbero esaminare gli eventuali problemi che sorgessero in seno alle singole commissioni e il testo degli accordi raggiunti.

PAOLINI - Si dichiara d'accordo.

CARNEVALI - Conferma il programma di lavori esposto e fissa la riunione plenaria per il 29 gennaio alle ore 9.

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COMMISSIONE PER LE INTESE DI MASSIMA

Riunione del 28 gennaio 1941-XIX, ore 11

Presenti:

Cleva
Marchesano
Babboni
Paolini

Alpheimer
Hilgard
Sittemberger

In relazione alla deliberazione presa nella Riunione plenaria, la Commissione si é riunita per esamibare le questioni relative alla formulazione delle intese di massima.

La Commissione ha quindi provveduto alla redazione dei testi definitivi, italiano e tedesco, delle intese stesse, da presentare alla successiva riunione plenaria.

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COMMISSIONE TRASPORTI E ASSICURAZIONE

Riunione del 28 gennaio I941-XIX, ore 11

Presenti:

De Mori
Bidoli
Coda
Urero
Fassio
Marchesano
Romano
Algheimer
Schnell
Neumüller
Schües

Segreteria:

Calabresi -Pignatti

DE MORI — Prospetta la questione delle ripercussioni derivanti all'attività assicurativa dall'istituzione della Cassa statale francese di riassicurazione, e propone di addivenire ad un impegno da parte delle Compagnie dei due Paesi di non dare alcun appoggio riassicurativo alla Cassa, offrendo invece la maggiore assistenza possibile al mercato assicurativo francese, affinché si determini, nel mese di giugno, la cessazione del funzionamento della Cassa, stessa.

BIDOLI — Nota che le Compagnie italiane lavorano già direttamente, a mezzo di filiazioni, in Francia, e chiede se il lavoro diretto debba essere compreso o meno nella cifra dell'aiuto da prestare ex novo.

Si conviene che il lavoro diretto debbe essere computato nella cifra dell'appoggio da prestare al mercato assicurativo francese.

I tedeschi hanno una copertura di 6 a 7 milioni di marchi, solo come lavoro diretto, e pensano di poter arrivare complessivamente a 150 milioni di franchi, escludendo le punte.

SCHUES — Osserva che per i rischi corpi é giusto che le Compagnie italiane e germaniche diano il loro appoggio, ma sostiene che bisogna badare attentamente alla qualità dei rischi da assumere, tanto più che prima della guerra il mercato francese si trovava quasi completamente sotto tutela inglese, ed é quindi privo di una vasta esperienza propria.

Prospetta poix la necessità che preliminarmente alla concessione dell'appoggio al mercato francese si abbia a concordare di poter avere un'adeguata influenza sulla determina-

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zione dei premi e delle condizioni da praticare sul mercato stesso.

I presenti intervengono nella discussione e si trovano d'accordo sulle esigenze esposte.

I delegati tedeschi rilevano che si deve insistere, dato le incertezze della situazione attuale, perché le assicurazioni non vengano stipulate senz'altro per un periodo di 12 mesi, ma che si adotti una clausola di disdetta per copertura trimestrale, come é già in uso in Germania ed in Norvegia. Si precisa che la copertura dovrebbe essere valida per tre mesi, rinnovabile per tre volte sino ad un anno, salvo disdetta con un mese di preavviso.

URERO — Accenna alle possibili ripercussioni della formazione di un Consorzio fra le Compagnie francesi operanti negli altri rami per appoggiare il ramo trasporti; formazione che evidentemente non é possibile impedire, ma che può ridurre l'entità della copertura che il mercato francese dovrebbe procurarsi nei due Paesi dell'Asse.

BIDOLI — Prospetta l'opportunità di collegare il ramo trasporti con i rischi del ramo incendi.

SCHUES — e gli altri delegati tedeschi - si dichiarano contrari, temendo che il cattivo andamento del ramo incendi possa peggiorare l'andamento del ramo trasporti.

SCHNELL — Espone le linee di una politica di collegamento fra la copertura riassicurativa da darsi alle Compagnie francesi e il lavoro diretto, basata sul presupposto che il mercato francese non può trovare altra possibilità di coperture assicurative all'infuori di quella che gli possono dare i nostri due Paesi.

In sostanza, si conviene sull'opportunità di spingere il;lavoro diretto delle Compagnie italiane e germaniche in Francia e di limitare la disponibilità di copertura riassicurativa.

Si esaminano pure alcune questioni relative alla disciplina dei premi e delle condizioni sul mercato francese; al riguardo si ritiene che sia più facile raggiungere lo scopo, d'accordo con i francesi, per l'assicurazione coppi che per le merci.

DE MORI — Ritiene facile regolare l'offerta di copertura riassicurativa ma crede piuttosto difficile introdurre le condizioni volute nei trattati obbligatori.

CODA — Prospetta l'opportunità di disciplinare d'accordo il lavoro

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delle Compagnie italiane in Germania e di quelle germaniche in Italia.

Si procede quindi, con la partecipazione di tutti i presenti, alla formulazione di,principi ai quali le Compagnie dei due Paesi debbono attenersi in materia.

Attraverso successive formulazioni e revisioni la Commissione provvede quindi, d'accordo, alla redazione del "terzo accordo complementare" alle intese di massima?

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COMMISSIONE RAMI DIVERSI

Riunione del 28 gennaio I941-XIX, ore 16,30

Presenti:

Arcidiacono
Bufano
Cultréra
Marini
Melchiori
Ruffini
Alßheimer
Bothe
Hilgard
Kratochwill
Sißtenberger

Segreteria: Herzog

In relazione alla deliberazione presa nella Riunione plenaria, la Commissione si é riunita per esaminare le questioni relative alla collaborazione da svolgere nei vari rami assicurativi all'infuori dei trasporti, sia nei due Paesi rispettivi, sia,in terzi Paesi.

Alla discussione hanno preso parte col maggiore interesse tutti gli intervenuti, in un'atmosfera di cameratismo e di comprensione reciproca.

Attraverso successive formulazioni e revisioni la Commissione ha quindi provveduto d'accordo, alla redazione, nei due testi italiano e tedesco, del "primo" e del "secondo"accordo complementare" alle intese di massima.

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PRIMO CONVEGNO ASSICURATIVO ITALO-TEDESCO

Riunione per la riassicurazione, 28 gennaio 1941-XIX

(effettuata in via amichevole su invito del Dr. Alsheimer)

Presenti:

Alsheimer
Arcidiacono
Bufano
De Mori
Marchesano
Melchiori
Ruffini
Urero
Zoboli

Segreteria: Fritsch

ALSHEIMER apre la seduta coll'esporre il punto di vista delle Compagnie riassicuratici germaniche in merito a due problemi, sui quali, anche secondo il suo personale modo di vedere, occorrerebbe, nello interesse comune, che i due Paesi dell'Asse si trovassero in perfetto accordo.

Il primo problema riflette la copertura degli "eccessi danni", copertura la quale, svisando, in molti casi, secondo il Dr. Alsheimer il concetto riassicurativo vero e proprio, é bene venga contenuta, sia dalla Compagnia Italiane che da quelle Tedesche, nei più modesti limiti possibili. La Münchener anzi, dice il dr. Alsheimer per principio, rigetta coperture del genere: invita pertanto i delegati italiani ad adoperarsi nello stesso senso, sì da seguire un'uniforme via di condotta. 6041

RUFFINI insorge contro le affermazioni di Alsheimer, asserendo essere ben altri i motivi che possono indurre l'Assicuratore diretto a preferire gli "eccessi danni"; cita il caso dell'affiliata Vittoria, che, in modo particolare, seguendo quasi un sistema, ricorre agli "eccessi danni"; dice, non trattarsi qui di pure ragioni tecniche, ma di ragioni "economiche", ossia di costo. La riassicurazione, aggiunge, é per le sue Compagnie possibile solo se applicata secondo il sistema in questione; rinunciare agli "eccessi danni" gli comporterebbe pertanto un aumento di personale e quindi di spese, il che non ritiene certo accettabile.

ARCIDIACONO interviene, sebbene invano, per far desistere Ruffini dal suo atteggiamento e, dopo una vivace discussione, alla quale si associa in seguito pure Melchiori, si, conviene, per la quasi totalità delle Compagnie Italiane, di aderire al punto di vista tedesco.

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ALZHEIMER - riprende per portare in campo il secondo problema, quello della copertura dei " capitali indeterminati". Si tratta qui, sostiene il relatore, di una forma di garanzia che, per ragioni ovvie, é da combattarsi; i Riassicuratori devono pertanto astenersi dal concedere copertura su rischi del genere.

Aderisce senz'altro la totalità dei delegati italiani.

ALZHEIMER - chiude questa breve seduta esprimendo la sua soddisfazione per il conseguito accordo sui due punti che le interessavano, ed augurandosi che a Monaco, nel prossimo marzo, possano del pari essere risolti tutti gli altri problemi che interessano il mercato riassicurativo italo-germanico.

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PRIMO CONVEGNO ASSICURATIVO ITALO-GERMANICO

Riunione plenaria del 29 gennaio 1941-XIX, ore 11

Presiede: LANGE

Presenti: CARNEVALI, D'ADDEZIO
i componenti la Delegazione italiana
i componenti la Delegazione germanica

Segreteria: Cabbresi, Fritsch, Pignatti

Traduttori: Sambri, Sittenberger

LANGE - Apre la seduta e dispone la lettura dei testo degli accordi elaborati dalle singole Commissioni, affinché le Delegazioni possano prendernе atto ed approvarli.

CLEVA - legge le "intese di massima" e il "primo accordo complementare" (allegati 3 e 4).

SITTENBERGER - ne legge il testo tedesco (allegati n.7 e 8)

MELCHIORI - legge il "secondo accordo complementare (all. n.5)

SITTENBERGER- ne legge il testo tedesco (all. n.9)

DE MORI - legge il "terzo accordo complementare" (all.n.6).

SCHNELL - ne legge il testo tedesco (all. n.10)

PAOLINI - Rivolgendosi ai camerati germanici esprime il sincero rammarico di vedere avvicinarsi l'ora della loro partenza. Constata che il convegno

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Presenti: CARNEVALI, D'ADDEZIO

i componenti la Delegazione italiana

i componenti la Delegazione germanica

Segreteria: Cabbresi, Fritsch, Pignatti

Traduttori: Sambri, Sittenberger

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SITTENBERGER- ne legge il testo tedesco (all. n.9)

DE MORI - legge il "terzo accordo complementare" (all.n.6). 6029

SCHNELL - ne legge il testo tedesco (all. n.10)

PAOLINI - Rivolgendosi ai camerati germanici esprime il sincero rammarico di vedere avvicinarsi l'ora della loro partenza. Constata che il convegno é stato proficuo di pratici risultati e più lo sarà per gli sviluppi futuri.

Dell'incotro fra gli esponenti assicurativi dei due Paesi egli vuole tuttavia mettere in evidenza anche le ragioni spirituali che lo hanno ispirato e che vi hanno presieduto. I due Paesi si trovano di fronte all'ora suprema dei loro destini e nel saluto che i camerati italiani rivolgono ai camerati germanici é l'eco della fede nella comune vittoria, immancabile per virtù di capi, di popoli, di armi.

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Dalla rivoluzione fascista e dalla rivoluzione nazionale socialista é nato il nuovo ordine economico che eliminerà la ingiustizia fra i popoli e che costituirà la base per le future conquiste della civiltà.

Mentre il popolo italiano vive un'ora ingiusta del suo destino, la sua fede nella vittoria rimane intatta ed in questa fede i camerati germanici debbono credere come il popolo italiano crede nelle virtù insuperate del popolo tedesco.

HILGARD - Ringrazia di cuore la cameratesca accoglienza ricevuta; egli é convinto che nessuno dimenticherà le fattive e cordiali ore di questo incontro.

La Delegazione germanica conserverà del convegno un ricordo gradevole, basato sul fatto che nessuna divergenza é sorta nel corso delle conversazioni; ed é sorprendente che un lavoro di tanta mole possa essere stato risolto in così poco tempo. La spiegazione di questo si può trovare nel fatto che, benché i due popoli parlino una diversa lingua, sono però animati da uno stesso spirito che li spinge verso le realizzazioni del futuro.

Accennando ai risultati ottenuti, condivide l'opinione che saranno di beneficio reciproco ed esprime la convinzione che anche la futura collaborazione sarà animata dallo stesso spirito che ha permesso oggi di raggiungere così cospicui risultati. In questo convincimento formula l'augurio di poter incontrare tutti i presenti ospiti in Germania.

LANGE - Dichiara chiusa la sessione. Ringrazia dell'ospitalità ed esprime la certezza che il cameratismo che ha animato questi lavori sarà sempre uguale anche nel futuro e questo permetterà alla industria cooperativa italiana ed a quella germanica di raggiungere quegli scopi e quei compiti che si prospetteranno all'estero nel dopo guerra.

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no, la sua fede nella vittoria [illegible]
camerati germanici debbono credere come il popolo italiano crede nella virtù insuperate del popolo tedesco.

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LANGE - Dichiara chiusa la sessione. Ringrazia dell'ospitalità ed esprime la certezza che il cameratismo che ha animato questi lavori sarà sempre uguale anche nel futuro e questo permetterà alla industria assicurativa italiana ed a quella germanica di raggiungere quegli scopi e quei compiti che si prospetteranno all'estero nel dopo guerra.

Si procede quindi alla firma degli accordi, in triplice esemplare da parte di Hilgard e di Paolini.

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(Allegato 1)

la Presidenza della FEDERAZIONE NAZIONALE FASCISTA DELLE IMPRESE ASSICURATRICI e il REICHSGRUPPE VERSICHERUNGEN DER GESAMTORGANISATION DER GEWERBLICHEN WIRTSCHAFT -

Allo scopo di dare esecuzione all'art.2 dell'Accordo . . . . . .

viene convenuto quanto segue:

Art. 1 - Il Presidente della Federazione Nazionale Fascista delle Imprese Assicuratrici e il Presidente del Reichsgruppe Versicherungen der Gesamtorganisation der Gewerblichen Wirtschaft si terranno in relazione per comunicarsi reciprocamente le notizie di ordine generale interessanti l'assicurazione e la riassicurazione dei due Paesi nonché per lo studio e la soluzione dei problemi comuni di particolare importanza per le imprese rappresentate.

Art. 2 - Ciascun presidente sarà assistito da esperti designati di volta in volta dalle organizzazioni di categoria.

I due presidenti, con l'assistenza degli esperti s'incontreranno alternativamente presso le rispettive sedi una volta ogni semestre; s'incontreranno inoltre ogni qualvolta vi fossero problemi che facciano apparire opportuno e urgente un incontro diretto.

L'ordine del giorno di ogni riunione sarà concordato dai due presidenti almeno quindici giorni prima.

Di ogni riunione si farà constare mediante processo verbale redatto nelle due lingue.

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Art. 1 - Il Presidente della Federazione Nazionale Fascista delle Imprese Assicuratrici e il Presidente del Reichsgruppe Versicherungen der Gesamtorganisation der Gewerblichen Wirtschaft si terranno in relazione per comunicarsi reciprocamente le notizie di ordine generale interessanti l'assicurazione e la riassicurazione dei due Paesi nonché per lo studio e la soluzione dei problemi comuni di particolare importanza per le imprese rappresentate.

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L'ordine del giorno di ogni riunione sarà concordato dai due presidenti almeno quindici giorni prima.

Di ogni riunione si farà constare mediante processo verbale redatto nelle due lingue.

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(Allegato 2)

Zwischen dem Vorsitzenden der "Federazione Nazionale Fascista delle Imprese Assicuratrici" und dem Vorsitzenden der " Reichsgruppe Versicherungen" um dem Art.2 des Abkommen. . . . . Ausfuehrung zu geben, wird folgendes vereinbart:

1) - Die Vorsitzenden der "Federazione Nazionale Fascista delle Imprese Assicuratrici" und der" Reichsgruppe" werden sich staendig in Fuehlung halten um sich gegenseitig allgemeine Nachrichten im Interesse des Versicherungsgewerbes und der Rueckversicherung beider Laender auszutauschen, sowie dei Pruefung und Loesung der wichtigsten Probleme zu foerdern.

2) - Jeder Versitzende wird von Sachverstaendigen unterstuetzt welche von Fall zu Fall ven den bezueglichen Gewerbe - Organisationen bestimmt werden.

3) - Beide Versitzenden, mit Unterstuezung der Sachwerstaendigen, werden abwechselnd halbjaerlich einmal und ausserdem jedesmal, wenn sich die Notwendigkeit dringender Probleme ergibt, an ihren bezueglichen Sitzorten zusammenkommen.

4) - Die Tagesordnung jeder Sitzung wird mindestens fuenfzehn Tage in voraus von beiden Versitzenden bestimmt.

5) - Von jeder Sitzung wird ein Protokoll in beiden Sprachen ausgestellt.

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gewerbes und der Rueckversicherung beider Laender auszutauschen, sowie dei Pruefung und Loesung der wichtigsten Probleme zu foerdern.

2) - Jeder Versitzende wird von Sachverstaendigen unterstuetzt welche von Fall zu Fall ven den bezueglichen Gewerbe - Organisationen bestimmt werden.

3) - Beide Versitzenden, mit Unterstuezung der Sachwerstaendigen, werden abwechselnd halbjaerlich einmal und ausserdem jedesmal, wenn sich die Notwendigkeit dringender Probleme ergibt, an ihren bezueglichen Sitzorten zusammenkommen.

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5) - Von jeder Sitzung wird ein Protokoll in beiden Sprachen ausgestellt.

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(Allegato 3)

IMPRESE DI MASSIMA PER LA COLLABORAZIONE ITALO-GERMANICA NEL CAMPO ASSICURATIV

Tra il Presidente della FEDERAZIONE NAZIONALE FASCISTA DELLE IMPRESE ASSICURATRICI e il Leiter della REICHSGRUPPE VERSICHERUNGEN (in seguito brevemente "I Presidenti") in esecuzione all'art.3 dell'Accordo.....

VIENE CONVENUTO QUANTO SEGUE:

Art.1 - I Presidenti si terranno in relazione per comunicarsi reciprocamente le proprie esperienze nel campo dell'assicurazione e riassicurazione al fine di promuovere lo studio e la soluzione dei problemi comuni di particolare importanza per le imprese rappresentate.

Particolare compito di questa collaborazione sarà quello di conseguire intese quanto più vaste possibili per disciplinare la concorrenza su quegli altri territori dove le industrie assicurative dei due Paesi esplicano la loro attività.

Art.2 - Ciascun Presidente sarà assistito da esperto da lui designati

Art.3 - I due Presidenti, con l'assistenza in quanto occorra degli esperti, si incontreranno ogni qualvolta si presenti la necessità. Si prevede di far luogo a tali incontri almeno una volta l'anno.

Art.4 - L'ordine del giorno di ogni riunione sarà concordato dai due Presidenti almeno tre settimane prima.

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Art.5 - Di ogni riunione si farà constare mediante processo verbale redatto nelle due lingue e firmato dai due Presidenti.

Art. 6- Nell'esercizio delle loro funzioni i Presidenti procederanno d'accordo

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VIENE CONVENUTO QUANTO SEGUE:

Art.1 - I Presidenti si terranno in relazione per comunicarsi reciprocamente le proprie esperienze nel campo dell'assicurazione e riassicurazione al fine di promuovere lo studio e la soluzione dei problemi comuni di particolare importanza per le imprese rappresentate.

Particolare compito di questa collaborazione sarà quello di conseguire intese quanto più vaste possibili per disciplinare la concorrenza su quegli altri territori dove le industrie assicurative dei due Paesi esplicano la loro attività.

Art.2 - Ciascun Presidente sarà assistito da esperto da lui designati

Art.3 - I due Presidenti, con l'assistenza in quanto occorra degli esperti, si incontreranno ogni qualvolta si presenti la necessità. Si prevede di far luogo a tali incontri almeno una volta l'anno.

Art.4 - L'ordine del giorno di ogni riunione sarà concordato dai due Presidenti almeno tre settimane prima.

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Art.5 - Di ogni riunione si farà constare mediante processo verbale redatto nelle due lingue e firmato dai due Presidenti.

Art. 6- Nell'esercizio delle loro funzioni i Presidenti procederanno d'accordo con i Presidenti dei Comitati Governativi italo-germanici.

Qualora le decisioni richiedessero un accordo interstatale, i Presidenti proporranno ai Presidenti dei Comitati Governativi la conclusione di un tale accordo.

F.to PAOLINI

F.to HILGARD

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(Allegato 4)

PRIMO ACCORDO COMPLEMENTARE

In esecuzione dell'Accordo oggi intervenuto sulle intese di massima per la collaborazione italo -germanica nel campo assicurativo viene stabilito quanto segue:

1 - Qualora in un terzo Paese in cui l'industria assicurativa italiana e quella germanica svolgono la loro attività si manifestassero situazioni particolari di fabbisogno di coperture assicurative e riassicurative, i due Presidenti, appena avutane notizia, prenderanno immediatamente contatto fra di loro per adottare in comune provvedimenti necessari onde offrire a quel mercato la più larga assistenza per il fabbisogno assicurativo suindicato -invitando eventualmente a collaborare anche l'industria assicurativa di altri Paesi. Ciò allo scopo di evitare la necessità del ricorso a forme straordinarie di interventi statali o parastatali, in quanto suscettibili di recare pregiudizio all'industria assicurativa dei due Paesi (come per esempio la creazione di casse di riassicurazione statali.)

2 - Nel caso in cui in un terzo Paese dovessero tuttavia essere progettate o create istituzioni di questo genere, i due Presidenti prenderanno immediatamente contatto fra loro allo scopo di concordare possibilmente un'atteggiamento comune.

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massima per la collaborazione italo -germanica nel campo assicurativo viene stabilito quanto segue:

1 - Qualora in un terzo Paese in cui l'industria assicurativa italiana e quella germanica svolgono la loro attività si manifestassero situazioni particolari di fabbisogno di coperture assicurative e riassicurative, i due Presidenti, appena avutane notizia, prenderanno immediatamente contatto fra di loro per adottare in comune provvedimenti necessari onde offrire a quel mercato la più larga assistenza per il fabbisogno assicurativo suindicato -invitando eventualmente a collaborare anche l'industria assicurativa di altri Paesi. Ciò allo scopo di evitare la necessità del ricorso a forme straordinarie di interventi statali o parastatali, in quanto suscettibili di recare pregiudizio all'industria assicurativa dei due Paesi (come per esempio la creazione di casse di riassicurazione statali.)

2 - Nel caso in cui in un terzo Paese dovessero tuttavia essere progettate o create istituzioni di questo genere, i due Presidenti prenderanno immediatamente contatto fra loro allo scopo di concordare possibilmente un'atteggiamento comune.

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F.to PACLINI

F.to HILGARD

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(Allegato 5)

SECONDO ACCORDO COMPLEMENTARE

In esecuzione dell'Accordo oggi intervenuto sulle intese di massima per la collaborazione italo-germanica nel campo assicurativo, viene stabilito quanto segue:

1)- I Presidenti, in relazione allo scambio di riassicurazione fra i due Paesi si adopereranno affinché le imprese operanti in ciascuno di essi, adottino i provvedimenti necessari a migliorare l'andamento tecnico del lavoro diretto.

2) - Le Organizzazioni assicurative dei due Paesi appoggeranno con tutte le forze le misure che saranno prese dei due Paesi allo scopo di disciplinare l'industria assicurativa.

3) - I Presidenti disporranno in modo che le Compagnie italiane e germaniche nella loro attività assicurativa e riassicurativa in tutti gli altri Paesi, procedano con spirito di piena collaborazione nei limiti di una concorrenza normale e sana.

4) - Si é d'accordo sulla necessità di esaminare in comune la riassicurazione di eccesso sinistri e di discutere le misure che possano portare alla disciplina di questa forma di riassicurazione.

F.to PACELLI

F.to HILGARD

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massima per la collaborazione italo-germanica nel campo assicurativo, viene stabilito quanto segue:

1)- I Presidenti, in relazione allo scambio di riassicurazione fra i due Paesi si adopereranno affinché le imprese operanti in ciascuno di essi, adottino i provvedimenti necessari a migliorare l'andamento tecnico del lavoro diretto.

2) - Le Organizzazioni assicurative dei due Paesi appoggeranno con tutte le forze le misure che saranno prese dei due Paesi allo scopo di disciplinare l'industria assicurativa.

3) - I Presidenti disporranno in modo che le Compagnie italiane e germaniche nella loro attività assicurativa e riassicurativa in tutti gli altri Paesi, procedano con spirito di piena collaborazione nei limiti di una concorrenza normale e sana.

4) - Si é d'accordo sulla necessità di esaminare in comune la riassicurazione di eccesso sinistri e di discutere le misure che possano portare alla disciplina di questa forma di riassicurazione.

F.to PAOLUNI

F.to HILGARD

(196)

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(Allegato 5)

TERZO ACCORDO COMPLEMENTARE

Con riferimento all'accordo generale riguardante la collaborazione italo-germanica nel campo assicurativo si stabilisce quanto segue per il ramo trasporti:

1) - Ai fini del miglior controllo tecnico sul lavoro diretto il Presidente della Federazione Nazionale Fascista delle Imprese Assicuratrici e quello della Reichsgruppe Versicherungen disporranno in modo che le Compagnie Italiane e germaniche, indipendentemente dall'attività svolta in proprio nome diano la maggiore copertura possibile alle Compagnie affiliate operanti in Francia limitando nei normali confini la copertura a carattere obbligatorio alle Compagnie francesi ed astenendosi dal prestare appoggio riassicurativo alla Caisse d'Etat.

2) - I due Presidenti disporranno in modo che le Compagnie italiane e germaniche operanti in Francia procedano di comune accordo quanto al disciplinamento degli affari del ramo trasporti.

I,Presidenti stessi, assistiti da esperti da essi nominati, si metteranno in contatto con gli esponenti del mercato assicurativo francese per concretare tale disciplinamento.

3) - I due Presidenti disporranno in modo che le Compagnie italiane e germani si impegnino a non fornire alle Compagnie francesi coperture facoltative se non alle condizioni fissate come al comma 2).

4) - La collaborazione italo-germanica quale prevista dal punto 2), verrà analogamente realizzata negli altri territori ove essa risulti opportuna.

5) - I due Presidenti disporranno in modo che le Compagnie italiane e quelle

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1) - Ai fini del miglior controllo tecnico sul lavoro diretto il Presidente della Federazione Nazionale Fascista delle Imprese Assicuratrici e quello della Reichsgruppe Versicherungen disporranno in modo che le Compagnie Italiane e germaniche, indipendentemente dall'attività svolta in proprio nome diano la maggiore copertura possibile alle Compagnie affiliate operanti in Francia limitando nei normali confini la copertura a carattere obbligatorio alle Compagnie francesi ed astenendosi dal prestare appoggio riassicurativo alla Caisse d'Etat.

2) - I due Presidenti disporranno in modo che le Compagnie italiane e germaniche operanti in Francia procedano di comune accordo quanto al disciplinamento degli affari del ramo trasporti.

I,Presidenti stessi, assistiti da esperti da essi nominati, si metteranno in contatto con gli esponenti del mercato assicurativo francese per concretare tale disciplinamento.

3) - I due Presidenti disporranno in modo che le Compagnie italiane e germani si impegnino a non fornire alle Compagnie francesi coperture facoltative se non alle condizioni fissate come al comma 2).

4) - La collaborazione italo-germanica quale prevista dal punto 2), verrà analogamente realizzata negli altri territori ove essa risulti opportuna.

5) - I due Presidenti disporranno in modo che le Compagnie italiane e quelle estere da essi controllate operanti in Germania e le Compagnie germaniche e quelle estere da esse controllate operanti in Italia si impegnino di aderire agli accordi stipulati o da stipulare dalle organizzazioni competenti nei due Paesi per il disciplinamento del lavoro assicurativo.

6) - Le competenti Organizzazioni dei due Paesi si impegnano a porre allo studio l'esame di problemi inerenti alla sostituzione o alla creazione di organi tecnici o di istituti di carattere ausiliario nel campo assicurativo maritti-

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mo internazionale.

7) - Le presenti intese on riguardano le assicurazioni aeronautiche in quanto in tale campo esistono già accordi tra le Organizzazioni assicurative dei due Paesi. Qualora in detto campo si presentassero nuovi problemi viene stabilito che per essi sarà seguita la procedura indicata all'art.3 delle intese di massima.

8) - La stessa procedura dell'art.3 delle intese di massima sarà seguita per altri problemi assicurativi abitualmente trattati nel ramo trasporti.

F.to PAOLINI

F.to HILGARD

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delle intese di massima.

8) - La stessa procedura dell'art.3 delle intese di massima sarà seguita per altri problemi assicurativi abitualmente trattati nel ramo trasporti.

F.to PAOLINI F.to HILGARD

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Soweit Beschluesse einer zwischenstaatlichen Vereinbarung beduerfen, werde, die Vorsitzenden die Herbeifuehrung dieser Vereinbarung beiden Vorsitzenden der Regierungsausschuesse beantragen.

f.to PACLINI f.to HILGARD.

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E. to FACLINI

E. to HILGARD.

(Allegato 9)

ZWEITES ZUSATZABKOMMEN

In Ausfuehrung der heite getroffenen Vereinbarung ueber die grundsaetzlichen Richtlinien fuer die Zusammenarbeit der deutschen und italienischen Versicherungswirtschaften wird folgendes festgelegt :

1 - Die Vorsitzenden werden im Zusammenhang mid dem Rueckversicherungsaustausch zwischen beiden Laendern darauf hinwirken, dass die Versicherungsunternehmungen beider Laender die zur Verbesserung des technischen Verlaufes des direkten Geschaeftes noetigen Massnahmen ergreifen.

2 - Die Versicherungsorganisationen beiden Laender werden alle Massnahmen, die in beiden Laendern zum Zwecke der Disziplinierung des Versicherungsgewerbes getroffen werden, mit allen Kraeften unterstuetzen.

3 - Hinsichtlich der Versicherung und Rueckversicherung in allen anderen Laendern werden die Vorsitzenden die Versicherungsunternehmungen ihrer Laender anhalten, im besten Einvernehmen zur Erziehlung eines normalen und gesunden Wettbewerben vorzugehen.

4 - Es besteht Uebereinstimmung ueber die Notwendigkeit, die Schadenexcedenten-Rueckversicherungsformen gemeinsam zu pruefen und die Massnahmen zu treffen, die zu einer Disziplinierung dieser Rueckversicherungsform fuehren koennen.

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f.to PAOLINI f.to HILGARD

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und italienischen Versicherungswirtschaften wird folgendes festgelegt :

1 - Die Vorsitzenden werden im Zusammenhang mid dem Rueckversicherungsaustausch zwischen beiden Laendern darauf hinwirken, dass die Versicherungsunternehmungen beider Laender die zur Verbesserung des technischen Verlaufes des direkten Geschaeftes noetigen Massnahmen ergreifen.

2 - Die Versicherungsorganisationen beiden Laender werden alle Massnahmen, die in beiden Laendern zum Zwecke der Disziplinierung des Versicherungsgewerbes getroffen werden, mit allen Kraeften unterstuetzen.

3 - Hinsichtlich der Versicherung und Rueckversicherung in allen anderen Laendern werden die Vorsitzenden die Versicherungsunternehmungen ihrer Laender anhalten, im besten Einvernehmen zur Erziehlung eines normalen und gesunden Wettbewerben vorzugehen.

4 - Es besteht Uebereinstimmung ueber die Notwendigkeit, die Schadenexcedenten-Rueckversicherungsformen gemeinsam zu pruefen und die Massnahmen zu treffen, die zu einer Disziplinierung dieser Rueckversicherungsform fuehren koennen.

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f.to PACLINI

f.to HILGARD

(196)

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4 - Die im Artikel 2 vorgesehene deutsch-italienische Zusammenarbeit wird auf andere Laender ausgedehnt, soweit dies zwechmaessig erscheint.

5 - Die Vorsitzenden ergreifen Massnahmen, dass sich die in Italien arbeitenden deutschen und die von ihnen kontrollierten auslaendischen Gesellschaften einerseits, und die in Deutschland arbeitenden italienischen sowie die von ihnen kontrollierten auslaendischen Gesellschaften andererseits, den in beiden Laender von den zustaendigen Organisationen geschaffen oder noch zu schaffenden Disziplinen unterstellen.

6 - Die zustaendigen Organisationen der beiden Laender verpflichten sich, alle die Probleme einem Studium zu unterziehen, die sich aus der Notwendigkeit ergeben koennen, technische oder sonstige im Rahmen der internationalen Seeversicherung existierende Hilfseinrichtungen zu ersetzen oder neu zu schaffen.

7 - Die vorstehenden Vereinbarungen betreffen die Luftfahrtversicherung insoweit nicht, als auf diesem Gebiete bereits Vereinbarungen zwischen den einschlaegigen Einrichtungen der beiden Laender stehen. Sofern sich auf diesem Gebiet neue Fragen grundsaetzlicher Natur ergeben sollten, werden solche im Sinne des Artikels 3 del "grundsaetzlichen Richtlinien fuer die deutsch-italienische Zusammenarbeit" behandelt.

8 - Entsprechend der gleichen Bestimmung wird bei grundsaetzlichen Fragen verfahren, die Gebiete betreffen, wofuer normalerweise die Transportversicherung einschaegig ist.

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staendigen Organisationen geschaffen oder noch zu schaffenden Disziplinen unterstellen.

6 - Die zustaendigen Organisationen der beiden Laender verpflichten sich, alle die Probleme einem Studium zu unterziehen, die sich aus der Notwendigkeit ergeben koennen, technische oder sonstige im Rahmen der internationalen Seeversicherung existierende Hilfseinrichtungen zu ersetzen oder neu zu schaffen.

7 - Die vorstehenden Vereinbarungen betreffen die Luftfahrtversicherung insoweit nicht, als auf diesem Gebiete bereits Vereinbarungen zwischen den einschlaegigen Einrichtungen der beiden Laender stehen. Sofern sich auf diesem Gebiet neue Fragen grundsaetzlicher Natur ergeben sollten, werden solche im Sinne des Artikels 3 del "grundsaetzlichen Richtlinien fuer die deutsch-italienische Zusammenarbeit" behandelt.

8 - Entsprechend der gleichen Bestimmung wird bei grundsaetzlichen Fragen verfahren, die Gebiete betreffen, wofuer normalerweise die Transportversicherung einschaegig ist.

f.to PACLINI

f.to HILGARD

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Soweit Beschluesse einer zwischenstaatlichen Vereinbarung beduerfen, werde, die Vorsitzenden die Herbeifuehrung dieser Vereinbarung beiden Vorsitzenden der Regierungsausschuesse beantragen.

f.to PAOLINI

f.to HILGARD.

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f.to PACLINI

f.to HILGARD.

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(Allegato 9)

ZWEITES ZUSATZABKOMMEN

In Ausfuehrung der heite getroffenen Vereinbarung ueber die grundsaetzlichen Richtlinien fuer die Zusammenarbeit der deutschen und italienischen Versicherungswirtschaften wird folgendes festgelegt :

1 - Die Vorsitzenden werden im Zusammenhang mid dem Rueckversicherungsaustausch zwischen beiden Laendern darauf hinwirken, dass die Versicherungsunternehmungen beider Laender die zur Verbesserung des technischen Verlaufes des direkten Geschaeftes noetigen Massnahmen ergreifen.

2 - Die Versicherungsorganisationen beiden Laender werden alle Massnahmen, die in beiden Laendern zum Zwecke der Disziplinierung des Versicherungsgewerbes getroffen werden, mit allen Kraeften unterstuetzen.

3 - Hinsichtlich der Versicherung und Rueckversicherung in allen anderen Laendern werden die Vorsitzenden die Versicherungsunternehmungen ihrer Laender anhalten, im besten Einvernehmen zur Erziehlung eines normalen und gesunden Wettbewerben vorzugehen.

4 - Es besteht Uebereinstimmung ueber die Notwendigkeit, die Schadenexcedenten-Rueckversicherungsformen gemeinsam zu pruefen und die Massnahmen zu treffen, die zu einer Disziplinierung dieser Rueckversicherungsform fuehren koennen.

f.to PAOLINI

f.to HILGARD

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1 - Die Vorsitzenden werden im Zusammenhang mit dem Rueckversicherungs-austausch zwischen beiden Laendern darauf hinwirken, dass die Versicherungsunternehmungen beider Laender die zur Verbesserung des technischen Verlaufes des direkten Geschaeftes noetigen Massnahmen ergreifen.

2 - Die Versicherungsorganisationen beiden Laender werden alle Massnahmen, die in beiden Laendern zum Zwecke der Disziplinierung des Versicherungsgewerbes getroffen werden, mit allen Kraeften unterstuetzen.

3 - Hinsichtlich der Versicherung und Rueckversicherung in allen anderen Laendern werden die Vorsitzenden die Versicherungsunternehmungen ihrer Laender anhalten, im besten Einvernehmen zur Erziehlung eines normalen und gesunden Wettbewerben vorzugehen.

4 - Es besteht Uebereinstimmung ueber die Notwendigkeit, die Schaden-excedenten-Rueckversicherungsformen gemeinsam zu pruefen und die Massnahmen zu treffen, die zu einer Disziplinierung dieser Rueckversicherungsform fuehren koennen.

f.to PAOLINI

f.to HILGARD

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4 - Die im Artikel 2 vorgesehene deutsch-italienische Zusammenarbeit wird auf andere Laender ausgedehnt, soweit dies zweckmaessig erscheint.

5 - Die Vorsitzenden ergreifen Massnahmen, dass sich die in Italien arbeitenden deutschen und die von ihnen kontrollierten auslaendischen Gesellschaften einerseits, und die in Deutschland arbeitenden italienischen sowie die von ihnen kontrollierten auslaendischen Gesellschaften andererseits, den in beiden Laender von den zustaendigen Organisationen geschaffen oder noch zu schaffenden Disziplinen unterstellen.

6 - Die zustaendigen Organisationen der beiden Laender verpflichten sich, alle die Probleme einem Studium zu unterziehen, die sich aus der Notwendigkeit ergeben koennen, technische oder sonstige im Rahmen der internationalen Seeversicherung existierende Hilfseinrichtungen zu ersetzen oder neu zu schaffen.

7 - Die vorstehenden Vereinbarungen betreffen die Luftfahrtversicherung insoweit nicht, als auf diesem Gebiete bereits Vereinbarungen zwischen den einschlaegigen Einrichtungen der beiden Laender stehen. Sofern sich auf diesem Gebiet neue Fragen grundsaetzlicher Natur ergeben sollten, werden solche im Sinne des Artikels 3 del "grundsaetzlichen Richtlinien fuer die deutsch-italienische Zusammenarbeit" behandelt.

8 - Entsprechend der gleichen Bestimmung wird bei grundsaetzlichen Fragen verfahren, die Gebiete betreffen, wofuer normalerweise die Transportversicherung einschaegig ist.

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Gesellschaften andererseits, den in beiden Laender von den zustaendigen Organisationen geschaffen oder noch zu schaffenden Disziplinen unterstellen.

6 - Die zustaendigen Organisationen der beiden Laender verpflichten sich, alle die Probleme einem Studium zu unterziehen, die sich aus der Notwendigkeit ergeben koennen, technische oder sonstige im Rahmen der internationalen Seeversicherung existierende Hilfseinrichtungen zu ersetzen oder neu zu schaffen.

7 - Die vorstehenden Vereinbarungen betreffen die Luftfahrtversicherung insoweit nicht, als auf diesem Gebiete bereits Vereinbarungen zwischen den einschlaegigen Einrichtungen der beiden Laender stehen. Sofern sich auf diesem Gebiet neue Fragen grundsaetzlicher Natur ergeben sollten, werden solche im Sinne des Artikels 3 del "grundsaetzlichen Richtlinien fuer die deutsch-italienische Zusammenarbeit" beHandelt.

8 - Entsprechend der gleichen Bestimmung wird bei grundsaetzlichen Fragen verfahren, die Gebiete betreffen, wofuer normalerweise die Transportversicherung einschaegig ist.

f.to PAOLINI

f.to HILGARD

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IL PRESIDENTE DEL COMITATO GOVERNATIVO ITALIANO

Roma 14 marzo 1942,XX

Signor Presidente,

A complemento del punto 35 del Protocollo Confidenziale del 26 febbraio 1941, ho l'onore di comunicarvi la seguente nostra intesa aggiuntiva :

Le Compagnie di assicurazione belghe, olandesi e norvegesi che hanno rapporti di riassicurazione con Compagnie di assicurazione ammesse all'esercizio in Italia, possono, con l'autorizzazione delle competenti Autorità Valutarie, istituire presso banche dei conti per pagamenti di riassicurazione all'interno, per lo svolgimento del loro lavoro riassicurativo in lire italiane . I pagamenti del genere predetto, da eseguirsi in Italia , a credito ed a debito di tali conti, nei rapporti fra l'intestatario del Conto ed i suoi contraenti italiani, possono avvenire senza bisogno di particolare autorizzazione . I saldi non utilizzati dei predetti conti, possono venire trasferiti, senza speciale autorizzazione, in conformità alle disposizioni del modus vivendi del 17 agosto 40 per la regolazione dei pagamenti fra l'Unione doganale Italo-albanese da un lato e il Belgio, l'Olanda e la Norvegia dall'altro .

Le Compagnie di assicurazione italiane che hanno in Belgio, in Olanda e in Norvegia, rapporti di riassicurazione con Compagnie di assicurazione ammesse all'esercizio in quei paesi, possono con l'autorizzazione delle competenti autorità valutarie di quei Paesei, istituire presso Banche dei conti per pagamenti di riassicurazione in Belgio rispettivamente in Olanda, rispettivamente in Norvegia, per lo svolgimento del loro lavoro riassicurativo in valuta Belga, rispettivamente olandese rispettivamente norvegese ; I pagamenti del genere predetto, da eseguirsi in Belgio rispettivamente in Olanda rispettivamente in Norvegia, a credito ed a debito di tali conti, nei rapporti fra l'intestatario del conto ed i suoi contraenti, possono avvenire senza bisogno di particolare autorizzazione . I saldi

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Le Compagnie di assicurazione belghe, olandesi e norvegesi che hanno rapporti di riassicurazione con Compagnie di assicurazione ammesse all'esercizio in Italia, possono, con l'autorizzazione delle competenti Autorità Valutarie, istituire presso banche dei conti per pagamenti di riassicurazione all'interno, per lo svolgimento del loro lavoro riassicurativo in lire italiane . I pagamenti del genere predetto, da eseguirsi in Italia , a credito ed a debito di tali conti, nei rapporti fra l'intestatario del Conto ed i suoi contraenti italiani, possono avvenire senza bisogno di particolare autorizzazione . I saldi non utilizzati dei predetti conti, possono venire trasferiti, senza speciale autorizzazione, in conformità alle disposizioni del modus vivendi del 17 agosto 40 per la regolazione dei pagamenti fra l'Unione doganale Italo-albanese da un lato e il Belgio, l'Olanda e la Norvegia dall'altro .

Le Compagnie di assicurazione italiane che hanno in Belgio, in Olanda e in Norvegia, rapporti di riassicurazione con Compagnie di assicurazione ammesse all'esercizio in quei paesi, possono con l'autorizzazione delle competenti autorità valutarie di quei Paesei, istituire presso Banche dei conti per pagamenti di riassicurazione in Belgio rispettivamente in Olanda, rispettivamente in Norvegia, per lo svolgimento del loro lavoro riassicurativo in valuta Belga, rispettivamente olandese rispettivamente norvegese ; I pagamenti del genere predetto, da eseguirsi in Belgio rispettivamente in Olanda rispettivamente in Norvegia, a credito ed a debito di tali conti, nei rapporti fra l'intestatario del conto ed i suoi contraenti, possono avvenire senza bisogno di particolare autorizzazione . I saldi non utilizzati dai predetti conti possono essere trasferiti, senza speciale autorizzazione, in conformità alle disposizioni del sopra citato modus vivendi .

E' inteso inoltre che i conti interni di cui sopra possono essere utilizzati oltre che per pagamenti di riassicurazione in senso proprio, anche per effettuare pagamenti di provvigioni a mediatori di riassicurazione .

Gradite, Signor Presidente, gli atti della mia alta considerazione .

Sig. Ministro Karl CLODIUS
Presidente Comitato Governativo Germanico
Berlino

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO GERMANICO

Roma 14 marzo 1942

Signor Presidente,

Ho l'onore di confermarVi che durante le riunioni dei Comitati governativi italiano e germanico, tenute a Roma dal .... al ..... sono state trattate le seguenti questioni di carattere assicurativo :

1) Il Comitato governativo italiano ha espresso il desiderio che nel Governatorato Generale vengano presi dei provvedimenti che rendano possibile alle Compagnie di assicurazione italiane e loro affiliate ivi operanti, la ripresa del loro lavoro vita, come pure una soluzione soddisfacente della questione relativa alle attività patrimoniali ad esse appartenenti ed una sistemazione delle assicurazioni vita concluse prima del I° settembre 1939.

Il Comitato governativo germanico dichiara che presso le competenti Autorità del Governatorato generale sono attualmente in corso degli accertamenti sulla situazione patrimoniale delle Imprese di assicurazione vita ivi operanti, allo scopo di trovare una soluzione ai problemi sopra detti e che sarà data occasione al Comitato governativo italiano di pronunciarsi, prima che venga presa una decisione definitiva in merito al regolamento degli accennati problemi .

2) Il Comitato governativo italiano ha fatto inoltre presente che la direzione centrale delle assicurazioni generali di Trieste ha presso la Banca Handlowy di Varsavia vecchi crediti bloccati dell'ammontare complessivo di Zloty 397.980 . - la cui liberazione è necessaria per lo svolgimento del suo lavoro .

Il Comitato governativo germanico dichiara che la liberazione di crediti bancari nel Governatorato generale può avvenire soltanto nei limiti delle disponibilità delle singole banche; detto Comitato si metterà in contatto con le competenti autorità del Governo generale e si adopererà affinchè alle Assicurazioni generali venga fatto relativamente a questi crediti lo stesso trattamento riservato a titolari germanici di crediti bancari nel Governatora-

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1) Il Comitato governativo italiano ha espresso il desiderio che nel Governatorato Generale vengano presi dei provvedimenti che rendano possibile alle Compagnie di assicurazione italiane e loro affiliate ivi operanti, la ripresa del loro lavoro vita, come pure una soluzione soddisfacente della questione relativa alle attività patrimoniali ad esse appartenenti ed una sistemazione delle assicurazioni vita concluse prima del I° settembre 1939.

Il Comitato governativo germanico dichiara che presso le competenti Autorità del Governatorato generale sono attualmente in corso degli accertamenti sulla situazione patrimoniale delle Imprese di assicurazione vita ivi operanti, allo scopo di trovare una soluzione ai problemi sopra detti e che sarà data occasione al Comitato governativo italiano di pronunciarsi, prima che venga presa una decisione definitiva in merito al regolamento degli accennati problemi .

2) Il Comitato governativo italiano ha fatto inoltre presente che la direzione centrale delle assicurazioni generali di Trieste ha presso la Banca Handlowy di Varsavia vecchi crediti bloccati dell'ammontare complessivo di Zloty 397.980 . - la cui liberazione è necessaria per lo svolgimento del suo lavoro .

Il Comitato governativo germanico dichiara che la liberazione di crediti bancari nel Governatorato generale può avvenire soltanto nei limiti delle disponibilità delle singole banche; detto Comitato si metterà in contatto con le competenti autorità del Governo generale e si adopererà affinchè alle Assicurazioni generali venga fatto relativamente a questi crediti lo stesso trattamento riservato a titolari germanici di crediti bancari nel Governatorato generale .

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3) Il Comitato governativo italiano ha rilevato inoltre che nei territori orientali incorporati nel Reich germanico le società di assicurazioni vita italiane sono state obbligate a corrispondere integralmente agli oneri assicurativi verso gli assicurati considerati "Volksdeutsche", quantunque le attività destinate a copertura delle riserve di queste assicurazioni siano - almeno parzialmente - svalutate .

Il Comitato governativo italiano richiama inoltre l'attenzione sul fatto che le Compagnie di assicurazione italiane si trovano negli anzidetti territori in una situazione meno favorevole delle

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Compagnie germaniche, in quanto che esse, contrariamente a queste ultime, operavano nei territori stessi già prima della guerra e quindi non possono essere obbligate a pagare in certo qual modo un corrispettivo per la continuazione della loro attività, con l'adempiere in pieno ai propri oneri verso gli assicurati considerati "Volksdeutsche", senza disporre dei corrispondenti valori di copertura .

Il Comitato governativo germanico prende atto di quanto sopra e dichiara che per la decisione di questo problema è necessaria la cooperazione di diverse Autorità germaniche. Propone quindi di trattare tale problema quanto prima a Berlino, ed il Comitato governativo italiano si dichiara d'accordo .

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Il Comitato governativo germanico prende atto di quanto sopra e dichiara che per la decisione di questo problema è necessaria la cooperazione di diverse Autorità germaniche. Propone quindi di trattare tale problema quanto prima a Berlino, ed il Comitato governativo italiano si dichiara d'accordo .

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TRATTATI E CONVENZIONI

Protocollo confidenziale e scambi di note fra l'Italia e la Germania - (Roma Agosto 1941)

Protocollo Confidenziale

A seguito degli Accordi stipulati il 19 giugno 1941 (punto 11 del Protocollo Confidenziale del Comitato governativo italo-germanico del 19 giugno 1941), hanno avuto luogo a Monaco dal 16 al 18 giugno 1941 delle trattative del Comitato assicurativo italo-germanico nel quadro della sottocommissione per la questioni assicurative del Comitato governativo italo-germanico.

E' stato concordato quanto segue:

Per venire incontro agli interessi dell'economia assicurativa italiana e germanica nei territori di occupazione germanica o posti sotto l'amministrazione germanica militare, è prevista la creazione da parte del Presidente dei Comitati assicurativi italiano e germanico, di un sottocomitato tecnico permanente che avrà il compito di promuovere una costante intesa su tutte le questioni in detto campo dipendenti da una regolamentazione dei rapporti assicurativi, e di garantire pertanto la continua attuazione dei principi stabiliti nel protocollo confidenziale del 26 febbraio 1941, punto 36.

E' stato inoltre concordato quanto segue;

1) Olanda - Per promuovere una partecipazione italiana agli affari borsistici già in mani inglesi, il Comitato del Reich per i territori olandesi occupati ho già raccomandato alla Maklervereinigung olandese di prendere in considerazione gli interessi assicurativi italiani.

Da parte italiana è stato espresso il desiderio di una partecipazione fino al 20%.

Per soddisfare il più possibile questo desiderio è stato prospettato che rappresentanti dell'economia assicurativa italiana con la collaborazione del Comitato germanico per l'Olanda, inizino quanto prima negoziati in Olanda.

Questi negoziati saranno appoggiati il più possibile da parte tedesca.

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2) Francia - Il Presidente del Comitato germanico per la Francia espone prima dei dettagli lo sviluppo storico dell'occupazione della Francia e l'attuale sistemazione, e dichiara che una spartizione percentuale globale dei portafogli inglesi non è tecnicamente può attuabile.

Per venire però incontro per quanto possibile ai desideri italiani in relazione al Protocollo confidenziale del 26 febbraio 1941, punto 36, si è concordato quanto segue:

Da parte germanica non saranno elevate obiezioni di nessuna specie, a che portafogli di assicurazione inglesi, non ancora trasferiti o non ancora in corso di trasferimento a Compagnie germaniche, saranno rivendicati da Compagnie di assicurazione italiane e che a tal uomo le Compagnie di assicurazione italiane si mettano in contatto con gli uffici francesi competenti. A questo proposito sarà concesso alle Compagnie italiane di assicurazione il desiderato appoggio del Comandante militare germanico in Francia.

Le assicurazioni generali hanno manifestato il loro interesse per i portafogli del gruppo della Commercial Union Assurance Cy. Ltd. Da parte tedesca non saranno elevate obiezioni a che detti portafogli siano concessi alle Generali previa rinuncia da parte dell'Allianz alla quale i portafogli erano stati assegnati.

Allo stessa modo la Riunione Adriatica di Sicurtà si è interessata al così detto Gruppo Leseleuc avuto riguardo ai suoi rapporti, che duravano da lunghi anni, con queste Compagnie inglesi. Poichè i portafogli d'assicurazione di questo gruppo sono già stati assegnati ad un Pool di Compagnie germaniche, la Riunione si metterà in contatto con quel Pool per una spartizione. Il Comitato germanico per la Francia si adopererà affinchè sia trovata una soluzione che tenga conto degli interessi assicurativi italiani.

Per quei portafogli che non sono stati assunti da Compagnie tedesche, le Compagnie italiane di assicurazione, tramite il Comandante militare germanico in Francia prenderanno contatto con i fiduciari tedeschi per un esame più approfondito.

Le Compagnie italiane di assicurazione cercheranno di ottenere direttamente dalle Autorità ispettive francesi le necessarie autorizzazioni per la ripartizione. Il Comandante militare germanico in Franca adcorderà il necezzario appoggio se ciò fosse desiderato da parte italiana.

Si è concordato che le Compagnie di assicurazione italiane e germaniche in Francia procederanno di comune intese in ciò che concerne gli accordi per la disciplina del mercato assicurativo francese.

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3) Carinzia Meridionale e Stiria Meridionale - Da parte tedesca si è d'accordo a che le concessioni richieste da parte italiana nei territori ex jugoslavi della Carinzia meridionale e della Stiria meridionale incorporati nel Reich Germanico, a favore delle Assicurazioni Generali e della loro filiale, la "Erste Allgemeine Unfall-und Schadensversicherungs-Gesellschaft in Vienna, come pure a favore della Riunione Adriatica di Sicurtà e della sua filiale la "Internazionale Unfall-und Schadensversicherungs-Gesellschaft" in Vienna, rispettivamente per l'assicurazione vita e per l'assicurazione beni, siano accordate al più presto a condizione che ciascuno di questi gruppi si serva fino a nuova disposizione per l'assicurazione vita e per l'assicurazione beni di una sola Organizzazione.

In esecuzione degli accordi previsti dal punti 12 del Protocollo confidenziale del 19 giugno 1941 è stato stabilito che i portafogli assicurativi della Sava e della Rossia Forcière appartenenti alla sfera d'interessi italiana, saranno quanto prima trasferiti alle Compagnie di assicurazione italiane interessate e rispettivamente alle loro filiali germaniche.

I rappresentanti delle economie assicurative italiana e germanica tengono ad affermare anche in questa occasione il loro convincimento nel considerare desiderabile e proficua per i reciproci interessi una più stretta collaborazione ed una completa intesa nello spirito degli accordi stipulati in Roma, in tutti i campi nei quali si svolge la loro attività.

FATTO a Roma in duplice esemplare in lingua italiana e tedesca il

A. Giannini

Carl Clodius

2019

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

A completamento della lettera indirizzataVi il 19 giugno 1941, relativa al regolamento degli interessi economici dell'Italia e della Germania in Grecia, mi onoro confermarVi la seguente intesa:

1. Per assicurare un regolare svolgimento del commercio estero greco, saranno nominati presso il competente Ministero greco un Commissario italiano ed uno germanico i quali provvederanno al controllo delle esportazioni e delle importazioni greche. Resta inteso che per quanto concerne il traffico della Grecia coi terzi Paesi i provvedimenti saranno riservati al Commissario italiano, dato che il traffico greco si effettua pel tramite dei clearings italiani, salvo sempre le intese col Commissario germanico.

2. Dovrà essere assicurato che l'Italia e la Germania possano continuare ad esportare in Grecia prodotti italiani e tedeschi nella misura delle esportazioni effettuate verso la Grecia nell'anno 1939.

3. Nei casi nei quali non possano nell'attuale situazione essere più forniti prodotti da terzi Paesi che prima concorrevano all'importazione in Grecia, l'importazione di tali prodotti sarà di preferenza riservata all'Italia ed alla Germania, tenendo conto dei particolari interessi dell'Italia.

4.La presente intesa non costituisce un obbligo di fornitura da parte dell'Italia e della Germania.

Vogliate gradire, Signor Presidente, gli atti della mia alta considerazione.

A. Giannini

Signor Ministro CARLO CLODIUS
Presidente del Comitato Germanico Governativo

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

Ho l'onore di accusarVi ricevuta della lettera in data odierna del seguente tenore:

"Con riferimento alle trattative che hanno avuto luogo a Roma dal 25 al 30 Giugno 1941 fra rappresentanti del Ministero dell'Economia del Reich e della R.Amministrazione dei Monopoli di Stato sulle questioni degli acquisti germanici di tabacco dalla Italia e dai Paesi del Sud Est europeo, ho l'onore di confermarVi che il Governo germanico è d'accordo sul Protocollo elaborato in comune dalle due Parti".

Ho l'onore di confermarVi che il Governo italiano è d'accordo su quanto precede.

Vogliate gradire, Signor Presidente, gli atti della mia alta considerazione.

A.Giannini

2017

Signor Ministro Carl Clodius
Presidente del Comitato Governativo Germanico

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

Ho l'onore di confermarVi le seguenti intese concernenti il regolamento delle merci tedesche scaricate dai piroscafi tedeschi rifugiati nei porti italiani, che formeranno parte integrante dello scambio di note in data 25 gennaio 1941;

a) resta inteso che le norme del punto primo saranno applicate anche nel caso che la polizza di carico sia in possesso delle autorità italiane, salvo sempre la responsabilità del Governo germanico a sensi dell'alinea quarto del punto primo della Nota del 25 gennaio 1941.

Resta inoltre inteso che le autorità italiane conserveranno, agli effetti delle eventuali contestazioni giudiziarie, le polizze di carico e gli altri documenti;

b) resta inteso che il termine previsto al punto 3) è prorogato di tre mesi.

Voglia gradire, Signor Presidente, gli atti della mia più alta considerazione.

A. Giannini

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Signor Ministro Carlo Clodius
Presidente del Comitato Governativo Germanico

R O M A

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

Con riferimento allo scambio di lettere del 19 giugno u.s. relativo al regolamento comune degli interessi economici dell'Italia e della Germania in Grecia, resta convenuto che per le merci tuttora giacenti in Grecia e per le quali sono stati stipulati contratti da parte di ditte ~~m~~ o enti tedeschi anche prima di tale data, nonchè per merci comunque tuttora bloccate da parte tedesca, i due Plenipotenziari italiano e tedesco in Atena esamineranno d'accordo se nei casi segnalati dalle autori= tà italiane una quota di dette merci possa essere ceduta all'Ita= lia.

Vogliate gradire, Signor Presidente, gli atti della mia alta considerazione.

A. Giannini

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Signor Ministro Carlo Clodius
Presidente del Comitato Governatigo Germanico
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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

Mi onoro confermarVi la seguente intesa:

Nell'interesse dei rifornimenti vitali di carbone per la Grecia la Germania fornirà mensilmente alla Grecia 15.000 tonn. di carbone e 2000 tonn. di coke. Resta inteso che il trasporto da Trieste ai porti greci si effettuerà per 10.000 tonnellate mensili su vapori tedeschi e per le restanti 7000 tonn. su vapori italiani.

Per il trasporti ferroviario fino a Trieste i competenti uffici italiani e germanici prenderanno al più presto accordi fra loro.

Vogliate gradire, Signor Presidente, gli atti della mia alta considerazione.

A. Giannini

Signor Ministro Carl Clodius
Presidente del Comitato Governativo Germanico

ROMA

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

In seguito alle conversazioni che hanno avuto luogo in questi giorni a Roma per quanto riguarda le spese di occupazione in Grecia e l'obbligo del Governo greco di sostenere le spese predette è stato convenuto quanto segue:

1. La Banca di Grecia ritirerà al più presto dalla circolazione e sostituirà con mezzi di pagamento greci, i Buoni in dracme della Cassa Mediterranea di Credito ed i Reichskreditkassenscheine. Detti biglietti dovranno poi, a cura del Governo greco, venir restituiti rispettivamente al Governo italiano e al Governo germanico senza rimborso.

2. I due Governi hanno constatato che sono stati messi in circolazione circa 5 miliardi di dracme in Buoni della Cassa Mediterranea di Credito e circa 5 miliardi di dracme in Reichskreditkassenscheine in conto delle spese di occupazione. La Banca di Grecia ritirerà tali biglietti. Qualora i quantitativi dei predetti Buoni della Cassa Mediterranea di Credito o Reichskreditkassenscheine superino gli ammontari in dracme sopra indicati i due Governi esamineranno di comune accordo se ulteriori ritiri potranno essere richiesti alla Banca di Grecia.

E. I due Governi sono d'accordo di non procedere ad ulteriori emissioni di Buoni della Cassa Mediterranea e di Reichskreditkassenscheine. Essi ritengono tuttavia che detti biglietti dovranno continuare a conservare il loro potere di mezzo di pagamento.

Nuove emissioni di Buoni della Cassa Mediterranea e di Reichskreditkassenscheine avverranno solo in caso di forza maggiore e previa intesa fra i due Governi.

4. La Banca di Grecia dovrà procedere al ritiro dei Buoni della Cassa Mediterranea e dei Reichskreditkassenscheine dando istruzioni alle Banche locali a mezzo di circolari di carattere interno, allo scopo di evitare nel pubblico la sensazione che detti mezzi di pagamento non abbiano più corso legale.

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5. I due Governi sono d'accordo che le spese di occupazione devono restare a carico della Grecia.

I Plenipotenziari dei Governi italiano e germanico in Atene, d'intesa con le competenti Autorità militari stabiliranno d'accordo il fabbisogno mensile in dracme a decorrere dal 1° agosto 1941 per le Truppe italiane e germaniche in Grecia. Nel caso in cui la Banca di Grecia non metta a disposizione tempestivamente i mezzi di pagamento in dracme richiesti, i suddetti Plenipotenziari s'intenderanno quali importi in Buoni della Cassa Mediterranea e in Reichskreditkassenscheine dovranno essere messi in circolazione.

Le richieste mensili delle due Potenze occupanti dovranno essere contenute entro i limiti più stretti possibili e tenere conto delle effettive spese di occupazione delle truppe dislocate in Grecia.

6. I rispettivi Plenipotenziari in Atene accerteranno al più presto possibile la capacità economica e finanziaria della Grecia per stabilire le sue possibilità di pagamento delle spese di occupazione.

Vogliate gradire, Signor Presidente, gli atti della mia alta considerazione.

A. Giannini

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Signor Ministro Carlo Clodius
Presidente del Comitato Governativo Germanico

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IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente;

Allo scopo di tutelare l'economia finanziaria e bancaria della Grecia, si è convenuto quanto segue:

1. Il Governo italiano e quello germanico nomineranno ciascuno un Commissario presso la Banca di Grecia. Resta inteso che per quanto concerne il traffico dei pagamenti della Grecia in terzi Paesi i provvedimenti saranno riservati alla competenza del Commissario italiano dato che il traffico greco si effettua pel tramite dei clearings italiani, salvo sempre le intese col Commissario germanico.

2. A cura del Governo italiano sarà istituito al più presto in Grecia un controllo bancario, secondo i principi di massima che saranno concordati tra i Ministri Plenipotenziari d'Italia e la Germania in Atene, e che sarà egualmente applicato di comune accordo.

Vogliate gradire, Signor Presidente, gli atti della mia più alta considerazione.

A. Giannini

Signor Ministro Carlo Vlodius
Presidente del Comitato Governativo Germanico

R O M A

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

IL PRESIDENTE
DEL COMITATO GOVERNATIVO ITALIANO

Roma, 5 Agosto 1941

Signor Presidente,

Mi onoro confermarVi che tra il Governo italiano ed il Governo germanico viene convenuto quanto segue:

1. La Germania è pronta a fornire in Grecia dal Protettorato 30.000 tonnellate di zucchero il cui trasporto tuttavia potrà avvenire soltanto attraverso Trieste. Gli uffici italiani e germanici competenti si accorderanno al più presto per regolare l'esecuzione di tali trasporti per via terra e per via mare.

2. Il Governo germanico è pronto a cedere per forniture verso la Grecia 100.000 tonnellate di carbone che aveva acquistato in Bulgaria. Il Governo bulgaro è d'accordo su questo punto; esso rinuncia a contropartite dalla Grecia ed accetterà il pagamento nel conro di compensazione tedesco-bulgaro. Le forniture suddette si effettuano in aggiunta alle forniture dalla Germania, che formano oggetto di un altro scambio di note firmato in data odierna.

Vogliate gradire, Signor Presidente, gli atti della mia alta considerazione.

A.Giannini

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Signor Ministro Carl Clodius
Presidente del Comitato Governativo Germanico
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11 July 1946.

Dear Dr. Arpesani,

With reference to our conversation this morning regarding the activities of Messrs. Frigessi and Sulfina which might have been incompatible with their continued association with the Riunione Adriatica di Sicurtà and the Assicurazioni Generali, I wish to bring to the attention of the Italian Government the wartime record of collaboration in the international field between German and Italian insurance companies. Evidence of collaboration between Germany and Italy in insurance matters is contained in a number of agreements between representatives of the two countries, copies of which are no doubt available to you. In this regard reference is made in the enclosure to certain of these agreements.

I would be grateful for a reply from the Italian Government indicating whether this record was considered by the Epuration Commission presided over by yourself on April 20, 1946, with respect to Messrs. Frigessi and Sulfina. And, if not, whether it alters the findings of your Commission with respect to the ineligibility of these two men to return to their positions in their respective insurance companies.

Very truly yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani
Undersecretary of State
Presidency of the Council of Ministers
Italian Government,
Rome.

ENCLOSURE

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

11 July 1946.

Dear Dr. Arpesani:

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INELIGIBILITY

Very truly yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani,
Undersecretary of State,
Presidency of the Council of Ministers,
Italian Government,
Rome.

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(1) Agreement of February 26, 1941, between Italy and Germany, providing for a close collaboration in matters of insurance and reinsurance. Article 36 of the Confidential Protocol of this date states that the German Government will do its best in order that the Italian insurance companies might preserve their normal activity in the territories occupied by German troops as well as an adequate participation in insurance holdings that might become free. The same principles in force with respect to German insurance activities were to be applied to Italian companies and the Italian companies were to communicate to the competent authorities the individual cases of importance to them.

(2) A supplementary agreement of February 26, 1941, providing that whenever in third countries in which the Italian and German insurance companies do business there should be indications of situations requiring insurance and reinsurance coverage, joint action should be taken to adopt any necessary measures to offer such market their greatest assistance, inviting if necessary, the insurance industry of other countries to collaborate. This action is stated to be in order to avoid the necessity of having recourse to extraordinary forms of State or quasi-statal intervention since they would be "likely to be harmful to the insurance industry of the two countries". In the event of plans for creation of institutions of the above-mentioned kind in a third country, representatives of the two countries are to immediately contact each other for the purpose of agreeing on a joint course of action.

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(3) A Confidential Protocol and Exchange of Notes between Italy and Germany dated August 5, 1941, creating a "permanent technical subcommittee" with the purposes of working jointly on all questions in the insurance field dependent upon regulation of insurance relations and of guaranteeing the carrying out of the principles established in point 36 of the Confidential Protocol of February 26, 1941. Among other points contained in this agreement were:

(a) Provisions for division of the "portfolio of English insurance" in France, to German and Italian companies, any necessary assistance to be furnished the Italian companies by the German military commandant in France. It is stated that Germany has no objection to the concession of the portfolio of the Commercial Union Assurance Co., Ltd. to the Assicurazioni Generali, which had expressed an interest therein. With regard to the Riunione Adriatica di Sicurta which was interested in the Gruppo Lesseleuc, the portfolio of which had already been assigned to a German pool, the Riunione was to contact this pool for a partition. The Italian insurance companies were to attempt to obtain direct from the French authorities the necessary authorizations for the repartition. It was further stated that the Italian and German insurance companies would proceed in mutual agreement in that which concerned the disciplina of the French insurance market.

(b) Similar agreements were made with regard to the granting of insurance concessions to Assicurazioni Generali and Riunione Adriatica in "Carinzia Meridionale e Stiria Meridionale".

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(4) A letter from the President of the Italian Governmental Committee to the President of the German Governmental Committee, dated March 14, 1942, summarizing the proceedings of a meeting of the two Committees wherein it was decided that the German Committee would contact the appropriate authorities in order that Assicurazioni Generali might receive the same treatment as German holders of bank credits with regard to certain funds of the company which were blocked in Warsaw.

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Cable FX 67820 dated 18 June 44.

+ Transfer to CE 3753 folio 90.

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Napoli 4 Settembre 5

To Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
R O M E

Le Commissioni Interne delle Assicurazioni Generali Venezia e Anonima Infortuni, Agenzia Generale di Napoli, interpretando i desideri di tutto il personale si permettono di esprimere alla S.V.Ill.ma il loro vivo desiderio che il Direttore Generale Gr.Uff.Michele Sulfina venga al più presto reintegrato nelle sue funzioni, fiduciosi che la loro richiesta verrà presa in benevolo esame ed esaudita.

Trattasi di una voce unanime di tutti i collaboratori e dipendenti delle Assicurazioni Generali Venezia e dell'Anonima Infortuni che si rendono conto quanto sia necessaria in questi difficili momenti il prezioso contributo e la vastissima competenza del Gr.Uff.Michele Sulfina, per l'opera di ricostruzione alle quali dette Compagnie si accingono nel quadro generale della ricostruzione nazionale.

Tale richiesta viene poi fatta anche nell'interesse di tutti i lavoratori data la figura morale del Gr.Uff.Michele Sulfina che in tanti anni è stato sempre sensibile alle loro necessità e che col suo animo retto e buono ha sempre fatto il possibile per aiutarli e superare le gravi difficoltà di questi anni dolorosi.

I dipendenti tutti delle Assicurazioni Generali Venezia e Anonima Infortuni sono sicuri che la loro invocazione verrà accolta dalla S.V.Ill.ma, perchè conoscono quanto Voi avete fatto e fate per il loro Paese, nel quadro degli aiuti e dell'assistenza che le Nazioni Unite danno alla povera Italia in questo difficile e doloroso periodo della sua storia e dell'inizio dell'immane faticosa opera di ricostruzione.Ed in tale opera di ricostruzione il Gr.Uff. Michele Sulfina è da considerare un importante pilastro.-

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Le Commissioni Interne delle Assicurazioni Generali Venezia e Anonima Infortuni, Agenzia Generale di Napoli, interpretando i desideri di tutto il personale si permettono di esprimere alla S.V.Ill.ma il loro vivo desiderio che il Direttore Generale Gr.Uff.Michele Sulfina venga al più presto reintegrato nelle sue funzioni, fiduciosi che la loro richiesta verrà presa in benevolo esame ed esaudita.

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LE COMMISSIONI INTERNE AZIENDALI
DELLE ASSICURAZIONI GENERALI VENEZIA E DELL'AN.INFORTUNI

(193) a

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Brig. Hush

Personal

To handle - as per conversation this A.M. with Polads

Jus

11/VI

cc

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TRANSLATION

PRESIDENCE OF THE COUNCIL OF MINISTERS
The Undersecretary of State
1802/S.P.

Rome, 8 June 1946.

Dear Admiral,

I have received your letter of 5 June and cannot disguise the feeling of surprise it has aroused in me. I thought that the question of the reintegration of the two General Managers of the Insurance Companies was already decided and that the communication sent to you by the A.M.G. of Trieste was only a matter of office routine which could not alter what the Allied Commission had agreed upon with the Italian Government.

Instead, I find now that what has been done sofar was to no purpose and that we are still at the point of departure, since the epuration committee and the relative documentations are again being mentioned.

I must refer to my letter of 24 April 1946, with which I informed you that:

- having examined the documents existing at the Ministry of Industry and Commerce (kindly furnished by the Allied Commission);

- considering that said documents do not state any fact which could any longer justify the measures taken against the abovementioned gentlemen;

the Italian Government was giving instructions that Messrs Michele Sulfina and Aroldo De Frigessi should be fully reintegrated in the respective General Managements of the "Assicurazioni Generali di Venezia" and "Riunione Adriatica di Sicurta'".

In your letter of 17 May, you kindly informed me that you had already given instructions to A.M.G. Venezia Giulia to notify the General Managements of the Companies of the reintegration, and sent me a copy of your order. I was bound to suppose that your intervention had finally succeeded to clarify the position of two Italians whose activity is very necessary to the economic rehabilitation of an important sector of our national life. It was from this point of view that, right from the beginning, I explained to you the necessity of your intervention as in this case it is not a question of defending the cause of single persons, but of taking care of the interests of two big Companies.

Now you are asking me to submit the documentation regarding the above gentlemen.

I must first of all clarify that all the documentation was furnished by the Allied Commission to the Ministry of Industry and Commerce

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and - as there were no unfavorable reports on the two functionaries in any other part - the documentation I can today present would be the same which some time ago was furnished by said Commission.

I suppose that there are no new charges existing at the Allied Commission as I think that in that case you would have informed me about it.

What is quite certain is that since several months two of the major Italian Insurance Companies are hindered in the rehabilitation of their activities by the lack of the two General Managers, against whom vague and nebulous charges are being formulated, mostly based upon "it is said", "It would seem", without bringing any concrete and precise proof of action, for which the two might be responsible and which could anyhow represent a crime causing their removal.

Considering the above one cannot help thinking that someone interested in the question - masking his true intentions behind an apparent, sound desire of epuration - is manoeuvering against the two functionaries (and therefore against the two Companies) succeeding to maintain a state of alarm which perpetuates a situation devoid of any juridical and moral basis.

And such a manoeuvering should neither be encoureged nor tolerated.

That is why, dear Admiral, I ask you in the name of justice and of true liberty that the case Sulfina and De Frigessi be finally solved. The Italian Government has already fully reinstated the two functionaries; I request that the Allied Commission confirm (for the zone of the A.M.G.) the decision of the Italian Government or - if it is in possession of documents seriously proving a present or past activity which would be incompatible with the task that has again been assigned to them - kindly submit them to the Italian Government which - you can rest assured - will take steps in consequence.

Yours very sincerely,

/s/ G. Arpesani

JUN 10

PRESIDENZA DEL CONSIGLIO DEI MINISTRI

IL SOTTOSEGRETARIO DI STATO

Roma, 8-6-46

1802/S.P.

Illustre Ammiraglio,

ho ricevuto la Sua lettera del 5 corrente e non so nasconderLe il senso di meraviglia che questa ha suscitato in me. Ritenevo ormai definita la questione del reintegro dei due Direttori Generali delle Compagnie di Assicurazione e pensavo che la comunicazione da Lei fatta all'A.M.G. di Trieste costituisse solo un atto burocratico di ufficio, che non potesse apportare modifiche a quanto stabilito dalla Commissione Alleata in accordo col Governo Italiano.

Debbo invece oggi constatare che, quanto è stato finora fatto, a nulla è valso e che siamo ancora al punto di partenza, poichè si torna a parlare di commissione di epurazione e di relative documentazioni.

Debbo richiamarmi alla mia lettera del 24 aprile u.s. con la quale Le comunicavo che:

- presa visione dei documenti esistenti presso il Ministero dell'Industria e Commercio (cortesemente forniti dalla Commissione Alleata);
- tenuto conto che i documenti stessi non precisano fatto alcuno che possa giustificare più a lungo il provvedimento preso contro i predetti Signori;

il Governo italiano disponeva che i Sigg. Michele SULPINA e Aroldo DE PRIMISSI venissero pienamente reintegrati nelle rispettive Direzioni Generali delle Assicurazioni Generali di Venezia e della Riunione Adriatica di Sicurtà.

Con lettera del 17 maggio Ella mi comunicava cortesemente di aver già dato disposizioni alla Venezia Giulia perchè

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il Governo italiano disponeva che i Sigg. Michele SULFINA e Arnoldo DE PRINCESSI venissero pienamente reintegrati nelle rispettive Direzioni Generali delle Assicurazioni Generali di Venezia e della Riunione Adriatica di Sicurtà.

Con lettera del 17 maggio Ella mi comunicava cortesemente di aver già dato disposizioni alla Venezia Giulia perchè l'A.M.G. notificasse alle Direzioni Generali delle Compagnie l'avvenuto reintegro, e mi trasmetteva copia dell'ordine impartito. Dovevo ritenere che il Suo autorevole appoggio era valso a chiarire finalmente la posizione di due italiani, l'attività dei quali è molto necessaria alla ripresa economica di un importante settore della nostra vita nazionale. E sotto questo

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Ammiraglio
Ellery W. STONE
Capo della Commissione Alleata

./.

= R O M A =

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Oggi Ella mi chiede di sottoporLe documentazioni sui predetti Signori.

Debbo anzitutto chiarire che tutte le documentazioni a carico furono fornite da codesta Commissione Alleata al Ministero dell'Industria e Commercio e - non essendo risultati in altre sedi elementi comunque sfavorevoli ai due funzionari - la documentazione che io sono in grado oggi di presentarLe sarebbe la stessa a suo tempo fornita dalla suddetta Commissione.

Devo ritenere che nuovi elementi a carico non esistano neanche presso la Commissione Alleata, poichè penso che in tal caso Ella mi avrebbe cortesemente informato in proposito.

Ciò che è certo è che oramai da mesi e mesi due delle maggiori Compagnie italiane di Assicurazioni si trovano inceppate ed intralciate nella ripresa delle loro attività dalla mancanza dei due Direttori Generali, contro i quali si formulano accuse vaghe, nebulose, basate sui "si dice", "sembrerebbe", ma non si riesce a portare una prova concreta e precisa di azioni delle quali costoro si siano resi responsabili e che costituiscano comunque un crimine per il quale debbano essere allontanati.

Dato quanto sopra sorge spontanea la supposizione che elementi interessati - mascherando le loro vere intenzioni dietro un apparente desiderio di sana epurazione - manovrino ai danni dei due funzionari (e quindi delle due Compagnie) riuscendo a mantenere uno stato di allarme che perpetua una situazione

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do a mantenere uno stato di allarme che perpetua una situazione
priva di ogni base giuridica e morale.

7899 Orbene, una simile manovra non può essere nè aiutata nè
tollerata.

E' per questo, Ammiraglio, che in nome della Giustizia
e della vera libertà io Le chiedo che il caso Sulfina e De Fri-
gessi sia finalmente risolto. Il Governo Italiano ha già piena-
mente reintegrati nella carica i due funzionari; io Le chiedo
che la Commissione Alleata convalidi (per la zona dell'A.M.G.)
la decisione del Governo Italiano o - se ha documenti che com-
provino seriamente una loro attività, presente o passata, in-
compatibile con la carica che essi nuovamente rivestono - sia
cortese di fornirli al Governo Italiano che - sia certo - prov-
vederà in conseguenza.

Coll'espressione della mia sincera e cordiale considerazione

Suo F. Arpesani.

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Assicurazioni Generali

Società per Azioni istituita nel 1831 - Sede in Trieste

CAPITALE SOCIALE INTERAMENTE VERSATO L.120.000.000

RAMO TRASPORTI

AGENZIA GENERALE
PER
MILANO E LA LOMBARDIA

GERENTE: MARIO JURSENS

TELEFONO 16.648
INDIR. TELEGR.: GENERALMAR

MILANO, 4 Settembre 1945
PIAZZA CORDUSIO, 2

To Admiral Ellery W. STONE
Chief Commissioner
ALLIED COMMISSION
R O M E

The undersigned members of the C.L.N.A. and of the Internal Commissions of the General Agency in Milano of the ASSICURAZIONI GENERALI and of the Management of the ANONIMA INFORTUNI, beg to put before the Allied Command the request on part of the whole staff of both Companies, that Mr. Michele SULFINA be reinstated as their General Manager.

Mr. SULFINA has given for over forty years the valuable support of his very wide technical experience to our Companies, and he is highly appreciated by all employees for the proof of sensibility which he gave in many occasions, understanding their needs and helping them particularly in very difficult periods.

By granting this request, you would not only satisfy the wish of the whole staff of both Companies, without any distinction of rank, but you would allow Italy to keep a person of undoubted international reputation, and our Companies will be proud to see him always amongst their Managers.

The undersigned members of the C.L.N.A. and of the Internal Commissions express in anticipation their thanks to the Allied Command and trust that the present request will be taken into favourable consideration, thus strengthening still more, in all the employees of both Companies, the

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MILANO E LA LOMBARDIA

GERENTE: MARIO JURGENS

TELEFONO 16.648
INDIR. TELEGR.: GENERALMAR

To Admiral Ellery W. STONE
Chief Commissioner
ALLIED COMMISSION
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The undersigned members of the C.L.N.A. and of the Internal Commissions express in anticipation their thanks to the Allied Command and trust that the present request will be taken into favourable consideration, thus strengthening still more, in all the employees of both Companies, the sincere gratitude whnich all Italians feel towards the United Nations, for the substantial help they have always been giving to our Country.

Your obedient servants

La Commissione Interna Sindacale

Comitato Liberazione Nazionale
Assicurazioni Generali Agenzia di Milano

de L'ANONIMA INFORTUNI

LA COMMISSIONE INTERNA
DE L'ANONIMA INFORTUNI

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JUN 10 ...

PRESIDENZA DEL CONSIGLIO DEI MINISTRI

IL SOTTOSEGRETARIO DI STATO

Roma, 8-6-46

1802/S.P.

Illustre Ammiraglio,

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Debbo invece oggi constatare che, quanto è stato finora fatto, a nulla è valso e che siamo ancora al punto di partenza, poichè si torna a parlare di commissione di epurazione e di relative documentazioni.

Debbo richiamarmi alla mia lettera del 24 aprile u.s. con la quale Le comunicavo che:

- presa visione dei documenti esistenti presso il Ministero dell'Industria e Commercio (cortesemente forniti dalla Commissione Alleata);
- tenuto conto che i documenti stessi non precisano fatto alcuno che possa giustificare più a lungo il provvedimento preso contro i predetti Signori;

il Governo italiano disponeva che i Sigg. Michele SULPINA e Arcido DE PRIESSI venissero pienamente reintegrati nelle rispettive Direzioni Generali delle Assicurazioni Generali di Venezia e della Riunione Adriatica di Sicurtà.

Con lettera del 17 maggio Ella mi comunicava cortesemente di aver già dato disposizioni alla Venezia Giulia perchè l'A.M.G. notificasse alle Direzioni Generali delle Compagnie l'avvenuto reintegro, e mi trasmetteva copia dell'ordine impar-

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Ammiraglio
Ellery W. STONE
Capo della Commissione Alleata ./.

= R O M A =

(13a)

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

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Oggi Ella mi chiede di sottoporle documentazioni sui predetti Signori.

Debbo anzitutto chiarire che tutte le documentazioni a carico furono fornite da codesta Commissione Alleata al Ministero dell'Industria e Commercio e - non essendo risultati in altre sedi elementi comunque sfavorevoli ai due funzionari - la documentazione che io sono in grado oggi di presentarle sarebbe la stessa a suo tempo fornita dalla suddetta Commissione.

Devo ritenere che nuovi elementi a carico non esistano neanche presso la Commissione Alleata, poichè penso che in tal caso Ella mi avrebbe cortesemente informato in proposito.

Ciò che è certo è che oramai da mesi e mesi due delle maggiori Compagnie italiane di Assicurazioni si trovano inceppate ed intralciate nella ripresa delle loro attività dalla mancanza dei due Direttori Generali, contro i quali si formulano accuse vaghe, nebulose, basate sui "si dice", "sembrerebbe", ma non si riesce a portare una prova concreta e precisa di azioni delle quali costoro si siano resi responsabili e che costituiscano comunque un crimine per il quale debbano essere allontanati.

Dato quanto sopra sorge spontanea la supposizione che elementi interessati - mascherando le loro vere intenzioni dietro un apparente desiderio di sana epurazione - manovrino ai danni dei due funzionari (e quindi delle due Compagnie) riuscendo a mantenere uno stato di allarme che perpetua una situazione priva di ogni base giuridica e morale.

7/132 Orbene, una simile manovra non può essere nè aiutata nè tollerata.

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

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E' per questo, Ammiraglio, che in nome della giustizia e della vera libertà io Le chiedo che il caso Sulfina e De Frigessi sia finalmente risolto. Il Governo Italiano ha già pienamente reintegrati nella carica i due funzionari; io Le chiedo che la Commissione Alleata convalidi (per la zona dell'A.M.G.) la decisione del Governo Italiano o - se ha documenti che comprovino seriamente una loro attività, presente o passata, incompatibile con la carica che essi nuovamente rivestono - sia cortese di fornirli al Governo Italiano che - sia certo - provvederà in conseguenza.

Coll'espressione della mia sincera e cordiale considerazione

Suo P. Aspetsau.

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

Assicurazioni Generali

Società per Azioni istituita nel 1831 - Sede in Trieste

CAPITALE SOCIALE INTERAMENTE VERSATO L.120.000.000

RAMO TRASPORTI
AGENZIA GENERALE
PER
MILANO E LA LOMBARDIA

GERENTE: MARIO JURGENS

TELEFONO 16.648
INDIR. TELEGR.: GENERALMAR

MILANO 4 Settembre 1945
PIAZZA CORDUSIO, 2

To Admiral Ellery W. STONE
Chief Commissioner
ALLIED COMMISSION
R O M E

The undersigned members of the C.L.N.A. and of the Internal Commissions of the General Agency in Milano of the ASSICURAZIONI GENERALI and of the Management of the ANONIMA INFORTUNI, beg to put before the Allied Command the request on part of the whole staff of both Companies, that Mr. Michele SULFINA be reinstated as their General Manager.

Mr. SULFINA has given for over forty years the valuable support of his very wide technical experience to our Companies, and he is highly appreciated by all employees for the proof of sensibility which he gave in many occasions, understanding their needs and helping them particularly in very difficult periods.

By granting this request, you would not only satisfy the wish of the whole staff of both Companies, without any distinction of rank, but you would allow Italy to keep a person of undoubted international reputation, and our Companies will be proud to see him always amongst their Managers.

The undersigned members of the C.L.N.A. and of the Internal Commissions express in anticipation their thanks to the Allied Command and trust that the present request will be taken into favourable consideration, thus strengthening still more, in all the employees of both Companies, the sincere gratitude whnich all Italians feel towards the United Nations, for the [illegible] help they have always been giving to our Country.

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

TELEFONO 16.643
INDIR. TELEGR.: GENERALMAR

To Admiral Ellery W. STONE
Chief Commissioner
ALLIED COMMISSION
R O M E

The undersigned members of the C.L.N.A. and of the Internal Commissions of the General Agency in Milano of the ASSICURAZIONI GENERALI and of the Management of the ANONIMA INFORTUNI, beg to put before the Allied Command the request on part of the whole staff of both Companies, that Mr. Michele SULFINA be reinstated as their General Manager.

Mr. SULFINA has given for over forty years the valuable support of his very wide technical experience to our Companies, and he is highly appreciated by all employees for the proof of sensibility which he gave in many occasions, understanding their needs and helping them particularly in very difficult periods.

By granting this request, you would not only satisfy the wish of the whole staff of both Companies, without any distinction of rank, but you would allow Italy to keep a person of undoubted international reputation, and our Companies will be proud to see him always amongst their Managers.

The undersigned members of the C.L.N.A. and of the Internal Commissions express in anticipation their thanks to the Allied Command and trust that the present request will be taken into favourable consideration, thus strengthening still more, in all the employees of both Companies, the sincere gratitude whnich all Italians feel towards the United Nations, for the substantial help they have always been giving to our Country.

Your obedient servants

La Commissione Interna Sindacale

Comitato Liberazione Nazionale
Assicurazioni Generali Agenzia di Milano

de L'ANONIMA INFORTUNI

LA COMMISSIONE INTERNA
DE L'ANONIMA INFORTUNI

143a

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

Venezia, 16 agosto 1945

Al Dirigente dell'Ufficio Finanziario

Quartier generale del Governo Militare Alleato - 13.Corpo

T R I E S T E

Il Comitato di Liberazione Nazionale Aziendale delle Assicurazioni Generali - Venezia, nella sua veste di Commissione Interna ed a nome di tutto il personale della Direzione Veneta, si associa alla Commissione Interna delle Assicurazioni Generali - Trieste, nell'esprimere il vivo desiderio che il Direttore Generale Gr.Uff. Michele Sulfina, nel superiore interesse della Compagnia, sia reintegrato nelle sue funzioni.

Translation

The Chief Finance Officer

Headquarters Allied Military Government - 13th Corps

T R I E S T E

The National Liberation Committee, Section of the Assicurazioni Generali, Venice, as Internal Committee and in the name of the whole employes of the Company's Management in Venice, together with the Internal Committee of the Assicurazioni Generali - Trieste, expresses the hope that Mr.Michael Sulfina will be as soon as possible reinstated to his office as general manager in order to offer the Company his experience and technical knowledge.

IL COMITATO DI LIBERAZIONE NAZIONALE AZIENDALE
DELLE ASSICURAZIONI GENERALI - VENEZIA

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

che il Direttore Generale Gr.Uff. [illegible]
della Compagnia, sia reintegrato nelle sue funzioni.

Translation

The Chief Finance Officer

Headquarters Allied Military Government - 13th Corps

T R I E S T E

The National Liberation Committee, Section of the Assicurazioni Generali, Venice, as Internal Committee and in the name of the whole employes of the Company's Management in Venice, together with the Internal Committee of the Assicurazioni Generali - Trieste, expresses the hope that Mr.Michael Sulfina will be as soon as possible reinstated to his office as general manager in order to offer the Company his experience and technical knowledge.

IL COMITATO DI LIBERAZIONE NAZIONALE AZIENDALE
DELLE ASSICURAZIONI GENERALI - VENEZIA

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

1736

Trieste, 14 agosto 1945

Al Dirigente dell'Ufficio Finanziario

Quartier generale del Governo Militare Alleato - 13. Corpo

T R I E S T E

La Commissione Interna delle Assicurazioni Generali di Trieste, interprete dell'unanime sentimento del personale, esprime il voto che il Direttore Generale Gr.Uff.Michele Sulfina possa essere al più presto reintegrato nelle sue funzioni e cooperare con la sua esperienza e la sua tecnica alla ripresa dell'attività della Compagnia nel quadro della politica ricostruttiva delle Nazioni Unite, nel cui novero entrerà l'Italia.

Translation

The Chief Finance Officer

Headquarters Allied Military Government - 13th Corps

T R I E S T E

The Internal Committee of the Assicurazioni Generali of Trieste, interpreting the unanimous wish and feelings of the employes, expresses the hope that Mr.Michael Sulfina will be as soon as possible reinstated to his office as general manager, in order to offer the Compagny his experience and technical knowledge for the full resumption of its activities in the framework of the reconstruction policy of the United Nations among which Italy is going to take her place.

LA COMMISSIONE INTERNA DELLE
ASSICURAZIONI GENERALI

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

Direttore Generale Gr.Uff.Michele Sulfina possa essere al più presto reintegrato nelle sue funzioni e cooperare con la sua esperienza e la sua tecnica alla ripresa dell'attività della Compagnia nel quadro della politica ricostruttiva delle Nazioni Unite, nel cui novero entrerà l'Italia.

Translation

The Chief Finance Officer

Headquarters Allied Military Government - 13th Corps

T R I E S T E

The Internal Committee of the Assicurazioni Generali of Trieste, interpreting the unanimous wish and feelings of the employes, expresses the hope that Mr.Michael Sulfina will be as soon as possible reinstated to his office as general manager, in order to offer the Compagny his experience and technical knowledge for the full resumption of its activities in the framework of the reconstruction policy of the United Nations among which Italy is going to take her place.

LA COMMISSIONE INTERNA DELLE
ASSICURAZIONI GENERALI

(143) a

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1741

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

Assicurazioni Generali

SOCIETÀ PER AZIONI ISTITUITA NEL 1831
CAPITALE SOCIALE INTERAMENTE VERSATO L.120 000 000
FONDI DI GARANZIA L.4 171 190 013.70

DUPLICATO

RAMO ..... N. .....
UFFICIO .....

Commissione Interna

Rome, 25th August 1945

To the Director
Finance Office
Headquarters Allied Military Government
Trieste

The undersigned members of the Internal Commissions of the Insurance Companies "Assicurazioni Generali" and "Anonima Infortuni", acting in conformity with the feeling of the whole staff of the Rome Managements as well as General Agencies of the above-mentioned Companies, express their strong wish that Mr. Michele SULFINA be reinstated in his place as their general manager, so that the said Companies may have the benefit of his skill as well as wide business experience and knowledge gathered in forty years of insurance work.

Traduzione

I sottoscritti nella loro qualità di componenti le Commissioni Interne delle Assicurazioni Generali e dell'Anonima Infortuni, interpreti dei sentimenti di tutti i lavoratori dipendenti dalle Direzioni di Roma e dalle locali Agenzie Generali, esprimono il loro vivo desiderio che il Direttore Generale Gr.Uff. Michele Sulfina, venga reintegrato nelle sue funzioni, per apportare all'Azienda l'indispensabile beneficio del suo ingegno e della lunga esperienza acquisita in un quarantennio di lavoro nel campo assicurativo.

LA COMMISSIONE INTERNA AZIENDALE
delle "Assicurazioni Generali"

LA COMMISSIONE INTERNA AZIENDALE
dell'"Anonima Infortuni"

(1741a)

" ASSICURAZIONI GENERALI" "L'ANONIMA INFORTUNI"

G E N O V A

COMMISSIONE INTERNA Genova, 10 th September 1945

TO CHIEF COMMISSIONER
ALLIED COMMISSION
G E N O A

The undersigned, as members of the internal Commissions of the "Assicurazioni Generali" & "Anonima Infortuni" Genoa Agencies, declare that in a meeting of the whole staff of said agencies, has been unanimously expressed the wish to see the General Manager Michele Sulfina reinstated in his place.

The whole staff recognize in Mr. Sulfina, beyond his wide experience in insurance business so necessary for the welfare of the Company, the goodheartes man who, in every time, has proved to understani the employees needs, as should like to be lead by him longer.

The abovesaid Internal Commissions trust that the Allied Commission will accept the request of the employees of the above mentioned Companies, making them to feel once more thankfull, as all the Italians, towards the United Nations for what do for the sake of Italy.

TRANSLATION

I sottoscritti, quali membri delle Commissioni Interne delle "Assicurazioni Generali" e "L'Anonima Infortuni" - Agenzie di Genova - Dichiariamo che in una riunione dell'intero personale delle dette Agenzie, è stato unanimemente espresso il desiderio di vedere, reintegrato nella sua carica di Direttore Generale, Michele Sulfina.

L'intero personale riconosce nel Signor Sulfina, oltre alla sua vasta esperienza nel campo assicurativo così necessaria per le fortune della Compagnia, l'uomo di cuore che, in ogni tempo, ha provato di comprendere le necessità degli impiegati, e gradirebbe essere ancora guidato da lui.

Le suddette Commissioni Interne confidano che la Commissione Allea-

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

The undersigned, as members of the Internal Commissions of the "Assicurazioni Generali" & "Anonima Infortuni" Genoa Agencies, declare that in a meeting of the whole staff of said agencies, has been unanimously expressed the wish to see the General Manager Michele Sulfina reinstated in his place.

The whole staff recognize in Mr. Sulfina, beyond his wide experience in insurance business so necessary for the welfare of the Company, the goodheartes man who, in every time, has proved to understand the employees needs, as should like to be lead by him longer.

The abovesaid Internal Commissions trust that the Allied Commission will accept the request of the employees of the above mentioned Companies, making them to feel once more thankfull, as all the Italians, towards the United Nations for what do for the sake of Italy.

TRANSLATION

I sottoscritti, quali membri delle Commissioni Interne delle "Assicurazioni Generali" e "L'Anonima Infortuni" - Agenzie di Genova - Dichiariamo che in una riunione dell'intero personale delle dette Agenzie, è stato unanimemente espresso il desiderio di vedere, reintegrato nella sua carica di Direttore Generale, Michele Sulfina.

L'intero personale riconosce nel Signor Sulfina, oltre alla sua vasta esperienza nel campo assicurative così necessaria per le fortune della Compagnia, l'uomo di cuore che, in ogni tempo, ha provato di comprendere le necessità degli impiegati, e gradirebbe essere ancora guidato da lui.

Le suddette Commissioni Interne confidano che la Commissione Alleata vorrà accettare la richiesta del personale delle menzionate Compagnie, e si sentiranno ancora una volta grati, come tutti gli italiani, alle Nazioni Unite per quanto esse fanno per il bene dell'Italia.

LA COMMISSIONE INTERNA AZIENDALE
delle "Assicurazioni Generali"

f.to E. Fravegi - S.Burlandi

LA COMMISSIONE INTERNA AZIENDALE
dell'"Anonima Infortuni"

f.to L.Bertini - Conti

(1939)

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

TO ADMIRAL ELLERY W. STONE
CHIEF COMMISSIONER
ALLIED COMMISSION
R C M E

The undersigned Internal Commission of "ASSICURAZIONI GENERALI" and "L'ANONIMA INFORTUNI" of Palermo and Catania, beg to ask the Allied Commission that Mr. Sulfina, General Manager, be reinstated in his former position. - This request is based on the certainty that doing so, you will act accordingly to justice.

Mr. Sulfina was for about forty years our beloved master and guide in our work and during difficult days his wholeharted cooperation gave us inspiration and courage. More than ever we need now his goodness, knowledge and understanding.

If what we ask is to be granted, a new reason of gratitude will be added to the many others that we Italians have towards the Liberators of our Country.

Palermo 7th September 1945.

LA COMMISSIONE INTERNA DI PALERMO
delle "ASSICURAZIONI GENERALI"
f° S. Sorrentino

LA COMMISSIONE INTERNA DI PALERMO
de "L'Anonima Infortuni"
f° G. Crilia

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

R O M E

The undersigned Internal Commission of "ASSICURAZIONI GENERALI" and "L'ANONIMA INFORTUNI" of Palermo and Catania, beg to ask the Allied Commission that Mr. Sulfina, General Manager, be reinstated in his former position. - This request is based on the certainty that doing so, you will act accordingly to justice.

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If what we ask is to be granted, a new reason of gratitude will be added to the many others that we Italians have towards the Liberators of our Country.

Palermo 7th September 1945.

LA COMMISSIONE INTERNA DI PALERMO
delle "ASSICURAZIONI GENERALI" f° S. Sorrentino

LA COMMISSIONE INTERNA DI PALERMO
de "L'Anonima Infortuni" f° G. Orilia

LA COMMISSIONE INTERNA DI CATANIA
delle "Assicurazioni Generali" f° Biaccavento
f° S. Fabio

(193)

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

Internal Commission

Florence, September 3rd, 1945

The Director of Finance Office
H.Q. Allied Military Government
T r i e s t e

Sir,

the undersigned Internal Commission of the Seat of Florence of "Assicurazioni Generali" and of the "Anonima Infortuni", interpreting the unanimous wishes of all workers depending from this Seat, fully trusting on the sympathy shown many times from the Allied Authorities towards the rebuilding needs of our unfortunate country, take the liberty to urge in order the measure taken against Mr. Michele Sulfina, General Manager of the Company, may be reexamined.

The whole staff, thinking of the continuity of work of such an important company, well acknowledges what a valuable support Mr. M. Sulfina has given in thereabout forty years work with his rare skillness, while all the employees have experienced of what a sympathy and affection he has surrounded them always.

They express their trust this sincere workers'voice will not remain unheard.

Very respectfully.

Translation

La sottoscritta Commissione Interna della Sede di Firenze delle "Assicurazioni Generali" e dell'"Anonima Infortuni", interprete dei voti unanimi di tutti i lavoratori dipendenti da questa Sede, facendo vivo assegnamento sulla benevolenza tante volte dimostrata dalle autorità alleate verso le esigenze di ricostruzione del nostro disgraziato paese, si permettono di fare vive premure, perchè sia riesaminato il provvedimento preso a carico del sig. Michele Sulfina, Direttore Generale della Compagnia. I lavoratori tutti, pensosi della continuità di lavoro di così importante società, bene conoscono quale prezioso contributo ha dato il sig. Sulfina in circa 40 anni di lavoro con la sua rara competenza, mentre hanno viva esperienza di quanta simpatia ed affettuosità egli ha sempre circondato tutti i dipendenti.

Esprimono la fiducia che questa schietta voce di lavoratori non resti inascoltata.

Con i sensi della più alta considerazione.

LA COMMISSIONE INTERNA delle ASSICURAZIONI GENERALI e dell'ANONIMA INFORTUNI

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They express their trust this sincere workers'voice will not remain unheard.

Very respectfully.

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Esprimono la fiducia che questa schietta voce di lavoratori non resti inascoltata.

Con i sensi della più alta considerazione.

LA COMMISSIONE INTERNA delle ASSICURAZIONI GENERALI e dell'ANONIMA INFORTUNI

(193) a

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1748

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

10 June 1946.

My dear Captain Angleton:

(189) Confirming our conversation of late last week, I hand you herewith translation of letter received from Avv. Giorgio Mastino Del Rio, counsel for Marshal Graziani, translation of letter received from Marshal Graziani himself and a list in Italian of certain material the return of which is desired by the Marshal, a considerable proportion of which appears to be his personal property.

I should be grateful if you would take this question up with your superiors and advise me their decision so that it can be communicated to the Marshal's counsel and wife.

Very truly yours,

/s/ Ellery W. Stone

ELLERY W.STONE
Rear Admiral, USNR
Chief Commissioner

Captain J. Angleton,
Strategic Services Unit,
2677th Regiment,
APO 512.

(193)

5503

MEMORANDUM FOR REAR ADMIRAL ELLERY STONE

Marchioness Ines Graziani,wife of the Marshal of Italy,Rodolfo Graziani,at present detained in the jail of Procida,awaiting a judgement,considers necessary and to be her duty to submit to the Allied Command in Italy,and for it to the Rear Admiral Ellery Stone the following remarks:

1-As it is known,Marshal Graziani,after having scrupulosly fulfilled his military duties and in order to avoid an unnecessary shedding of blood,surrended himself to the Allied Military Authority and precisely to two officiers of the American Army.

2-After having been discriminated by the Allied Authority as a war criminal,Marshal Graziani was delivered to the Italian Authority and put under judgement by the Italian Government.It is more than logical that Marshal Graziani and his wife,following their sacred right,are trying to gather all the necessary elements for the defense.

3-But the undersigned objects;before everything,as it is absolutely necessary that the judgement shall take place only and when the Italian political situation is such as to warrant a fair course of the said judgement and when it will be possible to ask as witnesses peo les who at present have an unknown residence.This we consider as a right which cannot be denied.

4-Moreover there are some very important documents,which can throw a very efficient light on the whole action of Marshal Graziani;following during his entire life.These documents are not only necessary for his defense,but will be very useful for the judgement itself and in order to reestablish truth and responsabilities.

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

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2-After having been discriminated by the Allied Authority as a war criminal,Marshal Graziani was delivered to the Italian Authority and put under judgement by the Italian Government.It is more than logical that Marshal Graziani and his wife,following their sacred right,are trying to gather all the necessary elements for the defense.

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4-Moreover there are some very important documents,which can throw a very efficient light on the whole action of Marshal Graziani;following during his entire life.These documents are not only necessary for his defense,but will be very useful for the judgement itself and in order to reestablish truth and responsabilities.

These documents,together with all the personal souvenirs both of Marshal Graziani and his family,were given in consign to Don Mario Marchi,Curate of the Church of Sant'Agnese in Via Nomentana,Rome, and who kept them in safeguard.On February 1945 the boxes with the said documents and objects were seized by Major Broad of the U.S.

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M.P. of Via Sicilia,Rome.Marchioness Graziani,both orally and in writing,asked Major Brood for having back these boxes or at least to get a regular receipt for them,but no answer was received.

As these documents are absolutely necessary for Marshal Graziani's defense and as he cannot be denied this right,the undersigned begs to ask that these documents will be given back to her.Of course she is ready to give all the required guarantees on the matter.Of these documents and objects she has a precise list.

In the same time the undersigned begs that the Allied Commend will give order and disposition as all the objects,namely valuable and family and personal souvenirs,shall be handled back to her,in consideration that they have no value in regard of the judgement or other inquire whatsoever.

The undersigned is confident that the justice of the Allied Command,to which she appeals,will be not denied to her and she anticipates her best grateful thanks.

Rome,April 6,1946

Ina Graziani

1053

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

TRANSLATION

THE PRESIDENT OF THE COUNCIL OF MINISTERS

Rome, 6 June 1946.

190

Dear Admiral,

with reference to your letter of 14 May 1946, I have at once informed the Ministry of Justice to keep in mind, in occasion of the process of Marshal Graziani, the conditions agreed upon with the Allied Commission and repeated in the above letter.

The Keeper of the Seals now confirms that the necessary instructions have been issued as desired.

Yours very truly

/s/ De Gasperi

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

RCDIST 11 June
ACTION - EC
INFO - CCS
- PSS/C

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1753

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

5 June 1946

My dear Dr. Arpesani:

I refer to my letter of 2 April and to your reply of 24 April, pertaining to the reinstatement of Messrs. De Frigessi and Sulfina as officers of the insurance companies with which they were formerly associated.

I deem it of primary importance that insurance companies have trained officials to enable them to resume and discharge their functions. However, certain activities of these two officials in the international insurance field were the subject of so much attention, both in this theater and in foreign quarters, that I am unable to agree to their reinstatement in AMG territory prior to a study of epuration proceedings accompanied by full documentation. You may recall that I suggested epuration proceedings in my letter of 2 April.

If the proceedings are immediately available, I would greatly appreciate being furnished with them for review. Reinstatement of the two officials by AMG XIII Corps will be withheld subject to such review.

Yours very truly,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani
Under Secretary of State
Presidency of the Council of Ministers
Rome.

cc: UK and US POLAD
AMG XIII Corps
V/P, Civil Affairs Section

2509

1754

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JUN 12 REC'D

June 1946

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My dear Dr. Arpesani:

I refer to my letter of 2 April and to your reply of 24 April, pertaining to the reinstatement of Messrs. De Frigessi and Sulfina as officers of the insurance companies with which they were formerly associated.

I deem it of primary importance that insurance companies have trained officials to enable them to resume and discharge their functions. However, certain activities of these two officials in the international insurance field were the subject of so much attention, both in this theater and in foreign quarters, that I am unable to agree to their reinstatement in AMG territory prior to a study of epuration proceedings accompanied by full documentation. You may recall that I suggested epuration proceedings in my letter of 2 April.

If the proceedings are immediately available, I would greatly appreciate being furnished with them for review. Reinstatement of the two officials by AMG XIII Corps will be withheld subject to such review.

Yours very truly,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani
Under Secretary of State
Presidency of the Council of Ministers
Rome.

cc: UK and US POLAD
AMG XIII Corps
V/P, Civil Affairs Section

192a

1755

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

TRANSLATION

THE PRESIDENT OF THE COUNCIL OF MINISTERS
68905/10611.8/1.7

Rome, 31 May 1946.

Dear Admiral,

In reply to letter UP/1.A/CA of 8 April 1945, I submit to you the situation of the Organizations mentioned in your note of 5 October 1945, some file, dividing them - according to the request contained in the above-said note - in four groups, considering whether it is a question of organizations to be suppressed, reorganized, epurated or kept in life without the adoption of any measure.

Each of these groups is in its turn subdivided in as many categories as the number of State Administrations from which they depend.

1st GROUP - ORGANIZATIONS TO BE SUPPRESSED

a) Presidency: I - Sezione Volontari d'Italia
II - Reparto Arditi d'Italia

These two organizations which have never been recognized juridically, have ceased functioning as organic entities with the Armistice and their activity will in fact be taken over by the "Associazione Nazionale Combattenti".

b) Ministry of Agriculture and Forests:

III - Ente economico della Viticoltura (vine)
IV - Ente per la Cerealicoltura (cereals)
V - Uffici per gli accertamenti agricoli.

Said organizations have ceased long ago any activity; they are presently being liquidated under the special administration of a Commissar who is quickly proceeding to the ascertainment of their patrimonial activities and passivities. They will be substituted in the center by the National Statistical Economic Agriculture Office (U.N.S.E.A.) and in the periphery by the provincial statistical economic Agriculture offices (U.P.S.E.A.)

VI - National Forest Committee. It has been formally suppressed with the Decree of 22-8-1945, No. 261.

2507

c) Ministry of the Interior:

VII - Ente Opere Assistenziali, has been disbanded with the same decree which suppressed the Fascist party (R.D. 2-8-1943, No. 704)

26/10/46

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d) Ministry of Public Instruction: (Education)

VIII - University Groups (G.U.F.). These groups have been disbanded with the same decree which suppressed the Fascist party (R. D.L. 2-8-1943, No. 704)

And finally all Fascist syndical organizations, to whatever State administration they were belonging for reasons of matter, have been disbanded with the Decree of 23 November 1944, No. 369.

2nd GROUP - ORGANIZATIONS TO BE REORGANIZED

a) Presidency: I - Opera Nazionale Dopolavoro.

This organization has assumed with the decree of 22-8-1945, No. 624 the name of National Organization for the Assistance to Workers, without however proceeding to its reorganization or to the specification of its new tasks inasmuch as in view of its assistance aims it is necessary to examine prejudicially whether it is convenient to keep it in life or whether it would not rather be advisable to proceed to its disbandment, distributing its tasks among the various syndical organizations. Owing to its complexity, the problem is still being studied.

II - Italian National Olympic Committee (C.O.N.I.)
III - National Organization for Mothers and Children

Because of their aims which are completely outside any political field, these organizations cannot be suppressed, but require a reorganization of their respective activities. To this end have been named opposite Special Commissars who are working at a readjustment of the organizations and of their functions.

b) Ministries of War, Navy, Air Force and Finances:

IV - Detachments of arms and specialties
V - Groups Sailors of Italy
VI - Lega Navale Italiana
VII - Groups Airmen of Italy
VIII - Groups Financiers of Italy

All the above institutions are being reorganized as free Associations having only assistential, recreative and cultural aims, according to the adhesion to this idea given by the Allied authorities.

As far as the Groups of the Sailors of Italy in particular are concerned, it is being studied whether it would be advisable to incorporate that organization in the "Lega Navale Italiana".

Anyways it must be remembered that the epuration of the existing organizations has already taken place.

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IX - U.NU.C.I.

The Government intends to proceed also to the reorganization of the above institution and to this purpose, considering its considerable structure and the complexity of its functioning, measures have already been taken putting it under extraordinary administration, at whose termination it will be possible to make with due circumspection the final arrangements for its organic transformation. The obligatory subscription has already been abolished since 1944 and the voluntary nature of adhesions to the institution has again been instaurated. The epuration of the personnel of U.N.U.C.I. has already been completed.

3rd GROUP - ORGANIZATIONS TO BE EPURATED

a) Presidency: I - Legione Garibaldina
II - Associazione Nazionale Combattenti

These institutions are still being epurated according to the directives proposed by M.M.I.A. which in its time informed the Ministry of War that said organizations could keep functioning after the epuration of its members and the elimination of all Fascist influence.

4th GROUP - ORGANIZATIONS FOR WHICH NO MEASURE IS FORESEEN

a) Presidency: I - National Association of Families of the Fallen
II - National Association of Disabled War Veterans
III - National Association for War Orphans

Said institutions keep functioning according to their previous organization and it is not considered advisable to proceed to their complete reconstitution (except the necessary adjustments of the respective statutes) in consideration of the fact that they were erected in a period previous to Fascism and with aims fully independent from the same.

b) Ministry of Agriculture and Forests:

IV - Provincial Alimentation Sections.

As these are not political, but technical organizations at the disposal of the Prefects in order to provide for the distribution of food to the populations, there is no reason to proceed to their suppression or substantial transformation (always excepting the due alterations to be made in the performance of the services). The personnel is still being epurated.

V - Ispettorati Agrari Provinciali:

These are peripheric offices of the Ministry of Agriculture and Forests and have been recognized as such by the Allied Commission which has created there its own liaison offices.

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C) Ministry of Industry and Commerce.

VI - Organi provinciali dell'economia.

Apart from the denomination assumed during the Fascist period, they are the direct continuation of the ancient "Chambers of Commerce, Industry and Agriculture" created in Italy ever since 1862 and which were by and by transformed formally, however without ever losing their first attributions. For this reason, the above institutions have continued to function in force of the decree 21-9-1944, No. 315, resuming their old name and it is thought that also in future they can develop a useful activity, keeping their substantial structure.

VII - National Institute of Social Foresight
VIII - "Cassa Mutua" for Assistance to Sick Workers

Owing to the importance of the duties performed by these two organizations, they cannot be subjected to substantial alterations in their functions, as has been recognized also by the Allied Commission.

d) Ministry of Transports:

IX - National Institute of Transports

In consideration of the work performed by this Institute which integrates the activity of the State railways in the zones where railroads are missing or where the laying of railway lines does not appear convenient, it continues its activity on the basis of the original organization without any alterations to its structure. The personnel has been submitted to epuration proceedings.

* * * *

It is finally necessary to consider the situation of the National Associations of Public Employment, of the School, of the Railroad Workers, of the Post and Telecommunications' Workers and of the personnel of the industrial organizations of the State. Provision is being made for these institutions depending from the Presidency of the Council of Ministers, naming apposite Special Commissars who, among other tasks, are requested to submit within six months concrete proposals with regard to a transformation or eventual suppression of the above Associations.

Also the administration of the Italian Youth (of the "Littorio") whose tasks - according the already quoted decree of 2-8-1945, No. 704 - have been trnnsferred to the Ministries of War and Public Education for their respective competencies, is presently entrusted to a Special Commissar who is in charge of managing its moveable and immoveable assets.

/a/ De Gasperi

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

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

TRANSLATION

PRESIDENCE OF THE COUNCIL OF MINISTERS
The Undersecretary of State
1302/S.P.

Rome, 8 June 1946.

Dear Admiral,

I have received your letter of 5 June and cannot disguise the feeling of surprise it has aroused in me. I thought that the question of the reintegration of the two General Managers of the Insurance Companies was already decided and that the communication sent to you by the A.M.G. of Trieste was only a matter of office routine which could not alter what the Allied Commission had agreed upon with the Italian Government.

Instead, I find now that what has been done sofar was to no purpose and that we are still at the point of departure, since the epuration committee and the relative documentations are again being mentioned.

I must refer to my letter of 24 April 1946, with which I informed you that:

- having examined the documents existing at the Ministry of Industry and Commerce (kindly furnished by the Allied Commission);

- considering that said documents do not state any fact which could any longer justify the measures taken against the abovementioned gentlemen;

the Italian Government was giving instructions that Messrs Michele Sulfina and Aroldo De Frigessi should be fully reintegrated in the respective General Managements of the "Assicurazioni Generali di Venezia" and "Riunione Adriatica di Sicurta'".

In your letter of 17 May, you kindly informed me that you had already given instructions to A.M.G. Venezia Giulia to notify the General Managements of the Companies of the reintegration, and sent me a copy of your order. I was bound to suppose that your intervention had finally succeeded to clarify the position of two Italians whose activity is very necessary to the economic rehabilitation of an important sector of our national life. It was from this point of view that, right from the beginning, I explained to you the necessity of your intervention as in this case it is not a question of defending the cause of single persons, but of taking care of the interests of two big Companies.

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Now you are asking me to submit the documentation regarding the above gentlemen.

I must first of all clarify that all the documentation was furnished by the Allied Commission to the Ministry of Industry and Commerce

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and - as there were no unfavorable reports on the two functionaries in any other part - the documentation I can today present would be the same which some time ago was furnished by said Commission.

I suppose that there are no new charges existing at the Allied Commission as I think that in that case you would have informed me about it.

What is quite certain is that since several months two of the major Italian Insurance Companies are hindered in the rehabilitation of their activities by the lack of the two General Managers, against whom vague and nebulous charges are being formulated, mostly based upon "it is said", "It would seem", without bringing any concrete and precise proof of action, for which the two might be responsible and which could anyhow represent a crime causing their removal.

Considering the above one cannot help thinking that someone interested in the question - masking his true intentions behind an apparent, sound desire of epuration - is manoeuvering against the two functionaries (and therefore against the two Companies) succeeding to maintain a state of alarm which perpetuates a situation devoid of any juridical and moral basis.

And such a manoeuvering should neither be encouraged nor tolerated.

That is why, dear Admiral, I ask you in the name of justice and of true liberty that the case Sulfina and De Frigessi be finally solved. The Italian Government has already fully reinstated the two functionaries; I request that the Allied Commission confirm (for the zone of the A.M.G.) the decision of the Italian Government or - if it is in possession of documents seriously proving a present or past activity which would be incompatible with the task that has again been assigned to them - kindly submit them to the Italian Government which - you can rest assured - will take steps in consequence.

Yours very sincerely,

/s/ G. Arpesani

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TRANSLATION

THE PRESIDENT OF THE COUNCIL OF MINISTERS
65905/10015.2/1.7

Rome, 31 May 1946.

Dear Admiral,

In reply to letter MF/1.A/CA of 8 April 1946, I submit to you the situation of the Organizations mentioned in your note of 6 October 1945, same file, dividing them - according to the request contained in the aforesaid note - in four groups, considering whether it is a question of organizations to be suppressed, reorganized, operated or kept in life without the adoption of any measure.

Each of these groups is in its turn subdivided in as many categories as the number of State Administrations from which they depend.

1st GROUP - ORGANIZATIONS TO BE SUPPRESSED

a) Presidency: I - Azione Volontari d'Italia
II - Reparto Arditi d'Italia

These two organizations which have never been recognized juridically, have ceased functioning as organic entities with the Armistice and their activity will in fact be taken over by the "Associazione Nazionale Combattenti".

b) Ministry of Agriculture and Forests:

III - Ente economico della Viticoltura (wine)
IV - Ente per la Cerealicoltura (cereals)
V - Uffici per gli accertamenti agricoli.

Said organizations have ceased long ago any activity; they are presently being liquidated under the special administration of a Commissar who is quickly proceeding to the ascertainment of their patrimonial activities and passivities. They will be substituted in the center by the National Statistical Economic Agriculture Office (U.N.S.E.A.) and in the periphery by the provincial statistical economic Agriculture offices (U.P.S.E.A.)

VI - National Forest Committee. It has been formally suppressed with the Decree of 22-2-1945, No. 261.

c) Ministry of the Interior:

VII - Ente Opere Assistenziali, has been disbanded with the same decree which suppressed the Fascist party (R.D.L. 2-2-1943, No. 704)

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d) Ministry of Public Instruction: (Education)

VIII - University Groups (G.U.F.). These groups have been disbanded with the same decree which suppressed the Fascist party (R. D.L. 2-8-1943, No. 704)

And finally all Fascist syndical organizations, to whatever State administration they were belonging for reasons of matter, have been disbanded with the Decree of 25 November 1944, No. 369.

2nd GROUP - ORGANIZATIONS TO BE REORGANIZED

a) Presidency: I - Opera Nazionale Dopolavoro.

This organization has assumed with the decree of 22-9-1945, No. 624 the name of National Organization for the Assistance to Workers, without however proceeding to its reorganization or to the specification of its new tasks inasmuch as in view of its assistance aims it is necessary to examine prejudicially whether it is convenient to keep it in life or whether it would not rather be advisable to proceed to its disbandment, distributing its tasks among the various syndical organizations. Owing to its complexity, the problem is still being studied.

II - Italian National Olympic Committee (C.O.N.I.)
III - National Organization for Mothers and Children

Because of their aims which are completely outside any political field, these organizations cannot be suppressed, but require a reorganization of their respective activities. To this end have been named apposite Special Commissars who are working at a readjustment of the organizations and of their functions.

b) Ministries of War, Navy, Air Force and Finances:

IV - Detachments of arms and specialties
V - Groups Sailors of Italy
VI - Lega Navale Italiana
VII - Groups Airmen of Italy
VIII - Groups Financiers of Italy

All the above institutions are being reorganized as free Associations having only assistential, recreative and cultural aims, according to the adhesion to this idea given by the Allied authorities.

As far as the Groups of the Sailors of Italy in particular are concerned, it is being studied whether it would be advisable to incorporate that organization in the "Lega Navale Italiana".

Anyways it must be remembered that the epuration of the existing organizations has already taken place.

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IX - U.NU.C.T.

The Government intends to proceed also to the reorganization of the above institution and to this purpose, considering its considerable structure and the complexity of its functioning, measures have already been taken putting it under extraordinary administration, at whose termination it will be possible to make with due circumspection the final arrangements for its organic transformation. The obligatory subscription has already been abolished since 1944 and the voluntary nature of adhesions to the institution has again been instaurated. The epuration of the personnel of U.N.U.C.I. has already been completed.

3rd GROUP - ORGANIZATIONS TO BE EPURATED

a) Presidency: I - Legione Garibaldina
II - Associazione Nazionale Combattenti

These institutions are still being epurated according to the directives proposed by M.M.I.A. which in its time informed the Ministry of War that said organizations could keep functioning after the epuration of its members and the elimination of all Fascist influence.

4th GROUP - ORGANIZATIONS FOR WHICH NO MEASURES IS FORESEEN

a) Presidency: I - National Association of Families of the Fallen
II - National Association of Disabled War Veterans
III - National Association for War Orphans

Said institutions keep functioning according to their previous organization and it is not considered advisable to proceed to their complete reconstitution (except the necessary adjustments of the respective statutes) in consideration of the fact that they were created in a period previous to Fascism and with aims fully independent from the same.

b) Ministry of Agriculture and Forests:

IV - Provincial Alimentation Sections.

As these are not political, but technical organizations at the disposal of the Prefects in order to provide for the distribution of food to the populations, there is no reason to proceed to their suppression or substantial transformation (always excepting the due alterations to be made in the performance of the services). The personnel is still being epurated.

V - Ispettorati Agrari Provinciali.

These are peripheric offices of the Ministry of Agriculture and Forests and have been recognized as such by the Allied Commission which has created there its own Liaison offices.

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c) Ministry of Industry and Commerce.

VI - Organi provinciali dell'economia.

Apart from the denomination assumed during the Fascist period, they are the direct continuation of the ancient "Chambers of Commerce, Industry and Agriculture" created in Itely ever since 1862'end which were by and by transformed formally, however without ever losing their first attributions. For this reason, the above institutions have continued to function in force of the decree 21-9-1944, No. 315, resuming their old name and it is thought that also in future they can develop a useful activity, keeping their substantial structure.

VII - National Institute of Social Foresight
VIII - "Cassa Mutua" for Assistance to sick Workers

Owing to the importance of the duties performed by these two organizations, they cannot be subjected to substantial alterations in their functions, as has been recognized also by the Allied Commission.

d) Ministry of Transports:

IX - National Institute of Transports

In consideration of the work performed by this Institute which integrates the activity of the State railways in the zones where railroads are missing or where the laying of railway lines does not appear convenient, it continues its activity on the basis of the original organization without any alterations to its structure. The personnel has been submitted to epuration proceedings.

******

It is finally necessary to consider the situation of the National Associations of Public Employment, of the School, of the Railroad Workers, of the Post and Telecommunications' Workers AND of the personnel of the industrial organizations of the State. Provision is being made for these institutions depending from the Presidency of the Council of Ministers, naming apposite Special Commissars who, among other tasks, are requested to submit within six months concrete proposals with regard to a transformation or eventual suppression of the above Associations.

Also the administration of the Italian Youth (of the "Littorio") whose tasks - according the already quoted decree of 2-9-1943, No. 704 - have been transferred to the Ministries of War and Public Education for their respective competencies, is presently entrusted to a Special Commissar who is in charge of managing its moveable and immoveable assets.

/s/ De Gasperi

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

Action: F.C.
Info: C.C.
: CAS

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

R] MAJOR CITY AGMO SECTO LUSI

28 MAY 1946

SCAO AIG WASHINGTON D.C.

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RESTRICTED

REFERENCE THIS HQ QUEEN LETTER ONE THREE ONE NINE ONE SIXTY FOX DATED SIX MAY FOUR SIX SUBJECT NOTIFICATION OF INSURANCE OFFICIALS ENCLOSED I AM INFORMED THAT NO NOTIFICATION HAS YET BEEN SENT TO INSURANCE COMPANIES CONCERNED AND THAT CONSIDERING THE TWO GENERAL MANAGERS NOT YET RETURNED TO THEIR POSTS NO CLEARS COULD REASONABLY BY SIGNAL THAT INSTRUCTIONS CONTAINED IN PARA TWO OF OUR ABOVE QUOTED LETTER HAVE NOW BEEN CARRIED OUT

Copy to:

Exon Hes (For Finance S/O)

PRIORITY

Executive Commissioner

NICHOLAS FIORILLO
CMO, USA
Asst Adjutant

1766

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

HEADQUARTERS
MILITARY GOVERNMENT
FINANCE DIVISION
15 CORPS

MTB/ekr

28 May 46

Ref

TO : Colonel C.R.Welton, AC,
Vice-President, Economic Section, H.Q. Allied Commission,
ROME.

SUBJECT :

My dear Col. Welton,

Enclosed is a letter I intended to have ready for Col. Bowman before he left for Rome; he approved the draft. You will observe that it is a letter for the Chief Commissioner.

As I am going to Rome in the next few days, and as it is a matter the Chief Commissioner may desire to discuss, may I suggest that the correspondence be handed to the Commissioner, with the explanation that I have given you, and the suggestion that should he desire to discuss the matter, I will make myself available.

You will observe that Col. Bowman has not had an opportunity of signing the letter.

Yours Sincerely

M.T. Beard
Lt Col. (B)

RG(D)/2c

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

COPY

HEADQUARTERS, ALLIED MILITARY GOVERNMENT
13 CORPS
Office of the Senior Civil Affairs Officer

CONFIDENTIAL

REF: 13C/AMG/FIN/L/31 JO/dkr

my dear 27 May 46

I duly received your letter of 6 May, reference 13191/F, on the subject of epuration of Insurance Officials, and I am replying by D.O. letter as the circumstances of the matter are somewhat unusual, and I feel I ought to refer to them before taking the action you request.

So far as we are concerned up here, the matter goes back to June 1945 when we were requested by the Finance Sub-Commission in their 13174/F of 28 June, in view of Sulfina's past history, as known to the Allied Commission, to make arrangements for "his immediate suspension from any position whatever with Assicurazioni Generali and his preclusion from any position with any other company or concern in this area transacting insurance business."

A suitable communication was accordingly drawn up by my Chief Legal Officer to both Sulfina and the Company giving effect to these instructions, and was acknowledged by the Company. A copy of the notice was also sent to the Finance Sub-Commission on 5 July.

On 19 July a communication was sent by Finance Sub-Commission to the Italian Government, with copy to me, in which they advised the Government of the action taken here, adding the request that they should instruct the Rome Management of the Company to comply with the suspension order.

On 2 August we received a further communication from Finance Subcommission relating to the suspension and containing the following significant paragraphs:

> "The background of this case is unusual, and it is most undesirable that the Company assume that the Allied Commission initiated the suspension.
>
> "The suspension was based upon information of an intelligence nature rather than upon proof of Fascist antecedents (although there is evidence that Sulfina was in the confidence of the highest Party circles), and hence it is not a case to be dealt with under General Order 47 when that is published in your territory.
>
> "AFHQ is expected to arrange for proper instructions to be issued to you for conversion of the suspension into something more permanent, and in the meantime it is desirable that the Company clearly understands that it is a matter which neither you nor this Commission is competent to discuss."

The views of AFHQ followed on 6 August in a letter from the Assistant Chief of Staff G-5 addressed to your Headquarters with copy to me. I attach a

(1710)

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

copy of this letter G-5/019.11 (marked "A") for you to see because it appears to me to involve the wider issue of instructions of the Combined Chiefs of Staff.

The instructions to your Headquarters, contained in the letter of the Assistant Chief of Staff, that we should be provided with such information as might be useful, resulted in a very detailed letter from Finance Subcommission (13191/F dated 14 Aug 1945) of which I attach a copy (marked "B"), and which you will observe contains the somewhat significant remark in the concluding paragraph:

> "We are, frankly, taking advantage of the independence of AMG Venezia Giulia to make possible by direct action certain removals which have been pressed for by CCS for a considerable time past, and the authority for their removal may be safely assumed to originate there."

Upon receipt of this letter we took immediate steps as instructed therein to convert the suspension into dismissal from the Company.

On 18 August we received from AFHQ a paraphrase of TAM 665 of 16 August. In this the Combined Chiefs state quite categorically - "You should take steps at once, if not already done, to ensure cancellation and public retraction of any powers held by Sulfina." The full text of the paraphrase of TAM 665 is attached (marked "C"). Similar action was taken in the case of Frigensi of Rimione Adriatica di Sicurta'.

In January of this year and again quite recently, the Treasury Representative of the U.S. Embassy called for information, at the request of the Treasury Department, asking, inter alia, for information as to action taken to purge the two companies of their Fascist elements, etc. We have sent an interim reply and are now collating additional information. The full file of papers on this subject is with the U.S. Embassy.

You will note from the letter addressed to G-5 by my Chief Finance Officer, copy of which I attach (marked "D") that two elements are involved, either:

> (i) that both these men were personally "non persona grata" to us; or
> (ii) that they were "non persona grata" to us because of the prominent positions they held in Companies whose activities were prejudicial to the Allied cause.

I have written to you at some length as I feel you would wish me to refer to the unusual background of this matter; I have the advantage of having on my staff here the officer who was dealing with Insurance matters in the Finance Subcommission. I would, therefore, prefer to defer any action on your letter until I hear again from you on the subject.

Yours

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

COPY

HEADQUARTERS, ALLIED MILITARY GOVERNMENT
13 CORPS
Office of the Senior Civil Affairs Officer

CONFIDENTIAL

REF: 13C/ACC/FIN/F/31

JC/dkr

27 May 46

My dear

I duly received your letter of 6 May, reference 13191/F, on the subject of expulsion of Insurance Officials, and I am replying by D.C. letter as the circumstances of the matter are somewhat unusual, and I feel I ought to refer to them before taking the action you request.

So far as we are concerned up here, the matter goes back to June 1945 when we were requested by the Finance Sub-Commission in their 13174/F of 22 June, in view of Sulfina's past history, as known to the Allied Commission, to make arrangements for "his immediate suspension from any position whatever with Assicurazioni Generali and his preclusion from any position with any other company or concern in this area transacting insurance business."

A suitable communication was accordingly drawn up by my Chief Legal Officer to both Sulfina and the Company giving effect to these instructions, and was acknowledged by the Company. A copy of the notice was also sent to the Finance Sub-Commission on 5 July.

On 19 July a communication was sent by Finance Sub-Commission to the Italian Government, with copy to us, in which they advised the Government of the action taken here, adding the request that they should instruct the Rome Management of the Company to comply with the suspension order.

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"The background of this case is unusual, and it is most undesirable that the Company assume that the Allied Commission initiated the suspension.

"The suspension was based upon information of an intelligence nature rather than upon proof of Fascist antecedents (although there is evidence that Sulfina was in the confidence of the highest Party circles), and hence it is not a case to be dealt with under General Order 47 when that is published in your territory.

"AFHQ is expected to arrange for proper instructions to be issued to you for conversion of the suspension into something more permanent, and in the meantime it is desirable that the Company clearly understands that it is a matter which neither you nor this Commission is competent to discuss."

The views of AFHQ followed on 6 August in a letter from the Assistant Chief of Staff G-5 addressed to your Headquarters with copy to me. I attach a

1770

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

copy of this letter G-5/319.11 (marked "A") for you to see because it appears to me to involve the wider issue of instructions of the Combined Chiefs of Staff.

The instructions to your Headquarters, contained in the letter of the Assistant Chief of Staff, that we should be provided with such information as might be useful, resulted in a very detailed letter from Finance Subcommission (1319/F dated 14 Aug 1945) of which I attach a copy (marked "B"), and which you will observe contains the somewhat significant remark in the concluding paragraph:

> "We are, frankly, taking advantage of the independence of Allied Venezia Giulia to make possible by direct action certain removals which have been pressed for by CCS for a considerable time past, and the authority for their removal may be safely assumed to originate there."

Upon receipt of this letter we took immediate steps as instructed therein to convert the suspension into dismissal from the Company.

On 18 August we received from AFHQ a paraphrase of TAU 665 of 16 August. In this the Combined Chiefs state quite categorically - "You should take steps at once, if not already done, to ensure cancellation and public retraction of any powers held by Sulfina." The full text of the paraphrase of TAU 665 is attached (marked "C"). Similar action was taken in the case of Triennal of Riunione Adriatica di Sicurta'.

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> (i) that both these men were personally "non persons grata" to us; or
> (ii) that they were "non persons grata" to us because of the prominent positions they held in Companies whose activities were prejudicial to the Allied cause.

I have written to you at some length as I feel you would wish me to refer to the unusual background of this matter; I have the advantage of having on my staff here the officer who was dealing with Insurance matters in the Finance Subcommission. I would, therefore, prefer to defer any action on your letter until I hear again from you on the subject.

Yours

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

COPY

HEADQUARTERS, ALLIED MILITARY GOVERNMENT
13 CORPS
Office of the Senior Civil Affairs Officer

CONFIDENTIAL

RKF: 130/AMG/FFI/T./31

JO/dkr

27 May 46

My dear

I duly received your letter of 6 May, reference 13171/F, on the subject of expuration of Insurance Officials, and I am replying by D.O. letter as the circumstances of the matter are somewhat unusual, and I feel I ought to refer to them before taking the action you request.

So far as we are concerned up here, the matter goes back to June 1945 when we were requested by the Finance Sub-Commission in their 13174/F of 28 June, in view of Sulfina's past history, as known to the Allied Commission, to make arrangements for "his immediate suspension from any position whatever with Assicurazioni Generali and his preclusion from any position with any other company or concern in this area transacting insurance business."

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On 2 August we received a further communication from Finance Subcommission relating to the suspension and containing the following significant paragraphs:

> "The background of this case is unusual, and it is most undesirable that the Company assume that the Allied Comission initiated the suspension.
>
> "The suspension was based upon information of an intelligence nature rather than upon proof of Fascist antecedents (although there is evidence that Sulfina was in the confidence of the highest Party circles), and hence it is not a case to be dealt with under General Order 47 when that is published in your territory.
>
> "AFHQ is expected to arrange for proper instructions to be issued to you for conversion of the suspension into something more permanent, and in the meantime it is desirable that the Company clearly understands that it is a matter which neither you nor this Commission is competent to discuss."

The views of AFHQ followed on 6 August in a letter from the Assistant Chief of Staff G-5 addressed to your Headquarters with copy to me. I attach a

1772

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

copy of this letter G-5/019.11 (marked "A") for you to see because it appears to me to involve the wider issue of instructions of the Combined Chiefs of Staff.

The instructions to your Headquarters, contained in the letter of the Assistant Chief of Staff, that we should be provided with such information as might be useful, resulted in a very detailed letter from Finance Subcommission (13171/F dated 14 Aug 1945) of which I attach a copy (marked "B"), and which you will observe contains the somewhat significant remark in the concluding paragraph:

> "We are, frankly, taking advantage of the independence of AMG Venezia Giulia to make possible by direct action certain removals which have been pressed for by CCS for a considerable time past, and the authority for their removal may be safely assumed to originate there."

Upon receipt of this letter we took immediate steps as instructed therein to convert the suspension into dismissal from the Company.

On 16 August we received from AFHQ a paraphrase of TAM 665 of 16 August. In this the Combined Chiefs state quite categorically - "You should take steps at once, if not already done, to ensure cancellation and public retraction of any powers held by Sulfina." The full text of the paraphrase of TAM 665 is attached (marked "C"). Similar action was taken in the case of Frigessi of Riunione Adriatica di Sicurta'.

In January of this year and again quite recently, the Treasury Representative of the U.S. Embassy called for information, at the request of the Treasury Department, asking, inter alia, for information as to action taken to purge the two companies of their Fascist elements, etc. We have sent an interim reply and are now collating additional information. The full file of papers on this subject is with the U.S. Embassy.

You will note from the letter addressed to G-5 by my Chief Finance Officer, copy of which I attach (marked "D") that two elements are involved, either:

(i) that both these men were personally "non persona grata" to us; or
(ii) that they were "non persona grata" to us because of the prominent positions they held in Companies whose activities were prejudicial to the Allied cause.

I have written to you at some length as I feel you would wish me to refer to the unusual background of this matter; I have the advantage of having on my staff here the officer who was dealing with Insurance matters in the Finance Subcommission. I would, therefore, prefer to defer any action on your letter until I hear again from you on the subject.

Yours

6670

1773

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

TRANSLATION

PRESIDENCY OF THE COUNCIL OF MINISTERS
The Undersecretary of State
1701/S.P.

Rome, 23 May 1946.

Dear Admiral,

I have received your letter of 17 May with the attached copy of the letter which the Allied Comission has sent to the SCAC, AMG Venezia Giulia on the 6th instant, subject: Epuration of Insurance Officials.

I am very grateful to you for your kindness, but I am obliged to notify you that until this day AMG Venezia Giulia has not yet sent any communication to the Companies concerned and, therefore, the two General Managers have not yet had the opportunity of returning to their posts.

This - as I already brought to your attention through Mr Bombassei - causes a serious damage to the two Companies as in this period various Managers of the Branchoffices which the Companies have abroad, have come to Italy in order to explain the situation which has arisen in the various nations and to receive orders and instructions with regard to the same. Consequently, if AMG Venezia Giulia does not inform the two Companies without delay of the accomplished reintegration, the Managers of the Foreign Branchoffices will have to depart without having accomplished the mission for which they came.

I am sure that, as usual, you will once more show the great interest you have for all important Italian questions and, sure of your effective action, remain with thanks

yours respectfully,

/s/ C. Arpesani.

2610/cc

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

2229

June 46

E.C. is looking this matter up thru P Mov't

191

1774

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

17 May 1946

My dear Dr. Arpesani:

With reference to your letter of 24 April (182) concerning Signori Michele Sulfina and Arnoldo Di Frigessi, you will find attached a copy of the letter which I sent to SCAO, AMG Venezia Giulia, on 6 May 46. (183)

2?

Youre very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. Giustino Arpesani
Under-Secretary
Presidency of the Council of Ministers
Italian Government
Rome

(190)a

1773

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

HEADQUARTERS ALLIED COMMISSION
Office of the Chief Commissioner
APO 394

Ref. : 700/40/EC

14 May 1946.

My dear Mr. Prime Minister,

You will no doubt recall that on 9th February 1946, Brigadier Lush consulted you with regard to the handing over of Marshal Graziani from Allied to Italian Custody subject to the following conditions:-

A. That Graziani be made available for interrogation and as witness if required at the forthcoming War Crimes trials, and

B. If Graziani is tried and sentenced to death by the Italian Authorities, sentence will not be put into effect until the War Office requirements as in Para A are satisfied.

These conditions were agreed to and Marshal Graziani was handed to the Italian Authorities at Naples Airport at 17.30 hours 16th Feb. 1946.

In view of the necessity for complete secrecy the negotiations were carried out verbally and no exchange of letters took place.

It is now understood that Marshal Graziani is about to take his trial in Rome and as there is the possibility that the death sentence may be imposed I would be grateful, my dear Mr. Prime Minister, if you would kindly confirm that the conditions of the hand over will be observed.

Yours very truly

See 192c

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. Alcide De Gasperi
President of the Council of Ministers,
Italian Government,
R O M E

190

1.7.76

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

TRANSLATION

AVV. GIORGIO MASTINO DEL RIO
Via Crescenzio 43 - Rome

Rome, 10 May 1946.

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

The undersigned lawyer who is going to defend Marshal Rodolfo Graziani in the court proceedings which are going to be debated in the audience of 24 May at the Special Court of Assizes in Rome, requests that before the date indicated above he may be allowed to dispose - to defensive purposes - of the documents belonging to Marshal Graziani, contained in four cases in possession of the Allied Command.

With thanks,

respectfully yours,

/s/ G. Mastino del Rio

CCRS

1777

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

TRANSLATION

AVV. GIOSGIO GUSTINO DEL RIO
Via Crescenzio 43 - Rome

Rome, 10 May 1946.

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

The undersigned lawyer who is going to defend Marshal Rodolfo Graziani in the court proceedings which are going to be debated in the audience of 24 May at the Special Court of Assizes in Rome, requests that before the date indicated above he may be allowed to dispose - to defensive purposes - of the documents belonging to Marshal Graziani, contained in four cases in possession of the Allied Command.

With thanks,

respectfully yours,

/s/ G. Gustino del Rio

2965

1778

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

TRANSLATION

AVV. GIORGIO MASTINO DEL RIO
Via Crescenzio 43 - Rome

Rome, 10 May 1946.

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

The undersigned lawyer who is going to defend Marshal Rodolfo Graziani in the court proceedings which are going to be debated in the audience of 24 May at the Special Court of Assizes in Rome, requests that before the date indicated above he may be allowed to dispose - to defensive purposes - of the documents belonging to Marshal Graziani, contained in four cases in possession of the Allied Command.

With thanks,

respectfully yours,

/s/ G. Mastino del Rio

1779

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

TRANSLATION

AVV. GIORGIO MARTINO DEL RIO
Via Crescenzio 43 - Rome

Rome, 10 May 1946.

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

The undersigned lawyer who is going to defend Marshal Rodolfo Graziani in the court proceedings which are going to be debated in the audience of 24 May at the Special Court of Assizes in Rome, requests that before the date indicated above he may be allowed to dispose - to defensive purposes - of the documents belonging to Marshal Graziani, contained in four cases in possession of the Allied Command.

With thanks,

respectfully yours,

/s/ G. Martino del Rio

1780

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

TRANSLATION

In reply to yours of 10 May, we confirm that the four cases you mention are in possession of this Commission, but we inform you that it is absolutely impossible to put these documents at your disposal before 24 May 1946.

5984

1781

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

TRANSLATION

In reply to yours of 10 May, we confirm that the four cases you mention are in possession of this Commission, but we inform you that it is absolutely impossible to put these documents at your disposal before 24 May 1946.

6563

1782

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

TRANSLATION:

In reply to yours of 10 May, we confirm that the four cases you mention are in possession of this Commission, but we inform you that it is absolutely impossible to put these documents at your disposal before 24 May 1946.

1782

1783

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

TRANSLATION

In reply to yours of 10 May, we confirm that the four cases you mention are in possession of this Commission, but we inform you that it is absolutely impossible to put these documents at your disposal before 24 May 1946.

1933

1784

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

TRANSLATION 1105 Annex 1

AVV. GIORGIO MASTINO DEL RIO
Via Crescenzio 43 - Rome

Rome, 10 May 1946.

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

The undersigned lawyer who is going to defend Marshal Rodolfo Graziani in the court proceedings which are going to be debated in the audience of 24 May at the Special Court of Assizes in Rome, requests that before the date indicated above he may be allowed to dispose - to defensive purposes - of the documents belonging to Marshal Graziani, contained in four cases in possession of the Allied Command.

With thanks,

respectfully yours,

/s/ G. Mastino del Rio

2/1942

0933

189

1785

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

TRANSLATION

In reply to yours of 10 May, we confirm that the four cases you mention are in possession of this Commission, but we inform you that it is absolutely impossible to put these documents at your disposal before 24 May 1946.

2059

189

1784

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

AVV. GIORGIO MASTINO DEL RIO
Patrocinante in Cassazione
VIA CRESCENZIO 43 - ROMA - TELEF. 52.367

Roma 10 Maggio 1945

Per l'Ammiraglio Stone
Capo della Commissione Alleata in Italia
R O M A

Il sottoscritto avvocato, difensore del Maresciallo Rodolfo Graziani, nel processo fissato a dibattimento per l'udienza del 24 corrente dinanzi alla Corte di Assise Speciale in Roma, fa istanza perché, prima della data anzidetta, V.S. voglia consentirgli la disponibilità, ai fini difensivi, dei fascicoli dei documenti, di proprietà dello stesso Maresciallo Graziani, sottratti in quattro casse in possesso del Comando Alleato.

Ringrazia ed occorre

6858

189

1787

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

In risposta alla Vostra del IO corrente xwxwxizhiwxwxwdo
xzwxwxlnuxwxwkoxwxwxbxxw nel confermare che in possesso di
questa Commissione vi sono le 4 casse di cui vel parlate, vi
comunichiamo che ci è assolutamente impossibile xwxwx ottenere
a vostra disposizione i documenti stessi entro il 24 corrente.

2057

1788

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

490-333.

chi calcola della
rendita fondi-
aria di Lavoro
Collitto a ritirare
la risposta

1789

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

13191/F

2 May 1946

SUBJECT : Epuration of Insurance Officials

TO : SCAC, AMG Venezia Giulia

1. We have been informed by the Presidency of the Council of Ministers that the Italian Government has no reason to take any measures against Michele Sulfina and Arnolde Di Frigessi, of Assicurazioni Generali and Riunione Adriatica di Sicurta, respectively.

2. Inasmuch as the responsibility for Defascistization questions is that of the Italian Government, the AMG suspension order should now be revoked and the men in question reinstated in their companies.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

9956

187

1790

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

Translation

MAY 1 PEST

IL SOTTOSEGRETARIO DI STATO
ALLA PRESIDENZA DEL CONSIGLIO DEI MINISTRI

1427/S.P. Rome, 24 April 1946.

Dear Admiral,

186

I have noted your communication dated 2 April 1946 regarding the reinstatement of Messrs. SULFINA and DE FRIGESSI, who were General Directors of the Assurance Company of Venezia and Adriatic.

While I thank you for your kind help, I am happy to state that the Government,

- having examined existing documents at the Ministry of Industry and Commerce (kindly sent by the Allied Commission);
- taking into consideration that there are no facts justifying further measures against these gentlemen;
- on account of your statement of the 2 April, that the A.M.G. of the Venezia Giulia had nothing contrary to the reinstatement of position of the two General Directors;
- knowing that the Ministry of Industry and Commerce and the two interested companies have many times asked for this question to be settled, it being of vital importance;

I have decided that :

1) - Sig. Michele SULFINA shall be fully reinstated in his office of General Director of the General Insurance Company of Venice;

2) - Sig. Aroldo DE FRIGESSI di RATTALMA shall be fully reinstated in his office of General Director of the Assurance Company of the Riunione Adriatica di Sicurtà.

I have to beg you, dear Admiral, to kindly inform the A.M.G.

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

While I thank you for your kind help, I am happy to state that the Government,

- having examined existing documents at the Ministry of Industry and Commerce (kindly sent by the Allied Commission);
- taking into consideration that there are no facts justifying further measures against these gentlemen;
- on account of your statement of the 2 April, that the A.M.G. of the Venezia Giulia had nothing contrary to the reinstatement of position of the two General Directors;
- knowing that the Ministry of Industry and Commerce and the two interested companies have many times asked for this question to be settled, it being of vital importance;

I have decided that :

1) - Sig. Michele GULFINA shall be fully reinstated in his office of General Director of the General Insurance Company of Venice;

2) - Sig. Aroldo DE FRIGESSI di RATTALMA shall be fully reinstated in his office of General Director of the Assurance Company of the Riunione Adriatica di Sicurtà.

I have to beg you, dear Admiral, to kindly inform the A.M.G. of the Venezia Giulia, of the decisions stated above, taken by your kind advice.

I now renew the expression of my deep gratitude for the intelligent solicitude with which you render yourself interpreter of our many problems.

With my highest esteem

/s/ P. Arpesani

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

E.C.DIST - 30 Apr.
Action : Ec. Sec. (2)
Info. : C.C.
E.C.

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

1793

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

COPY

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

American Embassy,
Rome, Italy.

April 1o, 1946.

Dott. Arnoldo Frigessi di Rattalma
Via Bertoloni 31
Rome.

Sir:

182a

Your letter of November 1o, 1945 addressed to the President of the United States on the subject of your removal from the Italian insurance company, Riunione Adriatica di Sicurta', has been referred to this Embassy for appropriate acknowledgment. In this connection, the Embassy suggests that since the action taken affecting your position was based on orders from the AMG, you may wish to approach the latter with a view to ascertaining if possible the reasons prompting these orders. You will appreciate of course that decision as to whether this information can be made available to you rests with the AMG.

Very truly yours,

2954

/s/ David McK. Key
/t/ David McK. Key
Charge d'Affaires a.i.

186a

Spare
2 c 1 o/cc

1794

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

13191/F

2 April 1946

My dear Dr. Arpesani,

I refer to your letter No. 1146/SP of 12 March, 1946.

The removal of Messrs. De Frigessi and Sulfina from their positions as General Managers of the Riunione Adriatica di Sicurta' and Assicurazioni Generali di Venezia insurance companies was ordered by AMG Venezia Giulia at the time the epuration of non-statal concerns was carried out in that territory.

Copies of certain confidential information in the possession of the Allied Governments on the previous activities of De Frigessi and Sulfina have already been made available to the Minister of Industry and Commerce.

If the Italian Government now wishes to take any action in the cases of De Frigessi and Sulfina, I suggest that they be heard by an appropriate Italian epuration commission empowered to deal with cases of this nature.

Should Messrs. De Frigessi and Sulfina be acquitted, AMG Venezia Giulia will have no objection to their reinstatement in their former positions with their respective companies.

Very truly yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani
Undersecretary of State
Presidency of the Council of Ministers.

Copy to: C. Cm.
E. Cm.

Encls.
EWS:T/gv

Surplus
2610/CC

1795

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

Ref : DF/1.A/CA

6. April 1946

My dear Mr. Prime Minister:

I refer to Admiral Stone's letter DF/1.A/CA of the 6th October 1945 which was addressed to your predecessor. I enclose a copy of this letter for easy reference. 176

A further letter on this subject was sent to your predecessor on the 10th November 1945 (copy enclosed) pressing for an early reply. 181

No answer has yet been received to these communications and I should be very glad if you would have this matter looked into and furnish this Commission with the required information.

Yours very truly,

M. S. LUSH

Brigadier,
Acting Chief Commissioner

2 encls.

Dr. Alcide DE GASPERI
The President of the Council of Ministers
Italian Government
R O M E

Copy to: 6. Com. 1
E. Rep. 2

180

TRANSLATION

THE PRESIDENT OF THE COUNCIL
OF MINISTERS

Rome, 7 October 1944

n. 10815/1/7

(53) (66)

Dear Admiral Stone,

Referring to your letters of September 5th and 17th, I send you the informations you asked about the question of the dissolution of the fascist organizations mentioned in the memorandum 22 June of the Ministry of Justice.

This memorandum includes two lists, one about the 'institutions, the suppression of which has been agreed to', the other about the 'institutions still under discussion'.

As to the institutions mentioned on the first list, I draw your attention on the following facts:

a) the institutions mentioned in n. 1 and 2 (Ente opere assistenziali and Associazione fascista famiglie caduti per la rivoluzione) have been dissolved by the same measure as the fascist party (R.D.L 2 august 1943, n. 704 -art. 4 and 4);

b) the institutions mentioned in n. 3,4,5,6, and 7 (Fascist Associations of public employes, of schools, state railroadwarmen, post, telegraph and telephone employes, employes of the state industrial plants) will be suppressed. I will communicate to you the measure deciding their suppression, as soon as the definitive agreements between the various ministers concerned will have been brought to an end.

c) as for the institutions mentioned in n. 9, 10, 11 and 12 (Economic Institution of viticulture, and depending offices, National Committee for forests, Corn Cultivation Institution, office for agricultural experiments) which depend from the Agriculture and Forests Department, the said Ministry has already been requested to provide information about their suppression, that it had approved last may.

See 78

As for the institutions mentioned in the second list - which includes institutions of different characters, mostly created by fascism and depending from the various Ministries, I draw your attention to the following points:

9) the Navy Department will appoint without delay an Extraordinary Commissioner to reorganize and if necessary to reform the statute [illegible] - formed in 1907.

250-12

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

As to the institutions mentioned on the first list, I draw your attention on the following facts:

a) the institutions mentioned in n. 1 and 2 (Ente opere assistenziali and Associazione fascista famiglie caduti per la rivoluzione) have been dissolved by the same measure as the fascist party (R.D.L 2 august 1943, n. 704 -art. 1 and 4);

b) the institutions mentioned in n. 3,4,5,6, and 7 (Fascist Associations of public employes, of schools, state railroad workmen, post, telegraph and telephone employes, employes of the state industrial plants) will be suppressed. I will communicate to you the measure deciding their suppression, as soon as the definitive agreements between the various Ministers concerned will have been brought to an end.

c) as for the institutions mentioned in n. 9, 10, 11 and 12 (Economic Institution of viticulture, and depending offices, National Committee for forests, Corn Cultivation Institution, Office for agricultural experiments) which depend from the Agriculture and Forests Department, the said Ministry has already been requested to provide information about their suppression, that it had approved last May.

As for the institutions mentioned in the second list - which includes institutions of different characters, mostly created by fascism and depending from the various Ministries, I draw your attention to the following points:

e) the Navy Department will appoint without delay an extraordinary Commissioner to reorganise and if necessary to reform the statute of the institution mentioned by n.1 (Lega Navale) - formed in 1907.

f) the On. Ettore Viola has been appointed extraordinary Commissioner by decree of the Lieutenant, 2 August 1944 of the institution mentioned by n. 2 (National Association of Veterans) founded in 1919-20. The Commission for epuration is being appointed.

g) Ernesto Cabruna, Medaglia d'oro, has been appointed extraordinary Commissioner of the Institution mentioned by n. 3 (National Association of War-invalids) founded in June 1917. The Commission for epuration has been appointed; I have informed you of this on September 29th last.

h) as for the institution mentioned in n. 4 (Legion of the Volunteers of Italy) it will be suppressed by the measure I mentioned in par. c.

i) The Commission for epuration for the institution mentioned in n. 5 (Garibaldi Legion) will be appointed without delay.

l) Without opposing any solution for the organization of the Institution, a Commissioner is being appointed to the institution mentioned in n. 6 (C.O.N.I); a Commission for epuration is also being appointed.

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

m) Vincenzo Baldazzi has been appointed Commissioner of the institution mentioned by n. 7 (Dopolavoro); the Commission for epuration is being appointed.

n) Prof. Giorgio Candeloro has been appointed Liquidato Commissioner of the institution mentioned in n. 8 (G.I.) - the functions of which have been assigned to the Ministries of War and Public Instruction, according to art. 6 of the above mentioned R.D.L. 2 August 1943, n. 704. The Commission for epuration is being appointed.

o) Counsellor of State Giuseppe Siracusa has been appointed extraordinary Commissionerof the institution mentioned in n. 9 (National Institution for War Orphans) - founded by the law n. 1143, 18 July 1917. The Commission for epuration is being appointed.

p) The institution mentioned by n. 10 (Catholic University Federation) has nothing to do with politics; on the contrary, it suffered from fascist persecution. It is the organ of the Catholic Action, under the care of the Vatican.

q) The institution mentioned in n. 11 (Unione Ufficiali in Congedo) depends from the War Department which is transforming it in non-political and voluntary association. An extraordinary Commissioner, General Zuppelli, has been appointed.

r) The institutions mentioned in n. 12 (Ispettorati agrari provinciali) depend from the Ministry of Agriculture and Forests; they are administrative organs of a technical character, and have no legal personality.

s) The institutions mentioned in n. 13 (Syndical Organizations) depend from the Department of Industry, Commerce and Work. They have been dissolved and are being liquidated. A measure for a new discipline of the syndicates is being studied.

t) As for the institutions mentioned in n. 14 (Provincial Council of economics) - depending from the Department of Industry, Commerce and Work - a measure is being issued, transforming them in Chamber of Commerce, industry and agriculture, of a strictly economic character, and having an elective basis.

u) The institutions mentioned in n. 15 and 16 (Istituto nazionale di previdenza sociale and Casse mutue malattie) depend from the said Ministry of Industry, Commerce and Work. Their character is non political and their aim is to give help when required. Prof. Mannelli has been appointed Extraordinary Commissioner of the Istituto nazionale previdenza sociale.

As the occasion will arise, I shall communicate to you the appoint-

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

depends from the War Department which is transforming it in non-political and voluntary association. An extraordinary Commissioner, General Zuppelli, has been appointed.

r) The institutions mentioned in n. 12 (Ispettorati agrari provinciali) depend from the Ministry of Agriculture and Forests; they are administrative organs of a technical character, and have no legal personality.

s) The institutions mentioned in n. 13 (syndical organizations) depend from the Department of Industry, Commerce and Work. They have been dissolved and are being liquidated. A measure for a new discipline of the syndicates is being studied.

t) As for the institutions mentioned in n. 14 (Provincial Council of economics) - depending from the Department of Industry, Commerce and Work - a measure is being issued, transforming them in Number of Commerce, industry and agriculture, of a strictly economic character, and having an elective basis.

u) The institutions mentioned in n. 15 and 16 (Istituto nazionale di previdenza sociale and Casse mutue malattie) depend from the said Ministry of Industry, Commerce and Work. Their character is non political and their aim is to give help when required. Prof. Romanelli has been appointed extraordinary Commissioner of the Istituto nazionale previdenza sociale.

As the occasion will arise, I shall communicate to you the appointments of the Commissions for epuration and of the extraordianry Commissioners, as well as every measure concerning the above mentioned institutions.

I remain, my dear Admiral,

Yours sincerely,

/s/ I. Bonomi

Trans. E.C.

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

DRAFT OF THE LEGISLATIVE DECREE OF THE LIEUTENANT ABOUT THE

SUPPRESSION OF ARM ASSOCIATIONS AND UNITS "

UMBERTO DI SAVOIA
PRINCE OF PIEDMONT
LIEUTENANT GENERAL OF THE KINGDOM

By the authority entrusted to us;
Considering the R. decree of 28 April 1938, n. 513
Considering the R. law-decree of 2 August 1943, n. 704, about the suppression of the national fascist arty;
Considering the law-decree of the lieutenant, 25 June 1944, n. 151;
Considering the deliberation of the Council of Ministers;
On the proposal of the President of the Council of Ministers Prime Minister Secretary of State, in agreement with the Ministers Secretary of State for Finance, Treasury, War, Navy and Airforce;

WE HAVE SANCTIONED AND WE PROMULGATE WHAT FOLLOWS:

Art. 1

Are suppressed the Legion Volontari d'Italia "Giulio Cesare", the Units Arditi d'Italia, the Groups "Marinai d'Italia" (Italian Sailors), the Groups "Aviatori d'Italia" (Italian Aviators), the Legion Finanzieri d'Italia, as well as the arm units and special units (arm A sociations) of the R. Army.

Art. 2

The Administrations that these associations or units are depending from, - according to art, 5 of the law-decree e 2 August 1943, n. 704, will have to settle the credit and debit of the associations and units mentioned in art, 1.

Art. 3

The credit remaining from the liquidation of the patrimony of the above mentioned associations and units will be used to help the children and families of the soldiers who died in the war or died in service, through a decree of the President of the Council of Ministers or of the Minister the associations or units were depending of.

2949

1800
Declassified E.O. 12356 Section 3.3/NND No. 785015

Art. 1

Are suppressed the Legion Volontari d'Italia "Giulio Cesare", the Units Arditi d'Italia, the Groups "Marinai d'Italia" (Italian Sailors), the Groups "Aviatori d'Italia" (Italian Aviators), the Legion Finanzieri d'Italia, as well as the arm units and special units (arm A sociations) of the R. Army.

Art. 2

The Administrations that these associations or units are depending from, according to art, 5 of the law-decree 2 August 1943, n. 704, will have to settle the credit and debit of the associations and units mentioned in art, 1.

Art. 3

The credit remaining from the liquidation of the patrimony of the abovementioned associations and units will be used to help the children and families of the soldiers who died in the war or died in service, through a decree of the President of the Council of Ministers or of the Minister the associations or units were depending of.

Trans. E.C.

(B) INCL

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

1802

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

13191/F

2 April 1946

My dear Dr. Arpesani,

I refer to your letter No. 1146/SP of 12 March, 1946.

The removal of Messrs. De Frigessi and Sulfina from their positions as General managers of the Riunione Adriatica di Sicurtà and Assicurazioni Generali di Venezia insurance companies was ordered by AMG Venezia Giulia at the time the epuration of non-statal concerns was carried out in that territory.

Copies of certain confidential information in the possession of the Allied Governments on the previous activities of De Frigessi and Sulfina have already been made available to the Minister of Industry and Commerce.

If the Italian Government now wishes to take any action in the cases of De Frigessi and Sulfina, I suggest that they be heard by an appropriate Italian epuration commission empowered to deal with cases of this nature.

Should Messrs. De Frigessi and Sulfina be acquitted, AMG Venezia Giulia will have no objection to their reinstatement in their former positions with their respective companies.

Very truly yours,

for Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. G. Arpesani
Undersecretary of State
Presidency of the Council of Ministers.

(185)

Encls.
BELT/gv

1803

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

AC/4034/14/L.

21 December 1945

My dear Prime Minister,

I should like to bring to your knowledge the case of Signore Scaramucci of Casteldelpiano, Grosseto. When the Province was under Allied Military Government upon the allegation of having been a fascist all his property was sequestrated by a Prefect's decree and he had to leave Casteldelpiano in consequence of threats and upon being given to understand that his presence was unwelcome to certain people there. Sig. Scaramucci is an officer in the Bersaglieri, and I am informed that he has been cleared of all charges by the Ministry of War, and also that the Questura of Grosseto has no charge against him. If the facts brought to my knowledge are correct, it would appear that Sig. Scaramucci has been cleared of any accusation of improper conduct. All the papers and files of this case are, I believe, at the Ministry of Finance in Rome.

Yours very truly

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

Dr. Alcide De Gasperi
The President of the Council of Ministers
Italian Government
ROME

(184)

1804

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

DEC 18

EVACUATION

I have seen PERETTI-GRIVA. Matters appear to be even worse than was thought. It is openly admitted that the object of the proposals is purely to get epuration under political control and that the matter has not been before the Council of Ministers or the Prime Minister. It is an attempted coup by NENNI and he ordered publication in the papers to prejudice the position and make opposition practically impossible. There is to be no coordinating machinery left, no central body capable of supervising and no power to control Ministries or Provinces; neither the Asst High Commissioner or his delegate will have any power to commence proceedings. The delegates are reduced to sinecures. A decree will be necessary and the proposed date for the change over is 31 Dec. It is significant that SCOCCIMARRO, though the decree has not even yet been drafted, has already asked PERETTI-GRIVA to hand over all the papers relating to officials of the Ministry of Finance. PERETTI-GRIVA considers the proposals completely disastrous and refuses to be associated with them and has submitted his resignation. The only office which be left will be a relatively small office attached to NENNI and CAMARDA; PERETTI-GRIVA's opinion of CAMARDA is such that he refuses to be associated with or to have any dealings with him whatever or even to meet him.

Rec'd 17/12

CA Section
17 Dec 45

S.H. WHITE Lt Col.

Copy to : Chief Commissioner
Executive Commissioner
Poland (A)
Poland (B)

2015

(1331 D)

1805

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

AIDE-MEMOIRE

Supervision of Epuration

1. It has been observed in the Newspapers that it is intended to abolish the offices of the Asst. High Commissioner, if not entirely, at least to deprive it of practically all its present powers and functions. It is desired to know whether these proposals were approved by the Council of Ministers prior to the publication in the press of the plan as a definite Government intention.

2. Is the Prime Minister satisfied that with each minister responsible in his own sphere and each Province independently responsible in its epuration will in future be carried out with the same equality of standard, with freedom from external influence and in a judicial and unbiassed manner.

3. Does the Prime Minister consider that different standards of Epuration according to the political views of various ministers or in the various provinces may discredit epuration.

4. Will not the organisation of new offices in each Ministry and the inducting of new staffs and the re-examination by them of all files before new proceedings can commence inevitably lead to very considerable delay and disorganisation and is not such delay likely to absorb a large proportion of the three months by which Epuration in North Italy must be completed.

5. Is the Prime Minister satisfied that under the proposed organisation there will be available to the Government as quickly and as conveniently the same information as to progress and will the same coordination be possible. Will consideration of results and of future policy and the preparation of legislation be as efficient.

6. In view of the want coordination resulting from and of the inevitable delay involved in the proposed change, does not the Prime Minister consider that the 31 Mar, the day by which all proceedings including those in that part of Italy recently restored to Italian Administration must be commenced, would be a more appropriate date for the proposed reduction in functions of the High Commission and that even after that date some central staff may be desired to ensure that decisions as to appealing are taken on uniform grounds.

7. Does the Prime Minister approve of the epuration of the Police Forces being under the control of a Minister of one party rather than under the control of a Commission responsible to the Council of Ministers on which all parties are represented. Is he satisfied that the police can be maintained

5. Does the Prime Minister consider that the divergence of procedure according to the political views of various ministers or in the various provinces may discredit epuration.

4. Will not the organisation of new offices in each Ministry and the inducting of new staffs and the re-examination by them of all files before new proceedings can commence inevitably lead to very considerable delay and disorganisation and is not such delay likely to absorb a large proportion of the three months by which Epuration in North Italy must be completed.

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7. Does the Prime Minister approve of the epuration of the Police Forces being under the control of a Minister of one party rather than under the control of a Commission responsible to the Council of Ministers on which all parties are represented. Is he satisfied that the police can be maintained as an honest, unbiassed and independent force willing to take action against unconstitutional methods or preparations to use force by whomsoever such methods may be attempted as it would if it were directly responsible to the Council of Ministers. Would an Allied Police Mission be of assistance in maintaining the independent position of the police forces. Is the Prime Minister satisfied that Police Officers, who have fearlessly and independently done their duty in suppressing unorthodox methods and unconstitutional attempts to control or influence the public, will not be removed on some colourable pretext of epuration or transferred to some position of lesser influence or otherwise victimised or rendered ineffective.

8. The Allies are greatly interested in Defascism and that it should be fairly and effectively conducted and also in the reliability and independence of the Police Forces and submits the above matters to the earnest consideration of the Prime Minister and would appreciate an early expression of his views.

Copy to: Executive Commissioner
Polad (A)
Polad(B)
PS S/C

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

EPURATION

DEC

Mr. Piretti Griva has been to see me he is most disturbed over proposals to reorganise epuration.

Mr. Piretti Griva is a Judge of the Court of Appeal he followed two political appointees and was the first non-political Assistant High Commissioner. He has lifted epuration onto a judicial plane, above mere party considerations, and ensured a certain amount of uniformity. He is an honest and strong man not afraid of doing what he believes to be right.

Avv. CANARSA is first a politician. In the early days in Naples Col Poletti put him in charge of Epuration there and he rapidly made it chaotic and it certainly was not impartial. When Nenni became High Commissioner he brought Canarsa with him as Sec Gen in place of Boeri (another honest man who had done excellent work and placed principles before politics).

This Commission has had to deal with Canarsa from time to time but formed such an unpleasant opinion of him and found him so unintelligent, unpractical and uncooperative that it has endeavoured to avoid dealing with him (whereas it had the friendliest relations with his predecessor Boeri).

Avv Canarsa has the ear of Nenni, and has apparently persuaded him that the work of the High Commission should be distributed amongst all the Ministries. I presume because Piretti Griva has not shewn himself sufficiently amenable to political ends.

The result of any such reorganisation would be to destroy the organisation which hasbeen built up under which a uniform procedure and standard of justification for commencing proceedings has been set up throughout Italy and is enforced by the High Commissioners Delegates in every Province.

It will destroy uniformity in that the Ministersof various political persuasions will be responsible for Epuration each in the sphere of hisown ministry. A Liberal may set a completely different standard for epuration in one ministry than may be established by a communist in another. A condition which would lead to grave dissatisfaction with epuration and be very bad for the morale of the services and of the public.

The disruption of the present organisation will lead to very serious disorganisation and delay in that the present files will have to be distributed to Ministries each of which will have to organise anew department and all the files will have to belearnt by new and inexperienced Officers before the work will start to flow again.

Instead of one department to deal with epuration questions and to make proposals as to legislation on the level of the Council of State there will be no coordinating body, each ministry will haveits own views and interests, a most retrograde step. Further there would be no particular department responsible for epuration with which this Commission could coordinate matters;from which it could receive information and statistics or receive information as to the Governments intentions or with which it could discuss proposals.

Lastly the proposal would place the epuration of the Police Forces at the mercy of the Minister of the Interior, a socialist. The efforts of the left parties to disrupt and discredit the Police have been constant and of constant concern to the Public Safety Commission, which regards this proposal with dismay. It would put an end to the Police as an independant and non-party body and cause the removal from the service of all Officers of strength or character who have loyally supported the Allied Commission in the effort to build up a reliable independent and efficient

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Mr. Piretti Grava feels so strongly in the matter that he has addressed a letter direct to the Prime Minister - over the High Commissioner's head, a copy of which is attached.

It is considered that the proposal will make epuration subservient to party ends lead to disorganisation and delay, adversely affect morale both of the services and the public.

It is possible that the new Prime Minister may not appreciate the unfortunate consequences which may follow. Is it possible to indicate to him that this Commission dislikes the proposals.

CIRCULATION : CHIEF COMMISSIONER
EXECUTIVE COMMISSIONER
POLAD "A"
POLAD "B"

1214

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

HIGH COMMISSION FOR SANCTIONS AGAINST FASCISM

COMMISSION FOR EPURATION

Rome, December 1945

TO: The President of the Council of Ministers

I wish to call your attention on the letter I sent on 19 Dec. to President PARRI, with documents enclosed, with regard to the serious situation of the High Commission which threatens to have serious repercussions on the epuration procedure.

Lately such situation has become even more seriousbecause of the interference of the Secretary General, Avv. CANARSA.

I wish to point out that the decision of transferring to the State Council and to Public Administrations all the cases which are being examined by this Commission would cause an excessive burden on the State Council while epuration procedure would be greatly delayed.

Because of my position of a magistrate appointed to thisoffice, I cannot adhere to decisions resulting from political expediency, since I am strongly convinced that the decisionsof the Secretary General while apparently determining a transfer of epuration, would, on the other hand, greatly delay its procedure and hinder the proper outcome contemplated by the law.

The sudden ceasing of the activity of this office would compel me to state officially the reasons of my firm attitude in this connection in order not to be involved in moral responsibility when, later, the disastrous results of such a directive will be plain. I feel I do not deserve to beheld as responsible since I have always worked strongly and conscientiously in order to speed up as much as possible the difficult and delicate procedure of epuration.

I have already given special instructions to simplify and speeding up at the utmost the pursuance of the rules of the new decree which I would like to disclose after they have been examinedby your Presidency.

I have also set up a provision oflaw containing 4 articles, concerning implementation rules, intended to reach an agreement as already set out in conjunction with the President of the State Council.

I am at your disposal and wish to point out the urgency of such an agreement since I feel that this particularly seriousssituation of the Commission cannot any longer subsist.

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

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With my best regards

(/s/ Avv. PERETTI-GRIVA)

183-1

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

NOV 24 REC'D

Min. 7.

TO: Executive Commissioner.

1. The new decree upon Epuration has now passed into law as DL 702 and it is understood it will be discussed by the Consulta and that amendments may be possible at that stage.

2. Notes of a conversation with the Assistant High Commissioner are at 4A.

3. Three points appear to merit especial comment:-
   a) Education. The eradication of fascist teaching from schools was specifically mentioned by Roosevelt and Churchill who publicly bound themselves to eradicate fascist teaching: specific provisions were included in the Armistice Terms to carry out this undertaking. It is true that FAN 487 provides that AC will not tender advice on Education, but the eradication of fascism is not within this limitation. The Assistant High Commissioner's comments at "1" of 4A do not entirely avoid the criticisms contained in Folio 5A and Minute 5. Art 2 of DL 702 is limited in scope; there are many teachers it would not reach.
   b) This decree, in its attempt to right many wrongfully enforced suspensions has used words of wide enough meaning to cancel all suspensions which have been made in the North of Italy under GO 35. This, it is believed, is an inadvertance; it is the agreed policy that AMG suspensions shall survive until cases have been considered. The Acting High Commissioner's suggestion at "3" of 4A does not fully meet the case.
   c) There is a disparity of treatment between the North and South of Italy ("2" of 4A refers). The intention of the A/HC is not in itself a sufficient remedy because there is no authority in law for such a review nor would those entitled to it be aware of their rights.

4. Two questions arise:-
   a) Whether this decree should or should not be implemented in North Italy.
      i) It is already law in "Italian" Italy;
      ii) It contains nothing objectionable in itself.
      iii) Failure to implement it will create a state of chaos;
      iv) It will in any event come into force on the handover which may be early.

   It is proposed, therefore, that the law shall be implemented with the safeguard mentioned at "3" of 4A which will allow some time for any representations it may be desired to make.
   b) Whether any and what representations should be made to the Italian Government.

   It is recommended that the Italian Government be asked:
      i) to amend the decree, to ensure that all teachers (including

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specifically mentioned by Roosevelt [illegible]
themselves to eradicate fascist teaching: specific provisions were included in the Armistice Terms to carry out this undertaking. It is true that FAN 487 provides that AC will not tender advice on Education, but the eradication of fascism is not within this limitation. The Assistant High Commissioner's comments at "1" of 4A do not entirely avoid the criticisms contained in Folio 3A and Minute 5. Art 2 of DL 702 is limited in scope; there are many teachers it would not reach.

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   It is proposed, therefore, that the law shall be implemented with the safeguard mentioned at "3" of 4A which will allow some time for any representations it may be desired to make.

b) Whether any and what representations should be made to the Italian Government.
   It is recommended that the Italian Government be asked:
   i) to amend the decree, to ensure that all teachers (including professors) should be liable to epuration.
   ii) to amend the decree so as to ensure that persons suspended by AMG are not re-instated except after a finding of an epuration commission.
   iii) that the attention of the Italian Government be drawn to the disparity of treatment between the North and South which will result unless there is power to review the cases of officials of lower than the 7th grade who have been dismissed.

5. The loose copies of the translation of the decree and of the notes of the meeting with the A/HC are for the retention of your office and for distribution to the CC and to Polads A and B.

6. Are the proposals at 4 (a) and (b) approved please.

(163)

Tel Ext. 525
16 Nov 45.

(sgd) S.H.WHITE, Lt.Col.
A/VP CA Sec.

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

CC

NOTES OF A MEETING
between
Lt. Col. [redacted] and Sig. PERETTI-GRIVA
held on
14 Nov 45

Sig. PERETTI-GRIVA enquired whether AC had any objection to the Italian Government commencing to operate under D. 159 in North Italy and if not, whether it would take the necessary steps to bring that and later epuration decrees into force.

Lt. Col. [redacted] replied that those decrees have already been implemented in the North and no further formal step was necessary. If the Italian Government wished to start epurating the Regional Commissioners would be notified. A copy of the letter to them would be sent to the High Commissioner.

Sig. PERETTI-GRIVA pointed out that CC 35 and CC 46 Commissions were still in operation and enquired whether they would cease from functioning. Col. [redacted] said that he saw no reason for their ceasing work at the moment. They were only conducting the investigatory phase and ordering suspensions. The Italian organisation would be some time before it got into its stride and considerable time would elapse before they could complete their first investigations. It seemed much better that the CC 35 Commissions should continue with the work already in hand and that the D. 159 Commissions should commence their work by dealing with persons already suspended. When the D. 159 Commissions had heard all the cases of persons that had been suspended and had "caught up" with the CC 35 Commissions, that would appear to be the time to stop CC 35 Commissions. AC proposed to follow that course.

Lt. Col. [redacted] then referred to the recently passed decree, asked what the position of the decree was and was informed that it had been passed by the Council of Ministers and was expected to be published in the Gazette of the 14 Nov 45. He then said that AC had one or two points under consideration and that while it had not yet reached any decision as to whether or not it desired to make any representation, perhaps Sig. PERETTI-GRIVA would like to know what these points were. He might be able to clear the points and show that there was no reason for any Allied concern. Sig. PERETTI-GRIVA said he would be interested to hear what the points were and Lt. Col. [redacted] continued that the first point concerned Education. No school teacher and probably few professors were Grade 7 or higher. It would appear, therefore, that, generally speaking, no teachers would be epurated. The Allies could hardly be expected to view with equanimity the prospect that school masters who had been practising [redacted]

CC/1

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Sig. PERTTI-CHIV. said that he agreed with the views expressed but pointed out that though epuration was, in normal cases, limited to officials of Grade 7 and upwards, employees of lower grades might be epurated if they had shown fascist bias and he thought that teachers could be epurated under this provision.

Lt. Col. WHITE pointed out that this would reach those who were known to have been actively fascist but that it would hardly apply to many who were not "politically active" but genuinely believed in the fascist ideology. Such teachers, by their conversation and example, might be very dangerous to young and receptive minds.

Lt. Col. WHITE then referred to the fact that all minor punishments had been abolished with the exception of reduction in grade and asked whether this was intentional as it seemed an illogicality. Sig. PERTTI-CHIV. replied that it had been retained really as an internal administrative measure to enable the Ministries

/concerned to

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the Ministries/
concerned to reduce in grade persons who had been promoted out of time because of their fascist qualifications. It would not be used as a form of punishment but only to put right a wrong done by improper promotion.

Lt. Col. WHITE then referred to the difference in treatment between the North and the South which would result from this decree. In the South large numbers of persons of grades lower than 7 had been dismissed but in the North there was no general epuration of persons of such grades. This difference in treatment appeared inequitable.

Sig. BERTI-ORIVA said that it was proposed to give an opportunity to all persons of grades lower than 7 who had been dismissed in the South to ask for re-consideration of their cases and that if this was done those who did not come within the special circumstances, under which officials of those lower grades might be dismissed, would be reinstated; but the dismissal of the others would stand. He agreed that the decree contained no provisions to enable this to be done. (2)

Lt. Col. WHITE then referred to the clause of the decree which stated that all de facto suspensions were revoked from the date of the decree coming into force and that this expression appeared to be wide enough to include all suspensions which had been made in the North under GO 25. If this became law the whole of the work of the Allied Commission in purging the North of fascists would appear to be annulled at one stroke. Further, it had been agreed with the Italian Government that persons suspended by AMC should remain suspended until their cases had been considered under GO 129.

Sig. BERTI-ORIVA agreed and suggested that the Allied Commission, in implementing the new decree, should provide that the revocation of the suspensions under the decree should not apply to suspensions ordered by AMC. (3)

Lt. Col. WHITE said that that would be excellent so long as AMC lasted but when North Italy was restored to Italian administration the qualification of the cases of all suspended persons had been considered the question would not arise; but if, as was likely, the handover took place before the reconsideration of the suspensions was concluded, the question would be a very material one.

Lt. Col. WHITE concluded by re-drawing attention to the fact that the consideration of the decree by AC had not yet been concluded and that the conversation was purely exploratory. If AC desired to make any representation that would be the subject of a more formal communication. Sig. BERTI-ORIVA said that the decree would shortly be going before the Consulta who might make amendments. That occasion might also be the opportunity of considering any further alterations which might be desirable.

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Lt. Col. WHITE then referred to the clause of the decree which stated that all de facto suspensions were revoked from the date of the decree coming into force and that this expression appeared to be wide enough to include all suspensions which had been made in the North under GO 85. If this became law the whole of the work of the Allied Commission in purging the North of fascists would appear to be annulled at one stroke. Further, it had been agreed with the Italian Government that persons suspended by AC should remain suspended until their cases had been considered under DL 159.

Sig. PONETTI-CHIVA agreed and suggested that the Allied Commission, in implementing the new decree, should provide that the revocation of the suspensions under the decree should not apply to suspensions ordered by AC. (3)

Lt. Col. WHITE said that that would be excellent so long as AC lasted but when North Italy was restored to Italian administration the qualification of the decree would cease to be of effect. If the handover did take place after the cases of all suspended persons had been considered the question would not arise; but if, as was likely, the handover took place before the reconsideration of the suspensions was concluded, the question would be a very material one.

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REVISED PURIFICATION LAW

PART I

ART 1

Employees of the public services of the 7th or higher grades of whatever description even if irremovable who, because of their (past) fascist political activity, their (improper) conduct, whether or not in the execution of their office, their fascist bias or their appointment to office, because of their fascist qualifications have shewn themselves unfit to retain their office shall be dismissed from the service.

Employees of the public services of grade lower than 7th shall not be liable to dismissal unless they have shewn serious fascist bias or are within the provisions of the next article.

For the purposes of this law, when the parity of the grades of non-state services is undetermined, it shall be declared by the head of that Service.

ART 2

Employees of the public services of every description may be dismissed from service if they have shewn themselves unfit to retain their office because they have since 8 Sep 1943:

a) given military or civil service to the German invader;
b) belonged to the fascist republican party;
c) voluntarily served in military units of the government of the so-called Italian Social Republic or as officers in the labour organisations of that government;
d) taken part in arresting, sentencing or summary executions ordered by nazi-fascists or acted as informers for the latter;
e) been appointed chief of the province or questore of the so-called Italian Social Republic or have been President, public Prosecutor or Member of the special or extraordinary tribunals set up by the said Government;
f) left their usual place of abode to follow and serve the fascist government;
g) collaborated with the Germans or with the so-called Italian Social Republic.

Dismissal from service shall not be ordered if the activity after 8 Sep 43 was under compulsion or had the object of hindering German activities or those of the government which was in fact being served only in appearance.

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Employees of the public services of grade lower than 7th shall not be liable to dismissal unless they have shewn serious fascist bias or are within the provisions of the next article.

For the purposes of this law, when the parity of the grades of non-state services is undetermined, it shall be declared by the head of that Service.

ART 2

Employees of the public services of every description may be dismissed from service if they have shewn themselves unfit to retain their office because they have since 8 Sep 1943:

a) given military or civil service to the German invader;
b) belonged to the fascist republican party;
c) voluntarily served in military units of the government of the so-called Italian Social Republic or as officers in the labour organisations of that government;
d) taken part in arresting, sentencing or summary executions ordered by nazi-fascists or acted as informers for the latter; of the so-called Italian Social Republic
e) been appointed chief of the province or questore or have been President, public Prosecutor or Member of the special or extraordinary tribunals set up by the said Government;
f) left their usual place of abode to follow and serve the fascist government;
g) collaborated with the Germans or with the so-called Italian Social Republic.

Dismissal from service shall not be ordered if the activity after 8 Sep 43 was under compulsion or had the object of hindering German activities or those of the government which was in fact being served only in appearance.

ART 3

Those who distinguished themselves after 8 Sep 43 in the fight against the Germans may be excepted from dismissal from service.

ART 4

The unsuitability (for retention in the service) referred to in arts 1 and 2 shall upon application of the Service (concerned)

a) in the case of employees of the State Central Services or of Autonomous public bodies be decided by the epuration Commisaions set up under DLL 159 of 27 Jul 44; the powers contained in the last para of art 18 of DLL 159 of 27 Jul 44 and in art 16 of DLL 285 of 25 Oct 44 shall remain unchanged.

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b) in the case of employees of local public bodies and of concerns controlled by the local administrati n be decided by the provincial Epuration Commissions set up by para 3 of art 18 of DLL 159 of 27 Jul 44.

The High Commissioner for sanctions against fascism and his provincial delegates supervise epuration proceedings and when necessary may commence proceedings.

The rules contained in DLL 159 of 27 Jul 44 for the proceedings before the Commissions of first instance and the subsequent additions and amendments thereto shall apply to proceedings before Epuration Commissions.

ART 5

The Service concerned, having received notice of the final decision, shall ~~order~~ consider the dismissal from the service of ~~said~~ employee ~~bearing in mind that he has been~~ declared unfit to retain his office.

No appeal whether ~~to the~~ administrative ~~or~~ judiciary ~~proceed~~ shall lie against an order for dismissal from service.

ART 6

An employee dismissed from service under the preceding article shall be granted the pension rights to which he is entitled under the existing laws.

In particularly serious cases the epuration commission may order forfeiture of pension.

When a forfeiture of pension has been ordered, the contributions which he has paid to the pension funds shall be repaid to the dismissed employee.

ART 7

The service concerned may suspend an employee subject of epuration proceedings under art 4 pending the result of such proceedings.

ART 8

The provisions of the preceding articles shall apply also to employees of

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ART 6

An employee dismissed from service under the preceding article shall be granted the pension rights to which he is entitled under the existing laws.

In particularly serious cases the epuration commission may order forfeiture of pension.

When a forfeiture of pension has been ordered, the contributions which he has paid to the pension funds shall be repaid to the dismissed employee.

ART 7

The service concerned may suspend an employee subject of epuration proceedings under art 4 pending the result of such proceedings.

ART 8

The provisions of the preceding articles shall apply also to employees of public institutions and to institutions of national importance and of private undertakings or companies operating public services or serving a public purpose or public utility undertaking.

Where no other appropriate commissions have been set up for the said institutes and companies, the competent body to pronounce the verdict on epuration proceedings shall be the provincial epuration commissions set up under the third para of art 18 of DLL 159 of 27 Jul 44 and the subsequent additions and amendments thereto.

The decision as to dismissal of employees of public institutes and institutions of national importance shall be by the head of the Institute. In the case of employees of private companies or undertakings mentioned in the first para of the present article, the decision shall be that of the prefect of the province in which the company or undertaking has its head office.

ART 9

Heads of the various public services may up to 31 Mar 1946 transfer officials even if they are irremovable to another area if for political or moral reasons they consider it advisable to do so. In territory under the administration of AMG

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such transfer may be ordered up to three months after such territory has been restored to Italian administration.

ART 10

Any persons who, because of bias or fascist malpractices, has rendered himself unworthy to continue to exercise his profession, art or trade, may be removed from the registers of such profession.

The decision as to such unsuitability shall be by the bodies responsible for keeping the said register, which they shall do directly or by means of a commission appointed by them; if no such body exists, a commission shall be appointed by the Minister under whose supervision the (appropriate) register is.

ART 11

A dismissed employee may lodge an appeal against the decisions of a commission under sub-para a) of art 4 even on the merits of the cases. Such appeal shall be to a Special Section of the Council of State and be constituted by a decree of the President of the Council of Ministers and consist of two members, one of whom shall be designated by the High Commissioner and the other by the Minister of the Service to which the appellant belongs.

Such appeal shall be lodged within six days of notification of the decision of the Commission of 1st instance by filing the same in the secretariat of the Commission concerned, in the office in which the appellant serves or directly in the secretariat of the Special Section of the State Council.

The Special Section shall consider the appeal in camera and shall not be bound by the ordinary rules of procedure but shall observe the rules contained in DLL 159 of 27 Jul 44 and subsequent additions and amendments for the proceedings before the Central Commission.

ART 12

An employee dismissed may lodge an appeal against the decisions of a provincial Commission to a commission set up in the Court of Appeal within whose jurisdiction the commission of 1st instance is located. The commission of appeal shall be set up by decree of the First President of the Court of Appeal and shall consist of a President who shall be a magistrate or an official of the public service serving or retired, of not less than the 5th grade and of two members one of whom shall be nominated by the High Commissioner and the other by the Provincial CNL from the officials of the service to which the appellant belongs.

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

A dismissed employee may lodge an appeal against the decisions of a commission under sub-para a) of art 4 even on the merits of the cases. Such appeal shall be to a Special Section of the Council of State and be constituted by a decree of the President of the Council of Ministers and consist of two members, one of whom shall be designated by the High Commissioner and the other by the Minister of the Service to which the appellant belongs.

Such appeal shall be lodged within six days of notification of the decision of the Commission of 1st instance by filing the same in the secretariat of the Commission concerned, in the office in which the appellant serves or directly in the secretariat of the Special Section of the State Council.

The Special Section shall consider the appeal in camera and shall not be bound by the ordinary rules of procedure but shall observe the rules contained in DLL 159 of 27 Jul 44 and subsequent additions and amendments for the proceedings before the Central Commission.

ART 12

An employee dismissed may lodge an appeal against the decisions of a provincial Commission to a commission set up in the Court of Appeal within whose jurisdiction the commission of 1st instance is located. The commission of appeal shall be set up by decree of the First President of the Court of Appeal and shall consist of a President who shall be a magistrate or an official of the public service serving or retired, of not less than the 5th grade and of two members one of whom shall be nominated by the High Commissioner and the other by the Provincial CNL from the officials of the service to which the appellant belongs.

Such appeal shall be lodged within six days of notification of the decision of the commission of 1st instance, by filing the same in the secretariat of the said Commission or directly in the secretariat of the Commission of Appeal.

The rules for the proceedings before the central commission contained in DLL 159 of 27 Jul 44 and the subsequent additions and amendments thereto shall apply to proceedings before such Commissions of Appeal.

ART 13

Dismissals from service, removals from the registers and acquittals resulting from final decisions already made under DLL 159 of 27 Jul 44 shall stand, but punishments other than dismissal from service, removal from the registers and reduction in grade ordered by final decisions under the same legislative decree are revoked.

For the purposes of the provisions of the preceding paragraph, a decision of the central commission shall be considered final even if notice of the same has not been served as required by art 3 of DL 179 of 22 Apr 45 on the day ~~of the imple-~~

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

~~entration of~~ this decree comes into force

Appeals against decisions of (Commissions of) first instance made under DLL 159 of 27 Jul 44 and the subsequent additions and amendments thereto which are still appealable may be lodged in accordance with the procedure laid down in this decree.

The appeals which are pending before the central commission on the day on which this decree comes into force shall be dealt with by the commission of second instance set up by arts 11 and 12 hereof.

Decisions under DLL 159 of 27 Jul 44 by the commissions of first instance for the revision of the registers which are still appealable shall be dealt with by the new bodies set out in art 10 hereof even if the appeal was already pending before the Central Commission.

The Central Commission for epuration and the Commissions for the revision of the registers set up by DLL 159 of 27 Jul 44 are abolished.

Proceedings pending before commissions of first instance on the day on which this decree comes into force shall be continued before said commissions or before the new bodies set up by art 10 under the rules contained in this decree.

Where employees are not within the provisions of the second para of arts 1 and 2, suspension from office of employees of 8th grade and lower pending proceedings shall be revoked by the service concerned; in all other cases suspension may be revoked by the service concerned or by the bodies set up by art 10 even if proceedings have been commenced.

De facto suspensions (other than the above) however occasioned shall cease as from the day this decree comes into force.

ART 14

Names of persons to be subjected to epuration proceeding must be sent in before 31 March 1946 except in the case of persons in AMG territory (in which case proceedings must be commenced) within three months from the day on which said territory is handed back to the administration of the Italian Government ~~but this (article) shall not reopen time limits which expired before this decree came into force~~

ART 15

The provisions of DLL 159 of 27 Jul 44 and the subsequent additions and amendments thereto so far as they are inconsistent herewith are revoked.

Part II

ART 16

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shall be revoked by the service concerned; in all other cases suspension may be revoked by the service concerned or by the bodies set up by art 10 even if proceedings have been commenced.

De facto suspensions (other than the above) however occasioned shall cease as from the day this decree comes into force.

ART 14

Names of persons to be subjected to epuration proceeding must be sent in before 31 March 1946 except in the case of persons in AMG territory (in which case proceedings must be commenced) within three months from the day on which said territory is handed back to the administration of the Italian Government but this (article) shall not reopen times limits which expired before this decree came into force

ART 15

The provisions of DLL 159 of 27 Jul 44 and the subsequent additions and amendments thereto so far as they are inconsistant herewith are revoked.

Part II

ART 16

Those contracts of employment, agency or management of general, ~~commercial~~ or administrative managers, of heads of departments or branches of the Managers of stock companies whose capital exceeds 5 million lire whether or not their liability is limited by shares or of insurance companies with nominal capital or whose assets exceed 1 million lire shall be dissolved:

1) if the person concerned has been sentenced for a (fascist) crime under part 1 of DLL 159 of 27 Jul 44, even if such sentences do not include disqualification from holding public office;
2) if property belonging to such person has been forfeited under art 9 of said decree;
3) if such person has been subjected to any sanction under the first para of art 1 or the 1st and 2nd paras of art 3 of DLL 149 of 26 Apr 45;
4) if such person has held any(of the following)fascist offices, secretary or vice secretary of the party, member of the Grand Council, member of the National Directory, Inspector of the party, federal secretary, fascist deputy, national councillor or senator who has been removed from such office.

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ART 17

The provisions of sub para 4 of the preceding article shall not be enforced if said persons are of acknowledged technical and administrative capacity and if they fulfill any of the following conditions: have distinguished themselves in the fight against the germans or had before the beginning of the present war openly opposed fascism, or left the national fascist party, or they held the position of national councillors (merely) as representative of the profession without engaging in any real political activity.

Upon the application of any such person the decision(as to this exception) which shall be final and which shall be requested within sixty days from the day on which this decree comes into force, shall be given by a provincial commission appointed by the Prefect of the province after consultation with the Provincial CNL and shall consist of a President nominated by the Provincial Delegation of the High Commissioner for Sanctions against Fascism and of four members, two of whom shall be nominated by the "Camera del Lavoro" and two by the association of employers. The Commission authorised (to decide the case) shall be that having jurisdiction in the place in which the employee works.

The Prefect, in agreement with the President of the Provincial Commission, may appoint under similar provisions one or more sections of said commission.

If an appeal has been lodged as above, the dismissal of the director shall be suspended until the final decision of the provincial commission.

The decision of the commission shall be communicated to the employer.

ART 18

If an appeal mentioned in the second para of Art 17 has not been lodged, an employer shall,as soon as the time limit mentioned in the said article has expired, dismiss an employee as to whom an order for the dissolution of an agreement has been made, otherwise(the employee shall be dismissed) as soon as the notice referred to in the last para of the said article has been received or (alternatively) as soon as the provisions mentioned in paras 1, 2, 3 of art 16 have become final.

Any employer who violates the provisions of the preceding article shall be punishable by imprisonment up to a maximum of six months and a fine up to a maximum of 100,000 lire.

ART 19

An employee discharged in consequence of dissolution of his agreements under art 16 of the present decree,shall be entitled to receive the compensation referred to in the third and fourth paras of art 10 of the RDL No 1825 of 13 Nov 1924, converted into law No 562 of 18 March 1926 and any other compensation provided for by his contract of employment.

In the case of an agreement for a limited period, the (compensation) payable shall be whichever is the smaller of the total amount of compensation to the expiry

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

If an appeal has been lodged as above, the dismissal of the director shall be suspended until the final decision of the provincial commission.

The decision of the commission shall be communicated to the employer.

ART 18

If an appeal mentioned in the second para of Art 17 has not been lodged, an employer shall, as soon as the time limit mentioned in the said article has expired, dismiss an employee as to whom an order for the dissolution of an agreement has been made, otherwise (the employee shall be dismissed) as soon as the notice referred to in the last para of the said article has been received or (alternatively) as soon as the provisions mentioned in paras 1, 2, 3 of art 16 have become final.

Any employer who violates the provisions of the preceding article shall be punishable by imprisonment up to a maximum of six months and a fine up to a maximum of 100,~~000~~ lire.

ART 19

An employee discharged in consequence of dissolution of his agreements under art 16 of the present decree, shall be entitled to receive the compensation referred to in the third and fourth paras of art 10 of the RDL No 1825 of 13 Nov 1924, converted into law No 562 of 18 March 1926 and any other compensation provided for by his contract of employment.

In the case of an agreement for a limited period, the (compensation) payable shall be whichever is the smaller of the total amount of compensation to the expiry of the contract or the total amount of indemnity for an unlimited period.

Dismissed employees within the provisions of clauses 1 and 2 of [illegible] shall not be paid compensation for discharge and damages which may have been provided for in any contract for an unlimited period. In such case the compensation and damages shall be transferred to the Provident Fund of the Company or, failing that, to the National Institute of Social Insurance.

The contributions to the Provident Fund paid by a dismissed employee who is within the provisions of the above paragraph shall be re-funded to him.

Sums due to a dismissed employee under any obligatory insurance scheme shall be paid to him.

ART 20

The present decree shall come into force the day after its publication in the Official Gazette of the Kingdom.

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

Rome,
November the 10th 1945

TO MR. HARRY TRUMAN
PRESIDENT OF THE UNITED STATES OF AMERICA

President,

the undersigned Italien citizen, Arnoldo Frigessi di Rattalma, takes the liberty to inform you, and in the meantime, to ask for your judgement as the highest representative of the free American people on the following subject.

On June the 4th 944, Rome liberation day, after 9 months, during wich I had to remain hidden with my family in order to escape from nazi and fascists capture, I started again my job as General Menager of the great Italian insurance company, The Riunione Adriatica di Sicurtà, for liberated Italy, placing myself immediately at the disposal of the Allied Authorities for what concerned insurance matters on a full agreement with said Authorities.

I was in charge as General Menager of my Company since 1917 and during the period from 1933 to 1938 I was appointed also as President of the Company. In 1938, at the beginning of the racial campaign in Italy, I was dismissed by Mussolini from the chair of President, remaining in charge as General Menager (a prisoner in my office) on behalf of the Company itself.

Eleven months after Rome liberation, on may 1945, I have been arrested by Allied Police in Florence while travelling on business and sent to an internement camp, and up to now I do not know the charge nor the reason.

[illegible] intervened in my favour at A.C. in Rome

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Declassified E.O. 12356 Section 3.3/NND No.
1821

the undersigned Italien citizen, Arnoldo Frigessi di Rattalma, takes the liberty to inform you, and in the meantime, to ask for your judgement as the highest representative of the free American people on the following subject.

On June the 4th 944, Rome liberation day, after 9 months, during wich I had to remain hidden with my family in order to escape from nazi and fascists capture, I started again my job as General Menager of the great Italian insurance company, The Riunione Adriatica di Sicurtà, for liberated Italy, placing myself immediately at the disposal of the Allied Authorities for what concerned insurance matters on a full agreement with said Authorities.

I was in charge as General Menager of my Company since 1917 and during the period from 1933 to 1938 I was appointed also as President of the Company. In 1938, at the beginning of the racial campaign in Italy, I was dismissed by Mussolini from the chair of President, remaining in charge as General Menager (a prisoner in my office) on behalf of the Company itself.

Eleven months after Rome liberation, on may 1945, I have been arrested by Allied Police in Florence while travelling on business and sent to an internement camp, and up to now I do not know the charge nor the reason.

Italian Governement intervened in my favour at A.C. in Rome and through the Italian Embassy in Washington. Two months and a half after my arrest I was released from the internement camp after a short interrogatory and with the statement that I was more useful to my Country outside than inside the internement camp.

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I resumed my place immediately but a few weeks later, on the order given by Superior Authorities, the A.M.G. of the Venezia Giulia (the General Direction of my Company is situadet in Trieste) asked for my forcible dismissal from my place and from my Company. No reason or charge has been till now notified to me.

In name of the basic conception of the individual rights upon which the democratic regime of U.S.A. has been built and in the name of which your nation has entered this war, I ask to your authority to intervene in view to obtain that I may be informed of the reasons of my removal from my Compeny after 44 years of honorable service, and I may not be deprived of the supreme right of defence. I am sure to be able to defend myself against any accusation.

I beg you to excuse my application to you, President, but you will certainly make allowance for my wish for a loyal explanation.

Respectfully yours

S. F. A. R.

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Under the date of November the 10th 1945 Mr. Arnoldo Frigessi di Rattalma ,on the order given by Allied Military Government of Venezia Giulia August the 31st 1945 to the Central Office of Riunione Adriatica di Sicurtà Trieste to be removed from the charge of General Manager of the Company + order neither accompanied nor followed by any justifying reasons,addressed to the President Of United States of America the letter ,of which a copy is attached.

In reference to this letter the United States of America Embassy in Rome sent to Mr. Frigessi the attached letter under the date of April the 10th 1946.

Mr. Frigessi,after the reception of abovesaid letter,did not take any step,because under the date of April the 26th 1946 the Italian Government,with the agreement of Rear-Admiral Ellery Stone, communicated to the Riunione Adriatica di Sicurtà Roma his reinstatement in the formal position of General Manager of the Company .

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Mr. Frigessi, after the reception of abovesaid letter, did not take any step, because under the date of April the 25th 1946 the Italian Government, with the agreement of Rear-Admiral Ellery Stone, communicated to the Riunione Adriatica di Sicurtà Roma his reinstatement in the formal position of General Manager of the Company .

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Testo Italiano

In data 10 Novembre 1945 il Sig. Arnoldo Frigessi di Rattalma ,a seguito dell'ordine emanato dal Governo Militare Alleato della Venezia Giulia in data 31 Agosto 1945 e reso noto alla Direzione Centrale della Riunione Adriatica di Sicurtà di Trieste circa la sua rimozione dalla carica di Direttore Generale della Compagnia = ordine non accompagnato nè seguito da alcuna giustificata motivazione= , indirizzò al Presidente degli Stati Uniti d'America la lettera , di cui una copia viene allegata .

Con riferimento a questa lettera l'Ambasciata degli Stati Uniti d'America in Roma inviarono al Sig. Frigessi la lettera allegata in data 10 Aprile 1946

Il Sig. Frigessi ,dopo aver ricevuta la suddetta lettera , non intraprese alcun passo poichè in data 26 Aprile 1946 il Governo Italiano,d'accordo con l'Ammiraglio Ellery Stone, aveva comunicato alla Riunione Adriatica di Sicurtà Roma la sua reintegrazione nella sua originaria carica di Direttore Generale della Compagnia .

1832

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[illegible] la lettera , di cui una copia viene allegata .

Con riferimento a questa lettera l'Ambasciata degli Stati Uniti d'America in Roma inviarono al Sig. Frigessi la lettera allegata in data 10 Aprile 1946

Il Sig. Frigessi ,dopo aver ricevuta la suddetta lettera , non intraprese alcun passo poichè in data 26 Aprile 1946 il Governo Italiano,d'accordo con l'Ammiraglio Ellery Stone, aveva comunicato alla Riunione Adriatica di Sicurtà Roma la sua reintegrazione nella sua originaria carica di direttore generale della compagnia .

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(182) a

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C O P Y

Trieste, September, 11th, 1945

I, Alfred C. Bowman, Colonel United States Army, Senior Civil Affairs Officer, A.M.G. 13th Corps, hereby order that Mr.Sulfina Michele be dismissed from your Company as from the date of your receipt of this letter.

Mr. Sulfina Michele is forbidden to occupy any position of any kind whatsoever in your Company or in any Company of concern which transacts insurance business in those parts of Venezia Giulia occupied by Allied Forces.

Disobedience of this order will constitute a Contravention of Article V Section 42 of Proclamation n.1 for which the responsible person or persons will be dealt with by the appropriate Allied Military Court.

Sgd.
A.M.G. (13 th Corps)

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

Mr. Sulfina Michele is forbidden to occupy any position of any kind whatsoever in your Company or in any Company of concern which transacts insurance business in those parts of Venezia Giulia occupied by Allied Forces.

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Sgd.
A.M.G. (13 th Corps)

(182)a

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

C O P Y

SECRET

HEADQUARTERS ALLIED MILITARY GOVERNMENT
13 Corps

5th July 1945

ref: 13 C AMG Fin 3571

Subject: Michele Sulfina, Direttore Generale Assicurazioni Generali di Venezia e Trieste

To : General Managers Assicurazioni Generali di Venezia e Trieste.

Copy to : Joint Directors Finance Sub-Commission Head Quarters Allied Commission-Roma

Copy to: Mr. Michele Sulfina presso Assicurazioni Generali - Trieste

1. This is to inform you that Mr. Michele Sulfina, a General Manager of your Institution, will be suspended from duty immediately.

2. He will not be permitted to take any further part of any kind whatsoever in the business of your institution and he will not be permitted access to your offices from the date of this letter except for the time necessary to enable you to take over from him any matters with which he may be dealing at present on behalf of your Company and the period of such handing over is not exceed 24 hour from the time you receive this letter.

3. You will jointly and severely responsible for the carrying out of the above order and you will please acknowledge receipt of this letter immediately to me. Your letter should be sent to the Chief Financial Officer Head Quarters Allied Military Government 13 Corps, by hand, marked private, to this office, room 157, 3rd floor, Casa del Popolo, Trieste and it should include the time and date of your receipt of this letter.

4. You are further notified that Mr. Michele Sulfina is being ordered to abstain from taking any position of any kind whatsoever in any other Company or Concern which transacts Insurance business in the Occupied Territory.

Nelson N. Monfort
Col. U.S.A.
Senior Civil Affairs Officer

1836

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1. This is to inform you that Mr. Michele Sulfina, a General Manager of your Institution, will be suspended from duty immediately.

2. He will not be permitted to take any further part of any kind whatsoever in the business of your institution and he will not be permitted access to your offices from the date of this letter except for the time necessary to enable you to take over from him any matters with which he may be dealing at present on behalf of your Company and the period of such handing over is not exceed 24 hour from the time you receive this letter.

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Nelson N. Monfort
Col. U.S.A.
Senior Civil Affairs Officer

6749

(18 Jan)

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

1838

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

Ref: DF/1.A/CA

10 November 1945

My dear Mr. Prime Minister,

I hope it will be possible for you to let me have a reply at an early date to my letter DF/1.A/CA of 6 October 1945 dealing with the action which your Government has been taking to dissolve or epurate the fascist organisations referred to in that letter.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

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

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VP-CR receives copy

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ROUTINE

ROME

ALLIED COMMISION, MINISTRY OF FINANCE GAB ROME, MINISTRY OF THEASURY GAB ROME, MINI ISTRY OF WAR GAB ROME, MINISTRY OF NAVY GAB ROME, MINISTRY OF AIR GAB ROME, MINISTRY OF POST WAR ASSISTANCE GAB ROME ALL PREFECTS(EXCEPT PREFECT OF ROME) AIOOM ALL REGIONS

UNCLASSIFIED.

Awaiting a definitive destination, in accordance with an organic plan, of properties and institutions belinging to former "Gil" (fascist youth movement) it is necessary to avoid contradictory initiatives and prejudicial interferences which could be caused by wrong interpretation of dispositions in force. It is pointed out that, actually, the sole existing organization authorized to perform administrative operations and to take care of said properties is the office of commissioner for the Italian youth, stationed in ROME. - Via FORNOVO 12-, other offices which will eventuall; deal, together with said office, with the recovery of the above mentioned properties wil coordinate their line of work with that of the office in question. Application for temporary allocation of said properties will be addressed to theoffice of commissioner f the Italian Youth which will be assisted for this purpose, by an interministerial committee

president PARRI

DIST

ACTION :FINANCE SC (2) CC 17

INFO :CHIEF COMMISSIONER
ECON SEC (2)
FILD (29
FLOAT

(181)

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Translation

To Admiral Stone
Allied Commission - R o m e

Arezzo , 25 October 1945

After repeatedly and uselessly sending requests to the General Management of the State Railways and the Florence Local Management, to obtain the economic treatment fixed by various Government decrees, the undersigned agents, suspended from service, in expectation of an epuration judgement, find themselves obliged to ask for your intervention with the Ministry of Transports to have the regulations obeyed.

The undersigned take the liberty of drawing your attention on the following facts: 1) against art. 22 of D.L.L. 27/6/944, n. 159, they were suspended from service without waiting for the decree of the Minister of Transports. Therefore, till the decree of the Minister is published, they are entitled to a full salary and family indemnity, while the Flo ence management only paid miserly sums varying from 600 to 1500 according to the qualifications. All their protests have been vain for they have only been paid as they should have been since June 1945.

2) According to D.L.L. 25 February 1945, n. 44 art I, officials suspended from service are entitled to their salary, family or high cost of living indemnity, and also the temporary indemnity granted by R.D.L. 6/12/1943, n. 1813

The Rome General Management ordered all local managements to make the above mentioned payments. The Florence management does not intend to pay the March, April and may months, and it seems that this is because the Florence railway-men threatened to go on strike if such payments were not made.

3) The Ancona management which had also suspended the agents while waiting for the judgement of epuration paid them what was owed to them ever since last August.

From the above mentioned facts it can be seen that the Government issued logical and human regulations regarding the suspended agents . However, there is no reason why the Florence management should submit to the railway - men trade union which should show discipline and consideration for what comes from the Gove nment.

Your Excellency will easily understand the position in which the families of the agents suspended for political motives.now find themselves after receiving 600 or 1000 lire a month for 10 months, when such a sum was barely sufficient to buy bread.

The undersigned agents point out that there is no charge against them for violence or anything of the kind and their discrimination is certain.

They ask for your intervention to be paid according to the Government's regulations. Your intervention will save them and their families from misery.

list of signatures.

(129)

EC DIST - 300 L
ACTION:- ECONOMIC SEC (3)
INFO:- CC
:- EC

trans. e/o

1841

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

87/213/45

OCT 13 REC'D
CC 0956

173

169

Chief Commissioner, AC.

With reference to Mr. Key's letter of September 17th and your reply of September 20th, the Foreign Office concur with the views of the State Department as expressed in Mr. Key's letter, and with the suggestion set forth therein for the form of approach to Professor Parri.

The Foreign Office feel that, quite apart from the legal aspects of the question involved in the interpretation of the MacMillan aide-memoire, it is desirable to avoid unnecessary intervention in the question of the purge of Fascists.

H. d'A. Hopkinson

9.x.45

Political Advisor (BR)

Copy to: Executive Commissioner,
Civil Affairs Section,
Political Advisor (A).

179

Return to
Chief Commissioner

2 for 9/cc

785015

1842

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

E.C.

This appears to kill the appended draft. Pls draft reply.

CL

13/10

To, E.S.O. C.A. Section.

Herewith the F.O. reply to the Equatorial legislation Question about which I saw you the other day: MINUTES minutes 153 & 155 refer.

C.R. BENTINCK

15/10

Offrs & E.

E.C. See.

Yes I have taken a copy of the letter 13 OCT

Gilbert.

This letter is very "diplomatic" It merely deprecates "unnecessary intervention". It does not go directly to the point as to who being kept informed, but the implication is that we must we cannot intervene unless we know what is going on. This letter implicitly supports our views & that the letter should be sent. We have minuted you

CAS. 11 OCT. 1954

thereon

1843

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

COPY

Ref. DF/1A/CA 6 October 1945

My dear Mr. Prime Minister,

I have to refer to Sig. Bonomi's letter 10815/1/7 of 7 Oct. 44 with regard to the position of certain fascist organizations, some of which were to be abolished, some were to be re-organized, some were to continue but their staff were to be epurated. Particulars of these 27 bodies were contained in a memorandum of the Minister of Justice dated 22 Jun 44 and the proposals are referred to in detail in Sig. Bonomi's letter to which reference is made above and he there promised that a further communication would be made to this Commission in due course.

The matter has been left in abeyance because it was recognized that a considerable time would be necessary to complete whatever had to be done whether it was re-organization or epuration. It is felt however that this Commission should now receive particulars as to how these Societies have been dealt with.

Would you be good enough therefore to supply this Commission with a short summary of the position of these 27 organisations dividing them into four groups.

a) Group I - Bodies to be abolished.
Please supply a list of the bodies and against each a reference to the decree abolishing the same.

b) Group II - Bodies to be re-organized.
Please supply a list of the bodies and against each a reference to the decree re-organizing or re-constituting the same.

c) Group III - Bodies to be epurated.
Please supply a list showing whether epuration is complete or the date it is expected to be finished.

d) Group IV - Bodies as to which no action is contemplated.
Please supply a list of these bodies.

2

Yours very truly

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

Professor Ferruccio PARRI
The President of the Council of Ministers
Italian Government
ROME

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Dup 6213
2610 ICC

1844

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

1321/F

6 October 1945

My dear Mr. Prime Minister:

I understand that a recent decree of the Italian Government transfers the program of forfeiture of fascist profits from the High Commissioner for Sanctions Against Fascism to the Ministry of Finance. In this connection, I should appreciate information on the following points:

(a) How much has actually been paid in to date to the Treasury under the procedure which has been in effect;

(b) What has been the average period of time during which a protective sequester has had to be maintained prior to final assessment of tax to be paid;

(c) Does the Government contemplate retaining profits of regime as a separate levy, or will it be assimilated into a capital levy or some other extraordinary levy to expedite its collection.

I should also appreciate any other pertinent data or material which you may have which bear on your answers to the above questions.

Very truly yours,

EMERY N. STONE
Rear Admiral, USNR
Chief Commissioner

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

NARS 2012

1845

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

13215/F

6 October 1945

My dear Mr. Prime Minister:

I understand that a recent decree of the Italian Government transfers the program of forfeiture of Fascist profits from the High Commissioner for Sanctions Against Fascism to the Ministry of Finance. In this connection, I should appreciate information on the following points:

(a) How much has actually been paid in to date to the Treasury under the procedure which has been in effect;

(b) What has been the average period of time during which a protective sequester has had to be maintained prior to final assessment of tax to be paid;

(c) Does the Government contemplate retaining profits of regime as a separate levy, or will it be assimilated into a capital levy or some other extraordinary levy to expedite its collection.

I should also appreciate any other pertinent data or material which you may have which bear on your answers to the above questions.

Very truly yours,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

Surplus 2014

1846

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

Ref DF/1A/CA

6 October 1945

My dear Mr. Prime Minister:

I have to refer to Sig. Bonomi's letter 10815/1/7 of 7 Oct 44 with regard to the position of certain fascist organisations, some of which were to be abolished, some were to be re-organised, some were to continue but their staff were to be epurated. Particulars of these 27 bodies were contained in a memorandum of the Minister of Justice dated 22 Jun 44 and the proposals are referred to in detail in Sig. Bonomi's letter to which reference is made above and he there promised that a further communication would be made to this Commission in due course.

The matter has been left in abeyance because it was recognised that a considerable time would be necessary to complete whatever had to be done whether it was re-organization or epuration. It is felt however that this Commission should now receive particulars as to how these Societies have been dealt with.

Would you be good enough therefore to supply this Commission with a short summary of the position of these 27 organisations dividing them into four groups.

a) Group I - Bodies to be abolished.
Please supply a list of the bodies and against each a reference to the decree abolishing the same.

b) Group II - Bodies to be re-organised.
Please supply a list of the bodies and against each a reference to the decree re-organising or re-constituting the same.

c) Group III - Bodies to be epurated.
Please supply a list showing whether epuration is complete or the date it is expected to be finished.

d) Group IV - Bodies as to which no action is contemplated.
Please supply a list of these bodies.

Yours very truly

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio PARRI
The President of the Council of Ministers
Italian Government
P O M E

1847

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

SECRET

Chief Commissioner

AFHQ, SACMED

6121 26 SEPTEMBER 1945 ROUTINE

USE ONE TIME PAD PD SECRET PD

FURTHER MY FOUR FIVE FIVE FOUR OF THREE ONE AUGUST FOX FOX FOUR ZERO FIVE TWO EIGHT OF TWO SEPTEMBER PD BADOGLIO WAS FORMALLY SERVED YESTERDAY FOR THE FIRST TIME WITH SUMMONS FROM THE HIGH COURT OF JUSTICE IN EPURATION PROCEEDINGS AGAINST HIM AS SENATOR PD IN ACCORDANCE WITH USUAL PROCEDURE HE WAS OFFERED OPPORTUNITY TO REVIEW THE CHARGES FILED BY THE HIGH COMMISSARIAT AND TO ENTER HIS DEFENSE WITHIN FIFTEEN DAYS PD BADOGLIO HAS SENT TO ME A COPY OF HIS ANSWER DATED TODAY CMA SO FAR NOT MADE PUBLIC CMA WHICH READS AS FOLLOWS COLON

PAREN TO AFHQ CMA SACMED FROM HQ ALCOM FROM ADMIRAL STONE CITE ACSCC PAREN

QUOTE TO THE PRESIDENT OF THE HIGH COURT OF JUSTICE PD I REFER TO YOUR COMMUNICATION NUMBER TWELVE SLANT TWO FOUR NINE OF THE TWENTY FIFTH PD PARA MY CONDUCT AS SENATOR OF THE KINGDOM IS RECORDED IN THE MINUTES COMPILED BY THE SECRETARIAT OF THE SENATE FOR EVERY MEETING CMA AND I THEREFORE CONSIDER ANY EXPLANATION IN THIS REGARD TO BE SUPERFLUOUS PD PARA BUT I CANNOT HIDE HOW PAINFULLY SURPRISED I HAVE BEEN BY THE DENUNCIATION OF THE HIGH COMMISSARIAT PD EVIDENTLY IT HAS BEEN FORGOTTEN THAT THE PERSON WHO OVERTHREW FASCISM CMA WHO UNDERTOOK THE TREMENDOUS RESPONSIBILITY OF CONCLUDING THE ARMISTICE CMA WHO DECLARED WAR ON GERMANY CMA WHO WAS ITALYS LEADER FOR TEN MONTHS UNTIL THE LIBERATION OF ROME CMA WAS I PD PARA IF ITALY

Confidential

1848

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

SECRET

6121 26 SEPTEMBER 1945

DOES NOT FIND HERSELF IN THE SAME CONDITION TODAY AS GERMANY CMA AS THE SUPREME ALLIED COMMANDS CAN CERTIFY CMA SHE OWES IT TO ME PD PARA ALLOW ME CMA MR PRESIDENT CMA TO THANK YOU FOR ALLOWING ME TO REVIEW THE FILES CONCERNING ME IN THE CHANCELLERY OF THE HIGH COURT CMA BUT I SHALL NOT EXAMINE ANY FILES CMA NOR WILL I SAY A WORD IN MY DEFENSE PD PARA I BEG YOU CMA MR PRESIDENT CMA NOT TO GIVE A WRONG INTERPRETATION TO THIS COURSE I HAVE CHOSEN CMA WHICH IS NOT DICTATED BY ANY LACK OF RESPECT FOR THE ITALIAN MAGISTRACY CMA BUT ONLY BY THE PROUD FEELINGS OF MY CONSCIENCE PD UNQUOTE PARA

FROM THE FOREGOING IT SEEMS CLEAR THAT BADOGLIO WILL NOT ASK FOR A STATEMENT FROM THE ALLIES OF HIS SERVICE IN THE ALLIED CAUSE

DISTRIBUTION:
US AMBASSADOR
BR AMBASSADOR
US POLAD AC
BR POLAD AC
CA SECTION
EXEC COMMR
CC

Chief Commissioner

222

SECRET

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

8018

1849

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

Translation

Rome, 26 September 1944

To:

The President of the High Court of Justice,

I refer to your communication n. 12/249 of the 25th.

~~compiled~~ drafted by the Secretariat of the Senate for ~~every~~ meeting, and I therefore ~~see, it useless to give~~ any explanation ~~on~~ this matter.

But I cannot hide how painfully surprised I have been by the denunciation of the High Commissariat. It has ~~obviously~~ forgotten that ~~I am~~ the man who overthrew fascism, ~~who~~ ~~boom~~ the ~~enormous~~ responsibility of concluding the armistice, declared war on Germany, ~~for~~ for 10 months was Italy's leader, till the liberation of Rome, ~~for 10 months~~

If Italy does not find herself in the same ~~state~~ as Germany, as the Supreme Allied Commands can certify, ~~this is entirely true.~~

~~Allow me, Mr. President,~~ to thank you for allowing me to see the files ~~concerning myself~~, in the ~~Cancelleria~~ ~~delle Alte Corte~~, but I ~~am not going to~~ examine any files, nor ~~am I going to~~ say a word in my ~~own~~ defence.

I beg you, ~~Mr. President~~, not to ~~interpret my attitude wrongly~~, ~~which can it~~ is not inspired by any lack of respect ~~towards~~ for the Italian Magistracy, but only ~~by the~~ pride of ~~my~~ conscience.

Trans. c/c

1850

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

Roma, 26 settembre 1945.

Signor Presidente dell'Alta Corte di Giustizia,

mi riferisco alla Sua comunicazione n.12/319 del 25 corrente.

Il contegno da me tenuto come Senatore del Regno risulta dai verbali redatti per ogni seduta dalla Segreteria del Senato e perciò reputo superflua ogni spiegazione al riguardo.

Non posso però tacere quanto dolorosamente mi abbia sorpreso la denuncia dell'Alto Commissariato. Evidentemente si è dimenticato che chi ha abbattuto il fascismo, chi ha assunto la tremenda responsabilità di concludere l'armistizio, chi ha dichiarato la guerra alla Germania, chi per IO mesi ha retto le sorti d'Italia fino alla liberazione di Roma, sono stato io.

Se l'Italia, come possono far fede i Supremi Comandi alleati, non è ridotta nello stato della Germania, lo deve a me.

Mi consenta, signor Presidente, di ringraziarla per la facoltà che mi da di prendere visione presso la Cancelleria dell'Alta Corte del fascicolo che mi riguarda, ma io non esaminerò nessun fascicolo nè dirò parola in mia difesa.

La prego, signor Presidente, di non dare cattiva interpretazione a questa mia linea di condotta, che non è dettata da alcun senso di irriverenza verso la Magistratura italiana, ma solo da un sentimento di fierezza della mia coscienza.

(Sig. Bastianini)

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

Translation

In relation with the decision of the High Commissariat for sanctions against fascism to bring before the High Court of Justice also the Senators that hadn't been brought before it before, objections have been raised that it exceeds the powers conferred to the High Commissariat.

In fact, in August 1944, the said High Commissariat fully and totally exercised the faculty acknowledged to it by the laws in force. In the note published on August 6th the said High Commissariat;

a) brought the greatest part of the Senators before the High Court of Justice, for the declaration of decadence;
b) stated it would later take action against the Senators who were then residing in the North, and for the Albanian ones.
c) mentioned the reasons for which 'after mature information' it hadn't and didn't decide to denounce the remaining Senators. The said Senators, in fact, though they had formally accepted fascism, had to its opinion, undeniable merits, for having always tried to prevent the mistakes of the regime.

The above mentioned exception seems precluisive, and this for legal and political considerations, as mentioned in the said note of the High Commissariat.

For legal ressons, for in the exercise of every power, the 'bis in idem' isn't admitted, nor is it possible to undo after a while what has formerly been done, whether good or bad.

For political ressons, for the legislative decree of the Lieutenent which regulates this matter, far from wishing the suppression of the legislative assembly, only wants its epuration. It is also impossible to attribute to this decree the intention of having the assemblies live in an indefinite state of perplexity and uncertainty. On the other hand, it isn't superfluous to remind that, on this occasion, the High Commissariat had to consider the list as 'not to be added to',aldo observing that the Senators, like all citizens, have a right not to remain for ever under a shadow of suspicion.

Exceptional laws are to be enforced within a certain limit of time, either explicitely or implicitely mentioned in the law itself.

In the case of the epuration of the Senate, - when a year ago, the High Commissariat denounced a certain number of Senators to the High Court, and declared the others to be innocents - it exhausted its function - so that every new denunciation against Senators, reopening the delay for the enforcement, should have been authorized by the Power which issued the law, otherwise the jurisdical power is invading the sphere of the legislative power.

This is confirmed by the regret expressed by the Council of Ministers, a propos of the new denunciation of Senators, saying that such an act has a political, that is to say a legislative character.

The new denunciation of the High Commissariat is therefore an open abuse of power, and a most serious attack against the general principles of right which govern the State.

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1852

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

In relazione alla determinazione dell'Alto Commissariato per le sanzioni contro il fascismo,di deferire all'Alta Corte di Giustizia anche i Senatori non prima deferiti,viene sollevata eccezione di esaurimento delle potestà conferite all'Alto Commissariato stesso.

Questo,infatti,nell'agosto del decorso I944,esercitò,in pieno e totalmente,la facoltà ad esso deferita dalle leggi vigenti. Con la nota pubblicata l'otto dell'agosto suddetto,l'Alto Commissariato:

a) deferì all'Alta Corte di Giustizia,per la dichiarazione di decadenza,la maggior parte dei Senatori;

b) fece riserva di provvedere per i Senatori in allora residenti al nord,come per quelli albanesi;

c) indicò le ragioni per le quali, "dopo matura informazione" non aveva creduto e non credeva di denunciare i Senatori rimanenti. Questi ultimi invero,pur avendo fatto formale adesione al fascismo,avevano,a suo giudizio,delle indubbie benemerenze,per aver sempre cercato di scongiurare gli errori del regime.

L'eccezione suddetta appare preclusiva,e ciò per considerazioni giuridiche e politiche,come nell'istesso intendimento dell'Alto Commissariato accennato.

Per ragioni giuridiche,perché,nell'esercizio di ogni potere,non è ammesso il "bis in idem",né è consentito di disfare in secondo tempo quanto si è fatto in primo tempo,bene o male che sia.

Per ragioni politiche,perché il decreto legislativo luogotenenziale che regola la materia,lungi dal volere la soppressione dell'assemblea legislativa,ne volle la sola epurazione. Meno anche può attribuirsi a tale decreto l'intendimento di far vivere le assemblee in indefinito stato di perplessità e di incertezza. D'altro canto,non è superfluo rammentare che l'Alto Commissariato,in quella occasione,ebbe a considerare la lista "come non passibile di aggiunte",osservando altresì che i Senatori,come tutti i cittadini,hanno diritto di non rimanere indefinitamente sotto l'ombra del sospetto.

Le leggi eccezionali hannon una durata di applicazione limitata nel tempo,o esplicitamente,o implicitamente stabilita dalla legge stessa.

Nel caso dell'epurazione del Senato -quando un anno fa l'Alto Commissariato denunciò un certo numero di Senatori all'Alta Corte e dichiarò indenni di ogni pecca gli altri,esso esaurì la sua funzione -in guisa che ogni nuova denuncia di Senatori,riaprendo ~~il termine~~ il termine utile per la sua attuazione,avrebbe dovuto essere autorizzata dallo stesso Potere che emanò la legge -altrimenti si ha un'invasione di Potere giudiziario nelle sfere del potere legislativo.

Ciò è confermato dalla deplorazione che il Consiglio dei Ministri ha fatto della nuova denuncia dei Senatori,dichiarando che tale atto è di carattere politico,cioè legislativo.

La nuova denuncia dell'Alto Commissariato costituisce dunque un aperto abuso di potere ed un grave attentato ai principii generali di diritto che reggono lo Stato.

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1853

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

DF/5.23/CA

26 September 1945

My dear Mr. Prime Minister,

170

I have read with sympathy your letter 45411/1012A-6-19/1/7 of 17 Sep asking that the Allied Commission should reconsider its decision not to implement DL 149 but in view of the fact that AMG will so soon be coming to an end in North Italy and that DL 149 will then in any event come into force there, there would appear to be little advantage in re-opening the question.

Yours very truly,

/s/ Ellery W. Stone

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

Professor Ferruccio PARRI
The President of the Council of Ministers,
Italian Government
ROME.

175

2943

1854

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

SEP 25 [illegible]

Ref: 1005/145/EU.

24 September 1945.

SUBJECT: Epuration.

TO : H. L. d'A. Hopkinson Esq., C.M.G.,
Deputy British High Commissioner,
British Embassy,
84, Via Venti Settembre,
Rome.

161

The Chief Commissioner presents his compliments and would be grateful if you could inform him as to whether the Foreign Office have yet expressed their views on the draft letter to Professor Parri which he forwarded you with his letter of the 7th September 45.

169

For your information the Allied Commission has been told by the American Embassy that in the view of the Department of State the Italian Government should not be required to submit legislation on epuration to the Allied Commission for prior approval.

E. STIBBE

Brigadier.
Executive Commissioner.

2042

174

1855

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

20 September 1945

169

Dear Mr. Key:

Thank you for your letter of 17 September 1945, which gives the State Department's view that the Italian Government should not be required to submit legislation on epuration to the Allied Commission for prior approval.

Sincerely yours,

(s)

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Mr. David McK. Key,
Charge d'Affaires a.i.
American Embassy,
Rome.

DISTRIBUTION:
EXEC. COMMR.
CA SEC.
POL. ADVSR. (A)
POL. ADVSR. (B)
CC FILES

173

Klotzbach

Chief Commissioner

2041

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

INCOMING MESSAGE

cc 15-20 SEP 19 RECD

SO to G.G. 2

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F44222
Date/Time of Origin: SEP 181737A

Message Centre No: F/8165
Date Time Rec'd: SEP190900A
Precedence: ROUTINE

FROM: AFHQ SIGNED SACMED CITE EUGBI
TO : ACTION AICOM

SECRET

160

SECRET.

For Admiral STONE. See your cable 4370 of 28 August.

1. This headquarters has no objection to the trail of General CARBONE by the Italian military tribunal.

2. However you should inform the Italian Government that no material embarrassing to either the British or United States Governments should be made public. If such material is necesesary for the trial steps should be taken to preserve the secrecy as was done in the ROATTA trial.

ACTION

DIST

ACTION: SO to Chief Commissioner 2
INFO: Ex Commissioner 2
US Ambassador
Br Ambassador
POLAD (A)
POLAD (B)
CA Sec
File

Informed PM 20/9 Hedges.

172

Confidential

HEADQUARTERS 19 SEP 1940

1857

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MEMO 29 August 1945

TO : Chief Commissioner.

SUBJECT : Epuration of the Senate.

1. Under the Italian Constitution the two legislative assemblies are the Senate and the Chamber of Deputies. Of these, the members of the Senate are life members appointed by the King and the members of the Chamber of Deputies were, in pre-fascist days, elected for a 5 year term. (Statuto del Regno 1889, Arts. 33, 39 and 42).

2. Accordingly the Senate, as one of the principal elements of government, is an institution from which fascist personnel must be dismissed.

3. The present epuration decrees provide for the epuration of the Senate as follows:-

DLL No. 159, Art. 8

As regards members of the legislative assemblies or other institutions who by their votes or actions contributed to the maintenance of the fascist regime and made war possible, they shall be dismissed from their office on decision of the High Court described in Art. 2, without prejudice to any of the other provisions set out in this Decree in so far as they may be applicable.

DLL No. 198, Art. 8

The request of the High Commissioner to the High Court of Justice for the dismissal from office of members of the legislative assembly or of bodies and institutions who by their votes or actions contributed to the maintenance of the Fascist Regime and made war possible must be notified, through the Registry of the High Court, to each person interested with an invitation to present his arguments in defense within a fixed time which shall not be less than 15 days.

Within this time the persons interested may inspect the charges against them in the Registry.

Before giving a decision the High Court may make all necessary inquiries and may examine the person interested even if he has made no request for such examination.

Dismissal from office is decreed by an order issued in chambers.

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

4. The hearing of the High Court of Justice is held in secret. The accused may submit a written defense and may be called for examination if the High Court so desires. But he has no right of his own to be heard in evidence.

5. In general the High Court has always epurated every Senator who has voted for the Fascist Government, however "passive" their votes have been. The decision of the Court has normally been very brief and has stated simply that X "supported Fascism and contributed in making war possible by his votes".

6. Up to a few days ago there were a certain number of Senators whose cases had not been examined, but it is believed that with the denunciation of the 77 Senators substantially the whole body will have been epurated.

7. A small number of Senators has been examined and cleared. These Senators either consistently voted against Fascist laws or at least refused to vote for them.

8. The proceedings are purely for epuration. They have nothing whatever to do with criminal charges. The content of the accusation and the decision are based solely on political considerations.

9. I know nothing of future "elective" appointments to the Senate, but as stated in para. 1 such procedure would be contrary to the existing Constitution.

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

160a

5018

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

SEP 20 DECD
CC 1220

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY

Rome, September 17, 1945

My dear Admiral Stone,

I refer to your letter of September 7, 1945, to the Ambassador enclosing a draft letter to the Prime Minister with respect to Signor Nenni's interpretation of the responsibility of the High Commissioner for the Punishment of Fascist Crimes to submit epuration legislation to the Allied Commission in the light of the MacMillan Aide Memoire of February 24, 1945. It is my understanding that you did not intend to address Professor Parri on this subject until after Brigadier Carr had received confirmation of Signor Nenni's views as expressed in the first paragraph of the draft letter. Meanwhile the Embassy has received the views of the United States Government with respect to the position of the Allied Commission as outlined in the draft letter, which I hasten to transmit to you.

In the view of the Department of State the Italian Government should not be required to submit legislation on epuration to the Allied Commission for prior approval. It is considered that the Italian Government is implementing Article 30 of the Instrument of Surrender which relates to defascistization and, as long as it carries out its obligations in this respect, no useful purpose would be served by the Allied Commission exercising direct control over details of this delicate task. In addition to the belief that such control would be contrary to general policy towards Italy and the spirit of existing directives, it is felt that to insist on the Italian Government submitting its epuration legislation to the Allied Commission for approval is to risk accusations of interference in Italian internal politics and unnecessary responsibility for methods of epuration.

With respect to your draft letter to Professor Parri, the Embassy has been instructed to suggest that the Allied Governments are following with interest the implementation of Article 30 of the Instrument of Surrender, that they wish to be kept fully informed through the Allied Commission of

169

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

Returned to Chief Commissioner

1860

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

SEP 13 2023
CC 1530

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY

Rome, September 17, 1945

Dear Admiral Stone,

The Embassy has received the views of the Department of State with respect to Marshal Badoglio's request to you and to the British Embassy for intercession with the High Court of Justice with respect to its present consideration of his epuration from the Senate. The Department is of the opinion that the United States Government, on the basis of Marshal Badoglio's present alarm, should not intercede on his behalf and it has furthermore expressed approval of the position taken by you in your telegram 4554, August 31, to AFHQ with respect to your decision that you did not propose to take any action on the basis of Badoglio's approach to you. The Department furthermore is of the opinion that no statement along the lines suggested by AFHQ in its cable no. F40528, September 2, to you is necessary.

160b

160c

Sincerely yours,

David McK. Key
Charge d'Affaires a.i.

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

See 171

168

800.4

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

17 Sept 45

Admiral Stone--

Col. Behrens called to say that the President of the Council of the Bar called Prof. Vassalli saying that no action will be taken in his case. However, Prof. Vassalli would still like to keep his appointment with you.

J.L.

167

1862

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

all action taken by the Italian Government in this respect, and that finally the right is reserved to intervene if it is apparent that the Government is not properly carrying out its obligations.

Sincerely yours,

David McK. Key
Charge d'Affaires a.i.

cc Distribution
Exec Council
CAF file
Pol Adviser (FT)
Pol Adviser (RS)
CC

169

6095

1863

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

SEP 17 RECD
CC 1007

HEADQUARTERS ALLIED COMMISSION
LEGAL SUBCOMMISSION
APO 394

AC/4195/L.

MEMORANDUM: 16 September 1945

SUBJECT: Avv. Prof. Vassalli.

TO : Chief Commissioner.

1. Following our conversation of Saturday, I spoke to Vassalli's son-in-law and explained to him the circumstances in which you would be willing to grant an interview. He fully understands this, but is anxious to have an interview on two grounds:-

a. General. He feels that the Allies should know officially what is happening in this matter in order that, if they think it desirable, they can take such notice as may be appropriate in bringing the facts to the knowledge of their respective governments.

b. Personal. Prof. Vassalli believes that he is too well-known to be actually struck off the rolls. On the other hand he considers it quite possible that he may be put in prison and he would like this to be avoided, if necessary by an approach through the embassies.

2. Since speaking to you I have read the argument prepared by Prof. Vassalli for the Court of Cassation. I find that the Senators concerned are not, as I thought when I spoke to you this morning, from the recent group of 70 Senators whose cases have not yet been heard, but are a number of those whose cases were heard and who were dismissed from the Senate in January of this year. The principal, however, is of course entirely the same.

3. The position is that, when the Senators were dismissed in the early part of this year, a small group of them approached Vassalli on the question of an appeal. They did not wish to appeal at that time because they thought that with the war still in progress an attack on the constitutional validity of the High Court of Justice might afford scope for German propaganda. This situation having changed, they requested Vassalli to take the necessary action. He thereupon filed an appeal in the case of two Senators and had prepared an appeal in the case of three or four others.

4. Upon hearing that these appeals had been filed Marone, President of the High Court of Justice, wrote to the High Commissioner for Sanctions requesting that Vassalli be struck off the rolls "because the appeal is obviously groundless since the law prevents an appeal [illegible] and therefore the appeal is a political act directed against the government."

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1864

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

5. In point of fact the appeal is based upon the following purely legal grounds:-

a. It is argued that insofar as DLL 159 provides that there is no appeal from the High Court of Justice, this is unconsitutional under general law. It is specifically unconstitutional under DLL 151 which preserves the existing constitution until the formation of the Costituente. DLL 159 attacks the Senate and therefore breaks the spirit of DLL 151.

b. Upon the assumption, as argued in a. that an appeal lies, the decision of the High Court of Justice was wrong. It was based upon two grounds -- first, that the Senators in question were elected by an improper procedure; secondly, that they had not opposed the Fascist legislation of the Senate. The appeal contends that the first ground is entirely outside the scope of DLL 159 and no concern of the High Court of Justice. The second ground is a misapplication of DLL 159 which required active support of the Fascist regime.

6. It is not for me to express an opinion on whether or not these arguments are sound law, but as you will see they are purely legal arguments. It cannot be said to be a political act directed against the government to argue that a court set up by a decree of that government is unconstitutional because the decree is contrary to existing law. I therefore think that to suggest that a lawyer who puts forward an appeal of this kind on behalf of his client deserves to be struck off the rolls or imprisoned is behavior of a most dictatorial and undemocratic kind.

W. E. BEHRENS
Colonel
Chief Legal Adviser

2922

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1865

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

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

14 September 1945.

(166)

Chief Commissioner.

Hopkinson's point is that the Foreign Office being opposed to our making any statement about B, it is rather difficult for Halford to draft such a statement. The alternatives are (i) to ask Jones to draft a statement or (ii) wire Caserta referring them to Foreign Office telegram to Washington, 2047 of 4 September which will be in possession of Polads, and ask whether they wish to modify their instructions.

Have cleared by phone with Genl Hamblen.
Pls see me
EWS
14-9-45

Brigadier,
Executive Commissioner.

(166)

Orig. returned to Brig. Lush

1691

1693

1866

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

18 September 1945.

Dear Mr. Key:

Thank you for your letter of 17 September 1945 which conveyed the State Department's views with respect to Marshal Badoglio's request to the Commission and to the British Embassy for intercession with the High Court of Justice regarding the Court's present consideration of his epuration from the Senate.

Sincerely yours,

/s/ Ellery W. Stone

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

Mr. David McK. Key,
Charge d'Affaires a.i.
American Embassy,
Rome.

cc: Exec. Comm.

6099

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

PAGES MISSING OR

PAGINATION INCORRECT -

FILMED AS FOUND

1868

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

18 September 1945.

(168)

Dear Mr. Key:

Thank you for your letter of 17 September 1945 which convoyed the State Department's views with respect to Marshal Badoglio's request to the Commission and to the British Embassy for intercession with the High Court of Justice regarding the Court's present consideration of his epuration from the Senate.

Sincerely yours,

/s/ Ellery W. Stone

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

Mr. David MacK. Key,
Charge d'Affaires a.i.
American Embassy,
Rome.

cc: Exec. Comm.

(17)

(171)

2029

1869

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

SEP 2 ^ REGD
CC 0710

169

Translation

15411/10124 -6 - 19/1/7

The President of the Council of Ministers

Rome, 17 September 1945

My dear Admiral,

in your letter of June the 8th, you told me the reasons which prevented D.L.L. n. 149, ofApril 26th, from being enforced in the territories under Allied Military Government.

As you know, the decree in question consists in two kind of dispositions. It regulates the matter already dealt with in art. 8 of D.L.L. 27 July 1944, n. 159, modifying and completing the regulations contained in the said article, for what concerns the sanctions foreseen, as well as for what concerns the relative procedure; Decree n. 149 also foresees the assignation to farming colonies, and working houses, or the internment of the people whose behaviour inspired by fascist methods might be dangerous for democratic freedom; also of the people whose actions tend to bring back or praise fascism.

I don't deny that the terms in which decree n. 149 has been drafted give rise to well founded objections, especially for what concerns the concept of political dangerousness admitted in fact in the new regulations. However, I think that such exceptional regulations - obviously inadmissible in normal times - find their explanation, and also, up to a certain point, their justification in all the particular historical and political circumstances which characterize the life of the country, now that democratic institutions are being rehabilitated. The punishment of fascists, and the strong repression of all fascist remains are - as the Allies well know - the essential conditions of the rehabilitation and reinforce the said institutions. Now, besides the actual penal sanctions, it has been indispensible to foresee adequate safety measures, for a better and quicker preventive and repressive action.

The fact that the regulation isn't being enforced by the Allied Authorities creates - on the delicate ground of sanctions against fascism - a prejudicial difference in the legal position of the territories already under Italian Administration and those that are still under A.M.G.

As you know, the formation of the provincial Commissions foreseen by art. 2 of decree 149, particularly urgent to exclude fascists fro the electoral lists, is to take place. An agreement was made with the Offices depending from you, and the A.C. will have the institutive decrees of the said Commissions enforced in the

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
R o m e

170

Sec 173

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

North. However, in this occasion, the offices of the A.C. explained that this agreement concerns only the formation of the said organisms and does not change the point of view of the Allies, for what concerns the D.L.L. n. 149, which could still not be enforced in the territories of the North.

Meanwhile, it has again been pointed out to me, also by the Minister of Justice, that it is now urgent that the regulations foreseen by decree n. 149 should be enforced in some of the Northern provinces, this mostly in relation with delicate local situations, and with the state of mind of the population, opposed to unjustified clemency towards the most compromised and dangerous among the fascists.

I shall therefore be most grateful if you kindly reconsider the question and let me know your decisions.

Believe me, my dear Admiral,

Sincerely yours,

S. Perruccio Parri.

trans. w/a

EC DIST - 19 Sept 45

Action : C A Sec (2)
Info : C Comar
E Comar
POL. ADVSR. (A)
POL. ADVSR. (B)

170

6697

1871

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

HEADQUARTERS ALLIED COMMISSION
Office of Political Adviser (A)

September 14, 1945

TO: Chief Staff Officer to the Chief Commissioner.

SUBJECT: Statement Regarding Marshal Badoglio.

Reference is made to your memorandum of September 3, 1945 to POLAD (P) requesting the preparation of a statement regarding Marshal Badoglio for use before a secret jury suggested by SACMED's telegram of September 2 (F-40528).

It is noted that SACO's telegram requests the views of the Chief Commissioner with respect to the preparation and submission of such a statement, including the views of his Political Advisers. The American Ambassador has requested telegraphically the views of the United States Government which will be communicated to the Chief Commissioner as soon as they are received.

J. Wesley Jones
Political Adviser (A)

Copy to POLAD (P)

6930

1872

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

14 Sept 45

Chief ~~Commissioner~~--

Regarding the attached memorandum from Mr. Halford, I have been trying to get hold of Mr. Jones without success since yesterday to get a statement as to the American position in regard to this matter. Rather than wait any longer, do you wish me to draft a reply based solely on Mr. Halford's note?

Jens Hvidt
Prepare Statement

L.W.S.

6029

1873

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

Rec'd 14th Sept.

Chief Commissioner,
Allied Commission,

(160) c

Reference AFHQ cable F 40528 of 2nd September.

(160) a I interpret this cable to mean that AFHQ desire the views of the Chief Commissioner on the advisability of preparing a statement for use before a secret jury, not that AFHQ require the statement to be prepared forthwith.

2. So far as the British Government are concerned, objection would be seen to giving Marshal Badoglio the sort of statement envisaged in the AFHQ cable for use in court. On the other hand, the British Government are prepared to instruct Sir Noel Charles, in concert with his United States colleague, to point out to Signor Parri the valuable assistance given to the Allied cause by Marshal Badoglio and express to him the hope that these considerations might be brought to the attention of the High Court before the case is heard. Signor Parri would, at the same time, be informed of the assurances given to Signor Bonomi by Signor Berlinguer and to Marshal Badoglio by Count Sforza in December 1944. It is understood that instructions in this sense are being sent by the State Department to the United States Ambassador.

3. To sum up, the British Government position seems to be that all assistance possible should be given to Marshal Badoglio unofficially but that Allied Statements in defence of the Marshal should not be produced in court.

(164)

17.ix.45

Copy to Polad (A)
British Embassy

Asst. Polad (BR)

1874

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

SEP 13 1600 ?
CC 0955

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

SO to A.C.C.

Originator's Reference: F 42812
Date/Time of Origin: SEP 121522B

Message Centre No: F/7419
Date Time Rec'd: SEP 122030B
Precedence: ROUTINE

FROM AFHQ SIGNED SACMED CITE FHCEC

TO : AICOM

(160) C

SECRET

SECRET.

Reference our F 40528.

Request your views earliest.

DIST

ACTION: SO to Chief Commissioner 2
INFO: US Embassy
Brit "
Exec Commissioner 2
POLAD (A)
POLAD (B)
CA Sec
File

2nd (160) A

ACTION

Answered by Phone - Adv Stmt to Col Humble

SECRET

(113)

8927

1875

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

SEP 10 RECD
CC 1548

reg u.135

CC FILES

Translation

Association of Italian Shipowners
The President

Rome, 7 September 1945
Via Sabini 7

To the President of the Allied Commission
Admiral Ellery Stone
Rome

(1)

When forming their new Confederation, the Italian shipowners have been painfully surprised at noting the absence of Achille Lauro who is still detained in a concentration camp.

Now that the war is over and that the military reasons which required the greatest possible secrecy about the acts of the military Command no longer exist, the Italian shipowners want to express their opinion about the 'Lauro Case' to the Commission, for the Lauro concern represented and still represents a force for the Country.

They are certain that Lauro isn't guilty either towards the Italians or towards the Allies. They have been in relation with Lauro for over twenty years and they know by experience that he always had and expressed definitely anti-fascist and anti-nazi feelings, mindless of risk, either for himself or for those who discussed the matter with him. During the regime, he was actually considered as a rebel.

His fleet, which before the war amounted to 56 units, was exclusively the result of his work and ability.

The shipowners consider that the long internment of Lauro in a concentration camp was caused by a mistake mostly due to Italian elements who wanted to ruin Lauro.

The President can vouch personally on in every way that if Lauro is set free, he will never be a danger for any one, but an active force for the reconstruction of the country.

Therefore, the Italian shipowners who belong to this Confedegation take the liberty to ask for the intervention of the Allied Commission for justice to be done to Lauro.

I shall be most grateful if you kindly consider this request, and meanwhile, I remain,

Ec Dist - 10 SEP 45
ACTION: CA SEC (2)
(PUBLIC SAFETY SEC)
INFO: CHIEF COMMR
EXEC COMMR
NAVY S/C

Yours sincerely,
The President
S. Angelo Cortese

trans. e/c

1876

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

Chief Commissioner

7 September 1945

Dear Mr. Kirk:

The attached draft letter to the Prime Minister is forwarded so that you can request the State Department's views.

Nenni is being requested to state his position in writing.

Sincerely,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

The Hon. Alexander Kirk
The American Ambassador
119 Via Vittorio Veneto
Rome

See 169

2925

161

Return to
Chief Commissioner

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

BEST COPY POSSIBLE

DRAFT

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DF/2.1/CA

3 Sep 45

My Dear Mr. Prime Minister;

At a recent meeting between Brig CANN, the Vice President of the Civil Affairs Section, and Sig. NENNI, the High Commissioner for Defascism, Sig. NENNI was understood to say that Mr. Harold MACMILLAN's Aide-Memoire of the 24 Feb 1945 relieved the High Commission from any obligation to consult this Commission on its proposals for Epuration or to submit pending legislation on this subject to this commission prior to its final approval.

In the view of this Commission, the whole of Mr. MACMILLAN's Aide-Memoire is controlled by the limiting words "in the matter of day to day administration" which appear in the first paragraph thereof. Defascism is a very special subject of particular importance and interest to the Allies which is specifically dealt with in the Armistice Terms (Art 30).

This Commission is of opinion, first that a specific provision in the

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

proposals for Expiration or to submit pending legislation on this subject to this commission prior to its final approval.

In the view of this Commission, the whole of Mr. MACMILLAN's Aide-Memoire is controlled by the limiting words "in the matter of day to day administration" which appear in the first paragraph thereof. Defection is a very special subject of particular importance and interest to the Allies which is specifically dealt with in the Armistice Terms (art 30).

This Commission is of opinion, first that a specific provision in the Armistice Terms is not over-ridden by a memoire as to the spirit in which the terms in general will be interpreted and secondly that the Aide-Memoire cannot apply to Defection as that is not a "matter of day to day administration".

I shall be glad to hear that you agree with my views.

Yours very truly

ELLERY W. STONE
Rear Admiral, USN
Chief Commissioner

Not approved by

Return to
Chief Commissioner

DRAFT

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

1880

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

LWS/hjp

3 September 1945

TO: Mr. Halford, Political Advisor (B), Hq., A.C.

(160) c

The Chief Commissioner desires that you prepare in cooperation with Mr. Jones the statement called for in the attached cable. He suggests that the statement should be somewhat along the following lines: beginning with the negotiations leading up to the original Armistice, possibly including some reference to General Taylor's trip to Rome; cooperation between the Allied Military Mission on Sept. 12, 1943; declaration of war on Germany, October 13, 1943; steps taken to broaden the base of the Italian Government; complete co-operation that they gave SACMED and CG, AAI, in furtherance of the campaign up to the time of the liberation of Rome.

L. W. STEARNS
Major, A.G.D.
Staff Officer to CC

Incls: Copy of AC signal 4554 of 31 Aug
" " AFHQ " F 40528 of 2 Sep.
" . Letter from CA Section giving observations.

(160) d

c023

1881

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

Sent To C C SEP 3 RECD CC 1133

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F/0528
Date/Time of Origin: SEP 021545B
Message Centre No: F/6281
Date Time Rec'd: SEP 031000B
Precedence: ROUTINE

FROM AFHQ SIGNED SACMED CITE FHGEG

TO : ALCOM ROME

160 b

SECRET

Thinked

SECRET.

4554

Reference your ~~454~~ August 31.

View G5 Section not yet agreed by other sections with reference para 4 your signal is that if statement is requested for use before secret jury we cannot refuse it.

Statement should be prepared by ALCOM and carefully worded to contain only firm facts and submitted to AFHQ for review. No indication of preparation of s tatement to be given to any persons except those directly interested in ALCOM and AFHQ.

Statement not to be released to person before high court without approval of AFHQ. Your views which presume will include those your political advisors on above desired.

160 d

DIST

ACTION: SO to Chief Commissioner
INFO: Chief Commissioner
US Embassy
BR Embassy
Ex Commissioner 2
POLAD(A)
POLAD(B)
CA Sec
File

Return to
Chief Commissioner

168

See 1 F 922

(M/C Note: Believe reference 454 should read 4554)

160 c

Confidential

1882

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

SECRET

CC

AFHQ

4354 31 AUG 45 PRIORITY

SECRET PD

PARA ONE PD PLEASE SEE BRITISH EMBASSYS SIGNAL THREE NINE FIVE DATED TWO NINE AUGUST TO FOREIGN OFFICE CMA COPY TO BRITISH RESMIN PD THE CASES OF SEVENTY SEVEN SENATORS INCLUDING MARSHAL BADOGLIO HAVE BEEN REFERRED TO THE HIGH COURT OF JUSTICE FOR CONSIDERATION AS TO WHETHER THEY SHOULD BE EPURATED AS SENATORS PD ACTION TAKEN IS IN ACCORDANCE WITH ITALIAN DECREES ONE FIVE NINE AND ONE NINE EIGHT PD BADOGLIO HAS PERSONALLY REQUESTED ME TO SEE IF HIS NAME CAN BE DELETED FROM THE LIST BECAUSE OF HIS SERVICE TO THE ALLIED CAUSE PD MY POLITICAL ADVISERS JOIN ME IN BELIEVING THAT SUCH AN INTERVENTION NOT WARRANTED PD

PAREN TO AFHQ FOR SACMED CMA BRITISH RESMIN AND UNCLE SUGAR POLAD FROM HQ ALCOM FROM ADMIRAL STONE PAREN

PARA TWO PD LUOGOTENENTE SENT FOR ME YESTERDAY AND STATED HE WAS UNDER CONSIDERABLE PRESSURE TO REQUEST PRIME MINISTER EITHER DIRECTLY OR THROUGH ME TO REMOVE BADOGLIO APOSTROPHE SUGAR NAME AND OTHERS FROM THE LIST IN VIEW OF HIS SERVICE TO THE ALLIED CAUSE PD HE STATED THAT HIS OWN VIEW WAS THAT THE ACTION TAKEN WAS ENTIRELY LEGAL AND THAT NEITHER HE NOR I COULD INTERVENE PD

Chief Commissioner

222

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Confidential
SECRET

1883

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

HE EXPRESSED THE PERSONAL VIEW THAT BADOGLIO WAS ENTITLED TO PUT UP THE STRONGEST CASE POSSIBLE OF HIS SERVICE TO THE ALLIED CAUSE CMA WHICH UNDER ITALIAN LAW WILL BE GIVEN FORMAL WEIGHT BY THE HIGH COURT CMA BUT FELT BADOGLIO WAS ILL ADVISED TO SEEK TO HAVE HIS CASE QUASHED PD

PARA THREE PD HEARINGS OF THE HIGH COURT ARE HELD IN SECRET PD

PARA FOUR PD BADOGLIO MAY ASK FOR A STATEMENT FROM THE ALLIES OF HIS SERVICE IN THE ALLIED CAUSE BEGINNING WITH THE ARMISTICE NEGOTIATIONS CMA THE SIGNING OF THE ARMISTICE CMA THE DECLARATION OF WAR AGAINST GERMANY AND THE CONDUCT OF HIS GOVERNMENT IN SUPPORT OF THE ALLIED CAUSE PD

PARA FIVE PD SINCE BADOGLIO WAS APPOINTED A SENATOR IN ONE NINE ONE NINE CMA IT IS UNDERSTOOD THAT MAXIMUM PUNISHMENT UNDER EXISTING PROCEDURE WOULD BE DISMISSAL AS A SENATOR PD

PARA SIX PD THE FOREGOING IS FOR INFORMATION CMA AS I PROPOSE TO TAKE NO ACTION UNLESS OTHERWISE INSTRUCTED PD

CC DISTRIBUTION:
U.S. Embassy
British Embassy
Chief Commissioner
Political Adver (A)
Political Adver (B)
Executive Censr
Civil Affairs Section

6920

(10) 6

1884

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

CC

SECRET

AFHQ

4370 28 AUG 45 PRIORITY

SECRET PD

SUBJECT IS ITALIAN INQUIRY INTO THE DEFENSE OF ROME AGAINST THE GERMANS IN SEPTEMBER ONE NINE FOUR THREE PD YOUR FOX NINE FOUR THREE SEVEN FIVE OF TEN SEPTEMBER AND MY SUGAR THREE THREE SIX OF ONE NINE SEPTEMBER ONE NINE FOUR FOUR REFER PD

PAREN TO AFHQ FROM HQ AlCOM FROM ADMIRAL STONE CITE ACSCC PAREN

PARA ONE PD GOVERNMENT HAS ISSUED A STATEMENT IN ITALIAN PAPERS THIS MORNING STATING THAT WHILE IT DOES NOT CONSIDER THE TIME HAS ARRIVED FOR PUBLICATION OF THE RESULTS OF THE INQUIRY CONDUCTED BY THE MILITARY COMMISSION APPOINTED FOR THAT PURPOSE CMA IT DOES FEEL REQUIRED TO STATE THAT THE REPORT OF THE COMMISSION WAS EXTREMELY CRITICAL OF THE CONDUCT OF GENERAL CARBONE AS A SOLDIER AND THAT CARBONE HAS BEEN DENOUNCED TO THE MILITARY TRIBUNAL UNDER THE MILITARY CODE PD

PARA TWO PD I AM LIKELY TO BE ASKED IF THE ALLIES WOULD OBJECT TO AN EARLY TRIAL PD I BELIEVE GEORGE TWO REPORTS AT AFHQ WILL INDICATE WHETHER DISCLOSURES OF CONDUCT OF KING AND BADOGLIO AT THAT TIME WOULD HAVE DISTURBING POLITICAL EFFECT PD

PARA THREE PD WOULD POINT OUT THAT WE DID NOT OBJECT TO TRIALS OF GENERALS DEL TETTO AND PENTIMALLI IN CONNECTION WITH THE DEFENSE OF NAPLES PD

PARA FOUR PD MAY I HAVE INSTRUCTIONS QUERY

See 17 800.7

Chief Commissioner

222

SEE FILE 220/16 FOR REFERENCES

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Confidential

over for Distribution

1885

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

SECRET

PARAPHRASE

SECRET ROUTINE

FROM: AGWAR from CCS cite CCAC.

TO : Alexander, cite FHCEC.

INFO TO: AMSSO for BCS and BJSM Washington.

REF. NO.: W-50320, 16 August 1945.

This is TAM 665.

Subject is Trieste Insurence Companies.

1. Reference in MAT 821-that the Riunione Adriatica and Assicurazioni Generali of Trieste were closely tied with German interests is substantiated by available information. These are the two principal Italian insurance companies with important foreign interests and holdings. Both of them should be subjected to control and to thorough epuration whenever such action under Italian official jurisdiction becomes possible. On 26 July the State Department was informed by the American Embassy in Rome that Michele Sulfina had been suspended as Director General of the Assicurazioni Generali. Sulfina, according to the Embassy, had apparently not been informed of this suspension, since prior to the time suspension became effective he left Trieste and has not yet been found. You should take steps at once, if not already done, to insure cancellation and public retraction of any powers held by Sulfina.

2. You should make every possible effort to obtain competent and satisfactory controller for each company, until complete control and epuration are possible by the Italian authorities. If competent local personnel are not available, we suggest that Italian personnel be obtained from outside Trieste on Italian Government recommendation. Meantime efforts to eliminate personnel who aided the Axis or Fascist-minded managerial personnel should be continued by you, the Italian Government being informed by you of the steps you take, its assistance being enlisted. When controllers are appointed to each company, they should be at once directed to determine the extent of any German shareholding and participation in the business of each company.

6016

See 207

7594

1886

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

HEADQUARTERS ALLIED COMMISSION
Office of the Chief Commissioner
APO 394

STARS AND STRIPES - 1 AUGUST 1945

Fascist Defendant Shot Dead In Court

BRESCIA, July 31—The trial of the Fascist war criminal, Ferruccio Sorlini, known for his acts of cruelty as "Hyena of Brescia," ended here suddenly today when an Italian carabiniere walked up to the dock and shot him dead with a rifle.

The carabiniere, Giuseppe Barattieri, gave himself up immediately and explained that he had been provoked to shoot Sorlini, overcome by memories of the torture he had undergone at the hands of the Fascist chief.

Barattieri had fought as a Partisan under the name of Lieutenant Corvi, it was reported.

3

(18)

1887

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

ROS PIEMONTE RPTD LIGURIA CMA LOMBARDIA CMA VENEZIE REGIONS

5329 8 AUG 45 ROUTINE

CONFIDENTIAL ED

PARA ONE ED IN VIEW POSSIBILITY ITALIAN GOVERNMENT MAY WISH TAKE OVER ALLIED EPURATION COMMISSIONS IN WHOLE OR PART YOU WILL SUPPLY FULL PARTICULARS ALL PERSONS OR ALL COMMISSIONS IN YOUR REGION WHETHER UNDER GENERAL ORDER THREE FIVE GENERAL ORDER FOUR SIX OR EXECUTIVE MEMORANDUM SEVEN SIX ED

PAREN TO ROS PIEMONTE RPTD LIGURIA CMA LOMBARDIA CMA VENEZIE REGIONS FROM ALCOM CITE AC/AS PAREN

PARA TWO ED YOU WILL ALSO INDICATE PERSONS CONSIDERED TO BE UNSUITABLE FOR RETENTION WITH BRIEF REASON FOR YOUR OPINION

CA Section

4.37

159

C.H. WHITE Lt Col

NICHOLAS PIOMBINO
CWO, USA
Asst Adjutant.

1888

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

Translation

To Admiral Stone
Rome

File
No action

Eng

Dear Admiral,

the writer of this letter trusts you have true democratic feelings and wish to collaborate to the reestablishing of peace and order in Italy.

As you probably know by now, up tp 1940, Italy was a happy country where we felt at peace with the world and with each other, fascists and non-fascists, leaders and followers. The Ciano memorandum is a proof of this assertion.

Order reigned supreme in Italy and the prisons were empty. Fascism was an authoritative democracy which nevertheless didn't weigh too heavily and left free to live and work many of the present Ministers, including Parri. The only thing we didn't want was the disgrace of communism and its followers.

All of a sudden the whim of one man only, with the complicity of the King and of the Chief of Staff, General Badoglio, threw Italy in the abyss. Once the diee was cast, the patriots, the Italians had to follow their fate, hoping that God would help them.

You know what happened, but you do not know that that if on July 25th, Italy hadn't been divided from the leaders, and if we had reached September 8th in an intelligent way, the whole of Italy would have risen against the Germans, and you wouldn't have had to fight for another one and a half year on our territory.

Instead of that, the foolishness of the leaders, and of an old King threw Italy in the chaos which you can still witness.

Is this your program, as so many people say, or do you want order and work to be reestablished in Italy? Of course, freely and democratically.

If you want Italy to be rehabilitated, and able to face tomorrow Russia the enemy of civilization, there is one way only open to you: put an end to the stupid and inhuman persecution against the fascists, grant pardon by amnesty to those who have already been condemned. They only are able to reorganize the country for which they had such love - in spite of what people want you to believe - and by collaborating with you and with the sound forces, such as the young people who have just come out of the war, they will be able to lead Italy on the way of peace and progress.

The murder of twenty thousand fascist - including the one who was responsible the ruin of tens of thousands of families (people say over 200 thousand) because their kindred had to collaborate sooner of later with the Germans, is a big price to pay. You ought to see the Italian prisons! You will soon become more human still than the writer of this letter.

Millions of Italians trust you.

Sincerely yours,
s. Marco

157

All' Ammiraglio Stone

Roma

Signor Ammiraglio,

Chi vi scrive questa lettera confida sia nel vostro spirito un vero senso democratico e la volontà di collaborare alla restituzione dell'ordine e della pace in Italia -

Come ormai voi saprete l'Italia fino al 1940 era un paese felice dove si pensava a vivere in pace con tutti, e fra questi era tutto il popolo Italiano, fascista e non fascista, Capi e gregari - Il memoriale Ciano ne è una prova -

L'ordine più assoluto regnava in Italia e le prigioni erano vuote - Il fascismo era una democrazia autoritaria che però non gravava troppo e lasciava liberamente vivere e lavorare molti degli stessi Ministri di oggi, lo stesso Parri - Soltanto non volevamo l'ingiuria dei Comunisti e dei loro adepti -

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lia -

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Un colpo di testa di un solo uomo, improvvisamente, con la sola complicità del Re e del capo di stato maggiore generale Badoglio, hanno gettato l'Italia nel baratro. E quando il dado venne tratto ai patrioti, agli italiani, non rimase che seguire il destino sperando che Dio ci aiutasse ad uscirne presto e il meno peggio -

(2)

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

2-

La storia successiva Voi la sapete - Non sapete soltanto dai governanti.
che se il 25 luglio l'Italia non fosse stata divisa, e se si
fosse arrivati intelligentemente all'8 settembre, tutta l'Italia
sarebbe insorta contro i tedeschi e voi non avreste dovu-
to combattere un anno e mezzo di più sul nostro suolo.

Invece la stupidità di governanti e di un vecchio Re
hanno gettato nel caos l'Italia, nel caos che ancora ve-
dete -

È questo nei vostri programmi, come si dice da tanti,
o volete che ritorni in Italia ordine e lavoro? Natural-
mente democratico e libero -

Ebbene se voi volete l'Italia in piedi, anche per essere
pronta domani verso il nemico della civiltà, la Russia,
avete un solo mezzo: far cessare la stupida, inumana,
persecuzione dei fascisti e far amnistiare quelli già
condannati - Essi sono i soli che possono rimettere in or-
dine la casa che tanto amarono - anche se vi fanno or-
rore e contrario - e che collaborando con voi e con le forze

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

dete -

È questo nei vostri programmi, come si dice da tanti, o volete che ritorni in Italia ordine e lavoro? Naturalmente democratico e libero -

Ebbene se voi volete l'Italia in piedi, anche per essere pronta domani verso il nemico della civiltà, la Russia, avete un solo mezzo: far cessare la stupida, inumana, persecuzione dei fascisti e far amnistiare quelli già condannati - Essi sono i soli che possono rimettere in ordine la casa che Tanto amarono - anche se vi fanno credere il contrario - e che collaborando con voi e con le forze sane, emerse dai giovani usciti dalla guerra, potranno rimandare l'Italia sulla via della pace e del progresso -

L'uccisione di oltre ventimila fascisti - compreso il responsabile - la rovina di decine di migliaia di famiglie (si dice oltre duecentomila) perché loro congiunti hanno dovuto collaborare prima e poi con i tedeschi è un ben caro prezzo! Visitate le carceri italiane e vedrete! Diverrete forse più umano di chi scrive -

In voi confidano milioni di italiani - Con ossequio profondo

÷ Marco -

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

1893

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

DF/4.5/CA

14 July 45

My dear Mr. Prime Minister,

I am now in a position to give you a decision regarding Marshal Rodolfo GRAZIANI about whom the President of the Council of Ministers originally wrote to me on 29 May.

It is expected that a general war crimes policy will be established as a result of the meeting, now taking place in London, between the representatives of the War Crimes Prosecuting Staffs of the United States, Great Britain, Russia and France.

Until that policy has been settled, the Marshal will be held by the Allied authorities.

Yours very truly,

/s/ Ellery W. Stone

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

Prof. Ferruccio PARRI
President of the Council of Ministers
Italian Government
ROME.

Copy to : RC Lombardia Region
Legal S/C
Chief Comm
Exec Comm.

201

1894

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



INCIS GRAZIANI DI NEGHELLI

1895

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

C O P Y
O
P
Y

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 383.6-11 10 July 1945

SUBJECT: Marshal Rodolfo Graziani

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

1. Reference is made to your DF/A.5/CA of 2 June and to our interim reply G-5: 383.6-11 dated 6 June, subject as above.

2. This Headquarters is in receipt of instructions from the Combined Chiefs of Staff directing that Marshal Rodolfo Graziani should not be surrendered to Italian authorities for trial pending the formulation of a general war crimes policy which it is expected will shortly be established as a result of the meeting of representatives of the War Crimes Prosecuting Staffs of the U.S. Great Britain France and Russia which is now taking place in London.

4. The Combined Chiefs advise that further instructions will be promptly forwarded when available. In the meantime Italian authorities may be advised of the reasons for which we are unable at this time to release Marshal Graziani into their custody.

/s/ A. L. Hamblen
A. L. HAMBLEN
Brigadier General, USA
Assistant Chief of Staff, G-5

See 156

155a

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

C C FILES

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

Ref: DE/JH/CA. 2 July 45.

You will recall that, during the discussion on Epuration at the Regional Commissioners' Meeting on Thursday morning, the Regional Commissioner, Lombardia, raised an objection to the introduction into AMG territory of a representative of the Italian Government who would organise the appointment of delegates to prepare for Commissions under the Italian Government decree. Other R.Cs did not take quite such a strong view but the Chief Commissioner stated he would take the matter up with the Prime Minister.

The Chief Commissioner has, however, reconsidered the matter and has decided not to approach the Prime Minister as he does not want to change, at the moment, agreed policy with the Government. It must further be borne in mind, although the point was not raised at the Conference, that if the Italian Government is not permitted to organise matters as early as possible, the appointment of Provincial Commissions for disqualifying Fascists from being entered on Electoral Lists may be delayed and the final preparation of the lists unduly prolonged.

The Chief Commissioner has therefore decided to permit the Government representative, Sig. FRANCESCHELLI to enter AMG territory for this purpose. I attach copies of his instructions and a letter of introduction by the V.P., Civil Affairs Section, which make the position clear. The representative will, of course, comply with your wishes when working in your Region.

I desire to emphasise again that Commissions under G.O.35 will not cease to sit until Government Commissions are ready to hear cases. It is unlikely that this will be before 1 Sept. 45.

As the Executive Commissioner is at present away in London, I am writing the above on his behalf.

/s/ E. Talbot

Regional Commissioner Emilia Region
" " Liguria "
" " Lombardia "
" " Piemonte "
" " Venezia "

Copy to C.A. Section.

6609

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

CSFT

HEAD QUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: 9/10/TY/Gh.

26 June 45.

SUBJECT: Dott. MARCHESELLI.

TO : HQ LIGURIA Region.
HQ PIEDMONT Region.
HQ LOMBARDIA Region.
HQ VENETIA Region.

1. This letter will serve to introduce Sig. MARCHESELLI who has come up to AMG Territory on behalf of the Italian Government to organize the appointment of provincial delegates, the collection of evidence and other matters of a preparatory nature leading to the appointment of Epuration Commissions under PWB 159.

2. It is requested that you will afford him every possible assistance in this work.

C.R. WRIGHT, Brig.
VP CA Section.

8508

(1)

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

COPY.

Secret.

H. Q. ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION.

Ref: D/AGO/45. 28 June 45.

Dear

We enclosed are letters of introduction to the Regional Commissioners in the North. Under these are :-

Turin.....Colonel P. BOTTIER.
Milan.....Colonel C. POLLETT.
Genoa.....Brigadier M. CARR.
Leghorn.....Brigadier J.P. HARDY.

I will be glad if, on arrival in the Region, you will report to each Regional Commissioner before starting work in order to discuss your mission.

Please do not cross the Security Control Line which now runs down the western boundary of the Provinces of Cuneo and Imperia.

(Sgd.) C.J. HARDY,
Brigadier.

Dott. Franceschelli,
Alto Commissariato per la Sanzioni,
contro il Fascismo,
Palazzo del Viminale,
R O M A.

COPY

137

CONFIDENTIAL

3083
JUN 291205B

E/7382
JUN 300830B
PRIORITY

SCAO AMG IV CORPS
HQ ALCOM FOR UPJOHN

151

CONFIDENTIAL.

Reference cables 504 HQ ALCOM documents and records pertaining to group of 87 members of Foreign Affairs Ministry of Fascist Republican Government are being sent to G-2 HQ 5TH ARMY under instructions of AFHQ.

Party of 87 referred to in para 11 ROME July.

DIST

ACTION: Pub Safety
INFO: Chief Commissioner
CA Sec
File 2
Float

2610/15

CONFIDENTIAL

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

CONFIDENTIAL.

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Party of 87 referred to in para 11 ROME July.

DIST

ACTION: Pub Safety
INFO: Chief Commissioner
CA Sec
File 2
Float

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1901

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AMG 5 ARMY

789 28 JUNE 45 ROUTINE

IN CLEARANCE PD

PARA ONE PD YOUR SIGNAL FIVE ZERO EIGHT ONE OF TWENTY FOUR JUNE IS SUBJECT PD

PARA TWO PD ALCOM HAS NO DIRECT INTEREST IN PERSONNEL PD ITALIAN GOVERNMENT IS BEING APPROACHED FOR THEIR WISHES PD MEANWHILE NO OBJECTION FROM ALCOM TO ANY ACTION BY QUESTORE COMO PD

PAREN TO ABLE MIKE GEORGE FIVE ARMY FROM HQ ALCOM CITE ACCAS PAREN

PARA THREE PD ITALIAN GOVERNMENT ALSO BEING CONSULTED ABOUT RECORDS WHICH SHOULD BE KEPT UNDER GUARD MEANTIME

Int Dist: Exec Comm

CIVIL AFFAIRS SECTION

608

A.D. BONHAM-CARTER Lt Col

NICHOLAS PIOMBINO
CWO, USA
Asst Adjutant

Chief Commissioner.

JUN 27 RECD

ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

REGIONAL ORDER NO.

DISABILITIES OF DIRECTORS AND STATUTORY
CONTROLLERS OF PRIVATE ENTERPRISES

WHEREAS it is necessary that all persons who have participated actively in the political life of fascism or who have shown that by reason of fascist tendencies they are unworthy of holding high office in private industry should be disqualified during the continuance of Allied Military Government from holding the office of administrator or controller or the appointment of liquidator in companies in private industry.

AND WHEREAS the Italian Government has not prior to the date hereof enacted legislation for this purpose within territory subject to the administration of the said government.

I, Regional Commissioner, Region, hereby order as follows:

ARTICLE I

The following persons are hereby disqualified during the continuance of this Order from holding the office of administrator or controller and from the appointment of liquidator of stock or limited companies having a capital of more than 5 million lire or mutual insurance companies having a capital of more than 1 million lire or such lower capital in either case as I may hereafter direct:-

(1) Persons who have been convicted for any of the offences referred to in the first part of the Italian Government's DLL 159 of 27 July 1944 notwithstanding that the sentence which may have been imposed upon them in respect of such offences does not include the exclusion from public offices;

(2) Persons who have been subjected to confiscation in accordance with Art. 9 of DLL 159 aforesaid;

(3) Persons who have been subjected to any of the sanctions set out in Art. 8 of DLL 159 aforesaid as amended by the Italian Government's DLL No. 2 of 4 January 1945;

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

administration of the said government.

Regional Commissioner,

I,
Region, hereby order as follows:

ARTICLE I

The following persons are hereby disqualified during the continuance of this Order from holding the office of administrator or controller and from the appointment of liquidator of stock or limited companies having a capital of more than 5 million lire or mutual insurance companies having a capital of more than 1 million lire or such lower capital in either case as I may hereafter direct:-

(1) Persons who have been convicted for any of the offences referred to in the first part of the Italian Government's DLL 159 of 27 July 1944 notwithstanding that the sentence which may have been imposed upon them in respect of such offences does not include the exclusion from public offices;

(2) Persons who have been subjected to confiscation in accordance with Art. 9 of DLL 159 aforesaid;

(3) Persons who have been subjected to any of the sanctions set out in Art. 8 of DLL 159 aforesaid as amended by the Italian Government's DLL No. 2 of 4 January 1945;

(4) Persons who

(a) have held any of the positions set out in the Decree of the President of the Council of Ministers dated 2 Feb 45 published in Official Gazette No. 20 of 15 Feb 45;

(b) have been members of the Fascist Government after 3 Jan 25;

(c) having been militant members of the fascist party subsequent to 3 Jan 25 have held the position of deputy or national councillor;

(d) have been disqualified from holding the position of Senator in accordance with the last paragraph of Article 8 of DLL 159 aforesaid;

(e) have been appointed Ministers of State by the Fascist Government.

(5) Persons who have been deprived by final judgement of their right to a

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

pension in accordance with Article 22 of DLL 159 aforesaid.

Any person who at the effective date of this order is in office as an administrator or controller or liquidator as aforesaid and is disqualified by this Article from such office or appointment shall automatically vacate such office or appointment.

ARTICLE II

In the case of companies other than those contemplated by Article I hereof in which the office of administrator or controller or the appointment of liquidator is held by a person within any of the categories of Article I hereof and in the case of private concerns in which the manager or owner is a person in any such category it is hereby ordered that no contract for public works and no concession of public utilities may be granted to any such company or concern.

ARTICLE III

It shall be lawful for any person affected by Article I, paragraph 4 hereof, to make application on the grounds hereinafter mentioned for the purpose of avoiding or limiting the application of the penalties imposed by Article I or II hereof, to a Commission appointed in accordance with the provisions of General Order No. 55 of the Allied Military Government. The said Commission is hereinafter called the Commission.

If on hearing such application the Commission shall determine that the applicant has distinguished himself in the fight against the Germans, or before the outbreak of the present war took an open stand against fascism and ceased to belong to the National Fascist Party, or that the applicant has been guilty of only slight political activity and is of acknowledged technical and administrative capacity and has shown a hostile attitude to the Germans during their occupation, the Commission may order that the penalties imposed by Article I or II hereof shall cease to have effect or may order that such penalties shall only operate for a specified term.

It shall be open to any administrator or controller of any company referred to in Article I hereof who since liberation from the Germans of the town in which the head office of said company is situated and before the date of this Order has been removed from the said office on the alleged ground that he has been guilty of fascist activity or fascist sympathies or of collaboration with the Fascist Republican Government or the German invader to make application to the Commission for reinstatement. Upon such application the Commission shall take into consideration the matters referred to in this Article and may make such order as is mentioned therein.

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

It shall be lawful for any person [illegible] hereof, to make application on the grounds hereinafter mentioned for the purpose of avoiding or limiting the application of the penalties imposed by Article I or II hereof, to a Commission appointed in accordance with the provisions of General Order No. 55 of the Allied Military Government. The said Commission is hereinafter called the Commission.

If on hearing such application the Commission shall determine that the applicant has distinguished himself in the fight against the Germans, or before the outbreak of the present war took an open stand against fascism and ceased to belong to the National Fascist Party, or that the applicant has been guilty of only slight political activity and is of acknowledged technical and administrative capacity and has shown a hostile attitude to the Germans during their occupation, the Commission may order that the penalties imposed by Article I or II hereof shall cease to have effect or may order that such penalties shall only operate for a specified term.

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ARTICLE IV

It shall be an offence:

a. For any person being the administrator controller or liquidator of any company and being disqualified by Article I hereof from such office or appointment to continue to exercise the functions of such office or appointment.

b. For any person being the controller of any company mentioned in Article I hereof and having knowledge that any administrator, controller or liquidator of such company is continuing to exercise such function therein although disqualified under Article I hereof to fail to denounce such illegality to the President of the Tribunal of the district.

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

c. For any administrator, controller or liquidator of any company or any owner or manager of any concern as defined by Article II hereof, being affected by the provisions of Article I hereof, to make a contract for public works or to procure the concession of a public utility in violation of the provisions of Article II hereof.

ARTICLE V

Within thirty days from the effective date of this order all companies referred to in Article I hereof shall make to the Commission and to the chancery of the appropriate Tribunal a report of the names of their administrators, controllers, or liquidators who have vacated their office or appointment in accordance with Article I hereof.

At the expiration of the said 30 days any administrator, controller or liquidator who has not been reported as having vacated his office may be required by the Commission to furnish information by a special questionnaire so as to show whether he is a person disqualified from office by Article I hereof. If from such information it appears to the Commission that he is a person so disqualified the Commission shall serve upon him and upon the company concerned and upon the chancery of the appropriate Tribunal a notice to that effect.

Any person who upon request fails to furnish such information within the prescribed time or furnishes false or incomplete information shall be guilty of the offence of the giving of false or incomplete evidence.

ARTICLE VI

Any administrator, controller or liquidator who receives notice in accordance with Article V hereof shall within 14 days of such receipt vacate his said office and the company concerned shall thereupon forthwith report such vacation to the appropriate chancery, provided always that such administrator, controller or liquidator may within 10 days of receipt of the said notice file with the Commission an appeal therefrom serving upon the company concerned and the appropriate chancery a copy of such appeal.

In such case the Commission shall forthwith hear and determine the said appeal and shall notify the appellant, the company concerned and the appropriate chancery of the decision thereon.

Provided always that in any case in which the Commission rejects an appeal in whole or in part but is satisfied that the appellant has acted in good faith in not previously vacating his office in accordance with Article I

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

a person so disqualified the Commission shall serve upon [illegible] company concerned and upon the chancery of the appropriate Tribunal a notice to that effect.

Any person who upon request fails to furnish such information within the prescribed time or furnishes false or incomplete information shall be guilty of the offence of the giving of false or incomplete evidence.

ARTICLE VI

Any administrator, controller or liquidator who receives notice in accordance with Article V hereof shall within 14 days of such receipt vacate his said office and the company concerned shall thereupon forthwith report such vacation to the appropriate chancery, provided always that such administrator, controller or liquidator may within 10 days of receipt of the said notice file with the Commission an appeal therefrom serving upon the company concerned and the appropriate chancery a copy of such appeal.

In such case the Commission shall forthwith hear and determine the said appeal and shall notify the appellant, the company concerned and the appropriate chancery of the decision thereon.

Provided always that in any case in which the Commission rejects an appeal in whole or in part but is satisfied that the appellant has acted in good faith in not previously vacating his office in accordance with Article I hereof, the Commission may so certify. Any such certificate shall preclude the institution of proceedings under Article IV (a) or (b) hereof in respect of any offences committed by the appellant prior to the issue of such certificate.

ARTICLE VII

Without reference to the foregoing provisions of this Order it is hereby enacted that all administrators, controllers and liquidators of concerns mentioned in Article I (c) of General Order No. 35 of the Allied Military Government shall be subject in all respects to proceedings under that Order.

ARTICLE VIII

Administrators and controllers disqualified under this Order shall be replaced in accordance with the provisions of the Italian Government's DLL 7 of 18 Jan 45 or a receiver may be appointed by the Allied Military Government.

(152)

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

ARTICLE IX

This Order shall come into effect in any Province or part thereof on the date of its first posting therein and shall continue in full force and effect until the conclusion of Allied Military Government or until the implementation in the said province of a decree enacted by the Italian Government for the purpose of the epuration of such administrators, controllers and liquidators as are mentioned in this Order, whichever date shall first occur.

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

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

CONFIDENTIAL

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JUNE 250840B
ROUTINE

5 ARMY FOR HUME CITE OUR 251
HQ ALCOM

CONFIDENTIAL

Following cable received from IV CORPS, 23 June.

"Subject is Foreign Affairs Ministry Fascist Republican Govt.

55 individuals of whom 14 are grade 6 to 9 officials and 40 are clerks with families under director MARIELLA AMADEO are at CADENABBIA.

Previous instructions to evacuate to MONTECATINI not carried out because G-2 not interested.

2 individuals of this group Professor GUIDO ALFREDO and PISANELLIE are wanted by Questore of COMO.

MENABELLA claims instructions Ministry Foreign Affairs ROME instructed him that all personnel and the records now in his possession were to be transported to ROME.

Please query and issue instructions as to disposition of personnel, persons wanted by Questore COMO and records.

Dist

Action - CA Sec
Info - Chief Commissioner
Exec Comm
P Safety SC
File 2
Float

CONFIDENTIAL

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

AMG IV CORPS CMA FIVEARMY FOR AMG

504 25 June 1945 PRIORITY

CONFIDENTIAL

SUBJECT IS FOREIGN AFFAIRS MINISTRY FASCIST REPUBLICAN GOVERNMENT PD

PAREN TO AMG IV CORPS CMA FIVEARMY FOR AMG FROM ALCOM CITE AOPSF PAREN

PARA ONE PD REFERENCE YOUR ONE FIVE THREE DATED TWO THREE JUNE PD

PARA TWO PD THESE PERSONS ARE ITALIAN GOVERNMENT RESPONSIBILITY PD

PARA THREE PD REPORT TO PROCURATORE IN MILAN FOR DISPOSAL OF PERSONNEL PD THOSE NOT WANTED BY HIM SHOULD BE SENT TO ROME PD

PARA FOUR PD RECORDS SHOULD BE TRANSPORTED ROME PD

PARA FIVE ITALIAN MINISTRY IN ROME IS BEING ADVISED PD

PARA SIX PD QUESTORE AT COMO MAY DISPOSE OF GULLO ALFREDO AND PISANELLI PD

Public Safety S/C

478427-580

W. DOHERTY, Col.

NICHOLAS FIORENTINO
CWO USA
Asst. Adjutant.

1911

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

9 April 1945

Dear Sir:

Herewith for distribution are ten copies of speech on "Epuration" which was presented by Brigadier G. R. Upjohn at the Council's 33rd meeting on April 6th.

/s/ L. W. Stearns

L. W. STEARNS
Major, A.G.D.
A/Staff Officer to CC

Chief of Secretariat
Advisory Council for Italy
119 Via Vittorio Veneto
Rome

2759

1912

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

APR 8 RECD

EXECUTIVE MEMORANDUM)
NUMBER 67 (REVISED))

7 April 45

PLACEMENT OF ITALIAN OFFICIALS PROMOTED BY AXIS OR NEOFASCISTS.

1 This revised Executive Memorandum No 67 is issued in the light of experience gained in the working of the original Memorandum No 67 of 5 July 1944, which is hereby cancelled. The policy and the principle of operation remain the same.

2 Our object is to remove from territory, immediately on liberation, all leading fascists from important posts, especially those collaborationists put in office by the Republican Fascist Government. This Memorandum is intended as a guide for such an initial purge.

It will be followed by a more detailed purge under GO 35 and ultimately by the procedure under DL 190 and, including Decrees and therefore this Directive is not concerned with minor posts or minor fascist officials; they can be dealt with later. The Allies must create a sound impression by quickly removing the leading fascists from the important posts.

3 Many officials will have been placed in office by the Republican Fascist Government; others will have taken the oath of allegiance to the Fascist Government; on the other hand, others will be career officials who have considered it their duty to stick to their posts in the interests of the civil administration; others, again, (it is understood from reliable reports) have remained at their posts at great peril and have refused to take the oath of allegiance. Wholesale dismissals are, therefore, to be avoided as much injustice may be done quite apart from rendering it difficult to carry on the administration.

It is safe to assume that the worst fascists will be removed by CMAA before arrival of the Allies; the remainder of those in office will be dealt with in accordance with this directive.

4 Two lists attached to the original memorandum have been brought up-to-date and set out in a more convenient form.

Appendix 'A' to this Memorandum contains a list of important Italian governmental and ministerial offices which should be cleared of fascist personnel as quickly as possible. Other offices of lower rank who are unimportant and too numerous to be dealt with at this stage should not be considered.

Appendix 'B' contains a list of purely fascist offices and serves as a guide to the type of fascist party members who are particularly obnoxious.

5 These two lists will normally be used together. Thus if it is found that a person who occupied one of the offices in Appendix 'A' and also has had one of the party affiliations contained in Appendix 'B' he should be removed at once.

6 If there is any doubt as to the fascist background of any person holding an office included in Appendix 'A' he may be required to complete a Scheda Personale. The Provincial Commissioner may, if he considers it desirable, consult the Prefect or CLN on any particular case. No attention will be paid to anonymous communications.

7 Persons suspended under this Memorandum, except those mentioned in paragraphs 8 and 9, will be paid at the same rate as persons suspended under DL 150. Temporary

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APPENDIX "I" TO EX MEMO No 67 (REVISED)

Offices from which persons may be removed on evidence of Fascism in Appx "H"

1 As to Provincial Organisations, State and Para-State Concerns
Presidents, Vice Presidents, Directors, Managers and Secretaries.

2 As to Local Government
Podestà, Vice Podestà and Chiefs of Cabinet of Provinces;
Mayors of cities and communes.

3 As to the Judiciary
First President, Procurators and Avvocati Generali, Presidents of Sessions, Consiglieri and Giudici Istruttori of the Court of Appeal;
President, Presidents of Section, Procuratore del Regno (della Repubblica) and Giudici Istruttori of the Tribunals;
Prime Pretore of towns of over 40,000 inhabitants.

4 As to Education
Rectors and Professors of Universities;
Provveditori agli Studi and Ispettori of Provinces;
Direttori Didattici and Presidi and Direttori of Schools.

5 As to Public Safety
Ispettori Generali, Questori and Vice-Questori of Provinces;
Commandants of Fire Brigades.

6 As to Finance
Intendenti di Finanza and Ragionieri Capo of Provinces;
Senior Provincial Officers of Banks, Finance and Insurance concerns.

7 As to Transportation and Communications
Directors of Transport and Port Commandants;
Provincial Directors and Inspectors of Postal and Telegraph Services;
Divisional Directors and Engineers of Telegraph and Telephone Services.

8 As to Commerce, Food, Agriculture and Labour
Directors and Secretaries of Consigli Provinciali dell'Economia Corporativa;
Direttori dell'Alimentazione, Directori of Consorzi;
Directors of Social Insurance Agencies, Ispettori del Lavoro.

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1914

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

APR 8 RECD

EXECUTIVE MEMORANDUM)
NUMBER 67 (REVISED))

April 45

TREATMENT OF ITALIAN OFFICIALS ENCOUNTERED IN ADVANCE NORTHWARDS.

1 This revised Executive Memorandum No 67 is issued in the light of experience gained in the working of the original Memorandum No 67 of 5 July 1944, which is hereby cancelled. The policy and the principle of operation remain the same.

2 Our object is to remove from territory, immediately on liberation, all leading fascists from important posts, especially those collaborationists put in office by the Republican Fascist Government. This Memorandum is intended as a guide for such an initial purge.

It will be followed by a more detailed purge under GO 35 and ultimately by the procedure under DL 159 and succeeding decrees and therefore this Directive is not concerned with minor posts or minor fascist officials; they can be dealt with later. The Allies must create a sound impression by quickly removing the leading fascists from the important posts.

3 Many officials will have been placed in office by the Republican Fascist Government; others will have taken the oath of allegiance to the Fascist Government; on the other hand, others will be career officials who have considered it their duty to stick to their posts in the interests of the civil administration: others, again, (it is understood from reliable reports) have remained at their posts at great peril and have refused to take the oath of allegiance. Wholesale dismissals are, therefore, to be avoided as much injustice may be done quite apart from rendering it difficult to carry on the administration.

It is safe to assume that the worst fascists will be removed by CMAA before arrival of the Allies; the remainder of those in office will be dealt with in accordance with this directive.

4 Two lists attached to the original memorandum have been brought up-to-date and set out in a more convenient form.

Appendix 'A' to this Memorandum contains a list of important Italian governmental and administrative offices which should be cleared of fascist personnel as quickly as possible. Other officials of lower rank who are quite important and too numerous to be dealt with at this stage should not be considered.

Appendix 'B' contains a list of grossly fascist offices and serves as a guide to the type of fascist party members who are particularly obnoxious.

5 These two lists will normally be used together. Thus if it is found that a person who occupied one of the offices in Appendix 'A' and also has had one of the party qualifications contained in Appendix 'B' he should be removed at once.

6 If there is any doubt as to the fascist background of any person holding an office included in Appendix 'A' he may be required to complete a Schede Personale. The Provincial Commissioner may, if he considers it desirable, consult the Prefect or CLN on any particular case. No attention will be paid to anonymous denunciations.

7 Persons suspended under this Memorandum, except those mentioned in paragraphs 8 and 9, will be paid on the same basis as persons suspended under DL 159. Temporary

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...ian, whether employed on a day-to-day basis or on a fixed term basis, e.g. 6 months, will, however, be dismissed.

6 Lists of persons suspended under this Memorandum, specifying the offices from which they have been removed, will be submitted to MG AC for attention of the appropriate Sub-Commission or where one is appropriate to the Civil Affairs Section.

7 In addition to the foregoing, all Italian administrative organisations whose continued existence is inconsistent with the sovereign rights of the Italian Nation-al Government, or which have been abolished by decree thereof, are deemed no longer to exist: the holders of or heads of such organisations will probably have fled, but if any such are found supporting to hold any office or to exercise any executive functions in connection therewith they will be removed from office.

Such bodies include:

a) All Ministries and Departments of the Republican Fascist Government;
b) National, Federal, Provincial and Communal organisations of the Fascist party; of the Chamber of Fasci and of Corporations; of Fascist Syndicates and Federations;
c) The Fascist Militia, the National Republican Guard and CNRA;
d) Presidi, Vice Presidi and Rettorati of Provinces; Consulte of Communes;
e) The Tribunali Speciali, the Tribunali Straordinari Provinciali and the "Precis" Court of Cassation.

10 Officials (as well as any other persons) regarded as potentially dangerous will in addition to dispersion be taken into custody immediately. They may be interned on the instructions of the Italian Govt to AC be handed over to the custody of that Government. Whenever a person is detained a report will forthwith be made to HQ AC.

11 It is emphasised that in carrying out the important duty of ridding the country of undesirables nothing herein is intended to prejudice the right of SCAOs and ROs to dismiss and/or intern individuals at their discretion without reference to their actual official position or past fascist office.

12 SCAOs and ROs have discretion in most exceptional cases to retain as a purely temporary expedient a fascist in office where the immediate administration of any locality renders this essential and no local replacement can be found. In any such case the work of the individual should be closely supervised and application should be made at once for a replacement to the appropriate Sub-Commission. In the North, however, it should seldom, if ever, be necessary to exercise this discretion.

H.E. FISKE, Col
Acting Executive Commissioner
for Chief Commissioner

Distribution :
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Group III : List B plus No 1 & No 2 District (2 copies)

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...PPENDIX "A" TO EX HIBIT No 57 (REVISED)

Offices from which persons may be removed on evidence of Fascism in Box "B"

1 ...s to Provincial Corporations, Stated and Para-Statal Concerns
Presidents, Vice-Presidents, Directors, Managers and Secretaries.

2 As to Local Government
..., Vice Prefects and Chiefs of Cabinet of Provinces;
Mayors of cities and communes.

3 As to the Judiciary
First President, Procuratori and Avvocati Generali, Presidents of Sessions,
Consiglieri and Giudici Istruttori of the Court of Appeal;
President, Presidents of Session, Procuratore del Regno (della Repubblica) and
Giudici Istruttori of the Tribunals;
Prime Pretore of towns of over 40,000 inhabitants.

4 As to Education
Rectors and Professors of Universities;
Provveditori agli Studi and Ispettori of Provinces;
Direttori Didattici and Presidi and Direttori of Schools.

5 As to Public Safety
Ispettori Generali, Questori and Vice-Questori of Provinces;
Commandants of Fire Brigades.

6 As to Finance
Intendenti di Finanza and Ragionieri Capo of Provinces;
Senior Provincial Officers of Banks, Finance and Insurance concerns.

7 As to Transportation and Communications
Directors of Transport and Port Commandants;
Provincial Directors and Inspectors of Postal and Telegraph Services;
Divisional Directors and Engineers of Telegraph and Telephone Services.

8 As to Commerce, Food, Agriculture and Labour
Directors and Secretaries of Consigli Provinciali dell'Economia Corporativa;
Direttori dell'Alimentazione, Direttori of Consorzi;
Directors of Social Insurance Agencies, Inspettori del Lavoro.

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APPENDIX "B" TO KV MISC 10 67 (Serial 1112)

Evidence of Fascism deemed to justify removal from office in case "A"

1 Is a "new entrant" employed, received an appointment after 11 Oct 43.

2 Held a Ministerial or senior Executive grade appointment in the Republican Fascist Government or any ministry or Department thereof.

3 Held an office in any National Federal Provincial or Communal Organisation of:
i the Fascist Party;
ii the Chamber of Fasci and Corporations;
iii the Fascist Syndicates and Federations;
iv the Fascist Militia (except officers of the Militia Contracted, Conscripted or Recruited unless they are within some other provision hereof).

4 Held (except as an honorary distinction for some non-political reason) the title of:
Sansepolcrista, Squadrista, Antemarcia, Marcia su Roma, Seniore Littorio.

5 Was during the Fascist regime, a member of:
the Central Government, the Senate, the Chamber of Deputies, the National Council, the Grand Council, the Tribunali Speciali, the Tribunali Straordinari Provinciali.

6 Consistent public advocacy of Fascism whether over the radio, in the Press, or otherwise and whether as author, speaker, editor, director, or organiser.

7 Was decorated or promoted or otherwise rewarded for political services by the Republican Fascist or German Governments.

8 Has taken the oath of allegiance to the Fascist republican government.

NOTE :- All expressions referring to any Fascist organisation include the equivalent Republican Fascist organisation.

SPEECH TO THE ALLIED ADVISORY COUNCIL

6 Apl 45

E P U R A T I O N

It is exactly 6 months since I last addressed this Council on the subject of epuration. At that time the position was that the principle defascising decree - DL 159 - had recently been passed (29th July). This decree established certain machinery which I described in my last speech dealing with defascism in its four branches - punishment of crimes, the purging of the administration, the recovery of corrupty gotten wealth and the forfeiture of the property of fascist organisations.

The main decree created the High Commission. It was not possible for this body to work without further provision to lay down the procedure to be followed. On the 3rd September, DL 198 was published which contained, among other matters, the rules of procedure for operating the High Court which had been established in Part I of DL 159 for trying fascist crimes. There was also published on the 3rd October, DL 238 which dealt with the personnel and details of the organisation and administration of the High Commission itself. So that as you can see, on the sixth of October, when I last spoke, the machinery was hardly in motion and it was not until 23 Oct 44 when DL 285 was published that the rules of procedure for trials of epuration was published. This decree also contained considerable amendments to the principle decree, among other things it provided for the

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the forfeiture of the property of fascist organisations.

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This decree also contained rules as to the service of papers, the preparation for trial and other essential details. It will be appreciated, therefore, that the real operation of epuration could hardly have begun before the publication of this decree.

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10 - Secy Act
1 - EC file
1 - CC file
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I propose, therefore, to tell you what has been achieved in the past six months. First of all, as to organisation:

The whole of the High Commission itself had to be recruited and naturally the antecedents of all its staff had to be investigated in order to ensure that it could not be said that fascists were in positions of responsibility.

Then the High Commission itself had to be organised and its personnel trained in its functions.

Then the Hearing Commissions themselves had to be appointed. The total estimated to be required is 270 of which 170 have already been appointed. Now under the law, in order to ensure that evidence shall be considered by a judicial mind, it is provided that every Commission shall be presided over by a judge. After about 150 judges had thus been withdrawn from their normal duties, it was found desirable to call a halt as the administration of justice was being interfered with and a suggestion was made to the Italian Government that avvocati of standing and experience should be allowed to act on epuration commissions. This proposal they still have under consideration. This has been one of the causes of delay in appointing the requisite commissions especially as to the provinces.

A further cause of delay has been lack of transport. It has been necessary for the central headquarters to send officials to provincial centres for the purposes of interviewing persons suitable to act as Delegates to discuss with prefects and others the persons considered suitable to be

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A further cause of delay has been lack of transport. It has been necessary for the central headquarters to send officials to provincial centres for the purposes of interviewing persons suitable to act as delegates to discuss with prefects and others the persons considered suitable to be appointed to local commissions and also to conduct investigations. It has also been necessary to transfer officials from Rome to the provinces. For a period the High Commission had no cars available whatsoever, and even now has only two cars. The result has been that it is only relatively recently that provincial epuration is really getting under way.

Now to deal with the four headings:

Firstly, the punishment of fascist crimes. This varies in importance. The principal classes are:

a) those who took an active part in the breaking up of the old constitution - who may be punishable by death and are tryable by the specially created High Court,

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b) those who were active in taking part in acts of violence or pillage or who have committed any "political crimes" or been guilty of the grosser forms of political corruption, whose crimes are tryable at Assizes.

c) those who have been guilty of active collaboration with the Germans who are tryable before military courts.

d) those who have committed lesser offences, as for instance, having been informers, who may be deprived of their right to vote, and

e) those who are senators and who have constantly supported the fascist government who can be deprived of their life senatorships.

During the past 6 months, the High Commission has investigated cases involving 4,600 persons, of which the conduct of proceedings in 4, 398 have been transferred to Assizes or other tribunals, 22 cases have been referred to the High Court of Justice, ~~16 cases~~ and of these cases 16 persons have been ~~completed~~ convicted and 364 cases are still under preliminary consideration. Considering these figures, it must be borne in mind that all or nearly all of the important fascists at whom this part of the decree was directed, retreated with the Republican Fascist Government to Northern Italy and that this part of the decree will not effectively come into full force until North Italy has been liberated.

In regard to Part II, dealing with epuration. Although provincial epuration has hardly yet started, many of the commissions being not yet a month old, the total number of persons whose cases have been referred to epuration commissions is over 25,800. Of these, 1,200 persons have been

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In regard to Part II, dealing with epuration. Although provincial epuration has hardly yet started, many of the commissions being not yet a month old, the total number of persons whose cases have been referred to epuration commissions is over 25,800. Of these, 1,200 persons have been dismissed, 3,100 have received some lesser form of punishment and 2,500 have been exonerated. There are still 19,000 cases to be decided, but the investigation is by no means complete and many more persons will in the future be referred to epuration. Therefore, of the cases decided, 18% have been dismissed and 37% have been given some lesser punishment. Together, 55% have received some form of punishment.

In October it was realised by the Italian Government that the process of epuration was going to take longer than it had at first supposed and as the staff of State Departments could not be expected to settle down to the work efficiently with some of its Heads not dismissed but merely suspended.

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It was decided that before re-organisation of the departments could be satisfactorily proceeded with it was necessary to get stability in the senior staff positions and that to effect this quickly new legislation was needed.

DL 257, published on 1 Nov 44 directed that cases of officers of the first four grades should receive priority of consideration and it introduced new and shorter time limits within which proceedings against them must be initiated and the cases against them completed. It also gave power to the President of the Council of Ministers to dispense with the services of officials who, though not ardent fascists, had become of fascism, compensating them in some cases for loss of office by adding a few years to their services for a pension, providing that if persons so retired were proved to be fascists, they might be deprived of the whole of their pension or of the increase. The time limit within which officers and officials of the first four grades should be dealt with has expired with the exception of time have been granted on the grounds in a few cases in which extensions of investigations of these officials of particular difficulty and 293, or 19%, of officials in liberated Italy, have been dismissed under the alternative provisions. It should not be overlooked that the majority of such officers fled to the North, so that the proportion of dismissals in the most fascist areas is not so high as it would otherwise be.

How to deal with the forfeiture of wealth corruptly gained. The scheme here has been to declare that all increases of wealth who held important fascist positions or entered into contracts with the

officers who, though not ardent fascists, had become hardened in the ways of fascism, compensating them in some cases for loss of office by adding a few years to their services for a pension, providing that if persons so retired were proved to be fascists, they might be deprived of the whole of their pension or of the increase. The time limit within which officers and officials of the first four grades should be dealt with has expired except in a few cases in which extensions of time have been granted on the grounds of particular difficulties of investigations and of 1580 officials of these grades in liberated Italy, 196, or 9% have been dismissed and 289, or 18% have been retired under the alternative provisions. It should not be overlooked that the most fascist of such officers fled to the North, so that the proportion of dismissals is not so high as it would otherwise be.

Now to deal with the forfeiture of wealth corruptly gained. The scheme here has been to declare that all increases of wealth of persons who held important fascist positions or entered into contracts with the fascist government on which they might have made improper profits over and above the normal increase as compared with the wealth of the same persons in October'22 is deemed to have been corruptly gained except in so far as it can be shown that it was legitimately acquired. The machinery has been the issuing of an order freezing the assets of the "accused" for 60 days while a special financial commission enquired as to the amount by which his present wealth exceeded that of 1922 and made an order accordingly. The freezing of assets automatically becomes void at the end of a period of 60 days unless an order of confiscation is made. Not only have the same difficulties in connection with the appointing of Commissions and the

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conducting of local enquiries been encountered because of lack of transport, but the process of launching has shown that there are various holes which require caulking and further decrees are now under consideration for closing some of these holes. This same decree proposes to include also the rules of procedure for operating this part of the principle decree, none having been previously published.

So far, 4,400 cases are under investigation, of which 1,300 cases have been prepared for hearing. In 554 orders, estates have been sequestrated pending decisions and in 34 cases estates have been released.

As regards the last part of the decree, very little progress, considering the matter as a whole, can be expected in the confiscation of the property of fascist societies because movable property has mostly been removed by the fascists to the north. The amount of property so far recovered amounts to 551 million lire centrally, to which must be added a further 450 million recovered in the provinces, showing a total of over 1,000 million lire.

To complete the picture, it is necessary to mention that Count Sforza retired on the change of Government last Dec. and his place has not been filled and that H E Ruggiero Grieco succeeded Scoccimarro (who is now Minister for Occupied Italy) as the Assistant High Commissioner for epuration and H E Cingolani is now in charge of the recovery of corruptly gained wealth. By DL 2 of 26 Jan 45, it was provided that while the office of High Commissioner was vacant its functions and powers should be exercised by a Board consisting of the four Assistant High Commissioner under the presidency of the President

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The problem which faces Italy is very different from the problem which faces France. France was occupied for a matter of 4 years, during which time movement was restricted and therefore persons could not move far from their home towns. The only persons to be dealt with were collaborators and local memory and local feeling is sufficient to produce the evidence. Cases are therefore mostly relatively simple and can be dealt with quickly but in Italy fascism has existed for over 20 years, unjust and discriminatory laws 20 years old, not only have to be repealed, but their effects have to be undone, roperty unjustly confiscated over a period of years has to be restored.

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Political trials of those who opposed fascism during the past 20 years have to be scrutinised and injustices corrected. The fascist administrative machinery has not only to be broken but a new administrative machinery has to be constructed. The fascist part and fascist organisations have to be dissolved and fascist ideology has to be eliminated. In order to obtain convictions for fascist crimes it is necessary to delve into the past and enquiries sometimes take very long. The same with alleged corruption. Duration also may depend upon a course of conduct extending over several years. Another indication of the size of the problem is that 10 decrees have already been passed and that this number is being added to weekly

In order to see what was taking place in France, a French speaking officer of this Commission who was not only employed on epuration but is also a lawyer, was sent to France in December, staying six weeks. He visited Paris, Dijon, Toulon, Marseilles, Lyons. He attended at the office of the Government departments concerned with the punishment of collaborators where he was given every assistance and given copies of the decrees; he attended courts and investigations and conversed freely with officials. In the main his conclusions were that insofar as epuration was concerned, that the Italian method was sound. It is a long term policy to proceed with justice and moderation and to leave as little desire as possible for revenge. He had no important proposals for change to put forward.

With regard to the punishment of collaborators he was of opinion that there were certain advantages in some of the French procedures, namely the representation of the local populace upon tribunals and [illegible]

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With regard to the punishment of collaborators he was of opinion that there were certain advantages in some of the French procedures, namely the representation of the local populace upon tribunals and a speedier and simpler legal process. It is not suggested that a special process should be applied to all fascist crimes, particularly not to those requiring enquiry into the past, but that it can with advantage be applied particularly to recent acts of collaboration and acts of violence, sabotage or pillage in North Italy. These suggestions have been passed to the Italian Government which has drawn up a decree which is now under consideration with this Commission. 6351

It is hoped that within a relatively short time North Italy may be liberated. It may be desirable therefore that I should refer to the special conditions which we may find there and what arrangements we have to make to

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meet them. First of all the local CNL's are in being and actively at work. They may and probably will desire some share in whatever may be done to remove or punish fascists against whom they have been so long and bitterly struggling and at whose hands they have suffered so much. It is felt that unless the local populace sees, soon after liberation, some active steps being taken to deal with fascists, that they may endeavour to take some action themselves and that in any event, the best course to prevent trouble is to let them see and to some extent share in what is being done so as to satisfy their natural feelings.

To consider first the Fascist crimes. The draft decree provides for the setting up of special courts of justice presided over by a judge with 4 lay assessors. It is proposed that these courts shall deal only with crimes of collaboration, etc.; and that the CLN shall be asked to form panels of 200 local persons of repute, men and women, suitable to act as lay assessors and that the President of the Tribunal shall select from these 200 names, 50 persons to act in rotation as 4 lay assessors.

It is hoped that these courts will be formed and will commence operation within two or three days of occupation.

So far as epuration is concerned, it is felt that it would take the Italian Government rather too long to appoint its delegates and Commissions (especially having in view its lack of transport facilities) so that AMG proposes to undertake the first phases of epuration. It proposes to act firstly by Executive Memorandum 67. This is an "immediate action" directive

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To consider first the Fascist crimes. The draft decree provides for the setting up of special courts of justice presided over by a judge with 4 lay assessors. It is proposed that these courts shall deal only with crimes of collaboration, etc.; and that the CLN shall be asked to form panels of 200 local persons of repute, men and women, suitable to act as lay assessors and that the President of the Tribunal shall select from these 200 names, 50 persons to act in rotation as 4 lay assessors.

It is hoped that these courts will be formed and will commence operation within two or three days of occupation.

So far as epuration is concerned, it is felt that it would take the Italian Government rather too long to appoint its delegates and Commissions (especially having in view its lack of transport facilities) so that AMG proposes to undertake the first phases of epuration. It proposes to act firstly by Executive Memorandum 67. This is an "immediate action" directive scheduling on the one hand, the most important provincial offices from which it is desirable that fascists should be removed at once. It schedules, on the other hand, the most important positions in the fascist hierarchy and directs that any persons holding any of these specially important offices who is a fascist of sufficient eminence to have held one of the main important fascist positions or distinctions, granted as a reward for active fascism, shall without any further enquiry be removed from office. This action is followed by G.O. 35 which deals more methodically and more deeply with defascism. The Order schedules employees by grade - senior, middle and subordinate - and directs that questionaires shall be served on all of the first two classes.

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

It sets up in every Province one or more Boards each of five Italian persons appointed by the Provincial Commissioner (after hearing any recommendations made by the Prefect or CNL), to consider the schede. These Boards then recommend to the ~~Prefect~~ PC which persons should be suspended because they are politically dangerous. The Order lays down the time limits within which the proceedings shall be conducted, priority to be observed in dealing with cases, the formalities to be observed and prescribes forms, etc. By the time that this work has been got well under way, it is hoped that the Italian Government will be able to put DL 159 into active operation. The Commissions under that decree would thereupon consider first the cases of persons suspended under C.O. 35 and when it had dealt with those, would proceed to more complete epuration.

There are other problems. The responsibility of the Italian Government is not only to remove fascists from positions of important administrative posts in connection with the Government or public companies of national importance but there also remains the question of the removal of fascists from controlling positions in trade and commerce which problem has not yet been adequately dealt with. It is particularly important that firms which are engaged in substantial international trade should be defascised as, apart from this being in accordance with Allied policy, they may become centres of infection in other countries or may act as centres of fascist propaganda or for collection of information. It is also important that firms having large financial interests should be defascised in order to prevent substantial funds from being made available for fascist purposes. None of

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

G.O. 35 and when it has dealt

epuration.

There are other problems. The responsibility of the Italian Government is not only to remove fascists from positions of important administrative posts in connection with the Government or public companies of national importance but there also remains the question of the removal of fascists from controlling positions in trade and commerce which problem has not yet been adequately dealt with. It is particularly important that firms which are engaged in substantial international trade should be defascised as, apart from this being in accordance with Allied policy, they may become centres of infection in other countries or may act as centres of fascist propaganda or for collection of information. It is also important that firms having large financial interests should be defascised in order to prevent substantial funds from being made available for fascist purposes. None of the decrees published so far efficiently deals with the important private concern. While it is probable that a majority of important fascists will be caught by some of the provisions of the many decrees already passed, this Commission has at the present moment under consideration a draft decree which endeavours to stop such bolt holes as still exist.

Another decree which is under consideration is one to disqualify any persons convicted of fascist crimes or having suffered forfeitures for corruption or because they have given substantial financial support to fascist funds, from holding the offices of director or manager of important companies (whether private of public) and to forbid the granting of Government contracts

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

to smaller private companies not large enough to be included within this provision which are managed by fascists who have been thus convicted or punished.

1634

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

1935

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

S/S-O

1936

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

SECRET.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4082/6/2
~~DP/31/GA.~~

21 JUNE 1945.

SUBJECT : Epuration and Punishment of Fascists.

TO : Chief Commissioner, H.Q. AC.

1. I have been instructed to advise you on the respective degrees of responsibility imposed upon the Allied Commission and the Italian Government for the supervision and execution of epuration and the punishment of fascists.

2. In my opinion the possible responsibility of the Allied Commission falls under two heads :-

(a) Responsibility to SAC and through him to the Allied Governments.
(b) Responsibility to the Italian Government.

3. In the absence of any specific instructions the responsibility of Allied Commission to SAC is to ensure that the Italian Government is complying with the terms of the Armistice - in particular Arts. 29 and 30. These Articles cover the apprehension and surrender to the Allies of Chief Fascists and war criminals; the abolition of Fascist institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds and the suppression of Fascist ideology and teaching. It is the responsibility of the Italian Government to take the necessary executive steps to comply with these articles; Allied Commission is required to exercise supervision and ensure that the Italian Government is taking the necessary action.

4. Allied Commission is under no responsibility to the Italian Government.

5. As stated above it is the full responsibility of the Italian Government to take the necessary action to comply with the Armistice conditions. In fact the measures passed by the Italian Government, in particular DLL No. 159, go far beyond their armistice commitments, so that if these measures are honestly pursued there is no donbt that the Italians will have discharged their liabilities to the United Nations.

6. It follows therefore that unless General Sbernardori is suspected of being a war criminal or is included in the list of "Chief Fascist associates" there is no obligation upon Allied Commission to require the Italian Government to surrender him to the Allies. He may properly be left in the care of the Italian Government for epuration, punishment or such other treatment as his case deserves. Allied Commission may, and I

1937

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

think should, require a report on the final action taken.

7. A. V. M. Brodie informs me that in his opinion General Sbernadori should be left with the Italian Government.

Agree
PS S/C SO WD
informed CC

4/6

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

8508

1938

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

EWS/hjp

CC 2610

27 March 1945

My dear Mr. Prime Minister:

In the course of the conversation which we had at my villa on the 23rd of this month, you stated that H.E. Pesenti had agreed to withdrew from his draft decree any reference to corporations (Societa' Anonime).

Such proposed legislation, both in its effect upon present military production and also--looking at the matter from a longer point of view--upon foreign investments, is of extreme importance to Allied interests, and I should therefore be most grateful to receive from Your Excellency, in writing, confirmation of this withdrawal.

Yours sincerely,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

cc: A/President, AC
American Embassy
British Embassy
Political Advisers, AC
Executive Commissioner
Civil Affairs Section (Legal S/C)
Finance S/C
CC FILES ✓

124

2747

1939

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

PAGINATION INCORRECT -

FILMED AS FOUND

1940

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

EWS/hjp

CC 2610

27 March 1945

My dear Mr. Prime Minister:

In the course of the conversation which we had at my villa on the 23rd of this month, you stated that H.E. Pesenti had agreed to withdraw from his draft decree any reference to corporations (Societa Anonime).

Such proposed legislation, both in its effect upon present military production and also--looking at the matter from a longer point of view--upon foreign investments, is of extreme importance to Allied interests, and I should therefore be most grateful to receive from Your Excellency, in writing, confirmation of this withdrawal.

Yours sincerely,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

cc: A/President, AC
American Embassy
British Embassy
Political Advisers, AC
Executive Commissioner
Civil Affairs Section (Legal S/C)
Finance S/C
CC FILES ✓

124

2747

1941

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

JUN 22 RECD

FX 96761
JUN 211511B

SECRET

E/6117
JUN 211945B
ROUTINE

AFHQ SIGNED CG MTOUSA CITE NAGAP

ACTION 5 ARMY, 8 ARMY INFO TO 15 ARMY GROUP, POW COMMAND MTOUSA, ALCOM

SECRET.

Except as otherwise expressly directed by AFHQ neo Fascist military personnel in Italian custody on charges of atrocities, collaborationand the like against Italians will be left in Italian custody for trail and diposition pursuant to Italian law.

Sec 133

DIST

INFO-ACTION: P.Safety S/C
" " L. Forces S/C 2
INFO: Chief Commissioner
CA Sec 2
File

1014

SECRET

803

141

1942

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

From: AIR FORCES SUB COMMISSION, U.S. ALLIED COMMISSION.

To: STATO MAGGIORE REGIA AERO AUTICA,
Ufficio ' I '.

Date: 12th June 1945

Ref: AFSC/INT/2/I 247

Re-Republican Air Force Personnel.

Reference is made to your letter K/10297 dated 9th June 1945, and the following comments are made:-

(i) This Sub Commission is in agreement with you in desiring the apprehension of ex-Republican Air Force personnel, and considers that this apprehension should be undertaken by the Italian Air Force rather than by the Allies, in order that the former may thereby give practical demonstration of their authority over personnel from the North.

(ii) It is not considered necessary that personnel listed under paras 1 - 3 of your letter should be handed over to the Allies unless
(a) They are specifically asked for by C.C.S.A.I.C. or other competent Allied authorities.
(b) They are listed as war criminal by the United Nations War Crimes Commission.
(c) They were members of the Black Brigade of the S.S.

In this connection the necessity of supplying a list to the Allied authorities of all personnel to apprehended is emphasised.

147

1943

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

(iii) Personnel apprehended by the Italian Air Force should be kept in Italian custody and, should the Italian authorities desire to institute criminal proceedings against them, should remain in custody subject to trial or other disposition in accordance with Italian law.

(iv) On the Allied side, any such neo-fascists who have already been removed from Italian custody and placed in POW or concentration camps, may be handed back to the Italians if the Italian authorities desire to try them for serious crimes (and not solely on account of their neo-fascist status).

(v) In the event of any person who is brought to trial before an Italian court claiming that he is outside the jurisdiction of that court by virtue of his POW status, this claim is of no interest to the Allies and the person should be informed that the question is solely a matter of Italian law.

(vi) Notwithstanding any of the above, all high ranking officers of the Republican Air Force who are still at large, are to be arrested and handed over to the Allies for internment. This matter is to be treated as urgent.

T.G.N. PEARCE V/CIR INT
AIR VICE MARSHAL
AIR OFFICER COMMANDING

9206

147

1944

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

Translation

The president of the Council of Ministers

38032/10.12h.6.19 -1.7

Rome, 13 June 1944

My dear Admiral,

in your note of the 8th, you expressed your displeasure at C.C.C. 25 April 1944, n. 149, concerning sanctions against politically dangerous fascists, having been issued without the Government previously consulting the Allied Authorities. Besides, you told me you didn't approve of extending the said decree to the territories under A.M.G.

For what concerns the procedure followed in issuing the said decree, I must tell you that the draft of the decree wasn't previously submitted to the Allied Commission, according to para 6 of the Macmillan memorandum, 24 February 1944, saying that the legislative activity of the Italian Government no longer required the approval of the Allied Authorities, except for the controls required by Military interests. It was thought - as in the case of many other regulations - that the new legal form given by the said Memorandum to the relations between the Allied organs and the Italian Government allowed the free publication of the decree in question, except for what concerned its possible extension to the territories under A.M.G. which would require the approval of the Allied Authorities.

For what concerns the reasons which, in your opinion, prevent the said extension, I meant to refer to the Council of Ministers. The crisis which has taken place will leave to the new Government the task of examining the situation.

I remain, my dear Admiral,

Yours very truly,

s. I. Bonomi

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome

e.o.

E E. DIST - 14 JUNE 44

ACTION: CA Sec (2)
INFO: Chief Control
Ex Control
POL. ADVSR. (A)
POL. ADVSR. (B)

1945

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

Chief Commr.

Translation

The Minister of the Royal Household
6218

a 1035

Rome, 11 June 1945

Dear Admiral,

H.R.H. the Lieutenant General has been asked to intervene on behalf of Comm. Arnoldo Frigessi di Rattalma, Director General of the Réunione Adriatica di Sicurta', who has lately been arrested by the Allied Authorities at Florence and detained in the Terni concentration camp.

The enclosed memorandum contains the necessary informations about the professional and political activity of Comm. Frigessi.

In accordance with the wish of the Lieutenant and considering the circumstances, I take the liberty of drawing your attention on this matter, for whatever action you may deem it advisable to take, and I shall be most grateful if you let me know your answer.

I hope you will forgive my writing to you, and I remain, my dear Admiral,

Sincerely yours,

S. F. Lucifero
(Minister of the Royal Household)

6203

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome

EC DIST - 20 June 45.

ACTION:- CA Sec (2)

INFO:- Chief Commr

: Econ Commr.

144a

Noted by CC

c.c.

1946

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

DF/4.5/CA.

11 June 1945

My dear Mr. Prime Minister :

I refer to my letter DF/4.5/CA of 6 June, and I am able to inform you that an interim reply has been received from Allied Force Headquarters.

Your request has now been forwarded to the Combined Chiefs of Staff and their decision will be communicated to you directly it is received.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner.

His Excellency Ivanoe BONOMI
President of the Council of Ministers,
Italian Government
ROME.

1947

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

Translation

Comm. ARNOLDO FRIGESSI DI RATTALMA was arrested by the Allied Authorities in Florence on May 15th.

He was there with a regular travelling pass, issued by the Allied Control Commission, Finance Insurance Sub-Commission.

Transferred to the concentration camp of Scandicci, near Florence, he was later sent to the Terni concentration camp where he is at present.

Comm. Frigessi is Director General and Deputy Manager of the Riunione Adriatica di Sicurta'; President of the Company ever since 1916, he was deprived of this charge in 1938, for racial motives, and his post was given, by superior orders, to Suvich.

Comm. Frigessi replaced his father in the charges which he had had in the Company for many years; ever since his youth he worked in the Riunione Adriatica di Sicurta', transferring himself several times to the branches and affiliated firms abroad. He is a well known personality in the insurance business, not only in Italy but also abroad. His whole life is entirely devoted to the Company, and the name of the Riunione Adriatica, whose centenary was in 1938, is closely linked to that of Frigessi.

Comm. Frigessi was 'discriminated' according to a regulation of the racial law, extending to him the discrimination granted to his grandfather Pavia, who had a distinguished service medal for the defence of Venice in 1849.

He remained with the Riunione Adriatica di Sicurta'as Director General, for, according to art. 15 and 17 of the 'racial law', people who had been 'discriminated' could remain in private Insurance Companies; they could also remain when their presence with the Co was deemed necessary because of the numerous relations existing with the foreign seats and affiliated firms.

During the fascist period, Comm. Frigessi never had political or syndical charges. After September 8th, 1943, and till the liberation of Rome, Comm. Frigessi for whom the German S.S. and republican fascists were looking, had to leave Trieste and remain in hiding in Rome. After the liberation of Rome, he resumed his post as Director General with the Rome Delegation of the Company, acknowledged by the Allied Control Commission as well as by the Italian Govt. as management of the Co. for the territory of liberated Italy.

It seems that the arrest of Comm. Frigessi was caused by the relations between the Company and its foreign seats and affiliated firms, especially outside Europe, during the 1939 - 1943 period, as well as during the period following the liberation of Rome.

The above mention contacts with the foreign seats and affiliated firms of the Company took place through the State Department - General Direction for Economic Affairs.

e.o.

144

1948

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

Ref 6/3B/CA

11 June 1945

141

147a

My dear Mr. Prime Minister:

I refer you to my letter of 5 June in answer to youre of 26 May on the subject of the arrest of Dott. Arnoldo FRIGESSI DI RATTALMA.

The Commanding General 15th Army Group informs me that the arrest was made for reasons of security. There are no further details which I can give you and I trust this is the information which you require.

Yours very truly

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

His Excellency Ivanoe BONOMI
The President of the Council of Ministers
Italian Government
R O M E

147

1949

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

cc

DF/4.14/CA

6 June 45

My dear Mr. Prime Minister,

I refer to Decree DLL No 149 of 26 April 1945, "Application of Sanctions against Politically Dangerous Fascists".

My advisors inform me that contrary to the usual practice with proposed decrees dealing with defascistization and democratisation, a subject in which the Allies are vitally interested, they were not consulted before the decree was passed and published.

I regret that this should have been so for the decree in question is not, in my opinion, satisfactory.

Not only does the decree duplicate, to some extent, the existing provisions on this subject, rendering the state of the law quite confusing, but its wording is so vague as to make it impossible for the subject to know with any clarity for what offences he may be punished.

Furthermore, yet another Central Commission is set up to consider appeals instead of leaving such matters to the Court of Cassation as under the former legislation, surely an unwise provision; and finally the powers of arrest granted by Art. 5 are so wide as to lead to the belief that there may be grave abuses in its use.

I regret to have to inform you, my dear Mr. Prime Minister, that because of the foregoing objections I am not prepared to implement this decree in A.M.G. territory.

Yours very truly,

116

Sec

Sec 17

/s/ Ellery W. Stone

EMLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

His Excellency Ivanoe BONOMI
The President of the Council of Ministers,
Italian Government
ROME

cc: POL. ADVSR. (A)
POL. ADVSR. (B)

13

26/10 ec

1950

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

COPY

COPY

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 383.6-11

6 June 1945

SUBJECT: Marshal Rodolfo GRAZIANI

TO : Headquarters, Allied Commission, APO 994.
(Attn: Civil Affairs Section)

N/F

1. Receipt is acknowledged of your letter of 2 June 1945 (DF/4.5/CA) making inquiry concerning what course is to be pursued with respect to the request made by the President of the Council of Ministers for the custody and control of Marshal Graziani.

2. This Headquarters is seeking authority from the Combined Chiefs of Staff in the premises. Until further instructions are available, it is requested that no action be taken.

/s/ Charles M. Spofford
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

cc: Ex. Commr.
CC Files

145

0209

1424

1951

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

HEADQUARTERS 15TH ARMY GROUP
G-5 Section
APO 777

Ref: G-5/11/3.4

5 June 1945

SUBJECT: DE FRIGENZI, Arnoldo di Rettelmo Adolfo (Dott).

TO : Civil Affairs Section,
HQ Allied Commission.

1. Your letter of 3 June 6/SD/CA refers.

2. The arrest of the above named in Florence on 12 May 1945 was authorized by this Headquarters (CSI (b)).

3. The arrest report was initiated by 15 PW Section.

4. The reasons for the arrest are given by CSI (b) as follows:

"Councillor of National Fascist Confederation of Insurance and Credit, member of executive Committee of National Fascist Federation of Insurance Enterprises, Councillor of National Fascist Federation of Factory Owners, etc. Internment also recommended by Finance Sub-Commission, HQ Allied Commission."

5. De Frigenzi was serial number 175 on 15th Army Group's Black List a copy of which is with the Public Safety Sub-Commission.

6. CSI (b) stets that for some time they had been in contact with Brigadier Trafford-Smith and Major Comon (of Finance C/C) who were in possession of the full facts of this case and knew of and recommended the intended arrest. It is suggested that you communicate with them direct.

See 144

/s/ ROBERT A. LEMMEL
Lt. Col., G.S.C.
Actg. A. C. of S., G-5

CSDIC

147a

1952

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

Ref DF/4.5/CA

6 June 1945

137

My dear Mr. Prime Minister:

I thank you for your letter of 29 May on the subject of Marshal Rodolfo GRAZIANI.

The Marshal is now held as a Prisoner of War. I have informed the Military Authority of your request and will notify you as soon as a reply is received.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

142 b

His Excellency Ivanoe BONOMI
The President of the Council of Ministers
Italian Government
ROME

142

2707

1953

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

RXII/024.14
JUNE 051830

E/3779
JUNE 052150
IMMEDIATE

AMG VENEZIA REGION
HQ ALCOM CASEC

IN CLEAR.

Your advice urgently requested as to proper treatment of members of Brigata Nera and similiar organisations now held in civil prisons (your AC/14754/12/PS of 12 March 1945 forwarding AG 383.6121 GB 1-O of March 1945 from AFHQ appears inconsistent with your DF/5.16/CA of 5 May 1945 forwarding 1401/71 GS 1) of 1 May 1945 from 15 GROUP. Suggest true view is members of organised military formations who surrendered to Allied Forces or to Partisans in the field are entitled to be treated as Prisoners of War and are not amenable to juridiction of extraordinary Courts of Assize. Those who did not surrender but were arrested as criminals are not entitled to be treated as Prisoners of War even if they were military personnel. Please confirm or advise otherwise. For your information very large numbers are in jail local opinion would be gravely disturbed if the men were not made to answer before the Italian courts for action against Patriotti and civilians.

DIST

ACTION - PUB SAFETY
INFO - CHIEF COMMISSIONER
CA SEC
FILE

1410

1954

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

Ref 6/3B/CA

5 June 1945.

(135)

My dear Mr. Prime Minister:

Thank you for your letter No. 449 of 26 May on the arrest of Dr. Arnaldo FRIGERIO DI BATTAGLIA. I am having inquiries made into this case and I will send you further details in due course.

Yours very truly,

(Dec 134)

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

See (144)

26/10/45

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

0005

(141)

1953

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

EWS/dfe

4 June 1945

Dear Chuck:

I agreed to provide the Kilgore Committee with the attached copy of our Executive Memorandum No. 67 of 5 July 1944 concerning the treatment of Italian officials encountered in the advance northwards. Would you kindly see that this is turned over to them.

Thank you for this favor with which I am troubling you.

Sincerely,

/s/ Ellery

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

1 Incl.

Brigadier General Charles M. Spofford, U.S.A.
Assistant Chief of Staff, G-5
Allied Force Headquarters
APO 512

1 file

Note: A copy of revised Ex. Mem. dated 7 April 1945 was also enclosed

140

2677th REGIMENT (Prov)

1 June 1945

RESTRICTED
CLASSIFICATION

JR-2078

OFFICE OF STRATEGIC SERVICES

INTELLIGENCE DISSEMINATION

COUNTRY Italy

SUBJECT Epuration

ORIGIN Rome
THEATRE MED-HQ DET

SOURCE St. Vincent
SUB SOURCE Member of CNLAI
EVALUATION Document

ORIGINAL RPT. JR-2078

DATE OF INFO. 15 April 1945
DATE OF RPT.
DISTRIBUTED 1 June 1945

CONFIRMATION
SUPPLEMENT

NO. OF PAGES 4
ATTACHMENTS

Organization and Development of The High Commission for Epuration

NOTE: The following is a translation of a report which was obtained from a member of the CLNAI who arrived recently in Rome. The report contains a brief account of how each of the four branches of the High Commission was set up, and of how each has functioned in practice. The author of the document is unknown.

The system of sanctions against Fascism, following the partial laws issued by the Salerno Government, was regulated by the basic law No. 159 of 27 July 1944. This law is also imperfect and improvements on it are in progress.

The basic law created the High Commissariat for sanctions against Fascism, which carries out its duties through four autonomous branches, respectively headed by a High Commissioner. The branches are:

- Punishment of Fascist crimes;
- Epuration of the Administration;
- [illegible]

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

member of the CLNAI who arrived recently in Rome. The report contains a brief account of how each of the four branches of the High Commission was set up, and of how each has functioned in practice. The author of the document is unknown.

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The basic law created the High Commissariat for sanctions against Fascism, which carries out its duties through four autonomous branches, respectively headed by a High Commissioner. The branches are:

- Punishment of Fascist crimes;
- Epuration of the Administration;
- Confiscation of Fascist profits;
- Liquidation of Fascist Party property.

1. Punishment of Fascist Crimes

The crimes to be punished under this heading are:

a. Crimes committed by Fascists and punishable under ordinary penal law, but unpunished or not sufficiently punished during the Fascist regime. The basic law states that these

138

RESTRICTED
CLASSIFICATION

MID	ONI	AC	STATE	TREAS	CWI	FEA	AMS	NC	FCC	JICA	L	JANAC	

	Am Amb AmPolAd(2)	AC-ID G-5, AFHQ	IO SUSNLOI AMG (2)	EAB WASH (2)	PARIS PALERMO	
THEATRE DISTRIBUTION	AC-CC ✓ AC-PS	JICA (2) G-2, AFHQ	RASO, G-2 CT, AFHQ	CASERTA(3) LONDON(13)	X-2, Rome	
CIA						

3610/2

2

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

crimes should be prosecuted by ordinary justice by applying the laws in vigor at the time they were committed, but abolishing rulings, amnesties, and pardons; it also gives power to the High Commissioner to annul acquittal or excessively mild sentences and to order new trials. This last category of trials includes those for the murder of distinguished anti-Fascists, such as Matteotti, and for the pillage or destruction of labor organizations, etc.

b. Activity in directing or promoting Fascist conquest of power or the coup d'etat which transformed the Italian democratic state into a totalitarian state, and outstanding activity in contributing to keep Fascism in power.

Lawyers have criticized the fact that actions committed prior to their having been declared unlawful are now considered crimes. But, since these measures concern high Fascist leaders alone and not the large mass of Fascists, it is evident that political justice, demanding the punishment of responsible Fascists, should outweigh juridical considerations.

c. Collaboration with the Germans to the detriment of the military defense of the State following the armistice. The basic law extends the penalties established by the war penal and military code to non-military personnel guilty of this crime.

Special tribunals for the prosecution of Fascist crimes have not been established. A High Court of Justice alone was established, composed of magistrates and political personages competent to judge members of the Government and ranking Fascist hierarchs. Ordinary courts try all other cases, but the High Commissioner has the power to make investigations and to assign any case to the judgment of the High Court. In practice, the majority of cases have been assigned to ordinary judicial authorities for investigation as well, following which the High Commissioner, whenever necessary, annulled sentences and pardons pronounced during the Fascist regime. Only a few cases have been assigned to the High Court.

The system is defective largely because ordinary civil and military magistrates must try the cases and they are 6781
not numerically equipped for the extraordinary task

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

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The system is defective largely because ordinary civil and military magistrates must try the cases and they are not numerically equipped for the extraordinary task, particularly since they have been called to perform other epuration tasks, as will be seen. Furthermore, the magistrates served for twenty years under the Fascist regime and, even if they did not spontaneously adhere to Fascism, are not the best suited to apply anti-Fascist laws with a democratic spirit. Recently, cases were acquitted which made a bad impression on public opinion, especially when the persons involved were accused of serious political crimes and not of ordinary ones.

The basic law demands that provincial commissions be organized and composed of one magistrate and two popular judges, to deprive Fascist criminals of political and voting rights up to ten years and, in the most serious cases, to assign them to an agricultural colony. This sentence is to some extent equivalent to the "indignite nationale" of French epuration laws. So far it has not been applied because the provincial Commissions are just being organized. This fact is not as grave as it appears because most Fascist criminals are already in the concentration camps prepared by Allied military police.

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The activity of the High Commissariat is shown by the following table:

- Denunciations	1935	No. of persons accused	4854
- Procedures assigned to other authorities for investigation	1733	"	4313
- Investigations completed and transferred to other authorities for further action	78	"	138
- Trials transferred to the High Court of Justice	12	"	29
- Trials shelved	12	"	16
- Trials pending	100	"	358

2. Epuration of the Administration

The problem of the epuration of the administration in Italy is much more difficult than in countries occupied by the Germans for a few years. In general, at the time of their liberation, these countries possessed administrative personnel which could be trusted by the new government and which could by itself expel collaborationists. After twenty years of Fascism in Italy, all the persons opposed to Fascism had long since been eliminated from the Civil Service, which could be said to have become completely Fascist. Complete epuration meant that all civil servants, or at least all those who held responsible positions, should have been ejected. This was not possible without halting State administration and therefore each case had to be examined separately especially in regard to those who were heavily compromised. Obviously, Civil Service could not epurate itself and the High Commissioner appointed special Commissions for each Ministry and each province. A magistrate, an official of the particular administrative branch, and an outside person appointed by the High Commissioner are members of each of these Commissions. The accused or the High Commissioner may appeal the decision of the Commission to a Central Commission. The Commissions, when they cannot acquit the accused, may dismiss him from the service with or without loss of pension, or may apply disciplinary measures such as demotion, suspension, or simple censure.

Epuration at the center has progressed well, but has progressed slowly locally. Prior to the beginning of the trial, the High Commissioner may request that the accused be suspended from the service pending trial. Each Ministry

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

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Epuration at the center has progressed well, but has progressed slowly locally. Prior to the beginning of the trial, the High Commissioner may request that the accused be suspended from the service pending trial. Each Ministry has charge of these suspensions. 80

Activity carried out up to 31 March 1945 is shown by the following tables

- Commissions organized	152
- Commissions in process of organization	29
- Suspensions pending trial requested by the High Commissioner	1,113
- Suspensions pending trial granted	753
- Suspensions ordered directly by the Ministries	4,037
- Total suspensions	4,790
- Officials submitted to the judgment of the Commissions	28,494
- by the High Commissioner	10,786
- directly by the Ministries	17,708
- Judgments pronounced by 1st degree Commissions	7,576
- Dismissals	1,344
- Disciplinary measures	5,432

138

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

- Acquittals 2,750
- Appeals to the Central Commission by the High Commissioner 587
- Appeals to the Central Commission by the accused 911
- Appeals to the Central Commission by the both 113
- Judgments pronounced by the Central Commission 66

3. Confiscation of Fascist Profits

Confiscation, which is estimated will yield from 300 to 500 billions to the State, proceeds very slowly because the law is too complicated and investigations can be drawn out indefinitely. A new law on this subject should be published any day and it is understood that it decrees total and immediate confiscation of property belonging to the most responsible Fascists, rapid procedures to establish the extent of profits on the part of other hierarchs and of those who speculated on Fascism, and the establishment of an organization to receive the property on behalf of the State. The High Commissariat has started to investigate thousands of persons and in 514 cases has seized, as a precautionary measure, property owned by Fascists or by companies under whose cover the Fascists hid their property.

4. Liquidation of Fascist Party Property

The High Commissioner recovered for the State, up to 31 March 1945, property belonging to the Fascist Party and other organizations in the amount of 510,710,239,20 Lire besides 450 million Lire in cash which was deposited in the central Treasury. The figures do not include property belonging to the Fascist confederations of laborers and employers because this liquidation will be separate, following payment of debts owed by these organizations.

5. Epuration of Senators

The law of 27 July 1944 gives power to the High Commissioner to request the dismissal of Senators, who, according to the Statute of the Kingdom, are appointed for life. The High Court pronounces the verdict.

Of the 421 Senators 3 have been [illegible]

1962

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

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The law of 27 July 1944 gives power to the High Commissioner to request the dismissal of Senators, who, according to the Statute of the Kingdom, are appointed for life. The High Court pronounces the verdict.

Of the 421 Senators, 3 have been dismissed because they were Albanian citizens, and 313 have so far been proposed for dismissal. The High Court of Justice has examined 90 cases (for the time being Senators residing in the North have not been tried because they were unable to defend themselves): in 6 cases trial was suspended because investigations led to discovery of facts punishable by penal law, in 5 cases the accused were deceased, in 4 cases the proposal for dismissal was rejected, and in the remaining 75 cases the Senators involved were dismissed.

(138)

1963
Declassified E.O. 12356 Section 3.3/NND No. 785015

1964

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

Exec Comm 8

Chief Comm

Translation

The President of the Council of Ministers

CC1036

36723/1.2.1

Rome, 29 May 1945

My dear Admiral,

the High Commissioner for sanctions against fascism has entrusted to the High Court of Justice the action against Marshal Rodolfo GRAZIANI, commander in chief of the troops of the so-called fascist republican government.

As Graziani is at present at the disposal of the Allies, will you kindly see that he is put at the disposal of the Italian legal authority.

I remain, my dear Admiral,

Yours very truly,

Sec 142

s. I. Bonomi

Admiral Ellery W. Stone
Chief Commissioner of the Allied Commission
R O M E

O.O.

137

C778

E.C. DIST - 30 May 45

ACTION : C.A. Sec (2)
INFO : Chief Comm.
: Exec Comm.

MAY 30 RECD CC 7/5.

C O N F I D E N T I A L

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

13174/F

28 May 1945.

SUBJECT : Arnoldo FRIGESSI di Rattalma.

TO : The Chief Commissioner.

1. I write to advise you that the above named was arrested in Florence on 13 May by the 15 Army Group and I consider it advisable that you should be placed in possession of certain facts surrounding this matter to enable you to deal with any possible approach by the Italian Government.

2. It was learned as the result of a visit from yourLiaison Officer, Lt. Comdr. Apostolo, this morning that the Italian Government are very concerned at the action taken by 15 Army Group and we were asked whether we knew the grounds for the arrest.

3. Although we have no knowledge of the circumstances which led 15 Army Group to act, we have considerable information supplied by Washington and London concerning both FRIGESSI, who is Direttore Generale of Riunione Adriatica, and of his opposite number Michele SULFINA, Direttore Generale of Assicurazioni Generali.

4. Both are prominent persons in whom the State Department is interested. More recently, we have learned that the Board of Trade in London regards the companies of these two men (which are the largest of their kind in Italy) as "hot-beds of political intrigue, and dangerous at that, which have caused more mischief than the German companies".

5. We attach copy of the confidential reports supplied by Washington and A C Security Branch in respect of FRIGESSI which will give you a good picture of the person concerned. In view of the contents of these reports it is not surprising that we recently received an enquiry from the State Department who wished to know:

1945

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

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(a) why FRIGESSI and SULFINA, known in Washington to have certain political associations, were in charge of their respective companies' interests here,

(b) how they have been able to transmit communications to black-listed companies, intercepts of which have been reported to Washington.

6. We are aware that immediately following his arrest, FRIGESSI's friends became very active in his behalf and succeeded in interesting an officer of the S.C.I.Z. (an American intelligence organisation in Rome) who called on us to inquire of the

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1966

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

circumstances, and whether we were interested in his being released. We believe that in view of the influential position held by FRIGESSI, pressure may be expected from various interested quarters to intervene in his behalf.

7. Apart from other considerations with which 15 Army Group are concerned, we consider that with the information placed at our disposal by Washington and London any intervention on our part would be highly injudicious.

8. On the subject of undesirable insurance executives, it will interest you to know that Ignazio GIORDANI, former Direttore Generale of the Istituto Nazionale delle Assicurazioni (National Insurance Institute), has been arrested on the orders of the Italian Government and charged with complicity in an organisation of spy agencies on behalf of Mussolini, and other high crimes and misdemeanours. We are informed that the Government regards the case as an extremely serious one.

The early arrest of SULFINA also would occasion no surprise.

R. K. Thompson
Col.
Joint Director
Finance Sub-Commission.

8336

1967

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

The early arrest of SOUFINA also w[illegible]

K A Thompson
Col.
Joint Director
Finance Sub-Commission.

[illegible]6

(136)

1698

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

CONFIDENTIAL REPORT ON ARNOLDO FRIGESSI DI RATTALMA SUPPLIED BY SECURITY BRANCH.

1. FRIGESSI was born at Trieste on 7th January 1881 of Jewish parents of Roumanian or Austrian origin. He was the President and Director General of R.A.S. (Riunione Adriatica di Sicurtà) until 1938 when the anti-Jewish laws were introduced in Italy. His successor was Fulvio SULVICH, who resigned his appointment as Italian Ambassador to the United States and was recently arrested on the instructions of the Epuration Commission.

2. Subject was inscribed in the Fascist Party in 1923, and was a Grand Officer of the Fascist Order and a Grand Officer of the Order of the Italian Crown.

3. In 1933, FRIGESSI made a public presentation to MUSSOLINI at the Palazzo Venezia and ended his address by saying, "Duce, this is the Insegnia of Trieste, Milan and Rome under the protection of the Fascio Littorio. We beg you to accept it as the symbol of the power and discipline which again has been brought by Rome to the world through your merits. To the Duce".

4. On another occasion when addressing a speech to STARACE, FRIGESSI said, " We shall transmit our energy to our children who will see their country great and powerful under the emblem of the "Fascio Littorio".

5. "Notiziario della Riunione Adriatica di Sicurtà" reproduces several photographs of FRIGESSI with either MUSSOLINI or STARACE in its issue of April 1933. Several show him wearing a black shirt.

6. In May 1935, FRIGESSI was photographed at the tomb of those who died for Fascism. The same year he made enthusiastic speechs in the presence of the leading Fascists to celebrate the 25th May. In one speech he is recorded as saying, "This great Italian revolution made by our genial and powerful Duce".

7. The Company's issue of the "Notiziario" in January 1936 publishes a leading article by FRIGESSI under the heading

1996
Declassified E.O. 12356 Section 3.3/NND No. 785015

"Duce, this is the insegna [illegible] the protection of the Fascio Littorio. We beg you to accept it as the symbol of the power and discipline which again has been brought by Rome to the world through your merits. To the Duce".

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7. The Company's issue of the "Notiziario" in January 1936, 5 publishes a leading article by FRIGESSI under the heading "Sanctions and Reaction". The same issue records the handing over to STARACE by FRIGESSI of gold and silver which had been melted down from medals and coins given to the Fascist Federation by the Company's branch of Dopolavoro, also the gold obtained by melting down 113 wedding rings given by the directors and staff of the Company.

8. In June 1936, after the orders of the Secretary of the Fascist Party, FRIGESSI with all the officials and employees of the Adriatica applied to the Federal Vice Secretary of Trieste for admission into the M.V.S.N.

9. FRIGESSI is photographed in October 1936, wearing Fascist uniform, addressing a speech to FARINACCI in the presence of MUSSOLINI.

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10. As late as August 1938, FRIGESSI sent a telegram to STARACE, the Secretary of the Fascist Party expressing his faith towards MUSSOLINI.

11. Many photographs have been published from time to time showing FRIGESSI wearing Fascist uniform in the presence of the highest Party Officials.

12. The above details are put forward with a view to showing that FRIGESSI was always much more than an ardent Fascist, he enjoyed the close friendship for many years of the Party leaders who are today the founders of the Republican Fascists. He contributed large sums to the finances of the Party and was doubtless regarded as one of its chief supporters in this way, so much so that even when the racial laws were introduced he did not really loose his power of supervision over the Company, although officially he was replaced by SUVICH.

13. After the 8th September 1943 he left Trieste fearing the action which the Nazis might take on account of him being a Jew. Reliable sources report he remained hidden in the Vatican until the arrival of the Allies, however, I am unable to obtain verification of this fact. He now lives at via Bertolini 31.

14. FRIGESSI is no doubt a capable man in the insurance world but I am inclined to view him at present as something of an opportunist anxious to regain power before others have an opportunity of securing important appointments in his particular sphere of business. It has been suggested that he is trying to bring about a fusion of the various insurance organisations in order to form a Federation similar to that which existed under the Fascist regime.

15. As in the case of GIORDANI, already reported on, a section of the public think his arrest on orders of the Epuration Commission is imminent.

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

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[illegible]

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

C O N F I D E N T I A L

WASHINGTON REPORT ON ARNOLDO FRIGESSI DI RATTALMA.

FRIGESSI, who is a Doctor of Law, a Grand Officer of the Fascist Order, a Grand Officer of the Order of the Italian Crown, and who has been bestowed with Rumanian and Greek decorations, lives at Trieste, 2 Via Santa Caterina. He is the brain-truster of the Riunione concern and a man of outstanding reputation and experience in international insurance. This made him indispensable to the Company; when the Jewish racial laws became in force in 1938, like SULFINA of the Generali, he was kept as an "honorary Aryan" by the grace of Mussolini. However, he had to resign from his post as Chairman of the company, which post was then given to Ambassador Fulvio DE SUVICH, who then resigned from his post as Ambassador to the United States. The executive management of the Riunione concern still lies in the hands of FRIGESSI.

FRIGESSI and his father were the men who brought the Riunione concern to unparalleled prosperity and whose standing in the Italian and international insurance world has always been beyond reproach. Unlike his opposite number in the Generali (SULFINA), FRIGESSI is a conservative man who has never indulged in clever tricks such as SULFINA has to make money for the Generali - and for himself. It is reported (source Rating C) that FRIGESSI is still well seen in the aristocratic circles of Trieste, and that SUVICH had the strength of character not to forget that he owes his position to the FRIGESSI family.

FRIGESSI seems also to have unsuccessfully opposed the unscrupulous machinations of his wife, who "made" herself and her children "Aryans" by filing an affidavit with the Government to the effect that she is a bastard conceived in adultery by a Christian and therefore has no Jewish blood in her veins.

Aside from his position in the Riunione, FRIGESSI is on the Board of Directors or is president or vice-president ofthe following Italian and foreign insurance companies:

Vers.-Ges. "L'Assicuratrice Italiana", Milan, Fonciers, Allg[illegible]

1973

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

hands of FRIGESSI.

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Versicherungsanstalt, Budapest
L'Orient, Versich, -A.-G., Instabul
Vers.-Ges. "Protectrice-Accidents", Paris
Vers.-Ges. "Protectrice-Vie, Paris
"Bulgarischer Phonix, Sofia
"Mutua Assicuratrice Cotoni", Milan- Via Manzoni, 30.

Furthermore he is Vice-President of the Italian Naval and Aeronautical Register, comparable tc Lloyds Register. Until 1941 he was also a Vice-President of the National Fascist Confederation of Credit and Insurance Enterprises and a member of the Federal National Fascist Association of Insurance Carriers. He was, furthermore, a Vice-President of the Association of Italian Stock Companies and a Vice-President of the Federal National Fascist Association of Industrialists; and finally a member of the

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Italian Chamber of the International Law Association. It is understood that all these official or semi-official positions had to be given up by FRIGESSI as the German pressure of elimination of Jewish influence from Italian public life increased.

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

1976

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

2.2.3

2-1

(26)

1977

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

1 June 1945

Chief Commissioner--

Civil Affairs Section is investigating this arrest and will prepare reply to Bonomi. Copy of the attached report from Col. Menapace has been turned over to Civil Affairs Section.

L.W.S.

136

1978

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

Other Copies

Translation

The President of the Council of Ministers

149

CC 1755

Rome, 26 May 1945

Dear Admiral,

I have been told that Gr. Uff. Dr Arnaldo Frigessi di Rattalma, Director General and Deputy Manager of the Riunione Adriatica di Sicurta' , one of the biggest Italian Insurance companies , has been arrested by the Allied Authorities in Florence , where he had gone from Rome, on May 10th.

I shall be most grateful, my dear Admiral, if you will let me have some informations about the reasons which caused the arrest of Dr. Frigessi.

(See 136)

Sincerely yours,

S. I. Bonomi

See 141

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome

E. C. DIST - 28 MAY 45

ACTION: C A Sec (2)
INFO: Chief Comm
Ex Comm

6771

D.C.

135

26/10/cc

1979

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

Translation

MAY 25 RECD
CC 1135

The President of the Council of Ministers
35232.14.P.G.

Rome, 23 May 1945

Dear Admiral,

I refer to your letter of the 8th, about the sending to various officers of diplomas granting dignities, in which the name of the Sovereign is preceded by 'King of Albania, Emperor of Ethiopia', and in which the proposal by the 'Duce del fascismo' is mentioned.

As you justly pointed out, this is only the material handing over of the certificate of a regulation issued on March 16th, 1943, under the forms which were then in force.

However, I quite agree with you that this act, which is simply due to thoughtlessness, is most inopportune, and I am sincerely sorry that it should have taken place.

I have given order for the said diplomas to be taken from the persons to whom they were sent, and for such documents to be no longer issued.

I remain,

Your sincerely,

s, I Bonomi

Admiral Ellery W. Stone
Chief Commissioner of the
Allied Commission

EE DIST - 24 MAY 45
ACTION: CA Sec(2)
INFO: Chief Comm
Ex Comm

1980

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

MAY 20

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Tel : 478427-686

AC/14754/6/PS

May, 1945

SUBJECT : Evacuation of Fascists from North Italy

TO : G-5, AFHQ

1324

1. The Italian Government has informed this Headquarters that members of the neo-fascist formations and soldiers of the Brigate Nere are beginning to leave North Italy returning to their home provinces in Italian Government territory, and that, in many cases, their arrival has caused serious trouble.

2. The Italian Government has requested that Allied Military Authorities prevent the return of these persons to the south until such time as their status can be determined. It has been suggested that they be confined in concentration camps in the north pending investigation.

3. Will you please consider discussing this matter with proper authority?

For the Chief Commissioner:

G.R. UPJOHN, Brig.
VP CA Sec

Copy to:
Chief Commissioner √

133

6369

1981

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

CHIEF CONTR

Translation

MAY 16 RECD
CC 1:50

The President of the Council of Ministers

16876

Rome, 14 May 1945

Dear Admiral,

various Prefects informed me that elements of the neo-fascist formations and chiefly soldiers of the Brigate Nere are beginning to return to the provinces, coming from North Italy; their arrival in the villages causes serious trouble and even bloodshed.

To avoid those who are recognized from being a cause of new trouble, as well as to prevent those who escape popular anger from escaping also legal punishment, I ordered the arrest of the elements who have already arrived; I shall be most grateful if you will suggest to the Allied Military Authorities the advisability of gathering in adequate concentration camps in North Italy the members of the neo-fascist formations till their position will be defined, or somehow, to prevent their return as long as the necessary security measures have not been decided with the competent offices of the Commission.

Waiting for your answer, I remain,

Truly yours,

133

a. I Bonomi

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome

1326

G.C.

ACTION: WINT NEW SFC
INFO: CHIEF CONTR
CMAC
CINCMED
CINCNELM
CINCAFHQ
CINCAFMED
CINCMEDSEA
CINCNAVEU
CINCAFSOUTH
CINCAFNORTH
CINCAFCENT
CINCAFSEA
CINCAFAT
CINCAFEAST
CINCAFWEST
CINCAFSOUTHEAST
CINCAFNORTHWEST
CINCAFSOUTHWEST
CINCAFNORTHEA

1982

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

Ref: 9/15.1/CA.

8 May 1945.

My dear Mr. Prime Minister:

I think I should bring to your notice the fact that on 16th February 1945 the Minister of War forwarded to various officers 12 diplomas conferring on them the honour of the Order of the Crown of Italy. I attach specimen of one of the diplomas. You will notice that the diplomas bear the title "Re d'Italia e di Albania Imperatore d'Etiopia".

You will also notice that the diploma states "Sulla proposta del Duce del Fascismo".

Although the diplomas are dated prior to the overthrow of the Fascist regime and although the delivery might therefore be construed as a mere act of routine, nevertheless the perpetuation of honours proposed by the head of the Fascist State would seem to be inconsistent with the provisions of the Armistice Terms, contrary to the policy of the Allies, and presumably contrary to the policy of the Italian Government.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

See 134

H.E. Ivanoe Bonomi,
President of the Council of Ministers,
Italian Government,
R O M E.

C.P. Ex Comm.
C.A. Section
CA Files

132

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CC 0250

HEADQUARTERS ALLIED COMMISSION
Navy Sub-Commission APO 394

NSC/2296
29 April 1945.

FASCIST DIPLOMAS

Dear Admiral de Courten:

The Military Commission, Scioglimento Milmart, Regia Marina, under cover of Prot. 7354/A of 30 March 1945, forwarded six diplomas to Ufficio Stralcio Milmart, Reggio Calabria, signed by A. Bono, President of the Commission, conferring "the honour of CAVALIERE or UFFICIALE of the Order of the Crown of Italy" on the officers named therein for delivery.

2. The Diplomas show the title "KING OF ITALY AND ALBANIA, EMPEROR OF ETHIOPIA" and are for special services performed in the present war and in previous wars from 1915 to 1940. The honours are conferred on the proposal of "the Duce of Fascism, Chief of Government, Minister of Marine" and are dated 27 June 1942 - XX.

3. Notwithstanding the fact that the Diplomas are dated 27 June 1942, and the delivery thereof might conceivably be construed as a mere ministerial act, provided the diplomas were executed on that date, the perpetuation of Fascist organizations and honours by the Ministry of Marine of the Italian Government is considered to be wholly inconsistent with the provisions of the Armistice, which specifically require that all Fascist organizations be disbanded, and which further provide for the suppression of Fascist ideology and teaching.

4. The recognition of Fascist organizations and honours is contrary to the policy of the Allied Nations and presumably the Italian Government.

5. It is requested that I may have your early assurances that the Ministry of Marine will take strong measures to insure that all stocks of Fascist literature and diplomas or forms under Italian Navy jurisdiction and control are des-

1983
Declassified E.O. 12356 Section 3.3/NND No. 785015

delivery.

2. The Diplomas show the title "KING OF ITALY AND ALBANIA, EMPEROR OF ETHIOPIA" and are for special services performed in the present war and in previous wars from 1915 to 1940. The honours are conferred on the proposal of "the Duce of Fascism, Chief of Government, Minister of Marine" and are dated 27 June 1942 - XX.

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4. The recognition of Fascist organizations and honours is contrary to the policy of the Allied Nations and presumably the Italian Government.

5. It is requested that I may have your early assurances that the Ministry of Marine will take strong measures to insure that all stocks of Fascist literature and diplomas or forms under Italian Navy jurisdiction and control are destroyed and that the Ministry of Marine does not foster Fascist practices and customs.

(Sgd) G. L. WARREN
NEAR ADMIRAL,
CHIEF, NAVY SUB-COMMISSION, AC.

H.E. ADMIRAL R. DE COURTEN
MINISTRY OF MARINE
ROME

Copy to:
CHIEF COMMISSIONER
V.P. CA SECTION
PUBLIC SAFETY SC.AC.

131

1984
Declassified E.O. 12356 Section 3.3/NND No. 785015

1985

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

APR 30 [illegible]

Ref: 19/3.A/CA.

28 April 1956.

SUBJECT: Defection - Northern ITALY.

TO : The Honourable Alexander Kirk,
American Embassy,
119, Via Vittorio Veneto,
ROME.

With reference to your discussion yesterday with the Chief Commissioner, I am instructed by him to forward for your information the attached copy of Memo DF/3.A/CA, subject as above.

M. E. LOCK

Brigadier,
Executive Commissioner.

APR 2 9 RECD
CC 1112

Ref: 1013/1/EC. 27 April 1945.

SUBJECT: Treatment of Political Prisoners in Northern ITALY.

TO : Vice President,
Civil Affairs Section.

1. At the Chief Commissioner's political meeting this morning the treatment of political prisoners in Northern ITALY was discussed. The Chief Commissioner directs as follows:

(a) With respect to epuration, we should examine how AMG can avoid being too greatly involved. It is realised that the popular courts will be set up under Italian decree but they will, at the same time, be functioning under AMG authority.

(b) War criminals. The Chief Commissioner would like to know exactly, who designates them, whether we have any lists of war criminals, and who deals with them.

(c) The Chief Commissioner directs that Regional Commissioners be instructed to transmit to this HQ for the information of the Italian Government, a list of all Italians interned for political reasons.

(d) The Chief Commissioner also directs that steps should be taken, if necessary, with AFHQ to prevent the wholesale and unreasonable arrest of Italians by the C.I.C. and F.S.S. He fully realises the difficulty of enforcing this with the C.I.C. and F.S.S. but wishes everything to be done.

2. Has the Italian decree setting up the popular courts yet been published?

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8784

M.S.L.

Brigadier,
Executive Commissioner.

MSL/JG.

Copy to: SO to CC.

129

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1988

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

ACC/14041/12/PS

20 April 1945.

MEMORANDUM TO: Marchese Cittadini-Cesi.

Would you be good enough to hand the attached to the Prime Minister. In view of our new directive, I recognize that we have no right to protest the appointment of police officials at this level, but I should like to make certain that the Prime Minister is aware of their dossiers, for such action as he may consider advisable.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

cc: Exec. Commr.
Pub. Safety S/c

1 Encl. - Aide Memoire for H.E. Ivanoe Bonomi
Ref. ACC/14041/12/PS, 17 April 45.

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1989

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

ACC/14041/12/PS

17 April 1945

Aide Memoire for His Excellency Ivanoe Bonomi.

Two recent appointments in the Questura at Rome do not appear to be in keeping with the principles of the Italian Government regarding Fascism.

i) Commissario SCALI has been appointed Chief of Cabinet of the Questore (Capo Gabinetto). This Officer is alleged to have been most active in his operation against anti-fascists while he was Commissario of the Campo Marzio district. He is also alleged to have denounced a number of Jews. He held his office during the German occupation and is said to have given enthusiastic co-operation in finding forced labour for Germany.

ii) Magg. MAROCCO has been appointed Chief of the "Squadra Mobile". This Officer is alleged to have taken the oath to the Fascist Republican Government. He later joined Polisia Africa Italiana.

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DF/3.A/CA

10 April 45

SUBJECT : Defascism - North Italy.

TO : See Distribution

A - EPURATION OF FASCISTS FROM STATE ADMINISTRATION AND STATAL AND PARASTAL CONCERNS :-

1 Epuration will play an even more important role in the North than in areas already liberated. A quick and effective epuration may be decisive in securing a peaceful administration.

At the same time, this does not mean that there will be wholesale dismissals, any plan for such would not only disorganize the administration but might work grave injustices. (e.g. it is believed from reliable sources that the Judges of Piemonte, Lombardia and Venezia have refused to take the oath of allegiance to the Fascist Republican Government).

2 Epuration will therefore be conducted on the following plan:-

a) On first entry epuration will be carried out in accordance with Executive Memorandum 67 (of which a revised edition has been issued).

b) This will be followed by the setting up of Italian Provincial Epuration Commissions under the terms of GO 35. In provinces not yet liberated as of this date, GO 35 may be posted at any time after entry at the discretion of 5th Army or IV Corps, or the Regional Commissioner, without reference to Headquarters Allied Commission. This discretion may be delegated to Provincial Commissioners.
However, as the General Order sets up rigorous time limits, it should not be posted until suitable persons to sit on the Commissions have in fact been selected.
Supplies of GO 35, together with Administrative Instructions and books printed in Italian for the use of the Italian Commissions, have been distributed.
An amending GO 35(c) has been signed. It effects payments to be made to suspended personnel and provides for the dismissal rather than

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in securing a peaceful administration.

At the same time, this does not mean that there will be wholesale dismissals, any plan for such would not only disorganize the administration but might work grave injustices. (e.g. it is believed from reliable sources that the Judges of Piemonte, Lombardia and Venezia have refused to take the oath of allegiance to the Fascist Republican Government).

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However, as the General Order sets up rigorous time limits, it should not be posted until suitable persons to sit on the Commissions have in fact been selected.
Supplies of GO 35, together with Administrative Instructions and books printed in Italian for the use of the Italian Commissions, have been distributed.
An amending GO 35(a) has been signed. It effects payments to be made to suspended personnel and provides for the dismissal rather then suspension of temporary employees (avventizi). Copies of GO 35(a) will be distributed as soon as possible, but the operation of GO 35 will not be held up by non-arrival of copies of GO 35 (a).

c) The foregoing will be followed up by the implementation under the usual procedure of DML 159 and amending Decrees in AMG Territory. 1943
When these Decrees are implemented it is the duty of the Government to appoint three delegates in each province to collect evidence, make investigations on behalf of the High Commissioner, and set up Provincial Commissions. Every assistance should be given to these Delegates.
However, it is not necessary to suspend the Commissions set up under (b) above until the Government Commissions are actually nominated and ready to commence work.

3 It very well may be that the CLNs and Partisans will themselves have carried out an epuration of the administration before the arrival of the Allies and have placed new personnel in the places of those dismissed. This will render the task of epuration that much easier.

2610/G

(122a)

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If such is found to be the case it will be advisable to remove those people from office. There would be no objection to the same individuals being appointed by AMG if considered suitable but it must be fully realised by the Italians that AMG is the appointing authority, and not CLN or any other body.

4 In other cases it may be found that there has been a mass epuration and the vacant offices have not been filled. In this case, personnel will be recruited locally, or replacements must be requested from Headquarters Allied Commission. The former is to be preferred, as the number of minor officials who can be supplied by the Italian Government is not large, and some delay in their arrival is to be anticipated. If an acute shortage of personnel makes it absolutely necessary, minor officials may have to be temporarily reinstated although they have previously been removed. Opportunity should be taken of assuring the local populace of an immediate investigation of any persons thus reinstated in accordance with the procedure outlined in para 2 above.

B - EPURATION OF BUSINESS CONCERNS :-

5 Paragraph "4" above does not deal with the epuration of business concerns which are not statal or para-statal.

In the cases of business concerns which:-

a) owing to their importance it is desired to operate but have ceased to operate or operate effectively as the Fascist heads have fled; or

b) are operating under Fascist heads and it is desired to continue operation and remove the Fascist heads;

c) have become ineffective as the Fascist heads have fled and the management has been "socialised" in the hands of the workers,

use should be made of the power to appoint a Receiver and Manager (see Directive AG/4183/L dated 17 March 1945).

C - PUNISHMENT OF FASCIST CRIMINALS AND COLLABORATORS :-

6 It is not legal for AMG to set up special Allied Courts to deal with Fascist criminals or collaborators with the Fascist Republican Government or Germans. AMG Courts are confined to trying offences against proclamations and General, Regional, or Provincial Orders or, in exceptional circumstances (see Article 14 of Consolidated Instructions for Allied Military Courts), offences against Italian Law.

Officers are also reminded that AMG Courts may not try enemy Prisoners of War or War Criminals.

7 On the other hand, it may be anticipated that local CLNs may have set up local but illegal Courts to try such criminals and collaborators. It

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

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7 On the other hand, it may be anticipated that local CLNs may have set up local but illegal Courts to try such criminals and collaborators. It will be the duty of AMG to do all in their power to suppress these Courts and, to assist in this difficult but essential duty, the following plan has been agreed with the Italian Government.

a) A Decree will shortly be passed and will provide for the setting up of Special Popular Courts to deal with those who collaborated with the Germans since 26 September 1943.

Briefly, the scheme of this Decree is that, in each Province the CLN will select 200 names from proved anti-Fascists, from which the President of the Tribunal will select a panel of 50 names. From this panel 4 lay assessors will be selected in turn and will form a Court presided over by a Judge appointed by the President of the Tribunal for the trial of these offenders. This Decree, which also provides for very quick procedure, will be published in a special issue of the Official Gazette and will bear its own endorsement by AC implementing the Decree in AMG Territory. This Decree will be put into operation immediately. If a Prefect has been appointed it will be implemented in the normal way by handing the Official Gazette to him. If there is no Prefect, SCAOs or Regional Commissioners are advised to issue a short order bringing the Decree into operation.

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B - EPURATION OF BUSINESS CONCERNS :-

5 Paragraph "A" above does not deal with the epuration of business concerns which are not statal or para-statal.

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1965

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A special advice to the Court Officials and CLN might also be a wise precaution.

It may be of interest to note that this Decree is based on the one now operating in France where it has proved to be a considerable success.

b) The Italian Government have already published a decree (No 65 of 1 Feb 45) setting up special Military Courts to deal with both military and civilian offenders expeditiously. This decree will be implemented in AMG territory in accordance with the usual procedure.

8 Provided that any illegal courts desist from their activities on the entry of the Allies, it is NOT imperative that the persons constituting such courts should be apprehended. It is a matter for discretion in each case, e.g. on the one hand members of the CLN may have constituted a Court in good faith under a mistaken view of their rights, on the other hand a regime of revenge and murder may have been set up under the guise of a Court of Justice.

D - IMPRISONMENT OF FASCISTS AND COLLABORATORS:-

9 As formerly, this will continue to be a normal function of FSS/CIC and only under the powers conferred on them in para 10 of Executive Memorandum 67 will AMG officers arrest and intern Fascists who are not charged with a specific offence.

10 It may be anticipated that in a large number of cases there will have been wholesale arrests and imprisonments by Partisans and or CLN before the arrival of the Allies. Unless prison congestion becomes intolerable it will probably be in the best interests of all concerned to leave such persons in prison until a more settled state is reached and their individual cases can be investigated by the appropriate authority. In retaining such prisoners, AMG officers must be satisfied that (a) the prison officials can provide an effective guard; and (b) the prisoners are being properly cared for and fed, and are not the subject of malpractices by prison guards, Partisans or others.

BY COMMAND OF THE CHIEF COMMISSIONER :

G.R. UPJOHN Brig,
VP G. Section

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1969

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BY COMMAND OF THE CHIEF COMMISSIONER :

G.R. UPJOHN Brig,
VP G. Section

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

LIST OF PAPERS

Office of the
Chief Commissioner

File under No. MILITARY EXPORTS FROM ITALY
(FINANCIAL PROBLEMS)

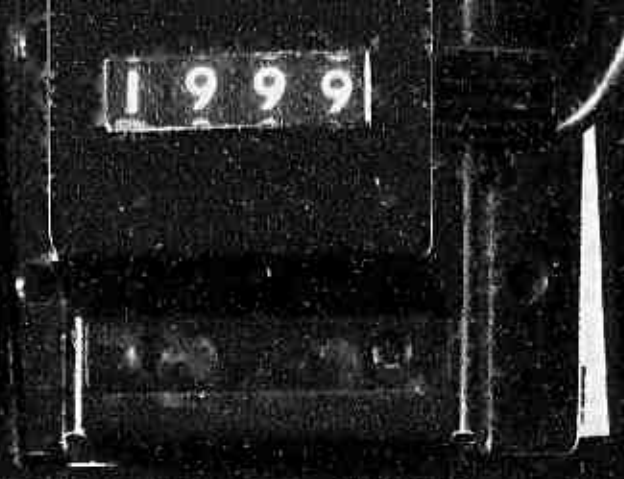
Allied Commission

SECRET

SERIAL NUMBER	FROM—	DATE	TO—	SYNOPSIS
A	Ltr 20.00 Stone	14 Dec 45	AFHQ	Coordination of Military Procurement in Italy with Allied Civilian Supply Programs; Incl Adm Memo.
B	Ltr 20.00/ES CC	14 Dec 45	AFHQ G-5	Views of AC regarding financial aspect of exports of Italian goods by the military.
C	Ltr 13018/F CC	16 Jan 46	AFHQ G-5 Assist Chf Staff	Reorientation of Allied Financial Policy toward Italy.
D	Ltr F-10 Parsons	25 Feb 46	HQ Alcom	Exports as a paper credit to Italy Incl. Admin Memo of Mar 46
E	Ltr Duff	28 Feb 46	HQ Alcom	Reimbursement of Italian Govt. for full cost of maintenence of the Allied Forces in Italy.
F	Ltr 13091/F Stone	6 Mar 46	AFHQ G-5 Assist Chf Staff	Points of view from analysis of draft Admin Memo of Mar 46; Suggestion that question be laid before CCS for decision.
G	Ltr F-10 Hamblen	21 Mar 46	HQ Alcom	Financial settlement to be left open for the Peace Treaty; but records to be kept on military Exports.
H	Ltr 13091/F Stone	29 Mar 46	G-5 AFHQ Assist Chf Staff	Comments and views on Financial settlement as set forth in Admin Memo of Mar 46; Recommendation of UNRRA should be presented.

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

SECRET


1999