

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

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10000/136/557

INSTRUMENT
SEPT. 194

10000/136/557

INSTRUMENT OF SURRENDER, TERMS OF ARMISTICE
SEPT. 1943 - SEPT. 1944

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INSTRUMENT
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INSTRUMENT OF SURRENDER (ITALY)
~ LONG TERMS ~

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The following note is made as the result of the examination of documents in ARCHIVES Section.

In the course of writing a brief history of the early days of A.L.G., it was necessary to refer to the INSTRUMENT OF COMPLETION OF ITALY. The text to which reference was made was that in the Brindisi Diary i.e. the text which accompanied A.F.M.R. letter of 12 September 1943 to Lt. General Mason MacFarlane, appointing him as head of the Military Mission.

A revision of the terms of the INSTRUMENT was approved by the United Nations, and the text of the revised terms was given in Freedom's cable 7824 of 17th November 1943 to Fatima.

Comparison of this revised text with the text in the Brindisi Diary revealed that the latter was not the text under revision. The revised text indicates that the text under revision contained a preamble of six paragraphs, whereas the text in the Brindisi Diary contained a preamble of three paragraphs only. Brigadier Upjohn was consulted, and he produced in his files the text of an INSTRUMENT OF COMPLETION OF ITALY containing a preamble of six paragraphs. In the absence of any additional information, it is assumed that the text revised by Freedom's 7824 is the text produced by Brig. Upjohn. This text has been checked against that in the Brindisi Diary, and it was found that discrepancies were confined to the preamble. The preamble of Brig. Upjohn's text is as follows:-

Whereas in consequence of an armistice dated September 3rd 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

And whereas in addition to those terms it was also provided in the said Armistice that the Italian Government bound themselves to comply with other conditions of a political, economic and financial nature to be transmitted later;

And whereas it is convenient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said Armistice of September 3rd, 1943, be comprised in a further instrument;

The following together with the terms of the Armistice of September 3rd, 1943, are the terms on which the United States and United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist those Powers in any way not compatible with the requirements of these Governments.

six paragraphs, whereas the text in the Brindisi Diary contained a preamble of three paragraphs only. Brigadier Upjohn was consulted, and he produced in his files the text of an INSTRUMENT OF SURRENDER OF ITALY containing a preamble of six paragraphs. In the absence of any additional information, it is assumed that the text revised by Friedman's 7824 is the text produced by Brig. Upjohn. This text has been checked against that in the Brindisi Diary, and it was found that discrepancies were confined to the preamble. The preamble of Brig. Upjohn's text is as follows:-

Whereas in consequence of an armistice dated September 3rd 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

and whereas in addition to those terms it was also provided in the said armistice that the Italian Government bound themselves to comply with other conditions of a political, economic and financial nature to be transmitted later;

and whereas it is convenient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said Armistice of September 3rd, 1943, be comprised in a further instrument;

The following together with the terms of the armistice of September 3rd, 1943, are the terms on which the United States and United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these Powers in any way and complies with the requirements of these Governments.

These terms have been presented by duly authorized to that effect;

and have been accepted by representing the Supreme Command of the Italian land, sea and air forces, and duly authorized to that effect by the Italian Government.

(End of preamble - no further discrepancies)

21 Sept 44

/s/ A. J. Collins
Archivist

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Instrument of Surrender of Italy

Whereas the Italian Government and the Italian Supreme Command acknowledge that the Italian forces have been totally defeated and that Italy can no longer carry on the war against the United Nations and have accordingly unconditionally requested a suspension of hostilities.

And whereas the United States and the United Kingdom Governments acting on behalf of the United Nations are willing to lay down the terms on which they are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed, and that Italy does not assist these powers in any way and complies with requirements of these Governments.

The following terms have been presented by.....daily authorized to that effect, and have been accepted by.....representing the Supreme Command of the Italian Land, Sea and Air Forces, and duly authorized to that effect by the Italian Government.

1. (a) The Italian Land, Sea and Air Forces wherever located, hereby surrender unconditionally.

(b) Italian participation in the war in all theaters will cease immediately. There will be no opposition to landings, movements or other operations of the Land, Sea and Air Forces of the United Nations. Accordingly, the Italian Supreme Command will order the immediate cessation of hostilities of any kind against the Forces of the United Nations and will direct the Italian Navy, Military and Air Force authorities in all theaters to issue forthwith the appropriate instructions to those under their Command.

(c) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from destruction of or damage to any real or personal property, whether public or private.

2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian Land, Sea and Air Forces, wherever they are situated and of all such forces of Italy's Allies as are situated in Italian or Italian occupied territory.

3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities and all other installations against seizure or attack by any of Italy's Allies. The Italian Supreme Command will take the necessary measures to insure law and order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander-in-Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.

4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by

The following terms have been proposed by the Italian Government, and have been accepted by the Supreme Command of the Italian Land, Sea and Air Forces, and duly authorized to that effect by the Italian Government.

1. (A) The Italian Land, Sea and Air Forces wherever located, hereby surrender unconditionally.
 - (a) Italian participation in the war in all theatres will cease immediately. There will be no opposition to landings, movements or other operations of the Land, Sea and Air Forces of the United Nations. Accordingly, the Italian Supreme Command will order the immediate cessation of hostilities of any kind against the Forces of the United Nations and will direct the Italian Navy, Military and Air Force authorities in all theatres to issue forthwith the appropriate instructions to those under their command.
 - (c) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from destruction of or damage to any real or personal property, whether public or private.
2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian Land, Sea and Air Forces, wherever they are situated and of all such forces of Italy's Allies as are situated in Italian or Italian occupied territory.
 3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities and all other installations against seizure or attack by any of Italy's Allies. The Italian Supreme Command will take the necessary measures to insure law and order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander-in-Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.
 4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian Land, Sea and Air Forces will be carried out in conditions to be laid down by the United Nations and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the Allied Commander-in-Chief.
 5. No requisitioning, seizure or other coercive measures will be effected by Italian Land, Sea and Air Forces or officials in regard to persons or property in the areas notified under Article 4.
 6. The demobilization of Italian Land, Sea and Air Forces in excess of

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such establishments as shall be notified will take place as prescribed by the Allied Commander-in-Chief.

7. Italian warships of all descriptions, auxiliaries and transports will be assembled as directed in ports to be specified by the Allied Commander-in-Chief and will be dealt with as prescribed by the Allied Commander-in-Chief. (Note. If at the date of the exercise the whole of the Italian fleet has been assembled in allied ports, this article would read "Italian warships of all descriptions, auxiliaries, and transports will remain until further notice in the ports where they are at present assembled, and will be dealt with as prescribed by the Allied Commander-in-Chief.")

8. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by the Allied Commander-in-Chief.

9. Without prejudice to the provisions 14, 15 and 28 (A) and (D) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defenses, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations land, sea or air forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above mentioned obstacles.

11. The Italian Government will furnish forthwith lists of quantities of all war material showing the location of the same. Subject to such use as the Allied Commander-in-Chief may make of it, the war material will be placed in store under such control as he may direct. The ultimate disposal of war material will be prescribed by the United Nations.

12. There will be no destruction of war damage to nor except as authorized or directed by the United Nations any removal of war material, wireless, radio location or meteorological stations, railroad, port or other installations or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.

13. The manufacture, production and construction of war material and its import, export and transit is prohibited, except as directed by the United Nations. The Italian Government will comply with any directions given by the United Nations for the manufacture, production or construction and the import, export or transit of war material.

14. (A) All Italian merchant shipping and fishing and other craft, wherever they may be, and any constructed or completed during the period of the

8. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by the Allied Commander-in-Chief.

9. Without prejudice to the provisions 14, 15 and 20 (A) and (B) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defenses, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations land, sea or air forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above mentioned obstacles.

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14. (A) All Italian merchant shipping and fishing and other craft, wherever they may be, and any constructed or completed during the period of the present instrument will be made available in good repair and in seaworthy condition by the competent Italian authorities at such places and for such purposes and periods as the United Nations may prescribe. Transfer to enemy or neutral flags is prohibited. Crews will remain on board pending further instructions regarding their continued employment or dispersal. Any existing options to repurchase of re-acquire or to resume control of Italian or former Italian vessels and of otherwise transferred or chartered during the war will forthwith be exercised and the above provisions will apply to all such vessels and their crews.

(B) All Italian inland transport and all port equipment will be held at the disposal of the United Nations for such purposes as they may direct.

15. United Nations merchant ships, fishing and other craft in Italian hands wherever they may be (including for this purpose those of any country which has

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broken off diplomatic relations with Italy; whether or not the title has been transferred as a result of prior court proceedings or otherwise, will be surrendered to the United Nations and will be assembled in ports to be specified by the United Nations for disposal as directed by them. The Italian Government will take all such steps as may be required to secure any necessary transfers of title. Any neutral merchant ship, fishing or other craft under Italian operation or control will be assembled in the same manner pending arrangements for their ultimate disposal. Any necessary repairs to any of the above mentioned vessels will be effected by the Italian Government, at their expense. The Italian Government will take the necessary measures to insure that the vessels and their cargo are not damaged.

16. No radio or telecommunication installations or other forms of intercommunication, shore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

17. The warships, auxiliaries, transports and merchant and other vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the air over Italian territory.

18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian Land, Sea and Air Forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the Allied Commander-in-Chief. The provisions of this article are without prejudice to those of article 4 above. The Italian Supreme Command will guarantee immediate use and access to the allies of all airfields and naval ports in Italy under their control.

19. In the territories or areas referred to in article 18 all naval, Military and Air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all inter-communication installations, facilities and equipment and such other installations or facilities and all such stocks as may be retained by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian Government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United Nations will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

16. No radio or telecommunication installations or communications of any communication, shore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

17. The warships, auxiliaries, transports and merchant and other vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the air over Italian territory.

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19. In the territories or areas referred to in article 18 all naval, military and air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all inter-communication installations, facilities and equipment and such other installations or facilities and all such stocks as may be required by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United Nations will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

21. In addition to the rights in respect of occupied Italian territories described in articles 18 to 20,

(A) Members of the land, sea or air forces and officials of the United Nations will have the right of passage in or over non-occupied Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

(B) The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including

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free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping, inland transport systems and vehicles, intercommunication systems, power-stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify, together with connected repair and construction facilities.

22. The Italian Government and people will abstain from all action detrimental to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

23. The Italian Government will make available such Italian currency as the United Nations may require. The Italian Government will withdraw and release Italian currency within such time-limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and businesses in Italian territory, for the control of foreign exchange and foreign commercial and financial transactions and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters.

24. There shall be no financial, commercial or other intercourse with or dealing with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries or any other foreign country except under authorization of the Allied Commander-in-Chief or designated officials.

25. (A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian land, sea and air forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

(B) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding communications emanating from or destined for the representatives of neutral countries in Italian territory.

26. Italian subjects will pending further instructions be prevented from leaving Italian territory except as authorized by the Allied Commander-in-Chief and will not in any event take service with any of the countries or in any of the territories referred to in article 25(A) nor will they proceed to any place for the purpose of undertaking work for any such country. Those at present so serving or working will be recalled as directed by the Allied Commander-in-Chief.

27. The Military, Naval and Air personnel and material and the merchant

the United Nations may require. The Italian Government will withdraw and redeem Italian currency within such time-limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and businesses in Italian territory, for the control of foreign exchange and foreign commercial and financial transactions and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters.

24. There shall be no financial, commercial or other intercourse with or dealing with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries or any other foreign country except under authorization of the Allied Commander-in-Chief or designated officials.

25. (a) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian land, sea and air forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

(b) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding communications emanating from or destined for the representatives of neutral countries in Italian territory.

26. Italian subjects will pending further instructions be prevented from leaving Italian territory except as authorized by the Allied Commander-in-Chief and will not in any event take service with any of the countries or in any of the territories referred to in article 25(a) nor will they proceed to any place for the purpose of undertaking work for any such country. Those at present so serving or working will be recalled as directed by the Allied Commander-in-Chief.

27. The Military, Naval and Air personnel and material and the movement shipping, fishing and other craft and the aircraft, vehicles and other transport equipment of any country against which any of the United Nations is carrying on hostilities or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

28. (a) The warships, auxiliaries and transports of any such country or occupied country referred to in article 27 in Italian or Italian occupied ports and waters and the aircraft, vehicles and other transport equipment of such countries in or over Italian or Italian occupied territory will, pending further instructions, be prevented from leaving.

(b) The Military, Naval and Air Personnel and the civilian nationals

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of any such country or occupied country in Italian or Italian occupied territory will be prevented from leaving and will be interned pending further instructions.

(C) All property in Italian territory belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

(D) The Italian Government will comply with any instructions given by the Allied Commander-in-Chief concerning the internment, custody or subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, material or property.

29. BENITO MUSSOLINI, his chief Fascist associates and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

30. All Fascist organizations, including all branches of the Fascist Militia (MVN), the secret police, (OVRA), all Fascist youth organizations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander-in-Chief. The Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the disbanding and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

31. All Italian laws involving discrimination on grounds of race, color, creed or political opinions will insofar as this is not already accomplished be rescinded, and persons detained on such grounds will, as directed by the United Nations, be released and relieved from all legal disabilities to which they have been subjected. The Italian Government will comply with all such further directions as the Allied Commander-in-Chief may give for repeal of Fascist legislations and removal of any disabilities or prohibitions resulting therefrom.

32. (A) Prisoners of war belonging to the forces of or specified by the United Nations and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian or Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as the United Nations may direct. Any removal during the period between the presentation and the signature of the present instrument will be regarded as a breach of its terms.

(B) Persons of whatever nationality who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations and relieved from all legal disabilities to which they have been subjected.

(C) The Italian Government will take such steps as the United Nations may direct to safeguard the persons of foreign nationals and property of foreign

29. ARTICO MISOLINI, his chief Fascist associates and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

30. All Fascist organizations, including all branches of the Fascist Militia (MVSA), the secret police, (OVRA), all Fascist youth organizations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander-in-Chief. The Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the dismissal and incrimination of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

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32. (A) Prisoners of war belonging to the forces of or specified by the United Nations and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian or Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as the United Nations may direct. Any removal during the period between the presentation and the signature of the present instrument will be regarded as a breach of its terms.

(B) Persons of whatever nationality who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations and relieved from all legal disabilities to which they have been subjected.

(C) The Italian Government will take such steps as the United Nations may direct to safeguard the persons of foreign nationals and property of foreign nationals and property of foreign states and nationals.

33. (1) The Italian Government will comply with such directions as the United Nations may prescribe regarding restitution, deliveries, services or payments by way of reparation and payment of the costs of occupation during the period of the present instrument.

(2) The Italian Government will give to the Allied Commander-in-Chief such information as may be prescribed regarding the assets, whether inside or outside Italian territory, of the Italian state, the Bank of Italy, any Italian state or semi-state institutions or Fascist organizations or residents in Italian territory and will not dispose or allow the disposal, outside Italian territory of

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any such assets except with the permission of the United Nations.

34. The Italian Government will carry out during the period of the present instrument such measures of disarmament, demobilization and demilitarization as may be prescribed by the Allied Commander-in-Chief.

35. The Italian Government will supply all information and provide all documents required by the United Nations. There shall be no destruction or concealment of archives, records, plans or any other documents or information.

36. The Italian Government will take and enforce such legislative and other measures as may be necessary for the execution of the present instrument. Italian military and civil authorities will comply with any instructions issued by the Allied Commander-in-Chief for the same purposes.

37. There will be appointed a control commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief.

38. (A) The term "United Nations" in the present instrument includes the Allied Commander-in-Chief, the control commission and any other authority which the United Nations may designate.

(B) The term "Allied Commander-in-Chief" in the present instrument includes the control commission and such other officers and representatives as the Commander-in-Chief may designate.

39. Reference to Italian Land, Sea and Air Forces in the present instrument shall be deemed to include Fascist Militia and all such other military or paramilitary units, formations or bodies as the Allied Commander-in-Chief may prescribe.

40. The term "war material" in the present instrument denotes all material specified in such lists or definitions as may from time to time be issued by the control commission.

41. The term "Italian Territory" includes all Italian colonies and dependencies and shall for the purposes of the present instrument (but without prejudice to the question of sovereignty) be deemed to include Albania. Provided however that except in such cases and to such extent as the United Nations may direct the provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency already occupied by the United Nations or the rights or powers thereto possessed or exercised by them.

42. The Italian Government will send a delegation to the Headquarters of the control commission to represent Italian interests and to transmit the orders of the control commission to the competent Italian authorities.

43. The present instrument shall enter into force _____ hours after its signature. It will remain in operation until superseded by any other arrangements or until its expiration in accordance with the terms of the peace treaty with Italy.

Italian military and civil authorities will comply with any instructions issued by the Allied Commander-in-Chief for the same purpose.

37. There will be appointed a central commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief.

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(B) The term "Allied Commander-in-Chief" in the present instrument includes the central commission and such other officers and representatives as the Commander-in-Chief may designate.

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40. The term "War Material" in the present instrument denotes all material specified in such lists or definitions as may from time to time be issued by the central commission.

41. The term "Italian Territory" includes all Italian colonies and dependencies and shall for the purposes of the present instrument (but without prejudice to the question of sovereignty) be deemed to include Albania. Provided however that except in such cases and to such extent as the United Nations may direct the provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency already occupied by the United Nations or the rights or powers therein possessed or exercised by them.

42. The Italian Government will send a delegation to the Headquarters of the central commission to represent Italian interests and to transmit the orders of the central commission to the competent Italian authorities.

43. The present instrument shall enter into force _____ hours after its signature. It will remain in operation until superseded by any other arrangements or until the voting into force of the peace treaty with Italy.

44. The present instrument may be denounced by the United Nations with immediate effect if Italian obligations thereunder are not fulfilled or, as an alternative, the United Nations may penalize continuation of it by measures appropriate to the circumstances such as the extension of the areas of military occupation or air or other punitive action.

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation, the

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

785015

SECRET

decision of the central command will prevail.

Signed on the _____ at _____ (hour) _____ (time) at _____ (place)

(signature)

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

785015

(signatures)

- 7 -

SECRET

COPY

ARTICLE

It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief, Allied Forces, should be changed to "Additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

In the first paragraph of the preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand." The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 2, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 2, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Ruler's Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 29 is amended to read as follows:

"Benito Mussolini, his chief fascist associates, and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations and who now or in the future may be found to have been controlled by the Italian Government or by the Italian Government."

"Whereas in consequence of an Armistice dated September 3, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 29 is changed to read as follows:

"Benito Mussolini, his chief Fascist associates, and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations to this purpose will be complied with."

The present protocol is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1943 at BRINDISI.

For the Allied Commander-in-Chief

The following note is made as the result of the examination of documents

in ARCHIVES section.

In the course of writing a brief history of the early days of A.O.U., it was necessary to refer to the *DECLARATION OF INDEPENDENCE OF ITALY*. The text to which reference was made was that in the Brindisi Diary i.e. the text which accompanied A.F.H.Q. letter of 12 September 1943 to Lt. General Mason MacFarlane, appointing him as head of the Military Mission.

A revision of the terms of the *DECLARATION* was approved by the United Nations, and the text of the revised terms was given in Sweden's cable 7024 of 7th November 1943 to Britain.

Comparison of this revised text with the text in the Brindisi Diary revealed that the latter was ~~223~~ the text under revision. The revised text indicates that the text under revision contained a preamble of six paragraphs, whereas the text in the Brindisi Diary contained a preamble of three paragraphs only. Brigadier Spjahn was consulted, and he produced in his files the text of an *INDEPENDENCE OF ITALY* containing a preamble of six paragraphs.

In the absence of any additional information, it is assumed that the text revised by Sweden's 7024 is the text produced by Brig. Upjohn. This text has been checked against that in the Brindisi Diary, and it was found that discrepancies were confined to the preamble. The preamble of Brig. Upjohn's text is as follows:-

Whereas in consequence of an armistice dated September 3rd 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature; it was also provided in the

and whereas in addition to those terms ~~the Italian Government~~

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A revision of the terms of the agreement was approved by the United Nations, and the text of the revised terms was given in Freedom's cable 7024 of 7th November 1943 to Italy.

Comparison of this revised text with the text in the Brindisi diary revealed that the latter was not the text under revision. The revised text indicated that the text under revision contained a preamble of six paragraphs, whereas the text in the Brindisi diary contained a preamble of three paragraphs only. Brigadier Upjohn was consulted, and he produced in his files the text of an INSTRUMENT OF AMISTICE OF ITALY containing a preamble of six paragraphs.

In the absence of any additional information, it is assumed that the text revised by Freedom's 7024 is the text produced by Brig. Upjohn. This text has been checked against that in the Brindisi diary, and it was found that discrepancies were confined to the preamble. The preamble of Brig. Upjohn's text is as follows:-

"Whereas in consequence of an armistice dated September 3rd 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

it was also provided in the said armistice in addition to those terms ~~stipulated~~ that the Italian Government should themselves to comply with other conditions of a political, economic and financial nature to be agreed with Italy;

and whereas it is expedient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said armistice of September 3rd, 1943, be comprised in a further instrument;

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The following together with the terms of the Armistice of September 3rd, 1943, are the terms on which the United States and United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these Powers in any way and comply with the requirements of these Governments.

These terms have been presented by duly authorized to that effect;

and have been accepted by representing the Supreme Command of the Italian land, sea and air forces, and duly authorized to that effect by the Italian Government.

(End of preamble - no further discrepancies)

affirmed
12

SECRET

ALLIED MILITARY MISSION - DISSEMINATION MESSAGE

CLASS: SECRET

PREC: PRIORITY

FROM: MREBEC

TO: FATIMA

E/C NO: 14/3

REF NO: 7624

FILED: NOV 1943 071902A

REC'D: 050615

A protocol in revision of the "Terms of Surrender" as approved by Great Britain, United States and Soviets has been received. (To Fatima for MacFarlane signed Eisenhower cite MREB) Its text follows:

"Protocol. It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief Allied Forces, should be changed to "Additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

"In the first paragraph of the Preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand". The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 3rd, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted.

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between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows: "The following, together with their terms of the Armistice of September 8th, 1945, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these Governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows: "and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 19 the word "unconditionally" is deleted. The article in question therefore reads as follows: "The Italian land, sea and air forces where-ever located hereby surrender."

Article 25 is amended to read as follows: "Benito Mussolini, his chief fascists associates, and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations and the now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by

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the United Nations to this purpose will be complied with." Signatures and date to follow. The foregoing instrument is only acceptable on condition that the Cunningham agreement with respect to the employment of the Italian Navy is amended as follows: 1. The following phrase to be added to the Preamble: "It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time." 2. Final sentence of last paragraph to be amended to read "will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag." If you do not have complete text of Cunningham agreement it is in hands of Admiral McCreger. You should have Admirals McCreger and Le Courten come to Trinidad and the protocol and the amendments to the Cunningham agreement to be signed simultaneously. Authority is hereby given you to sign the protocol for the Commander-in-Chief, Allied Forces and for Admiral McCreger to sign the amendments to the Cunningham agreement. C-in-C Mediterranean concurs.

It is considered essential that these documents be signed with the least possible delay especially in the light of the political situation and the possibility that Badoglio may not long remain as Prime Minister. It should be pointed out to him that the early signature of these instruments will enhance his personal situation as his signature is already affixed to a document which in his opinion is less favorable. In the event that Badoglio asks for any alternative he should be told that these amendments are final.

DISTRIBUTION:

2 - AG
1 - Diary
1 - M/C

SECRET

~~SECRET~~ALLIED MILITARY MISSION - INCOMING MESSAGE

CLASS: SECRET
PREC: PRIORITY
FROM: FREEDOM
TO: FATIMA

M/C NO: 14/8
REF NO: 7824
NOV 1943
FILED: 071902A
REC'D: 080645

A protocol in revision of the "Terms of Surrender" as approved by Great Britain, United States and Soviets has been received. (To Fatima for MacFarlane signed Eisenhower cite FRGS) Its text follows:

"Protocol. It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief Allied Forces, should be changed to "additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

"In the first paragraph of the Preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand". The paragraph in question therefore reads as follows:
"whereas in consequence of an Armistice dated September 3rd, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted

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between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows: "The following, together with their terms of the Armistice of September 3rd, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows: "and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 18 the word "unconditionally" is deleted. The Article in question therefore reads as follows: "The Italian land, sea and air forces where-ever located hereby surrender."

Article 29 is amended to read as follows: "Benito Mussolini, his chief Fascists associates, and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by

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the United Nations to this purpose will be complied with." Signatures and date to follow. The foregoing instrument is only acceptable on condition that the Cunningham agreement with respect to the employment of the Italian Navy is amended as follows: 1. The following phrase to be added to the Preamble: "It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not effect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time." 2. Final sentence of last paragraph to be amended to read "will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag." If you do not have complete text of Cunningham agreement it is in hands of Admiral McGregor. You should have Admirals McGregor and De Courten come to Brindisi and the protocol and the amendments to the Cunningham agreement to be signed simultaneously. Authority is hereby given you to sign the protocol for the Commander-in-Chief, Allied Forces and for Admiral McGregor to sign the amendments to the Cunningham agreement. C-in-C Mediterranean concurs.

It is considered essential that these documents be signed with the least possible delay especially in the light of the political situation and the possibility that Badoglio may not long remain as Prime Minister. It should be pointed out to him that the early signature of these instruments will enhance his personal situation as his signature is already affixed to a document which in his opinion is less favorable. In the event that Badoglio asks for any alternative he should be told that these amendments are final.

DISTRIBUTION:

2 - AG
1 - Diary
1 - M/C

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ALLIED MILITARY MISSION - NEGOTIATION MESSAGE

CLASS: SECRET

PREC: PRIORITY

FROM: FREEDOM

TO: FATIMA

M/C NO: 14/8

REF NO: 7024

FILED: NOV 1943
071902A

REC'D: 030645

A protocol in revision of the "Terms of Surrender" as approved by Great Britain, United States and Soviets has been received. (To Fatima for Yugoslavia signed Eisenhower site PIRIS) Its text follows:

"Protocol. It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief Allied Forces, should be changed to "additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

"In the first paragraph of the preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand". The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 3rd, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted

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between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows: "The following, together with their terms of the Armistice of September 3rd, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows: "and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 19 the word "unconditionally" is deleted. The Article in question therefore reads as follows: "The Italian land, sea and air forces where-ever located hereby surrender."

Article 29 is amended to read as follows: "Benito Mussolini, his chief Fascists associates, and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by

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the United Nations to this purpose will be complied with." Signatures and date to follow. The foregoing instrument is only acceptable on condition that the Cunningham agreement with respect to the employment of the Italian Navy is amended as follows: 1. The following phrase to be added to the preamble: "It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time." 2. Final sentence of last paragraph to be amended to read "will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag." If you do not have complete text of Cunningham agreement it is in hands of Admiral McGregor. You should have Admirals McGregor and De Courten come to Brindisi and the protocol and the amendments to the Cunningham agreement to be signed simultaneously. Authority is hereby given you to sign the protocol for the Commander-in-Chief, Allied Forces and for Admiral McGregor to sign the amendments to the Cunningham agreement. C-in-C Mediterranean concurs.

It is considered essential that these documents be signed with the least possible delay especially in the light of the political situation and the possibility that Badoglio may not long remain as Prime Minister. It should be pointed out to him that the early signature of these instruments will enhance his personal situation as his signature is already affixed to a document which in his opinion is less favorable. In the event that Badoglio asks for any alternative he should be told that these amendments are final.

DISTRIBUTION:

2 - AG
1 - Diary
1 - M/C

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SECRET

ALLIED MILITARY MISSION - INCOMING MESSAGE

CLASS: SECRET

PREC: PRIORITY

FROM: FREEDOM

TO: FATIMA

M/C NO: 14/8

REF NO: 7024

Nov 1943
FILED: 071902A

REC'D: 080645

A protocol in revision of the "Terms of Surrender" as approved by Great Britain, United States and Soviets has been received. (To Fatima for ~~verification~~ signed Eisenhower cite FMSC) Its text follows:

"protocol. It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief Allied Forces, should be changed to "additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

"In the first paragraph of the Preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand". The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 3rd, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted

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between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows: "The following, together with their terms of the Armistice of September 3rd, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows: "and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 18 the word "unconditionally" is deleted. The article in question therefore reads as follows: "The Italian land, sea and air forces where-ever located hereby surrender."

Article 29 is amended to read as follows: "Benito Mussolini, his chief Fascists associates, and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by

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the United Nations to this purpose will be complied with." Signatures and date to follow. The foregoing instrument is only acceptable on condition that the Cunningham agreement with respect to the employment of the Italian Navy is amended as follows: 1. The following phrase to be added to the preamble: "It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time." 2. Final sentence of last paragraph to be amended to read "will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag." If you do not have complete text of Cunningham agreement it is in hands of Admiral McGregor. You should have Admirals McGregor and De Courten come to Brindisi and the protocol and the amendments to the Cunningham agreement to be signed simultaneously. Authority is hereby given you to sign the protocol for the Commander-in-Chief, Allied Forces and for Admiral McGregor to sign the amendments to the Cunningham agreement. C-in-C Mediterranean concurs.

It is considered essential that these documents be signed with the least possible delay especially in the light of the political situation and the possibility that Badoglio may not long remain as Prime Minister. It should be pointed out to him that the early signature of these instruments will enhance his personal situation as his signature is already affixed to a document which in his opinion is less favorable. In the event that Badoglio asks for any alternative he should be told that these amendments are final.

~~SECRET~~
DISTRIBUTION:

2 - AG
1 - Diary
1 - M/C

COPY

FRONTIER

It is agreed that the title of the document signed at Vaite on September 25, 1945 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief, Allied Forces, should be changed to "Declaration of Amistice with Italy." The following further amendments to this document are also agreed:

In the first paragraph of the preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand." The paragraph in question therefore reads as follows:

"Whereas in consequence of an Amistice dated September 3, 1945 between the United States and United Kingdom governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Amistice of September 3, 1945, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the allies are not obstructed and Italy does not assist these powers in any way and comply with the requirements of these governments."

In paragraph six of the preamble the word "unconditionally" is inserted between the words "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Government of the Italian People, see and air forces and duly authorized to that effect by the Italian Government."

In article 1 the word "unconditionally" is deleted. The article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 25 is amended to read as follows:

"Benito Mussolini, his chief intimate associates, and all persons suspected of having committed war crimes and offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are liable to be arrested by the United Nations, demand or by the Italian Government."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 8, 1945, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian Army, sea and air forces and fully authorized to that effect by the Italian Government."

In Article 1 of the text "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 23 is amended to read as follows:

"Benito Mussolini, his chief fascist associates, and all persons suspected of having committed war crimes or offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations to this purpose will be complied with."

The present Protocol is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1945 at BRINDISI.

For the Allied Commander-in-Chief

COPY

ITALIAN

It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief, Allied Forces, should be changed to "Additional Conditions of Armistice with Italy." The following further amendments to this document are also agreed:

In the first paragraph of the preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand." The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 3, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1, the word "unconditionally" is deleted. The article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 29 is amended to read as follows:

"Benito Mussolini, his chief fascist associates, and all persons suspected of having committed war crimes or felonious offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are to be communicated by the Allied military command or by the Italian Government."

whereas in consequence of an Armistice dated September 3, 1943, between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature.

In the fourth paragraph of the Preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these Governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 of the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 29 is amended to read as follows:

"Benito Mussolini, his chief Fascist associates, and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations to this purpose will be complied with."

The present Protocol is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1943 at RIMINI.

For the Allied Commander-in-Chief

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

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TERMS OF

1389

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

785015

TERMS OF ARMISTICE (Short)

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COPIES

SICILY

September 3rd, 1943

The following conditions of an Armistice are presented by

General PAULINO D. BISIGNANO,

Commander-in-Chief of the Allied Forces,

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

Marshal PIETRO BADOLIO
Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.
5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.
6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.
7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.

Consent by the Italian Government that if necessary it will

1 3 9 1

Marshal PIETRO BADOLIO

Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.
5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.
6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.
7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.
9. Guarantee by the Italian Government that if necessary it will employ all its available armed forces to insure prompt and exact compliance with all the provisions of this armistice.
10. The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander in Chief may require, and in particular the Commander in Chief will establish Allied Military Government over such parts of Italian territory as he may deem necessary in the military interests of the Allied Nations.

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11. The Commander in Chief of the Allied Forces will have a full right to impose measures of disarmament, demobilization, and demilitarization.

12. Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at later date.

The conditions of the present Armistice will not be made public without prior approval of the Allied Commander in Chief. The English will be considered the official text.

Marshal PIETRO BADOLATO
Head of Italian Government.

By: /s/ Giuseppe Castellano

GIUSEPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

DWIGHT D. EISENHOWER,
General, U. S. Army
Commander in Chief
Allied Forces.

By: /s/ Walter B. Smith

WALTER B. SMITH,
Major General, U. S. Army
Chief of Staff.

Present:

Rt. Hon. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the
President of the United States

ROYER DICK,
Commodore, R.N.
Chief of Staff to the C. in C. Med.

LORELL W. ROOS
Major General, U. S. Army
Assistant Chief of Staff, G-3, A.F.H.Q.

FRANCO MONTANARI
Official Italian Interpreter

Brigadier KENNETH STRONG
Assistant Chief of Staff, G-2, A.F.H.Q.

Marshal PIETRO BADOLIO
Head of Italian Government.

By: /s/ Giuseppe Castellano

GIUSEPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

Present:

Mr. Hon. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the
President of the United States

ROYER DICK,
Comodore, U.S.N.
Chief of Staff to the C. in C. Med.

LOWELL W. MOORE
Major General, U. S. Army
Assistant Chief of Staff, G-3, A.F.H.Q.

FRANCO MONTANARI
Official Italian Interpreter

Brigadier KENNETH STRONG
Assistant Chief of Staff, G-2, A.F.H.Q.

DWIGHT D. EISENHOWER,
General, U. S. Army
Commander in Chief
Allied Forces.

By: /s/ Walter B. Smith

WALTER B. SMITH,
Major General, U. S. Army
Chief of Staff.

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SECRET

September 3rd, 1943

The following conditions of an armistice are presented by

General SMILY D. KISSKUNDI,

Commander-in-Chief of the Allied Forces,

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

Marshal PIETRO BULGARDI

Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.
5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.
6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.
7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.

Italy, the Italian Government that if necessary it will

Barthel P. H. H. H. H.
Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.
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7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.
9. Guarantee by the Italian Government that if necessary it will employ all its available armed forces to insure prompt and exact compliance with all the provisions of this armistice.
10. The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander in Chief may require, and in particular the Commander in Chief will establish Allied military Government over such parts of Italian territory as he may deem necessary in the military interests of the Allied Nations.

11. The Commander in Chief of the Allied Forces will have a full right to impose measures of disarmament, demobilization, and demilitarization.
12. Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at later date.

The conditions of the present Armistice will not be made public without prior approval of the Allied Commander in Chief. The English will be considered the official text.

Marshal PIETRO BADOLATO
Head of Italian Government.

By:

/s/ Giuseppe Castellano

GIUSEPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

DWIGHT D. EISENHOWER,
General, U. S. Army
Commander in Chief
Allied Forces.

By:

/s/ Walter S. Smith

WALTER S. SMITH,
Major General, U. S. Army
Chief of Staff.

Present:

At. Hon. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the
President of the United States

ROYEN DICK,
Comodore, R.N.
Chief of Staff to the C. in C. Med.

LOWELL W. MOORE
Major General, U. S. Army
Assistant Chief of Staff, G-3, A.F.H.Q.

FILIPPO MONTANARI
Official Italian Interpreter

Brigadier KENNETH SYMONS
Assistant Chief of Staff, G-2, A.F.H.Q.

Marshal PIERO BADOLIO
Head of Italian Government.

By: /s/ Outisoppe Castellano

OUTISOPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

Dwight D. Eisenhower,
General, U. S. Army
Commander in Chief
Allied Forces.

By: /s/ Walter S. Smith

WALTER S. SMITH,
Major General, U. S. Army
Chief of Staff.

Present:

RE. Hon. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the
President of the United States

ROBERT DICK,
Comodore, R.N.
Chief of Staff to the C. in C. Med.

LOWELL W. MOORE
Major General, U. S. Army
Assistant Chief of Staff, G-3, A.F.H.Q.

FRANCO MONTANARI
Official Italian Interpreter

Brigadier KENNETH STURROG
Assistant Chief of Staff, G-2, A.F.H.Q.

TOP SECRET

The following note is made as the result of the examination of documents in ARCHIVES Section.

In the course of writing a brief history of the early days of A.C.C., it was necessary to refer to the INSTRUMENT OF SURRENDER OF ITALY. The text to which reference was made was that in the Brindisi Diary i.e. the text which accompanied A.F.H.A. letter of 12 September 1943 to Lt. General Mason MacFarlane, appointing him as head of the Military Mission.

A revision of the terms of the INSTRUMENT was approved by the United Nations, and the text of the revised terms was given in Freedom's cable 7824 of 7th November 1943 to Fatima.

Comparison of this revised text with the text in the Brindisi Diary revealed that the latter was not the text under revision. The revised text indicates that the text under revision contained a preamble of six paragraphs, whereas the text in the Brindisi Diary contained a preamble of three paragraphs only. Brigadier Upjohn was consulted, and he produced in his files the text of an INSTRUMENT OF SURRENDER OF ITALY containing a preamble of six paragraphs. In the absence of any additional information, it is assumed that the text revised by Freedom's 7824 is the text produced by Brig. Upjohn. This text has been checked against that in the Brindisi Diary, and it was found that discrepancies were confined to the preamble. The preamble of Brig. Upjohn's text is as follows:-

Whereas in consequence of an armistice dated September 3rd 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

And whereas in addition to those terms it was also provided in the said Armistice that the Italian Government bound themselves to comply with other conditions of a political, economic and financial nature to be transmitted later;

And whereas it is convenient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said Armistice of September 3rd, 1943, be comprised in a further instrument;

The following together with the terms of the armistice of September 3rd, 1943, are the terms on which the United States and United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her allies are not obstructed and Italy does not assist these Powers in any way and complies with the requirements of these Governments.

These terms have been presented by duly authorized

six paragraphs, whereas the text under revision contained a preamble of preamble of three paragraphs only. Brigadier Upjohn was consulted, and he produced in his files the text of an INSTRUMENT OF SURRENDER OF ITALY containing a preamble of six paragraphs. In the absence of any additional information, it is assumed that the text revised by Freedom's 7624 is the text produced by Brig. Upjohn. This text has been checked against that in the Brindisi Diary, and it was found that discrepancies were confined to the preamble. The preamble of Brig. Upjohn's text is as follows:-

Whereas in consequence of an armistice dated September 3rd 1943, between the United States and the United Kingdom Governments on the one hand and the Italian Government on the other hand, hostilities were suspended between Italy and the United Nations on certain terms of a military nature;

and whereas in addition to these terms it was also provided in the said Armistice that the Italian Government bound themselves to comply with other conditions of a political, economic and financial nature to be transmitted later;

And whereas it is convenient that the terms of a military nature and the said other conditions of a political, economic and financial nature should without prejudice to the continued validity of the terms of the said Armistice of September 3rd, 1943, be comprised in a further instrument;

The following together with the terms of the Armistice of September 3rd, 1943, are the terms on which the United States and United Kingdom Governments acting on behalf of the United Nations are prepared to suspend hostilities against Italy so long as their military operations against Germany and her allies are not obstructed and Italy does not assist these Powers in any way and complies with the requirements of these Governments.

These terms have been presented by duly authorized to that effect;

and have been accepted by representing the Supreme Command of the Italian land, sea and air forces, and duly authorized to that effect by the Italian Government.

(End of preamble - no further discrepancies)

21 Sept 44

/s/ A. J. Collins
Archivist

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Instrument of Surrender of Italy

Whereas the Italian Government and the Italian Supreme Command acknowledge that the Italian forces have been totally defeated and that Italy can no longer carry on the war against the United Nations and have accordingly unconditionally requested a suspension of hostilities.

And whereas the United States and the United Kingdom Governments acting on behalf of the United Nations are willing to lay down the terms on which they are prepared to suspend hostilities against Italy so long as their military operations against Germany and her allies are not obstructed, and that Italy does not assist these powers in any way and complies with requirements of these Governments.

The following terms have been presented by.....duly authorized to that effect, and have been accepted by.....representing the Supreme Command of the Italian Land, Sea and Air Forces, and duly authorized to that effect by the Italian Government.

1. (A) The Italian Land, Sea and Air Forces wherever located, hereby surrender unconditionally.

(B) Italian participation in the war in all theatres will cease immediately. There will be no opposition to landings, movements or other operations of the Land, Sea and Air Forces of the United Nations. Accordingly, the Italian Supreme Command will order the immediate cessation of hostilities of any kind against the Forces of the United Nations and will direct the Italian Navy, Military and Air Force authorities in all theatres to issue forthwith the appropriate instructions to those under their Command.

(C) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from destruction of or damage to any real or personal property, whether public or private.

2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian Land, Sea and Air Forces, wherever they are situated and of all such forces of Italy's allies as are situated in Italian or Italian occupied territory.

3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities and all other installations against seizure or attack by any of Italy's allies. The Italian Supreme Command will take the necessary measures to insure law and order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander-in-Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.

4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to

1. (a) The Italian Land, Sea and Air Forces wherever located, hereby surrender unconditionally.

(C) The Italian Supreme Command will further order all Italian Naval, Military and Air Forces or authorities and personnel to refrain immediately from destruction of or damage to any real or personal property, whether public or private.

3. The Italian Supreme Command will take the necessary measures to secure airfields, port facilities and all other installations against seizure or attack by any of Italy's Allies. The Italian Supreme Command will take the necessary measures to insure law and order, and to use its available armed forces to insure prompt and exact compliance with all the provisions of the present instrument. Subject to such use of Italian troops for the above purposes, as may be sanctioned by the Allied Commander-in-Chief, all other Italian Land, Sea and Air Forces will proceed to and remain in their barracks, camps or ships pending directions from the United Nations as to their future status and disposal. Exceptionally such Naval personnel shall proceed to shore establishments as the United Nations may direct.

5. No requisitioning, seizure or other coercive measures will be effected by Italian land, Sea and Air Forces or officials in regard to persons or property in the areas notified under Article 4.

6. The demobilization of Italian Land, Sea and Air Forces in excess of:

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such establishments as shall be notified will take place as prescribed by the Allied Commander-in-Chief.

7. Italian warships of all descriptions, auxiliaries and transports will be assembled as directed in ports to be specified by the Allied Commander-in-Chief and will be dealt with as prescribed by the Allied Commander-in-Chief. (Note. If at the date of the armistice the whole of the Italian Fleet has been assembled in Allied ports, this article would run-Italian warships of all descriptions, auxiliaries, and transports will remain until further notice in the ports where they are at present assembled, and will be dealt with as prescribed by the Allied Commander-in-Chief.)

8. Italian aircraft of all kinds will not leave the ground or enter or ships, except as directed by the Allied Commander-in-Chief.

9. Without prejudice to the provisions 14, 15 and 28 (A) and (B) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defenses, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations land, sea or air forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above mentioned obstacles.

11. The Italian Government will furnish forthwith lists of quantities of all war material showing the location of the same. Subject to such use as the Allied Commander-in-Chief may make of it, the war material will be placed in store under such control as he may direct. The ultimate disposal of war material will be prescribed by the United Nations.

12. There will be no destruction of war damage to war except as authorized or directed by the United Nations any removal of war material, wireless, radio location or meteorological stations, railroad, port or other installations or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.

13. The manufacture, production and construction of war material and its import, export and transit is prohibited, except as directed by the United Nations. The Italian Government will comply with any directions given by the United Nations for the manufacture, production or construction and the import, export or transit of war material.

14. (A) All Italian merchant shipping and fishing and other craft,

8. Italian aircraft of all kinds will not leave the ground or water or ships, except as directed by the Allied Commander-in-Chief.
9. Without prejudice to the provisions 14, 15 and 28 (A) and (D) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.
10. The Italian Supreme Command will make available all information about naval, military and air devices, installations, and defenses, about all transport and inter-communication systems established by Italy or her allies on Italian territory or in the approaches thereto, about minefields or other obstacles to movement by land, sea or air and such other particulars as the United Nations may require in connection with the use of Italian bases, or with the operations, security, or welfare of the United Nations land, sea or air forces. Italian forces and equipment will be made available as required by the United Nations for the removal of the above mentioned obstacles.
11. The Italian Government will furnish forthwith lists of quantities of all war material showing the location of the same. Subject to such use as the Allied Commander-in-Chief may make of it, the war material will be placed in store under such control as he may direct. The ultimate disposal of war material will be prescribed by the United Nations.
12. There will be no destruction of war damage to nor except as authorized or directed by the United Nations any removal of war material, wireless, radio location or meteorological stations, railroad, port or other installations or in general, public or private utilities or property of any kind, wherever situated, and the necessary maintenance and repair will be the responsibility of the Italian authorities.
13. The manufacture, production and construction of war material and its import, export and transit is prohibited, except as directed by the United Nations. The Italian Government will comply with any directions given by the United Nations for the manufacture, production or construction and the import, export or transit of war material.
14. (A) All Italian merchant shipping and fishing and other craft, wherever they may be, and any constructed or completed during the period of the present instrument will be made available in good repair and in seaworthy condition by the competent Italian authorities at such places and for such purposes and periods as the United Nations may prescribe. Transfer to enemy or neutral flags is prohibited. Crews will remain on board pending further instructions regarding their continued employment or dispersal. Any existing options to repurchase of re-acquire or to resume control of Italian or former Italian vessels sold or otherwise transferred or chartered during the war will forthwith be exercised and the above provisions will apply to all such vessels and their crews.
(B) All Italian inland transport and all port equipment will be held at the disposal of the United Nations for such purposes as they may direct.
15. United Nations merchant ships, fishing and other craft in Italian hands wherever they may be (including for this purpose those of any country which has

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broken off diplomatic relations with Italy, whether or not the title has been transferred as a result of prize court proceedings or otherwise, will be surrendered to the United Nations and will be assembled in ports to be specified by the United Nations for disposal as directed by them. The Italian Government will take all such steps as may be required to secure any necessary transfers of title. Any neutral merchant ship, fishing or other craft under Italian operation or control will be assembled in the same manner pending arrangements for their ultimate disposal. Any necessary repairs to any of the above mentioned vessels will be effected by the Italian Government, if required, and at their expense. The Italian Government will take the necessary measures to insure that the vessels and their cargo are not damaged.

16. No radio or telecommunication installations or other forms of intercommunication, shore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

17. The warships, auxiliaries, transports and merchant and other vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the air over Italian territory.

18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian land, sea and air forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the Allied Commander-in-Chief. The provisions of this article are without prejudice to those of article 4 above. The Italian Supreme Command will guarantee immediate use and access to the allies of all airfields and naval ports in Italy under their control.

19. In the territories or areas referred to in article 18 all naval, military and air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all inter-communication installations, facilities and equipment and such other installations or facilities and all such stocks as may be required by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United Nations will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

communication, shore or afloat, under Italian control whether belonging to Italy or any nation other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such measures for control and censorship of press and of other publications, of theatrical and cinematograph performances, of broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

17. The warships, auxiliaries, transports and merchant and other vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the air over Italian territory.

18. The forces of the United Nations will require to occupy certain parts of Italian territory. The territories or areas concerned will from time to time be notified by the United Nations and all Italian land, sea and air forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the Allied Commander-in-Chief. The provisions of this article are without prejudice to those of article 4 above. The Italian Supreme Command will guarantee immediate use and access to the Allies of all airfields and naval ports in Italy under their control.

19. In the territories or areas referred to in article 18 all naval, military and air installations, power stations, oil refineries, public utility services, all ports and harbors, all transport and all inter-communication installations, facilities and equipment and such other installations or facilities and all such stocks as may be required by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian government will make available such other local resources or services as the United Nations may require.

20. Without prejudice to the provisions of the present instrument the United Nations will exercise all the rights of an occupying power throughout the territories or areas referred to in article 18, the administration of which will be provided for by the issue of proclamations, orders or regulations. Personnel of the Italian administrative, judicial and public services will carry out their functions under the control of the Allied Commander-in-Chief unless otherwise directed.

21. In addition to the rights in respect of occupied Italian territories described in articles 18 to 20,

(A) Members of the land, sea or air forces and officials of the United Nations will have the right of passage in or over non-occupied Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

(B) The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including

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free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping, inland transport systems and vehicles, intercommunication systems, power-stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify, together with connected repair and construction facilities.

22. The Italian Government and people will abstain from all action detrimental to the interests of the United Nations and will carry out promptly and efficiently all orders given by the United Nations.

23. The Italian Government will make available such Italian currency as the United Nations may require. The Italian Government will withdraw and redeem Italian currency within such time-limits and on such terms as the United Nations may specify all holdings in Italian territory of currencies issued by the United Nations during military operations or occupation and will hand over the currencies withdrawn free of cost to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and businesses in Italian territory, for the control of foreign exchange and foreign commercial and financial transactions and for the regulation of trade and production and will comply with any instructions issued by the United Nations regarding these and similar matters.

24. There shall be no financial, commercial or other intercourse with or dealing with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries or any other foreign country except under authorization of the Allied Commander-in-Chief or designated officials.

25. (A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian Land, Sea and Air Forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

(B) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding communications emanating from or destined for the representatives of neutral countries in Italian territory.

26. Italian subjects will pending further instructions be prevented from leaving Italian territory except as authorized by the Allied Commander-in-Chief and will not in any event take service with any of the countries or in any of the territories referred to in article 25(A) nor will they proceed to any place for the purpose of undertaking work for any such country. Those at present so serving or working will be recalled as directed by the Allied Commander-in-Chief.

27. The Military, Naval and Air personnel and material and the merchant

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25. (A) Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic, consular and other officials and members of the Italian land, sea and air forces accredited to or serving on missions with any such country or in any other territory specified by the United Nations will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

(B) The United Nations reserve the right to require the withdrawal of neutral diplomatic and consular officers from occupied Italian territory and to prescribe and lay down regulations governing the procedure for the methods of communication between the Italian Government and its representatives in neutral countries and regarding communications emanating from or destined for the representatives of neutral countries in Italian territory.

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27. The Military, Naval and Air personnel and material and the merchant shipping, fishing and other craft and the aircraft, vehicles and other transport equipment of any country against which any of the United Nations is carrying on hostilities or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

28. (A) The warships, auxiliaries and transports of any such country or occupied country referred to in article 27 in Italian or Italian occupied ports and waters and the aircraft, vehicles and other transport equipment of such countries in or over Italian or Italian occupied territory will, pending further instructions, be prevented from leaving.

(B) The Military, Naval and Air Personnel and the civilian nationals

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of any such country or occupied country in Italian or Italian occupied territory will be prevented from leaving and will be interned pending further instructions.

(C) All property in Italian territory belonging to any such country or occupied country or its nationals will be impounded and kept in custody pending further instructions.

(D) The Italian Government will comply with any instructions given by the Allied Commander-in-Chief concerning the internment, custody or subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, material or property.

29. BENITO MUSSOLINI, his chief Fascist associates and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations for this purpose will be complied with.

30. All Fascist organizations, including all branches of the Fascist Militia (MVSA), the secret police, (OVSA), all Fascist youth organizations will insofar as this is not already accomplished be disbanded in accordance with the directions of the Allied Commander-in-Chief. The Italian Government will comply with all such further directions as the United Nations may give for abolition of Fascist institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

31. All Italian laws involving discrimination on grounds of race, color, creed or political opinions will insofar as this is not already accomplished be rescinded, and persons detained on such grounds will, as directed by the United Nations, be released and relieved from all legal disabilities to which they have been subjected. The Italian Government will comply with all such further directions as the Allied Commander-in-Chief may give for repeal of Fascist legislations and removal of any disabilities or prohibitions resulting therefrom.

32. (A) Prisoners of war belonging to the forces of or specified by the United Nations and any nationals of the United Nations, including Abyssinian subjects, confined, interned, or otherwise under restraint in Italian or Italian-occupied territory will not be removed and will forthwith be handed over to representatives of the United Nations or otherwise dealt with as the United Nations may direct. Any removal during the period between the presentation and the signature of the present instrument will be regarded as a breach of its terms.

(B) Persons of whatever nationality who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations and relieved from all legal disabilities to which they have been subjected.

(C) The Italian Government will take such steps as the United Nations may direct to safeguard the persons of foreign nationals and property of foreign

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(C) The Italian Government will take such steps as the United Nations may direct to safeguard the persons of foreign nationals and property of foreign nationals and property of foreign states and nationals.

33. (A) The Italian Government will comply with such directions as the United Nations may prescribe regarding restitution, deliveries, services or payments by way of reparation and payment of the costs of occupation during the period of the present instrument.

(B) The Italian Government will give to the Allied Commander-in-Chief such information as may be prescribed regarding the assets, whether inside or outside Italian territory, of the Italian state, the Bank of Italy, any Italian state or semi-state institutions or Fascist organizations or residents in Italian territory and will not dispose or allow the disposal, outside Italian territory of

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any such assets except with the permission of the United Nations.

34. The Italian Government will carry out during the period of the present instrument such measures of disarmament, demobilization and demilitarization as may be prescribed by the Allied Commander-in-Chief.

35. The Italian Government will supply all information and provide all documents required by the United Nations. There shall be no destruction or concealment of archives, records, plans or any other documents or information.

36. The Italian Government will take and enforce such legislative and other measures as may be necessary for the execution of the present instrument. Italian military and civil authorities will comply with any instructions issued by the Allied Commander-in-Chief for the same purpose.

37. There will be appointed a control commission representative of the United Nations charged with regulating and executing this instrument under the orders and general directions of the Allied Commander-in-Chief.

38. (A) The term "United Nations" in the present instrument includes the Allied Commander-in-Chief, the control commission and any other authority which the United Nations may designate.

(B) The term "Allied Commander-in-Chief" in the present instrument includes the control commission and such other officers and representatives as the Commander-in-Chief may designate.

39. Reference to Italian land, sea and air forces in the present instrument shall be deemed to include Fascist Militia and all such other military or paramilitary units, formations or bodies as the Allied Commander-in-Chief may prescribe.

40. The term "War Material" in the present instrument denotes all material specified in such lists or definitions as may from time to time be issued by the control commission.

41. The term "Italian Territory" includes all Italian colonies and dependencies and shall for the purposes of the present instrument (but without prejudice to the question of sovereignty) be deemed to include Albania. Provided however that except in such cases and to such extent as the United Nations may direct the provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency already occupied by the United Nations or the rights or powers therein possessed or exercised by them.

42. The Italian Government will send a delegation to the Headquarters of the control commission to represent Italian interests and to transmit the orders of the control commission to the competent Italian authorities.

43. The present instrument shall enter into force _____ hours after its signature. It will remain in operation until superseded by any other arrangements or until the voting into force of the peace treaty with Italy.

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43. The present instrument shall enter into force hours after its signature. It will remain in operation until superseded by any other arrangements or until the voting into force of the peace treaty with Italy.

44. The present instrument may be denounced by the United Nations with immediate effect if Italian obligations thereunder are not fulfilled or, as an alternative, the United Nations may penalize contravention of it by measures appropriate to the circumstances such as the extension of the areas of military occupation or air or other punitive action.

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation, the

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decision of the control commission will prevail.

Signed on the _____ at _____ at _____
(hour) (time) (place)

(signatures)

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

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September 3rd, 1943

The following conditions of an Armistice are presented by

General DIMITRI P. ELISABETH,

Commander-in-Chief of the Allied Forces,

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

Marshal PIETRO BADOLATO
Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or informants of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.
5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.
6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.
7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.
9. Guarantee by the Italian Government that if

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

Marshal Pietro Badoglio
Head of the Italian Government.

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2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
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5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.
6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.
7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.
9. Guarantee by the Italian Government that if necessary it will employ all its available armed forces to insure prompt and exact compliance with all the provisions of this armistice.
10. The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied Forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander in Chief may require, and in particular the Commander in Chief will establish Allied Military Government over such parts of Italian territory as he may deem necessary in the military interests of the Allied Nations.

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11. The Commander in Chief of the Allied Forces will have a full right to impose measures of disarmament, demobilization, and demilitarization.
12. Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at later date.

The conditions of the present Armistice will not be made public without prior approval of the Allied Commander in Chief. The English will be considered the official text.

Marshal PIERINO MADDALENO
Head of Italian Government.

By: /s/ Giuseppe Castellano

GIUSEPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

WRIGHT D. KISSINGER,
General, U. S. Army
Commander in Chief
Allied Forces.

By: /s/ Walter B. Smith

WALTER B. SMITH,
Major General, U. S. Army
Chief of Staff.

Present:

At. Hon. HAROLD MACILLIAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the
President of the United States

WOLFE DICK,
Commodore, R.N.
Chief of Staff to the C. in C. Med.

LOWELL W. ROCKS
Major General, U. S. Army
Assistant Chief of Staff, G-3, A.F.H.Q.

FALANGO MONTANARI
Official Italian Interpreter

Brigadier KENNETH STRONG
Assistant Chief of Staff, G-2, A.F.H.Q.

Marshal PIETRO BADOLIO
Head of Italian Government.

By: /s/ Giuseppe Castellano

GIUSEPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

WRIGHT D. FISCHBACH,
General, U. S. Army
Commander in Chief
Allied Forces.

By: /s/ Walter B. Smith

WALTER B. SMITH,
Major General, U. S. Army
Chief of Staff.

Present:

RE. Hon. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

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Chief of Staff to the C. in C. Med.

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Assistant Chief of Staff, G-3, A.F.H.Q.

FRANCESCO MONTANARI
Official Italian Interpreter

Brigadier KENNETH STALING
Assistant Chief of Staff, G-2, A.F.H.Q.

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It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief, Allied Forces, should be changed to "Additional conditions of armistice with Italy." The following further amendments to this document are also agreed:

In the first paragraph of the preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand." The paragraph in question therefore reads as follows:

"Whereas in consequence of an armistice dated September 2, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the armistice of September 2, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and comply with the requirements of these governments."

In paragraph six of the preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"the Italian land, sea and air forces wherever located hereby surrender."

Article 23 is amended to read as follows:

"Benito Mussolini, his chief fascist associates, and all persons associated or having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are to be prosecuted by the Allied military command or by the Italian Government."

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the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these Governments."

In paragraph six of the preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 of the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 25 is amended to read as follows:

"Benito Mussolini, his chief Fascist associates, and all persons suspected of having committed war crimes or offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by the United Nations to this purpose will be complied with."

The present Protocol is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1943 at MUNICH.

For the Allied Commander-in-Chief

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Office of Commander-in-Chief,
Mediterranean Station,

23rd September, 1943.

C. C. L. Y.

ADJUTANT GENERAL.

No. Med. C. 380/17D.

URGENT.

MEMORANDUM ON ADJUTANT GENERAL'S REPORT AND
DISPOSITION OF THE ITALIAN NAVY AND MARITIME MARINE.

The attached copy of an agreement concerning the employment and disposition of the Italian Fleet and Maritime Marine is forwarded for information with reference to Commander-in-Chief, Mediterranean's message dated 23/234 September to Admiralty only.

/s/ ADMIRAL OF THE FLEET.

Distribution -

- The Secretary of the Admiralty (Submission No. 178/Med. C. 380/17D.)
- The Allied Commander-in-Chief
- The Commander-in-Chief, Levant
- The Commander, United States Naval Forces, Northwest African Waters
- The Flag Officer Commanding, Gibraltar
- The Flag Officer Commanding, Force "H"
- The Vice Admiral, Malta
- Vice Admiral A.D. Power, C.B., D.S.O.
- The Rear Admiral, Force "H"
- The Rear Admiral Commanding, Fifteenth Cruiser Squadron
- The Flag Officer, Taranto Area
- The Flag Officer, Italy
- The Flag Officer, Tunisia
- The Flag Officer, Sicily
- The Commodore Commanding, Twelfth Cruiser Squadron
- The Commodore, Algeria
- The Naval Officers in Charge, Mediterranean Station
- The Ministry of War Transport Representative

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The attached copy of an agreement concerning the employment and disposition of the Italian Fleet and Mercantile Marine is forwarded for information with reference to Commander-in-Chief, Mediterranean's message dated 232304 September to Admiralty only.

/s/ ADMIRAL OF THE FLEET.

Distribution -

The Secretary of the Admiralty (Subdivision No. 174/Adm. (GPO/17D.))
The Allied Commander-in-Chief
The Commander-in-Chief, Levant
The Commander, United States Naval Forces, Northwest African Waters
The Flag Officer Commanding, Gibraltar
The Flag Officer Commanding, Force "H"
The Vice Admiral, Malta
Vice Admiral A.S. Power, C.B., D.S.O.
The Rear Admiral, Force "H"
The Rear Admiral Commanding, Fifteenth Cruiser Squadron
The Flag Officer, Taranto Area
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The Flag Officer, Sicily
The Commodore Commanding, Twelfth Cruiser Squadron
The Commodore, Algeria
The Naval Officers in Charge, Mediterranean Station
The Ministry of War Transport Representative

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C O P Y

Office of Commander-in-Chief,
Mediterranean Station.

TOP SECRET.

23rd September 1943.

MEMORANDUM OF AGREEMENT ON THE ABOLITION AND
DISPOSITION OF THE ITALIAN FLEET AND MERCHANT
SHIPS BETWEEN THE ALLIED NAVAL COMMANDER-IN-
CHIEF, MEDITERRANEAN, ACTING ON BEHALF OF THE
ALLIED COMMANDER-IN-CHIEF AND THE ITALIAN MINISTER
OF MARINE.

The armistice having been signed between the Head
of the Italian Government and the Allied Commander-in-Chief
under which all Italian warships and the Italian Merchant
Marine were placed unconditionally at the disposal of the
United Nations, and H.M. the King of Italy and the Italian
Government having since expressed the wish that the Fleet
and the Italian Merchant Marine should be employed in the
Allied effort to assist in the prosecution of the war against
the Axis powers, the following principles are established on
which the Italian Navy and Merchant Marine will be disposed.

- (A) Such ships as can be employed to assist actively in
the Allied effort will be kept in commission and
will be used under the orders of the Commander-
in-Chief, Mediterranean, as may be arranged
between the Allied Commander-in-Chief and the
Italian Government.
- (B) Ships which cannot be so employed will be reduced
to a care and maintenance basis and be placed in
designated ports, measures of disarmament being
undertaken as may be necessary.
- (C) The Government of Italy will declare the name and
whereabouts of

- (1) Warships
- (11) Merchant Ships

now in their possession which previously belonged
to any of the United Nations. These vessels are
to be returned forthwith as may be directed by
the Allied Commander-in-Chief. This will be
without prejudice to negotiations between the
Governments which may subsequently be made in
connection with replacing losses of ships of
the United Nations caused by Italian action.

The armistice having been signed between the Head of the Italian Government and the Allied Commander-in-Chief under which all Italian warships and the Italian Mercantile Marine were placed unconditionally at the disposal of the United Nations, and H.M. the King of Italy and the Italian Government having since expressed the wish that the Fleet and the Italian Mercantile Marine should be employed in the Allied effort to assist in the prosecution of the war against the Axis powers, the following principles are established on which the Italian Navy and Mercantile Marine will be disposed.

(A) Such ships as can be employed to assist actively in the Allied effort will be kept in commission and will be used under the orders of the Commander-in-Chief, Mediterranean, as may be arranged between the Allied Commander-in-Chief and the Italian Government.

(B) Ships which cannot be so employed will be reduced to a care and maintenance basis and be placed in designated ports, measures of disarmament being undertaken as may be necessary.

(C) The Government of Italy will declare the name and whereabouts of

- (1) Warships
- (11) Merchant ships

now in their possession which previously belonged to any of the United Nations. These vessels are to be returned forthwith as may be directed by the Allied Commander-in-Chief. This will be without prejudice to negotiations between the Governments which may subsequently be made in connection with replacing losses of ships of the United Nations caused by Italian action.

(D) The Allied Naval Commander-in-Chief will act as the agent of the Allied Commander-in-Chief in all matters concerning the employment of the Italian Fleet or Merchant Navy, their disposition and related matters.

(E).....

TOP SECRET

MOST WANTED.

Page 2

REMOVAL OF AMBASSADOR OF ITALIAN FLEET AND BATTLESHIP
NAUTICAL (CONT'D).

- (1) It should be clearly understood that the extent to which the terms of the armistice are modified to allow of the arrangements outlined above and which follow, are dependent upon the extent and effectiveness of Italian co-operation.

2. Method of operation. The Commander-in-Chief, Mediterranean will place at the disposal of the Italian Ministry of Marine, a high ranking Naval officer with the appropriate staff who will be responsible to the Commander-in-Chief, Mediterranean, for all matters in connection with the operation of the Italian Fleet, and be the medium through which dealings will be carried out in connection with the Italian Mercantile Marine. The Flag officer acting for these duties (Flag Officer, Liaison) will keep the Italian Ministry of Marine informed of the requirements of the Commander-in-Chief, Mediterranean, and will act in close co-operation as regards issues of all orders to the Italian Fleet.

3. Proposed disposition of the Italian Fleet.

- (a) All battleships will be placed on a care and maintenance basis in ports to be designated and will have such measures of disarmament applied as may be directed. These measures of disarmament will be such that the ships can be brought into operation again if it so seems desirable. Each ship will have on board a proportion of Italian Naval personnel to keep the ships in proper condition and the Commander-in-Chief, Mediterranean, will have the right of inspection at any time.
- (b) Cruisers. Such cruisers as can be of immediate assistance will be kept in commission. At present it is visualized that one squadron of four cruisers will suffice and the remainder will be kept in care and maintenance as for the battleships but at a rather greater degree of readiness to be brought into service if required.
- (c) Destroyers and Torpedo Boats. It is proposed to keep these in commission and to use them on escort and similar duties as may be requisite. It is proposed that they should be divided into escort groups working as units and that they should be based on Italian ports.

2. Method of Operation. The Commander-in-Chief, the Italian Ministry of Marine, a high ranking naval officer with the appropriate staff who will be responsible to the Commander-in-Chief, Mediterranean, for all matters in connection with the operation of the Italian Fleet, and be the medium through which dealings will be carried out in connection with the Italian Mercantile Marine. The Flag Officer acting for these duties (Flag Officer, Liaison) will keep the Italian Ministry of Marine informed of the requirements of the Commander-in-Chief, Mediterranean, and will act in close co-operation as regards issues of all orders to the Italian Fleet.

3. Proposed disposition of the Italian Fleet.

(a) All battleships will be placed on a care and maintenance basis in ports to be designated and will have such

measures of disarmament applied as may be directed.

These measures of disarmament will be such that the

ships can be brought into operation again if it so

seems desirable. Each ship will have on board a

proportion of Italian naval personnel to keep the

ships in proper condition and the Commander-in-Chief,

Mediterranean, will have the right of inspection at

any time.

(b) Cruisers. Such cruisers as can be of immediate assistance will be kept in commission. At present it is

visualized that one squadron of four cruisers will

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greater degree of readiness to be brought into service

if required.

(c) Destroyers and Torpedo Boats. It is proposed to keep

these in commission and to use them on escort and

similar duties as may be requisite. It is proposed

that they should be divided into escort groups working

as units and that they should be based on Italian

ports.

(d) Small Craft. M.A.S., minesweepers, auxiliaries and

similar small craft will be employed to the full,

detailed arrangements being made with the Flag Officer

(Liaison) by the Italian Ministry of Marine for their

best employment.

(e) Submarines. In the first instance submarines will be

isembarked in ports to be designated and at a later

date these may be brought into service as may be

required to assist the Allied effort.

4. Status.....

TOP SECRET

TOP SECRET

Page 3

MEMORANDUM OF AGREEMENT ON SHIPMENTS OF ITALIAN FLEET AND
MERCHANT MARINE (COMINT)4. Status of Italian Navy.

Under this modification of the armistice terms, all the Italian ships will continue to fly their flag. A large proportion of the Italian Navy will thus remain in active commission operating their own ships and fighting alongside the forces of the United Nations against the Axis powers.

The requisite Liaison officers will be supplied to facilitate the working of the Italian ships in co-operations with Allied forces. A small Italian Liaison mission will be attached to the Headquarters of the Commander-in-Chief, Mediterranean, to deal with matters affecting the Italian fleet.

5. Mercantile Marine.

It is the intention that the Italian Mercantile Marine should operate under the same conditions as the merchant ships of the Allied Nations. That is to say, all mercantile shipping of the United Nations is formed into a pool which is employed as may be considered necessary for the benefit of all the United Nations. In this will naturally be included the requirements for the supply and maintenance of Italy. The system will be analogous to that used in North Africa, where the North Africa Shipping Board controls all United States, British and French shipping in detail in so far as Italian ships are concerned. While it may be expected that a proportion of Italian ships will be working within the Mediterranean and to and from Italian ports, it must be appreciated that this will not always necessarily be the case and ships flying the Italian flag may be expected to be used elsewhere as is done with the merchant ships of all the United Nations. Italian ships employed as outlined in this paragraph will fly the Italian flag and will be earned by crews provided by the Italian Ministry of Marine.

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AMENDMENT TO AGREEMENT BETWEEN THE NAVAL COMMANDER-IN-CHIEF,
MEDITERRANEAN, ALLIED FORCES AND THE ITALIAN MINISTER OF MARINE
WITH RESPECT TO THE EMPLOYMENT OF THE ITALIAN NAVY

The aforementioned agreement is amended as follows:

The following phrase to be added to the Preamble:

"It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time."

Final sentence of last paragraph to be amended to read:

"Will be marked so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag."

The present instrument is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding the interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1943 at BRINDISI.

For the Naval Commander-in-Chief,
Mediterranean, Allied Forces.

SECRET

ALLIED MILITARY MISSION - INCOMING MESSAGE

CLASS: SECRET
PREC: PRIORITY
FROM: FREEDOM
TO: FATIMA

M/C NO: 14/8
REF NO: 7824
NOV 1943
FILED: 071902A
REC'D: 080645

A protocol in revision of the "Terms of Surrender" as approved by Great Britain. United States and Soviets has been received. (To Fatima for MacFarlane signed Eisenhower cite FRDS) Its text follows:

"Protocol. It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief Allied Forces, should be changed to "additional conditions of Armistice with Italy." The following further amendments to this document are also agreed:

"In the first paragraph of the Preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand". The paragraph in question therefore reads as follows:
"Whereas in consequence of an Armistice dated September 3rd, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted

SECRET

between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows: "The following, together with their terms of the Armistice of September 3rd, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and her Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows: "and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1a the word "unconditionally" is deleted. The Article in question therefore reads as follows: "The Italian land, sea and air forces where-ever located hereby surrender."

Article 29 is amended to read as follows: "Benito Mussolini, his chief Fascists associates, and all persons suspected of having committed war crimes or analogous offences whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government, will forthwith be apprehended and surrendered into the hands of the United Nations. Any instructions given by

SECRET

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the United Nations to this purpose will be complied with." Signatures and date to follow. The foregoing instrument is only acceptable on condition that the Cunningham agreement with respect to the employment of the Italian Navy is amended as follows: 1. The following phrase to be added to the Preamble: "It is understood and agreed that the provisions of this agreement as to immediate employment and disposition of Italian warships and merchant ships do not affect the right of United Nations to make such other dispositions of any or all Italian ships as they may think fit. Their decisions in this respect will be notified to the Italian Government from time to time." 2. Final sentence of last paragraph to be amended to read "will be manned so far as possible by crews provided by Italian Ministry of Marine and will fly the Italian flag." If you do not have complete text of Cunningham agreement it is in hands of Admiral McGregor. You should have Admirals McGregor and De Courten come to Brindisi and the protocol and the amendments to the Cunningham agreement to be signed simultaneously. Authority is hereby given you to sign the protocol for the Commander-in-Chief, Allied Forces and for Admiral McGregor to sign the amendments to the Cunningham agreement. C-in-C Mediterranean concurs.

It is considered essential that these documents be signed with the least possible delay especially in the light of the political situation and the possibility that Badoglio may not long remain as Prime Minister. It should be pointed out to him that the early signature of these instruments will enhance his personal situation as his signature is already affixed to a document which in his opinion is less favorable. In the event that Badoglio asks for any alternative he should be told that these amendments are final.

DISTRIBUTION:

2 - AG
1 - Diary
1 - M/C

SECRET

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ENCLOSURE

It is agreed that the title of the document signed at Malta on September 29, 1943 by Marshal Pietro Badoglio, Head of the Italian Government, and General Dwight D. Eisenhower, Commander-in-Chief, Allied Forces, should be changed to "Additional Conditions of Armistice with Italy." The following further amendments to this document are also agreed:

In the first paragraph of the preamble the words "acting in the interests of all the United Nations" are inserted between the words "governments" and "on the one hand." The paragraph in question therefore reads as follows:

"Whereas in consequence of an Armistice dated September 3, 1943 between the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the preamble the words "and Soviet" are inserted between the words "United Kingdom" and "governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist those powers in any way and complies with the requirements of these governments."

In paragraph six of the preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

In Article 1 a the word "unconditionally" is deleted. The Article in question therefore reads as follows:

"The Italian land, sea and air forces wherever located hereby surrender."

Article 29 is amended to read as follows:

"Benito Mussolini, his chief Fascist associates, and all persons suspected of having committed war crimes or analogous offenses whose names appear on lists to be communicated by the United Nations and who now or in the future are on territory controlled by the Allied Military Command or by the Italian Government."

the United States and United Kingdom Governments acting in the interests of all the United Nations on the one hand, and the Italian Government on the other hand, hostilities were suspended between Italy and United Nations on certain terms of a military nature."

In the fourth paragraph of the Preamble the words "and Soviet" are inserted between the words "United Kingdom" and "Governments", and the word "and" between the words "United States" and "United Kingdom" is deleted. The paragraph in question therefore reads as follows:

"The following, together with the terms of the Armistice of September 3, 1943, are the terms on which the United States, United Kingdom and Soviet Governments, acting on behalf of the United Nations, are prepared to suspend hostilities against Italy so long as their military operations against Germany and the Allies are not obstructed and Italy does not assist these powers in any way and complies with the requirements of these Governments."

In paragraph six of the Preamble the word "unconditionally" is inserted between the word "accepted" and "by". The paragraph in question therefore reads as follows:

"and have been accepted unconditionally by Marshal Pietro Badoglio, Head of the Italian Government representing the Supreme Command of the Italian land, sea and air forces and duly authorized to that effect by the Italian Government."

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The present Protocol is drawn up in English and Italian, the English text being authentic, and in case of any dispute regarding its interpretation the decision of the Control Commission will prevail.

Signed on the 9th November 1943 at BRINDISI.

For the Allied Commander-in-Chief

TOP SECRET

COPY

SICILY

September 3rd, 1943

The following conditions of an Armistice are presented by

General DWAIGHT D. EISENHOWER,

Commander-in-Chief of the Allied Forces,

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

Marshal PIETRO BADOLIO
Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.
5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.
6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.
7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.
8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.

Great Britain and in the interest of the United Nations, and are accepted by

Marshal PIETRO BADOLIO
Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.
2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.
3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.
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8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.
9. Guarantee by the Italian Government that if necessary it will employ all its available armed forces to insure prompt and exact compliance with all the provisions of this armistice.
10. The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied Forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander in Chief may require, and in particular the Commander in Chief will establish Allied Military Government over such parts of Italian territory as he may deem necessary in the military interests of the Allied Nations.

TOP SECRET

11. The Commander in Chief of the Allied Forces will have a full right to impose measures of disarmament, demobilization, and demilitarization.
12. Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at later date.

The conditions of the present Armistice will not be made public without prior approval of the Allied Commander in Chief. The English will be considered the official text.

Marshal PIERO BADOLIO
Head of Italian Government.

By: /s/ Giuseppe Castellano

GIUSEPPE CASTELLANO
Brigadier General, attached to
The Italian High Command

DWIGHT D. EISENHOWER,
General, U. S. Army
Commander in Chief
Allied Forces.

By: /s/ Walter B. Smith

WALTER B. SMITH,
Major General, U. S. Army
Chief of Staff.

Present:

Rt. Hon. HAROLD MACMILLAN
British Resident Minister, A.F.H.Q.

ROBERT MURPHY
Personal Representative of the
President of the United States

ROYER DICK,
Commodore, R.N.
Chief of Staff to the C. in C. Med.

LOWELL W. WOODS
Major General, U. S. Army
Assistant Chief of Staff, G-3, A.F.H.Q.

FRANCO MONTANARI
Official Italian Interpreter

Brigadier KENNETH STONE
Assistant Chief of Staff, G-2, A.F.H.Q.

Marshal PIETRO BADOLIO
Head of Italian Government.

By: /s/ Giuseppe Castellano

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SECRET

September 3rd, 1943

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General DWIGHT D. EISENHOWER,

Commander-in-Chief of the Allied Forces,

acting by authority of the Governments of the United States and Great Britain and in the interest of the United Nations, and are accepted by

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Head of the Italian Government.

1. Immediate cessation of all hostile activity by the Italian armed forces.

2. Italy will use its best endeavors to deny, to the Germans, facilities that might be used against the United Nations.

3. All prisoners or internees of the United Nations to be immediately turned over to the Allied Commander in Chief, and none of these may now or at any time be evacuated to Germany.

4. Immediate transfer of the Italian Fleet and Italian aircraft to such points as may be designated by the Allied Commander in Chief, with details of disarmament to be prescribed by him.

5. Italian merchant shipping may be requisitioned by the Allied Commander in Chief to meet the needs of his military - naval program.

6. Immediate surrender of Corsica and of all Italian territory, both islands and mainland, to the Allies, for such use as operational bases and other purposes as the Allies may see fit.

7. Immediate guarantee of the free use by the Allies of all airfields and naval ports in Italian territory, regardless of the rate of evacuation of the Italian territory by the German forces. These ports and fields to be protected by Italian armed forces until this function is taken over by the Allies.

8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.

Great Britain and in the interest of the United Nations, and are accepted by

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8. Immediate withdrawal to Italy of Italian armed forces from all participation in the current war from whatever areas in which they may be now engaged.
9. Guarantee by the Italian Government that if necessary it will employ all its available armed forces to insure prompt and exact compliance with all the provisions of this armistice.
10. The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied Forces for the prosecution of the war, and the Italian Government binds itself to take such administrative or other action as the Commander in Chief may require, and in particular the Commander in Chief will establish Allied Military Government over such parts of Italian territory as he may deem necessary in the military interests of the Allied Nations.

TOP SECRET

11. The Commander in Chief of the Allied Forces will have a full right to impose measures of disarmament, demobilization, and demilitarization.

12. Other conditions of a political, economic and financial nature with which Italy will be bound to comply will be transmitted at later date.

The conditions of the present Armistice will not be made public without prior approval of the Allied Commander in Chief. The English will be considered the official text.

Marshal PIETRO BADOLIO
Head of Italian Government.

By: /s/ Giuseppe Castellano

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Brigadier General, attached to
The Italian High Command

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Commander in Chief
Allied Forces.

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