1442

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

ACC

10000/136/558

1443

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

10000/136/558

TRANSFER OF TERRITORY
FEB. 1944 – AUG. 1945
(1 OF 2)

1444

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

UNCLASSIFIED
CONFIDENTIAL
534812

EXHIBIT "A"

COPY OF PROCLAMATION OF
ALLIED MILITARY GOVERNOR

WHEREAS, certain territory in Italy previously occupied by the Allied Forces was restored to the jurisdiction of the Italian Government on 11 February 1944, and

WHEREAS, since said date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, HAROLD R.L.G. ALEXANDER, G.C.B., C.I.E., D.S.O., A.D.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, K.C.B., K.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1557

Territory Described: That portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples except the Comune of Naples in the Province of Naples which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified.

Terms of Reservation: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1445

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

~~SECRET~~

1. There will be made available to the Allied forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

1558

10. The right to import and to export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any import, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any import, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may

1446

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

enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Allied Commander in Chief.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or decrees to carry out the purposes set forth in Document "B" annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

H. R. Alexander, General,
Commander in Chief Allied Armies in Italy
and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 20th day of July 1944.

Ivanoe Bonomi

Witness: Alexander Hall
Captain, U.S.N.R.

Witness:

20 July 1944

1553

1447

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

DOCUMENT "B"

SECRET

CONFIDENTIAL DECLASSIFIED RECLASSIFIED BY TAG HQ 52 4812

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 16 (a)

WHEREAS, I assumed all powers of government and jusisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, C.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows:

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples, except the Commune of Naples in the Province of Naples, which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified, are hereby terminated as of 0001 hours on the 20th day of July 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

1554

H R Alexander

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

Dated: 20th July 1944.

1448

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

SECRET

524812

DOCUMENT "C".

Proclamation by the Italian Government

to be signed by the President of the Council.

PROCLAMATION.

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the provinces of Foggia, Campobasso, Benevento, Avellino, Naples except the commune of Naples in the Province of Naples.

Pursuant to a decree in course of publication the following has been determined :

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

PRESIDENT OF THE COUNCIL OF MINISTERS

BONOMI

ROME, 20 July 1944.

1449

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

SEGRETO

S E C R E T

DOCUMENTO "C"

PROCLAMA DEL GOVERNO ITALIANO DA FIRMARSI

DAL PRESIDENTE DEL CONSIGLIO

PROCLAMA

Al popolo Italiano:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli già restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Foggia, Campobasso, Benevento, Avellino, Napoli(escluso il territorio del Comune di Napoli).

Con decreti in corso di pubblicazione viene determinato al riguardo quanto segue:

1. Dato che il Governo Militare Alleato ha posto fine, a partire dalla data della presente, al Governo Militare nei territori restituiti, sono attribuiti, nei territori restituiti e nei confronti degli abitanti di essi, al Governo Italiano tutti i poteri statali e giurisdizionali nonchè la definitiva responsabilità amministrativa, fatti salvi solamente i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con la presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici che se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze nonchè tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciute da tutti i tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dalle Corti Militari Alleate sono con la presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti che se fossero state emanate da Tribunali Italiani. Come tali saranno riconosciute da tutti i tribunali e funzionari italiani a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

Roma, 20 Luglio 1944.

Il Presidente del Consiglio dei Ministri

Bonomi

1450

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

~~SECRET~~

DOCUMENT "D"

To: H.E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "Official Gazette" as of the date of restoration of further territory the following decrees;

(a) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44, No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made;

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 32 except in so far as concerns the necessary changes to be made as to time and date and to make application to territories now being restored. 1554

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AC dated 24 September 1943 in relation to notes of exchange of Allied Military Currency.

DECLASSIFIED DOWNGRADED SECRET CONFIDENTIAL 524812

~~SECRET~~

1451

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

(e) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of RDL of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offences against the Allied Forces, including those convicted under Article 554 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(Sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(Sgd) Ivanoe Bonomi.
IVANOE BONOMI
President of Council of Ministers

ROME, 18 July 1944.

1550

1452

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

SECRET

UNCLASSIFIED
52x812

DOCUMENT A

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additionnl areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the su cessful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria.

1549

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "D" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

H.R. Alexander

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1453

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

Ivanoe Bonomi

IVANOE BONOMI
President of Council of Ministers

Witness: Ellery W. Stone

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

Witness: Pierre Hubert Dwayen

7548

15 August 1944

SECRET

1454

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

SECRET UNCLASSIFIED CONFIDENTIAL REGRADED

~~SECRET~~

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1547

H.R. Alexander.

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

1455

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

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the

Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Rome, Frosinone and Littoria.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian Law, and they will be so recognized by all Italian courts and officials.

1543

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recogniz d by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

BONOMI

Rome: 15th August 1944.

1456

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

~~SECRET~~

CONFIDENTIAL SECRET RESTRICTED

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1544

H.R. Alexander.

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

1457

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

P R O C L A M A

AL POPOLO ITALIANO :

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli già restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Roma, Frosinone e Littoria.

Con decreti in corso di pubblicazione viene determinato al riguardo quanto segue :

1) - Dato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali,nonchè la suprema responsabilità amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori accettati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto,esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonchè tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciute da tutti i Tribunali e funzionari italiani come legali,valide ed impegnative. 1544

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani. Come tali saranno ri-

T 4 3 6

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

conosciute da tutti i Tribunali e funzionari italiani a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI
Bonomi

Roma - 15 Agosto 1944.

1459

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

SECRET

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4102/3/L. /rlp.
13 October 1944.

SUBJECT : Restoration of Territory to Italian Government.

TO : Acting Chief Commissioner.

1. I am returning herewith signed originals of Documents "A", "B", and "C" executed in connection with the restoration of territory to the Italian Government jurisdiction on 16 October and also a conformed copy of these documents for your files. I understand that originals of other documents executed in connection with earlier restorations are held in your office and I think all should be kept together.

2. All arrangements have been made for the transportation and delivery and posting of the proclamations in the territory to be restored.

3. Sig. Sorrentino of the office of the President of the Council of Ministers who worked with me on these papers said that he wanted to have for future reference a copy of the documents. It is likely true that he has had difficulty in locating the Italians' copies of earlier documents. However, I think it better to transmit the conformed set to Sig. Bonomi. I have prepared and enclose a letter to carry that out, and an extra set is enclosed for that purpose.

/Richard H. Wilmer

RICHARD H. WILMER,
Colonel, CAC,
Chief Legal Advisor.

Incls.

Ltr A/cc 602.3
16 Oct 44
to P.M. Bonomi

1543

SECRET

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione, e

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta, da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanto sia compatibile con le esigenze militari,

IO, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., Generale, Comandante Supremo Alleato nello Scacchiere Mediterraneo, e Governatore Militare, proclamo quanto segue:

Per effetto del presente Proclama, a partire dalle ore 0001 del 16 ottobre 1944 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Chieti, Pescara, L'Aquila, Teramo, Rieti e Viterbo.

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata di Controllo.

1537

H. MAITLAND WILSON,
Generale, Comandante Supremo Alleato
nello Scacchiere Mediterraneo e
Governatore Militare.

Data: 16 ottobre 1944.

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

~~SECRET~~

SECRET UNCLASSIFIED RESTRICTED CONFIDENTIAL
A
REGRADED
524812

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, on 20 July 1944 and on 15 August 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces.

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1541

Territory Restored: That portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

-461-
Declassified E.O. 12356 Section 3.3/NND No. 765015

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces.

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth. 154

Territory Restored: That portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theatre or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may

1462

Declassified E.O. 12356 Section 3.3/NND No. 765015

be directed by the Supreme Allied Commander, Mediterranean Theatre.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theatre.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognisable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Supreme Allied Commander, Mediterranean Theatre.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war. 15 4 11

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations,

Declassified E.O. 12356 Section 3.3/NND No. 765015

as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognisable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Supreme Allied Commander, Mediterranean Theatre.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theatre.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1464

Declassified E.O. 12356 Section 3.3/NND No. 765015

15. The Italian Government will duly and promptly issue proclamations or decrees to carry out the purposes set forth in Documents "D" annexed and made part of previous Documents "A" executed with respect to prior restorations of territory to the jurisdiction of the Italian Government which have not yet been issued and to issue others which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

H. MAITLAND WILSON.
General,
Supreme Allied Commander, Mediterranean
Theatre and Military Governor.

1539

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 16th day of October 1944.

Witness :
Commodore USNR

Witness :

16 October 1944

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION No.16 (C).

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated at 0001 hours on the 16th day of October, 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theatre and Allied Control Commission.

1538

Maitland Wilson

Declassified E.O. 12356 Section 3.3/NND No. 765015

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated as/0001 hours on the 16th day of October, 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theatre and Allied Control Commission.

1538

H. MAITLAND WILSON,

General, Supreme Allied Commander
Mediterranean Theatre and
Military Governor.

16 October 1944.

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

DCCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council.

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, and Viterbo.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian courts and officials.

1536

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if [illegible] so recognised by all Italian

Declassified E.O. 12356 Section 3.3/NND No. 765015

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, and Viterbo.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

1536

President of the Council of Ministers

BONOMI

Ivanoe Bonomi

Rome: 16 October 1944.

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

P R O C L A M A

Al popolo italiano!

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalita' e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Chieti, Pescara, L'Aquila, Teramo, Rieti e Viterbo.

Il trapasso e' regolato dalle norme seguenti:

1) - Dato che alla data del presente l'autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi. 7539

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Declassified E.O. 12356 Section 3.3/NND No. 765015

liano che altri territori, oltre quelli gia' restituiti, rivestano sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalita' e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Chieti, Pescara, L'Aquila, Teramo, Rieti e Viterbo.

Il trapasso e' regolato dalle norme seguenti:

1) - Dato che alla data del presente l'autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi. 1535

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

Declassified E.O. 12356 Section 3.3/NND No. 765015

1472

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

~~S-E-C-R-E-T~~

CONFIDENTIAL SECRET 52812

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, on 20 July 1944 and on 15 August 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces.

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo. 175.3

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian 153.4

~~S-E-C-R-E-T~~

1473

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

territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territ ory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Supreme Allied Commander, Mediterranean Theater. 1593

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as

1474

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

the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

15. The Italian Government will duly and properly issue proclamations or decrees to carry out the purposes set forth in Documents "B" annexed and made part of previous Documents "A" executed with respect to prior restorations of territory to the jurisdiction of the Italian Government which have not yet been issued and to issue others which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

1533

Signed: H. Maitland Wilson

H. MAITLAND WILSON.
General,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

1475

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

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 16th day of October 1944.

Ivanoe Bonomi

Witness:

Signed: Ellery W Stone Commodore USNR

Witness:

Signed: Capo Con Rapacciolo

16 October 1944

1525

1476

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION NO. 16 (C).

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated as of 0001 hours on the 16th day of October, 1944. The Italian Government willthereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and Allied Control Commission.

Signed: H. Maitland Wilson

1530

/s/ HENRY MAITLAND WILSON

H. MAITLAND WILSON,

General, Supreme Allied Commander
Mediterranean Theater and
Military Governor.

16 October 1944.

1477

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

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council.

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, and Viterbo.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all

1478

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

appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

BONOMI

Signed: Ivanoe Bonomi.

Rome, 16 October 1944.

1528

1479

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

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta, da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari.

IO, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., Generale, Comandante Supremo Alleato nello Scacchiere Mediterraneo, e Governatore Militare, proclamo quanto segue;

Per effetto del presente Proclama, a partire dalle ore 0001 del 16 ottobre 1944 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Chieti, Pescara, L'Aquila, Teramo, Rieti e Viterbo.

Da tale data il Governo Italiano amministrera' il predetto territorio, fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata di Controllo.

H. MAITLAND WILSON.
Generale, Comandante Supremo Alleato
nello Scacchiere Mediterraneo e
Governatore Militare.

1523

Data: 16 ottobre 1944.

1480

Declassified E.O. 12356 Section 3.3/NND No. 765015

PROCLAMA

Al popolo italiano!

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalita' e condizioni necessarie per la condotta della guerra.

Il Provvedimento concerne le provincie di Chieti, Pescara, L'Aquila, Teramo, Rieti e Viterbo.

Il trapasso e' regolato dalle norme seguenti.

1) - Dato che alla data del presente l'autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

1528

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalita' e condizioni necessarie per la condotta della guerra.

Il Provvedimento concerne le provincie di Chieti, Pescara, L'Aquila, Teramo, Rieti e Viterbo.

Il trapasso e' regolato dalle norme seguenti:

1) - Dato che alla data del presente l'autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

1528

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

BONOMI

ROMA, 16 ottobre 1944

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

T 4 8 2

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION NO. 16 (C).

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., K.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated as of 0001 hours on the 16th day of October, 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and Allied Control Commission.

23-3523

H. MAITLAND WILSON
H. MAITLAND WILSON.

General, Supreme Allied Commander
Mediterranean Theater and
Military Governor.

16 October 1944.

1483

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

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council.

PROCLAMATION

To the Italian people;

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, and Viterbo.

The restoration is subject to the following conditions;

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all

1484

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

appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

B O N O M I

Rome, 16 October 1944.

1524

1485

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

— SECRET —

Cc 0855
JUL 2 REC'D

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rlp.
30 June 1945.

AC/4102/5/L.

SUBJECT : Restoration of Territory to Italian Government.

TO : Office of the Chief Commissioner.

Herewith enclosed signed originals of Documents A, B and C executed in connection with the restoration of territory to the Italian Government on the 19th June 1945. It is understood that the originals of other documents executed in connection with earlier restorations are held in your office and it would seem desirable for all to be kept together.

W. E. HEMMENS,
Colonel,
Chief Legal Advisor.

Incls.

1522

SECRET UNCLASSIFIED RESTRICTED CONFIDENTIAL
RECLASSIFIED
ORDER SEC. ARMY
BY TAG PER
524812

~~SECRET~~

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944 and on the 10th May 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified). 1521

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1486
Declassified E.O. 12356 Section 3.3/NND No. 785015

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies. 1520

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for

Declassified E.O. 12356 Section 3.3/NND No. 765015

ment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

1520

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1488

Declassified E.O. 12356 section 3.3/NND No. 765015

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H. R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 19th day of June 1945.

witness: Ivanoe Bonomi

witness: Norman E. Fiske

witness: Franco Montanari

1548

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

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 19th day of June 1945.

witness: Ivanoe Bonomi

witness: Norman E. Fiske

witness: Franco Montanari

1519

Rome, 19 June 1945

1490

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

~~S E C R E T~~

DOCUMENT "B"

Allied Military Government of Occupied Territory

SECRET UNCLASSIFIED RESTRICTED CONFIDENTIAL
DECLASSIFIED
ORDER OF ARMY
BY THE PER
524912

PROCLAMATION NO. 16 (E)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno, (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 19th day of June 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

1518

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Declassified E.O. 12356 Section 3.3/NND No. 765015

WHEREAS, in the exercise of [illegible] have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno, (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 19th day of June 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

1512

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 19 June 1945

SECRET

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

1492

COPY ~~SECRET~~ COPY

DOCUMENT "C"

CONFIDENTIAL SECRET UNCLASSIFIED RESTRICTED
AUTHORITY NND 760015 BY NARS, DATE 5-24-82

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Asivetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

1518

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 760015

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Aslvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

1518

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Rome: 19 June 1945

Examined with the original and certified
to be a true copy thereof.

SECRET

1494

Declassified E.O. 12356 Section 3.3/NND No. 765015

COPY ~~SECRET~~ COPY

DOCUMENT "C"

SECRET - RESTRICTED CONFIDENTIAL
DECLASSIFIED
Authority NND 760015
By NARS, Date 12-18-78
524812

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are decleared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Declassified E.O. 12356 Section 3.3/NND No. 760015

1495

Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Rome: 19 June 1945

Examined with the original and certified
to be a true copy thereof.

[redacted]

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

COPY ~~SECRET~~ COPY

DOCUMENT "C"

SECRET U.S. RESTRICTED CONFIDENTIAL
REGRADED
524812

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

ECNOMI

Declassified E.O. 12356 Section 3.3/NND No. 765015

terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Aslvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are heraby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Rome: 19 June 1945

Examined with the original and certified
to be a true copy thereof.

COPY

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

COPY ~~SECRET~~ COPY

SECRET U.S. ARMY RESTRICTED DOCUMENTS ARMY IN THE FIELD 524812 CONFIDENTIAL

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Aslvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be rocognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Declassified E.O. 12356 Section 3.3/NND No. 765015

terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Aslvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be rocognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Rome: 19 June 1945

Examined with the original and certified
to be a true copy thereof.

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

S-E-C-R-E-T

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne le Provincie di Firenze, Pistoia, Pisa e Livorno, con eccezione del Comune di Pisa nella Provincia di Pisa e dei Comuni di Livorno e Colle Salvetti nella Provincia di Livorno.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi. 151.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Declassified E.O. 12356 Section 3.3/NND No. 765015

Comuni di lavoro e delle Società [illegible]

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi. 151.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Roma, 19 giugno 1945 Ivanoe Bonomi

S-E-C-R-E-T

Declassified E.O. 12356 Section 3.3/NND No. 765015

~~SECRET~~

DOCUMENT "A"

SECRET UNCLASSIFIED
AUTHORITY
REGRADED
CHANGED TO
BY DIR FSP
524812
CO FEDERAL RECORDS

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944 and on the 16th October 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date, additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with military requirements; and

WHEREAS, it is necessary by reason of military requirements that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grossetc, Siena, Arezzo, and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1503
Declassified E.O. 12356 Section 3.3/NND No. 765015

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with military requirements; and

WHEREAS, it is necessary by reason of military requirements that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo, and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms hereto[illegible] granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

SECRET

1504

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

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, [illegible] may enter and remain within the Unoccupied

1505

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

Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

1506

Declassified E.O. 12356 Section 3.3/NND No. 765015

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such a form and manner as to be applicable to the additional territory now being restored.

Field Marshal
Supreme Allied Commander, Mediterranean
Theatre and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 10th day of May 1945.

witness : Ivanoe Bonomi

witness : Lezzana Alcide
De Gasperi Alcide

Rome, 10 May 1945

1507
1506
Declassified E.O. 12356 Section 3.3/NND No. 765015

~~S E C R E T~~

DOCUMENT "B"

UNCLASSIFIED
RESTRICTED
CONFIDENTIAL
REGRADED
UNCLASSIFIED
BY THE DOD
524812

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (D)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Perugia, Terni, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 10th day of May 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander 15 F

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 10 May 1945

1508
Declassified E.O. 12356 Section 3.3/NND No. 785015

TRANSLATION

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1506

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set

1506

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

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grossetc, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers,

/s/ I. BONOMI

Rome: 10 May 1945

1500

Declassified E.O. 12356 Section 3.3/NND No. 765015

~~S-E-C-R-E-T~~

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (D)

UNCLASSIFIED RESTRICTED CONFIDENTIAL SECRET
REGRADED
524812

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo, e Governatore Militare, proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 0001 del 10 maggio 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di TERNI, PERUGIA, ASCOLI PICENO, MACERATA, PESARO, GROSSETO, SIENA, AREZZO e ANCONA, con eccezione del comune di ANCONA nella provincia di ANCONA, (che, per necessita' militari deve rimanere zona militare sotto il mio unico controllo ed amministrazione quale Comandante Supremo Alleato e dove tutti i proclami e le ordinanze emessi da me od in mio nome, ed attualmente in vigore, restano operativi fino a che non siano revocati, o comunque modificati.)

150

Da tale data il Governo Italiano amministrera' il predetto territorio, fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

H. R. Alexander

H. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello Scacchiere
Mediterraneo e Governatore Militare.

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

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo, e Governatore Militare, proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 0001 del 10 maggio 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di TERNI, PERUGIA, ASCOLI PICENO, MACERATA, PESARO, GROSSETO, SIENA, AREZZO e ANCONA, con eccezione del comune di ANCONA nella provincia di ANCONA, (che, per necessita' militari deve rimanere zona militare sotto il mio unico controllo ed amministrazione quale Comandante Supremo Alleato e dove tutti i proclami e le ordinanze emessi da me od in mio nome, ed attualmente in vigore, restano operativi fino a che non siano revocati, o comunque modificati.)

150

Da tale data il Governo Italiano amministrera' il predetto territorio, fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

H.R. Alexander

H. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello Scacchiere
Mediterraneo e Governatore Militare.

Data: 10 maggio 1945

~~SECRET~~

Declassified E.O. 12356 Section 3.3/NND No. 765015

~~S E C R E T~~

DOCUMENT "B"

UNCLASSIFIED
REGRADED
CONFIDENTIAL
524812

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (D)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Perugia, Terni, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority, if any, and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 10th day of May 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

1507

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 10 May 1945

1513
Declassified E.O. 12356 Section 3.3/NND No. 765015

TRANSLATION

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1502
1503

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so

NARS
Declassified E.O. 12356 Section 3.3/NND No. 765015

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers,

/s/ I. BONOMI

Rome: 10 May 1945

1502
1503

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

TRANSLATION

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grossato, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1458

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of

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

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grossato, Siena, Arezzo and Ancona except the Commune of Ancona in the province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1456

3. All acts done by any member of the Allied Forces in pursuance of such proclamations or orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers,

/s/ I. BONOMI

Rome: 10 May 1945

Declassified E.O. 12356 Section 3.3/NND No. 765015

TRANSLATION

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1508

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so

Declassified E.O. 12356 Section 3.3/NND No. 765015

To the Italian people;

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1508

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers,

/s/ I. BONOMI

Rome: 10 May 1945

Declassified E.O. 12356 Section 3.3/NND No. 765015

Il Presidente del Consiglio dei Ministri

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli già restituiti, ritornino sotto l'amministrazione del Governo italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo e Ancona, con eccezione del comune di Ancona nella provincia di Ancona.

Il trapasso è regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonchè la suprema responsabilità amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonchè tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani co-

1520
Declassified E.O. 12356 Section 3.3/NND No. 785015

Il provvedimento concerne le provincie di Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo e Ancona, con eccezione del comune di Ancona nella provincia di Ancona.

Il trapasso è regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonchè la suprema responsabilità amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governatore Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonchè tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali Italiani. Come tali saranno riconosciute da tutti i Tribunali Italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA
10 maggio 1945

1057

Declassified E.O. 12356 Section 3.3/NND No. 765015

1522

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

Res[illegible]ration of Italian Territory

RECEIVED from Col. C. pjohn, legal Sub-Commission, H.Q.Rear, A.C.C. the original Italian translations of Document "A" and "B".

DATED 22nd February 1944.

Segreto

DOCUMENTO A.

CONDIZIONI PER LA RESTITUZIONE DI PARTE DEL TERRITORIO ITALIANO

CONSIDERATO CHE, nel corso della condotta della guer_ ra contro le Potenze dell'Asse, le Forze Alleate hanno occu_ pato una parte del territorio italiano;

CONSIDERATO CHE è stato concluso con il Governo Ita_ liano un armistizio, in virtù del quale le Nazioni Unite pos_ sono adottare entro i limiti del territorio predetto, e per quanto lo concerne, quelle misure ritenute necessarie per la protezione delle Forze Alleate e per il buon esito della guer_ ra, e possono occupare quelle altre parti del territorio ita_ liano che esse considerino necessarie;

CONSIDERATO CHE il Governo Italiano ha dichiarato la guerra alla Germania ed è divenuto cobelligerante delle Nazio_ ni Unite;

CONSIDERATO CHE il Governo Italiano ha richiesto la restituzione all'Amministrazione italiana di alcune zone di territorio in atto occupate dalle Forze Alleate; 1500

CONSIDERATO CHE è desiderio delle Nazioni Unite di aderire a detta richiesta in quanto essa sia compatibile con il buon esito della guerra;

CONSIDERATO CHE per il buon esito della guerra è neces_ sario che alcuni diritti, poteri ed immunità siano conserva_ ti dalle Forze Alleate in tutto il territorio italiano li_ berato dalla dominazione germanica :

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

CONSIDERATO CHE, nel corso della condotta della guer_ra contro le Potenze dell'Asse, le Forze Alleate hanno occu_pato una parte del territorio italiano;

CONSIDERATO CHE è stato concluso con il Governo Ita_liano un armistizio, in virtù del quale le Nazioni Unite pos_sono adottare entro i limiti del territorio predetto, e per quanto lo concerne, quelle misure ritenute necessarie per la protezione delle Forze Alleate e per il buon esito della guer_ra, e possono occupare quelle altre parti del territorio ita_liano che esse considerino necessarie;

CONSIDERATO CHE il Governo Italiano ha dichiarato la guerra alla Germania ed è divenuto cobelligerante delle Nazio_ni Unite;

CONSIDERATO CHE il Governo Italiano ha richiesto la restituzione all'Amministrazione italiana di alcune zone di territorio in atto occupate dalle Forze Alleate; 1500

CONSIDERATO CHE è desiderio delle Nazioni Unite di aderire a detta richiesta in quanto essa sia compatibile con il buon esito della guerra;

CONSIDERATO CHE per il buon esito della guerra è neces_sario che alcuni diritti, poteri ed immunità siano conserva_ti dalle Forze Alleate in tutto il territorio italiano li_berato dalla dominazione germanica :

IO, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C. Generale, Governatore Militare, in virtù dei poteri con_feritimi dal Generale Sir Henry Maitland Wilson, C.B.E., K.C.B.,

./.

Declassified E.O. 12356 Section 3.3/NND No. 765015

1525

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

D.S.O., Comandante in Capo delle Forze Alleate, con il presente atto pongo fine all'amministrazione del Governo Militare Alleato nel territorio sottoindicato. Il Governo Italiano riassumerà l'amministrazione del territorio in parola nei limiti dei termini e delle condizioni qui appresso stabiliti :

TERRITORIO RESTITUITO : la parte della Penisola Italiana a sud dei limiti settentrionali delle Provincie di Salerno, Potenza e Bari, e la Sicilia e le Isole adiacenti, escluse Pantelleria, Lampedusa e Linosa;

CONDIZIONI DELLA RESTITUZIONE : senza pregiudizio di alcun diritto, potere ed immunità delle Nazioni Unite, ai sensi delle condizioni di Armistizio già accordato al Governo Italiano - termini che rimangono tutti in pieno vigore ed effetto in tutto il territorio italiano - sono riservati alle Nazioni Unite, al Comandante in Capo delle Forze Alleate e agli Ufficiali o altri rappresentanti che egli possa designare, compresa la Commissione Alleata di Controllo, i diritti, poteri ed immunità appresso indicati, in ogni parte del territorio in parola, e nelle altre parti del territorio italiano liberato dalla dominazione germanica e attualmente amministrato dal Governo Italiano, indicato più sotto come "Territorio non occupato" :

1. Saranno messi a disposizione delle Forze Alleate tutti i mezzi, servizi e impianti che possano essere richiesti dal Comandante in Capo Alleato o dai suoi agenti, per gli impieghi, usi ed operazioni che potranno essere indicati;

in parola nei limiti dei termini e delle condizioni qui appresso stabiliti :

TERRITORIO RESTITUITO : la parte della Penisola Italiana a sud dei limiti settentrionali delle Provincie di Salerno, Potenza e Bari, e la Sicilia e le Isole adiacenti, escluse Pantelleria, Lampedusa e Linosa;

CONDIZIONI DELLA RESTITUZIONE : senza pregiudizio di alcun diritto, potere ed immunità delle Nazioni Unite, ai sensi delle condizioni di Armistizio già accordato al Governo Italiano - termini che rimangono tutti in pieno vigore ed effetto in tutto il territorio italiano - sono riservati alle Nazioni Unite, al Comandante in Capo delle Forze Alleate e agli Ufficiali o altri rappresentanti che egli possa designare, compresa la Commissione Alleata di Controllo, i diritti, poteri ed immunità appresso indicati, in ogni parte del territorio in parola, e nelle altre parti del territorio italiano liberato dalla dominazione germanica e attualmente amministrato dal Governo Italiano, indicato più sotto come "Territorio non occupato" :

1. Saranno messi a disposizione delle Forze Alleate tutti i mezzi, servizi e impianti che possano essere richiesti dal Comandante in Capo Alleato o dai suoi agenti, per gli impieghi, usi ed operazioni che potranno essere indicati;

2. Il diritto di tenere ed alloggiare truppe in quelle parti del territorio non occupato che siano ritenute opportune;

./.

Declassified E.O. 12356 Section 3.3/NND No. 765015

3. Il diritto di detenere o di richiedere che il Governo Italiano tenga in custodia prigionieri di guerra e civili in_ ternati, conformemente alle istruzioni del Comandante in Ca_ po Alleato;

4. Il diritto di dichiarare qualunque area zona militare e di esercitarvi i diritti di potenza occupante o di appli_ carvi quegli altri controlli che possano essere disposti dal Comandante in Capo Alleato;

5. Il diritto di istituire Tribunali Militari Alleati per il giudizio di chiunque violi ordinanze o regolamenti emana_ ti dalle Autorità Militari Alleate e di chi altrimenti commetta atti ostili alle Forze Alleate o a qualunque membro di queste in qualunque parte del "Territorio non occupato", e di commi_ nare a tali persone la pena che i Tribunali in parola abbiano stabilito;

6. Il diritto di continuare e di perfezionare i procedimen_ ti giudiziari dei Tribunali Militari Alleati nei confronti delle persone imputate per un reato precedentemente commesso e giudicabile ai sensi dei bandi e delle ordinanze emanate da o in nome del Governatore Militare Alleato;

7. Qualsiasi funzionario nel territorio non occupato prece_ dentemente nominato dal Governo Militare Alleato potrà essere rimosso dal Governo Italiano solo col consenso del Comandante in Capo Alleato;

8. Il diritto di requisire proprietà pubblica e privata e servizi;

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

po Alleato;

4. Il diritto di dichiarare qualunque area zona militare e di esercitarvi i diritti di potenza occupante o di applicarvi quegli altri controlli che possano essere disposti dal Comandante in Capo Alleato;

5. Il diritto di istituire Tribunali Militari Alleati per il giudizio di chiunque violi ordinanze o regolamenti emanati dalle Autorità Militari Alleate e di chi altrimenti commetta atti ostili alle Forze Alleate o a qualunque membro di queste in qualunque parte del "Territorio non occupato", e di comminare a tali persone la pena che i Tribunali in parola abbiano stabilito;

6. Il diritto di continuare e di perfezionare i procedimenti giudiziari dei Tribunali Militari Alleati nei confronti delle persone imputate per un reato precedentemente commesso e giudicabile ai sensi dei bandi e delle ordinanze emanati da o in nome del Governatore Militare Alleato;

1494

7. Qualsiasi funzionario nel territorio non occupato precedentemente nominato dal Governo Militare Alleato potrà essere rimosso dal Governo Italiano solo col consenso del Comandante in Capo Alleato;

8. Il diritto di requisire proprietà pubblica e privata e servizi;

9. Il diritto di rioccupare tutto il "Territorio non occupato" o qualunque parte di esso in qualunque momento, o di adottare quelle altre misure od esercitare in qualunque parte

./.

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

del territorio predetto quegli altri poteri che possano di volta in volta essere ritenuti necessari per un'idonea condotta della guerra;

10. Il diritto di importare, esportare e di controllare e soprintendere alla distribuzione alla popolazione civile di quei rifornimenti che le Forze Alleate potranno stabili_re, in esenzione dal pagamento di qualunque imposta, tassa, diritto o dazio di qualunque genere, sia al Governo Italia_no o a qualunque dei suoi Enti locali od Uffici, salvo quanto possa di volta in volta essere approvato dal Coman_dante in Capo Alleato;

11. Il diritto di compiere le operazioni, importazioni ed esportazioni di rifornimenti militari o di altro genere o beni di qualunque natura che siano ritenuti necessari per l'idonea condotta della guerra, in esenzione da qualunque imposta, tassa, diritto o dazio di qualunque genere, dovuto sia al Governo Italiano che a qualunque dei suo Enti locali od Uffici;

12. Qualunque funzionario o rappresentante o, in rela_zione ad ogni attività di carattre ufficiale, agente delle Nazioni Unite, sia civile che militare, può entrare e di_morare nel "Territorio non occupato" in esenzione da ogni imposta, tassa, diritto o dazio di qualunque genere dovu_to sia al Governo Italiano che a qualunque dei suoi Enti locali od Uffici;

1498

13. Nessun mebro delle Forze Alleate o nessun funziona_rio o altro rappresentante o agente delle Nazioni Unite, ci_

Declassified E.O. 12356 Section 3.3/NND No. 765015

10. Il diritto di importare, esportare
e soprintendere alla distribuzione alla popolazione civile di quei rifornimenti che le Forze Alleate potranno stabili_ re, in esenzione dal pagamento di qualunque imposta, tassa, diritto o dazio di qualunque genere, sia al Governo Italia_ no o a qualunque dei suoi Enti locali od Uffici, salvo quanto possa di volta in volta essere approvato dal Coman_ dante in Capo Alleato;

11. Il diritto di compiere le operazioni, importazioni ed esportazioni di rifornimenti militari o di altro genere o beni di qualunque natura che siano ritenuti necessari per l'idonea condotta della guerra, in esenzione da qualunque imposta, tassa, diritto o dazio di qualunque genere, dovuto sia al Governo Italiano che a qualunque dei suo Enti locali od Uffici;

12. Qualunque funzionario o rappresentante o, in rela_ zione ad ogni attività di carattre ufficiale, agente delle Nazioni Unite, sia civile che militare, può entrare e di_ morare nel "Territorio non occupato" in esenzione da ogni imposta, tassa, diritto o dazio di qualunque genere dovu_ to sia al Governo Italiano che a qualunque dei suoi Enti locali od Uffici;

1494

13. Nessun mebro delle Forze Alleate o nessun funziona_ rio o altro rappresentante o agente delle Nazioni Unite, ci_ vile o militare, potrà essere sottoposto alla giurisdizione di Tribunali Italiani per nessun motivo, sia che si tratti di procedura civile o penale, senza il consenso del Coman_ dante in Capo delle Forze Alleate;

./.

Declassified E.O. 12356 Section 3.3/NND No. 765015

14. Tutte le spese derivanti dal mantenimento delle trup_ pe alleate o di altro personale entro il "Territorio non oc_ cupato" saranno imputabili al Governo Italiano in conto spe_ se di occupazione;

15. I Bandi o i Decreti intesi a rendere effettivi i prov_ vedimenti di cui all'allegato Documento D, considerato parte integrante delle presenti clausole, saranno emanati dal Gover_ no Italiano all'atto del trasferimento del territorio.

H.R. Alexander

GENERALE
GOVERNATORE MILITARE

Ho preso visione delle condizioni suindicate, e in nome del Governo Italiano convengo di accettare la restitu_ zione del territorio in parola alle condizioni predette.

Inoltre mi impegno a rendere esecutivo e a pubbli_ care il Bando del Governo Italiano (Allegato C) e di pub_ blicare un messaggio al Popolo Italiano nella forma del do_ cumento E.

1492

Concordo altresì che la predetta restizione abbia luogo l'11 Febbraio 1944.

IL CAPO DEL GOVERNO

Badoglio

153

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

se di occupazione;

15. I Bandi o i Decreti intesi a rendere effettivi i prov_ vedimenti di cui all'allegato Documento D, considerato parte integrante delle presenti clausole, saranno emanati dal Gover_ no Italiano all'atto del trasferimento di territorio.

H.R. Alexander

GENERALE
GOVERNATORE MILITARE

Ho preso visione delle condizioni suindicate, e in nome del Governo Italiano convengo di accettare la restitu_ zione del territorio in parola alle condizioni predette.

Inoltre mi impegno a rendere esecutivo e a pubbli_ care il Bando del Governo Italiano (Allegato C) e di pub_ blicare un messaggio al Popolo Italiano nella forma del do_ cumento E.

1492

Concordo altresì che la predetta restituzione abbia luogo l'11 Febbraio 1944.

IL CAPO DEL GOVERNO

P. Badoglio

Testimonio :

Testimonio :

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

SEGRETO

DOCUMENTO B.

A S.E. IL MARESCIALLO BADOGLIO

1. VOSTRA ECCELLENZA É RICHIESTA DI TRASFERIRE LA SEDE DEL GOVERNO ITALIANO IN SALERNO IN DATA NON POSTERIORE A QUELLA DELLA RESTITUZIONE DEL TERRITORIO.

2. VOSTRA ECCELLENZA É RICHIESTA ANCHE DI EMANARE E DI PUBBLICARE NELLA GAZZETTA UFFICIALE, PRIMA DELLA DATA DELLA RESTITUZIONE, I SEGUENTI DECRETI:

A) UN DECRETO DI STABILIZZAZIONE DELLA MISURA DEI SALARI, DEI PREZZI MASSIMI, DELLE TARIFFE DEI SERVIZI, DEI QUANTITATIVI MASSIMI DI GRANO CHE POSSONO ESSERE DETENUTI DA OGNUNO, AL LIVELLO ESISTENTE ALLA DATA DELLA RESTITUZIONE DEL TERRITORIO, E FIN TANTO CHE NON VERRÀ CONCERTATA FRA DI NOI UNA FUTURA POLITICA ECONOMICA.

B) UN DECRETO CHE TRADUCA IN ATTO IL PARAGRAFO 5° DEL DOCUMENTO A., RELATIVO ALLA COSTITUZIONE DI TRIBUNALI MILITARI ALLEATI PER GIUDICARE I REATI RELATIVI AD ATTI DI OSTILITÀ CONTRO LE FORZE ALLEATE E CHE DIA POTERE AD OGNI MEMBRO DELLE FORZE ALLEATE DI ARRESTARE QUALSIASI PERSONA CHE EGLI ABBIA RAGIONEVOLE MOTIVO DI RITENERE IMPLICATA IN TALI AZIONI, SALVO CHE SI TRATTI DI UFFICIALE ITALIANO O DI UN ALTO FUNZIONARIO ITALIANO, NEL QUAL CASO IL GOVERNO ITALIANO O LA PIÙ ELEVATA AUTORITÀ LOCALE COMPETENTE DOVRÀ ESSERE RICHIESTA DI COLLABORARE.

3) INOLTRE VOSTRA ECCELLENZA É RICHIESTA DI DARMI ASSICURAZIONE CHE PROCEDERÀ, CON OGNI POSSIBILE SOLLECITUDINE, ALL'EMANAZIONE DI DECRETI CONCERNENTI LE SEGUENTI MATERIE:

A) DAR FORZA, NEI LIMITI RITENUTI NECESSARI, ALLE CONDIZIONI

Declassified E.O. 12356 Section 3.3/NND No. 765015

GOVERNO ITALIANO IN SALERNO IN DATA NON POSTERIORE A QUELLA DELLA RESTITUZIONE DEL TERRITORIO.

2. VOSTRA ECCELLENZA É RICHIESTA ANCHE DI EMANARE E DI PUBBLICARE NELLA GAZZETTA UFFICIALE, PRIMA DELLA DATA DELLA RESTITUZIONE, I SEGUENTI DECRETI:

A) UN DECRETO DI STABILIZZAZIONE DELLA MISURA DEI SALARI, DEI PREZZI MASSIMI, DELLE TARIFFE DEI SERVIZI, DEI QUANTITATIVI MASSIMI DI GRANO CHE POSSONO ESSERE DETENUTI DA OGNUNO, AL LIVELLO ESISTENTE ALLA DATA DELLA RESTITUZIONE DEL TERRITORIO, E FIN TANTO CHE NON VERRÀ CONCERTATA FRA DI NOI UNA FUTURA POLITICA ECONOMICA.

B) UN DECRETO CHE TRADUCA IN ATTO IL PARAGRAFO 5º DEL DOCUMENTO A., RELATIVO ALLA COSTITUZIONE DI TRIBUNALI MILITARI ALLEATI PER GIUDICARE I REATI RELATIVI AD ATTI DI OSTILITÀ CONTRO LE FORZE ALLEATE E CHE DIA POTERE AD OGNI MEMBRO DELLE FORZE ALLEATE DI ARRESTARE QUALSIASI PERSONA CHE EGLI ABBIA RAGIONEVOLE MOTIVO DI RITENERE IMPLICATA IN TALI AZIONI, SALVO CHE SI TRATTI DI UFFICIALE ITALIANO O DI UN ALTO FUNZIONARIO ITALIANO, NEL QUAL CASO IL GOVERNO ITALIANO O LA PIÙ ELEVATA AUTORITÀ LOCALE COMPETENTE DOVRÀ ESSERE RICHIESTA DI COLLABORARE.

3) INOLTRE VOSTRA ECCELLENZA É RICHIESTA DI DARMI ASSICURAZIONE CHE PROCEDERÀ, CON OGNI POSSIBILE SOLLECITUDINE, ALL'EMANAZIONE DI DECRETI CONCERNENTI LE SEGUENTI MATERIE:

A) DAR FORZA, NEI LIMITI RITENUTI NECESSARI, ALLE CONDIZIONI FISSATE NEL DOCUMENTO A, ED AI TERMINI DEL BANDO CHE DOVRÀ ESSERE DA VOI FIRMATO.

./.

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

B) MATERIA FINANZIARIA

1) OVE NECESSARIO, SANCIRE NUOVAMENTE PER DECRETO LE NORME DEL BANDO NR.61 AC IN DATA 24 SETTEMBRE 1943 CONCERNENTE IL CORSO DEL CAMBIO DELLA MONETA MILITARE ALLEATA.

2) PROIBIRE OGNI TRASFERIMENTO DI TERRENI OD IMMOBILI IN QUANTO CIÒ SIA NECESSARIO PER PREVENIRE L'INFLAZIONE SECONDO, ACCORDI DA PRENDERE DALLA COMMISSIONE ALLEATA DI CONTROLLO E DAL GOVERNO ITALIANO.

3) PROIBIRE, SE NECESSARIO E PER QUANTO NON SIA GIÀ STATO PROVVEDUTO CON LA LEGISLAZIONE IN VIGORE, E TRANNE PERMESSO OD AUTORIZZAZIONE DEL MINISTRO DELLE FINANZE, OGNI TRANSAZIONE SUI CAMBI, IMPORTAZIONE OD ESPORTAZIONE DI MONETA, TITOLI O LINGOTTI D'ORO E D'ARGENTO. PROIBIRE TRANSAZIONI FINANZIARIE, COMMERCIALI O DI QUALSIASI ALTRO GENERE CHE IMPORTINO COMMERCIO O COMUNICAZIONI CON PERSONE FUORI DAL TERRITORIO AMMINISTRATO DAL GOVERNO ITALIANO ECCEZION FATTA DI QUELLE FRA TALE TERRITORIO ED IL TERRITORIO ITALIANO ANCORA OCCUPATO DALLA FORZE MILITARI ALLEATE, ED ECCEZION FATTA PER QUELLE TRANSAZIONI, IMPORTAZIONI ED ESPORTAZIONI PER CONTO DELLE AUTORITÀ ALLEATE O PER QUELLE AUTORIZZATE DA ESSE. 1495

4) AUTORIZZARE I MINISTERI COMPETENTI, SECONDO IL LORO GIUDIZIO, COME MISURA DEL TEMPO DI GUERRA, A PROIBIRE L'INTRAPRESA O LO SVOLGIMENTO DI OGNI GENERE DI AFFARI SALVO CHE A QUELLE CONDIZIONI O IN QUELLE ZONE CHE ESSI POSSANO STABILIRE ED AUTORIZZARLI A RICHIEDERE CHE QUALSIASI PROPRIETÀ, RELATIVAMENTE ALLA QUALE CI SIANO RAGIONEVOLI MOTOVI DI CREDERE CHE ESISTANO INTERESSI, DIRETTI OD INDIRETTI DEL NEMICO O DEI FASCISTI

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

DEL BANDO NR.61 AC IN DATA 24 SETTEMBRE 1943 CONCERNENTE IL CORSO DEL CAMBIO DELLA MONETA MILITARE ALLEATA.

2) PROIBIRE OGNI TRASFERIMENTO DI TERRENI OD IMMOBILI IN QUANTO CIÒ SIA NECESSARIO PER PREVENIRE L'INFLAZIONE SECONDO, ACCORDI DA PRENDERE DALLA COMMISSIONE ALLEATA DI CONTROLLO E DAL GOVERNO ITALIANO.

3) PROIBIRE, SE NECESSARIO E PER QUANTO NON SIA GIÀ STATO PROVVEDUTO CON LA LEGISLAZIONE IN VIGORE, E TRANNE PERMESSO OD AUTORIZZAZIONE DEL MINISTRO DELLE FINANZE, OGNI TRANSAZIONE SUI CAMBI, IMPORTAZIONE OD ESPORTAZIONE DI MONETA, TITOLI O LINGOTTI D'ORO E D'ARGENTO. PROIBIRE TRANSAZIONI FINANZIARIE, COMMERCIALI O DI QUALSIASI ALTRO GENERE CHE IMPORTINO COMMERCIO O COMUNICAZIONI CON PERSONE FUORI DAL TERRITORIO AMMINISTRATO DAL GOVERNO ITALIANO ECCEZION FATTA DI QUELLE FRA TALE TERRITORIO ED IL TERRITORIO ITALIANO ANCORA OCCUPATO DALLA FORZE MILITARI ALLEATE, ED ECCEZION FATTA PER QUELLE TRANSAZIONI, IMPORTAZIONI ED ESPORTAZIONI PER CONTO DELLE AUTORITÀ ALLEATE O PER QUELLE AUTORIZZATE DA ESSE.

1493

4) AUTORIZZARE I MINISTERI COMPETENTI, SECONDO IL LORO GIUDIZIO, COME MISURA DEL TEMPO DI GUERRA, A PROIBIRE L'INTRAPRESA O LO SVOLGIMENTO DI OGNI GENERE DI AFFARI SALVO CHE A QUELLE CONDIZIONI O IN QUELLE ZONE CHE ESSI POSSANO STABILIRE ED AUTORIZZARLI A RICHIEDERE CHE QUALSIASI PROPRIETÀ, RELATIVAMENTE ALLA QUALE CI SIANO RAGIONEVOLI MOTOVI DI CREDERE CHE ESISTANO INTERESSI, DIRETTI OD INDIRETTI DEL NEMICO O DEI FASCISTI VENGA CONSEGNATA A QUELL'ENTE DA ESSI DESIGNATO PER ESSERE BLOCCATA O ASSOGGETTATA AD ALTRA FORMA DI CONTROLLO; E PROVVEDERE CHE CON RISERVA DELLE CONDIZIONI STABILITE DAL MINISTRO DELLE

./.

1536

Declassified E.O. 12356 Section 3.3/NND No. 765015

FINANZE, LA PROPRIETÀ ATTUALMENTE IN CONTI BLOCCATI RIMANGA TALE; ED INOLTRE PROVVEDERE CHE GLI ISTITUTI FINANZIARI PRESSO CUI ESISTONO CONTI BLOCCATI INVIINO AL MINISTRO DELLE FINANZE UNA RELAZIONE QUINDICINALE CHE INDICHI OGNI MOVIMENTO DI DETTI CONTI.

5) ESIGERE CHE TUTTE LE FUTURE OPERAZIONI INIZIALI DI APERTURA DI CASSETTE DI SICUREZZA E DI CONSEGNA DEL CONTENUTO SIANO FATTE SOLO ALLA PRESENZA DI RAPPRESENTANTI DEL MINISTRO DELLE FINANZE.

C) NAZIONI UNITE E PROPRIETÀ NEMICHE

CONFERIRE POTERI AMMINISTRATIVI AL "DIRETTORE ALLEATO DEL CONTROLLO DELLA PROPRIETÀ" IN RELAZIONE AI BENI DI OGNI NAZIONE UNITA O DI OGNI CITTADINO DELLE NAZIONI UNITE, COMPRESE LE PROPRIETÀ DELLA FRANCIA E DEI CITTADINI FRANCESI.

TEN. GENERALE
MASON MAC FARLANE

DICHIARO DI ACCETTARE LE SUDDETTE CONDIZIONI

IL CAPO DEL GOVERNO

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

TALE; ED INOLTRE PROVVEDERE CHE GLI ISTITUTI FINANZIARI PRES_
SO CUI ESISTONO CONTI BLOCCATI INVIINO AL MINISTRO DELLE FINAN_
ZE UNA RELAZIONE QUINDICINALE CHE INDICHI OGNI MOVIMENTO DI
DETTI CONTI.

5) ESIGERE CHE TUTTE LE FUTURE OPERAZIONI INIZIALI DI APERTURA DI CASSETTE DI SICUREZZA E DI CONSEGNA DEL CONTENUTO SIANO FATTE SOLO ALLA PRESENZA DI RAPPRESENTANTI DEL MINISTRO DELLE FINANZE.

C) NAZIONI UNITE E PROPRIETÀ NEMICHE

CONFERIRE POTERI AMMINISTRATIVI AL "DIRETTORE AL_
LEATO DEL CONTROLLO DELLA PROPRIETÀ" IN RELAZIONE AI BENI DI OGNI NAZIONE UNITA O DI OGNI CITTADINO DELLE NAZIONI UNITE, COMPRESE LE PROPRIETÀ DELLA FRANCIA E DEI CITTADINI FRANCESI.

TEN. GENERALE
MASON MAC FARLANE

DICHIARO DI ACCETTARE LE SUDDETTE CONDIZIONI

IL CAPO DEL GOVERNO

Declassified E.O. 12356 Section 3.3/NND No. 765015

SEGRETO

DOCUMENTO B.

BANDO N.16

CONSIDERATO CHE IO ASSUNSI TUTTI I POTERI DI GOVERNO E GIURISDIZIONALI NEL TERRITORIO D'ITALIA E SICILIA, OCCUPATO DALLE MIE TRUPPE, E SOPRA I SUOI ABITANTI, E CHE HO ISTITUITO UN GOVERNO MILITARE PER ESRCITARE TALI POTERI SOTTO IL MIO CONTROLLO NEI TERRITORI PREDETTI;

CONSIDERATO CHE, NELL'ESERCIZIO DI TALI POTERI, BANDI ED ORDINANZE SONO STATI EMANATI DI VOLTA IN VOLTA DA ME O PER MIA DELEGA NEL TERRITORIO PREDETTO;

CONSIDERATO CHE, É STATO CONCLUSO UN ARMISTIZIO CON IL GOVERNO ITALIANO E CHE UNA COMMISSIONE ALLEATA DI CONTROLLO É STATA NOMINATA;

CONSIDERATO CHE, IL GOVERNO ITALIANO HA DICHIARATO LA GUERRA ALLA GERMANIA ED É DIVENUTO COBELLIGERANTE DELLE NAZIONI UNITE;

CONSIDERATO CHE, LE NAZIONI UNITE HANNO ACCEDUTO ALLA RICHIESTA DEL GOVERNO ITALIANO, RELATIVA ALLA RESTITUZIONE ALL'AMMINISTRAZIONE ITALIANA DEL TERRITORIO OCCUPATO NELL'ESTENSIONE COMPATIBILE CON LE ESIGENZE MILITARI;

IO, SIR HAROLD R.L.G., ALEXANDER, G.C.B.,.C.S.I.,D.S.O., M.C., GENERALE, GOVERNATORE MILITARE DI TUTTI I TERRITORI OCCUPATI, IN VIRTÙ DEI POTERI CONFERITIMI DAL GENERALE SIR HENRY MAITLAND WILSON, G.B.E.,K.C.B.,D.S.O., COMANDANTE IN CAPO DELLE FORZE ALLEATE, PROCLAMO QUANTO SEGUE:

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

CONSIDERATO CHE IO ASSUNSI TUTTI I POTERI DI GOVERNO E GIURISDIZIONALI NEL TERRITORIO D'ITALIA E SICILIA, OCCUPATO DALLE MIE TRUPPE, E SOPRA I SUOI ABITANTI, E CHE HO ISTITUITO UN GOVERNO MILITARE PER ESRCITARE TALI POTERI SOTTO IL MIO CONTROLLO NEI TERRITORI PREDETTI;

CONSIDERATO CHE, NELL'ESERCIZIO DI TALI POTERI, BANDI ED ORDINANZE SONO STATI EMANATI DI VOLTA IN VOLTA DA ME O PER MIA DELEGA NEL TERRITORIO PREDETTO;

CONSIDERATO CHE, É STATO CONCLUSO UN ARMISTIZIO CON IL GOVERNO ITALIANO E CHE UNA COMMISSIONE ALLEATA DI CONTROLLO É STATA NOMINATA;

CONSIDERATO CHE, IL GOVERNO ITALIANO HA DICHIARATO LA GUERRA ALLA GERMANIA ED É DIVENUTO COBELLIGERANTE DELLE NAZIONI UNITE;

CONSIDERATO CHE, LE NAZIONI UNITE HANNO ACCEDUTO ALLA RICHIESTA DEL GOVERNO ITALIANO, RELATIVA ALLA RESTITUZIONE ALL'AMMINISTRAZIONE ITALIANA DEL TERRITORIO OCCUPATO NELL'ESTENSIONE COMPATIBILE CON LE ESIGENZE MILITARI;

IO, SIR HAROLD R.L.G., ALEXANDER, G.C.B.,.C.S.I.,D.S.O., M.C., GENERALE, GOVERNATORE MILITARE DI TUTTI I TERRITORI OCCUPATI, IN VIRTÙ DEI POTERI CONFERITIMI DAL GENERALE SIR HENRY MAITLAND WILSON, G.B.E.,K.C.B.,D.S.O., COMA DANTE IN CAPO DELLE FORZE ALLEATE, PROCLAMO QUANTO SEGUE:

IL GOVERNO MILITARE ALLEATO ISTITUITO DA ME E TUTTI I BANDI E LE ORDINANZE GIÀ EMANATE DA ME O PER MIA DELEGA NELLA

./.

1340

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

PARTE DEL TERRITORIO ITALIANO A SUD DEI LIMITI SETTENTRIO_
NALI DELLE PROVINCIE DI SALERNO, POTENZA E BARI E IN SICI_
LIA E NELLE ISOLE ADIACENTI, ECCETTO PANTELLERIA, LAMPEDU_
SA E LINOSA, CESSANO DI AVER VIGORE A PARTIRE DALLE ORE
0001 DEL GIORNO 11 FEBBRAIO 1944. IL GOVERNO ITALIANO AM_
MINISTRERÀ SUCCESSIVAMENTE I TERRITORI PREDETTI, FERMI
RESTANDO TUTTI I POTERI, DIRITTI ED IMMUNITÀ DELLE NAZIONI
UNITE, DEL COMANDANTE IN CAPO ALLEATO E DELLA COMMISSIONE
ALLEATA DI CONTROLLO.-

H.R. Alexander
General.

H.R. ALEXANDER
GENERALE
GOVERNATORE MILITARE

1493

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

1542

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

CC/P/47

SECRE[illegible]ND PERSONAL

FMM/rj

12th. February, 1944.

I am sending out by hand two copies of the Italian translations of Documents "A" and "B" in connection with the Transfer of Territory to the Italian Government. These are required for record purposes and I would be glad if you would sign them.

Naturally in the case of all these documents the English version is the official text.

I send you also a copy of a letter which I sent yesterday to General Wilson. I have attached all the enclosures but the one which I would like you to read particularly is my memorandum on the political situation which I have flagged "X".

I saw Badoglio yesterday and he was in good heart and played very well over one or two rather awkward points. I have as yet had no reports of any repercussions to the transfer of territory. Our initial impression here is that it is not creating any very great interest in the mass of the people.

I would be .....

1543

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

I would be grateful if you could return the signed documents by the hand of my messenger.

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

GENERAL SIR HAROLD R. ALEXANDER,
G.C.B., C.S.I., D.S.O., M.C.,
COMMANDER-IN-CHIEF.

169

1544

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

SECRET

DOCUMENT B

PROCLAMATION NO. 6

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy and Sicily occupied by my troops and over its inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Porclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exgencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby Proclaim as follows:-

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0001 hours on _____ day of February 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United [redacted] and of the Allied Commander in Chief and Allied Control Commission.

H.R.L.G. ALEXANDER.

General,
Military Governor.

1545

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

Ref. CC/G/431

MC SECRET AND VERY URGENT

19

FNM/rj

9th. February, 1944.

SUBJECT: Transfer of Territory.

TO: Allied Force Headquarters,
(For ATTENTION M.C.S.)

1. I enclose a copy of the five Documents in connection with the Transfer of Territory to the Italian Government as finally agreed and signed between Marshal Badoglio and myself.

2. Marshal Badoglio has retained one set of signed Documents and I have retained another.

3. Please have copies of these Documents made and given to Mr MacMillan, Civil Affairs and Chief of Staff.

MC
1483

NOEL MASON MACFARLANE,
Lieutenant-General,
Chief Commissioner.

(13)

1546

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF
ITALIAN TERRITORY

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an Armistice has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and may occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerant with the United Nations, and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in the territory described below. The Italian Government will forthwith assume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the Mainland of Italy south of the northern boundaries of the Provinces of Salerno, Potenza and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

SECRET

1547

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

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the unoccupied territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge, or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

1548

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

SECRET

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Commander in Chief of the Allied Forces.

14. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or Decrees to carry out the purposes set forth in Document D, annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

(sd) H. R. Alexander
General,
Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document C) and to issue to the Italian people a message in the form of Document E.

I also agree that the said restoration shall take place on the 11th day of February 1944.

(sd) Pietro Badoglio

Witness: (sd) Noel MacFarlane
Lt. General.

Witness: (sd) Franco Montanari

SECRET

13

1549

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

DECLASSIFIED
NLS 524812

DOCUMENT A

TERMS OF RESTORATION OF ITALIAN TERRITORY

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an Armistice has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and may occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the Mainland of Italy south of the northern boundaries of the Provinces of Salerno, Potenza and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory":

SECRET

1550

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

~~SECRET~~

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied forces or any member thereof in any part of the unoccupied territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

~~SECRET~~

1551

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

SECRET

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Commander in Chief of the Allied Forces.

14. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or Decrees to carry out the purposes set forth in Document D, annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

H.R. Alexander.

Ed. H.R. ALEXANDER

General,
Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document C) and to issue to the Italian people a message in the form of Document E.

I also agree that the said restoration shall take place on the 11th. day of February 1944.

Ed. PIETRO BADOGLIO

Witness:

Ed. NOEL MASTERSON

Witness:

Ed. FRANCO MONTANARI

SECRET

1552

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

SECRET
DECLASSIFIED
DOWNGRADED
CLASSIFICATION
BY TAG FOR
524812
CONFIDENTIAL

DOCUMENT B

PROCLAMATION NO. 16

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy and Sicily occupied by my troops and over its inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as such of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby Proclaim as follows:-

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0001 hours on 11 day of February 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

(sd) H. R. ALEXANDER
General,
Military Governor.

1553

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

UNCLASSIFIED
DECLASSIFIED
524812
CONFIDENTIAL

SECRET

DOCUMENT C

Proclamation by the Italian Government to be signed by Marshal Badoglio

To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian Government that certain territory heretofore occupied by the Allied Forces be relinquished and restored to the Italian Government upon such terms and conditions as are necessary for the proper prosecution of the war,

NOW, THEREFORE, I,

hereby proclaim as follows:

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature [redacted] by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

SECRET

1554

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

~~SECRET~~

To His Excellency Marshal Pietro Badoglio -

DOCUMENT D

1. Your Excellency is requested to move the seat of the Italian Government to Salerno at a date not later than the date of restoration of territory.

2. Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees:

(a) A decree stabilizing wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us.

(b) A decree to implement paragraph 5 of document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official in which case the Italian Government or the local superior Authority concerned should be asked to cooperate in any action.

3. In addition, Your Excellency is requested to give me your assurance that you will proceed, with all possible expedition, to pass decrees dealing with the following matters:

(a) To implement so far as may be necessary the terms set out in Document A and the Terms of the Proclamation (Document C) to be signed by you.

(b) Financial Matters.

(1) Re-enacting by decree if necessary the terms of Rando No. 61 AC dated 21 Sept. 1943 in relation to notes of exchange of Allied Military Currency.

(2) Barring all transactions in lands and buildings so far as necessary to prevent inflation as may be agreed by A.C.C. and the Italian Government.

(3) If necessary and in so far as not already provided for in existing legislation; except as permitted or licensed by the Minister of Finance, all transactions in foreign exchange, import or export of coins, currency, securities or gold or silver bullion and barring financial, commercial or other transactions involving trade or communication with any person outside the territory actually administered by the Italian Government except as between such territory and Italian territory still occupied by the Allied Military Forces and except transactions, imports or exports for the Allied authorities or authorised by them.

~~SECRET~~

SECRET UNCLASSIFIED RESTRICTED REGISTERED ORDER BY [illegible] 524812

1555

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

SECRET

(4) Authorising the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe; and authorising them to require any property in which there are reasonable grounds for believing that any enemy or Fascist interests, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly report to the Minister of Finance showing any dealings in those accounts.

(5) Requiring all future initial openings of safe deposit boxes and delivery of contents to be made only in presence of representatives designated by the Minister of Finance.

(c) United Nations and Enemy Property.

Conferring administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French Nationals.

Noel Mac Farlane

NOEL
MACFARLANE

Lieut. General

I agree to accept the above terms.

Pietro Badoglio

PIETRO
BADOGLIO

SECRET

1556

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

To His Excellency Marshal Pietro Badoglio -

SECRET

DOCUMENT D

1. Your Excellency is requested to move the seat of the Italian Government to Salerno at a date not later than the date of restoration of territory.

2. Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees:

(a) A decree stabilizing wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us.

(b) A decree to implement paragraph 5 of Document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official in which case the Italian Government or the local superior Authority concerned should be asked to cooperate in any action.

3. In addition, Your Excellency is requested to give me your assurance that you will proceed, with all possible expedition, to pass decrees dealing with the following matters:

(a) To implement so far as may be necessary the terms set out in Document A and the Terms of the Proclamation (Document C) to be signed by you.

(b) Financial Matters.

(1) Re-enacting by decree if necessary the terms of Bando No. 61 AC dated 24 Sept. 1943 in relation to notes of exchange of Allied Military Currency.

(2) Barring all transactions in lands and buildings [redacted] as necessary to prevent inflation as may be agreed by A.C.C. and the Italian Government.

(3) If necessary and in so far as not already provided for in existing legislation; except as permitted or licensed by the Minister of Finance, all transactions in foreign exchange, import or export of coins, currency, securities or gold or silver bullion and barring financial, commercial or other transactions involving trade or communication with any person outside the territory actually administered by the Italian Government except as between such territory and Italian territory still occupied by the Allied Military Forces and except transactions, imports or exports for the Allied authorities or authorized by them.

SECRET

1557

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

(4) Authorising the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe; and authorising them to require any property in which there are reasonable grounds for believing that any enemy or Fascist interests, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly report to the Minister of Finance showing any dealings in these accounts.

(5) Requiring all future initial openings of safe deposit boxes and delivery of contents to be made only in presence of representatives designated by the Minister of Finance.

(c) United Nations and Enemy Property.

Conferring administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French Nationals.

(sd) Noel MacFarlane
Lieut. General

I agree to accept the above terms.

(sd) Pietro Badoglio.

1558

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

SECRET

DOCUMENT E

Proclamation of Marshal Badoglio to the Italian People

ITALIANS,

The United Nations, following the request of the Royal Government, have ordered that the major part of our territory, until now occupied by the Allied Forces, be returned to us.

Naturally, in effect will remain those clauses and conditions necessary for the conduct of the war.

In the name of His Majesty the King and of all the Italian People, I thank the Allies for this generous gesture, which in addition to being a gesture, is at the same time a proof of faith.

No one can escape the importance and meaning of this event. This is the first stage toward the renewed unity of the Fatherland, and which should be our supreme purpose and aspiration. The first stage after the blind course toward the abyss, into which the Italian People have been forced for twenty years by a Regime, from which we wish to redeem ourselves completely, in the name of Liberty, that is dear to us, but not in the name of license, into which no people can fall without extreme danger.

ITALIANS,

The Allied Forces are fighting victoriously with us against the common German enemy, this same enemy against whom we have fought together on the Carso, Isonzo and the Piave. On the result of this fight depends the future of Italy and the world. All Italians, in every sector of national life, from the most humble to the highest, must contribute thereto by all their means and with all their strength, without reservations, without hesitation, without argument.

Our brothers await us in eternal Rome, in all the cities, villages still held down by the Nazi Bayonette.

The war can be won only by the most loyal, frankest and most intimate collaboration with the free and great Allied Peoples. Whosoever commits acts which in any way hinder our, and the Allied Armed Forces, and impedes the war effort and in any way assist the enemy, will without delay be judged and exemplarily punished.

And this, after so many dark and tormented days, is our first happy day. Because, if we realize and desire it, holds the roots of our salvation, which can only come from the resolute, united and unanimous endeavor of all.

Italians, rise to the sight of this event, in the name of this Fatherland of ours, which bleeding and grieving is returning from the abyss to a new life.

SECRET

13

~~S E C R E T~~

UNCLASSIFIED
SECRET
CONFIDENTIAL
RESTRICTED
REGRADED
UNDER SEC ARMY
BY TAG PER
524812

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL

ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the 4th August 1945, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising [redacted]mune of Ancona in the Province of Ancona.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are herety reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such faci-

Declassified E.O. 12356 Section 3.3/NND No. 765015

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the 4th August 1945, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising [redacted] mune of Ancona in the Province of Ancona.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

Declassified E.O. 12356 Section 3.3/NND No. 765015

765015

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or

Declassified E.O. 12356 Section 3.3/NND No. 765015

may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

1562

Declassified E.O. 12356 Section 3.3/NND No. 765015

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 4th day of August 1945.

witness:

witness:

Rome, 4 August 1945

1563

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

DOCUMENT "P"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (G)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Commune of Ancona in the Province of Ancona are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all [redacted], rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander

H. R. ALEXANDER
Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

DOCUMENT "C"

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'Amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne il Comune di Ancona nella Provincia di Ancona.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e Funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e Funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e Funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

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

Il provvedimento concerne il Comune di Ancona nella Provincia di Ancona.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e Funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Roma, 4 agosto 1945.

Fermino Parri

Declassified E.O. 12356 Section 3.3/NND No. 765015

DOCUMENT "B"

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (G)

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende il Comune di Ancona nella Provincia di Ancona.

Da tale data il Governo Italiano amministrera' il predetto territorio fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

H.R. Alexander

H. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello
Scacchiere Mediterraneo e Governatore Militare.

Declassified E.O. 12356 Section 3.3/NND No. 765015

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore zero del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende il Comune di Ancona nella Provincia di Ancona.

Da tale data il Governo Italiano amministrera' il predetto territorio fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

H.R. Alexander

H. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello
Scacchiere Mediterraneo e Governatore Militare.

Data: 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

1569

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

Document ABC
Annex handed

For signature of
the President of the Council

1861

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (G)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.C., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Commune of Ancona in the Province of Ancona are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H. R. Alexander

H. R. ALEXANDER
Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Declassified E.O. 12356 Section 3.3/NND No. 765015

PROCLAMATION No. 16 (G)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Commune of Ancona in the Province of Ancona are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H. R. Alexander

H. R. ALEXANDER
Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

Document "C"

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people :

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions :

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the

Declassified E.O. 12356 Section 3.3/NND No. 759015

Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions :

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers.

PARRI

Rome : 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

S E C R E T

DOCUMENT "A"

DECLASSIFIED
REGRADED
524812
CONFIDENTIAL

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

Declassified E.O. 12356 Section 3.3/NND No. 765015

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory descrited below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

Declassified E.O. 12356 Section 3.3/NND No. 765015

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for

Declassified E.O. 12356 Section 3.3/NND No. 765015

Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

Declassified E.O. 12356 Section 3.3/NND No. 765015

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 4th day of August 1945.

Tommaso Gallarati Scotti

witness: W.D. GEHRSAS Col

witness: Franco Montanari

Rome, 4 August 1945

Declassified E.O. 12356 Section 3.3/NND No. 765015

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION NO. 16 (F)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

DOCUMENT "C"

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le [redacted] disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Ferruccio Parri

Declassified E.O. 12356 Section 3.3/NND No. 765015

Lucca.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Roma, 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

DOCUMENT "B"

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (F)

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Da tale data il Governo Italiano amministrera' il predetto territorio fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

H.R. Alexander

H. R. ALEXANDER,
Maresciallo,

Declassified E.O. 12356 Section 3.3/NND No. 765015

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Da tale data il Governo Italiano amministrera' il predetto territorio fatti salvi tutti i poteri, diritti ed immunita' di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

H.R. Alexander.

H. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello
Scacchiere Mediterraneo, e Governatore
Militare.

Data: 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

Document "C"

Proclamation by the Italian Government to be signed by the President of the Council.

P R O C L A M A T I O N

To the Italian people :

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

The restoration is subject to the following conditions :

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the they were operative and are declared to be of the same lega as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so

Declassified E.O. 12356 Section 3.3/NND No. 765015

The United Nations have acceded [redacted] Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

The restoration is subject to the following conditions :

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the[redacted] they were operative and are declared to be of the same lega[redacted] as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers.

PARRI

Rome: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 765015

1586

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

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (F)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my [redacted] or his authority in that portion of Italy comprising the Provinces of [redacted] Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Re[redacted]milia, Apuania and Lucca are hereby terminated as of 2359 hours on the 4th [redacted] August 1945. The Italian Government will thereafter administer the above territ[redacted] subject to all powers, rights and immunities of the United Nations [redacted] of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H. R. Alexander

H. R. ALEXANDER
Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

I 5 8 7

Declassified E.O. 12356 Section 3.3/NND No. 765015

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 16 (E)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno, (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified),

1411

are hereby terminated as of 0001 hours on the 19th day of June 1945 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

Declassified E.O. 12356 Section 3.3/NND No. 765015

those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, **SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows :**

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the **Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno, (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified),**

are hereby terminated as of **0001** hours on the **19th** day of **June 1945** 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

/s/ H.R. ALEXANDER
FIELD MARSHAL
Supreme Allied Commander,
Mediterranean Theater and
Military Governor

Dated : **19 June 1945**

Certified true copy:

.....

1586
Declassified E.O. 12356 Section 3.3/NND No. 765015

1590

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

S-E-C-R-E-T

DEC 31 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5/L. 31 December 1945

SUBJECT : Restoration Documents.

TO : Office of Chief Commissioner.

1. Herewith enclosed original documents of Restoration of Territory for your files. All other original restoration documents are in your possession.

2. Please acknowledge receipt on carbon copy of this letter.

JOHN K. WEBER,
Col. Infantry,
Chief Legal Advisor.

Encl.

~~SECRET~~

DOCUMENT "A"

SECRET UNCLASSIFIED RESTRICTED CONFIDENTIAL
DECLASSIFIED
AUTHORITY NND 524812
BY NARA DATE
524812

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, Successively on the 11th February 1944, on the July 20th 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945, on the 19th June 1945 and on the 4th August 1945 certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, The Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre, and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the Government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the above-mentioned territory is without prejudice to any frontier rectification which may be decided in the Peace Treaty and upon condition that the Islands of LAMPEDUSA, LINOSA and PANTELLERIA shall be demilitarized in accordance with such orders as may from time to time be issued by the Supreme Allied Commander, Mediterranean Theatre and that the United Nations shall have the right at any time to station representatives in the said Islands in order to ensure that they remain demilitarized.

Date of Restoration: At 24.00 hours on 31st December 1945.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme

Declassified E.O. 12356 Section 3.3/NND No. 765015

Italian Government, and

WHEREAS, The Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre, and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the Government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the above-mentioned territory is without prejudice to any frontier rectification which may be decided in the Peace Treaty and upon condition that the Islands of LAMPEDUSA, LINOSA and PANTELLERIA shall be demilitarized in accordance with such orders as may from time to time be issued by the Supreme Allied Commander, Mediterranean Theatre and that the United Nations shall have the right at any time to station representatives in the said Islands in order to ensure that they remain demilitarized.

1411

Date of Restoration: At 24.00 hours on 31st December 1945.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under

1592

Declassified E.O. 12356 Section 3.3/NND No. 765015

the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise 1/12 the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official, or representative, or agent of the United Nations, civilian or military, may for the purposes of official duty enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its

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

political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

Lieutenant - General
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 1411 31st December 1945.

Witness:

Witness:

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

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (H)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessors or under my or their authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, William D. Morgan, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander Mediterranean Theatre and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or by my predecessors and all Proclamations and Orders heretofore issued by me or by them or under my or their authority in that portion of Italy comprising the whole of Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venecia Giulia and the Province of Udine, are hereby terminated as of 2400 hours on the 31st day of December 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander Mediterranean Theatre and the Allied Commission.

W. D. Morgan

Lieutenant-General,
Supreme Allied Commander
Mediterranean Theatre
and Military Governor.

Dated : 20 December 1945

1595

Declassified E.O. 12356 Section 3.3/NND No. 765015

DOCUMENT "C"

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonche' le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che ~~alla~~ data ~~del presente~~ l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanate nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, compresa la nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali Italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

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

Il provvedimento concerne l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonche' le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che ~~alla~~ data ~~del presente~~ l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanate nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Alcide Degasperi

Roma, 31 dicembre 1945.

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

1598

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

ALLIED MILITARY GOVERNMENT OCCUPIED TERRITORY

PROCLAMATION No. 16 (H)

"WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise these powers in such territory under my direction, and

"WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessors or under my or their authority throughout such territory, and

"WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, William D. Morgan, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander Mediterranean Theatre and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or by my predecessors and all Proclamations and Orders heretofore issued by me or by them or under my or their authority in that portion of Italy comprising the whole of Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine, are hereby terminated as of 24.00 hours on the 31st day of December 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theatre and the Allied Commission.

1149

WILLIAM D. MORGAN
Lieutenant-General
Mediterranean Theatre
and Military Governor.

Dated : 31 December 1945.

1599

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

PROCLAMATION

To the Italian people :

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the whole of metropolitan territory at present under Allied Military Government including the Communes of Collo Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the saidterritory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers.

Alcide De Gasperi

Rome : 31 December 1945.

1600

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

SECRET

11 MAR 1944

1730

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

7 March 1944

Subject: Receipt for Classified Document

To: Deputy Secretary General, Rear Hq, Allied Control Commission, APO 394, US Army

1. Receipt is herewith acknowledged of the following classified documents:

a. Letter CC/G dtd 9 Feb 44 from Gen Macfarlane to AFHQ Re: Transfer of Territory
b. 5 Documents lettered A to D inclusive, document A being the terms of the restoration of Italian Territory to the Italian Government.

2. These documents will be appropriately safeguarded, and their transfer will be duly recorded and receipted.

(Signature of Officer)

Capn S/U RN
(Rank) (Branch)

A/Sec FOTAZ-1
(Position)

FLAG OFFICER
TARANTO AREA
DATE 7 MAR.
No:

File 700 1407
11 1630

SECRET

1601

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

SECRET

SAFE

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

_____ 1944

Subject: Receipt for Classified Document

To: Deputy Secretary General, Rear Hq, Allied Control Commission, APO 394, US Army

1. Receipt is herewith acknowledged of the following classified documents:

a. Letter CC/G dtd 9 Feb 44 from Gen Macfarlane to AFHQ Re: Transfer of Territory
b. 5 Documents lettered A to D inclusive, document A being the terms of the restoration of Italian Territory to the Italian Government.

2. These documents will be appropriately safeguarded, and their transfer will be duly recorded and receipted.

28 February

FROM: Adm R R McGrigor
FOTALI
Navy House, Taranto

I certify that the documents herein described were dispatched to the above address on this date.

Frank J. Slaughter
FRANK J. SLAUGHTER
Captain, AGD USN.
Deputy Secretary General

_____
(Signature of Officer)

_____
(Rank) (Branch)

_____
(Position)

SECRET

1602

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

Ref. CC/G

Most Secret & Very Urgent

FNMM/rj

9 Feb 44

SUBJECT : Transfer of Territory

To: Allied Force Headquarters (For Attention MGS)

1. *I enclose a copy of the five Documents in connection with the Transfer of Territory to the Italian Government as finally agreed and s signed between Marshal Badoglio and myself.

2. Marshal Badoglio has retained one set of signed Documents and I have retained another.

3. Please have copies of these Documents made and given to Mr MacMillan, Civil Affairs and Chief of Staff.

NOEL MASON MACFARLANE
Lt Gen
Chief Commissioner

1408

1603

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ITALIAN TERRITORY

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an Armistice has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and may occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisidction of the Italian Government, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., KCB, D.S.O. Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the Mainland of Italy south of the northern boundaries of the Provinces of Salerno, Potenza and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa). 1405

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German demination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1604

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

m copy

SECRET

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the unoccupied territory, and to inflict such punishment upon such person as such tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Yerritory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supertise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge, or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain ithin the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

1605

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

copy

SECRET

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Commander in Chief of the Allied Forces.

14. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or Decrees to carry out the purposes set forth in Document D, annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territotoqy.

(sd) H. R. Alexander
General,
Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document C) and to issue to the Italian people a message in the form of Document E.

I also agree that the said restoration shall take place on the 11th day of February 1944.

(sd) Pietro Badoglio

1404

Witness: (sd) Noel MacFarlane
Lt. General

Witness: (sd) Franco Montanari

SECRET

1606

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

copy

SECRET

DOCUMENT B

PROCLAMATION NO. 16

WHEREAS, I assumed all powers of government and jurisdiction in the Territory of Italy and Sicily occupied by my troops and over its inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me under by authority throughout such territory, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as such of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R L G ALEXANDER, G C B C S I D S O M C Ge General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G B E K C B D S O Commander in Chief of the Allied Forces, hereby Proclaim as follows,

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but no Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0001 hours on 11 day of February 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

1403

(sd) H. R. ALEXANDER
General
Military Governor

1607

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

SECRET

DOCUMENT C

Proclamation by the Italian Government to be signed by Marshal Badoglio

To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian Government that certain territory heretofore occupied by the Allied Forces be relinquised and restored to the Italian Government upon such terms and conditions as are necessary for the proper prosecution of the war,

NOW, THEREFORE, I,

hereby proclaim as follows:

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken be the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

1608

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

copy

Secret

To His Excellency Marshal Pietro Badoglio

DOCUMENT D

1. Your Excellency is requested to move the seat of the Italian Government to Salerno at a date not later than the date of restoration of territory.

2. Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees:

(a) A decree stabilizing wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us.

(b) A decree to implement paragraph 5 of Document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official in which case the Italian Government or the local superior Authority concerned should be asked to cooperate in action.

3. In addition, Your Excellency is requested to give me your assurance that you will proceed, with all possible expedition, to pass decrees dealing with the following matters:

(a) To implement so far as may be necessary the terms set out in Document A and the Terms of the Proclamation (Document C) to be signed by you.

(b) To implement so far as may be necessary the terms set out in Document A and the Terms of the Proclamation (Document C) to be signed by you.

(b) Financial Matters

(1) Re-enacting by decree if necessary the terms of [Badoglio] No. 61 AC dated 24 Sept 43 in relation to notes of exchange of Allied Military Currency.

(2) Barring all transactions in land and buildings so far as necessary to prevent inflation as may be agreed upon by A C C and the Italian Government.

(3) If necessary and in so far as not already provided for in existing legislation; except as permitted or licensed by the Minister of Finance, all transactions in foreign exchange, import or export of coins, currency, securities or gold or silver bullion and barring financial, commercial or other transactions involving trade or communication with any person outside the territory actually administered by the Italian Government except as between such territory and Italian territory still occupied by the Allied Military Forces and except transactions, imports or exports for the Allied authorities or authorized by them.

1609

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

(4) Authorising the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe; and authorising them to require any property in which there are reasonable grounds for believing that any enemy or Fascist interests, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly report to the Minister of Finance showing any dealings in these accounts.

(5) Requiring all future initial openings of safe deposit boxes and delivery of contents to be made only in presence of representatives designated by the Minister of Finance.

(c) United Nations and Enemy Property

Conferring administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French Nationals.

(sd) Noel MacFarlane
Lt General

1400

I agree to accept the above terms.

(sd) Pietro Badoglio

SECRET

1610

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

SECRET

DOCUMENT E

Proclamation of Marshal Badoglio to the Italian People

ITALIANS,

The United Nations, following the request of the Royal Government, have ordered that the major part of our territory, until now occupied by the Allied Forces, be returned to us.

Naturally, in effect will remain those clauses and conditions necessary for the conduct of war.

In the name of His Majesty the King and of all the Italian People, I thank the Allies for this generous gesture, which in addition to being a gesture, is at the same time a proof of faith.

No one can escape the importance and meaning of this event. This is the first stage toward the renewed unity of the Fatherland, and which should be our supreme purpose and aspiration. The first stage after the blind course toward the abyss, into which the Italian Poeple have been forced for twenty years by a Regime, from which we wish to redeem ourselves completely, in the name of Liberty, that is dear to us, but not in the name of license, into which no people can fall without extreme danger.

ITALIANS,

The Allied Forces are fighting victoriously with us against the common German enemy, this same enemy against whom we have fought together on the Carso, Isonzo and the Piave. On the result of this fight dependes the future of Italy and the world. All Italians, in every sector of national life, from the most humble to the highest, must contribute thereto by all their means and with all their strength, without reservations, without hesitation, without argument.

Our brothers await us in eternal Rome, in all the cities and villages still held down by the Nazi Bayonette.

The war can be won only by the most loyal, frankest and most intimate collaboration with the free and great Allied Peoples. Whosoever commits acts which in any way hinder our and the Allied Armed Forces, and impedes the war effort and in any way assist the enemy, will without delay be judged and exemplarily punished.

An this, after so many dark and tormented days, is our first happy day. Becuase, if we relize and desire it, holds the roots of our salvation which can only come from the resolute, united and unanimeous endeavor of all.

Italians, rise to the height of this event, in the name of this Fatherland of ours, which bleeding and grieving is returning from the abyss to a new life.

S E C R E T

U. S. CONFIDENTIAL equals British CONFIDENTIAL

TEXT OF STATEMENT ON ITALY

The Foreign Secretaries of the United Nations, United Kingdom and the Soviet Union have established that the three governments are in complete agreement that Allied policy towards Italy must be based upon the fundamental principle that Fascism and all its evil influence and configuration shall be completely destroyed and that the Italian people shall be given every opportunity to establish governmental and other institutions based upon democratic principles.

The Foreign Secretaries of the United Nations and the United Kingdom declare that the action of their governments from the inception of the invasion of Italian territory, in so far as paramount military requirements have permitted, has been based upon this policy.

In furtherance of this policy in the future, the Foreign Secretaries of the three governments are agreed that the following measures are important and should be put into effect:

1. It is essential that the Italian Government should be made more democratic by inclusion of representatives of those sections of the Italian people who always have opposed Fascism.

2. Freedom of speech, of religious worship, of political belief, of press and of public meeting shall be restored in full measure to the Italian people who shall also be entitled to form anti-Fascist political groups.

3. All institutions and organizations created by the Fascist regime shall be suppressed.

4. All Fascist or pro-Fascist elements shall be removed from the administration and from institutions and organizations of a public character.

5. All political prisoners of the Fascist regime shall be released and accorded full amnesty. 1398

6. Democratic organs of local government shall be created.

7. Fascist chiefs and army generals known or suspected to be war criminals shall be arrested and handed over to justice.

In making this declaration the three Foreign Secretaries recognise that so long as active military operations in Italy continue the time at which it is possible to give full effect to the principles stated above will be determined by the Commander in Chief on the basis of instructions received through the Combined Chiefs of Staff.

The three governments, parties to this declaration, will, at the

1611

Declassified E.O. 12356 Section 3.3/NND No. 765015

democratic principles.

The Foreign Secretaries of the United Nations and the United Kingdom declare that the action of their governments from the inception of the invasion of Italian territory, in so far as paramount military requirements have permitted, has been based upon this policy.

In furtherance of this policy in the future, the Foreign Secretaries of the three governments are agreed that the following measures are important and should be put into effect:

1. It is essential that the Italian Government should be made more democratic by inclusion of representatives of those sections of the Italian people who always have opposed Fascism.

2. Freedom of speech, of religious worship, of political belief, of press and of public meeting shall be restored in full measure to the Italian people who shall also be entitled to form anti-Fascist political groups.

3. All institutions and organizations created by the Fascist regime shall be suppressed.

4. All Fascist or pro-Fascist elements shall be removed from the administration and from institutions and organizations of a public character.

5. All political prisoners of the Fascist regime shall be released and accorded full amnesty.

1398

6. Democratic organs of local government shall be created.

7. Fascist chiefs and army generals known or suspected to be war criminals shall be arrested and handed over to justice.

In making this declaration the three Foreign Secretaries recognise that so long as active military operations in Italy continue the time at which it is possible to give full effect to the principles stated above will be determined by the Commander in Chief on the basis of instructions received through the Combined Chiefs of Staff.

The three governments, parties to this declaration, will, at the request of any one of them, consult on this matter. It is further understood that nothing in this resolution is to operate against the right of the Italian people ultimately to choose their own form of government.

U. S. CONFIDENTIAL equals British CONFIDENTIAL

Declassified E.O. 12356 Section 3.3/NND No. 765015

1613

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

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Secretary General

File No. A ~~X~~ ____
File No. B ____ Date 5 Oct 44

from Chief Commissioner's Safe
Copies of Documents A & C
Transfer of Territory, 20 Jul 44

__ Admin Section
__ Legal
__ Education
__ Interior
__ Mon & Fine Arts
__ Property Control
__ Public Health
__ Public Safety

__ Econ Section
__ Agriculture
__ Finance
__ Food
__ Industry
__ Commerce
__ Transportation
__ Labor
__ Public Works & Utilities
__ Shipping

__ Political Section

__ RC & MC Section

Travel
__ Army
__ Communication
__ War Materials Disposal
__ PRB
__ AG
__ HQ Comdt
V C of S Section
__ _____
__ _____
__ _____
__ _____
__ _____

Received by: Major Talbot
(Signature)
by A.T.S.
(Grade) (Branch)

1614

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

SECRET fly B

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, certain territory in Italy previously occupied by the Allied Forces was restored to the jurisdiction of the Italian Government on 11 February 1944, and

WHEREAS, since said date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples except the Commune of Naples in the Province of Naples which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified.

1397

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory":

1615

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

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. An official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

1396

10. The right to import and to export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may

1616

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

enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Allied Commander in Chief.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or decrees to carry out the purposes set forth in Document "D" annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

/s/ H. R. Alexander

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 20th day of July 1944.

/s/ Ivanoe Bonomi

Witness: /s/ Ellery W. Stone
Captain, U.S.N.R.

Witness: /s/ Sergio Fencaltea

CERTIFIED TRUE COPY: Robert E. Doe
ROBERT E. DOE
Major, AGD

1395

1617

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

DOCUMENT "B"

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 16 (a)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows:

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples, except the Commune of Naples in the Province of Naples, which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified, are hereby terminated as of 0001 hours on the 20th day of July 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

1394

/s/ H. R. Alexander

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

Dated: 20th July 1944.

CERTIFIED TRUE COPY: Robert E. Dot
ROBERT E. DOT
Major, AGD

1618

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

DOCUMENT "B"

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 16 (a)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows:

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples, except the Comune of Naples in the Province of Naples, which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified, are hereby terminated as of 0001 hours on the 20th day of July 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

H.R. Alexander

1393

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

Dated: 20th July 1944.

1619

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

SECRET

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the Council.

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the provinces of Foggia, Campobasso, Benevento, Avellino, Naples except the commune of Naples in the province of Naples.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding. 1944

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

PRESIDENT OF THE COUNCIL OF MINISTERS

BONOMI

ROME, 20 July 1944. /s/ Bonomi

A CERTIFIED TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1620

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

SECRET

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the Council.

PROCLAMATION

To the Italian people;

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the provinces of Foggia, Campobasso, Benevento, Avellino, Naples except the commune of Naples in the Province of Naples.

Pursuant to a decree in course of publication the following has been determined;

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance therof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding. 139

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

PRESIDENT OF THE COUNCIL OF MINISTERS

BONOMI

ROME, 20 July 1944.

/s/ Bonomi

A CERTIFIED TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1621

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

S E C R E T

DOCUMENT "D"

To: H. E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "Official Gazette" as of the date of restoration of further territory the following decrees:

(a) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44, No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made:

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 32 except in so far as concerns the necessary changes to be made as to time and date and to make application to territories now being restored.

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AC dated 24 September 1943 in relation to notes of exchange of Allied Military currency.

S E C R E T

1622

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

(e) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of RDL of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offenses against the Allied Forces, including those convicted under Article 554 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(Sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(sgd) Ivanoe Bonomi
IVANOE BONOMI
President of Council of Ministers

ROME, 18 July 1944.

1389

CERTIFIED TRUE COPY:

FRANK J. SLAUGHTER,
Captain, AGD
~~Deputy Secretary General.~~

1623

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

SECRET

DOCUMENT "D"

To: H. E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "official Gazette" as of the date of restoration of further territory the following decrees:

(a) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44, No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made:

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 32 except in so far as concerns the necessary changes to be made as to time and date and to make application to territories now being restored.

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AG dated 24 September 1943 in relation to notes of exchange of Allied Military currency.

SECRET

1624

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

(e) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of RDL of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offenses against the Allied Forces, including those convicted under Article 554 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(sgd) Ivanoe Bonomi
IVANOE BONOMI
President of Council of Ministers

ROME, 18 July 1944.

1387

CERTIFIED TRUE COPY:

FRANK J. SLAUGHTER,
Captain, AGD
~~Deputy Secretary General~~

T 6 2 5

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

SECRET

DOCUMENT "D"

To: H. E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "Official Gazette" as of the date of restoration of further territory the following decrees:

(a) provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44, No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made:

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 32 except in so far as concerns the necessary changes to be made as to time [illegible] and to make application to territories now being restored.

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AC dated 24 September 1943 in relation to notes of exchange of Allied Military currency.

SECRET

1626

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

(e) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of BML of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offenses against the Allied Forces, including those convicted under Article 554 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(sgd) Ivanoe Bonomi
IVANOE BONOMI
President of Council of Ministers

ROME, 18 July 1944.

1383

CERTIFIED TRUE COPY:

FRANK J. SLAUGHTER,
Captain, AGD
~~Deputy Secretary General.~~

1627

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

SECRET

DOCUMENT "D"

To: H. E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "official Gazette" as of the date of restoration of further territory the following decrees:

(a) provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44, No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made:

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 32 except in so far as concerns the necessary changes to be made as to time and date and to make application to territories now being restored.

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AC dated 24 September 1943 in relation to notes of exchange of Allied Military currency.

SECRET

1628

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

(e) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of BML of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offenses against the Allied Forces, including those convicted under Article 954 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(sgd) Ivanoe Bonomi
IVANOE BONOMI
President of Council of Ministers

ROME, 18 July 1944.

138

CERTIFIED TRUE COPY:

FRANK J. SLAUGHTER,
Captain, AGD
~~Deputy Secretary Gen'l Staff~~.

1629

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944 certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria.

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored

1630

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

to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "D" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

/s/ H. R. ALEXANDER
General,
Commander in Chief Allied Armies in Italy
and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

IVANOE BONOMI
President of the Council of Ministers

Witness:

/s/ELLERY W. STONE
ELLERY W. STONE
Captain, U.S.N.R.
Acting Chief Commissioner

Witness:

1381

PIER FELICE STANGONI

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1631

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1330

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria.

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "B" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1632

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accep% the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

IVANOE BONOMI
President of Council of Ministers

Witness:

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

Witness:

PIER FELICE STANGONI

1379

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

SECRET

1633

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria. 1378

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "B" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1634

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

IVANOE BONOMI
President of Council of Ministers

Witness:

KILLERY W. STONE
Captain, USNR
Acting Chief Commissioner

Witness:

PIER FELICE STANCONI

1377

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

SECRET

1635

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria.

1376

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "B" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1636

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

IVANOE BONOMI
President of Council of Ministers

Witness:

KILLERY W. STONE
Captain, USNR
Acting Chief Commissioner

Witness:

PIER FELICE STANGONI

1375

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

SECRET

1637

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW THEREFORE I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria.

1374

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "B" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1638

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

IVANOE BONOMI
President of Council of Ministers

Witness:

KILLERY W. STONE
Captain, USNR
Acting Chief Commissioner

Witness:

PIER FELICE STANGONI

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1373

SECRET

1639

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

SECRET

ANNEX A

ZONE OF OCCUPATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 25 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, [illegible] G.C.B., G.B.E., D.S.O., K.C.M.G., K.B.E., D.S.O., General, Commander in Chief Allied Forces in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored. That portion of Italy comprising the Provinces of Lucca, Pistoia and Florence.

Terms of Termination. All the rights, powers and immunities reserved to Commander in Chief Allied Forces at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Annexes "B" annexed to said document and which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

1372

General,
Commander in Chief Allied Forces in Italy
and Military Governor.

SECRET

1640

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

IVANOE BONOMI
President of Council of Ministers

Witness:

KELSEY T. STONE
Captain, USN
Acting Chief Commissioner

Witness:

PIER PAOLO MARTONI

A TRUE COPY: Frank S. Slaughter
FRANK S. SLAUGHTER
Captain, A.G.D.

1371

SECRET

1641

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

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No.16 (5)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies.

NOW, THEREFORE, I, SIR HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.SO., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1370

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

Dated : 15 August 1944.

1642

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

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(R)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1869

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

A TRUE COPY:

FRANK D. SLAUGHTER
Captain, A.G.D.

1643

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

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1359

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1644

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

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(R)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.B.E., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1947

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

A TRUE COPY:

FRANK J. DOUGHERTY
Captain, A.G.D.

1645

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

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 26(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, HIS HAROLD R.L.G. ALEXANDER, G.C.B., G.B.E., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1336

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

A TRUE COPY:

FRANK J. DEWSNAP
Captain, A.C.D.

1646

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

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORIES

PROCLAMATION No. 16(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over the inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., G.B.E., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1325

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 13 August 1944.

A TRUE COPY:

FRANCIS D. DOUGHERTY
Captain, A.G.D.

1647

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

SECRET SEGRETO

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA No.16 (B)

Dato che ho assunto nel territorio Italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

Dato che nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o in mio nome, Proclami ed Ordinanze, e

Poiché le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Comandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare di tutto il territorio occupato, in dipendenza dei poteri conferitimi dal Generale Sir HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., Comandante Supremo Alleato nello Scacchiere Mediterraneo, proclamo quanto segue :

Per effetto del presente Proclama, a partire dalle ore 0001 del 15 agosto 1944 il Governo Militare Alleato da me istituito e tutti i Proclami ed Ordini finora emanati da me o in mio nome cessano di essere operativi in quella parte del territorio Italiano che comprende le Provincie di Roma, Frosinone e Littoria. 131

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante in Capo delle Forze Armate Alleate e la Commissione Alleata di Controllo.

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

H. R. ALEXANDER,
Generale,
Comandante in Capo delle Forze Armate Alleate e Governatore Militare.

Data : 15 Agosto 1944.

1648

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

SECRET SEGRETO

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA No.16 (B)

Dato che ho assunto nel territorio Italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

Dato che nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o in mio nome, Proclami ed Ordinanze, e

Poiché le Nazione Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Commandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare di tutto il territorio occupato, in dipendenza dei poteri conferitimi dal Generale Sir HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., Comandante Supremo Alleato nello Scacchiere Mediterraneo, proclamo quanto segue :

Per effetto del presente Proclama, a partire dalle ore 0001 del 15 agosto 1944 il Governo Militare Alleato da me istituito e tutti i Proclami ed Ordini finora emanati da me o in mio nome cessano di essere operativi in quella parte del territorio Italiano che comprende le Provincie di Roma, Frosinone e Littoria.

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante in Capo delle Forze Armate Alleate e la Commissione Alleata di Controllo.

130

H. R. ALEXANDER,
Generale,
Comandante in Capo delle Forze Armate Alleate e Governatore Militare.

Data : 15 Agosto 1944.

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1649

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

SEGRETO

SECRET

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA No.16 (E)

Dato che ho assunto nel territorio Italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

Dato che nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o in mio nome, Proclami ed Ordinanze, e

Poichè le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Commandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare di tutto il territorio occupato, in dipendenza dei poteri conferitimi dal Generale Sir HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., Comandante Supremo Alleato nello Scacchiere Mediterraneo, proclamo quanto segue :

Per effetto del presente Proclama, a partire dalle ore 0001 del 15 agosto 1944 il Governo Militare Alleato da me istituito e tutti i Proclami ed Ordini finora emanati da me o in mio nome cessano di essere operativi in quella parte del territorio Italiano che comprende le Provincie di Roma, Frosinone e Littoria.

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante in Capo delle Forze Armate Alleate e la Comissione Alleata di Controllo.

1211

H. R. ALEXANDER,
Generale,
Comandante in Capo delle Forze
Armate Alleate e Governatore
Militare.

Data : 15 Agosto 1944.

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1650

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

SECRET SEGRETO

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA No.16 (E)

Dato che ho assunto nel territorio Italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

Dato che nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o in mio nome, Proclami ed Ordinanze, e

Poichè le Nazione Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Commandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare di tutto il territorio occupato, in dipendenza dei poteri conferitimi dal Generale Sir HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., Comandante Supremo Alleato nello Scacchiere Mediterraneo, proclamo quanto segue :

Per effetto del presente Proclama, a partire dalle ore 0001 del 15 agosto 1944 il Governo Militare Alleato da me istituito e tutti i Proclami ed ordini finora emanati da me o in mio nome cessano di essere operativi in quella parte del territorio Italiano che comprende le Provincie di Roma, Frosinone e Littoria.

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante in Capo delle Forze Armate Alleate e la Commissione Alleata di Controllo.

12.11

H. R. ALEXANDER,
Generale,
Comandante in Capo delle Forze
Armate Alleate e Governatore
Militare.

Data : 15 Agosto 1944.

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.C.D.

1651

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

SECRET SEGRETO

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA No.16 (B)

Dato che ho assunto nel territorio Italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali o giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

Dato che nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o in mio nome, Proclami ed Ordinanze, e

Poichè le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Comandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare di tutto il territorio occupato, in dipendenza dei poteri conferitimi dal Generale Sir HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., Comandante Supremo Alleato nello Scacchiere Mediterraneo, proclamo quanto segue :

Per effetto del presente Proclama, a partire dalle ore 0001 del 15 agosto 1944 il Governo Militare Alleato da me istituito e tutti i Proclami ed Ordini finora emanati da me o in mio nome cessano di essere operativi in quella parte del territorio Italiano che comprende le Provincie di Roma, Frosinone e Littoria.

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante in Capo delle Forze Armate Alleate e la Commissione Alleata di Controllo.

1264

H. R. ALEXANDER,
Generale,
Comandante in Capo delle Forze
Armate Alleate e Governatore
Militare.

Data : 15 Agosto 1944.

A TRUE COPY:

FRANK J. [illegible]
Captain, A.G.D.

1652

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

SECRET SEGRETO

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA No.16 (B)

Dato che ho assunto nel territorio Italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio sottoposto alla mia amministrazione e,

Dato che nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o in mio nome, Proclami ed Ordinanze, e

Poichè le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tutta parte del territorio occupato quanto sia compatibile con le esigenze militari,

Io, Sir HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Comandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare di tutto il territorio occupato, in dipendenza dei poteri conferitimi dal Generale Sir HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., Comandante Supremo Alleato nello Scacchiere Mediterraneo, proclamo quanto segue :

Per effetto del presente Proclama, a partire dalle ore 0001 del 15 agosto 1944 il Governo Militare Alleato da me istituito e tutti i Proclami ed Ordini finora emanati da me o in mio nome cessano di essere operativi in quella parte del territorio Italiano che comprende le Provincie di Roma, Frosinone e Littoria.

Da tale data il Governo Italiano amministrerà il predetto territorio, fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante in Capo delle Forze Armate Alleate e la Commissione Alleata di Controllo.

12/8

A TRUE COPY:

FRANK J. SHAUGHTER
Captain, A.G.D.

H. R. ALEXANDER,
Generale,
Comandante in Capo delle Forze Armate Alleate e Governatore Militare.

Data : 15 Agosto 1944.

1653

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

PROCLAMA

AL POPOLO ITALIANO :

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Roma, Frosinone e Littoria.

Con decreti in corso di pubblicazione viene determineto al riguardo quanto segue :

1) - Dato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitenti di essi tutti i poteri governativi e giurisdizionali, nonche la suprema responsabilita amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo le legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciute da tutti i Tribunali e funzionari italiani come legali, valide ed impegnative.

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa. 1207

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

Bonomi

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

Roma - 15 Agosto 1944.

1654

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

P R O C L A M A .

AL POPOLO ITALIANO :

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Roma, Frosinone e Littoria.

Con decreti in corso di pubblicazione viene determinato al riguardo quanto segue :

1) - Dato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche la suprema responsabilita amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed eventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciute da tutti i Tribunali e funzionari italiani come legali, valide ed impegnative.

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed eventi gli stessi effetti come se fossero state emanate da Tribunali italiani.

Com Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

1206

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

Bonomi

A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

Roma - 15 Agosto 1944.

1655

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

PROCLAMA

AL POPOLO ITALIANO :

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta della guerra.

Il provvedimento concerne le provincie di Roma, Frosinone e Littoria.

Con decreti in corso di pubblicazione viene determinato al riguardo quanto segue :

1) - Dato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonchè la suprema responsabilità amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo le legge italiane. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonchè tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciute da tutti i Tribunali e funzionari italiani come legali, valide ed impegnative.

4) - Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani.

Con Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

1205

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

Bonomi

A TRUE COPY:

FRANK J. BUCKLEY
Captain, A.G.D.

Roma - 15 Agosto 1944.

1656

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

P R O C L A M A

AL POPOLO ITALIANO :

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da oggi, secondo le modalità e condizioni necessarie per la condotta delle guerre.

Il provvedimento concerne le provincie di Roma, Frosinone e Littoria.

Con decreti in corso di pubblicazione viene determinato al riguardo quanto segue :

1) - Fato che alla data del presente l'Autorità Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche la suprema responsabilita amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2) - Tutti i proclami e le ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Esse tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3) - Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche tutte le disposizioni ufficiali di qualsiasi genere adottate dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, compresa le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciute da tutti i Tribunali e funzionari italiani come legali, valide ed impegnative.

4) - Tutte le contenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate da Tribunali italiani.

Con. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani a meno che non vengano revocate o modificate dalla Commissione Alleata di Controllo o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO
DEI MINISTRI

Bonomi

A TRUE COPY:

Roma - 15 Agosto 1944.

MARIA J. [illegible]
Captain, A.C.o.S.

1657

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

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the

Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Rome, Frosinone and Littoria.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian Law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding. 12 of

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

B O N O M I

Rome: 15th August 1944. A TRUE COPY:

FRANK J. SLAUGHTER
Captain, A.G.D.

1658

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

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the

Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Rome, Frosinone and Littoria.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding. 1202

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

B O N O M I

Rome: 15th August 1944. A TRUE COPY:

FRANK J. [illegible]
Captain, A.G.D.

1659

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

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the

Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Rome, Frosinone and Littoria.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian Law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any [illegible] taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

B O N O M I

Rome: 15th August 1944.

A TRUE COPY

FRANK J. SLAUGHTER
Captain, A.G.D.

DOCUMENT "B"

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (E)

DATO CHE ho assunto nel territorio italiano occupato dalle mie truppe e nei confronti degli abitanti di tale territorio tutti i poteri statali e giurisdizionali ed ho istituito un Governo Militare per esercitare tali poteri nel predetto territorio settoposto alla mia amministrazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richiesta del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari.

Io, Sir HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio -milia, Apuania e Lucca.

Da tale data il Governo Italiano amministrerà il predetto territorio fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

M. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello
Scacchiere Mediterraneo, e Governatore
Militare.

Declassified E.O. 12356 Section 3.3/NND No. 760015

citare tali poteri nel predetto territorio [illegible]
trazione e,

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dal mio predecessore oppure in mio od in suo nome, Proclami ed Ordinanze, e

POICHE' le Nazioni Unite hanno aderito alla richieste del Governo Italiano di restituire alla giurisdizione del Governo Italiano stesso tanta parte del territorio occupato quanta sia compatibile con le esigenze militari.

Io, Sir HAROLD R.L.G., ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Maresciallo, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, e partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Da tale data il Governo Italiano amministrerà il predetto territorio fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata.

123

H. R. ALEXANDER.
Maresciallo.
Comandante Supremo Alleato nello
Scacchiere Mediterraneo, e Governatore
Militare.

Data: 4 agosto 1945.

Examined with the original and certified
to be a true copy thereof.

1661

Declassified E.O. 12356 Section 3.3/NND No. 765015


1662

1663

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

ACC

10000/136/558

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

10000/136/558

TRANSFER OF TERRITORY
FEB. 1944 - AUG. 1945
(2 OF 2)

1665

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

SECRET

Extracted from 10000/136/558
"Transfer of Territory"



SECRET

1666

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

S-E-C-R-E-T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, Successively on the 11th February 1944, on the July 20th 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945, on the 19th June 1945 and on the 4th August 1945 certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, The Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre, and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the Government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Liverne, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the above-mentioned territory is without prejudice to any frontier rectification which may be decided in the Peace Treaty and [illegible] condition that the Islands of LAMPEDUSA, LINOSA and PANTELLERIA shall be demilitarized in accordance with such orders as may from time to time be issued by the Supreme Allied Commander, Mediterranean Theatre and that the United Nations shall have the right at any time to station representatives in the said Islands in order to ensure that they remain demilitarized.

Date of Restoration: At 24.00 hours on 31st December 1945.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under

1667

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

the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

1/12

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official, or representative, or agent of the United Nations, civilian or military, may for the purposes of official duty enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its

1668

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

political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

Lieutenant - General
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 1411 31st December 1945.

Witness:

Witness: M. S. Murch

1669

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

DOCUMENT "H"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (H)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessors or under my or their authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, William D. Morgan, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander Mediterranean Theatre and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or by my predecessors and all Proclamations and Orders heretofore issued by me or by them or under my or their authority in that portion of Italy comprising the whole of Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine, are hereby terminated as of 2400 hours on the 31st day of December 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander Mediterranean Theatre and the Allied Commission.

Lieutenant-General,
Supreme Allied Commander
Mediterranean Theatre
and Military Governor.

Dated : 20th December 1945

1670

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

DOCUMENT "C"

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richieste del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonche' le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrative, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanate nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari iteliani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, compresa 1946 nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribinali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali Italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Alcide De Gasperi

Roma, 31 dicembre 1945.

1671

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

~~SECRET~~

DOCUMENT 'A'

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

1672

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

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterrenean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterrenean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1673

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

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 4th day of August 1945.

Ferruccio Parri

witness: Lord Selkirk of Westbrens

witness: Franco Montanari

Rome, 4 August 1945

1674

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION NO. 16 (F)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

1675

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

DOCUMENT "C"

PROCLAMA

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e Legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Ferruccio Parri

Roma, 4 agosto 1945.

1676

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

S E C R E T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL

ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the 4th August 1945, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising [redacted]mune of Ancona in the Province of Ancona.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

1677

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

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

1678

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

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 4th day of August 1945.

Ivanoe Bonomi

witness: Wolff Thurnwald.

witness: Franco Montanari

Rome, 4 August 1945

1679

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

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (G)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Commune of Ancona in the Province of Ancona are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander.

H. R. ALEXANDER
Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

1680

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

DOCUMENT "C"

PROCLAMA

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'Amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne il Comune di Ancona nella Provincia di Ancona.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Roma, 4 agosto 1945.

1681

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

S E C R E T

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944 and on the 10th May 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified). 1579

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

1682

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

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

1520

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1683

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

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H. R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 19th day of June 1945.

Ivanoe Bonomi

witness: Norman E. Fiske

witness: Franco Montanari

1580

Rome, 19 June 1945

1684

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

SECRET

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (R)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno, (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified). are hereby terminated as of 0001 hours on the 19th day of June 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

1518

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 19 June 1945

SECRET

1685

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

COPY

SECRET

COPY

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Aslvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be rocognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Rome: 19 June 1945

Examined with the original and certified
to be a true copy thereof.

SECRET

1686

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

SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944 and on the 16th October 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date, additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be competible with military requirements; and

WHEREAS, it is necessary by reason of military requirements that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo, and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms hereto[illegible] granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

1687

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

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

1688

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

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such a form and manner as to be applicable to the additional territory now being restored.

Field Marshal
Supreme Allied Commander, Mediterranean
Theatre and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 10th day of May 1945.

witness : Ivanoe Bonomi

witness : Alcide Degasperi

Rome, 10 May 1945

1689

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

SECRET

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (D)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitents and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be competible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Perugia, Terni, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 10th day of May 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 10 May 1945

SECRET

1690

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

TRANSLATION

DOCUMENT "C"

Proclamation by the Italian Covernment to be signed by the President of the Council

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Covernment administration as of todey's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials. 1508

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers,

/s/ I. BONOMI

Rome: 10 May 1945

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

SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, on 20 July 1944 and on 15 August 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces.

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1541

Territory Restored: That portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theatre or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may

1692

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

be directed by the Supreme Allied Commander, Mediterranean Theatre.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theatre.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognisable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Supreme Allied Commander, Mediterranean Theatre.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war. 75 ult

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theatre.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1693

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

15. The Italian Government will duly and promptly issue proclamations or decrees to carry out the purposes set forth in Documents "D" annexed and made part of previous Documents "A" executed with respect to prior restorations of territory to the jurisdiction of the Italian Government which have not yet been issued and to issue others which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

H. MAITLAND WILSON.
General,
Supreme Allied Commander, Mediterranean
Theatre and Military Governor.

1539

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 16th day of October 1944.

Witness : Commodore USNR

Witness :

16 October 1944

1694

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION No.16 (C).

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated as/0001 hours on the 16th day of October, 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theatre and Allied Control Commission.

1538

H. MAITLAND WILSON,

General, Supreme Allied Commander
Mediterranean Theatre and
Military Governor.

16 October 1944.

1695

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

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council.

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, and Viterbo.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian courts and officials. 1536

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

BONOMI

Ivanoe Bonomi

Rome: 16 October 1944.

1696

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the su cessful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria. 1549

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "D" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

H.R. Alexander.

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1697

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

Ivanoe Bonomi

IVANOE BONOMI
President of Council of Ministers

Witness: Wyld W. Stone

WILLETT W. STONE
Captain, USNR
Acting Chief Commissioner

Witness: Pierre Jules François

15 August 1944

1548

SECRET

1698

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

SECRET

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., MC., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

H.R. Alexander.

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

1699

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

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Rome, Frosinone and Littoria.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian Law, and they will be so recognised by all Italian courts and officials.

1543

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

BONOMI

Rome: 15th August 1944.

1700

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

SECRET

ANNEX "A"

TERMS OF CESSATION OF
ACTIVITIES AGAINST ITALIAN FORCES

WHEREAS, certain territory in Italy previously occupied by the Allied Forces was restored to the jurisdiction of the Italian Government on 11 February 1944, and

WHEREAS, since said date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, HAROLD R.L.G. ALEXANDER, G.C.B., C.M.G., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, K.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1557

Territory Restored: That portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples except the Comune of Naples in the Province of Naples which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

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

BEST COPY POSSIBLE

1702

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

4. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such dispositions, use or operation as may be determined.

5. The right to maintain and quarter troops in such parts of the Occupied Territory as they may see fit.

6. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

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

8. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Occupied Territory, and to inflict such punishment upon such persons as such Tribunals may direct.

9. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any persons charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

10. Any official in the Occupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

11. The right to requisition private and public property and services.

12. The right to occupy the whole or any part of the Occupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

13. The right to import and to export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any import, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

14. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any import, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

15. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may

1558

1703

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

enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Allied Commander in Chief.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or decrees to carry out the purposes set forth in Document "D" annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

H. R. Alexander
General,
Commander in Chief Allied Armies in Italy
and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 20th day of July 1944.

Ivanoe Bonomi

Witness: Alex M. Stace
Captain, U.S.N.R.

Witness:

20 July 1944

1553

1704

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

DOCUMENT "B"

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 16 (a)

WHEREAS, I assumed all powers of government and jusisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, C.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows:

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples, except the Commune of Naples in the Province of Naples, which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified, are hereby terminated as of 0001 hours on the 20th day of July 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

1554

H.R. Alexander

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

Dated: 20th July 1944.

1705

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

SECRET

ANNEX "O".

Proclamation by the Italian Government

to be signed by the President of the Council.

PROCLAMATION.

To the Italian People:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the provinces of Foggia, Campobasso, Benevento, Avellino, Naples except the commune of Naples in the Province of Naples.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognized by all Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

PRESIDENT OF THE COUNCIL OF MINISTERS

BONOMI

ROME, 20 July 1944.

155

1706

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

S E C R E T

DOCUMENT "D"

To: H.E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "Official Gazette" as of the date of restoration of further territory the following decrees:

(a) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44, No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made:

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44, No. 32 except in so far as concerns the necessary changes to be made as to time and date and to make application to territories now being restored. 1706

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AC dated 24 September 1943 in relation to notes of exchange of Allied Military Currency.

S E C R E T

1707

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

(c) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of HDL of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offenses against the Allied Forces, including those convicted under Article 554 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(Sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(Sgd) Ivanoe Bonomi.
IVANOE BONOMI
President of Council of Ministers

RCSE. 18 July 1944.

1550

1708

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF
ITALIAN TERRITORY

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an Armistice has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and may occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the Mainland of Italy south of the northern boundaries of the Provinces of Salerno, Potenza and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Lineosa).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory":

1709

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

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the unoccupied territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

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

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Commander in Chief of the Allied Forces.

14. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or Decrees to carry out the purposes set forth in Document D, annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

H.R. Alexander
Sd. H.R. ALEXANDER

General,
Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document C) and to issue to the Italian people a message in the form of Document E.

I also agree that the said restoration shall take place on the 11th day of February 1944.

Pietro Badoglio
Sd. PIETRO BADOGLIO

Witness:

Noël Mar Jacomoni di Francis
Sd. NOEL FARCHAL

Witness:

Franco Montanari
Sd. FRANCO MONTANARI

1711

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

SECRET

DOCUMENT B

PROCLAMATION NO. 16

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy and Sicily occupied by my troops and over its inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as such of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby Proclaim as follows:-

Allied Military Government established by me and all Proc[illegible] and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Lincsa) are hereby terminated as of 0001 hours on 11 day of February 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

(sd) H. R. ALEXANDER
General,
Military Governor.

13

1712

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

SECRET

DOCUMENT C

Proclamation by the Italian Government to be signed by Marshal Badoglio

To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian Government that certain territory heretofore occupied by the Allied Forces be relinquished and restored to the Italian Government upon such terms and conditions as are necessary for the proper prosecution of the war,

NOW, THEREFORE, I,

hereby proclaim as follows:

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature [illegible] by the Allied Military Government in pursuance thereof including all [illegible] ments to and removals from any office, public or private, will be recognised by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognised by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

SECRET

(13 Jan

1713

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

To His Excellency Marshal Pietro Badoglio - SECRET

DOCUMENT D

1. Your Excellency is requested to move the seat of the Italian Government to Salerno at a date not later than the date of restoration of territory.

2. Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees:

(a) A decree stabilising wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us.

(b) A decree to implement paragraph 5 of document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official in which case the Italian Government or the local superior Authority concerned should be asked to cooperate in any action.

3. In addition, Your Excellency is requested to give me your assurance that you will proceed, with all possible expedition, to pass decrees dealing with the following matters:

(a) To implement so far as may be necessary the terms set out in Document A and the Terms of the Proclamation (Document C) to be signed by you.

(b) Financial Matters.

(1) Re-enacting by decree if necessary the terms of Bando No. 61 AC dated 24 Sept. 1943 in relation to notes of exchange of Allied Military Currency.

(2) Barring all transactions in lands and buildings except as necessary to prevent inflation as may be agreed by A.C.C. and the Italian Government.

(3) If necessary and in so far as not already provided for in existing legislation; except as permitted or licensed by the Minister of Finance, all transactions in foreign exchange, import or export of coins, currency, securities or gold or silver bullion and barring financial, commercial or other transactions involving trade or communication with any person outside the territory actually administered by the Italian Government except as between such territory and Italian territory still occupied by the Allied Military Forces and except transactions, imports or exports for the Allied authorities or authorised by them.

-1-

SECRET

1714

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

(4) Authorising the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe; and authorising them to require any property in which there are reasonable grounds for believing that any enemy or Fascist interests, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly report to the Minister of Finance showing any dealings in these accounts.

(5) Requiring all future initial openings of safe deposit boxes and delivery of contents to be made only in presence of representatives designated by the Minister of Finance.

(c) United Nations and Enemy Property.

Conferring administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French Nationals.

Noel MacFarlane

NOEL MACFARLANE

Lieut. General

I agree to accept the above terms.

Pietro Badoglio

PIETRO BADOGLIO

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

S-E-C-R-E-T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, Successively on the 11th February 1944, on the July 20th 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945, on the 19th June 1945 and on the 4th August 1945 certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, The Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre, and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the Government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the above-mentioned territory is without prejudice to any frontier rectification which may be decided in the Peace Treaty and upon condition that the Islands of LAMPEDUSA, LINOSA and PANTELLERIA shall be demilitarized in accordance with such orders as may from time to time be issued by the Supreme Allied Commander, Mediterranean Theatre and that the United Nations shall have the right at any time to station representatives in the said Islands in order to ensure that they remain demilitarized.

1411

Date of Restoration: At 24.00 hours on 31st December 1945.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under

1716

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

the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

1/12

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official, or representative, or agent of the United Nations, civilian or military, may for the purposes of official duty enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its

1717

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

political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

Lieutenant - General
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 1411
31st December 1945.

Witness:

Witness: M. S. Currie

1718

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

EXCERPT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (II)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessors or under my or their authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, William D. Morgan, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander Mediterranean Theatre and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or by my predecessors and all Proclamations and Orders heretofore issued by me or by them or under my or their authority in that portion of Italy comprising the whole of Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine, are hereby terminated as of 2400 hours on the 31st day of December 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander Mediterranean Theatre and the Allied Commission.

W.D.M. 9.12

Lieutenant-General,
Supreme Allied Commander
Mediterranean Theatre
and Military Governor.

Dated : 20 December 1945

1719

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

DOCUMENT "C"

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonche' le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che ~~alla~~ data ~~del presente~~ l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrative, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finore emanate nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere edottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali Italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Roma, 31 dicembre 1945.

1720

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

S [redacted] T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

1721

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

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterreneen Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterrenean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1722

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

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 4th day of August 1945.

Ferruccio Parri

witness: Lord Rennell of [illegible] W.E. BEVERLEY

witness: Franco Montanari

Rome, 4 August 1945

1723

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION NO. 16 (F)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

1724

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

DOCUMENT "C"

PROCLAMA

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e Legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Roma, 4 agosto 1945.

1725

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

S E C R E T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL

ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the 4th August 1945, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising [redacted]mune of Ancona in the Province of Ancona.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

1726

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

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

1727

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

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 4th day of August 1945.

Ivanoe Bonomi

witness: Wolff Metternich.

witness: Franco Montanari

Rome, 4 August 1945

1728

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

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (G)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Commune of Ancona in the Province of Ancona are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all [illegible] rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

H.R. Alexander.

H. R. ALEXANDER
Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 4 August 1945.

1729

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

DOCUMENT "C"

P R O C L A M A

AL POPOLO ITALIANO:

Le Nazioni Unite hanno aderito alla richiesta del Governo Italiano che altri territori, oltre quelli gia' restituiti, ritornino sotto l'Amministrazione del Governo Italiano, a datare da domani, secondo le modalita' e condizioni necessarie per esigenze militari.

Il provvedimento concerne il Comune di Ancona nella Provincia di Ancona.

Il trapasso e' regolato dalle norme seguenti:

1. Dato che alla data del presente l'Autorita' Alleata ha posto fine al Governo Militare Alleato nei territori restituiti, in tali territori e nei confronti degli abitanti di essi tutti i poteri governativi e giurisdizionali, nonche' la suprema responsabilita' amministrativa, sono riassunti dal Governo Italiano, fatti salvi soltanto i diritti riservati alle Nazioni Unite.

2. Tutti i Proclami e le Ordinanze finora emanati nel detto territorio dal Governo Militare o, in suo nome, dai suoi Delegati ed in tali territori abrogati dal Governatore Militare all'atto della restituzione, sono con il presente riconosciuti dal Governo Italiano validamente emanati per il tempo in cui hanno avuto esecuzione ed aventi gli stessi effetti giuridici come se fossero stati emanati dal Governo Italiano secondo la legge italiana. Come tali saranno riconosciuti da tutti i Tribunali e Funzionari italiani.

3. Tutti gli atti compiuti da qualsiasi membro delle Forze Alleate in applicazione di tali Proclami ed Ordinanze, nonche' tutte le disposizioni ufficiali di qualsiasi genere adottati dal Governo Militare Alleato in applicazione di tali Proclami ed Ordinanze, comprese le nomine e le rimozioni da qualsiasi ufficio, pubblico o privato, saranno riconosciuti da tutti i Tribunali e Funzionari italiani come legali, validi ed impegnativi.

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed aventi gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e funzionari italiani, a meno che non vengano revocate o modificate dalla Commissione Alleata o con il consenso di questa.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Ferruccio Parri

Roma, 4 agosto 1945.

1730

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

SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944 and on the 10th May 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be practicable, and

WHEREAS, it is necessary that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified). 1527

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

1731

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

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

1520

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1732

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

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such form and manner as to be applicable to the additional territory now being restored.

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 19th day of June 1945.

witness: Norman E. Fiske

witness: Franco Montanari

Ivanoe Bonomi

1529

Rome, 19 June 1945

1733

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

SECRET

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (E)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Salvetti in the Province of Livorno, (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 19th day of June 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

1518

H.R. Alexander.

Field Marshal,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

Dated: 19 June 1945

SECRET

1734

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

COPY SECRET COPY

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Firenze, Pistoia, Pisa and Livorno except the Commune of Pisa in the Province of Pisa and the Communes of Livorno and Colle Aslvetti in the Province of Livorno.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All proclamations and Orders heretore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon the restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are delared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding. 7518

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers

BONOMI

Rome: 19 June 1945

Examined with the original and certified
to be a true copy thereof.

SECRET

T 7 3 5

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

SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944 and on the 16th October 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date, additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with military requirements; and

WHEREAS, it is necessary by reason of military requirements that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grossete, Siena, Arezzo, and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms hereto[illegible] granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory."

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theater or his agents for such dispositions, use or operation as may be determined.

1736

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

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Supreme Allied Commander, Mediterranean Theater.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. The right to requisition private and public property and services.

8. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for military purposes.

9. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theater.

10. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for military requirements free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theater.

1737

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

13. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

14. As in the case of prior restorations of territory to its jurisdiction, the Italian Government will duly and promptly issue such decrees and proclamations as require repetition in such a form and manner as to be applicable to the additional territory now being restored.

Field Marshal
Supreme Allied Commander, Mediterranean
Theatre and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 10th day of May 1945.

witness : Harry W. Flack — Ivanoe Bonomi

witness : Lazzaro Alcide — DeGasperi Alcide

Rome, 10 May 1945

1500

1738

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

SECRET

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (D)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or by my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be competible with military exigencies;

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., A.D.C., Field Marshal, Supreme Allied Commander, Mediterraneen Theater and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Perugia, Terni, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona (which by reason of military necessity shall remain a military zone under my sole control and administration as Supreme Allied Commander and in which all Proclamations and Orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified), are hereby terminated as of 0001 hours on the 10th day of May 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterreneen Theater and the Allied Commission.

H.R. Alexander

1513

Field Marshel,
Supreme Allied Commander, Mediterraneen
Theater and Military Governor.

Dated: 10 May 1945

SECRET

1739

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

TRANSLATION

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for military requirements.

The provisions hereof concern the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Pesaro, Grosseto, Siena, Arezzo and Ancona except the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government all powers of government and jurisdiction in the territory restored and over its inhabitants, the final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and Officials.

1500

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Commission.

President of the Council of Ministers,

/s/ I. BONOMI

Rome: 10 May 1945

1740

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

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, on 20 July 1944 and on 15 August 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces.

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1541

Territory Restored: That portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theatre and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied Commander, Mediterranean Theatre or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may

1741

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

be directed by the Supreme Allied Commander, Mediterranean Theatre.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theatre.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognisable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Supreme Allied Commander, Mediterranean Theatre.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Supreme Allied Commander, Mediterranean Theatre.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever wither civil or criminal without the consent of the Supreme Allied Commander, Mediterranean Theatre.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the cost of occupation.

1742

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

15. The Italian Government will duly and promptly issue proclamations or decrees to carry out the purposes set forth in Documents "D" annexed and made part of previous Documents "A" executed with respect to prior restorations of territory to the jurisdiction of the Italian Government which have not yet been issued and to issue others which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

H. MAITLAND WILSON.
General,
Supreme Allied Commander, Mediterranean
Theatre and Military Governor.

1539

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 16th day of October 1944.

Witness : Commodore USNR

Witness :

16 October 1944

1743

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

DOCUMENT "B"

Allied Military Government of Occupied Territory.

PROCLAMATION No.16 (C).

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and military government was established to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or my predecessor or under my or his authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the said occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies;

NOW, THEREFORE, I, SIR HENRY MAITLAND WILSON, G.C.B., G.B.E., D.S.O., A.D.C., General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby proclaim as follows:

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated as/0001 hours on the 16th day of October, 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theatre and Allied Control Commission.

1938

H. MAITLAND WILSON,

General, Supreme Allied Commander
Mediterranean Theatre and
Military Governor.

16 October 1944.

1744

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

DOCUMENT "C"

Proclamation by the Italian Government to be signed by the President of the Council.

P R O C L A M A T I O N

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti, and Viterbo.

The restoration is subject to the following conditions:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian courts and officials. 1586

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

B O N O M I

Ivanoe Bonomi

Rome: 16 October 1944.

1745

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on 11 February 1944, and on 20 July 1944, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, since said last mentioned date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1544

Territory Restored: That portion of Italy comprising the Provinces of Rome, Frosinone and Littoria.

Terms of Restoration: All the rights, powers and immunities reserved in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 20 July 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein, including those requirements set forth in Document "D" annexed to said Document "A" which have not yet been complied with or which require repetition so as to be applicable to the additional territory now being restored to the jurisdiction of the Italian Government pursuant hereto.

H.R. Alexander.

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

SECRET

1746

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

SECRET

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 15th day of August 1944.

Ivanoe Bonomi

IVANOE BONOMI
President of Council of Ministers

Witness: Ellery W. Stone

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

Witness: Pierfrancesco

1548

15 August 1944

SECRET

1747

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

SECRET

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16(B)

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.C.B., G.B.E., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows :

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Rome, Frosinone, and Littoria, are hereby terminated as of 0001 hours on the 15th day of August 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and the Allied Control Commission.

1547

H.R. Alexander.

H. R. ALEXANDER,
General,
Commander in Chief Allied Armies
in Italy and Military Governor.

Dated : 15 August 1944.

1748

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

DOCUMENT "C"

Proclamation by the Italian Government

to be signed by the President of the

Council

PROCLAMATION

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the Provinces of Rome, Frosinone and Littoria.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian Law, and they will be so recognised by all Italian courts and officials.

1543

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

President of the Council of Ministers

BONOMI

Rome: 15th August 1944.

1749

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

SECRET

"A" (Long Form)

PROCLAMATION OF
ALLIED MILITARY GOVERNMENT

WHEREAS, certain territory in Italy previously occupied by the Allied Forces was restored to the jurisdiction of the Italian Government on 11 February 1944, and

WHEREAS, since said date additional territory in Italy has been liberated from German domination, and

WHEREAS, the Italian Government has requested that certain additional areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.B.E., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, K.C.B., K.B.E., C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

1557

Territory Restored: That portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples except the Comune of Naples in the Province of Naples which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Supreme Allied Commander, Mediterranean Theater and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

1750

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

4. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such dispositions, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate culmination the trial by Allied Military Tribunals of any person charged with an offence heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to occupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and to export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any import, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political sub-divisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in war operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the prosecution of the war free from the imposition of any import, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may

1550

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

 SECRET

enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political sub-divisions or agencies.

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Allied Commander in Chief.

14. All expenses and costs arising from the maintenance of Allied troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or decrees to carry out the purposes set forth in Document "D" annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

H. R. Alexander ! General,
Commander in Chief Allied Armies in Italy
and Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document "C").

I also agree that the said restoration shall take place on the 20th day of July 1944.

Ivanoe Bonomi

Witness: [illegible] Lt. Stace
Captain, U.S.N.R.

Witness: [illegible]

20 July 1944

1559

1752

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

DOCUMENT "B"

SECRET

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 16 (a)

WHEREAS, I assumed all powers of government and jusisdiction in the territory of Italy occupied by my troops and over its inhabitants and established military government to exercise those powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as much of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, C.B.E., K.C.B., D.S.O., Supreme Allied Commander, Mediterranean Theater, hereby proclaim as follows:

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of Italy comprising the Provinces of Foggia, Campobasso, Benevento, Avellino and Naples, except the Commune of Naples in the Province of Naples, which by reason of military necessity shall remain a military zone under my sole control and administration as Commander in Chief and in which all proclamations and orders issued by me or by my authority and now effective shall remain in effect until rescinded, amended or modified, are hereby terminated as of 0001 hours on the 20th day of July 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

1554

H.R. Alexander

General,
Commander in Chief Allied Armies in Italy
and Military Governor.

Dated: 20th July 1944.

1753

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

ALLEGATO

DOCUMENT "C".

Proclamation by the Italian Government

to be signed by the President of the Council.

PROCLAMATION.

To the Italian people:

The United Nations have acceded to the request of the Italian Government that further territory, in addition to that already restored, be restored to Italian Government administration as of today's date, in accordance with the terms and conditions necessary for the conduct of the war.

The provisions hereof concern the provinces of Foggia, Campobasso, Benevento, Avellino, Naples except the commune of Naples in the Province of Naples.

Pursuant to a decree in course of publication the following has been determined:

1. Military Government in the territory restored as of this date having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority by his delegates in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognised by the Italian Government as having been validly issued during the time they were operative and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of 1556
Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognised by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognised by all Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

PRESIDENT OF THE COUNCIL OF MINISTERS

BONOMI

ROME, 10 July 1944.

1754

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

SECRET

DOCUMENT "D"

To: H.E. IVANOE BONOMI, President of the Council of Ministers.

1. Your excellency is requested to pass and to publish in the "Official Gazette" as of the date of restoration of further territory the following decrees,

(a) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44. No. 30 and having for object the definition of the territories now about to be restored to Italian Administration and of fixing the date and time of restoration.

(b) Provisions of a like effect and in substantially the same form as contained in RDL of 11 Feb 44. No. 31 on the legal status of the further territory to be restored, except that in addition to the changes of time and date the following corrections and necessary adjustments are to be made;

(1) Substitution of Article 3 by the text of RDL No. 112 of 13 April 1944.
(2) In Article 2 (second para) "Art. 2" should read "Art. 1".
(3) In Article 3 "territorio restituito" should read "in tutto il territorio sotto l'amministrazione del Governo Italiano."

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(c) Provisions of a like effect and in substantially the same form as those contained in RDL of 11 Feb 44. No. 32 except in so far as concerns the necessary changes to be made as to time and date and to make application to territories now being restored.

1854

With the object of simplifying procedure and avoiding the reinactment of this decree on the occasion of the restoration to the Italian Government of any further territories, the same provisions as set forth above shall be deemed to apply to such territories as of the date of such restoration or succeeding restorations.

(d) Provisions for re-enacting the terms of Bando No. 61 AC dated 24 September 1943 in relation to notes of exchange of Allied Military Currency.

SECRET

1755

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

(c) Proclamation in the form of Document "C".

2. Your Excellency is also requested to have the following steps taken as of the date of such restoration of territory:

(a) With regard to Article 7 of RDL of 5 April 1944, the Italian Government will take effective steps to ensure that the amnesty and pardon thereby granted will not apply to persons convicted by Allied Military Courts or to those convicted by Italian Courts for offenses against the Allied Forces, including those convicted under Article 554 of the Italian Penal Code.

(b) The issue of instructions to ensure that all initial openings of safe deposit boxes and delivery of contents be made only in the presence of representatives designated by the Minister of Finance.

(Sgd) Ellery W. Stone
ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

I agree to accept the above terms.

(Sgd) Ivanoe Bonomi
IVANOE BONOMI
President of Council of Ministers

RCMB. 18 July 1944.

1550

1756

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

SECRET

DOCUMENT A

TERMS OF RESTORATION OF ITALIAN TERRITORY

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an Armistice has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and may occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the Italian Government has requested that certain areas now occupied by the Allied Forces be restored to the jurisdiction of the Italian Government, and

WHEREAS, it is the desire of the United Nations to comply with this request in so far as may be compatible with the successful prosecution of the war, and

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, powers and immunities in all Italian territory which has been liberated from German domination be retained by the Allied Forces,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of the Mainland of Italy south of the northern boundaries of the Provinces of Salerno, Potenza and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa).

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there is hereby reserved to the United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory":

1757

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

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.

2. The right to maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.

3. The right to hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.

4. The right to declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.

5. The right to convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the unoccupied territory, and to inflict such punishment upon such person as such Tribunals may direct.

6. The right to conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Allied Commander in Chief.

8. The right to requisition private and public property and services.

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.

10. The right to import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies except as may from time to time be agreed by the Allied Commander in Chief.

11. The right to engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

12. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies.

1758

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

13. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian Court for any cause whatsoever either civil or criminal without the consent of the Commander in Chief of the Allied Forces.

14. All expenses and costs arising from the maintenance of Allied Troops or other personnel within the Unoccupied Territory will be chargeable to the Italian Government as a part of the costs of occupation.

15. Proclamations or Decrees to carry out the purposes set forth in Document D, annexed hereto and made a part of these terms and conditions, will be issued by the Italian Government at the time of transfer of the territory.

Sd. H.R. ALEXANDER

H.R. Alexander.

General,
Military Governor.

I have read the above terms and on behalf of the Italian Government agree to accept the territory to be restored on such terms. I further undertake to execute and publish a Proclamation by the Italian Government (hereto annexed as Document C) and to issue to the Italian people a message in the form of Document E.

I also agree that the said restoration shall take place on the 11th day of February 1944.

Sd. PIETRO BADOGLIO

Witness:

Sd. NOEL MASTERSON FARQUHAR

Franco Montanari

Sd. FRANCO MONTANARI

1759

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

SECRET

DOCUMENT B

PROCLAMATION NO. 16

WHEREAS, I assumed all powers of government and jurisdiction in the territory of Italy and Sicily occupied by my troops and over its inhabitants and established military government to exercise these powers in such territory under my direction, and

WHEREAS, in the exercise of such powers, Proclamations and Orders have been issued from time to time by me or under my authority throughout such territory, and

WHEREAS, an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS, the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

WHEREAS, the United Nations have consented at the request of the Italian Government to restore as such of the occupied territory to the jurisdiction of the Italian Government as may be compatible with military exigencies,

NOW, THEREFORE, I, SIR HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Sir Henry Maitland Wilson, G.B.E., K.C.B., D.S.O., Commander in Chief of the Allied Forces, hereby Proclaim as follows:-

Allied Military Government established by me and all Proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Lincsa) are hereby terminated as of 0001 hours on 11 day of February 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

(sd) H. R. ALEXANDER
General,
Military Governor.

13

1760

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

SECRET

DOCUMENT G

Proclamation by the Italian Government to be signed by Marshal Badoglio

To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian Government that certain territory heretofore occupied by the Allied Forces be relinquished and restored to the Italian Government upon such terms and conditions as are necessary for the proper prosecution of the war,

NOW, THEREFORE, I,

hereby proclaim as follows:

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.

2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognized by all Italian Courts and officials.

3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature [illegible] by the Allied Military Government in pursuance thereof including all [illegible] sents to and removals from any office, public or private, will be recog[illegible] by all Italian Courts and officials as legal, valid and binding.

4. All sentences imposed by Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian Court and will be so recognised by all Italian Courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.

SECRET

CB

1761

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

To His Excellency Marshal Pietro Badoglio -

SECRET

DOCUMENT D

1. Your Excellency is requested to move the seat of the Italian Government to Salerno at a date not later than the date of restoration of territory.

2. Your Excellency is also requested to pass and to publish in the Official Gazette before the date of restoration the following decrees:

(a) A decree stabilising wage rates, maximum prices, charges for services; maximum quantities of grain to be held by anyone; as existing at the date of restoration and pending the future policy being agreed upon between us.

(b) A decree to implement paragraph 5 of document A providing for the establishment of Allied Military Courts to try offences entailing any hostile act against the Allied Forces and empowering any member of the Allied Forces to arrest any person whom such member had reasonable grounds for believing is concerned in such an act, except in the case of an Italian officer or an Italian high official in which case the Italian Government or the local superior Authority concerned should be asked to cooperate in any action.

3. In addition, Your Excellency is requested to give me your assurance that you will proceed, with all possible expedition, to pass decrees dealing with the following matters:

(a) To implement so far as may be necessary the terms set out in Document A and the Terms of the Proclamation (Document C) to be signed by you.

(b) Financial Matters.

(1) Re-enacting by decree if necessary the terms of Bando No. 61 AC dated 24 Sept. 1943 in relation to notes of exchange of Allied Military Currency.

(2) Barring all transactions in lands and buildings except as necessary to prevent inflation as may be agreed by A.C.C. and the Italian Government.

(3) If necessary and in so far as not already provided for in existing legislation; except as permitted or licensed by the Minister of Finance, all transactions in foreign exchange, import or export of coins, currency, securities or gold or silver bullion and barring financial, commercial or other transactions involving trade or communication with any person outside the territory actually administered by the Italian Government except as between such territory and Italian territory still occupied by the Allied Military Forces and except transactions, imports or exports for the Allied authorities or authorized by them.

-1-

SECRET

1762

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

(4) Authorising the competent Ministers in their discretion as a war measure to prohibit the entering into or carrying on of any type of business except upon such terms or in such areas as they may prescribe; and authorising them to require any property in which there are reasonable grounds for believing that any enemy or Fascist interests, direct or indirect exist, to be delivered to any agency designated by them to be blocked or to become subject to some other form of control; and providing that subject to the terms prescribed by the Minister of Finance property now held in a blocked account shall remain in its present status, and further providing that financial institutions holding blocked accounts are to make semi-monthly report to the Minister of Finance showing any dealings in these accounts.

(5) Requiring all future initial openings of safe deposit boxes and delivery of contents to be made only in presence of representatives designated by the Minister of Finance.

(c) United Nations and Enemy Property.

Conferring administrative powers upon the Allied Director of Property Control in relation to the property of any of the United Nations or of any national of the United Nations including property of France and French Nationals.

Noel Mac Farlane

NOEL MACFARLANE

Lieut. General

I agree to accept the above terms.

Pietro Badoglio

PIETRO BADOGLIO


1763