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

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

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GERMAN WAR GRAVES POLICY
FEB. 1945 - SEPT. 1946

12 Dec.

Sgt Nide 24

①

See p. 24 - please phone the Ministry of Post-war Assistance & find out who is the proper official to handle this matter. Ask him the point & tell him the matter is very urgent.

EJG

16 Oct.

②

Ref. him above:

Dr. Caruso, an official of the Cabinet of Ministry of Post-war Assistance, said that the decree issued by President's Council of Ministers entrusting the Ministry of Post-war Assistance with the upkeep of war cemeteries has not been published yet in the G.U. This decree already signed by Dr. Caruso is at present at the Corte dei Conti and is expected to become effective in a few days. After that a special office to deal with the upkeep of said cemeteries will undoubtedly be said Ministry.

③

19 Dec.

NOTE - Dr CARUSO telephoned late yesterday. The M/Post-war Assistance are sending an official immediately to inspect the war cemeteries at Montecassino & Ponte-

PAGE

24

Ref. in above:

Dr. Caruso, an official of the Cabinet of Ministry of Public Assistance, said that the decree issued by President Council of Ministers entrusting the Ministry of Public Assistance with the keeping of war cemeteries has not been published yet in the G.O. This decree already signed by Dr. Caruso is at present at the Corte dei Conti and is expected to become effective in a few days. After that a special office to deal with the upkeep of said cemeteries will be instituted at said Ministry Office.

③

NOTE - Dr CARUSO telephoned late yesterday. The H/Post. War Assistance are sending an official immediately to inspect the mil. cemetery at Montecassino or Pontecassino & to endeavour to arrange with its local authorities to remedy any defects. CARUSO will write confirming. *RF*

~~The Chief Clerk is to visit cemetery at Pontecassino~~
~~Carusone instead for~~

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NFA Sec Fil

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Issue letter M/GA

551

19 Dec.

DATE	MINUTE SHEET NO.	PAGES
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18/7

12

17

Please see this LHM with English translation.
The instructions from AFHQ to obtain from the
Italian Government suitable rights to assume the
local responsibility for the care of German war
graves in Italy under us. I think to put up
to AFHQ a strong case.

Tom Phillips
Capt
CH

MINUTE No. 13.

TO: L.F.S.C. (MMIA).

18/7/46

It is hoped that favourable consideration will be
given to the request at 24A and 24B.

24A may not be correct in detail. For instance, I
believe that on the British side the purely military War Graves
Registration organization has ceased to operate in this theatre.
The work is carried on by the Imperial War Graves Commission
which is a civilian organization but is semi-military in that
it is composed of ex officers and O.R.'s and functions under the
War Office.

The question of Italian War Graves is one for your

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MINUTE No. 13.

TO: L.F.S.C. (MMIA).

18/7/46

It is hoped that favourable consideration will be given to the request at 24A and 24B.

24A may not be correct in detail. For instance, I believe that on the British side the purely military War Graves Registration organization has ceased to operate in this theatre. The work is carried on by the Imperial War Graves Commission which is a civilian organization but is semi-military in that it is composed of ex-officers and O.R.'s and functions under the War Office.

The question of Italian War Graves is one for your sub-commission rather than this Section.

As regards German War Graves there is much to be done and AFHQ are very interested in this matter, in which connection you should read Folio 40 and 39. The British Embassy are also interested, see Folio 45.

AFHQ misinterpreted the responsibility of the Italian Government under the Geneva Convention and the matter is still under consideration - see Folio 64.

It is considered that it would be a great mistake to withdraw from the Italian War Graves organization their military personnel unless or until agreement has been reached between the Italian Department concerned to replace them with suitable civilian ex-Service personnel.

Official communication.

To CHS.

A communication has been sent.

18/7/46

To 14 g W. 4 and inform you as soon as answer is received.

MMIA

Trifolium

CHS

the responsibility for the can German War Graves in Italy under us. I think it best not to put it a strong case.

Minute No. 8

To: Local Government Sub-Commission.

1. I spoke to both Colonel Parsons and Lt. Colonel White on the subject of the latter visiting this Headquarters and discussing this question.

Before sending Lt. Colonel White to discuss the matter, Colonel Parsons warned us to write to ASHQ and outline the problems involved as a result of any recent developments.

Please speak before taking action.

2. Has any action ever been taken to inform the Italian authorities that they can contact the German Graves unit at Merano. See folio 57.

21st May, 1946

W.R.
M. CAMP, Brigadier.
VP. CA. Section.

Maj. W. (7)
, I spoke to V.P. on foregoing.
He agreed it might expedite matters if you
stopped at Caserta while you were in
Naples for the elections - perhaps leaving
a day before you planned. Contact
Lt Col. White and arrange meeting.
Please inform Ital. Govt re
Merano point (para. 2, Min. 8).

22 May 46

Director

*R. L. Temple, Major
Director 295/c*

21st May, 1946

NR

M. GARR, Brigadier.
VP. CA. Section.

May. W.

(9)

I spoke to V.P. on foregoing. He agreed it might expedite matters if you stopped at Caserta while you were in Naples for the elections - perhaps leaving a day before your planned contact Lt Col. White and arrange meeting.

Please inform Ital. Govt re memo point (para. 2, Min. 8).

22 May 46

(10)

R. L. Temple, Major
Director LGSC

Director

23 May

1. After several tries I spoke Lt.-Col. White this afternoon 3588
2. I explained that a written "outline" as requested by Col. Parsons (see minute 8) would involve a lot of copying as - apart from points of law - the problem was one of ascertaining laws for the Ital. Govt. I have met AFHQ requirements in their communications so far this the exact wording has to be studied
3. Lt.-Col. W. agreed. To my proposal that I should visit him with the file at Caserta on 30 May (on my way to the Naples elections) he agreed but said he might be away. If he was the matter would stand over till his next visit to Rome. He expected to be in Rome in less than the week of the elections (about 2-9 June or so).
4. He said there was no great hurry

MC
2/5

23 May V.P. CAS. please see 2/5
G.D.
R.D.T

0848

BUREAU

MINISTER BUREAU NO. 3

3 May

Director

After several attempts, I spoke G-S, AFHQ (Lt. Col. White) to-day. He agrees we must obtain an opinion on the legal points raised by the Italian Commissioner in to 59 + will expect to hear from us later. *Alfred*

59

4 May 46

Legal S/C

⑦

1. At the request of AFHQ this Headquarters has been pressing the Italian Government to take action with regard to German war graves in Italy.

2. It is desired that the Italian Government should prepare and execute a comprehensive plan for:-

- a. obtaining and recording particulars of all German war dead in this country;
- b. seeing that they are honorably and decently buried;
- c. seeing that their graves are maintained decently.

In addition to the foregoing, however, AFHQ desire that the Italian Government shall exhume those buried in isolated graves and rebury them in suitable cemeteries.

3. Please refer to Folio 59A (translation at Folio 59), in which the Italian Government department concerned raises two contentions as to their liability to carry out the duties described above. They appear to mean that they are not liable, under international law, to:-

- a. take charge of and maintain military cemeteries constructed in Italy by the German military authorities--see paragraph (3) of Folio 59; and
- b. to concentrate bodies from scattered graves into

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59A

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2. It is desired that the Italian Government should prepare and execute a comprehensive plan for:-

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In addition to the foregoing, however, ARHQ desire that the Italian Government shall exhume those buried in isolated graves and rebury them in suitable cemeteries.

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a. take charge of and maintain military cemeteries constructed in Italy by the German military authorities--see paragraph (3) of Folio 59: and

b. to concentrate bodies from scattered graves into cemeteries--see paragraph (4) of Folio 59.

4. Please advise (a) whether these contentions or either of them are correct and (b) generally as to the extent of the liability under international law of the Italian Government in respect of German war graves.

5. It seems possible from the wording of Folio 59 that the Italian Government may intend to assume some responsibility in spite of their arguments as to their liability under international law. It is nevertheless desired to have the legal position cleared up first.

6. This file contains statements as to the legal position made on the part of various Allied authorities who have handled the matter. Your attention is drawn to such statements at Folia 2, 31, and 45. You may also wish to note the opinion of the late German Government quoted in the penultimate paragraph of Folio 1.

7. The VP Civil Affairs Section has requested this matter be referred to you for your legal opinion.

R. R. Temple
RALPH R. TEMPLE, Major
Director, Local Govt S/C

CCAW/rbe

For opinion in answer to this minute - see p. 60

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Subject: German War Graves.

To: Local Government Sub-Commission.

Please see letters despatched at Folios No. 57 and 58. There was another file dealing with this subject in Public Health Sub-Commission. The correspondence has now been transferred to this file.

1. In view of the early demise of the Public Health Sub-Commission and presumably of the Civil Affairs Section, the ruling given at Folio 16c *will stand* *and* your Sub-Commission will be the channel for communication between the Italian Government and AFHQ on War Graves matters, ~~although~~ although, strictly speaking, it is not a Local Government subject entirely. The only matters which arise are those concerned with graves other than those of Allied personnel. The responsibility for dealing with these graves rests with the Italian Government and the main question will be that of insuring as far as possible that they take all the action necessary.

2. Please bring this file forward to me as soon as a reply is received to Folio 57, or on the 25th April if no reply has been received.

3586

11th April, 1946.

⑥

MC
M. GARD, Brigadier.
VP. CA. Section.

MINUTE SHEET NO. 3

3 May

Director

After several attempts, Major G-S, AFHQ (Lt. Col. White) to-day. He agrees we must obtain an opinion on the legal points raised by the Italian Communists in to 59 & will expect to hear from us later. *C. G. S.*

59

4 May 46

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- b. seeing that they are honorably and decently buried;
- c. seeing that their graves are maintained decently.

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b. to concentrate bodies from scattered graves into cemeteries--see paragraph (4) of Folio 59.

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2. It is desired that the Italian Government should propose and execute a comprehensive plan for:-

- a. obtaining and recording particulars of all German war dead in this country;
- b. seeing that they are honorably and decently buried;
- c. seeing that their graves are maintained decently.

In addition to the foregoing, however, ATHQ desire that the Italian Government shall exhume those buried in isolated graves and rebury them in suitable cemeteries.

3. Please refer to Folio 59A (translation at Folio 59), in which the Italian Government department concerned raises two contentions as to their liability to carry out the duties described above. They appear to mean that they are not liable, under international law, to:-

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6. This file contains statements as to the legal position made on the part of various Allied authorities who have handled the matter. Your attention is drawn to such statements at Folios 2, 31, and 45. You may also wish to note the opinion of the late German Government quoted in the penultimate paragraph of Folio 1.

7. The VP Civil Affairs Section has requested this matter be referred to you for your legal opinion.

For opinion in answer to this
minute - see fo. 60

CGH/R/roo

R. R. Temple, Major
RALPH R. TEMPLE, Major
Director, Local Govt S/C

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Minute 141 notes

First Mission Halla Capt

C.H.H.

19/7

C.H.

Please bring 22 Jde from in a west rim.

744 Capt
19/7

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SEGRETERIA
DEL COMMISSARIO STRAORDINARIO DEL GOVERNO
ONORANZE CADUTI IN GUERRA
IN ITALIA ED ALL'ESTERO

VIA S. GIOVANNI PER MORO, 16
MILANO

Roma 4 settembre 1946.=

6 NOV 1946

Nº 181 Segreteria di prot.

OGGETTO: Personale militare addetto al Commissariato Onoranze ai Caduti di
Guerra.=

AL COMANDO DELLA COMMISSIONE ALLIATA A.P.O. 394
-Sezione affari civili-

R O M A

See folio 71A

=====

Con riferimento alla richiesta telefonica, si rimette
copia del foglio Nº 180 relativo al personale militare in
servizio presso questo Commissariato Generale Caduti di Guer

RA.=

IL COMMISSARIO GENERALE STRAORDINARIO

Generale di Corpo d'Armata
(Leonida Pacini)

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AL COMANDO DELLA COMMISSIONE ALLIATA A.P.O. 394

-Sezione affari civili-

Sezione 71A

R O M A

=====

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ra. =

IL COMMISSARIO GENERALE STRAORDINARIO

Generale di Corpo d'Armata
(Leonida Pacini)

Leonida Pacini

3584



71A

Copia

19 giugno 1946

AL COMANDO COMMISSIONE ALLIATA

APO 394

Sezione Affari Civili

R O M A

180/Segreteria

Personale militare per la tutela dei Caduti di Guerra.

1. Il Commissario Generale Straordinario per le Onoranze ai Caduti di Guerra in Italia ed all'Estero (passato alle dipendenze del Ministero Assistenza Post-Bellica dal settembre 945) è l'Ente Italiano incaricato della tutela e delle sistemazione di tutti i Caduti Italiani e Tedeschi sepolti in Italia.

2. Fino all'8 settembre 943 il Commissario Generale aveva a disposizione per il disimpegno dei suoi compiti l'Ufficio Centrale le Cure Onoranze Salme Caduti di Guerra: C.O.S.C.G. con numeroso personale militare che svolgeva funzioni identiche a quelle svolte, ancora attualmente, dai Graves Registration delle Forze Armate Alleate.

3. Il Ministero della Guerra sta ora ritirando questo personale militare in quanto esso non è previsto nell'ordinamento dell'Esercito Italiano di transizione autorizzato dalle Autorità Militari Alleate.

4. Questo mancato riconoscimento di un Ente Militare per la tutela delle Salme Militari (Ufficio Centrale C.O.S.C.G.): non solo viene a creare notevoli difficoltà di lavoro con il ritardo del personale militare specializzato, ma mette l'Esercito Italiano in condizione di non avere, come hanno tutti gli altri Eserciti, un organismo militare per la cura dei suoi Morti.

5. Per ovviare a questa deficienza sarei grato a cotesta Commissione, che conosce il nostro lavoro, di voler interessare in proposito la competente Missione Militare Alleata perché voglia stabilire l'ordinamento che nell'ordinamento stabilito

Personale militare per la tutela dei Caduti di Guerra.

1. Il Commissario Generale Straordinario per le Onoranze ai Caduti di Guerra in Italia ed all'Esercito (passato alle dipendenze del Ministero Assistenza Post-Bellica dal settembre 945) e l'Ente Italiano incaricato della tutela e della sistemazione di tutti i Caduti Italiani e Tedeschi sepolti in Italia.
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5. Per ovviare a questa deficienza sarei grato a cotesta Commissione, che conosce il nostro lavoro, di voler interessare in proposito la competente Missione Militare Alleata perché voglia esaminare la possibilità di consentire che nell'ordinamento stabilito per l'Esercito Italiano, venga contemplato l'esistenza di un piccolo Ente Militare per la tutela delle Salme Militari; Ente che continuerebbe ad essere l'Ufficio Centrale C.O.S.C.G. (creato nel 1920) ed ora in via di soppressione.

6. Data l'attuale situazione l'organico che si propone 3588 è stato a 5 ufficiali ed a 10 uomini fra sottufficiali e truppa che costituirebbero la parte centrale direttiva, mentre il lavoro materiale verrebbe affidato a personale civile.

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A. S. E. 11/12

7. Poiché per l'Esercito Italiano non è stato previsto nessun Ente Militare come i Graves Registration, sono sicuro che la Missione Militare Alleata, rendendosi conto della doverosa necessità che alla tutela di Caduti militari provveda anche personale militare e non solo civile, non avrà difficoltà ad aumentare il contingente militare concesso all'Italia da 15 unità da destinarsi alla tutela dei Caduti di Guerra od a includere queste 15 unità fra il contingente autorizzato.

f/to IL COMMISSARIO GENERALE STRAORDINARIO
(Generale di Corpo d'Armata Leonida Pacini)

T.L.C.

Manfredi

COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO

ONORANZE CADUTI IN GUERRA IN ITALIA ED ALL'ESTERO

MILANO

Via S. Giordano del Moro, 15 - Telefono 17.327

9461 NOV 9

6 NOV 1946

Milano, 28 Agosto 1946

Protocollo N. 246 Segreteria
 Riferimento foglio AC/37/ALG

Indirizzo al HEADQUARTERS ALLIED COMMISSION
 APO 394 CIVIL AFFAIRS SECTION

ROMA

6 NOV 1946

Oggetto: Caduti Tedeschi.

Autofoglio 75

Rispondo alla lettera AC/37/ALG del 27/7 u.s. per comunicarvi che la questione dei militari tedeschi da mettere a disposizione di questo Commissariato per la sistemazione delle tombe dei Caduti tedeschi in Italia, è stata oggetto di una riunione a Roma il 23/7 u.s., alla quale hanno partecipato, da parte alleata, il Brigadiere J.B. Robertson ed il Ten. Col. F.E. Scott.

In detta riunione, è stato compilato un verbale del quale se ne allega copia.



IL CAPO UFFICIO
 (Ten. Col. Antonio Chierpetti)

Autofoglio 75

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HEADQUARTERS ALLIED COMMISSION
APO 394 CIVIL AFFAIRS SECTION

6 NOV 1948 R O M A

Oggetto: Caduti Tedeschi.

Prof. 75

Rispondo alla lettera AC/87/ALG del 27/7 u.s. per comunicarvi che la questione dei militari tedeschi da mettere a disposizione di questo Commissariato per la sistemazione delle tombe dei Caduti tedeschi in Italia, è stata oggetto di una riunione a Roma il 23/7 u.s., alla quale hanno partecipato, da parte alleata, il Brigadiere J.B. Robertson ed il Ten. Col. F.E. Scott.

In detta riunione, è stato compilato un verbale del quale se ne allega copia.



IL CAPO UFFICIO
(Ten. Col. Antonio Chiapetti)

M. Chiapetti

*per M. Chiapetti
7/24/49*



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-5 OCT 1948

C O P I A

D.G.A.POL.IX.

V E R B A L E
oooooooooooo

Il giorno 23 Luglio 1946, su invito del Ministero degli Affari Esteri, si sono riuniti a Palazzo Chigi i Sigg.: Conte Vittorio Zoppi, Ministro Plenipotenziario, Direttore Generale degli Affari Politici, in rappresentanza del Ministero degli Affari Esteri; il Generale Leonida Pacini, in rappresentanza del Commissariato Generale per le Onoranze ai Caduti; il Brigadiere J.B. Robertson, in rappresentanza del Generale Napier del Quartier Generale Alleato di Caserta; il Ten.Col.F.S. Scott, in rappresentanza dell'American Graves Registration Service; la Signorina J.Dupuis, in rappresentanza del Comitato Internazionale della Croce Rossa; la Signorina Maria Camilla Preti, in rappresentanza del Colonnello De Salis del Comando Alleato; il Comm.Orlando Decimo, in rappresentanza del Ministero dell'Assistenza Post Bellica; il Ten.Col.Mario Giampietro, in rappresentanza del Ministero della Guerra; il Dott. Pietro Ghezzi Morganti, in rappresentanza del Ministero dei Lavori Pubblici; due Ufficiali tedeschi, addetti ai cimiteri tedeschi in Italia.-

Presiede il Ministro Zoppi e funge da Segretario il Console Dott. Germano Castellani.-

Il Presidente Conte Zoppi, premesso che si rende necessario di procedere alla sistemazione delle Salme dei Caduti Germanici in

ri Politici, in rappresentanza del Ministero degli Affari Esteri; il Generale Leonida Pacini, in rappresentanza del Commissariato Generale per le Onoranze ai Caduti; il Brigadiere J.B. Robertson, in rappresentanza del Generale Napier del Quartier Generale Alleato di Caserta; il Ten.Col.F.S. Scott, in rappresentanza dell'American Graves Registration Service; la Signorina J. Dupuis, in rappresentanza del Comitato Internazionale della Croce Rossa; la Signorina Marie Camilla Presti, in rappresentanza del Colonnello De Salis del Comando Alleato; il Comm.Orlando Decimo, in rappresentanza del Ministero dell'Assistenza Post Bellica; il Ten.Col.Mario Giampietro, in rappresentanza del Ministero della Guerra; il Dott. Pietro Ghensì Morgalenti, in rappresentanza del Ministero dei Lavori Pubblici; due Ufficiali tedeschi, addetti ai Cimiteri tedeschi in Italia.-

Presiede il Ministro Zoppi e funge da Segretario il Console Dott. Germano Castellani.-

Il Presidente Conte Zoppi, premesso che si rende necessario di procedere alla sistemazione delle Salme dei Caduti Germanici in Italia, ritiene che si debba stabilire una linea comune di azione fra gli Enti interessati, italiani ed Alleati, e chiede se non sarebbe il caso di costruire fin d'ora degli Ossuari, nei quali raccogliere gli sperduti Resti dei militari Germanici.-

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- 2 -

Il Comm. Orlando ritiene che l'azione immediata da svolgere sia quella di giungere ad una sistemazione provvisoria, nei limiti dell'onorata sepoltura, del rispetto e della identificazione delle Salme, nei Cimiteri tedeschi o in quelli comunali italiani. - Fa presente che la costruzione di ossari comporterebbe una spesa molto rilevante, per la quale il Ministero dell'Assistenza Post Bellica non dispone di fondi necessari. -

La Signorina Dupuis fa rilevare che non è possibile di deporre subito i resti dei Caduti tedeschi degli ossari, in quanto occorrono di regola dieci anni di inumazione, prima che le ossa siano in condizione da essere poste negli ossari. -

Il Generale Pecini esprime anch'egli l'opinione che si debba, in un primo tempo, procedere all'inumazione delle Salme e addiventare solo in un secondo tempo alla costruzione degli ossari. -

Il Brigadiere Robertson fa presente che il Comando inglese mantiene attualmente sotto la sua amministrazione i due Cimiteri tedeschi di Cervia e di Ponteseugno e dichiara che il Quartier Generale Alleato di Caserta sarebbe molto riconoscente se le Autorità italiane volessero prendere in consegna i due Cimiteri e provvedere alla loro manutenzione ed amministrazione. - E poichè la Croce Rossa Internazionale ha fatto recentemente rimproveranze perchè le tombe disperse di militari tedeschi in Italia sono completamente abbandonate e cominciano ad essere scavate dai cani, egli chiede che tali tombe vengano riunite nei due Cimiteri anzidetti o nei Cimiteri comunali più prossimi. -

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Il Generale Pacini esprime anch'egli l'opinione che si debba, in un primo tempo, procedere all'inumazione delle Salme e addi- venire solo in un secondo tempo alla costruzione degli ossari.-

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Il Presidente Conte Zoppi si consulta con il Generale Pacini e il Comm. Orlando, i quali convengono di accogliere la richiesta del Quartier Generale Alleato.-

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- 3 -

Su richiesta del Presidente Conte Zoppi, un ufficiale tedesco informa che esistono oggi circa 400 Cimiteri, compresi quelli comunali, nei quali sono sepolti militari tedeschi e che, secondo i dati giunti in Germania, sarebbero raccolte in tali Cimiteri circa 30mila Salme, mentre 30mila sarebbero sepolte in tombe disperse.-

Il Brigadiere Robertson esprime la sua soddisfazione nel veder accolta la richiesta del Quartier Generale Alleato e fa presente che sarebbe molto utile e conveniente che le Autorità Italiane incaricate dei Cimiteri tedeschi si avvalgano della collaborazione di cinque ufficiali tedeschi, che sarebbero di grande aiuto per il ricupero e l'identificazione delle Salme, e che, adibiti da tempo dal Comando Alleato in lavori del genere nei Cimiteri tedeschi, verrebbero volentieri messi a disposizione delle Autorità Italiane dal Comando stesso.-

Il Presidente Conte Zoppi ringrazia per l'offerta, ma ritiene necessario di chiarire prima quale sia lo status attuale dei cinque ufficiali tedeschi ed in quale veste giuridica essi collaborerebbero con le Autorità italiane.-

Il Brigadiere Robertson precisa che i cinque ufficiali tedeschi sono tuttora prigionieri di guerra e dichiara che, a suo modo di vedere, essi dovrebbero conservare il loro status di prigionieri di guerra durante tutto il periodo della loro collaborazione con le Autorità Italiane e dipendere amministrati-

tali Cimiteri circa 80mila Salme, mentre 50mila sarebbero sepolte in tombe disperse.--

Il Brigadiere Robertson esprime la sua soddisfazione nel veder accolta la richiesta del Quartier Generale Alleato e fa presente che sarebbe molto utile e conveniente che le Autorità Italiane incaricate dei Cimiteri tedeschi si avvalgano della collaborazione di cinque ufficiali tedeschi, che sarebbero di grande aiuto per il ricupero e l'identificazione delle Salme, e che, adibiti da tempo dal Comando Alleato in lavori del genere nei Cimiteri tedeschi, verrebbero volentieri messi a disposizione delle Autorità italiane dal Comando stesso.--

Il Presidente Conte Zoppi ringrazia per l'offerta, ma ritiene necessario di chiarire prima quale sia lo status attuale dei cinque ufficiali tedeschi ed in quale veste giuridica essi collaborerebbero con le Autorità italiane.--

Il Brigadiere Robertson precisa che i cinque ufficiali tedeschi sono tuttora prigionieri di guerra e dichiara che, a suo modo di vedere, essi dovrebbero conservare il loro status di prigionieri di guerra durante tutto il periodo della loro collaborazione con le Autorità italiane e dipendere amministrativamente e disciplinarmente dal Comando Alleato, che provvederebbe anche per il vitto e lo stipendio.--

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Il Presidente Conte Zoppi chiede se il Quartier Generale Alleato è disposto a dare assicurazione circa lo status e la situazione amministrativa e disciplinare dei 5 ufficiali tedeschi, nel senso indicato dal Brigadiere Robertson.

Il Brigadiere chiarisce che egli personalmente sarebbe disposto a farlo in linea di principio, ma che si riserva di dare una risposta definitiva, dopo sentito il Comando Generale Alleato di Caserta. Fa anche presente l'eventualità che i cinque ufficiali tedeschi, durante il periodo di collaborazione, abbiano a dipendere da un ufficiale alleato, il quale prenderebbe i necessari accordi con la Autorità italiana circa il lavoro che essi dovrebbero compiere e provvederebbe anche alla parte amministrativa e disciplinare.

Riassumendo, il Presidente Conte Zoppi dichiara essere stato convenuto nella riunione che i Cimiteri tedeschi di Cervia e Pontecagnano vengano assunti dal Ministero dell'Assistenza Post Bellica, al quale viene demandato di prenderli in consegna dalle Autorità Alleate e provvedere alla loro conservazione e sistemazione. Circa la collaborazione dei cinque ufficiali tedeschi, che si occuperanno principalmente del recupero e della identificazione delle Salme, verrà presa una decisione da parte delle Autorità italiane non appena sarà conosciuta la risposta del Comando Alleato.

Il Tenente Colonnello Scott fa presente che gli americani provano attualmente al mantenimento dei due Cimiteri di Pietà (Ma...

risposte definitiva, dopo sentito il Comando Generale Alleato di Caserta.-- Fa anche presente l'eventualità che i cinque ufficiali tedeschi, durante il periodo di collaborazione, abbiano a dipendere da un ufficiale alleato, il quale prenderebbe i necessari accordi con le Autorità italiane circa il lavoro che essi dovrebbero compiere e provvederebbe anche alla parte amministrativa e disciplinare.--

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Il Tenente Colonnello Scotti fa presente che gli americani provvedono attualmente al mantenimento dei due Cimiteri di Pietà (Napoli) e Cefalù (Sicilia), dove però sono sepolti non soltanto soldati tedeschi ma anche molti americani.--

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TELESPRESSO N.

Indirizzo a

25337/1

Ministero degli Affari Esteri

10 AUG 1946

D.G.A.POL.IX°

COMISSARIATO GENERALE

PER LE ONORANZE AI CADUTI

- QUARTIER GENERALE ALLEATO
DI CASERTA

Divisione

(Cappella)

(Riferimento)

(Costo)

Sistemazione del-
le salme di cadu-
ti germanici in
Italia.- AMERICAN GRAVES REGISTRATION
SERVICE- COMITATO INTERNAZIONALE
CROCE ROSSA- COMANDO ALLEATO (Col. De
Salis)- MINISTERO ASSISTENZA POST
BELLICA -

- MINISTERO GUERRA -

- MINISTERO LAVORI PUBBLICI

Come richiesto dai rappresentanti
degli Enti in indirizzo intervenuti alla riu-
nione che ha avuto luogo il 23 corr. presso
il Ministero degli Affari Esteri per la si-
stemazione delle salme dei caduti germanici
in Italia, si ha il pregio di qui unite
trasmettere copia del verbale della riunione
stessa.

1/.

PEL MINISTRO

TVK
14/8

7159

D.G.A.POL.IX°

V E R B A L E

10 AUG 1946

Il giorno 23 luglio 1946, su invito del Ministero degli Affari Esteri, si sono riuniti a Palazzo Chigi i Sigg.: Conte Vittorio Zoppi, Ministro Plenipotenziario, Direttore Generale degli Affari Politici, in rappresentanza del Ministero degli Affari Esteri; il Generale Leonida Pacini, in rappresentanza del Commissariato Generale per le Ceneri ai Caduti; il Brigadiere J.R. Robertson, in rappresentanza del Generale Napier del Quartiere Generale Alleato di Caserta; il Ten.Col.F.B. Scott, in rappresentanza dell'American Graves Registration Service; la Signorina J.Dupuis, in rappresentanza del Comitato Internazionale della Croce Rossa; la Signorina Maria Camilla Presti, in rappresentanza del Colonello De Sais del Comando Alleato; il Comm.Orlando Decimo, in rappresentanza del Ministero dell'Assistenza Post Bellica; il Ten.Col.Mario Giampietro, in rappresentanza del Ministero della Guerra; il Dott.Pietro Ghezzi Morgalanti, in rappresentanza del Ministero dei Lavori Pubblici; due Ufficiali tedeschi, addetti ai Cimiteri tedeschi in Italia.

Presiede il Ministro Zoppi e funge da Segretario il Console Dott.Germano Castellani.

Il Presidente Conte Zoppi, premesso che si rende necessario di procedere alla sistemazione delle salme dei Caduti germanici in Italia, ritiene che si debba stabilire una linea comune di azione fra gli Enti interessati, italiani ed Alleati, e chiede se non sarebbe il caso di costruire fin d'ora degli Ossari, nei quali raccogliere gli sperduti resti dei militari tedeschi.

Il Comm.Orlando ritiene che l'azione immediata da svolgere sia quella di giungere ad una sistemazione provvisoria, nei limiti dell'onorata sepoltura, del rispetto e della identificazione delle salme, nei

- 2 -

cimiteri tedeschi o in quelli comunali italiani. Fa presente che la costruzione di ossari comporterebbe una spesa molto rilevante, per la quale il Ministero dell'Assistenza Post Bellica non dispone di fondi necessari.

La Signorina Dupuis fa rilevare che non è possibile di seppellire subito i resti dei Caduti tedeschi negli ossari, in quanto occorrono di regola dieci anni di inumazione, prima che le ossa siano in condizione da essere poste negli ossari.

Il Generale Pacini esprime anch'egli l'opinione che si debba, in un primo tempo, procedere all'inumazione delle salme e addiventare solo in un secondo tempo alla costruzione degli ossari.

Il Brigadiere Robertson fa presente che il Comando inglese mantiene attualmente sotto la sua amministrazione i due cimiteri tedeschi di Cervia e di Pontecagnano e dichiara che il Quartier Generale Alleato di Caserta sarebbe molto riconoscente se le Autorità italiane volessero prendere in consegna i due cimiteri e provvedere alla loro manutenzione ed amministrazione. E poiché la Croce Rossa Internazionale ha fatto recentemente rimostranze perché le tombe disperse di militari tedeschi in Italia sono completamente abbandonate e cominciano ad essere scavate dai cani, egli chiede che tali tombe vengano riunite nei due cimiteri anzidetti o nei cimiteri comunali più prossimi.

Il Presidente Conte Zoppi si consulta con il Generale Pacini e il Comm. Orlando, i quali convergono di accogliere la richiesta del Quartier Generale Alleato.

Su richiesta del Presidente Conte Zoppi, un ufficiale tedesco informa che esistono oggi circa 400 cimiteri, compresi quelli comunali, nei quali sono sepolti militari tedeschi e che, secondo i dati giunti in Germania, sarebbero raccolte in tali cimiteri circa 80mila salme, mentre 30mila sarebbero sepolte in tombe disperse.

Il Brigadiere Robertson esprime la sua soddisfazione nel veder accolta la richiesta del Quartiere Generale Alleato e fa presente che

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sarebbe molto utile e conveniente che le Autorità Italiane incaricate dei Cimiteri tedeschi si avvalgano della collaborazione di cinque ufficiali tedeschi, che sarebbero di grande ~~aiuto~~ aiuto per il ricupero e l'identificazione delle salme, e che, adibiti da tempo dal Comando Alleato in lavori del genere nei Cimiteri tedeschi, varrebbero volentieri messi a disposizione delle Autorità italiane del Comando stesso.

Il Presidente Conte Zoppi ringrazia per l'offerta, ma ritiene necessario di chiarire prima quale sia lo status attuale dei cinque ufficiali tedeschi ed in quale veste giuridica essi collaborerebbero con le Autorità italiane.

Il Brigadiere Robertson precisa che i cinque ufficiali tedeschi sono tuttora prigionieri di guerra e dichiara che, a suo modo di vedere, essi dovrebbero conservare il loro status di prigionieri di guerra durante tutto il periodo della loro collaborazione con le Autorità italiane e dipendere amministrativamente e disciplinarmente dal Comando Alleato, che provvederebbe anche per il vitto e lo stipendio.

Il Presidente Conte Zoppi chiede se il Quartiere Generale Alleato è disposto a dare assicurazione circa lo status e la situazione amministrativa e disciplinare dei 5 ufficiali tedeschi, nel senso indicato dal Brigadiere Robertson.

Il Brigadiere chiarisce che egli personalmente sarebbe disposto a farlo in linea di principio, ma che si riserva di dare una risposta definitiva, dopo sentito il Comando Generale Alleato di Caserta. Fa anche presente l'eventualità che i cinque ufficiali tedeschi, durante il periodo di collaborazione, abbiano a dipendere da un ufficiale alleato, il quale prenderebbe i necessari accordi con le Autorità italiane circa il lavoro che essi dovrebbero compiere e provvederebbe anche alla parte amministrativa e disciplinare.

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Riassumendo, il Presidente Conte Zoppi dichiara essersi stato convenuto nella riunione che i Cimiteri tedeschi di Cervia e Pontecagnano

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vengano assunti dal Ministero dell'Assistenza Post Bellica, al quale viene demandato di prenderli in consegna dalle Autorità Alleate e provvedere alla loro conservazione e sistemazione. Circa la collaborazione dei cinque ufficiali tedeschi, che si occuperanno principalmente del recupero e della identificazione delle salme, verrà presa una decisione da parte delle Autorità italiane non appena sarà conosciuta la risposta del Comando Alleato.

Il Tenente Colonnello Scott fa presente che gli americani provvedono attualmente al mantenimento dei due cimiteri di Pietà (Napoli) e Cefalà (Sicilia), dove però sono sepolti non soltanto soldati tedeschi ma anche molti americani.

Dopo breve discussione, alla quale partecipano il Presidente Conte Zoppi, il Generale Pacini, il Comm. Orlando, la Signora Dupuis e il Colonnello Scott, si conviene che tali cimiteri continuino a rimanere sotto l'amministrazione del Comando Americano.

Il Presidente Conte Zoppi fa presente che l'Italia in omaggio alla Convenzione di Ginevra, si assume un onere non indifferente per la sistemazione e conservazione dei cimiteri tedeschi in Italia ed esprime la fiducia che il Comando Militare Alleato in Germania, a titolo di reciprocità, vorrà subentrare negli obblighi che, in base alla stessa Convenzione, spettano alla Germania a riguardo delle salme dei militari e dei prigionieri di guerra italiani morti in Germania.

Confida, pertanto, che il Comando Alleato vorrà adoperarsi perché, nel territorio tedesco occupato dagli anglo-americani, venga provveduto alla ricerca, al recupero e alla sistemazione in appositi cimiteri delle salme degli italiani ivi sepolte.

HEADQUARTERS ALLIED COMMISSION
APO 79
CIVIL AFFAIRS SECTION

NO/37/N/LR.

Tel: 358

SUBJECT : Action of Germans at Cemetery
of S. Maria del Pianto

2 August 1946

TO : Commissario Generale Giovanni Caduti
in Guerra, Milano

The attached correspondence is forwarded to you for information.

JVV/TH

Encl: 2 copies.

JVV
J. V. VELLA
Captain
Civil Affairs Section

3572

9/53

HEADQUARTERS ALLIED COMMISSION
APO 394
Civil Affairs Section

27 July 1946

AC/37/A/LG

SUBJECT: - German War Graves.

TO : - Il Commissario Generale
Onoranze Caduti in Guerra
Via San Giovanni sul Maro, 18
MILANO.

1. Reference is made to your letter addressed to this Headquarters on 18 June (Prot N. 179 Segreteria).

2. With regard to the request in the third paragraph of your letter, the following information on the points enumerated hereunder, is first required, before any arrangements can be made.

- (a) Is it desired that CERTEL be attached to the Commissariat for all purposes?
- (b) Is his assistance required only in the REDIMI area or throughout the whole of Italy?
- (c) Is he only required in an advisory capacity or together with other specially employed prisoners, forming a graves unit?

For the Chief Commissioner:

JV
M. GARR, Brigadier,
VP CA Section.

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694
5/10

9681

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
APO. 794.

26 AUG 1946
A. 174

23 July, 1946

Ref. : NLG/91/322

SUBJECT : Action of Germans at Cemetery of S. Maria del Pianto.

TO : HQ. Naples Area - C.E.F.

1. I attach a letter from the Sindaco of Naples in which it is alleged that German officers have exhumed bodies in the cemetery of S. Maria del Pianto, a municipal cemetery, without any reference to the local Italian authorities.
2. May this question, please, be investigated, and a reply sent to the Sindaco.

9/2823

J. A. C. PENNYQUICK
Colonel
Chief Liaison Officer
Naples Liaison Group
Allied Commission.

Copy to: A.C. HQ. ✓

Encl.

3570

TRANSLATION

MUNICIPIO DI NAPOLI

No. 6217

19 July, 1946

TO : Colonel J.A.C. PENNYQUICK,
A.M.C. - Naples.

A German Captain and a Lieutenant accompanied by several soldiers have come this morning to the Cemetery of S. Maria del Pianto, and without any authorization and without considering the observations made by the local Office, have exhumed the remains of Austrian corpses located in an enclosure built after the World War 1915-18. No Municipal personnel has partaken to the operation. The remains have been put in a common grave excavated by them.

Now, there is no identification of the remains which had been put in single graves with proper remarks.

Your attention has been drawn to the above for any action you may care to take.

IL SINDACO

sgd/ G. Fermariello

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LOCAL-COVT

9392 72

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 926.23

16 July 1946

19 JUL 1946

SUBJECT: German War Graves.

TO : Chief Commissioner,
Allied Commission,
APO 794.

1. Reference your AG/37/A/16, dated 24 June 46, with which were enclosed copies of letters from the Italian Commissariat for War Graves and German POW, Oberzahlmeister ROOM ORTEL.
2. There is no objection in principle to ORTEL assisting the Commissariat. Information on the points enumerated in para 3 is, however, first desired.
3. a. Is it desired that ORTEL be attached to the Commissariat for all purposes?
b. Is his assistance required only in the RIMINI Area or throughout the whole of Italy?
c. Is he only required in an advisory capacity or together with other SZF forming a Graves unit?
4. On receipt of your reply, the required arrangements will be made.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

[Signature]
A. L. HANBLEN
Colonel, G.S.C.
Assistant Chief of Staff, G-5.

*Above letter
according to the Chief
Clerk 2 C S/C was given
to Major W. L. Jones on 19 July
14 appears that no action was
taken. 27 JUV copy
JHS*

3568

9435

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 926.23

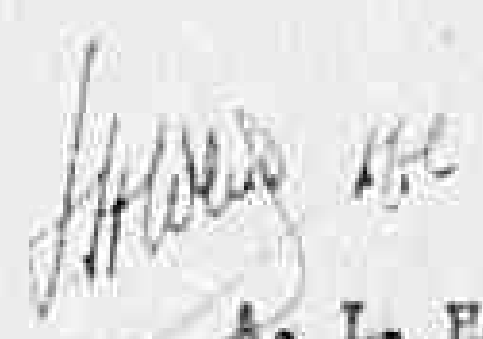
16 July 1946

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TO : Chief Commissioner,
Allied Commission,
APO 794.

1. Reference your AC/37/A/16, dated 24 June 46, with which were enclosed copies of letters from the Italian Commissariat for War Graves and German POW, Obersahlmeister EGOW CERTEL.
2. There is no objection in principle to CERTEL assisting the Commissariat. Information on the points enumerated in para 3 is, however, first desired.
3. a. Is it desired that CERTEL be attached to the Commissariat for all purposes?
b. Is his assistance required only in the RIMINI Area or throughout the whole of Italy?
c. Is he only required in an advisory capacity or together with other SEP forming a Graves unit?
4. On receipt of your reply, the required arrangements will be made.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:


A. L. FAMBLYN
Colonel, G.S.C.
Assistant Chief of Staff, G-5.

3567

TRANSMISSION

129,71

CONSIGLIO GENERALE STRAORDINARIO DEL GOVERNO CIVILE
CAPOIN IN CHIESA IN ITALIA ED ESTERO

SUBJECT: - Military Personnel for the care of War-Dead.

NO : - AD HQ - Rome

1. The Extraordinary General Commissioner for honoring the war-dead in Italy and abroad (depending upon the Ministry of Post-War Assistance since Sept. 8 1945) is the Italian Organization incharged with the care and the systemation all the Italian and German war-dead buried in Italy.
2. Until Sept. 8 1945 the General Commissariat used to have at its disposal to carry on its tasks the C.O.S.C.G. (Central Office for Care and Honouring of War-dead bodies); such office used to have a large number of military personnel carrying on functions similar to those still accomplished by Allied Forces War Graves Registration.
3. The Ministry of War is now ~~reorganizing~~ ^{reorganizing} said military personnel from their duties as it is not foreseen in the staff of the temporary Italian Army authorized by the Allied Military Authorities.

4. The failure of the authorization of a Military Organization for the care of the bodies of war-dead (C.O.S.C.G.) is causing serious difficulties to the work on account of the unemployment of trained military personnel; besides, it puts the Italian Army in the condition not to have, like all other Armies, a military Organization for the care of its dead.

5. To avoid such great inconvenience for our Army I would be pleased to you, who know our work, if you could have the Allied Military Mission interested in the matter; they would study the possibility to allow that, in the staff planned for the Italian Army, be authorized the existence of a small military organization for the care of the bodies of war-dead; such organization should still be the C.O.S.C.G., which was created in 1920 and which is now forced to close down.

6. Considering the present situation, the army establishment for the central directive office of said organization should be, we suggest, restricted to 5 officers and 10 men between non commissioned officers and soldiers, while the material work would be performed by civilian personnel.

7. As for the Italian Army no military organizations similar to your War Graves Registration were foreseen, we trust that the Allied Military Mission, considering the necessity that the care of war-dead be taken by military personnel and not by

4. The failure of the authorization of a Military Organization for the care of the bodies of war-dead (C.O.S.G.A.) is causing serious difficulties to the work on account of the unemployment of trained military personnel; besides, it puts the Italian Army in the condition not to have, like all other Armies, a military Organization for the care of its dead.

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6. Considering the present situation, the army establishment for the central directive office of said organization should be, we suggest, restricted to 5 officers and 10 men between non commissioned officers and soldiers, while the material work would be performed by civilian personnel.

7. As for the Italian Army no military organizations similar to your War Graves Registration were foreseen, we trust that the Allied Military Mission, considering the necessity that the care of war-dead be taken by military personnel and not by civilians, will not have any difficulties either to raise up the army establishment authorized to Italy with 15 more men for the care of war-dead, or to include such number in the establishment already planned.

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II. COMMISSARIO GENERALE SPACCHINISARIO
(Brigadier General of the Italian Army
LIVIGNO (TICINO))

COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO

ONORANZE CADUTI IN GUERRA IN ITALIA ED ALL'ESTERO

MILANO

Via S. Giovanni sul Muro, 16 - Telefono 17.327

15 LUG 1946

12 Luglio 1946

Protocollo N. 180 Segreteria

Riferimento Inglese

Indirizzo al COMANDO COMMISSIONE ALLEATA
APQ 394
Sezione Affari Civili

R O M A

oggetto: Personale Militare per la tutela dei Caduti di Guerra.

1. Il Commissario Generale Straordinario per le Onoranze ai Caduti di Guerra in Italia ed all'Estero (passato alle dipendenze del Ministero Assistenza Post-bellica dal settembre 1945) è l'Ente Italiano incaricato della tutela e della sistemazione di tutti i Caduti Italiani e Tedeschi sepolti in Italia.
2. Fino all'8 settembre 1943 il Commissario Generale aveva a disposizione per il disimpegno dei suoi compiti l'Ufficio Centrale Cure Onoranze Salme Caduti Guerra (C.O.S.C.G.) con numero so personale militare che svolgeva funzioni identiche a quelle svolte, ancora attualmente, dai Graves Registration delle Forze Armate Alleate.
3. Il Ministero della Guerra sta ora ritirando questo personale militare in quanto esso non è previsto nell'ordinamento dell'Esercito Italiano di transizione autorizzato dalle Autorità Militari Alleate.
4. Questo mancato riconoscimento di un Ente Militare per la tutela delle Salme Militari (Ufficio Centrale C.O.S.C.G.) non solo

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Indirizzo: IL COMANDO COMMISSIONE ALLEATA
AFQ 394
Sezione Affari Civili
R C M A

Personale Militare per la tutela dei Caduti di Guerra.

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3. Il Ministero della Guerra sta ora ritirando questo personale militare in quanto esso non è previsto nell'ordinamento dell'Esercito Italiano di transizione autorizzato dalle Autorità Militari Alleate.
4. Questo mancato riconoscimento di un Ente Militare per la tutela delle Salme Militari (Ufficio Centrale C.O.S.C.G.) non solo viene a creare notevoli difficoltà di lavoro con il ritiro del personale militare specializzato, ma mette l'Esercito Italiano in condizione di non avere, come hanno tutti gli altri Eserciti, un organismo militare per la cura dei suoi morti.

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5. Per ovviare a questa deficienza sarei grato a cotesta Commissione, che conosce il nostro lavoro, di voler interessare in proposito la competente Missione Militare Alleata perchè voglia esaminare la possibilità di consentire che nell'ordinamento stabilito per l'Esercito Italiano venga contemplato l'esistenza di un piccolo Ente Militare per la tutela delle Salme Militari: Ente che continuerebbe ad essere l'Ufficio Centrale C.O.S.O.C. (creato nel 1920) ed ora in via di soppressione.
6. Data l'attuale situazione l'organico che si propone è limitato a 5 ufficiali ed a 10 uomini fra sottufficiali e truppa che costituirebbero la parte centrale direttiva mentre il lavoro materiale verrebbe affidato a personale civile.
7. Poichè per l'Esercito Italiano non è stato previsto nessun Ente Militare come i Graves Registration, sono sicuro che la Missione Militare Alleata, rendendosi conto della doverosa necessità che alla tutela di caduti militari provveda anche per il personale militare e non solo civile, non avrà difficoltà ad aumentare il contingente militare concesso all'Italia di 15 unità da destinarsi alla tutela dei caduti di Guerra od a includere queste 15 unità fra il contingente autorizzato.

IL COMMISSARIO GENERALE STRAORDINARIO
(Generale di Corpo d'Armata Leonida Pacini)



Leonida Pacini

6. Data l'attuale situazione l'organico che si propone è limitato a 5 ufficiali ed a 10 uomini fra sottufficiali e truppa che costituirebbero la parte centrale direttiva mentre il lavoro materiale verrebbe affidato a personale civile.
7. Poichè per l'Esercito Italiano non è stato previsto nessun Ente militare come i Graves Registration, sono sicuro che la Missione Militare Alleata, rendendosi conto della doverosa necessità che alla tutela di Caduti militari provveda anche per il contingente militare e non solo civile, non avrà difficoltà ad aumentare il contingente militare concesso all'Italia di 15 unità da destinarsi alla tutela dei Caduti di Guerra od a includere queste 15 unità fra il contingente autorizzato.



IL COMMISSARIO GENERALE STRAORDINARIO
(Generale di Corpo d'Armata Leonida Pacini)

Leonida Pacini

2008

2008

XXI 794

Ref: 689/EC.

10 July 1946.

SUBJECT: German Dead in Italy.

TO : Lt.Col. J. de Salis,
 Liaison Section,
 Advanced AFHQ,
 c/o Rome Area Allied Command.

1. In reply to your letter APL 511 of 27 June 46, this matter is being handled by Local Government Sub-Commission in the Civil Affairs Section of this HQ.

2. The situation briefly is that G-5 AFHQ directed us to obtain from the Italian Government undertakings to assume very wide responsibilities for the care of German war graves in Italy. The Italian Govt. have given the undertakings desired but have at the same time drawn attention to their very limited obligation under international law. Legal opinion has been taken and it is agreed that the obligations of Italy in this matter according to the Geneva Convention are strictly limited.

3. The Italian responsibilities, therefore, are less wide than you state in your second paragraph. As far as the Geneva Convention goes, the responsibilities rest with the Allies and not with the Italian Government. The original directions of AFHQ to us, however, went considerably beyond the terms of the Convention; and any such extra responsibilities would have to be regulated by an agreement between the Italian Government and whatever authority now represents the German State. All this has been referred to AFHQ for consideration.

4. You will see that full action has already been taken by us to induce the Italian Government to undertake the very wide responsibilities that AFHQ desire and that Italy has not only given the desired undertakings but is making an effort to carry them out. The Conference of 11 July which you mention is evidently a step towards perfecting Italy's organisation to carry out the undertakings they have given to this HQ. I do not think that either of us should intervene in this Conference in any way.

5. As to the possibility of help from the Vatican, I observe that you have already drawn the attention of the Italian Government to this through the British and Italian Ministers to the Holy See. I think this point should now be left to the Italians to pursue. They have undertaken the responsibilities and how and with what help they carry them out is their affair.

For the Chief Commissioner:

Copy to: Civil Affairs
 Section.

MSL/JG.

M S LUSH 3564

Brigadier,
 Executive Commissioner.

22.

DATE

(6)

PAGE

1/7/46

To Executive Commissioner:

1. This whole question is in full action between the Ministry of Post-War Assistance and the Italian Commission in Milan (see para 4 (c) of folio 2) on the Italian side and Local Government S/C through this Section to AFHQ. Much has happened since DAG wrote to Col. de Salis on 16 April.
2. The situation briefly is:-
 - a. AFHQ directed this Hq to obtain from the Italian Government undertakings to assume very wide responsibilities for the care of German war graves in Italy;
 - b. The Italian Govt. have given the undertakings desired and are beginning -slowly but genuinely- to carry them out;
 - c. At the same time the Italian Govt. have drawn attention to their very limited obligations under international law;
 - d. Legal S/C agree with the Italian Govt. that their obligation under the Geneva Convention are strictly limited;
 - e. This situation has been referred to AFHQ for further instructions.
3. The statement in para 2 of folio 2 is therefore not correct. As far as the Geneva Convention goes, responsibility rests with the Allies and not with the Italian Govt., as AFHQ have assumed. If it is desired to go beyond the terms of the Convention, that is a matter between the Italian Govt. and whatever authorities now represent the German State -presumably AD Germany. All this is before AFHQ for consideration.
4. Any interference in this matter by Advanced AFHQ will only complicate the issue and cause confusion.
5. As to help from the Vatican (see para 2 folio 2) this is exclusively a matter for the Italian Govt.. Col. de Salis has drawn their attention to the possibility through the British and Italian Ministers to the Holy See. It is for the Italians to explore further possibility of such help - if they want to.
6. The conference of 11 July, referred to in para 4 of folio 2, is obviously a step by the Italian authorities concerned towards perfecting the organization required to carry out the undertakings they already given. It should be left to them. Neither this Hq nor Advanced AFHQ should attend the conference.

2 (1 & 2) in the file

N.B. - This minute & p. 21
 copied from file 689/EC

OGRW/an

Ch
 1/4/46

(Sd) M. Carr, Brigadier

3563

H. OARR,
 Brig.
 VP CAS

Telephone 66347

COPY

1946

ADVANCED ALLIED FORCE HEADQUARTERS

LIAISON SECTION

ROME AREA ALLIED COMMAND

C.M.F.

N.B. - This letter v p.22
copied from file 689/EC
G.S. 17/46

ROME, 27th June, 1946

Reference, AFM. 511SUBJECT: German Dead in Italy.

TO: Brigadier M. Lush,
Executive Commissioner,
Allied Commission.

1. With reference to our telephone conversation this morning.
2. Brigadier J.L.C. Napier, DAG. AFHQ. wrote to me on the 16th April asking whether there was a possibility of the Vatican helping us in the matter of German dead in Italy.

I accordingly communicated with Sir D'Arcy Osborne, who brought the matter to the attention of the Italian Ambassador to the Holy See. Finally the result was that I had a conversation with Marchese CHIARI of the Ministry of Foreign Affairs.

3. The position is, the responsibility for German dead and graves is that of the Italian Government, under the Geneva Convention. We have, since March 1945, been trying to get the Italian Government to take action generally, and especially in connection with German dead in the Polish Military Cemetery at CASSENO, and with the German Cemetery at PORTOCACCIANO.

4. There are between eight hundred and one thousand German graves in the NAPLES-SALERNO area, which have never been concentrated, and the International Red Cross have recently made representations that these graves are being dug up by dogs. It is essential to get these graves dealt with at once, since I understand that the Italian Government will not allow exhumations during the summer. Brigadier Napier adds that the neglect of this business has been "nothing less than a scandal, and is reacting most unfavourably on the International Red Cross and also upon the German Prisoners of War".

5. It has now been proposed that there shall be a Conference at the Ministry of Foreign Affairs, Palazzo Chigi, at ten a.m. on Thursday 11th July, at which representatives of the following will be present.

1. With reference to our telephone conversation this morning.

2. Brigadier J.L.C. Napier, D.G. AMHQ, wrote to me on the 16th April asking whether there was a possibility of the Nation helping us in the matter of German dead in Italy.

I accordingly communicated with Sir P'Arcy Osborne, who brought the matter to the attention of the Italian Ambassador to the Holy See. Finally the result was that I had a conversation with Marchese CHIAVARI of the Ministry of Foreign Affairs.

3. The position is, the responsibility for German dead and graves is that of the Italian Government, under the Geneva Convention. We have, since March 1945, been trying to get the Italian Government to take action generally, and especially in connection with German dead in the Polish Military Cemetery at CASSINO, and with the German Cemetery at MONTECASSINO.

4. There are between eight hundred and one thousand German graves in the NAPLES-LATINO area, which have never been concentrated, and the International Red Cross have recently made representations that these graves are being dug up by dogs, it is essential to get these graves dealt with at once, since I understand that the Italian Government will not allow exhumations during the summer. Brigadier Napier adds that the neglect of this business has been "nothing less than a scandal, and is reacting most unfavourably on the International Red Cross and also upon the German Prisoners of War".

5. It has now been proposed that there shall be a Conference at the Ministry of Foreign Affairs, Palazzo Chigi, at ten a.m. on Thursday 11th July, at which representatives of the following will be present.

- (a) Presidency of the Council of Ministers.
- (b) Ministry of Assistenza Post-Bellica.
- (c) Italian Commission at MILAN. (Principal Branch)
- (d) No. 9 Office of the Ministry of Foreign Affairs.
- (e) Ministry of Public Works.
- (f) International Red Cross.

6. (a) No. 9 Office at the Ministry of Foreign Affairs deals with;

- (a) Prisoners of War.
- (b) Civil Internees.
- (c) Protection of Italians abroad.
- (d) Military War Criminals.
- (e) War crimes, prosecution, collaboration.
- (f) WAR GRAVES AND CEMETERIES.

7. The Head of No. 9 Office at the Ministry of Foreign Affairs is the Marchese CHIAVARI.

8. Brigadier Napier would be most grateful for any action which would induce the Italian Government to carry out their responsibilities and it would very much appreciated if you would very kindly also take action to that end: i.e. that they should prepare a programme of action to be put into effect as soon as the Conference has given formal approval, and discussed ways and means.

John de Salis
Signed Lt Colonel

File 607

HEADQUARTERS ALLIED COMMISSION
APO 79
LOCAL GOVERNMENT SUB-COMMISSION

M/37/NIC

Tel. 226

SUBJECT: German War Graves

24 June 1946

TO : AFHQ: G-5 Section

1. Herewith in duplicate copy letter (ref. 179 Segreteria) Italian Commissariat General for War Graves to this HQ dated 18 June with copy of the enclosure therein mentioned and English translations.
2. My instructions please be furnished as to reply to be given to the Commissariat.

C/W

CORY/oa

G. G. R. WILLIAMS
Major
Local Government Sub-Commission

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9/05

CA See
845866
JUN 20 RECD

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 926.23

18 June 1946

JUN 19 1946

SUBJECT: German War Graves.

TO : Chief Commissioner
Allied Commission
APO 794

Please state what the position now is. This Headquarters has had no communication from you since its letter of 25 April.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

[Signature]
A. L. HAMBLIN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

*Local Govt 9C
plc 21/6*

*N.A. required - the above covered in the last
with fo. 64.*

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371 X
COMMISSARIO GENERALE SPACCHINARIO DEL GOVERNO
Onoranze Caduti in guerra in Italia ed all'estero
MILANO

SUBJECT: German dead

18 June 1946

TO : Allied Commission
Civil Affairs Section

W 21 JUN 1946

1. Herewith attached is a copy of the letter received by a German prisoner of war, Oberzahlmeister Egon Certei.
2. In consideration of the difficult work to carry out for the German dead, the Certei's help may be very useful.
3. Therefore we ask for the authorisation to get in touch with him and, if it is considered opportune, to let him know have the requested permission.

Il Capo Ufficio
Ten. Col. A. Chiappetti

3559

65A

Egon Certel
 Oberstaatsanwalt
 Gräber-Erkundung
Deutsches Hauptquartier-Rimini-Miramasare

Cervia June 8 1946

W 21 JUN 1946

TO: Commissario Straordinario Generale del Governo
per le onoranze dei Caduti in guerra.

I was entrusted by British Authorities with the task to look around and detect in the area of the Provinces of Forlì and Pesaro the graves of the German soldiers dead in the last war. Most of the bodies are carried and buried in the Cemetery of the German Dead at Cervia.

During the interviews had with the Sindaci of the Communes, your circular was submitted to me. With much pleasure I read that An High Italian Commissariat had been constituted in order to give the Dead a worthy burial. During my travels I could also see that several Communes had already given instructions for the burial in their cemeteries, as for instance: - Forlì, Cesena, San Mauro, Savigliano, Borgi.

Unfortunately a great part of these dead remains unknown and an identification will be impossible for ever. Since 8 months I am busy in detecting these bodies, and I take leave to submit to you some advices in order to facilitate in future the identification of the bodies.

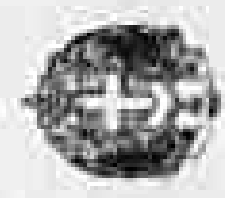
It should be necessary:

1. that crosses deteriorated by air, with inscriptions not easily readable, be collected and, furnished by the new number of burial, be kept in a covered place in order to avoid further deteriorating. It will be so easy for the Germans to decipher the names and data at the opportune time.
 2. that eventual identification placards found on the graves disinterred be fixed on the stone of the new grave. The placards will be found almost always on the chest of the body or fixed on the button-hole of the little pocket at the part of the pants.
 3. that documents or letters written almost always in gothic, and therefore not readable for the Italians, and personal things of the dead be kept in envelopes bearing the new number of burial.
- + that the documentation of the first grave be kept; in fact there is the almost exact registration of the places of burial for more than 80.000 German dead.

In case it could be possible for me personally to collaborate within this General Commissariat so that I may continue my work of humanity, I would beg you to provide so that British Authorities are issuing for me a license. Since 1941 I work as director of the cemetery's administration and since that date I have the Red Cross identity card.

Waiting your kind answer, faithfully yours

Signed Egon Certel.



COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO

ONORANZE CADUTI IN GUERRA IN ITALIA ED ALL'ESTERO

MILANO

Via S. Giovanni sul Muro, 18 - Telefono 13.327

Milano, 18 giugno 1946

Protocollo N. 179 Segreteria

Inviato al COMANDO COMMISSIONE ALLEATA
APQ 384
Sezione Affari Civili
ROMA

(att.: Major Williams)

Oggetto: Caduti Germanici.-

1. Da un prigioniero germanico, Oberzahlmeister Egon Oertel ho ricevuto la lettera che allego in copia.
2. In considerazione del difficile lavoro da svolgere per i caduti tedeschi, si ritiene che l'aiuto dell' Oertel possa essere molto utile.
3. Si chiede pertanto di essere autorizzati a prendere contatto con lui e, se si ritiene opportuno, fargli concedere la licenza richiesta.



IL CAPO UFFICIO
Ten. col. Antonio Chiapetti

3557

(att.: Major Williams)

ROMA

OGGETTO: Caduti Germanici. -

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IL CAPO UFFICIO
(ten.col. Antonio Chiapetti)

Chiapetti

3557

Esce in file 20/6

15/6

C o p i a

Egon O e r t e l

Oberzahlmeister

Gräber-Erkundung

Deutsches Hauptquartier - Rimini-Miramare

65C

Cervia il 8. Giugno 1946

Al Commissariato Generale Straordinario del
Governo per le onoranze ai Caduti di Guerra

Via San Giovanni sul Muro N. 16 M I L A N O

Le Autorità Inglesi mi hanno dato l'incarico di ricercare nella area delle provincie di Forlì e Pesaro le tombe dei militari tedeschi caduti nell'ultima guerra. Per la miglior parte le Salme vengono trasportate ed inumate nel Cimitero dei Caduti Tedeschi a Cervia.

In occasione dei colloqui avuti coi Sindaci dei Comuni mi venne sottoposta la Vostra circolare, dalla quale rilevo con gran piacere la costituzione di un alto Commissariato Italiano per dare ai Caduti un degno posto di sepoltura.

Nel corso di miei viaggi ho potuto constatare che diversi Comuni hanno già disposto il seppellimento nei relativi Cimiteri, come per esempio:- Forlì, Cesena, San Mauro, Savigliano, Borghi, ecc.

Fur troppo una gran parte di questi Caduti rimane sconosciuta ed una identificazione sarà impossibile per sempre.

Sono occupato da otto mesi alla ricerca di queste Salme, mi permetto pertanto sottoporvi alcuni miei consigli atti a facilitare in futuro l'identificazione dei Caduti.

Sarebbe necessario:

1.) che Croci deteriorate dall'aria, con iscrizioni poco leggibili o in parte mancanti siano raccolte e munite del nuovo numero d'interramento, conservate in luogo coperto ad evitare ulteriore deterioramento.

Sarà così facile a Tedeschi di decifrare dai frammenti i nomi e dati al momento opportuno.

2.) - che eventuali placche di identificazione ritrovate sulle tombe esumate, siano fissate sulla lapide della nuova tomba.

Le placche si troveranno quasi sempre sul petto del Morto o

tedeschi caduti nell'ultima guerra, per la miglior parte le Salme vengono trasportate ed inumate nel Cimitero dei Caduti Tedeschi a Cervia.

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Le placche si troveranno quasi sempre sul petto del morto o fissate alla calzoniera nella piccola tasca dell'orologio alla parte destra dei calzoni.

- 3.) che documenti o lettere scritte quasi sempre in carattere gotico e così non leggibile agli italiani e oggetti personali dei Caduti siano conservate in buste munite col nuovo numero d'interramento.

- 4.) che sia mantenuta la documentazione della prima tomba, giacché esista per oltre 80 mila Caduti Tedeschi la registrazione quasi esatta dei luoghi e posti di seppellimento.

./.

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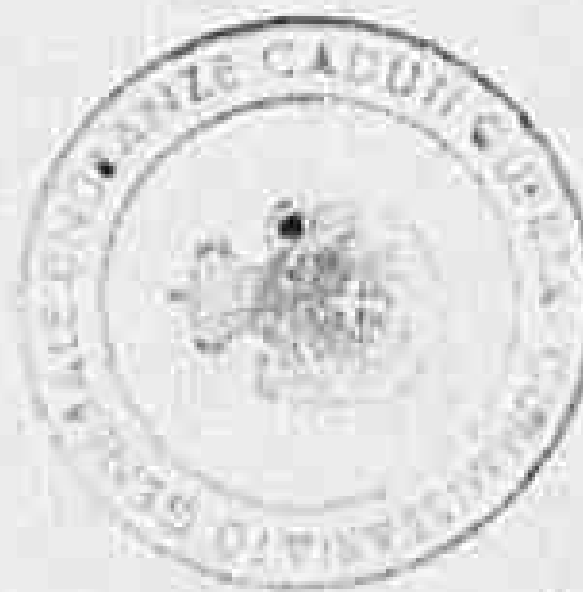
Nel caso che nell'ambito di codesto Commissariato Generale si trovasse la possibilità di una mia personale collaborazione onde poter io proseguire il mio lavoro di umanità, sarei a pregarvi di provvedere affinché le Autorità Inglesi mi diano una licenza.

Dal 1941 mi trovo al servizio di lazzeretto quale dirigente di amministrazione e possesso da codesta data la carta d'identità della CROCE ROSSA.

In attesa di un Vostro gentile riscontro

con la massima stima Vi saluto.

Firmato: EGON CERTEL



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Firmato: EGON OERTEL



HEADQUARTERS ALLIED COMMISSION
AFC 794
LOCAL GOVERNMENT SUB COMMISSION

AC/37/A/LB

Tel: 314

15 June 1946

SUBJECT: German War Graves

TO: AMHQ, C-5 Section

1. As arranged with Lt Col S. H. SMITH when he visited this office last week, herewith are inclosed in triplicate copies of the documents listed overleaf.

2. It will be observed that the letter of 17 April from the Italian War Graves Commissariat (paper No. 1) does not appear to give the undertakings desired in all their completeness, inasmuch as the Commissariat states that it (a) has not provided for German military cemeteries and (b) does not intend for the moment to concentrate scattered bodies. Similarly the letter from the Prime Minister of 24 April (paper No. 2) makes no mention of German military cemeteries. This is however corrected by the later letter from the Prime Minister of 3 June (paper No. 5), which does give in its second paragraph an undertaking to begin work on the concentration of scattered bodies and does indicate that the Italian Government are willing to take charge of German military cemeteries if they may be formally handed over.

3. It will also be observed that the Commissariat in their letter of 17 April (paper No. 1) raises questions as to the liability of the Italian Government under international law. In view of this it was thought desirable to obtain an opinion on the subject. The case submitted to Legal Sub Commission, this HQ, and the opinion thereon of the Deputy Chief Legal Adviser are at papers 3 and 4. This opinion supports the view that the legal obligations of the Italian Government are limited.

4. It would appear therefore to be necessary to contemplate the making of an agreement with the Italian Government for them to undertake the functions desired. It is for consideration whether such an agreement should be a formal legal document and with whom it should be made as representing the German interest in the graves and cemeteries of German soldiers. For this purpose it may be necessary to refer to AG Germany.

5. The question raised by the Prime Minister in his last letter (paper No. 5) as to a formal handing over of German military cemeteries to the Italian Government, also be dealt with in such an agreement.

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5. The question raised by the Prime Minister in his last letter (paper No. 5) as to a formal handing over of German military cemeteries to the Italian Government could, it would seem, also be dealt with in such an agreement.

RLY
RALPH R. HERRICK
Major
Director
Local Government Sub Commission

3555

cc/af/rxc

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37A
COMMISSARIATO GENERALE STRAORDINARIO
CADUTI GUERRA
Via S. Giovanni sul Muro N. 18

Milano 5 Giugno 1946

W. 13 JUN 1946

N. 1261 Inf

Answer to letter AS/37/2/LG
of the 23 May 1946

Subject : Corpses of German soldiers.

To : Local Government Sub-Commission R./AC

- 1- This Commissariato Generale, which is in charge of German war graves since the 15 April 1946, has instructed the Communal Authorities of Cava dei Tirreni to provide convenient internment for the corpses of German soldiers left there by the belligerents.

The chief of the Office
Lt. Col. Antonio Chiappetti.

jc

2554

9328

COMMISSARIATO GENERALE STRAORDINARIO

CADUTI IN GUERRA

Via S. Giovanni sul Muro N. 18

N. 1261 Inf.

Milano 5 Giugno 1946

Rif. foglio AC/37/2/LG del
23 Maggio 1946 -

HEADQUARTERS ALLIED COMMISSION

APO 794

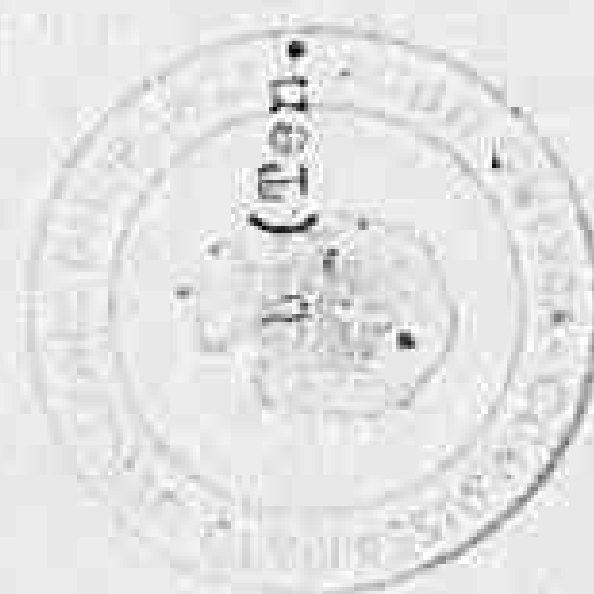
LOCAL GOVERNMENT SUB COMMISSION

OGGETTO : Salme Caduti
Germanici -

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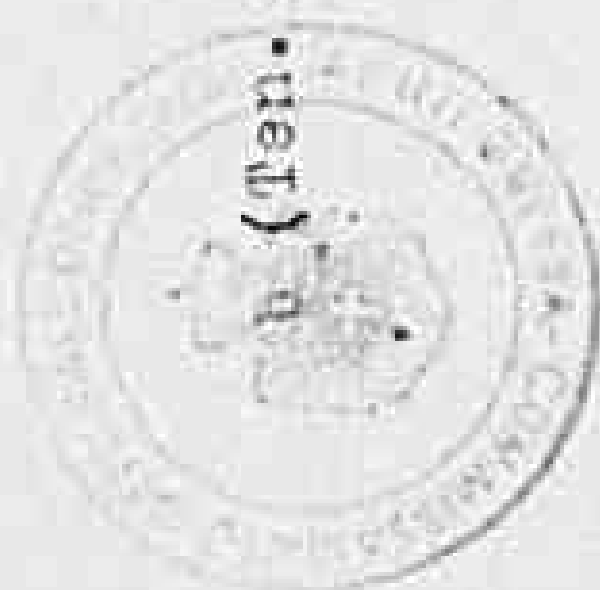
1) -

Questo Commissariato Generale incaricato della cura e sistemazione dei Caduti Germanici dal 15 Aprile 1946, ha dato disposizioni alle Autorità Comunali di Cava dei Tirreni di provvedere al ricupero ed a dare una onorata sepoltura alle Salme dei tedeschi lasciate abbandonate dai belligeranti in quella località.-

IL CAPO UFFICIO
(Ten. Col. Antonio Chiappetti)

1) -

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IL CAPO UFFICIO
Col. Antonio Chiappetti)

Chiappetti

3553

9328

CAB 62

MC

TRANSLATION

THE MINISTER OF FOREIGN AFFAIRS

6 JUN 1946

6 JUN 1946

18579/33

Rome, 3 June 1946.

Dear General,

I refer to your letter AC/37/LG of 9 April 1946 and am pleased to inform you that the Ministry of Postwar Assistance has already given instructions to the General Commissariat for Honoring the Fallen to provide to the collection and systematization of the German dead.

Until now same Commissariat has already undertaken the research and registration of the graves of German soldiers buried in civilian cemeteries or in isolated sepultures, and will ~~soon~~ ^{as soon as possible} begin to work at the concentration of the latter ones in order to insure that the bodies can be easily found again.

On the other hand

Instead, no steps have yet been taken for the concentration of the bodies buried by the Germans in military cemeteries, inasmuch as such cemeteries have not been handed over to the ~~above~~ ^{above} said Commissariat General until now. It would be therefore necessary that the Allied Commission let know the Commissariat General for Honoring the Fallen which are the German organizations or authorities with which said Commissariat could agree upon the necessary measures.

In relation to the above the Commissariat General for Honoring the Fallen will not fail to take the necessary steps in order to determine also the systematization of the bodies buried by the Germans in military cemeteries.

/s/ De Gasperi

Brig. M.S. LUSH
Allied Commission
Rome.

Local Gov. S/C.
6 June.

ECDIST-5 June.

ACTION- CAB (2)

INFO- CC

- EC

3552



9234

62A
18528/33
Il Ministro degli Affari Esteri

Roma, li 10 giugno 1949

26 GIU 1949

Signor Generale,

mi riferisco alla di Lei lettera N. AC/37/LG del 9 aprile us. e mi è gradito comunicarle che il Ministero dell'Assistenza Post-Bellica ha già dato disposizioni al Commissariato Generale per le Onoranze ai Caduti per provvedere alla raccolta e sistemazione dei caduti germanici.

Sinora il Commissariato stesso ha già provveduto alla ricerca e registrazione delle tombe dei caduti germanici tumulati in cimiteri civili o isolatamente sepolti ed inizierà quanto prima i lavori per il concentramento di questi ultimi allo scopo di garantire che le salme possano essere facilmente ritrovate.

Nessuna disposizione è stata invece ancora presa per i concentramenti di salme sepolte dai tedeschi in cimiteri militari, in quanto tali cimiteri non sono sinora stati dati in consegna al predetto Commissariato Generale. Sarebbe pertanto necessario che co-desta Commissione Alleata facesse conoscere al Commissariato Generale per le Onoranze ai Caduti quali siano gli Enti o le Autorità tedesche colle quali il predetto Commissariato possa prendere opportuni accordi.

In relazione a quanto sopra il Commissariato Generale per le Onoranze ai Caduti non mancherà di prendere opportune misure per definire altresì la sistemazione delle salme sepolte dai tede-

0910

Sinore il Commissariato stesso ha già provveduto alla ricerca e registrazione delle tombe dei caduti germanici tumulati in cimiteri civili o isolatamente sepolti ed inizierà quanto prima i lavori per il concentramento di questi ultimi allo scopo di garantire che le salme possano essere facilmente ritrovate.

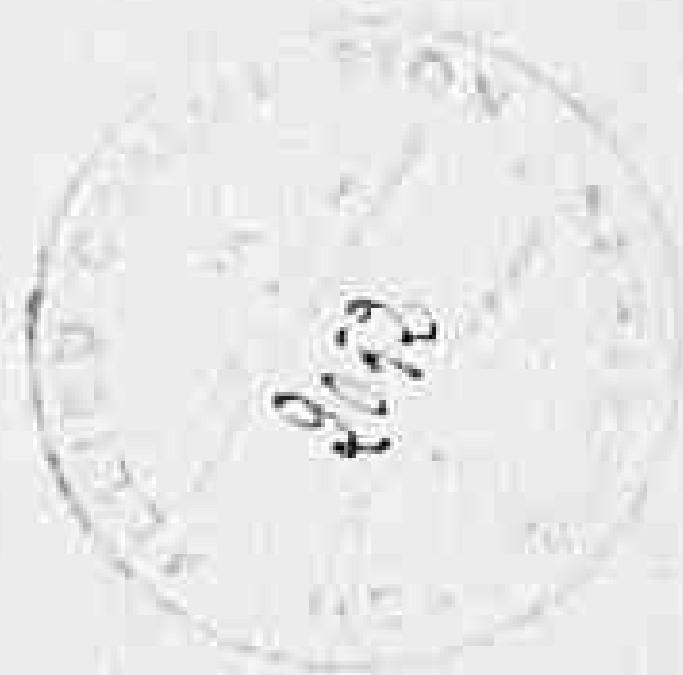
Nessuna disposizione è stata invece ancora presa per i concentramenti di salme sepolte dai tedeschi in cimiteri militari, in quanto tali cimiteri non sono sinora stati dati in consegna al predetto Commissariato Generale. Sarebbe pertanto necessario che questa Commissione Alleata facesse conoscere al Commissariato Generale per le Onoranze ai Caduti quali siano gli Enti o le Autorità tedesche colle quali il predetto Commissariato possa prendere opportuni accordi.

In relazione a quanto sopra il Commissariato Generale per le Onoranze ai Caduti non mancherà di prendere opportune misure per definire altresì la sistemazione delle salme sepolte dai tedeschi nei cimiteri militari.

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Generale M.S. LUSCH
COMMISSIONE ALLEATA

R O M A



7234

CA Sec 62

TRANSLATION

THE MINISTER OF FOREIGN AFFAIRS

18879/53

Rome, 3 June 1946.

Dear General,

I refer to your letter AC/37/10 of 9 April 1946 and am pleased to inform you that the Ministry of Postwar Assistance has already given instructions to the General Commissariat for Honoring the Fallen to provide for the collection and systematization of the German dead.

Until now some Commissariat has already undertaken the research and registration of the graves of German soldiers buried in civilian cemeteries or in isolated sepulchres, and will ~~now~~ ^{soon as possible} begin to work at the concentration of the latter ones in order to insure that the bodies can be easily found again.

On the other hand

Instead, no steps have yet been taken for the concentration of the bodies buried by the Germans in military cemeteries, inasmuch as such cemeteries have not been handed over to the ~~above~~ ^{above} said Commissariat General until now. It would be therefore necessary that the Allied Commission let know the Commissariat General for Honoring the Fallen which are the German organizations or authorities with which said Commissariat could agree upon the necessary measures.

In relation to the above the Commissariat General for Honoring the Fallen will not fail to take the necessary steps in order to determine also the systematization of the bodies buried by the Germans in military cemeteries.

/s/ De Gasperi

3550

Brig. G.S. LUCH
Allied Commission
Rome.

EC DIST - 5 June

ACTION - CA Sec (2)

INFO - CC

- EC

2058

9234

File 61

HEADQUARTERS ALLIED COMMISSION
APO 794
LOCAL GOVERNMENT SUB COMMISSION

AD/37/N/16

23 May 1946

SUBJECT: German War Graves

TO : El Comissario Generale
Giuseppe Gatti in Charge
Via San Giovanni sul Mare 18
Milano

1. Reference is made to your letter addressed to this Headquarters on 17 April (Prot. N. 112 Segreteria).
2. With regard to the request in the third paragraph of your letter you are authorized to make direct contact with the German Graves Unit at Merano in order to secure information as to the location of cemeteries constructed by the German Army and as to the persons buried in them.
3. A reply will be sent to the remainder of your letter in the near future.



RALPH R. SHURTLE
Major
Director
Local Government Sub Commission

CCS/rbc

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Local 9: 8/c



SUBJECT : German War Graves.

In order to clarify the question submitted for opinion it is necessary to make the following distinctions:

- a) soldiers who fell on the battlefield
- b) soldiers who fell in consequence of actions carried out by the partisans

As regards para a) above a further distinction should be made :

- 1) soldiers who fell on battlefields where Anglo-American forces have operated
- 2) soldiers who fell on battlefields where Italian forces have also operated.

A double distinction should be made in regard to the obligations arising from the Geneva Convention of 27 July 1927.

From the chronological point of view :

- 1) Obligations to be performed at the time when hostilities on the battlefield have ceased
- 2) obligations to be performed during the period following on 1) above.
- 3) obligations to be performed at the time of the final cessation of hostilities

During each of the periods just mentioned are corresponding obligations as follows: 3548

- 1) collecting and if possible, medical examination of the bodies
- 2) burial, communication of the names of the dead

- 2 -

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and care of the graves.

3) communication of the location of the graves.

Said obligations are personal to the belligerents without any regard to the place where the battle occurred.

From the above it follows that:

A) The course of action suggested in the last clause of para 2 of minute (7) (exhumation and re-burial) is neither the duty of the Italian Government nor that of the American and British because it is not laid down by the Convention.

B) The action suggested in para 2 a) of (7) is the exclusive responsibility of the Allied Military Authorities even for the dead on the battle-fronts held by Italian units (Regular Army or Partisans) because Allied Forces are the belligerent remaining in possession of the battlefield

The same opinion must be held as regards the action mentioned in 2 b) of (7) bearing in mind that the burial would have been carried out by the care of the Commandos of the various military units (English, French, Italian, Polish etc.) The maintaining of the graves as mentioned in 2 c) of (7) is equally entrusted to the Allied Authorities keeping in mind that their obligation will last not perpetually but only until an agreement on this matter is reached. These matters are customarily the subject of special provisions in treaties.

It is pointed out that the procedure mentioned in para 3 a) and b) of (7) are not duties imposed by the Convention and therefore are not due to be performed.

In regard to soldiers who fell in isolated actions of partisans it should be noted that:

a) they must be considered as fallen in actions of franc-tireurs

3547

b) the obligation of their burial was not the responsibility of Allied Military or Italian Forces but of the German Army;

- 3 -

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- c) the communication of the locality of the graves is a duty resting upon Allied Forces
- d) In practice the dead have been often buried by the local population
- e) in any case the situation of the graves is already known to the competent German Authorities.

This Sub Commission considers that the opinion of the German Authorities cited in the last para of folio (1) is perfectly correct.

Therefore it is clear that all the obligations imposed by the Geneva Convention rest exclusively upon the Allied Authorities, except the burying of those fallen on the Italian battle fronts

G. S. Hamman

11 May 1946

3546

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Il Commissario Generale Straordinario del Governo
Onoranze Caduti in Guerra
in Italia ed all'estero

via S. Giovanni sul Muro 18
MILANO

Milano 17 April 1946

26 April 1946

29 APR 1946

File N. 112 Secretary Office

SUBJECT : German graves

To Headquarters Allied Commission
Civil Affairs Section

A P O 394

In answer to your letter AC/3163/3/MI of 22 March 1946 and as a confirmation of what Lieut. Col. Antonio Chiapetti of my Office stated personally to you, I declare:

- 1) On the 15th April 1946 the Ministry of Post War Assistance charged this office to look after the graves of German soldiers.
- 2) This Office has already provided to identify and register about 8500 bodies of Germans buried in civil ~~churchyards~~ ^{cemeteries} or scattered places.
- 3) Has not provided for the many other German bodies buried by German Military authorities in Military War Churchyards, the latter being, according to the Geneva convention, under the jurisdiction of the Allies who took over German churchyards as a consequence of their occupation in Sicily and Southern Italy.

In case bodies buried in said ~~churchyards~~ ^{cemeteries} had not been filed by the Allied Forces we beg being authorised to take contact with the competent service of the German Army which apparently is in the Meran-Bolzano area.

- 4) This Office has not in view, for the moment, to concentrate said bodies limiting its action to what is prescribed by the Geneva convention, i.e., "conveniently to bury the bodies so that tombs be respected and may be identified".

3545

Il Commissario Generale Straordinario del Governo
Generale designato d'Armata
(sgt.) Augusto Grassi

SgA

IL COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO
ORGANIZAZIONE CADUTI IN GUERRA
IN ITALIA ED ALL'ESTERO

VIA S. GIOVANNI SUL MURO, 10
MILANO

26 APR 1948

Milano, 17 aprile 1946

29 APR 1948

Prot.N. 112 Segreteria

OGGETTO: Tombe Caduti tedeschi.

AL COMANDO COMMISSIONE ALLEATA
Sezione Affari Civili

A P O 394

In risposta al vostro foglio AC/3153/3/PH del 22 marzo 1946 ed a conferma di quanto già comunicato verbalmente a cotesta Commissione del ten.col. Antonio Chiapetti del mio Commissariato, comunico:

- 1°) Il Ministero Assistenza Post-Bellica, in data 15 aprile 1946, ha incaricato questo Commissariato della sistemazione delle tombe di Caduti Germanici.
- 2°) Sino ad oggi, questo Commissariato aveva provveduto alla ricerca ed alla registrazione di circa 8500 Caduti Germanici sepolti in cimiteri civili, o sparsamente sepolti.
- 3°) Non ha provveduto alla tutela delle altre molte Salma tedesche sistemate dalle autorità militari Germaniche in cimiteri militari di guerra poiché, per la convenzione di Ginevra, la tutela di dette tombe era di competenza alleata, in quanto i cimiteri Germanici passarono ad essa in seguito alle avanzate in Sicilia e nell'Italia Meridionale.

In risposta al vostre foglio AC/3163/3/PH del 22 marzo 1946 ed a conferma di quanto già comunicato verbalmente a cotesta Commissione dal ten.col. Antonio Chiapetti del mio Commissariato, comunico:

- 1°) Il Ministero Assistenza Post-Bellica, in data 15 aprile 1946, ha incaricato questo Commissariato delle sistemazione delle tombe di Caduti Germanici.
- 2°) Sino ad oggi, questo Commissariato aveva provveduto alla ricerca ed alla registrazione di circa 2500 Caduti Germanici sepolti in Cimiteri civili, o sparsamente sepolti.
- 3°) Non ha provveduto alla tutela delle altre molte Salme tedesche sistemate dalle autorità militari Germaniche in Cimiteri militari di guerra poichè, per la convenzione di Ginevra, la tutela di dette tombe era di competenza alleata, in quanto i Cimiteri Germanici passarono ad essa in seguito alle avanzate in Sicilia e nell'Italia Meridionale.
Qualora le Salme sepolte in detti Cimiteri non siano state registrate dalle forze alleate, si prega voler autorizzare questo Commissariato a prendere contatti con il servizio perdite dell'Esercito Germanico in Italia che risulterebbe essere nella zona Mezzano-Bolzano.
- 4°) Questo Commissariato non intenderebbe, per ora, addivvenire a grandi concentramenti di Salme, ma applicherebbe soltanto quanto previsto dalla Convenzione di Ginevra del 27 luglio 1928, cioè "seppellire onorevolmente i Caduti in modo che le tombe siano rispettate e possano sempre essere ritrovate".



IL COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO
Generale Designato d'Armiata
(Augusto Grassi)

Finali

Translation

58

66934/36230.2/19.2

IL PRESIDENTE
DEL CONSIGLIO DEI MINISTRI

-:-:-

Rome, 24 April 1946.

Dear General,

In reply to yours dated 9 c.m. I communicate that the Commissariato Generale for honouring the fallen in war, according to information received from the Ministry of Post-War Assistance, has up to now had organized research and registration of the graves of the fallen Germans which are in civil cemeteries or separately buried.

The question of the final settlement of the above is being studied in every aspect, and I shall eventually give you further information.

My most cordial salutations

/s/ De Gasperi

To : Brig. Gen. M. S. LUSH
Allied Commission

R O M E

(AB)

3543

EC DIST-29 ap

ACTION - CA 22 (4)

INFO - CC

- EC

66934/35230.3/19.2



58A

*Il Presidente
del Consiglio dei Ministri*

Roma, 24 aprile 1946

Caro Generale,

in risposta alla Sua lettera del 9 c.m. Le comunico che il Commissariato Generale per le Onoranze ai Caduti in guerra, secondo quanto mi informa il Ministero dell'Assistenza Post-bellica, ha sinora provveduto alla ricerca e registrazione delle tombe dei Caduti germanici tumulati in cimiteri civili o sparsamente sepolti.

La questione relativa alla sistemazione di dette salme viene intanto studiata in tutti i suoi aspetti e mi riservo di farLe ulteriori comunicazioni in proposito.

La prego di gradire i miei più cordiali saluti

Reggini

Al Brig.Gen. S.M. LUSH
Commissione Alleata

R C M A

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

25 April 1946

27 APR 1946

G-5: 293.8

SUBJECT: German War Graves.

TO : Headquarters, Allied Commission,
APO 394.

Reference AC/37/LG, 15 April 1946.

1. Please inform the Italian Government that they may make direct contact with the GERMAN GRAVES UNIT at MERANO in order to secure information in regard to the location of cemeteries constructed by the German Army or of the persons buried in them.

2. Your letter refers to cemeteries. It must not be overlooked that there is a large number of isolated graves which require concentrating into suitable cemeteries many of which may not be registered and that searching may have to be undertaken to locate them. Both the U. S. and British Graves Registration organisations are still locating the bodies of Allied soldiers. It will not be sufficient for the Italian Government to rely only on the German Records.

3. You will still press the Italian Government for the assurances that the matter will be dealt with immediately, comprehensively, and energetically, as previously requested in letter G-5: 293.8 dated 10 February 1946.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A. L. HAMBLIN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

3541

Copy to: A-4

56

HEADQUARTERS ALLIED COMMISSION
APO 324
LOCAL COMMISSION BUS COMMISSION

AG/37/LG

Tel: 325

SUBJECT: German War Graves.

15 April 1946

TO : AFHQ G-5 Section

54

1. I refer to this HQ letter AG/37/LG of 14 April. No reply has yet been received from the Prime Minister.
2. Information has however been received from the Italian Government that they do not possess any records of the location of the cemeteries constructed by the German Army or of the persons buried in them. They believe, however, that records of this nature are held by the GERMAN GRAVES UNIT at IMPRANO which is referred to in para. 2 of DAG Memorandum to you No. 2383/A4 of 29 January. The Italian Government ask if they may make direct contact with this unit in order to secure the desired information.
3. If you see no objection to their doing the Italian Government will be requested to make immediate contact with the German Graves Unit accordingly.

FOR THE CHIEF COMMISSIONER

CORN/122

M. CARR
Brigadier
VP CA Section

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AC/37/16.

SUBJECT : Note of interview - AC H.

DATE : 15 April 1946 - 1530 hours.

PRESENT : Brig.M. CARR, VP CA Section
 Major C.G.R. WILLIAMS, Executive Officer Loc. Gov. S/C.
 Lt. Col. CHIAPETTI, from the Italian Commission of War Graves, Milan
 Sig. A. Nicosi, interpreting.

1. Col. Chiapetti made the following statements :-
 - a) he had that morning received from the Ministry of Post-War Assistance the instruction that his office was to take charge of German War Graves ;
 - b) his office had already registered particulars of German soldiers buried outside regular cemeteries ;
 - c) his office, however, had no records with respect to any ~~regular~~ ^{regular} cemeteries constructed by the German Army ;
 - d) he believes these records were held by the German Graves Unit at Merano. He asked if his office could make direct contact with this Unit;
 - e) as soon as he could get information as to the records of cemeteries his office would make an immediate start by :-
 - (i) seeing that all Germans were decently buried ;
 - (ii) seeing that their graves were decently maintained ;
 - (iii) registering particulars of each grave.

The concentration of bodies from scattered graves into a regular cemetery will be dealt with at a separate stage as soon as the financial means were available.

2. Brigadier Carr undertook to refer to AFHQ on the point of direct contact with the German Graves Unit at Merano.

3. Col. Chiapetti said that as soon as he would be back in Milan he would write a letter to this office stating forth what he told us to-day.

sup. 59


 C.G.R. WILLIAMS
 Major
 Executive Officer
 Local Government Sub Commission

CERN/ww

Distribution :- AC/37/16.
 AC/14/1/16.
 Plot.

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HEADQUARTERS ALLIED COMMISSION.
APO 394.
CIVIL AFFAIRS SECTION.

11th April, 1946.

15 APR 1946 RFE

Ref: 10/37/LG

SUBJECT: German War Graves.

TO: AFM for G-5

With reference to your G-5: 293.5 of the 25th March, it is much regretted that the situation as regards responsibility in this matter was not properly appreciated by the Branch of this Headquarters dealing with this subject.

A forceful personal letter has now been sent to the Prime Minister drawing his attention to the present position and asking for an assurance to be given that immediate action will be taken and that a comprehensive plan will be drawn up and put into effect.

The matter will be kept under constant review and your Headquarters notified of the result of the representation made to the Prime Minister.

FOR THE CHIEF COMMISSIONER.

MC
M. CASH, Brigadier.
VP. CA Section.

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Civil Affairs 53

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 293.8

10 April 1946

SUBJECT: German War Graves.

12 APR 1946

TO : Headquarters, Allied Commission,
APO 394.

Will you please state when the assurances requested by this
Headquarters letter G-5: 293.8 of 10 February 1946 may be expected.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A. L. Hamblen
A. L. HAMBLÉN
Brigadier General, GSC
Assistant Chief of Staff, G-5

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MEMO.

Lt. Col CHIAPETTI, O.C. in charge of Italian War Graves and Commissariato Generale per le Onoranze ai Caduti in Guerra, Milan, called in answer to the two letters sent to him (See folios 47 and 48)

He explained that his responsibilities did not cover German Graves and that his responsibilities were only for Allied Graves of the last war and the ingathering of information from Provinces and Communes on the various graves throughout Italy.

He was at present making a census, has a staff of 25 all in Milan and that he does not have any other offices in Italy. He gets his information from CCHR and Communes.

I suggested that he open offices at places such as Rome Bologna, Pescara, Cassino, Naples &c. He said he could not do this without instructions from the Ministry of Post War Aid.

It would appear that the Ministry of Post War Aid were responsible but had passed on that responsibility to him without any instructions as to the scope of his activities. There was now a suggestion that his Office would be closed. The Ministry of Post War Aid may itself be dissolved shortly.

No scheme has been prepared to deal with German War Graves and obviously he was not in a position to give an assurance that one was being prepared or would be put into operation.

The Ministry of War in the eyes of Lt. Col Chiapetti are better equipped to deal with the matter and I am inclined to agree with him.

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However the A.C. point of view was put before him and he is to see the Ministry of Post War Aid and will report again to this Section on Tuesday or Wednesday of next week when the position will be reconsidered.

12th April 46.

Alvin Kates Maj
CA. Section

51

Ref : AS/37.16 ✓

9th April 1946

My dear Mr. Prime Minister:

The attention of the A.C. is being frequently drawn to the fact that there are in Italy a large number of German graves to be registered and bodies to be concentrated. The responsibility for this matter rests with your Government, but little or no action appears to have been taken to deal with this problem. The Supreme Allied Commander and the British Embassy have drawn attention to the urgent need for action.

On 26th February 1946, the Local Government Sub-Commission wrote to the Ministry of Post War Assistance on this subject (reference AS/37.16) copy of which is enclosed for perusal. In this letter the Local Government Sub-Commission asked that an assurance be given that a comprehensive plan would be prepared and put into effect. No such assurance has yet been given.

I understand that the Commissariato Generale per le Onoranze ai Caduti in Guerra, Via S. Giovanni sul Muro, 18, Milano is the organisation responsible.

I think you will agree that the matter is a very urgent one and that a scheme for the handling of German War Graves should be put into effect forthwith. The subject matter was originally raised in March 1945 with the Ministry of the Interior.

I should be glad to be informed at an early date of your views on this matter and I would ask you to give me an assurance that immediate consideration is being given to this matter and that a comprehensive scheme will be put into effect shortly.

Perhaps in due course you would be good enough to let me have an outline of the scheme decided upon.

Yours very truly

Dr. Alcide DE GASPERI
President of the Council of Ministers
Italian Government
R O M E

h. S. L.
Brigadier,
Acting Chief Commissioner

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Commissario Generale Straordinario del Governo
 Operanza Civile in Guerra in Italia
 ed all'Estero

No. 102

Milano, 6 April 1946

Subject: German War-Graves

To : HQ ALCOM, Civil Affairs Section

Reference your letter AG/1163/3/PH dated ²² March 1946, please
 note that the documents referred to in Para 5 were not found attached
 to that letter.

Our Director will come to Rome within a few days and will
 call on you.

s/ Augusto Grassi,
 General.

PUBLIC HEALTH
 SUB-COMMISSION

RECEIVED 18-4
 TIME 11-30

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Local Govt of C.

*with Enclosures were handed by
 Mr. Reakes to Col. Lingua
 Grassi on his call at the HQ
 25/4.*

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COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO

ONORANZE CADUTI IN GUERRA IN ITALIA ED ALL'ESTERO

MILANO

Via S. Giovanni sul Muro, 18 - Telefono 17.327

Milano, 6 aprile 1946

Protocollo N. 102 Segreteria

Riferimento foglio

Inviata al COMANDO COMMISSIONE ALLEATA
Sezione Affari Civili

APO 324

Oggetto. Salme Caduti Germanici.

Si accusa ricevuta della Vostra lettera
AC/3163/3/PH del ²²28 marzo 1946, facendo presente
che i documenti di cui al No 5 non erano allegati
alla lettera.

Il Capo Ufficio di questo Commissariato
si recherà a Roma in questi giorni per prendere
contatto con codesta Sezione.

3533

COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO

0930

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fe 43
Si accusa ricevuta della Vostra lettera
AC/3163/3/PH del ²² marzo 1946, facendo presente
che i documenti di cui al N° 5 non erano allegati
alla lettera.

Il capo ufficio di questo Commissariato
si recherà a Roma in questi giorni per prendere
contatto con codesta Sezione.

3533

COMMISSARIO GENERALE STRAORDINARIO DEL GOVERNO
Generale Designato d'Armata
(Augusto Grassi)



[Handwritten signature]

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 293.8

25 March 1946
30 MAR 1946

SUBJECT: German War Graves.

TO : Headquarters, Allied Commission,
APO 394.

The receipt of your AC/37/LG of 21 March 1946 is acknowledged.

1. Neither the U.S. nor the Br. Graves Registration Branches are in any way concerned with the burial of German dead, the responsibility is entirely that of the Italian Government.

2. Their failure to deal satisfactorily with the matter has on more than one occasion been pointed out. On the 10 February, under cover of this Headquarters' letter G-5: 293.8 of that date, a copy of a memorandum, personally signed by the Chief of Staff of this Headquarters, setting out particulars of further failures, was sent to you with the request that you would make representations to the Italian Government and obtain assurances that the matters complained of would be dealt with immediately, comprehensively and energetically.

3. After the lapse of six weeks, this Headquarters has received, instead of the assurances demanded, merely a letter giving the name of the authority responsible for War Graves in Italy. This answer is not regarded as satisfactory.

4. The Chief of Staff has directed that representations shall be made to the Italian Government and that assurances shall be asked for. These are still awaited.

5. In view of the time which has elapsed, it is desired that the matter be treated as one of urgency.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

3532


A. L. HAMBLÉN
Brigadier General, GSC,
Assistant Chief of Staff, G-5.

Copy to: A-4. (reference 2383/Al of 29 January 1946).

48

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AO/3163/3/PH

22 March 46

SUBJECT : German War Graves

TO : Commissariato Generale per le Onoranze ai Caduti in Guerra
Via S. Giovanni sul Muro, 18
M I L A N O

- 1 We are informed by the Ministry of Post War Assistance that your Organisation is charged with the care of German War Graves in Italy.
- 2 It appears that so far little or no effort has been made concerning the registration and concentration of these graves.
- 3 In Southern Italy and Sicily it is estimated that there are approximately 25,000 German dead requiring concentration in cemeteries, while in the North of Italy many German graves have not yet been registered.
- 4 It is considered that this matter is one requiring urgent action and it would be appreciated if an early reply could be furnished as to the steps being taken.

John S. Kealey, Maj
M. CARR, Brig,
VP CA Section

3531

Copy to : AFHQ (G-5)
POLAD (A)
POLAD (B)

(Your 340/2/46 of ¹³ 15 March 1946 refers)

with translation of letter from Ministry of
Post-war Aid 3386/3-2 dated 6 Mar 46.

47

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/37/LG

Tel: 314

SUBJECT: German War Graves.

21 March 1946

TO : Il Commissariato Generale Straordinario per le
onoranze ai Caduti di Guerra
Via San Giovanni sul Muro, 18, Milano

1. Herewith is sent a copy of this office letter of 26 February to the Ministry of Post-War Assistance. As the Ministry state that the subject matter of that letter is now within the competence of the Commissariat, I am to request that the contents thereof be given the earliest possible consideration.


RALPH R. TEMPLE
Major
Director
Local Government Sub Commission

CGR/mn
Encl as in 1 above

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HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/37/1G

Tel: 314

SUBJECT: German War Graves.

21 March 1946

TO : AFHQ G-5 Section

1. Reference is made to your G-5:293.8 of 10 February and 10 March.
2. This Sub Commission is now informed by the Italian Ministry
hitherto responsible for this subject that it is now within the competence of:
The Extraordinary General Commissariat for Honours to War Dead
(Commissariato Generale Straordinario per le onoranze ai Caduti
in guerra)
Via San Giovanni sul Muro, 18, Milano
3. A copy of this office letter AG/37/1G of 26 February to the Italian
Ministry of Post-war Assistance (a copy of which was sent to you) has accordingly
been sent to the Commissariat General with a request for an early reply.
4. The Italian Government state that the Commissariat General is
authorized to deal direct with the representatives of interested Governments.
It is submitted that such time and correspondence would be saved and a possible
source of misunderstandings eliminated if G.R. and E or other competent
military authority dealt direct with the Commissariat General.

Bm
RALPH R. TEMPLER
Major
Director
Local Government Sub Commission

3529

CCRM/mm

Office of British
Political Adviser

45

15 MAR 1946

340/2/46

Vice-President,
Civil Affairs Section,
Allied Commission.

-137

Reference my 659/4/45 of 24th December.

I have been informed by the office of the British Political Adviser to the Supreme Allied Commander that no effort appears to have been made by the Italian Ministry of Post War Assistance to assume their responsibility for the registration and concentration of German War Graves in Italy.

2. In the North of Italy there are, it seems, many German Graves to be registered, but the work which has hitherto been done by the German Graves Unit at Merano is too big for them to handle adequately.
3. In the south of Italy and Sicily it is estimated that at a minimum there must be 25,000 German dead to concentrate even if any fair sized cemetery in existence is allowed to remain.
4. I understand that so far the sole action undertaken by the Ministry of Post-War Assistance has been the visit of one of their representatives to Cassino and Pontecagnano. Moreover this visit only took place after continued pressure had been exerted by AFHQ and must be considered rather as an isolated episode than as part of a voluntarily adopted policy.

Although under International Law the responsibility for the maintenance of German war graves in Italy lies with the Italian Government, I am thinking that it will be the Allied Governments who will ultimately be blamed if suitable arrangements

2528



45

Office of British
Political Adviser

15 MAR 1945

340/2/45

Vice-President,
Civil Affairs Section,
Allied Commission.

-137

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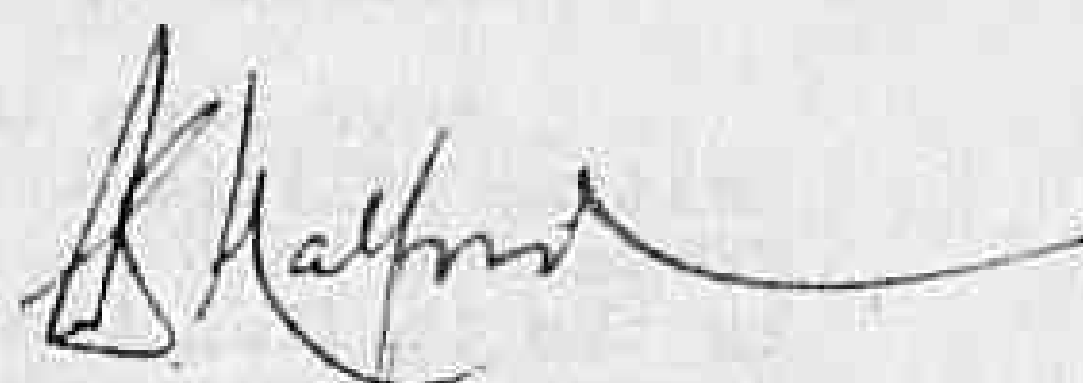
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2828



arrangements are not made for the graves of our late enemies.

6. May I ask you, in consequence, to consider taking urgent action to impress upon the Ministry of Post War Assistance that the situation calls for their serious attention.



13.111.46

Asst. Polad (Br)

copied to Polad (A)

13.111.46



PS. S/c

1/4

15/3

481

37

44

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 293.8

12 March 1946

14 MAR 1946

SUBJECT: German War Graves.

TO : Headquarters, Allied Commission,
APO 394.

Reference is made to G-5 letter 293.8 of 10 February.
When may this Headquarters expect the assurances requested please.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A. L. Hambley
A. L. HAMBLEY
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

3527



8096

Office of British
Political Adviser

45

15 MAR 1946

340/2/46

Vice-President,
Civil Affairs Section,
Allied Commission.

Reference my 659/4/45 of 24th December.

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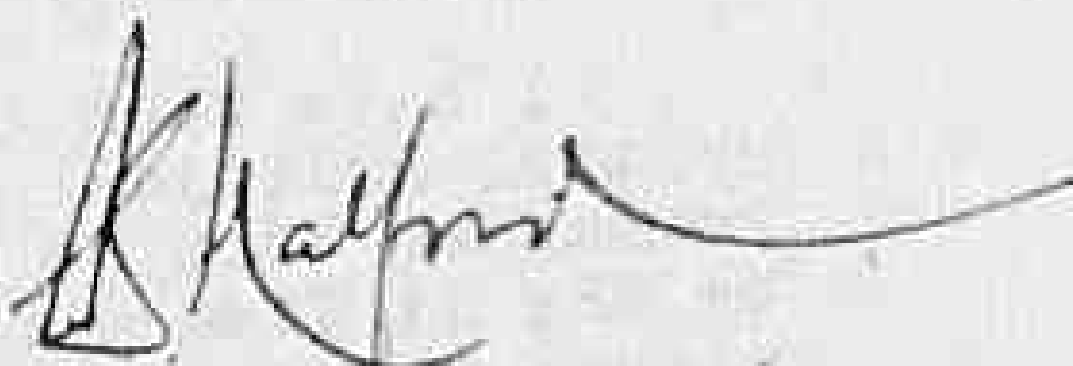
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2528

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Asst. Polad (Br)

13.111.46

copied to Polad (A)

13.111.46
8.11.46



PS. *sk**14A**15/3*ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 293.8

12 March 1946

14 MAR 1946

SUBJECT: German War Graves.

TO : Headquarters, Allied Commission,
APO 394.

Reference is made to G-5 letter 293.8 of 10 February.
When may this Headquarters expect the assurances requested please.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A. L. RAMBLE
A. L. RAMBLE
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

3527



3096

43

(Translation)

From : Ministry of Post War Assistance
Cabinet

Date - 10 March 1946

TO : HQ Allied Commission
Local Govt. S/C

File N.3386/3-2 Reply to AC/37/1G of 26/2/46

SUBJECT : German War Graves

In reply to the above mentioned letter, we wish to communicate that all questions relative to the settlement of war cemeteries are within the competency of the Extraordinary General Commissariat for Honours to War Dead (Commissariato Generale Straordinario per le onoranze ad Caduti in Guerra) Via San Giovanni sul Muro, 18, Milan, which is charged with the care of the bodies of Italian soldiers who died in Italy or abroad and of foreign soldiers who fell in Italy.

We wish to point out that, in accordance with art. 3 of RDL 31 May 1935, n. 752, the General Commissioner is authorized to deal, also directly, with the representatives of the interested Governments for the settlement of the bodies of the above mentioned fallen soldiers.

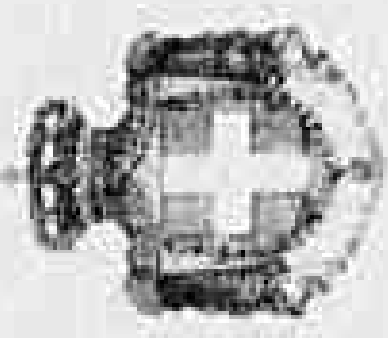
Trans
AN

THE CHIEF OF CABINET

3526

43A

Roma 10 febbraio 1946



Ministero dell'Interno
Cabinetto

HEADQUARTERS ALLIED COMMISSION

ARO 394

LOCAL GOVERNMENT SUB
COMMISSION

Proc. N. 3386/3-2. Allegato

R.O.M.A.

Proposta al Togliatti AC/37/13 del 26/2/46

OGGETTO Tombe di guerra tedesche

41

In risposta al foglio suddetto, si comunica che tutte le questioni relative alla sistemazione dei cimiteri di guerra rientrano nella competenza del Commissariato Generale Straordinario per le onoranze ai Caduti in guerra - con sede in Milano, Via S. Giovanni sul Muro, 18 - al quale è affidata la tutela delle salme dei militari italiani caduti in Italia ed all'Estero e dei militari stranieri caduti in Italia.

Si avverte che - ai termini dell'art. 3 del R.D.L. 31 Maggio 1935, n. 752 - il Commissario Generale è autorizzato a prendere accordi, anche direttamente, con i rappresentanti dei Governi interessati, per la sistemazione delle salme dei caduti suddetti.

3525

IL CAPO DI CABINETTO

Disposta al foglio AC/37/13 del 26/2/46

OGGETTO Tombe di guerra tedesche

In risposta al foglio suddetto, si comunica che tutte le questioni relative alla sistemazione dei cimiteri di guerra rientrano nella competenza del Commissariato Generale Straordinario per le onoranze ai Caduti in Guerra - con sede in Milano, Via S. Giovanni sul Muro, 18 - al quale è affidata la tutela delle salme dei militari italiani caduti in Italia ed all'Estero e dei militari stranieri caduti in Italia.

Si avverte che - ai termini dell'art. 3 del R.D.L. 31 Maggio 1935, n. 732 - il Commissario Generale è autorizzato a prendere accordi, anche direttamente, con i rappresentanti dei Governi interessati, per la sistemazione delle salme dei caduti suddetti.

IL CAPO VI CABINETTO

Handwritten signature

FR/mlp

MINISTRY OF THE POST-WAR

Rome 8 March 1946 42

PROT: 3384/3.2

Ref. AC/3163/PM dated 8 January 1946

TO : - Allied Commission HQ
6A Section
ROME

SUBJECT: - German war graves.

Reference as above, you are informed that all matters concerning the settlement of war graves are under the jurisdiction of the COMMISSARIATO GENERALE PER LE ONORANZE DEI CADUTI IN GUERRA, located in Milan Via S. Giovanni sul Muro 18 - which is charged with the vigilance upon the corpses of Italian Military personnel fallen in Italy and abroad and of foreign personnel fallen in Italy. You are also informed that, under provisions of par. 3 Royal Decree, dated 31 May 1935 No. 752. The General Commissary is authorized to make arrangements, even directly, with the representative of the governments concerned to the settlement in question.

IL CAPO DI CABINETTO

ILLEGIBILE

3524

42A

PH S/c

Roma

8 MAR 1946



Ministro dell'Interno - L. L. Velluti
Gabinetto

HEADQUARTERS ALLIED
COMMISSION

AIO 394

CIVIL AFFAIRS SECTION

E.O.M.A.

Int. N. 3386/3-2 Allegato

Risposta al Foglio N. 103/3153/PXL 9/1/46

OGGETTO

Tombe di guerra tedesche

138

In risposta al foglio suddetto, si comunica che tutte le questioni relative alla sistemazione dei cimiteri di guerra rientrano nella competenza del Commissariato Generale Straordinario per le onoranze ai caduti in guerra - con sede in Milano, Via S. Giovanni sul Moro, 18 - al quale è affidata la tutela delle salme dei militari italiani caduti in Italia ed all'Estero e dei militari stranieri caduti in Italia.

Si avverte che - ai termini dell'art. 3 del R.D.L. 31 Maggio 1935, n. 752 - il Commissario Generale è autorizzato a prendere accordi, anche direttamente, con i rappresentanti dei Governi interessati, per la sistemazione delle salme dei caduti suddetti.

IL CAPO VI CABINETTO 3523

Fin.

In risposta al foglio illustrato che tutte le questioni relative alla sistemazione dei cimiteri di guerra rientrano nella competenza del Commissariato Generale straordinario per le onoranze ai caduti in guerra - con sede in Milano, Via S. Giovanni sul Suro, 13 - al quale è affidata la tutela delle salme dei militari italiani caduti in Italia ed all'estero e dei militari stranieri caduti in Italia.

Si avverte che - ai termini dell'art. 3 del R.D.L. 31 Maggio 1935, n. 752-11 Commissario Generale è autorizzato a prendere accordi, anche direttamente, con i rappresentanti dei Governi interessati, per la sistemazione delle salme dei caduti suddetti.

IL CAPO VI CABINETTO 3523

Final.

PR/mlp



HEADQUARTERS ALLIED COMMISSION
AIC 394
LOCAL GOVERNMENT SUB COMMISSION

AD/51/16

Tel: 478107

SUBJECT: German War Graves

26 February 1946

TO: Ministry of Post-war Assistance (Cabinet).

1. Reference is made to previous correspondence between the Ministry and this Sub Commission as to the graves of German soldiers at Cassino and Montecassino. The Ministry's last letter on this subject was dated 5 Dec. 1945, reference 3010/3.

2. The Supreme Allied Command has drawn attention to the fact that there remain large numbers of German graves in various parts of Italy, many of them in most unsuitable places. All these graves require registration and the bodies should be concentrated to special areas set apart for German graves.

3. The Supreme Allied Command state that this of course is clearly a responsibility of the Italian Government and has directed this Sub Commission to co-operate with the Ministry on the matter. It is considered that a comprehensive plan for the handling of German war graves as a whole needs to be prepared and put into effect.

4. I am therefore directed to request the Ministry to take the matter up at once and to ask for assurance that this will be done.

RRT

RAUL H. R. TROPEA
Major
Director
Local Government Sub Commission

CE/51/16

3522

Copy to G-5 Section AM. (Reference your G-5: 293.8 of 10 Feb. 1946)

BF on ~~2 Mar~~ 12 March.

COPY

39

Subject: German War Graves.

GEO. CME.

2383/A4.

29 Jan 46.

G-5

Ref your IKS G-5: 293.8 dated 20 Jan 46.

1. The concern felt with regard to the question of German graves in this theatre is due to the fact that the responsible Italian Ministry is not apparently producing a comprehensive plan to deal with all German graves.

2. There are many German graves to be registered and bodies to be concentrated in the former 218 (Special) Area now controlled by No. 1 SEP Bft and Holding Centre. This work has hitherto been done by the German Graves Unit centered at VERANO, but the work is too big for them to handle adequately.

3. In the South of Italy and Sicily, it is estimated that, as a minimum, there must be 25,000 Germans to concentrate, even assuming that any fair sized cemetery in existence is allowed to remain. Some of these cemeteries are in most unsuitable places, where the Italians would be unwilling to enlarge and might perhaps even protest against continuance.

Either German Engineers, together with the necessary equipment, must be provided or the work must be done by the Italians.

4. The commitments indicated in paras 2 and 3 are clearly the responsibility of the Italian Government, and in neither case, as far as is known, has any effort been made by them.

5. It will be seen therefore that the visit of a representative of the Ministry concerned to Cassino and Pontecagnano, after considerable delay and after continued pressure from this GHQ cannot be considered to be part of a considered policy by the Italian Government, but is an isolated episode achieved by the efforts of this GHQ.

/s/ H.W. Macleod
/t/ H.W. MACLEOD,
Major General,
DAG.

3520

CJY/DM.

Copy to: Resmin (G-1(Br)/2383/A4 of 23 Sep 45 refers).

It would be appreciated if you would take action as requested in para 2 of the a/q letter.



3026

38

HEADQUARTERS ALLIED COMMISSION
APO 394
Civil Affairs Section

AC/3163/3/PR

8 January 1946

SUBJECT : - German War Graves

TO : - Ministry of Post War Aid

1. It is understood that your Ministry has been designated by the Council of Ministers as the authority to deal with all questions of German War Graves.
2. The British Political Adviser is very anxious to obtain information as to what steps have already been taken for the maintenance of German War Graves in Italy, as these graves require attention urgently.
3. It would be appreciated if you could furnish us with an early reply to this enquiry.

M. Carr
M. CARR
Brigadier
CP. CA. Section

3519

37

659/4/45

Office of Political
Adviser (BR)

Vice-President,
Civil Affairs Section,
Allied Commission.

Subject: German War Crimes

Reference AC/3163/3/PH of December 14th.

I am grateful for this information.

2. Can you please tell me whether the Ministry of Post War Aid have taken any steps to maintain German war graves in Italy? If not, would you please consider impressing on them the need of taking early action, as the graves need attention urgently?

24.xii.45

Halpern
Asst. Polad (BR)

Copy to Polad (A)

PUBLIC HEALTH
SUB-COMMISSION

5.1.46
1200 hrs.



3518

36

HEADQUARTERS ALLIED COMMISSION
APO 394
Civil Affairs Section

11 December 1945

AC/3163/3/PH

Subject : - German War Graves
To : - The Office of the Political Adviser (British)

Reference your 659/45 of 19 November a reply has been received from the Italian Government to the effect that the Ministry of Post War Relief is the authority designated by the Council of Ministers to deal with all questions concerning war graves.

S.H. WHITE
Lt. Colonel
A/VP CA Section

3517

35

THE MINISTRY OF POST-WAR ASSISTANCE

Date: - 5 Dec. 1945

REF.: 3010/3

Reply to letter AC/37/L G
dated 26 November 1945TO : Headquarters Allied Commission
Local Government Sub-Commission
Atten.: Major Temple.

Subject : Graves for German Soldiers in the Zones of Cassino and Pontecagnano.

In reply to the above mentioned letter we communicate that this Ministry has made the following proposals for the burying of the corpses of German soldiers who lost their lives in the zone of Cassino:

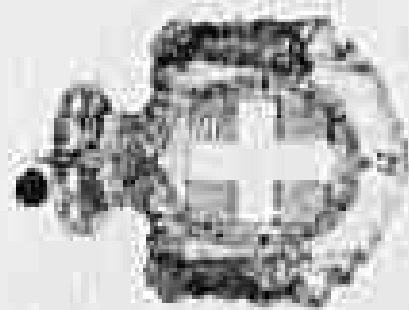
- a) that the corpses lying in the zone west of the Abbadia be collected - after the area has been cleared from the mines - and temporarily placed in a ruined building, belonging to the Abbadia, in Albaneta.
- b) that a piece of ground be attached to the cemetery of Cassino, and an ossuary be built on that area, to contain the rests of the soldiers lying in the zones of Cassini, Montecassino and Roccasecca.

This Ministry has already invited the Sezione autonoma of the Genio Civile of Cassino to draw a plan for the execution of the said work.

The provisions that will be made for the repair of the cemetery of Pontecagnano will be communicated to you later.

The Chief of Cabinet.

3516



37

35A

Roma, 15 DIC 1945

Ministro dell'Interno, E. C. Bellini

HEADQUARTERS ALLIED COMMISSION

APO 394

Local Government Sub-Commission
(all'attenzione del Maggiore
Ralph R. Temple)
= ROMA =

Fid. N. 3010/3 Allegato

* Risposta al Foglio N. AC/371G del 26/11/45

OCCORRENZA: Sistemazione salme militari tedeschi nelle zone
di Cassino e Fontecagnano.

In risposta al foglio suindicato, si comunica che l'incaricato di questo Ministero ha formulato le seguenti proposte per la sistemazione delle salme dei militari tedeschi caduti nella zona di Cassino:

- a) Che le salme disseminate nella zona ad occidente dell'Abbadia vengano raccolte - dopo che sarà stato effettuato lo smantamento della zona stessa - e temporaneamente collocate in un edificio semidiroccato, di proprietà dell'Abbadia, sito in località Albuneta.
- b) Che al cimitero di Cassino sia aggregata un'estensione di terreno sul quale dovrebbe essere costruito un ossario per accogliere i resti dei militari spersi nelle zone di Cassino, Montecasino e Roccasecca.

Questo Ministero ha già invitato la Sezione Autonoma Genio Civile di Cassino a compilare il progetto per l'esecuzione

35151

In risposta al foglio suindicato, si comunica che l'incaricato di questo Ministero ha formulato le seguenti proposte per la sistemazione delle salme dei militari tedeschi caduti nella zona di

Cassino:

- a) Che le salme disseminate nella zona ad occidente dell'Abbadia vengano raccolte - dopo che sarà stato effettuato lo smantamento della zona stessa - e temporaneamente collocate in un edificio semidiroccato, di proprietà dell'Abbadia, sito in località Albaneta.
- b) Che al cimitero di Cassino sia aggregata un'estensione di terreno sul quale dovrebbe essere costruito un ossario per accogliere i resti dei militari sparsi nelle zone di Cassino, Montecasino e Roccasecca.

Questo Ministero ha già invitato la Sezione Autonoma Genio Civile di Cassino a compilare il progetto per l'esecuzione dei lavori predetti.

Si fa riserva di comunicare i provvedimenti che verranno adottati per la sistemazione del cimitero di Pontecagnano.

IL CAPO DI CABINETTO

Ungher

PR/am

7466

High Commissioner for Public Health.
Prot.No. 20,00.AG.201201.

4 December 1945

34

SUBJECT: - German War Graves.

TO : - Allied Commission - ROME.

Reply to letter AG/3163/31/PH dated 21 November 1945

Date: -
4 Dec. 1945

Ref as above, it is pointed out that under provisions of Para 1. of D.L.L. dated 28th September 1945 No. 646, that the Ministry for Post War Assistance has taken over the responsibilities of the Presidency of the Council of Ministers concerning the war cimiteries.

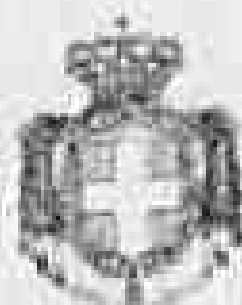
The High Commissioner.

PUBLIC HEALTH
SUB - COMMISSION

3514

RECEIVED 19-12-_____
1945 8-36

34A



Roma, 4 dicembre 1945

Presidenza del Consiglio dei Ministri

ALTO COMMISSARIATO
PER L'IGIENE E LA SANITA' PUBBLICA

Alla COMMISSIONE ALIENATA

ROMA

Dir. VII/A

La II^a

Prot. N° 20400. AG. 201201

Ricevuto al f. N° 201/3103/3/TH

del 21/11/1945

OGGETTO: tombe di guerra tedesche in Italia.

32

In relazione alla nota suindicata si fa presente che ai sensi dell'art. 1° del D.L.B. 28 settembre 1945 n. 640 le attribuzioni spettanti alla Presidenza del Consiglio dei Ministri relativamente ai cimiteri di guerra sono devolute al Ministero dell'Assistenza post-bellica.

PER L'ALTO COMMISSARIO

3513

33

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

10/31/46

Tel: 478706

SUBJECT: Condition of Allied and enemy war graves.

26 November 1945

TO : The Ministry of Post-war Assistance.

1. With further reference to the Ministry's letter No. 1860/3 (Gabinetto) dated 21 October, this office would be glad to know if the Ministry can now furnish any information as to the result of the visit of the Ministry's representative to the cemeteries at Cassino and Portocannone.

C. G. S.
RALPH E. ZEWIE
Major
Director
Local Government Sub Commission

3511

CGRS/pec

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32

HEADQUARTERS ALLIED COMMISSION
APO 394
Public Health Sub-Commission

AC/3163/3/PH

21 November 1945

Subject : - German War Graves in Italy

To : - High Commissioner for Public Health

1. Attached is a copy of a letter from the office of the British Political Adviser on the subject of German war graves.
2. This subject has already been discussed with the Ministry of Interior in June and July of this year without any decision being reached.
3. It would be appreciated if the request of the British Embassy for the appointment of a suitable authority to deal with this matter be acceded to as soon as possible.

G. M. FRIZZELL
Colonel
Director
Public Health Sub-Commission

3511

31

3163/2/PJ

559/45

13 NOV 1945

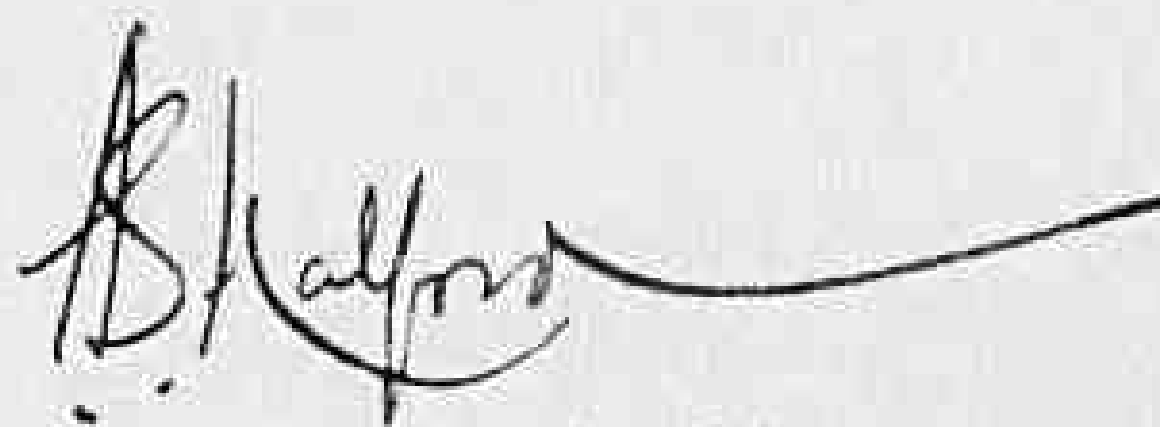
Office of Political
Adviser (British)

19 NOV 1945

Vice-President,
Civil Affairs Section,
Allied Commission.

The British Embassy has been requested by the Office of the British Resident Minister at Cassino to approach the Italian Government with regard to the appointment of an Italian authority for the maintenance of German war graves in Italy, the responsibility for which under international law lies with the Italian Government.

2. The British Embassy does not consider that this question should be handled on a purely an Anglo-Italian basis and would accordingly be grateful if the Allied Commission would take action to induce the Italian Government to appoint a suitable authority to attend to the matter.



Asst. Political Adviser
(28)

16.xi.45

Copy to British Embassy,
Political Adviser (A)

3510

PUBLIC HEALTH
SUB-COMMISSION
RECEIVED 20.11.45
TIME 8.30



30

Presidency of the Council.

Prot.No. 21.100.73.AG/19220.

SUBJECT: - German War Graves.

Date - 17 Nov. '45

TO : - Public Health Sub-Commission.

Further to our letter from 12 July 1945 we inform you that regarding the expenses for fencing off the German war cemetery of Tor di Quinto sustained by the Swiss Legation, the High Commissioner has referred the matter to the Ministry of Post War Assistance which has authority to deal with all war cemeteries.

For the High Commissioner.



3509

0963

Declassified E.O. 12356 Section 3.3/NND No. 785021

30 A

Roma, 17 novembre, 1945



Presidenza
del Consiglio dei Ministri

ALTO COMMISSARIATO
PER L'IGIENE E LA SANITA' PUBBLICA

ALLA COMMISSIONE ALLEATA -
SOTTOCOMMISSIONE PER LA SALUTE
PUBBLICA

ROMA

Dir. VII, n. 27 N. 21100.73.00/19220
Risposta al Foglio del 1° giorno u. s. 3109
N. 2313123/3/1H

OGGETTO: Bombe di guerra tedesche.

Faccendo seguito alla nota del 12 luglio u. s., si comunica che sulla questione relativa all'onere della spesa sostenuta dall'Alleanza Svizzera per la recinzione del Cimitero di guerra tedesco di Tor di Quinto, questo alto commissariato ha provveduto ad interpellare opportunamente il Ministero dell'Assistenza Post-bellica, nella competenza del quale rientra anche tutto quello che attiene ai cimiteri di guerra.

PER L'ALTO COMMISSARIO

3508

29

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

10/57/10

Tel : 473706

SUBJECT : German War Graves

25 October 1945

TO : AFHQ : G-5 Section

1. Reference your G-5 : 293.8 of 15 October and previous correspondence the Italian Ministry of Post-War Assistance inform this HQ that they have sent a representative to Cassino and Pontecagnaro to organize the work of removal and proper disposal of the remains of German soldiers.

FOR THE CHIEF COMMISSIONER :

CGRW/og.

M. GARR,
Brigadier,
VP CA Section.

BF 26
11
egw
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11

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7257

28

HEADQUARTERS ALLIED COMMISSION
AFU 394
LOCAL GOVERNMENT SUB COMMISSION

AC/37/16

Tel : 473706

SUBJECT : Condition of Allied and enemy war graves

25 October 1945

TO : The Ministry of Post-war Assistance

- 150.27
1. The receipt of the Ministry's letter No. 1860/3 (Gabinetto) dated 21 October is acknowledged. The prompt action taken by the Ministry to deal with this delicate matter is much appreciated.
 2. This office would be grateful if the Ministry would in due course communicate details of the conditions found by the Ministry's representative and of the action taken by him.

Cgw

RALEH R. TEMPLE,
Major,
Director,
Local Government Sub Commission.

CGRW/og.

3506

1456

27

MINISTRY OF POST-WAR AID

Rome, 21 October 1945

File N. : 1860/3

Answer to AC/37/LG of 5 Oct.

SUBJECT : War Graves.

to 13

In reply to the a/m letter we beg to inform you this Ministry has immediately provided to send a representative, to Cassino and Pontecagnano, to organise the necessary work concerning German war Graves. Further information will be given later.

The Chief of Cabinet

3505

11. 11. 1945

7452

27

37

MINISTRY OF POST-WAR AID

Rome, 21 October 1945

File N. : 1860/3

Answer to AC/37/LG of 5 Oct.

SUBJECT : War Graves.

E. 5051-1945

to 13

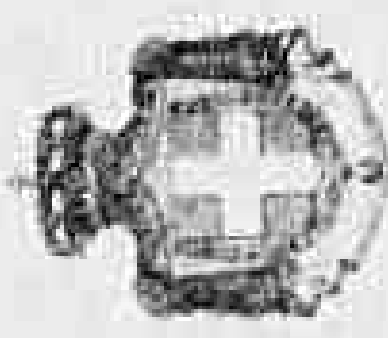
In reply to the a/m letter we beg to inform you this Ministry has immediately provided to send a representative, to Cassino and Pontecagnano, to organise the necessary work concerning German war Graves. Further information will be given later.

The Chief of Cabinet

3505

JLH m. 10/10/45

7452



Ministro dell'Interno - *Ind. Valiani*
Gabinetto

Ind. 7.1860 / 3 Allegati

Roma, 11, 21 OTT 1945

HEADQUARTERS ALLIED COMMISSION
APO 394 LOCAL GOVERNMENT
SUB-COMMISSION -
(all'attenzione del Maggiore
RALPH R. TEMPLE)

= R O M A =
Risposta al Foglio 337/L G del 5/10/45

OGGETTO Condizioni dei cimiteri di guerra alleati e nemici.

fo. 13

In risposta al foglio suindicato, si comunica che è stato già disposto l'immediato invio a Casinero ed a Pontegnano di un incaricato di questo Ministero, per provvedere all'organizzazione dei lavori di traslazione e di sistemazione delle salme dei militari tedeschi.

Si fa riserva di ulteriori comunicazioni in merito.

IL CAPO DI CABINETTO

3504

In risposta al foglio suindicato, si comunica che è stato già disposto l'immediato invio a Casano ed a Pontegnano di un incaricato di questo Ministero, per provvedere all'organizzazione dei lavori di traslazione e di sistemazione delle salme dei militari tedeschi.

Si fa riserva di ulteriori comunicazioni in merito.

IL CAPO DI GABINETTO

3504

PR/pw.

2572

2b

AC/37/LG

SUBJECT: Note of interview -

DATE : 17 October 1945 - 1200 hours

PRESENT: Dott. CARUSO Domenico, Office of the Chief of Cabinet, Ministry
of Post War Assistance
Major C. G. R. WILLIAMS, Executive Officer, Local Govt. S/C
Sig. Arrigo NICE, interpreting.

1. I saw Dott. CARUSO as the request made in fo. ²⁴ ^{his} B and statements made over the telephone to Sig. NICE as reported in Minute 2.
2. I said I appreciated that the Ministry was not properly organized yet. However, APH had been asking for these complaints to be attended to since June and July and the matter now had become urgent.
3. Dott. CARUSO enlarged on what is stated in Minute 2, then added that the Ministry had no funds assigned to it yet to spend on war cemeteries, or any organization to look after them. Moreover, the cemeteries had previously been dealt with by a Commissioner for War Graves, and they had not been able to find out what he had done or where his files were or anything.
4. I suggested that the Ministry could at least find out from somebody local, such as the Sindaco, what the condition of the cemeteries at Cassino and Pontecagnano was and possibly they could make some interim arrangements with the Communes for some action to be taken.
5. Dott. CARUSO said he thought that was a good idea, but he would have to put it to the Minister and get his permission to act ^{through} the Communes in this way. He would do so and telephone us in a day or two as to the position.

C. G. R. WILLIAMS

Major

Executive Officer

Local Government Sub Commission

3503

CGRW/pec

Distribution:

AC/37/LG

AC/14/1/LG

Float

Sgt. Stiles - Calendar for 22 Oct.

Calendar for 25 Oct. 1945

12/10

0971

785021

8065

37

L. GOVT 9/25

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

NPS/jrs

G-5: 293.8

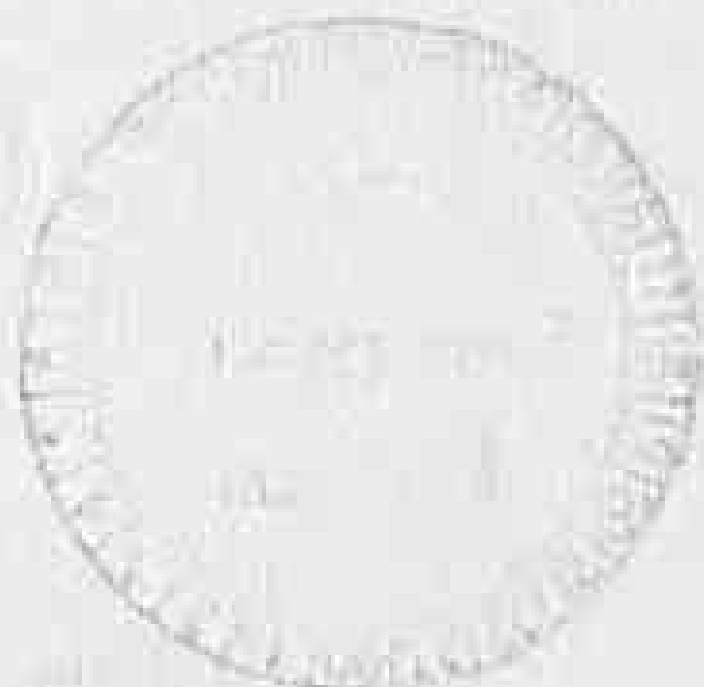
15 October 1945

SUBJECT: German War Graves.

TO : Headquarters, Allied Commission, APO 394.

1. Your 6559 of 4 Oct has been noted.
2. Early indication of action taken on outstanding matters is awaited.

For the Asst. Chief of Staff, G-5:



Norman P. Seagrave
NORMAN P. SEAGRAVE,
Lt. Colonel, G.S.C.

3502

76/4

24

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/37/LG

Tel: 478706

SUBJECT: Condition of enemy and Allied war cemeteries.

5 October 1945

TO : The Minister of Post War Assistance.

1. It has been reported to this HQ that a number of German dead have been found in the Polish military cemetery at Cassino and that some of these are inadequately buried.
2. It has been also reported that the German military cemetery at Pontecagnaro has fallen into a bad state of repair.
3. It is requested that the Ministry take immediate steps to remedy these matters; and this office would be glad to receive assurance that this will be done.

egs

RALPH R. TESSIER
Major
Director
Local Government Sub Commission

CGRH/200

3501

3500

5259

0973

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

785021

37

23

AFHQ G-5

6559

4 October 1945

PRIORITY

GERMAN AND

PARA ONE PD SUBJECT IS MAINTAINING ALLIED WAR GRAVES EXPENSES YOUR SIGNAL - 22

FOR FOUR SIX SEVEN TWO ONE OF ONE OCTOBER AND PREVIOUS CORRESPONDENCE PD

PARA TWO FOR ACTION AFHQ GEORGE FIVE FROM HQ ALCON CITY ACLOS PAREN

PARA TWO PD THIS HQ AT LAST INFORMED THAT PROPER ITALIAN AUTHORITY IS MINISTRY
 POST WAR ASSISTANCE PD MINISTRY HAS BEEN INFORMED CONDITION GERMAN CEMETERY
 PORTOFINO AND POLISH CEMETERY GARRING PD PRESSURE MAINTAINED FOR URGENT
 REPLY PD

PARA THREE PD DELAY IS RESULTING FROM LENGTHY DISCUSSION AMONG VARIOUS ITALIAN
 MINISTERS AS TO WHO WAS RESPONSIBLE PD

LOCAL GOVERNMENT S/C

478706

3500

C. J. LEXIE
 CWO USA
 Asst. Adjutant

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

22

Originator's Reference: F 46721

Date/Time of Origin: SEPT 30/1945

Message Centre No: F/9631

Date Time Rec'd: OCT 1/1945

Precedence: ROUTINE

FROM: AFHQ, BIRMINGHAM SIGNED CITE 1945

TO: ALCON HOME

~~CONFIDENTIAL~~

CONFIDENTIAL

Direction given F 3561 of 31 August has not been complied with.

Immediate reply desired

TO	INIT	REPLY
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFF.		
PRISON		
ADM. OFF.		
SECURITY		
CH. COMM		

ACTION: PUBLIC SAFETY

INFO: CASE 1945

FILE (2)

FLOAT

CH. COMM 3499

ACTION

HEADQUARTERS

1-OCT-1945

C.

3499

4703

P. SAFETY 1/c 21

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

COB/jrs

24 SET. 1945

G-5: 293.8

21 September 1945

SUBJECT: Enemy War Graves.

TO : Headquarters, Allied Commission,
APO 394.

Reference G-5: 293.8 dated 2 September.

It is requested that a report on this matter be
forwarded with the minimum delay.

For the Asst. Chief of Staff, G-5:

Cherokun
C. O. BENSON,
Major, R.A.



TO	INIT	
DIRECTOR		
DEPUTY DIRECTOR		
EXECUTIVE		
POWERS		
CHIEF CLERK		

3498

*Enemy War Graves file
Place in file
no action can be taken
25.9*

20

21 SET. 1945

Rome 13 September 1945

FEDERAZIONE DEL COMITATO DEI TRIESTI

SP 4415A- 15230-I / 10/2

Ans. let. 17 July

NO AC/14115/P.

To ALLIED COMMISSION
SUB COMMISSION OF I.S.
R.C.E.

SUBJECT- War Cemetery

Following the letter 24 August ult. NO41607/35210. we inform that for competence in charge of constitution and maintenance of the war cemetery and generally to the honors for the dead for their country, Italians, Allied soldiers, has the charge now the Ministry of Postwar Assistance, of whom this Commission may apply for any request of the kind.

The Chief of Cabinet

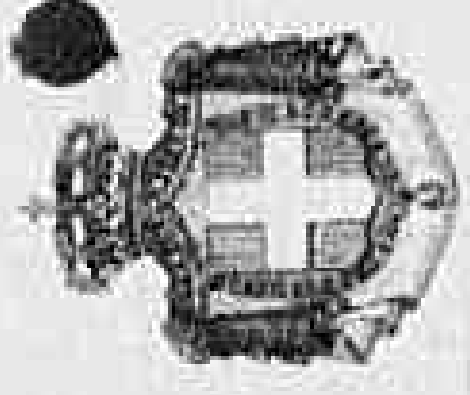
/c/ Illegible

TO	DATE
MINISTRO	
MINISTRO	
MINISTRO	24-9
MINISTRO	
MINISTRO	
MINISTRO	
MINISTRO	
MINISTRO	
MINISTRO	24-9

note X
for
Summary. known file

3497

0977



*Presidenza
del Consiglio dei Ministri*

*7. 44454.36230-1/2
Risposta al Foglio del 17 luglio
7. AC/14116/P.S.*

--- Alla COMMISSIONE ALLEATA
Sottocommissione per la Pub-
blica Sicurezza
R O M A

e per conoscenza:
Al MINISTERO DELLA ASSISTENZA
POSTBELLICA - Gabinetto -
R O M A

OGGETTO Cimiteri di guerra.

A seguito della lettera 24 agosto u.s. n° 41607/
36230, si informa che la competenza in materia di
costituzione e manutenzione di cimiteri di guerra
e, generalmente, di onoranze ai caduti italiani, al-
leati e nemici, è ora di spettanza del Ministero del-
l'Assistenza postbellica, al quale codesta Commissio-
ne potrà rivolgere ogni richiesta del genere.

IL CAPO DI GABINETTO

3496

Mundy

20-A
150
1943

ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM

19

SUBJECT:

FILE NO.

TO

Local Government

For Mr. [REDACTED] (William)

10

we [REDACTED] (Col. Griffiths, U.S. Col. White) It is understood
that LG-SC will be the channel for communication between
the President of the Council of Ministers and AFHQ on
war [REDACTED] matters.

CA 5
1 SEP 1945

[Handwritten signature]

1 SEP 1945

3495

0979

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

785021

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F39861
 Date/Time of Origin: AUG 311041B

Message Centre No: F/6000
 Date Time Rec'd: AUG 311220B
 Precedence: ROUTINE

FROM AFHQ SIGNED SACRED CITY PAGEG
 TO : ALCOM ROME

CONFIDENTIAL

CONFIDENTIAL

On 17 March 45 a letter was sent you reference German war graves in ITALY; file G-5, 293.6. Numerous letters on the same subject have been sent since that date including one sent on 31 July subject: Enemy War Graves, file as above. Your letter same subject file AG.14116/PS to the Council of Ministers dated 4 August 45 has been send. In view of the unsatisfactory progress and the apparent disregard of the Italian Govt of your numerous requests it is considered that positive measures to assure early action by that Govt must be taken: Request report of progress be submitted to AFHQ on 15 September.

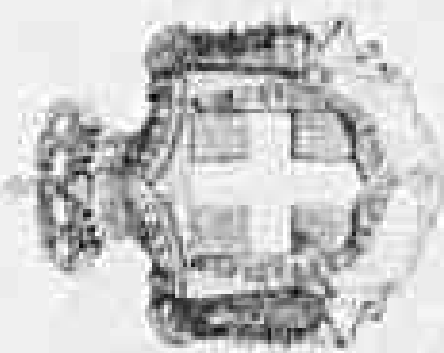
List

Action - P Safety SC
 Info - Chief Commissioner
 CA Sect
 File 2
 Float

ACTION

CONFIDENTIAL

		3494
X	EXC. 1	
X	EXC. 2	
	EXC. 3	
	EXC. 4	
	EXC. 5	
	EXC. 6	
	EXC. 7	
	EXC. 8	
	EXC. 9	
	EXC. 10	



*Presidenza
del Consiglio dei Ministri
- Gabinetto -*

Roma.

42-11-17

Mod. 854

*alla Commissione Alleata
Sottocommissione per la Pubblica
Sicurezza*

R O M A

*Prot. V. 41607/36230. Allegato
1/19.2*

*Requisito al Regio del 4 agosto 1945
V. AC/14116 PS*

Oggetto Cimiteri militari nemici.-

*WMB
fol 16*

La questione della competenza a provvedere sulla materia dei cimiteri di guerra è attualmente oggetto di esame fra i diversi Ministeri interessati.

Si prega pertanto di voler cortesemente scusare se le notizie richieste colla lettera sopra citata verranno fornite con qualche ritardo e, comunque, non appena la questione sarà definita.-

*1-9
WMB*

OGGETTO Cimiteri militari nemici.

La questione della competenza a provvedere sulla materia dei cimiteri di guerra è attualmente oggetto di esame fra i diversi Ministeri interessati.

Si prega pertanto di voler cortesemente scusare se le notizie richieste colla lettera sopra citata verranno fornite con qualche ritardo e, comunque, non appena la questione sarà definita. -

IL CAPO DI CABINETTO

The question of the competence regarding War cemeteries is actually under discussion among the various ministries interested.

Please excuse us if the requested information in your a/m letter are given to you with delay and, nevertheless, as soon as the matter is settled.

Chief of Cabinet

Translation ac/

15

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 489051-357

AC/14115/PS

4 August 1945

SUBJECT : Enemy War Graves.

TO : Council of Ministers Italian Government.

1. Repeated requests have been sent you during the past 3 months by this Sub-Commission and by other authorities for information regarding the proper officer in your Ministries who is charged with the control of Enemy War Graves in Italy.

2. We again request this information urgently and ask that we be favoured with an immediate reply.

MT
JOHN C. CHAPMAN
Colonel, U.S.A.R.
Director.

FPH/G

Copy AFHQ G-5

3492

238

CASEC

PS
JHALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

1943/1945

2-AGO:945

15

G-5: 223.8

14116

31 July 1945
Recd PS 2/8.

SUBJECT: Enemy War Graves

TO : Headquarters, Allied Commission,
I.L.O. 394Should be 15/10/45
for 13

1. Reference is made to G-5: 223.8 of 16 July.
It is requested you will report what action has been
taken by the Italian Government in the matter.

2. G-1(Br) also report that the German Military
Cemetery at MONTECASSINO has fallen into a bad state
of repair. It is requested that you will also take
this up with the Italian Government with a view to
remedial action being taken and inform this section
of the result.

For the Assistant Chief of Staff, G-5:

T. B. JACKMAN

T. B. JACKMAN
Lt. Colonel

3491



HEADQUARTERS ALLIED COMMISSION
APO 394
Public Health Sub-Commission

AO/3163/3/PH

PH/CMS/nc
19 July 1945

SUBJECT : - German War Graves.

TO : - G - 5 Section APOHQ.

1. Reference your G/- 5:293.8 of 17 March and 27 April and also your Signal F 78944 of 20 May, the Italian Government has been repeatedly pressed for an answer.

2. Below is a copy of the latest interim reply which has been received by this Sub-Commission.

For the DIRECTOR : -

G. M. FRIZELLE
Lt. Colonel
Chief, Public Health Branch.

Encl. 1

pressed for an answer.

2. Below is a copy of the latest interim reply which has been received by this Sub-Commission.

For the DIRECTOR : -

Conf.

G. M. FIZELLIE
Lt. Colonel
Chief, Public Health Branch.

Encl. 1

3490

for [unclear]

to [unclear]

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel: 489081-257

17 July 1945

AC/14116/PS

SUBJECT : German Military Cemetery

TO : Council of Ministers, Italian Government

1. Reference is again made to the question previously asked you, regarding attached copy of letter.

2. May we please be informed as to the proper department to address in forwarding these queries or requests?

JA
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director

FFH/pl

3489

12

MINISTRY OF THE INTERIOR

General Direction for Public Health

Rome, 12 July 1945

Div. VII/A Sect.2

No.21100.73.AC

SUBJECT ; - German war-graves.

To:

PUBLIC HEALTH SUB-COMMISSION

APC 394

- Reference to your letter AC 3163.3.PH. of 1 June

It is regretted that this Ministry is as yet unable to give a satisfactory answer regarding the refund of maintenance expenses for the German war-graves at Tor di Quinto. This question, and the more general matter of war-cemeteries maintenance, has been referred to the Prime Minister Department.

The Prime Minister Department is to-day notified of your desire that the above matter should be finalised at an early date.

For the Minister:

Sgd. Illegible.



3488



Roma 12 luglio 1955

12 A

Ministero dell'Interno
Direz. Gen. Sanità Pubblica.

ALLA SOTTOCOMMISSIONE
ALEATA PER LA SALUTE
PUBBLICA

Immission VII/A. Lm 2^o
 Lat. N. 21100.73. 1000

Reproches del J. del 1.º Juño 45
 Por Por AC. 3463.3. IN.

Oggetto Tombe di guerra tedesche.

In relazione alla nota sopradistinta, questo Ministero è spiacente di non poter fornire ancora una esauriente risposta in merito alla questione del rimborso delle spese di manutenzione del Cimitero tedesco di Tor di Quinto, avendo investito della questione predetta, e di quella generale del mantenimento dei cimiteri di guerra, la Presidenza del Consiglio dei Ministri.

In pari data, viene reso noto alla Presidenza del Consiglio dei Ministri il desiderio di questa Sottocommissione di vedere sollecitamente risolta la questione in esame.

ALL NINE ARE

3487

J. / M.

11

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Tel: 489081-257

AC/14116/PS

11 July 1945

SUBJECT : Enemy War Graves

TO : G-5 Section, AFHQ
(Att: Lt. Col. Jackson)Reference G-5 293.8. of 15 June & 3 July
1945.

1. Information has been passed to Italian
Police regarding allegation of graves disturbances.

2. We know of no Agency charged with
maintenance of German graves, but have taken the
matter up with the Italian Government and are
pressing for a reply.

For the Chief Commissioner.

G.R. UPJOHN, Brig.
VP CA Sec.

3486

CIA SEC

ALLIED FORCE HEADQUARTERS TBJ/sb 10
G-5 Section
APO 512 31

G-5: 293.8

14/16 ^{pe} 15 June 1945

17 JUL 1945

SUBJECT: Enemy War Graves.

TO : Headquarters, Allied Commission
APO 394

1. G-1 & this Headquarters have reported to this Section that on a recent visit by Polish Military representatives to the Polish Military Cemetery CASSINO, there were found therein to be a number of German dead, some of whom moreover had been inadequately buried.

2. It is requested that the matter may be taken up with the Italian Government, that remedial action be taken and that a report thereon be submitted to this Headquarters.

For the Assistant Chief of Staff, G-5:

T. B. Jackman
T. B. JACKMAN
Lt. Colonel.

Copy to:

G-1B
your G-1Br 2333/A4 of 13 June refers.

3485

Please initial & forward

(8032)

HEADQUARTERS ALLIED COMMISSION
APO 394
Public Health Sub-Commission

9
File

AC/3163/3/PH

PH/GMF/mto
1 June, 1945

SUBJECT: - Germany War Graves.

TO : - Ministry of Interior,
Italian Government,
Attn: H.E. Solimena.

1. Further to this office AC/3163/3/PH of 23rd March and 14th April, A.C. is being pressed by Higher Authority for a reply.

2. It is not yet known, whether the question of the maintenance of the German War Cemetery at Torre di Quinto has been taken up by the Italian Government with the Swiss Legation, as suggested in our original communication of 23rd March.

3. It would be much appreciated if an early reply could be received in order that the whole position may be clarified.

For Brigadier G.S. PARINSON:

G. W. FRIZZELL, Lt. Colonel,
Chief, Public Health Branch.

Copy to :- G-5 Section AFHQ (This refers to your Signal F 78944 of May 20th to which an answer -AC/14116/PS of May 25th was sent in error. Kindly disregard the latter.)

3484

IMMEDIATE

ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM

SUBJECT: Enemy Graves

TO : Public Health S/C

PUBLIC HEALTH

SUB-COMMISSION ^{FILE NO.} AQ/14116/PS

RECEIVED 1 June 45 1 June 1945

TIME 11,30

- 1 Reference AFHQ signal F78944 of 20 May (copy attached).
- 2 The Action copy of this signal was sent in error to Public Safety Sub-Commission who replied (14116/PS of 25 May, copy herewith) as to AFHQ letter 293/8 of 20 March not 17 March as requested by the e/m signal.
- 3 An interim reply to 293/8 of 17 March was sent by you on 23 Mar 45, it is requested that a further reply be sent, cancelling AC/14116/PS of 25 May.
- 4 Please treat as urgent.

A.D. Bonham Carter
A.D. BONHAM CARTER
Lt Colonel,
CSO CA Section

3483

C O P Y

F 78944

3A

MAY 201622B

E/1614
MAY 201745B
ROUTINE

FROM : AFHQ SIGNED SACRED SITE FHGEG

TO : ALCOM ROME

CONFIDENTIAL

*check to 20 March
- case for 8B - 1 in
link PS. S/C*

Ref our letter 17 March 293/8. Enemy graves.
What is the position generally.

DIST

Action - CA Sec
Info - A/President
Chief Commissioner
File 2
Flost

3482.

File

C O P Y

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/14116/PS

Tel : 479709

25 May, 1945

SUBJECT : Desecration of Graves

TO : AFHQ, G-5 Section

We have had no reports of further desecrations come to our attention since our letter AC/14116/PS of 4 April 1945, which indicated actions taken by Italian Officials.

For the Chief Commissioner :

G.R. UPJOHN Dirg.
VP CA Section

2480

Handwritten signature/initials

HEADQUARTERS ALLIED COMMISSION
APO 384
Public Health Sub-Commission

PH/GMF/mtc
4 May, 1945

AL/3163/3/4B

SUBJECT: - German War Graves in Italy.

TO : - G-5 Section, AFHQ.

Reference your G-5:293.8 of 17th March and 27th April, this HQ. has now received an interim reply from the Italian Government to the effect that the matter has been referred to the Cabinet and a reply will be forwarded as soon as the Cabinet has reached a decision.

For Brigadier G.S. PARKINSON:

G. M. FRIZZELL, Lt. Colonel.
Chief, Public Health Branch.

3479



7A

Roma 2 22 5510 1155

Ministero dell'Interno
Dir. Gen. Sanità Pubblica

Alla COMMISSIONE ALLEATA
Sub-Commissione per la
Salute Pubblica

Divisione V. 4. 2.
Prot. N° 21100.73. Allegato

Rapporto del 14 aprile
Per N° 1163.3.71

Oggetto: Tecche di guerra tedesche.

In relazione alla nota soprastante citata, si ha
il pregio di significare che per la risoluzione
si occupa circa la questione del ricambio delle
agende di vaccinazione delle tecche di guerra te-
desche è stato incaricato il Gabinetto di S. E.
il Ministro.

Si fa pertanto riserva di ulteriori comunica-
zioni al signor, appena possibile.

IL DIRETTORE GENERALE
DELLA SANITÀ PUBBLICA

3478

J. P.

TRANSLATION

Rome 2 May 1945

MINISTRY OF INTERIOR
Gen. Dir. Public Health

Div. VII/A Sec. 2
Prot. 21100.73.AG

SUBJECT: - German war graves

TO : - Public Health Sub-Commission
ROME

Reference your AS.3163.3.PH. dated 14 April
we inform you that the matter of reimbursement of the
expenditures for the maintenance of German war graves,
has been submitted to H.E. the Minister.

As soon as possible we will send ^{you} further communi-
cations on this matter.

THE GENERAL DIRECTOR
OF PUBLIC HEALTH
/s/ SCILIMIA

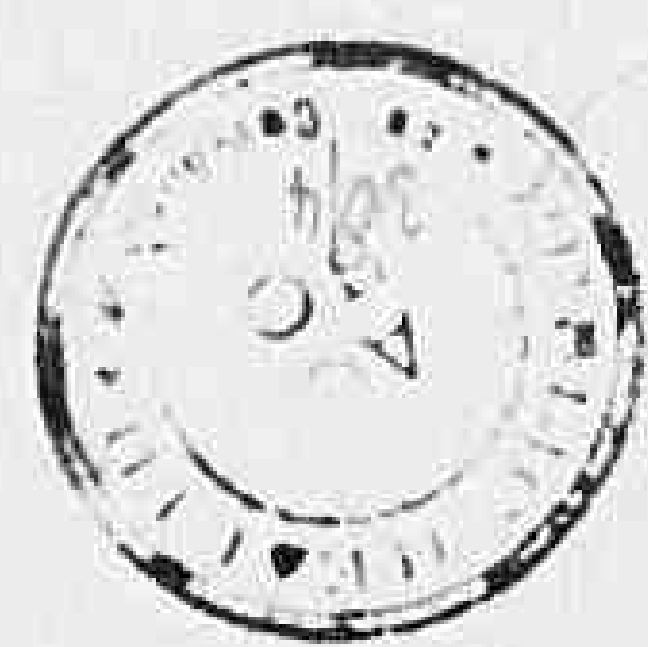
Translated by A.M. Acenfora
bmb/

3477

0998

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

785021



C.J. MACNAMARA
Capt. P.C.
3476

For the Assistant Chief of Staff, G-5:

May we refer to G-5 : 293.8 of 17 March to remind you that we have not yet received a reply.

TO : Headquarters, Allied Commission, APO 394

SUBJECT : German War Graves in Italy

G-5 : 293.8

27 April 1945

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

3163 3/13
CJM/pc

CH SEC 6

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

CA SEC 6
8755 CJM/pc

3163/3/PH

27 April 1945

30 APR 1945

G-5 : 293.8

SUBJECT : German War Graves in Italy

TO : Headquarters, Allied Commission, APO 394

May we refer to G-5 : 293.8 of 17 March to remind you that we have not yet received a reply.

For the Assistant Chief of Staff, G-5:



C.J. MacNAMARA
Capt. P.C.

3476



HEADQUARTERS ALLIED COMMISSION
APO 394
Public Health Sub-Commission

AC/3163/3/PH

24 April 1945

SUBJECT: - German War Graves.

TO : - Ministry of Interior, Italian Government,
Attn: M. L. Solimano.

Further to this office AC/3163/3/PH dated 23rd March, it would be appreciated if information could be afforded as to the present position vis-à-vis the Swiss Legation.

For Brigadier G.S. Parkinson:

CEW/uo

G.M. FRIZZELL, Lt. Colonel,
Chief, Public Health Branch.

3475

316313/PHPHV⁴
ALLIED FORCE HEADQUARTERS KPM/seb
G-5 Section
APO 512

12 APR 1945

10 April 1945

G-5: 293.8

SUBJECT: German War Graves in ITALY.

TO : Headquarters, Allied Commission
APO 394.

1. Reference is made to our G-5: 293.8 dated
17 March 45.

2. It is requested that you inform this
Headquarters as to present status of this case.

For the Assistant Chief of Staff, G-5:



K. P. Mannock
K. P. MANNOCK
Jnr/Comd.

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HEADQUARTERS ALLIED COMMISSION
APO 394
Civil Affairs Section

AC/3163/3/VI

23 March 1945

SUBJECT: - German War Graves.

TO : - Ministry of Interior, Italian Government.
Attn: E.S. Solimani.

1. Enclosed is a copy of a letter concerning German graves, received from the Swiss Legation.

2. It is not accepted that the maintenance of German graves is an Anglo-American responsibility. The maintenance of such graves is the responsibility of the belligerent country in whose territory they are located. This point was agreed upon and understood on the occasion of the visit of a representative of the British War Graves Registration Unit to members of your Section VII A on 5th February 1945.

3. It is requested therefore that you take up the points raised in the attached directly with the Swiss Legation.

For the Chief Commissioner

G. R. UPJES, Brigadier
VP C A Sec.

Copy: - Swiss Legation, Foreign Interests Division, Rome.
- G-5 Section, AFHQ, (Your G-5:293.8 dated 17th March refers).

Incl: as above

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ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM

3163/3/PH

SUBJECT:

FILE No.

TO PH

194

Burials and Cemeteries are PH matters.

The view contained in the Swiss note that the maintenance of German graves is an Anglo-American liability is not accepted. They are a liability of the belligerent in whose territory they are located.

Will you please take the question up with the Italian. Gork and draft a suitable reply in due course.

CA
1917 1365



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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

JB/seb

G-5: 293.8

17 March 1945

SUBJECT: German War Graves in ITALY

19 MAR 1945

TO : Headquarters, Allied Commission
APO 394.

1. Reference is made to the attached copy of Note Verbale from Foreign Interests Division of Swiss Legation at ROME regarding the German War cemetery at TORRE di QUINTO.

2. It is agreed by the Graves Registration Unit, and by both British and American administrative branches this Headquarters, that the graves of enemy nationals are the responsibility of the country in which they are situated.

3. Since there is a considerable number of German graves in ITALY which need attention, it is requested that this matter be raised with the Italian Government and a report furnished to this Headquarters as soon as is practically possible.

For the Assistant Chief of Staff, G-5:

HEADQUARTERS

Julius Byles
JULIUS BYLES
Major, FA.

Incl:
as above.

Copy to:
G-1 (B) Your IRS CR/2383/G-1-(B)
dated 14 March 45, refers.

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COPY

Foreign Interests

NOTE VERBALE

The Swiss Legation, Foreign Interests Division, has the honour to inform the Political Section of the Allied Commission, that it has received a note from the German Government, via the Federal Political Department, Bern, concerning the military cemetery at Torre di Quinto. This cemetery was placed at the disposal of the German Authorities by the Italian Government, and entombed there, are about 4000, German soldiers.

When the German forces evacuated Rome, a certain disorder occurred, and some of their dead were not properly buried, so that the Swiss Legation, as representing the Protecting Power, took over, temporarily, the maintenance of the cemetery. The necessary steps were taken to ensure a decent burial for the dead, and a fence was accordingly erected around the cemetery. For this purpose, the Legation has spent up to date, the sum of from lire 500.000.- to lire 600.000.-

In its note, the German Government informed the Federal Political Department that on its advice, the above mentioned cemetery should be maintained by the Anglo-American Authorities, and suggested that the charges incurred by the Legation

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der occurred, and some of their dead were not properly buried, so that the Swiss Legation, as representing the Protecting Power, took over, temporarily, the maintenance of the cemetery. The necessary steps were taken to ensure a decent burial for the dead, and a fence was accordingly erected around the cemetery. For this purpose, the Legation has spent up to date, the sum of from lire 500,000.- to lire 600,000.-

In its note, the German Government informed the Federal Political Department that on its advice, the above mentioned cemetery should be maintained by the Anglo-American Authorities, and suggested that the charges incurred by the Legation for the upkeep of same, up to date, and for the future, should be paid by them, citing article 4. of the convention of Geneva, (convention of July 27, 1929), which states that a service for the graves will be officially organized by the belligerents to make possible the eventual exhumation of the corpses for the purpose of identification.

The Swiss Legation would be very grateful if the Political Section of the Allied Commission could kindly examine the possibility of pursuing the suggestion made by the German Government.

Rome, February 10, 1945.
MC/na

To the Allied Commission, Political Section,
R O M E.

24/2

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