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

ACC

10000/141/770
(2ND)

ELECTIONS, S
(JUN. 1939);

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

10000/141/770
(2ND)

ELECTIONS, SITUATION IN BOLZANO PROVINCE
(JUN. 1939), AUG. 1945 - APR. 1946

FILE		
DATE	MINUTE SHEET NO. 16	PAGE

Declassified E.O. 12356 Section 3.3/NND No. 760127

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

FILE		
DATE	MINUTE SHEET NO. 15	PAGE

28 Feb.

TO : L. Govt. S/C. (3) (51) Feb. 28th 1946

At S.C's last weekly meeting held on Feb. 27th the question of the state of the electoral Roll in Bolzano Province was raised. Before C.C's next meeting would you let me have any info. we have in the Office about this also about the Score as regard the Special Commission.

MC

6 March

C A Section (52)

1. Ref. minute (51) the present position as to the Special Commission for the Alto Adige is set forth at fo. 93 opposite. There have been no developments since the date of fo. 93. 93
2. It has not been possible to answer minute 51 before to-day as the file has been with this office in connection with the despatch of fo. 93.
3. As to the preparation of the electoral lists, the position is:-
   (a) All communes in Bolzano Province (91) have compiled both male & female lists:
   (b) No lists have yet been approved by Electoral Commissions.

Declassified E.O. 12356 Section 3.3/NND No. 770021

At S.C's last weekly meeting held on Feb. 27th the question of the state of the electoral Roll in Bolzano Province was raised. Before C.C's next meeting would you let me have any info. we have in the office about this also about the Scrse as regard the Special Commission.

MC

---

6 March

C A Section (52)

1. Ref. minute (51) the present position as to the Special Commission for the Alto Adige is set forth at fo. 93 opposite. There have been no development since the date of fo. 93. 93

2. It has not been possible to answer minute 51 before to-day as the file has been with this office in connection with the dispatch of fo. 93.

3. As to the preparation of the electoral lists, the position is:-

(a) All communes in Bolzano Province (91) have compiled both male & female lists:

(b) No lists have yet been approved by Electoral Commissions.

4. Electoral Commissions are leaving on one side the cases of those whose citizenship is in doubt until the new decree for settling this question is made. It follows that only those lists (if any) which contain no doubtful cases are likely to be approved in the immediate future.

[illegible] Williams, Major
for Director, I.G.S/C

53.

Local Govt. S/C

N.S.R.A. Hawk ym. Flt. Lt. Wade

Should see 94.

14/3/46.

M. Conway. V.P.C.A.S

Declassified E.O. 12356 Section 3.3/NND No. 788021

45/12

FILE 3

DATE 20 Nov. 45 CABLE SHEET NO. 14 PAGE

CAS: 49

1. My comments regarding your draft at fo. 3A are as follows:

(i) I believe there is a possibility that some of my comments would vary if I were advised as to the legal implications of some of the paragraphs.

(ii) I suggest the omission of para 4 beginning with the words "It seem to be quite clear ..." to the end of said paragraph. This is a bit argumentative and should be part of a minute sent to the Chief Commissioner supplying him with the reasons for para 3. I do not believe it desirable in a letter to the Prime Minister. It will only invite new argument from the Italian Government. The essential purpose of the letter is to notify the Italian Government of the Allied Commission's intention to register a third category, which you describe in your para 3.

(iii) Para 5 does not take cognisance of the information given to us by the Italian Government in PARRI's letter of 9 November (fo. 1A) as well as the statement of the official from the Legislative Office of the Presidency of the Council as recorded in fo. 2A. The paragraph can very well be omitted in the light of the aforementioned statements of the Italian Government. If you think something should be mentioned about the Special Commission, some statement could be made which could combine your paras 5 and 6 such as follows:

> "I note that you agree to the immediate preparation of the lists and to the provisional inclusion therein of names which may be subsequently struck out by the Special Commission if it is found by the latter that such names have been erroneously included. I trust that the Decree referred to by you setting up the Special Commission will be prepared without undue delay, in order that the doubtful cases be disposed of as quickly as possible before the date for elections is set."

(iv) I suggest the omission of your observations beginning with "but, I am not clear what the phrase 'cancelled after the ascertainment of citizenship ...'". Let us see what the Decree actually says before we comment upon its anticipated contents.

RALPH R. TEMPLE, Major
Director, Local Government S/C

RRT/pec

50

Declassified E.O. 12356 Section 3.3/NND No. 782021

words "It seems to be quite clear ..." to the end of said paragraph. This is a bit argumentative and should be part of a minute next to the Chief Commissioner supplying him with the reasons for para 3. I do not believe it desirable in a letter to the Prime Minister. It will only invite new argument from the Italian Government. The essential purpose of the letter is to notify the Italian Government of the Allied Commission's intention to register a third category, which you describe in your para 3.

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(iv) I suggest the omission of your observations beginning with "but, I am not clear what the phrase 'cancelled after the ascertainment of citizenship ...'". Let us see what the Decree actually says before we comment upon its anticipated contents.

RKTemple, Maj

RALPH R. TEMPLE, Major
Director, Local Government S/C

RRT/pcc

(50)

Legal

Will you please state whether for ~~[illegible]~~ are within the Powers of a Prefect, refer particularly to paras 4, 8, 9.

HHWinks Lt Col.

25 Nov. 1946

Declassified E.O. 12356 Section 3.3/NND No. 788021

FILE

DATE | MINUTE SHEET NO. 1 | PAGE

(47)

LAG

Please submit letter to Pm D.

Attach the letter dated — to the letter —

ref. to in our telephone to the —

13 NOV 1941

1 66

41

14 Nov. CAS. Attached letter pursuant to direction in Minute 47

R B Temple
Dec. 1941

1 2333

Declassified E.O. 12356 Section 3.3/NND No. 788121

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

FILE

DATE | MINUTE SHEET NO. 12 | PAGE

(45)

9 Nov.45 0945 Hrs. Ref. Minutes 44 & 43. Dr. Varino of the Cabinet Pres. Cons. Min. rang up now stating that a letter of PM in reply to CC letter in question has been dispatched this morning by special messenger to Admiral Stone's Office.

(46)

9 Nov.45

Called up Ferraudo, who confirmed the above. I asked him then to please clarify his statement of last night about Major Temple having been informed by the Ministry of the Interior concerning the difficulties that held up the reply, since Major Temple never had a conference or an interview on the subject of Bolzano with the Ministry of the Interior. Dr. Ferraudo replied he assumed that question of the compilation of electoral list in the province of Bolzano should have come up in dealing with the general questions of the elections in discussions between said Ministry and our Sub Commission and that he thinks some mention had been made to him about it. Dr. Ferraudo added he wished to apologize if in yesterday's statement he had been incorrect.

MINUTE SHEET No. 11

39.

Executive Commissioner.
Sir,

Reference your minute 38 and p.59A, attached is letter submitted for Chief Commissioner's signature.

18 Oct. 45.

HO.

OCT 18 RECD
1530

Chief Commissioner.

Attached is submitted for your ~~approval~~ signature ~~information~~ 2351

Civic affairs Section (22) 41

File returned Reversing letter signed for despatch. Copies have been withdrawn for c.e. Tobacco files. Before despatch, will you please insert the PM address in bottom left hand corner.

19/X

Capt.

22 Oct. Chief Clerk — (42) ... ref to 59 ... Nov. 59

Sqr. Nice (43)

8 Nov. Please telephone the Secretariat Particulars to the PM as follows:-
(a) CC wrote PM on 20 August as to compilation of electoral lists in Bolzano Piemonte & the appt. of a Special Commission 44

Declassified E.O. 12356 Section 3.3/NND No. 788021

HO.

OCT 18 RECD
1530

Chief Commissioner.

Attached is submitted for your ~~approval~~ signature ~~information~~ 2351

MS 18/x.

Civic Affairs Section (LS) 41

Will returned herewith, letter signed for despatch. Copies have been withdrawn for c.e. to Comm files. Before despatch, will you please insert the Pm address in bottom left hand corner.

19/x

Capt.

(42)

22 Oct. Chief Clerk — ... to 59 ... Nov. ... 59

Sgr. Nice (43)

8 Nov. Please telephone the Segretario Particolare to the PM as follows:-

(a) CC wrote PM on 20 August as to compilation of electoral lists in Bolzano Province & the apptt. of a Special Commission: 44

(b) CC sent a reminder on 21 Sept: 52

(c) CC wrote again on 19 October: 59

(d) it is 2½ months since CC's first letter. When may we expect a reply? What is the position?

(44)

8 Nov. Referred the above to Dr. Mira personal secretary of PM. He promised to let us know the position by tomorrow morning, as he will have to consult the Cabinet Pres Com'ns who are handling the matter.

Call. Dr. Ferrando Cab. Pres. Com'ns. — He said matter has been held in abbeyance on account of difficulties of political nature connected with it, of which Min. of Interior spoke already to Maj. Temple. Dr. Ferrando will call us up tomorrow to give a more detailed & precise information after consulting his files.

OFFICE OF THE EXECUTIVE COMMISSIONER

Declassified E.O. 12356 Section 3.3/NND No. 760031

MINUTE SHEET NO. 10

DATE	(35)	PAGE
10 Oct.	CAS Ref. minute (31) – (34) draft letter is submitted at fo. 59. R.R. Temple Tel 47706. Major Director, I.G.S/C	59

VP.

36

60A really does not advance matters one iota I have drafted a rather full reply (running to rather considerably shorter than 60) so as to provide him with ammunition for arguing the question and I hope of convincing him

D/O letter from Brig. Dudley.

(60A extracted and being dealt with on temporary file). H.H. Wilson Hd

CAS
12.10.1946
X-606

37.

Ex. Commissioner.

The C.C. Las Lad no reply to his letter of 20 August (44A) nor to the reminder of 21st September (52A) regarding the setting up of the Special Commission and a Government statement on the Upper Adige.
The result is that little or no progress is being made in the preparation of electoral rolls in BOLZANO Province and Neighbouring Territories.
The Prime Minister himself advocated 23-9
the Special Commission on 23rd July (23A)

Declassified E.O. 12356 Section 3.3/NND No. 760021

Director, I.G.S/C

VP.

36

D/O letter from Brig. Dudley.

60A. really does not advance matters one iota I have drafted a rather full reply (though it will be considerably shorter than 60) so as to provide him with ammunition for arguing the question and I hope to convince him

(60A extracted and being dealt with on temporary file). H.H.Wilson Hd

C.A.S
17.061.1946
X- 605

37.

Ex. Commissioner.

The C.C. has had no reply to his letter of 20 August (44A) nor to the reminder of 21st September (52A) regarding the setting up of the Special Commission and a Government statement on the Upper Adige.

The result is that little or no progress is being made in the preparation of electoral rolls in BOLZANO Province and neighbouring territories.

The Prime Minister himself advocated 23.9
the Special Commission on 23rd July (23A)

At 59A is a further letter in draft for the Prime Minister's consideration.

13/X. 15/10 ells 15/10 (38)

M Carsberg
I.P.C.A.I

V.P., C.A.S.

Issue DS 17/x.

Declassified E.O. 12356 Section 3.3/NND No. 770021

FILE

Minute Sheet 9

MINUTE SHEET No.

DATE

Minute 31 - continued)

PAGE

is under AMG, AMG is resporsible for all aspects of its government and for taking action to remove any obstacles to efficient administration. While it is the desire of AMG that this matter should be handled by the Italian Government, if they do not do so, AMG must.

8. This course is recommended. If approved, a letter will be drafted accordingly for CC's signature.

R. R. Temple Major

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

31

VP.

1. SG A. for sign. please.

2. Notes of an ~~conference~~ with PC Bolgano is at 55. These have been circulated to those interested.

3. Interview with Dr. Innocenti (at 56) this makes no progress from PM's letter of 23 Jul (at 23.) The CC. wrote the PM on 20 Aug appraising the Commission and sent a reminder on 21 Sep (respectively at 44 and 52 LG at paras 6 & 7 of minute 31 recommends that we should inform PM that in default of immediate appointment of a commission AMG will appoint and that the acts of a commission so appointed will be binding on the Italian Govt.

may an appropriate letter to this

Declassified E.O. 12356 Section 3.3/NND No. 759021

by the Italian Government, if only to see do so, AMG must.

8. This course is recommended. If approved, a letter will be drafted accordingly for CC's signature.

R. R. Temple Major

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

32.

VP.

1. 59 A. for sign. please.

2. Notes of our ~~conferences~~ with PC Bohyens is at 55. These have been circulated to those interested.

3. Interview with Dr. Innocenti (at 56) this makes no progress from PMs letter of 23 Jul (at 23.) The CC. wrote the PM on 20 Aug approving the Commission and sent a reminder on 21 Sep (respectively at 44 and 52 LG at paras 6 & 7 of min 31 recommends that we should inform PM that in default of immediate appointment of a commission AMG will appoint and that the acts of a commission so appointed will be binding on the Italian Govt.

may an appropriate letter to this effect be drafted for your approval

33

C.S.O. Yes. Please let me see draft. 348 MC 4/10

CAS
4 OCT. 1946
X-608.

34

LG

for action as above

CAS
4 OCT. 1946
X-608

Declassified E.O. 12356 Section 3.3/NND No. 788021

MINUTE SHEET 9

(30)

To. V.P. C.A.S.

27 Sept.

I have no suggestions or alterations to make to the attached draft. In order to keep the whole position together I propose to take a copy of AC/4187/3./L dated 21 Aug. 45

54.

R. R. Cripps
a/

L. G. I. C.

27 SEP. 45.

(31)

3 Oct. 45 C.A.S.:

1. Please see at fo. 55 the note of our conversation on 1 October with Lt. Col. W. E. McBratney, ex-PC Bolzano.

2. The first 6 paras are matters for other S/Cs or Sections and 3 additional copies of the interview note are annexed loose for transmission to them.

3. As to this S/C's functions, please see particularly para 8, as to the preparation of the electoral lists coming to a full stop shortly.

4. Please also see at fo. 56 the note of our subsequent interview with Dr. INNOCENTI. Para 3 shows that the Italian Government have done little or nothing about the CC's letter of 20 August (fo. ~~23~~ 44.) for about 6 weeks.

5. It is considered that the appointment of this Special Commission is

Declassified E.O. 12356 Section 3.3/NND No. 770021

In order to keep the whole position together I propose to take a copy of AC/4187/3/L dated 21 Aug. 45.

R. R. Cripps
Lt. Col.

L. G. I C.

27 SEP. 45.

3 Oct. 45 C.A.S.:

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4. Please also see at fo. 56 the note of our subsequent interview with Dr. INNOCENTI. Para 3 shows that the Italian Government have done little or nothing about the CC's letter of 20 August (fo. ~~23~~ 44) for about 6 weeks.

5. It is considered that the appointment of this Special Commission is most urgent. It will be realized that without it the electoral lists can't be completed and that if Bolzano lags behind the rest of North Italy this one province may postpone still further the election of the Constituent Assembly.

6. A reminder was sent to the PM on 21 Sept. (fo. 52): a further reminder would seem inadequate to the urgency of the situation.

7. The Italian Government could however be reminded that if they do not act expeditiously, AMG will itself have to appoint a Commission (consisting of Italian personnel, of course) which, by virtue of the hand-over, the Italian Government will have to recognize. While the province

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27

MINUTE SHEET 8

Chief Commissioner.

Attached is submitted for your ~~approval~~ signature ~~information~~

28

2346

C A Sec

Letters are signed by c.c. 52 and returned for dispatch.

Copies have been withdrawn for files 1 cc and EC.

22 Sept 45.

Director.

27 Sept.

L.G. S/C

I attach draft of a letter 54
Please amend or redraft as you think fit.
A copy of the letter to McBratney which Behrens

a copy of this is now at fo. 47 A.

Declassified E.O. 12356 Section 3.3/NND No. 788021

C A Sec

Letter as re signed by C.C. 52
and returned for dispatch.
Copies have been withdrawn
for files of CC and CC.

D Hawelly Lieut
Major.

22 Sept 45.

(29)

27 Sept.

Duedon.
L.G. S/C.

I attach draft of a letter 54
Please amend or redraft
as you think fit.
A copy of the letter to
McBratney which Behrens
prepared and I signed
is not in this file -
referred to at (A).

a copy of this
is now at
fo. 47 A.

27/9.

M
V.P.C.A.S

Declassified E.O. 12356 Section 3.3/NND No. 788021

21

MINUTE SHEET 7

CA Sec

Ref Min 18 letter signed by the Chief Comm returned for despatch, copies withdrawn for CC & EC files & copy handed to POLAD (C).

Office of the EC.
21 Aug 45.

Rec'd Maj RA

22.

LG. Please despatch & note min 21 — Fin Sec. CAS.

22/8

Letter despatched
NMA. RA. Capt GA
O.E.C. 22 Aug.

Dep. Dir.

(23)

I believe 45 file is in the army file. It is in connection with a letter in the Vanuatu - Guinea file (ELECTIONS) Discussed with me in my absence. Wednesday
R.A. Claiborne Capt RN

LGSC

Folio 45 transferred to file 45/19 HQ. 29/8/45.

17 Sept. CA Sect. (24)

At fo. 510 is draft letter for under, CC to PM; for approval & upward transmission, please. I think it speaks for itself.

(25)

for Director LGS/C
Major

CAS

Declassified E.O. 12356 Section 3.3/NND No. 770027

2/8

Letter despatched
P.E.C. 22 Aug.
Navl. A.A. Capt. R.N.

Dep. Dir. (23)

I believe 45 file is in the wrong file. It is in answer to a letter on the Vanuatu-Guinea file (ELECTIONS) Discussed with me on my return. Wednesday
A.A. Clift Capt R.N.
L.G.S.C.

Folio 45 transferred to file 45/19 HQ. 29/8/45.

17 Sept. (24) CA Secret.

At fo. 51 is draft letter for under CC to PM; for approval & upward transmission, please. I think it speaks for itself.

C.C. Lamb Gillam Major
for Director L.G.S.(C)

(25)

18 Sept. CAS
Letter for signature of CC herewith.
C.C. Lamb Gillam Major
for Dir. L.G.S.(C) 52

26

Ex. Canun
Letter at 52 for signature of CC if approved
19/9
M.C. V.P.C.A.F.
20/9

Declassified E.O. 12356 Section 3.3/NND No. MR0021

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

Chief Commissioner.

20

2343

Attached is submitted for your signature/~~information/approval.~~

20/8

2

MINUTE SHEET 6

16

Chief Commissioner.

Attached is submitted for your signature/information/approval.

Result of BSM and conference in my Office yesterday. Minutes agree. FC

F.C. MS/16/8.

OR GWS

17.

CA Sec (19)

Ref Minutes 13 to 16 - Please type in final form for the Chief Commissioners signature.

Office of E.C
18 Aug. 45.

Lt Commdr
Major RA

18.

CAS.

In accordance with minute 17, final copy has been prepared for signature of C.C. and is at file 39.

R. P. Cripps Lt Col.
L.G.S.C.
20 Aug 45

19

Ex. Comm

Letter at 39 for signature by C.C.
If he agrees. C.C. approved draft at

Declassified E.O. 12356 Section 3.3/NND No. 788021

17.

C.A.Sec (18) ✓

Ref Minutes 13 to 16 - Please type in final form for the Chief Commissioners signature.

Office of E.C
18 Aug. 45.

Rob Landell
Major RA

18.

C.A.S.

In accordance with minute 17, final copy has been prepared for signature of C.C. and is at folio 39.

L.A.S.C.
20 Aug 45

A. R. Cuffe
Col.

19

Ex. Comm

Letter at 39 for signature by C.C. If he agrees. C.C. approved draft at Min. 16.

M.C. 20/8
V.P. C.A.S

Declassified E.O. 12356 Section 3.3/NND No. 788021

MINUTE SHEET NO. 5

DATE		PAGE
15 Aug. 45.	13 C.A.S. 43 At flag ~~A~~ there is submitted a draft letter to the President of the Council of Ministers, for your approval. It has not been possible to get the approval of FOCAS to this as I have been unable to locate him. If you consider that the draft is in accordance with the directive of the Ex. Com. at the meeting on Tuesday afternoon, you may wish to consider it necessary to discuss with them. L.G.S.C.	13
16 Aug.	14 Para 4 would seem to be superfluous, following last clause of last sentence of Para 3. However, if Para 4 is retained I believe it is improved by provided modifications. Otherwise I approve draft. Pol. Adv. (Actg.) Aug. 16/45	
16. Aug. 45.	15. V.P. C.A.S.	

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It has not been possible to get the approval of Foreign
to this as I have been unable to locate them.
If you consider that the draft is in accordance with
the directions of the Ex. Com. at the meeting on
Thursday afternoon, you may not consider it
necessary to clear with them.

R. R. Wipperman

L.G.S.C.

14

16 Aug. Para 4 would seem to be superfluous,
following last clause of first sentence
of Para 3. However, if Para 4 is retained
I believe it is improved by provided under-
lined portions. Otherwise I approve of draft.

Miller Jones
Col. GS (Adm)
Aug. 16/45

15.

16. Aug 45. V.P. C.A.S.

Since I spoke to you this morning Para. (A)+(B) have agreed
the draft at 38. The alterations in addition to those made
by you are the first four words of para 4 and
the addition of para 7 complete. With which I agree

L.G.S.C.

R. R. Wipperman

Declassified E.O. 12356 Section 3.3/NND No. 788021

Declassified E.O. 12356 Section 3.3/NND No. 780021

25/12 100

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
BOLZANO

DATE: 18 April 1946.
SW?/gq.

REF: ACLO/BZ/45.

23 APR 1946

SUBJECT : Elections in Bolzano Province.

TO : HQ, Allied Commission,
Local Government Sub-Commission,
for Maj Ralph R.TEMPLE.

fo. 98

1. Reference your letter AC/45/12/LG of 13 April 1946 for which I thank you.

2. I regret I cannot agree with para.2 of your letter and would refer you to correspondence forwarded to me under letter No.2806/385/EC of 8 April 1946 in which certain advise was offered to the Italian Government in this respect.

2341

S.W.MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

The letter referred to in para 2 above offered NO advice. However the C.L.O has in fourteen days of the circumstances of the case brought up to the letter to the PM.

However the matter of action in above-mentioned para can be served by answering the letter.

23/4/46

8256

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

2410.8/1.6.1.

45/12

CA Sec 99

Gen

IL PRESIDENTE
DEL CONSIGLIO DEI MINISTRI

Rome, 31 March 1946.

6 APR 1946

8 APR 1946

Dear Admiral,

In adherence to the considerations expressed in your letter No. 2806/349/S.C. dated 26 March, I wish to assure you that every effort will be made to accelerate the compilation of the electorial lists for the Province of Bolzano, so that the elections may be fixed as early as possible.

2340

/s/ De Gasperi

ALLIED COMMISSION 1385

EC Regt 5 4 46

ACTION - EXEC COMM
INFO CA SEC
POLAD "A"
POLAD "B"

8212

To : Admiral ELLERY STONE
Chief Commissioner A.C.
ROME

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

98

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/45/12/13

Tel: 314

13 April 1946

SUBJECT: Elections in Bolzano Province.

TO : AG CLO Bolzano

1. I refer to your ACLO/BZ/45 of 22 March and the enclosed copy letter of the Prefect dated 31 December last.

2. Now that the Province has been turned back to the Italian Government, the Prefect's letter is only of, shall I say, historical interest. Since the hand-over on 31 December last, the Italian Government are now at liberty to do as they please in the matter and this HQ will not offer them any advice or make any comment unless the Italian Government ask for it.

3. I and my officers have been exclusively preoccupied with the communal elections for the last few weeks or you would have had an earlier reply.

2333

RALPH P. TEMPLE
Major
Director
Local Government Sub Commission

CCTW/rma

2360

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

Lg 97

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
BOLZANO

REF: ACLO/BZ/45

DATE: 22 March 1946
EWM/lc

28 MAR 1946
28 MAR 1946

SUBJECT : Elections.

TO : HQ, Allied Commission,
Civil Affairs Section,
Lt.Col. S.H. WHITE.

10.87.

1. Reference your AC/45/12/LG of 17 December 1945.

2. Attached hereto the reply from the Prefect of 31st December, 1945.

3. Yesterday the Executive Commissioner spoke about the possibility of holding elections in this Province.

4. It appears that the views of the Allied Commission regarding citizenship are not the same as those of the Italian Government with the result that conflicting instructions have reached the Prefettura in Bolzano.

5. I think a clear directive by the Italian Government is the first essential, defining the categories to be included and those to be excluded from the lists. 2338

S. W. MILLER, Colonel,
Chief Liaison Officer,
BOLZANO.

1 encl.

Copy to : Brig. M.S. LUSH, CB, MC,
Executive Commissioner,
HQ, Allied Commission.

ALLIED COMMISSION
1245
HEADQUARTERS
8129

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

978

TRANSLATION

Prot. n. 7712
DA/ez

Bolzano, 31.12. 1945

Maj. W.M. HARRISON
Acting Provincial Commissioner,
Bolzano.

I have this morning received a copy of a translation regarding the preparation of the electoral lists, signed by Col. S.H. White, and forwarded by you.

As the instructions received concern the citizenship and this matter appears to be considered, also by the Allies, one for the Italian Government to deal with; as the instructions are not clear enough to be applied properly; lastly, as I have not received instructions in this regard from the Italian Government, I wish to notify you that I am not able, at present, to carry out the instructions.

/s/. De Angelis
PREFECT.

2337

ALLIED COMMISSION HEADQUARTERS 1245

8149

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

HEADQUARTERS ALLIED COMMISSION
Office of the Chief Commissioner
APO 394

Ref: 2805/349/SC

26 March 1946
27 MAR 1946

My dear Mr. Prime Minister:

I understand from information received from the Press and other sources, that it will not be possible to hold National Elections in the Province of Bolzano on June 2nd owing to the fact that the compilation of the electoral rolls will not be completed in time.

I feel sure that you will agree that this is very much to be regretted. All that remains would appear to be to hold the National elections in the Province at the earliest possible date so that its deputies can take part in the work of the Constituent Assembly to as great an extent as possible. I am confident that you are fully alive to the desirability of this and will take all the necessary measures to that end.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

2336

Copy to: Local Government S/C
Polad (A)
Polad (B).

95

HEAD QUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

Report re to the holding of National Elections in Bolzano Province

1. The last fortnightly report of the acting Prefect of Bolzano states that :-
a) all the 91 communes of the province have compiled their male and female lists;
b) in no communs have any lists, male or female, been approved by the Electoral Commissions ;
c) the Electoral Commissions are proceeding by -
(i) first examining the regularity of the Sindaco's proceedings ;
(ii) then deciding the cases of those registered electors who are Italian speaking and whose citizenship is not in doubt ; and
(iii) postponing cases of all German-speaking registered electors until after the Special Commission on citizenship has given a decision.

In a recent interview the acting Prefect stated categorically that as result of this no part of Bolzano Province will participate in the elections for the Constituent Assembly to be held on 2 June.

2. It is true that the work of the Special Commission and the work of the Electoral Commissions could proceed simultaneously to some extent, but this does not take the matter very far. Nominations have to be lodged with the Court of Appeal 45 days before the elections, i.e. by 18 April. The lists of candidates so deposited have to be subscribed by not less than 500 and not more than 1000 registered electors. The deposited lists have to be accompanied by certificates that the subscribers are in fact registered electors. Therefore the electoral lists must be approved, ready and printed at the latest a day or two before 18 April.

3. It follows therefore that the Special Commission would have to complete its labours by the first few days of April to allow time for entries to be made in the lists in consequence of their decisions. This is obviously quite impossible. 2335 The Special Commission has not yet been appointed.

4. It may therefore be taken as certain that the Province of Bolzano cannot in any circumstances now participate in the elections to be held on 2 June.

5. This does not mean that representatives of Bolzano will never participate in the labours of the Constituent Assembly. The law governing the elections for the Constituent Assembly contains a provision to meet the case.

6. Article 13 of the law says that the order fixing the date of the elections may provide for supplementary elections in cases where exceptional circumstances inherent in the present situation in certain frontier zones makes it impossible to hold elections in them at present. Bolzano and Trento provinces form Constituency VIII, returning 9 Deputies. Article 13 makes it possible for the Italian Government to provide that in this Constituency only the Province of Trento shall vote on 2 June and only for (say) 5 deputies and that the remainder of the Constituency, i.e. Bolzano Province shall vote for the remaining 4 deputies at a later date.

7. It is understood that the law on the powers of the Constituent Assembly provides for it to meet 22 days after the elections, i.e. on 24 June and for it to have a maximum life of eight months, i.e. until 24 February 1947.

8. The acting Prefect of Bolzano expressed no opinion as to when it may be possible to hold elections in Bolzano. This must depend on how long it takes the

Adhoc re 25/12/11.

Declassified E.O. 12356 Section 3.3/NND No. 788021

c) the Electoral Commissions are proceeding by -
(i) first examining the regularity of the Finance's proceedings ;
(ii) then deciding the cases of those registered electors who are Italian speaking and whose citizenship is not in doubt ; and
(iii) postponing cases of all German-speaking registered electors until after the Special Commission on citizenship has given a decision.

In a recent interview the acting Prefect stated categorically that as result of this no part of Bolzano Province will participate in the elections for the Constituent Assembly to be held on 2 June.

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3. It follows therefore that the Special Commission would have to complete its labours by the first few days of April to allow time for entries to be made in the lists in consequence of their decisions. This is obviously quite impossible. The Special Commission has not yet been appointed.

4. It may therefore be taken as certain that the Province of Bolzano cannot in any circumstances may participate in the elections to be held on 2 June.

5. This does not mean that representatives of Bolzano will never participate in the labours of the Constituent Assembly. The law governing the elections for the Constituent Assembly contains a provision to meet the case.

6. Article 13 of the law says that the order fixing the date of the elections may provide for supplementary elections in cases where exceptional circumstances inherent in the present situation in certain frontier zones makes it impossible to hold elections in them at present. Bolzano and Trente provinces form Constituency VIII, returning 9 Deputies. Article 13 makes it possible for the Italian Government to provide that in this Constituency only the Province of Trente shall vote on 2 June and only for (say) 5 deputies and that the remainder of the Constituency, i.e. Bolzano Province shall vote for the remaining 4 deputies at a later date.

7. It is understood that the law on the powers of the Constituent Assembly provides for it to meet 22 days after the elections, i.e. on 24 June and for it to have a maximum life of eight months, i.e. until 24 February 1947.

8. The acting Prefect of Bolzano expressed no opinion as to when it may be possible to hold elections in Bolzano. This must depend on how long it takes the Special Commission to complete its work, and I do not think anyone could venture a reliable opinion on this. I would say this much myself, that I do not think we shall have any elections in Bolzano before the end of August and probably later. It therefore seems reasonable to assume that the Deputies from Bolzano will take part in the work of the Assembly in its later and possibly middle sessions.

Declassified E.O. 12356 Section 3.3/NND No. 788021

95A

9. The question arises as to what attitude this HQ should take upon the facts stated above and in particular whether any advice should be tendered or observations made to the Italian Government. To facilitate the consideration of this point, the previous correspondence between the CC and the PSI has been summarised in Appendix "A"

10. It will be observed that, with the exception of the CC's last letter, all the correspondence took place before the "hand-over". Now that Bolzano Province is under the jurisdiction of the Italian Government, the policy of this HQ is understood to be
a) As to the Special Commission - "that this whole matter of citizenship is one for "it (i.e. the Italian Government) to deal with and that the Allies do not intend "to interfere. It was only because this Commission (i.e.AC) was asked for its "opinion that we advised the Italian Government ....." (quoted from CC's letter to CLO Bolzano of 25 February 1946).
b) As to the preparation of electoral lists and the holding of elections - "that the conduct of the elections is strictly a matter for the Italians to settle" (quote from CA Section directive of 28 February 1946 to LOs as to their conduct in observing elections.)

11. It is submitted therefore that this HQ should not volunteer any advice to the Italian Government on the matter. It may however be considered desirable to communicate to the PSI the observation that the Allies hope that the elections will be held in Bolzano Province as quickly as possible.

14 March 1946

R. R. Temple Major

Ralph R. TEMPLE
Major
Director, Local Government S/C.
2334

Distribution :- Chief Commissioner
Executive Commissioner
Poland A
Poland B
AC/45/22/18.
CC/45/22/2/10.
Floats.

Italian Desk

Declassified E.O. 12356 Section 3.3/NND No. 788021

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APPENDIX "A"

Summary of previous correspondence.

1. About 3 July 1945 CC left an Aide-Memoire with Prime Minister PARRI. This drew attention to the nationality problem in Bolzano and asked for the views of the Italian Government.

2. Letter PM to CC - 23 July. This refers to the Aide-Memoire and states the views of the Italian Government, i.e. that there should be a Special Commission with power to conduct a fresh option. In the meantime the PM agreed that the preparation of electoral lists should proceed by registering only Italians and those of German blood who opted for Italy.

3. Letter CC to PM - 20 August. CC agreed with the PM's proposals as to the electoral lists, as in para 2 above, but stated that :-
   a) the Special Commission should apply the existing law ;
   b) a fresh option was considered highly undesirable until the Italian Government determined their future policy as to the Alto Adige.

4. Letter CC to PM - 21 September - urging the early setting up of the Special Commission as otherwise the embarrassment of all concerned in the preparation of the lists increases from day to day.

5. Letter CC to PM - 19 October - asking for an early reply and pointing out the danger of not being ready in time for the elections. This letter also referred to the possibility of the Special Commission being appointed by AMG if the Italian Government was not able to establish it in the immediate future.

6. Letter PM to CC - 9 November - stating that the Italian Government was studying a decree for establishing a Special Commission "to decide doubtful cases". Meanwhile the preparation of the electoral lists could proceed and the possibility would be considered of temporarily registering the German-speaking population and of subsequently cancelling registrations in those cases found not to have Italian citizenship.

2333

7. Letter PM to CC - 13 November - enclosing a draft Decree and report as to the setting up of the Special Commission. In this letter the PM asked that the preparation of the electoral lists should be suspended.

8. Letter CC to PM (DE GASPERI) - 21 November - pointing out the discrepancies in the letter of 9 and 13 November and stating that instructions had already been given to AC for the preparation of the electoral lists to proceed ; otherwise the lists may not be ready by the time of the elections.

9. Further letter CC to PM - 21 December - relating to the draft Decree for the Special Commission. The letter reiterates that the Commission should ascertain the

of electoral lists should proceed by registering only Italians and those of German blood who opted for Italy.

3. Letter CC to PM - 20 August. CC agreed with the PM's proposals as to the electoral lists, as in para 2 above, but stated that :-

a) the Special Commission should apply the existing law ;

b) a fresh option was considered highly undesirable until the Italian Government determined their future policy as to the Alto Adige.

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2333

7. Letter PM to CC - 14 November - enclosing a draft Decree and report as to the setting up of the Special Commission. In this letter the PM asked that the preparation of the electoral lists should be suspended.

8. Letter CC to PM (DE GASPERI) - 21 November - pointing out the discrepancies in the letter of 9 and 14 November and stating that instructions had already been given to AC for the preparation of the electoral lists to proceed : otherwise the lists may not be ready by the time of the elections.

9. Further letter CC to PM - 21 December - relating to the draft Decree for the Special Commission. The letter reiterates that the Commission should ascertain the facts and apply the existing law and expresses the view that proposals which would deprive of their citizenship a number of persons who under existing Italian law are Italian citizens were inopportune.

10. Letter CC to PM - 28 January 1946 - which refers to a lengthy memorandum submitted from the PM's offices upon the juridical aspects of the Italian Government's proposals as to the Special Commission and states that, while this memorandum has merit from a juridical point of view, the proposals are still considered unwise as a matter of policy.

Declassified E.O. 12356 Section 3.3/NND No. 788021

Declassified E.O. 12356 Section 3.3/NND No. 780021

94

Action - 45/12/11

AC/45/12/LG.

SUBJECT : Note of interview AC HQ

DATE : 8 March 1946

PRESENT : Dott. INNOCENTI Silvio, temporarily Prefect of Bolzano
Major C.G.R. Williams, Executive Officer Local Government S/C.

1. Special Commission Dr. I. said the Government were going ahead with this and a Decree constituting a Special Commission would be published, he thought, before the end of March. His idea was a Commission of 15 of whom at least 5 would be German-speaking representatives such as a Minister of Religion, two Sindaci, a Judge and so on.

2. Autonomy Dr.I. himself is working on a project of administrative autonomy. His great difficulty,he said, was to provide adequate guarantees for a minority. Whatever were the boundaries of the new autonomy region there would be a minority. If the new region were Bolzano Province only there would be an Italian minority; if it were Bolzano and Trento Provinces combined there would be a German minority.(Note:- I rather think, from I's attitude, that the autonomous region will be Bolzano and Trento). In either case the problem is not so much one of writing guarantees into a Decree as of providing appropriate administrative institutions or procedures to ensure that the guarantees are observed.

3. Dr.I. reminded me of D.L.L. 22 December No.824 (see G.U. 16 January 1946 No.13) providing for the use of German in Bolzano Province. One of his main jobs at present was working out details of this. He intended to see, for instance, that there was one at least bilingual official in every public office.

4. Preparation of Electoral Lists Dr. I. confirmed the position as disclosed in his report to the Ministry of the Interior of 8 February 1946 (for period 16 - 31 January 1946) i.e. 2332

a) All Communes in Bolzano (91) have compiled their male and female lists
b) More of the lists have been approved by Electoral Commissions ;
c) Electoral Commissions are dealing with the lists by : -
   i) Examining the validity of the Sindaco's proceedings ; then
   ii) Examining the entitlement to be registered of those whose Italian citizenship is clear ;
   iii) Leaving cases of doubtful citizenship on one side at present.

5. Dr. I. said the Electoral Commissions would not proceed any further until the Special Commission had settled cases of doubtful citizenship. He confirmed therefore that there would be no communal elections in Bolzano Province this spring, neither would any of the electoral lists be ready in time for the anticipated date of the elections to the Constituent Assembly at the end of May.

6. He did not think that these facts would produce any unfavourable reaction among the population. Among the German-speaking inhabitants, the pro-Austrian was more interested in the possibility of participating in an Austrian Parliament than in an Italian Constituent Assembly. As to the remaining allogeni, before the date of the Constituent Assembly elections the scheme of autonomy would have been published and the allogeni would be more interested in electing their own regional assembly than in sending delegates (deputati) to the Costituente. This, he thought,

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

9HA

would also be the attitude of the Italian-speaking population.

7. Dr. I. said he did not think it would be possible to publish the scheme of autonomy before the Special Commission got to work on the citizenship problem. He did not think the absence of an autonomy scheme would have any great influence upon those who may be called upon to exercise a fresh option for Austrian or Italian citizenship. He thought the D.L.L. (quoted above) as to the use of the German language had gone a good way to meet this point and indicated the intentions of the Italian Government.

8. Alto Atesini among German POWs Dr. I. referred to the number of natives of the Alto Adige who had served in the German Army, had been taken prisoner and were now held in POW camps in various parts of Italy. Many of these had written to the Prefecture and elsewhere to ask if they could be released and go home to their native places and the Italian Government were rather anxious about this. The problem is, of course, bound up with that of citizenship, but I gathered that the Italian Government did not object in principle to the release and return to their native places even of those who had opted under the German 1939 Accords, providing the Italian Government were sure(after enquiries made by them)that :-

a) the prisoners did in fact have a home and family in the Alto Adige ;
b) they had a reasonable prospect of supporting themselves there.

The question of their citizenship would be dealt with by the Special Commission in any event.

I pointed out that this problem was not within the competence of this S/C and all I could do was to bring Dr. I.'s observations to the notice of my superior Officers. Dr. I. said that on this matter there had been some correspondence between the Ministry of Foreign Affairs and the Chief Commissioner last August. He thought it would be well if he mentioned the subject to Col. Miller. I said I thought there could be no objection to this and that Col. Miller as CLO Bolzano would no doubt communicate on the matter with this HQ.

The matter has already been put to PFHQ MC

C.G.R. WILLIAMS 2331
Major
Executive Officer
Local Government Sub Commission

CGRW/ww

Distribution : 45/12/1
45/29
File
Float
Polad A
Polad B

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

HEADQUARTERS ALLIED COMMISSION
APO 394
OFFICE OF THE EXECUTIVE COMMISSIONER

25 February 1946

SUBJECT : Special Commissions in Bolzano

TO : C.L.C. Bolzano.

Dear

1. Reference AC/LO/BZ/12 of 11 February 1946.

2. I am aware of all the facts you mention and I appreciate your bringing them to my attention.

3. To put you in the picture as to the subsequent developments following letters AC/45/12/1C. of 20 August 1945 and 19 October 1945 which you refer to, the following information may be of interest to you. Before the passage of Bolzano to the Italian Government a Decree creating Special Commissions to settle problems of citizenship and to provide for the re-acquisition of Italian citizenship by those who had lost it was submitted to the Allied Commission for its consideration. The Commission took an unfavourable view of it. Subsequently, after the turn-over, the Italian Government requested the opinion of the Commission on a Pro-Memoria dealing with the legal aspects of the proposed Decree. After a re-examination of the Decree in the light of the Pro-Memoria the Italian Government was advised that from a legal standpoint the arguments presented had merit, but as a matter of policy the enactment of a Decree was inadvisable.

4. The official position of the Allied Governments is to impress upon the Italian Government that this whole matter of citizenship is one for it to deal with and that the Allies do not intend to interfere. It was only because this Commission was asked for its opinion that we advised the Italian Government as indicated in the preceding paragraph.

5. The proposed Decree setting up the Special Commissions is at the present time being considered by a Commission in the Consulta from which it is expected to emerge for consideration by the Council of Ministers within the next week or two. It is possible that the Prefect is anticipating the passage of the Decree and is attempting to make provision for the accomodation of the Commissions when they do arrive. There is a likelihood, however, that these may be the Commissions which are to study the problem of autonomy for the Region.

Yours

Brigadier
Executive Commissioner

RPT/ww

Copy to file AC/45/12/1/1C.

2330

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

DRAFT

HEADQUARTERS ALLIED COMMISSION
APO 394
OFFICE OF THE EXECUTIVE COMMISSIONER

HS/12/92

SUBJECT : Special Commissions in Bolzano 25 February 1946

TO : C.L.O. Bolzano.

Dear ,

1. Reference ACLO/BZ/12 of 11 February 1946.

2. I am aware of all the facts you mention and I appreciate your bringing them to my attention.

3. To put you in the picture as to the subsequent developments following letters AC/45/12/LG. of 20 August 1945 and 19 October 1945 which you refer to, the following information may be of interest to you. Before the passage of Bolzano to the Italian Government a Decree creating Special Commissions to settle problems of citizenship and to provide for the re-acquisition of Italian citizenship by those who had lost it was submitted to the Allied Commission for its consideration. The Commission took an unfavourable view of it. Subsequently, after the turn-over, the Italian Government requested the opinion of the Commission on a Pro-Memoria dealing with the legal aspects of the proposed Decree. After a re-examination of the Decree in the light of the Pro-Memoria the Italian Government was advised that from a legal standpoint the arguments presented had merit, but as a matter of policy the enactment of a Decree was inadvisable. 2329

4. The official position of the Allied Governments is to impress upon the Italian Government that this whole matter of citizenship is one for it to deal with and that the Allies do not intend to interfere. It was only because this Commission was asked for its opinion that we advised the Italian Government as indicated in the preceding paragraph.

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

92D

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Yours

Brigadier
Executive Commissioner

RHT/mw

Copy to File AG/15/12/1/1G.

2328

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

AS/29 91

Ref: 2806/315/EC.

28 February 1946.

SUBJECT: Special Commissions in BOLZANO.

1 MAR 1946

TO : AC CLO, BOLZANO.

I refer to your letter ACLO/BZ/12 of 11 February 1946.

1. I am aware of all the facts you mention and I appreciate your bringing them to my attention.

2. To put you in the picture as to the subsequent developments to, the following information may be of interest to you. Before the following letters AC/45/12/10 of 20 Aug 45 and 19 Oct 45 which you refer passage of BOLZANO to the Italian Government a Decree creating Special Commissions to settle problems of citizenship and to provide for the re-acquisition of Italian citizenship by those who had lost it was submitted to the Allied Commission for its consideration. The Commission took an unfavourable view of it. Subsequently, after the turnover, the Italian Government requested the opinion of the Commission on a pro-memoria dealing with the legal aspects of the proposed Decree. After a re-examination of the Decree in the light of the pro-memoria, the Italian Government was advised that from a legal standpoint the arguments presented had merit, but as a matter of policy the enactment of a Decree was inadvisable.

3. The official position of the Allied Governments is to impress upon the Italian Government that this whole matter of citizenship is one for it to deal with and that the Allies do not intend to interfere. It was only because this Commission was asked for its opinion that the Italian Government was advised as indicated in the preceding paragraph. 2327

4. The proposed Decree setting up the Special Commissions is at the present time being considered by a Commission in the Consulta from which it is expected to emerge for consideration by the Council of Ministers within the next week or two. It is possible that the Prefect is anticipating the passage of the Decree and is attempting to make provision for the accommodation of the Commissions when they do arrive. There is a likelihood, however, that these may be the Commissions which are to study the problem of autonomy for the Region.

For the Chief Commissioner:

ALLIED SECTION 966 HEADQUARTERS

M S Clerk
Brigadier,
Executive Commissioner.

MSL/JC.

Copy to: Local Government Sub-Com (2)

8051

Declassified E.O. 12356 Section 3.3/NND No. 780021

40

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

Tel: 478190

AC/45/12/16.

5 January 1946

SUBJECT : Preparation of Electoral Lists in Bolzano.

TO : British Political Adviser.

1. Thank you for your letter of 2nd January on the above subject.

2. Attached hereto is a brief memorandum on the progress of electoral work in Bolzano. This memorandum is based on the last report received from the Prefect of Bolzano, dated 11 December last.

3. It is hoped that you will find the information you require in the present memorandum.

4. Should more recent information be necessary, we shall be pleased to forward this when received.

RHT

RALPH H. TEMPLE
Major
Director
Local Government Sub Commission

JH:/ew

Encl. Memorandum
Copy to Colonel A

2326

HEADQUARTERS ALLIED COMMISSION
AMG 534
LOCAL GOVERNMENT SUB COMMISSION

90/12

Memorandum on Electoral work in Bolzano Province

1. On 13 November 1945 the Provincial Commissioner of Bolzano Province issued instructions to the Prefect of Bolzano to proceed with the preparation of electoral lists. Preparation had been previously held in suspense, pending settlement of the citizenship problem. The Prefect of Bolzano was also instructed on the same date that, with reference to the citizenship problem, the following ruling would be adopted : viz. "All inhabitants of Bolzano Province who opted in the pact for German citizenship but who did not leave the country are to be inscribed on Electoral Lists."

2. On 18 November 1945, in a letter addressed to the Chief Commissioner, Sig. Parri, President of the Council of Ministers, referred to a draft plan which was to be considered by the Council on 21 November and which dealt with the citizenship problem. In the final paragraph of this letter Sig. Parri suggested suspension of work on the electoral lists. He stated : - " Considering what I said in this letter, and believing that this matter is shortly to be solved, I shall greatly appreciate it if you give the necessary instructions to the authorities in charge to suspend the drafting of electoral lists in Alto Adige, to avoid the possibility of their being later on in opposition with the results of the enforcing of the planned law decree." In a subsequent letter from the Italian Government dated 23 November it was confirmed that the above draft plan had been "approved in general principles " by the Council of Ministers.

3. Meanwhile on 4th December 1945, in order to clarify the position for Venezia Region, a directive was issued by the Allied Commission , Civil Affairs Section (ref. AC/45/12/LG), which dealt with the citizenship problem in Belluno, Bolzano, Trento and Udine on the basis of the existing Italian law (See paragraphs 3,4,5,6 of attached directive,.

4. On 21 December 1945 the Chief Commissioner in a letter to the Prime Minister, (ref. AC/45/12/3/LG), emphasised the need for proceeding with the compilation of electoral lists without delay and advocated the inclusion therein of all persons prima facie entitled to be registered according to the existing Italian Law. A copy of this letter is attached hereto.

2325

5. Pursuant to the above the Prefect of Bolzano in his report dated 11 December 1945, states that : (a) out of 92 communes in Bolzano, 8 communes have completed the compilation of the general masculine list and the same 6 have completed the general feminine list ; (b) no lists have so far been approved; (c) all other electoral operations are proceeding normally ; except that the customary delay is being experienced in checking the penal records of electors, due to the fact that the judicial records offices have been over-burdened with enquiries - particularly the central office in Rome.

5 January 1946

RALPH B. ERWIN
Major
Director
Local Government Sub Commission

JLR/mw

Declassified E.O. 12356 Section 3.3/NND No. 778021

problem. The Prefect of Bolzano was also instructed on the same date that, with reference to the citizenship problem, the following ruling would be adopted : viz. "All inhabitants of Bolzano Province who opted in the past for German citizenship but who did not leave the country are to be inscribed on Electoral Lists."

2. On 16 November 1945, in a letter addressed to the Chief Commissioner, Sig. Parri, President of the Council of Ministers, referred to a draft plan which was to be considered by the Council on 21 November and which dealt with the citizenship problem. In the final paragraph of this letter Sig. Parri suggested suspension of work on the electoral lists. He stated : - " Considering what I said in this letter, and believing that this matter is shortly to be solved, I shall greatly appreciate it if you give the necessary instructions to the authorities in charge to suspend the drafting of electoral lists in Alto Adige, to avoid the possibility of their being later on in opposition with the results of the enforcing of the planned law decree." In a subsequent letter from the Italian Government dated 23 November it was confirmed that the above draft plan had been "approved in general principles " by the Council of Ministers.

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2325

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5 January 1946

RALPH R. TEMPLE
Major
Director
Local Government Sub Commission

JIR/ww

Declassified E.O. 12356 Section 3.3/NND No. 788021

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

294/ /45

Office of British
Political Adviser.

3 JAN 1946

Director,
Local Government Sub-Commission,
Allied Commission.

Subject: Preparation of Electoral Lists in Bolzano.

The British Foreign Office have asked us to let them have an interim report on the progress of compiling electoral rolls in Bolzano Province.

2. As I find it extremely difficult to piece together the story from the papers at our disposal and as I know that you have all the information at your finger-tips, would you be so kind as to let me have a short report for transmission to the Foreign Office?

Halford

2.1.46

Polad (Br) (Asst.)

Copy to U.S. Polad
British Embassy.

2324

7882

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

Ref : AC/43/12/1/15

21 December 1945

My dear Mr. Prime Minister:

My letter of the 20 Aug expressed the views that the electoral registers in Alto Adige should be compiled according to the existing Italian law and that the functions of the Special Commission should be confined to ascertaining facts.

Before your predecessor's letter of Nov 9th reached me and in the absence of any communication from him on this matter, the Regional Commissioner of Venezia was instructed that the lists must be compiled in accordance with the existing Italian law. He was informed that according to the advice which the AC had received as to the existing law, he should include therein not only the two classes of electors referred to in Para 2 (b) of my letter but also German speaking Italians who had opted for German nationality but had taken no other step to acquire that nationality. It is noted that this instruction is in general accord with the provisions contained in the draft decree forwarded in your letter of the 13 November.

Your predecessor's letter of 9 Nov agreed in principle to the immediate preparation of the Lists and to the provisional inclusion therein of names which might be subsequently struck out, if it was found that they had been erroneously included; but, your letter of the 13 Nov suggests that the preparation of the lists should be suspended until agreement as to the draft law has been reached. The preparation of the lists will take most time. As the difference between the draft decree and the present instructions are only of relatively minor degree it is felt that the compilation of the lists should continue. If names are included therein which should, according to later agreement, be excluded, it will be far more expeditous to strike those out later than to delay the work of compilation now. It is proposed therefore to continue with the compilation; otherwise the lists may not be ready by the time of the elections.

The draft decree is being studied and will be the subject of a separate communication.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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

7896

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/45/12/LG.

Tel: 478706

17 December 1945

SUBJECT: The Upper Adige etc. - Preparation of Electoral Lists.

TO : See Distribution below.

1. Executive Memorandum No. 5 gives directions for the compilation of the electoral lists throughout Military Government Territory. Para 2 thereof states that these directions include the Provinces of Bolzano and Udine for which supplemental instructions would be issued. The supplemental instructions in question are contained in the present directive.

2. This directive applies to all Provinces containing areas referred to in the Italo-German Accords of 1939 (as subsequently amended), i.e. the Provinces of Belluno, Bolzano, Trento and Udine.

3. Persons of Italian birth or speech who were never affected by the said Accords will be inscribed in the electoral lists in the normal way.

4. The following classes of German-speaking inhabitants of these provinces are, under Italian Law, Italian citizens and will be inscribed in the lists:-
(a) those who opted under the Accords for Italian citizenship, or
(b) those who opted for German citizenship but took no other steps in the direction of acquiring that citizenship.

5. The class of optants described in para 4(b) therefore provisionally excludes from inscription in the lists those optants for German citizenship who, for example, transferred their residence to Germany (whether they have since returned to Italy or not) or obtained a certificate of German naturalisation and 3822 entered the German civil or military service.

6. The inclusion of any name in an electoral list is provisional and will not be taken as evidence of nationality and it does not confer any permanent rights on the person concerned nor exclude the possibility that such name may be subsequently deleted from the Register.

7. Prefects will be directed to transmit these instructions at once to Sindaci and Electoral Commissions, and to ensure that these Authorities apply them uniformly and generally. Every effort will be made to complete the lists as rapidly as possible.

BY COMMAND OF THE CHIEF COMMISSIONER

S.H. WHITE

Declassified E.O. 12356 Section 3.3/NND No. 788221

Electoral Lists. 17 December 1945

TO : See Distribution below.

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BY COMMAND OF THE CHIEF COMMISSIONER

S.H.WHITE
Lt. Colonel
A/Vice President
Civil Affairs Section

RRT/ww

Distribution : -

RC VENEZIE Region(10 copies)
Chief Commissioner
Executive Commissioner
Polad (A)
Polad (B)

Declassified E.O. 12356 Section 3.3/NND No. 778021

DRAFT 86

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref : AC/45/12/LG

17 December 1945

SUBJECT : The Upper Adige etc. - Preparation of Electoral Lists

TO : See Distribution below

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Declassified E.O. 12356 Section 3.3/NND No. 759021

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Declassified E.O. 12356 Section 3.3/NND No. 778121

867

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BY COMMAND OF THE CHIEF COMMISSIONER

S.H. WHITE Lt Col,
A/VP CA Section

Distribution : -

RC VENEZIE Region (incomplete)
Chief Commissioner
Executive Commissioner
Polad (A)
Polad (B)

2320

Declassified E.O. 12356 Section 3.3/NND No. 788221

85

Excerpt from the newspaper "L'UNITA'" of 13 December 1945

Oscure manovre intorno all'Alto Adige

MILANO, 12. — Di fronte alle intemperanze nazionalistiche della stampa del «Volkspartei», il Partito germanico tirolese, alle provocazioni e alle calunnie alimentate in tutti i modi per tendere a creare in Alto Adige una situazione di disagio politico, psicologico e morale, molto pericolosa per la convivenza pacifica e la collaborazione dei vari gruppi etnici, è intervenuto energicamente il Prefetto di Bolzano con una lettera al Segretario di detto partito.

In questa lettera è espressa la più viva condanna di quei nazionalismi che oscuri interessi reazionari alimentano, secondo tutte le regole della provocazione fascista, per influire sulla decisione internazionale concernente la frontiera e sabotano tutte le iniziative democratiche tendenti a risolvere i vari problemi delle regioni multilingui, come le commissioni paritetiche proposte dal Governo italiano, che dovrebbero iniziare lo studio di una legislazione particolare per quelle regioni.

Alle varie manovre dei gruppi reazionari denunciate dal Prefetto di Bolzano è da attribuirsi la notizia dell'U.P., secondo la quale informazioni pervenute in Austria da Roma lasciano prevedere che si sarebbe attualmente disposti in Italia a trattare la cessione del territorio dell'Alto Adige sulla base di adeguate garanzie circa i grandi investimenti finanziari fatti dall'Italia nella regione e, in particolare, dei grandiosi impianti idroelettrici che forniscono l'energia a gran parte delle industrie della Valle Padana.

Sempre secondo l'alto funzionario austriaco che ha fatto tale rivelazione all'Agenzia, l'eventuale cessione dell'Alto Adige all'Austria non mancherebbe di avere notevoli ripercussioni nella vita politica del paese giacchè la popolazione di quella regione, a carattere prettamente conservatore, aumenterebbe notevolmente la forza dei partiti di destra, già abbastanza notevole nel paese.

Si afferma a Vienna, conclude l'U.P., che da parte del Vaticano il punto di vista austriaco verrebbe tacitamente appoggiato nella speranza che l'apporto delle forze cattoliche dell'Alto Adige consolidi le posizioni del partito popolare austriaco.

In translation: -

MANOEUVRES IN THE DARK ABOUT ALTO ADIGE. 2315

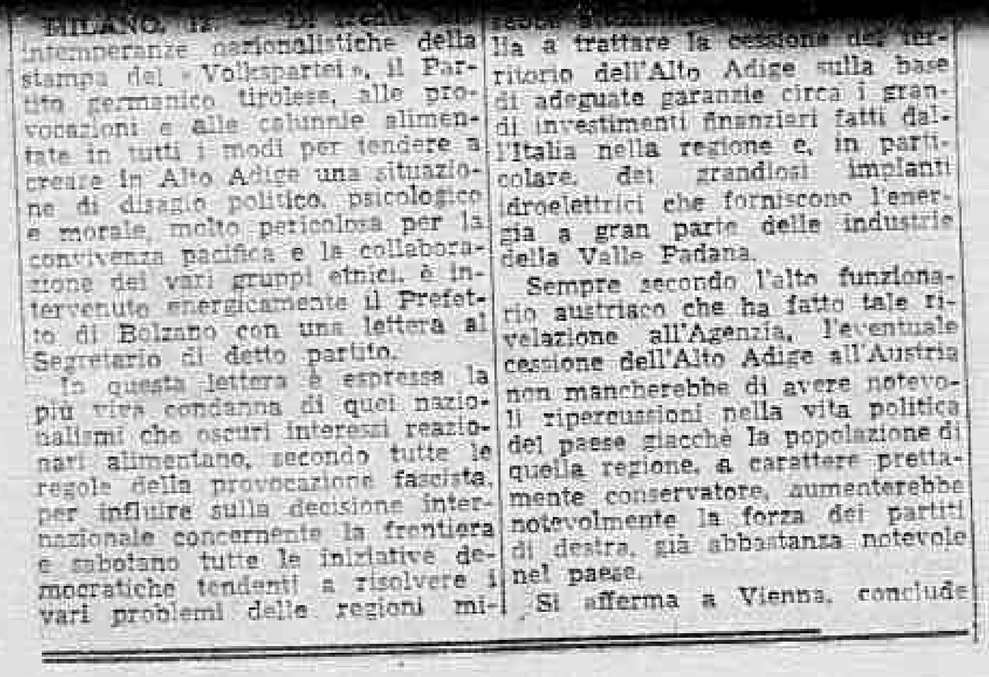
Milano, 12 - In the face of the nationalistic intemperances of the press connected with the "Volkspartei", the German tirolese party, of provocations and calomnies kept up in all possible ways in order to create in Alto Adige a situation of political, psycological and moral situation, very dangerous for the peaceful cohabitation and collaboration of the various etnical groups, the Prefect of Bolzano intervened with a letter addressed to the Secretary of the above mentioned Party.

This letter expresses strong condemnation of that nationalism fostered by dark reactionary interests in accordance with all the rules of fascist provocation in order to influence the international decision concerning the frontier, while sabotaging all democratic initiatives aiming to resolve the various problem of the multi-lingual regions, as the paritetic commissions proposed by the Government, which ought to start studying a special legislation for those regions.

To the various manoeuvres of the reactionary groups denounced by the Prefect of Bolzano belongs the report of the United Press that in accordance with information reaching Austria from Rome Italy would be at present inclined to negotiate the transfer of the territory of Alto Adige on the basis of adequate guarantees about the huge financial investments made by Italy in that region and, in particular, of the vast hydroeletric plants supplying power to most of the industries of the Padana Valley.

Always in accordance with the information give by the same high Austrian offi

Declassified E.O. 12356 Section 3.3/NND No. 788021



intemperanze nazionalistiche della stampa del «Volkspartei», il Partito germanico tirolese, alle provocazioni e alle calunnie alimentate in tutti i modi per tendere a creare in Alto Adige una situazione di disagio politico, psicologico e morale, molto pericolosa per la convivenza pacifica e la collaborazione dei vari gruppi etnici, è intervenuto energicamente il Prefetto di Bolzano con una lettera al Segretario di detto partito.

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Sempre secondo l'alto funzionario austriaco che ha fatto tale rivelazione all'Agenzia, l'eventuale cessione dell'Alto Adige all'Austria non mancherebbe di avere notevoli ripercussioni nella vita politica del paese giacchè la popolazione di quella regione, a carattere prettamente conservatore, aumenterebbe notevolmente la forza dei partiti di destra, già abbastanza notevole nel paese.

Si afferma a Vienna, conclude

In translation: -

MANOEUVRES IN THE DARK ABOUT ALTO ADIGE.

2316

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Always in accordance with the information given by the same high Austrian official who made the above disclosure to the News Agency, the possible transfer of Alto Adige to Austria could not fail to have remarkable repercussions on the political life of said country because the population of that region, conservative by character, would strengthen considerably the power of the right wing parties already remarkable in the country.

It is stated in Vienna, concludes the United Press, that the Austrian point of view would be tacitly supported by the Vatican in the hope that the addition of the catholic forces of Alto Adige would consolidate the posxition of the Ausrian popular party.

Trans. A.Nice
13/12/45

Declassified E.O. 12356 Section 3.3/NND No. PRO 021

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

43/1/84

INTER OFFICE MEMO

TO : Poland (A)
Poland (B)

1 It is desired to hold a conference on the following matters:
a) The policy as to an act of clemency - papers herewith.
b) Bolzano : the policy as to
i) nationality - papers herewith
ii) the appointment of a delegate - papers already circulated
iii) cessation - papers herewith

2 If you will be available at that time 1130 a: Thursday 6 Dec is suggested as suitable. If that is not convenient, perhaps Poland (B) would be good enough to select a time suitable to himself and Poland (A) and phone CA3. The office of the A/VP is suggested as a suitable venue.

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

CA Section
Ext 525

4 Dec 43

2318

Copy to : Legal S/O
Local Govt S/O — who will please attend discussion on items with which they are concerned. Item 1 will be taken first.

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

83 A

Ref : AG/4079/4/L

6 Nov

SUBJECT : Clemency for Prisoners

TO : AFHQ, G-5 Section

1 The Italian Government has asked this Commission to consider favourably the granting of a General Act of Clemency to mark the return of North Italy to Italian Administration and as a token of Allied appreciation and good will.

2 This Commission has very carefully considered the suggestion, which it had already independently had in mind, and recommends that the Supreme Allied Commander should as an act of Grace grant an Act of Clemency among others for the following reasons:

a) That in most cases sentences carried a deterrent factor - that factor has served its usefulness, the serving of the deterrent portion of the sentence is of no benefit to the Allies and that it is not unreasonable to reduce sentences to what they might have expected to have been but for the no longer necessary deterrent factor.

b) That the Allies imposed various restrictions such as curfew, restrictions on movement and the like and that these and other offences when there were extenuating circumstances and the sentence was light might receive rather more generous treatment.

c) That the Act will be a mark of the Allies' good will and appreciation.

d) That the gesture would be one acceptable to the Italian people and to public opinion.

e) That it would demonstrate to the world the reasonable and humanitarian attitude of the Allies.

f) That the overcrowding of Italian prisons is extreme and that a substantial remission in the lighter sentences will go some small way to ease the situation which is acute.

3 This Commission having considered alternative schemes recommends that the Act of Clemency in respect of sentences imposed by AMG Courts should take the following form:

a) That life sentences be commuted to 20 years.

b) That sentences in excess of 20 years be reduced to 15 years.

c) That sentences from 4 to 20 years be granted a remission of ¼. 2317

d) That sentences of 4 years or under be granted a remission of ½.

e) That all sentences as so reduced be entitled to the usual remission for good conduct for the whole of their period.

f) That no remission be granted in respect of fines or sentences in default of payment of fines.

It is also recommended that the Italian Government be informed that it may make similar reductions in the case of prisoners sentenced before Italian Courts for offences against the Allies.

0940

Declassified E.O. 12356 Section 3.3/NND No. 788231

4 This scheme discriminates between cases of differing gravity, it provides an easily applicable formula, it will entail little work to carry out (which in view of the AG manpower position is an important factor) and is of immediate political value.

5 The proposed Act of Clemency should apply to Italian Government territory and to that shortly to be returned to the jurisdiction of the Italian Government. The deterrent effect of sentences is still required in territory which will remain under AMG; similar acts of clemency can if desired be made concurrently with other restorations of territory.

6 It is desirable, if this recommendation is approved, that an announcement should be made simultaneously with the restoration of North Italy to Italian Administration. It is requested therefore that this matter may be treated as urgent and that the decision be communicated to this HQ as long before the handover date as possible to allow of the necessary arrangements being made with the Ministry of Justice.

HARRY W. STONE
Rear Admiral, USNR
Chief Commissioner

Declassified E.O. 12356 Section 3.3/NND No. 788121

0 0 0 1

G-5: 014.3

21 November 1945

SUBJECT: Clemency for Prisoners

TO : Chief Commissioner, Headquarters, Allied Commission, APO 394.

1. Reference is made to your letter above subject file AC/4079/1/L dated 6 November. The matter of clemency for prisoners has been given careful consideration. The Supreme Allied Commander however finds that he is unable to accept the line of argument put forward to substantiate the viewpoints set forth in your letter and therefore unable to agree the proposed.

2. Any General act of clemency based on sentences imposed by AMG Courts rather than based on the type of the offence and the conditions under which it was committed is considered an admission of quantitative error in the functioning of AMG Courts and in the sentences imposed. If the good will of the Allies and their reasonable and humanitarian attitude have not and are not being demonstrated to the Italians in other matters of far greater import, then it is believed that the release of convicted offenders will be of little avail. The overcrowding of jails and the labour involved in consideration of individual offenses does not justify action which is otherwise undesirable. Nor is it considered that the turn back of certain territory in the North marks a milestone of allied activity in Italy which requires a revision of our legal administration.

3. It should be noted that the Italian Government is within its authority to apply for the modification of sentences imposed by AMG Courts in turned-back territory under the provisions of paragraph 4 of the Proclamation made by the President of the Council of Ministers when such territory is turned back to Italian jurisdiction. It is not expected however, that the Allied Commission will agree any blanket authority based solely on lenght of sentence imposed or on other than a consideration of the offense committed and the surrounding circumstances.

BY COMMAND OF THE SUPREME ALLIED COMMANDER:

2315

(sgd)

A. D. Ward
Major General
Chief of Staff

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

81

EXCERPT FROM the newspaper "IL TEMPO" of 22 november 1945

The political and juridical settlement of Alto Adige approved by the Council of Ministers.-

The Council of Ministers at yesterday's meeting at the Viminale, besides other matters of ordinary administration, has approved a draft decree of great importance for the political and juridical settlement of Alto Adige.

This scheme aims to solve the problem of the citizenship of the "alto atesini" in connection with the various situations created by the application of the known agreements between Italy and Germany of 1939.

(Translation of) :

L a sistemazione politica e giuridica dell'AltoAdige approvata dal C onsiglio dei Ministri.

Il Consiglio dei Ministri, riunitosi ieri mattina al Viminale o tre ad alcuni provvedimenti di ordinaria amministrazione, ha approvato uno schema di provvedimento di grande importanza, per la sistemazione politica e giuridica dell'Alto Adige.

Il provvedimento intende risolvere il problema della cittadinanza degli alto atesini in relazione alle varie situazioni determinatesi per effetto dell'applicazione dei noti accordi italo-tedeschi del '39.

2314

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

C 6 80

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2313

The transfer of the South Tyrolese to the Third Reich

Shortly before the outbreak of the war, June 23rd 1939, Nationalsocialist Germany and Fascist Italy made the pact for the transmigration of the South Tyrolese to Germany. It was one of the presents made by Hitler to Mussolini in order to secure his friendship and his help for the impending war. Mussolini accepted it willingly, for after the evident failure of his policy of denationalisation of South Tyrol only the removal of the population could cause the disappearance of their language.

People was always convinced, that the removal of the South Tyrolese people from their country was a condition for the perpetration of the steel-pact between Germany and Italy. That it really was so, has been confirmed by the annotations of January 7th 1939 in the diary of the Italian foreign Minister Ciano recently published.

I. Before the pact.
Two groups of resistance in South Tyrol

The resistance of the South Tyrolese to the Italian policy of oppression was carried through, during the first period after the annexation, by the ten existing parties: the christian social "Tiroler Volkspartei", the liberal, and the social-democratic parties. The two first mentioned joined in the national front of the "Deutscher Verband". (The social-democratic party, having no great importance in this agricultural country and no representation in the Roman Parliament, had in national questions the same aims as the two united ones and joined them now and then in common actions).

Under guidance of the "Deutscher Verband" self-defence of the mother-tongue, local economy, etc. were organised for the whole population. This action was continued secretely after the official abolishment of the "Deutscher Verband" and all the other non-fascist political parties at the end of 1926. Soon after, independently of it, separate centres of resistance were formed among the youth and later united to a clandestine organisation branching through the whole country. The national-socialist movement, propagated from the Reich to South Tyrol, at once used this new organisation to spread its ideas among a population made susceptible for them by excessive national oppression.

Soon this new organisation also opposed the "Deutscher Verband". Whilst the leaders and trustees of the "Deutscher Verband" were constantly controlled by the authorities and by special agents, thus rendering impossible their influence on the youth, the clandestine juvenile organisation could remain undetected. It may be attributed to this fact that the clandestine national-socialist organisation could get hold of the youth especially in the towns.

The taking over of power in the Reich by [illegible]

Declassified E.O. 12356 Section 3.3/NND No. 798121

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The taking over of power in the Reich by National-Socialism gave this organisation a vast increase. It assumed now the name of "Volkischer Kampfring Südtirols" and accepted the forms of organisation, action, social intercourse etc. of Nazism, with the same nomenclature ("Hitlerjugend", "Madelschaft","Ortsgruppenleiter", "Kreisleiter", "Landesleiter"). Not only had it to fight the "Deutscher Verband" and its leaders, but also the clandestine German teaching in the families by substituting in preference the ideology of Nazism to the mere instruction in German language.

Apart from this illegal nazi organisation, there existed a legal one, whose members were national-socialist citizens of the Reich residing in this country.

Declassified E.O. 12356 Section 3.3/NND No. 788021

Both organisations were later the only too useful instrument of propaganda for the transmigration of the South-Tyrolese to the Reich.

Hitler's position to the problem of South Tyrol

Already in the year 1922 Hitler repeatedly took position to the problem of South-Tyrol in the "Volkischer Beobachter" in a manner which was in contradiction to the general opinion accepted by the remaining German press. He stated that in consequence of the "Novemberverrat" ("treason of November 1918") the fate of South Tyrol was a fact that could no more be changed. The situation of this country ought to be considered in the general aspect of the political condition in which he had provided for an understanding with Fascist Italy. In the autumn of the same year he openly declared in the Fascist "Corriere Italiano" not to be interested in the question of South-Tyrol. "Why", said he, "shall we bother about the 180.000 (?!) Germans now under Italian dominion?" He plainly declared his consent to the Brenner frontier, stating: "If as a Nationalist I put myself in the Italian mentality, I find the Italian revendication of strategic borders fully justified".

In his book "Mein Kampf" he tries with similar expressions to recommand himself to Fascist Italy as a potential ally. In one of his great propagandistic meetings, March 1927, in the circus Krone at Munich, he made a report on "The next Italian war and we", pleading for a pact with Italy against France. After giving a series of reasons for his idea, he suddenly asked the assembly: "What is there between us and Italy?" and gave the answer himself: "Nothing, absolutely nothing! Perhaps South Tyrol? Let it be saved by those who betrayed it". He further stated that it was not the intention of national-socialist Germany to sacrifice 300,000 Germans on account of 170,000 others - a number he assumed in contradiction with the real one. At the same time he poured mocking derision over those who had protested against the oppressing measures in South Tyrol. All these protests, he said, were nothing but "Jewish manipulations".

In like manner (in the year 1932) he told Rauschnig ("Gesprache mit Hitler"): "I shall put a stop to the silly sentimentality of the South)Tyrolese. It never will enter my mind to let myself be diverted in this question touching the foundations of our policy, from promoting an alliance with Italy if it seems to be useful. From no memory of our past, however venerable, shall I be lured to commit an act of political madness. As for Alsace-Lorraine, yes, that is quite different, we will never renounce, not because it is populated by genuine Germans, but simply because we need these and other regions to round off our territorial possessions in the West...."(quoted after an Italian edition "Hitler m'ha detto"). 2311

"Hitler's Testament"

Hitler solemnly and finally proclaimed to give up South Tyrol on occasion of his invasion of Austria in a personal letter to Mussolini (March 11th 1938):

".....There is one thing I want to assure solemnly to your Excellency, the Duce of Fascist Italy : Whatever may be the consequence of the impending events, I traced a clear frontier against France and trace it now even as clearly with Italy. It is the Brenner. This resolution cannot be doubted

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Hitler stated further in his toast to Mussolini in Rome, May 7th 1938:

".....Since Romans and Germans encountered each other for the first time known to us in history, two thousand years have passed. Standing here on the venerable soil of our human history, I feel the tragic Fate that once failed to draw a clear boundary between these highly gifted and outstanding races....To-day, after nearly 2000 years, thanks to your historical work, Benito Mussolini, the Roman empire is rising from ancient traditions to new life, and in the north arose, out of numerous tribes, a new German empire.

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Instructed by the experience of two millenniums, we two, now immediate neighbours, will accept the natural boundary that evidently has been traced by Providence and History between our two peoples.

It will allow to Italy and to Germanym by clear definition of their vital-zones (Lebensraume) not only the blessing of a peaceful, safe and continous collaboration, but also be a bridge for mutual help and support. It is my unshakeable will and my legacy to the German people, that for this reason it shall forever consider inviolable the Alpine-border traced between us by nature. I know that then there will result a great and blessed future for Rome and Germany".

"Collaboration" - "abridge to mutual help and support" - herewith is pronounced what was going to be the final aim of the transmigration of the South-Tyrolese. Their homeland had to be definitely sacrified to Italy, not as a safeguard against the North - as the Italians try to define it - but to make free the way for the union of the two dictators and their conspiracy against the world.

II. The conclusion of the agreement

In spite of the most solemn assurances of Hitler, dominion of South Tyrol was not yet a cloudless pleasure for Italy. At the time of the apparently most intimate friendship of the two dictators, the policy of oppression had reached its climax and the resulting reaction of the South Tyrolese led to ever renewed incidents. Every one of them occasioned - by order of Mussolini and by means of the Italian ambassador in Berlin - new remonstrations to the German Government. Hitler resented all these incidents more and more being troublesome disturbences of his cherished friendship with Italy. He could not hope for an improvement as long as there were Germans in South-Tyrol who would not tolerate Italianisation. So he decided, in order to be left in peace, their transmigration to the Reich.

He announced this decision as a final one in a conference (Springtime 1939) of members of the Government, party-leaders and representatives of the "Volk deutsche Mittelstelle" and justified it with the following reflections: The presence of a German-speaking population in South Tyrol signifies a permanent factor of disturbence between the mutual relations in the Axis. Tranquillity will only reign when this population will have left the country. South Tyrol belongs to the Mediterranean Zone, which was to be considered Italy's domain and where the Germans are not to interfere.

A few weeks after this conference the agreement concerning the transmigration of the South Tyrolese was signed by the German and Italian Governments.

III. The purport of the agreement

The provisions of the agreement of June 23rd 1939 and some other supplementary ones between the two governments are essentially as follows:

1) The German subjects living in South Tyrol must - within three months (a term repeatedly prolonged) - leave the country, be it by return in the Reich or by taking residence in the old provinces of Italy.

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2) Italian citizens being members of the "Deutsche Volksgruppe" must declare themselves, up to December 31st 1939, either for acceptance of German citizenship, with the condition to take residence in the Reich, or for maintenance of Italian citizenship.

3) The emigration of those opting for Germany must be completed on December 31st 1942. This term was postponed to December 31st 1943 and finally to the end of the war.

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4) "Entitled" or rather "obliged" to this option were the members of the "Deutsche Volksgruppe" of South Tyrol. In the corresponding supplementary agreements, respectively in praxis, it was defined that not only the German but also the Ladinian inhabitants were considered as belonging to the "Deutsche Volksgruppe" and so admitted to option.

5) As zones of option were declared:
   a) The whole province of Bozen with inclusion of the valleys of Groden and Enneberg.
   b) Of the province of Trent:
      i) the communities of the "Unterland" (jurisdiction of Neumarkt), separated 1926 from Bozen and given to the province of Trent,
      ii) The six "border-communities" in the valley of Fleims and on the Monsberg.
      iii) The Ladin valley of Fassa (by supplementary agreement)
   c) The jurisdictions of Ampezzo and Buchenstein, formerly belonging to the province of Bozen - since 1926 to Belluno.
   d) The six isolated German-speaking communities in the province of Trent - according to a later pact.

6) The possession of those opting for Germany have to go over to the "Ente di Rinascita delle Tre Venezie", the corporation charged by the Fascist Government to deprive the native population of their hereditary property. The equivalent of the property, including cash was to be paid to the emigrated in Germany at a rate of 450 Lire for 100 Rm.

7) After completion of the transmigration,,as explicitly stipulated in the agreements, the political northern border of Italy will also be the ethnical one.
   In this manner, by mutual agreement of the contracting governments, every further right of existence of a German-speaking minority inside of the Italian state-borders was taken away.

IV. The reaction of the population

2309

At the first notice of the agreements, the indignant population rejected unanimously this most unfair demand to leave their ancestral country. Particularly among the peasantry one could hear expressions such as "Rather than leave my hereditary soil, I'll be shot" or "Before I give up my farm to the Italians, I'll burn it" or "Never shall I leave my country by my free will" - and the like.

It was evident that with their deeply rooted love for the homeland, the Tyrolese would not willingly leave the soil: only heaviest oppression would induce them to do it. But in the arsenal of Nazi propaganda there were means to break even the strongest resistance.

V. The pressure on the population

At the end of July 1939, on a Sunday, the men of the different rural comme-

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V. The pressure on the population

At the end of July 1939, on a Sunday, the men of the different rural communities in the country were called to an open-air assembly mostly in the woods nearby. Generally the caller was a man respected and trusted by the inhabitants. Nobody or few had an inkling that he acted as an instrument of the illegal Nazi organisation and their sponsors in the Reich. The agent of the yet unknown power spoke of the "grave and fatal decision" put before the Tyroleae. Knowing the mind of the people, the orator took good care not to give as yet the counsel of emigration but to develope ideas tending to the motto: "We shall be an united people of brethren, we shall never separate in time of want and danger. If there is any possibility to remain in the country, nobody shall leave it, nobody shall abandon his comrades, all must stick together. Should it be impossible to remain in the home-

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land, even then we will not separate. United as we were, we shall leave the land together and look together for the new homes. Nobody shall turn traitor to the community of our people, let this be our mutual pledge". - And so they pledged in the hope to be allowed in future to stay in the land of their fathers. Who would be able to remove them ? They did not think of the uncanny power of Nazi propaganda. Without knowing, they had already delivered themselves up to it by the pledge taken from them with the appeal to their unity and patriotic faith.

The propaganda turns up

Order from Berlin

Shortly after, the illegal organisation was notified from Berlin that the total evacuation of the German-speaking population from the country had to be accomplished. The former German Consul General of Milan, Bene, had been appointed chief commissioner for the transmigration at Bozen. He was charged to notify the people through the illegal organisations that the new agreements provided the removing of the whole German speaking population, that Germany had consented to Italy such a treatment of the Tyrolese yet remaining in the country, that there was no longer a possibility of existence for them. The consent to the ethnical "Brennerborder" given to Italy would mean the destruction of their national character and it would be madness to stay any longer in the country. He who would not follow the call of the blood would separate himself and his offspring forever from his people who would not more consider the remaining South-Tyrolese as members of theirs.

By numberless mens such notices and thoughts were carried into the valleys. Through twenty years this people and every single individual had struggled to conserve their mother-tongue, not out of chauvinism or nationalism, but because to the Tyrolese the language taught him by his mother, in which he prayed to his God, the language of his family, of his ancestors is sacred. And now he was to be expelled out of its national community! - He believed to be in similar circumstances as those who formerly had to choose between faith and home-country and left home for the sake of faith! No! rather than give up the mother-tongue, he too must be ready to leave the country. - On to these men, with their heaviest inner struggles, the well-prepared flood of Nazi agitators was now let loose.

The Propaganda-campaign

2303

Already at Bozen and in other towns of the country the official German offices for emigration ("Amtliche deutsche Ein-und Rückwandererstellen" or ADERST) had been opened, eclipsing all the Italian offices with functionaries "speaking just as we speak". At their disposition there were the long-proofed apparatus always working with 90% of success and the inexaustible means of Nationalsocialist propaganda, as well as the organisations of the "Illegals" whose ramifications reached the most remote villages and settlements. The "Illegals" had become "Legals". With consent of the Italian authorities, local committees for emigration were established in the villages under direction of the "Illegals". As the leaders of the "German Commission" had become effectively the masters of the country, thus

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Numberless "Illegals" had been called to the Reich, in the last weeks, to get instructions for the impending campaign and to be initiated into the last mysteries of propaganda. Heinrich Himmler himself, in his capacity as Commissioner "for the strengthening of German nationality" was at the head of the distruction of the German-speaking people southward of the Brenner.

Even in summer 1939 he called delegates of the "Illegals" to Innsbruck and later to Verona to confer with them about the accomplishment of the propaganda for emigration. Like all national-socialist enterprises, the emigration of the South-Tyrolese had to be a "One hundred percent success". To obtain it the "spontaneity"

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stipulated in the agreements had to yield to moral and not rarely to physical coercion.

The great fraud

For all who yet had misgivings and doubts appropriate slogans had been prepared. Those who would not separate themselves from their homeland were told: "If 90% of the population will opt for Germany, the land will be freed from Italian domination and all may stay where they are". So the option would become a liberating "plebiscit" like the one in the Saarre territory and other German regions of after war-time. - But 90% it had to be!

Those who wished not to be separated from their neighbours and fellow-peasants, got the reassuring information: "The Fuhrer has promised to the South Tyrolese a closed settlement." There they would meet again their neighbours and countrymellows. The new homeland would be similar to the old one, a mountain district with possibly the same soil. They would be able to arrange their new homes after the pattern of their fathers; therefore they could take with them all their tools, furniture and living stock. They would find there everything that had been precious for them in the old villages, even their proper priests and Divine service, just like at home. There came representatives of the "Kulturabteilung" (cultural department) of the "Deutsche Kommission". They took surveys of the houses and assured the proprietors, they would get a very similar or equal one. To strengthen the faith in the "closed settlement" the following news notice was spread in the country: The direction (of the Illegals) has asked the Government of the Reich to build as quickly as possible a South-Tyrolese model village. This news had the intended effect.

But there were yet people who thought of more realistic things, of the rentability of the new possessions, of the chances of economic success. For these the agitators diffused the quieting message: "Whoever has a property will get a new one in the Reich of at least equal value as the one he had before". Even more! In a pamphlet spread abundantly among the people, the Illegals had to give the definite assurance: "Up to the fourth son of a peasant-family emigrated into the Reich every one will get there a farm."

The so hopefully depicted future appeared i a yet brighter light on the background of the fate, described by the propaganda, that would await those who in spite of everything would remain in the country. Here they would pine away economically and spiritually, and finally perish. In South-Tyrol there would be no more German speaking Intelligents as there already were no more German speaking functionaries, there would be no more German-speaking priests and German-speaking doctors. The supplanting of German speaking communal doctors by Italians already proceeding fast, soon there will be no more a German speaking private doctor.

And the new neighbourhood! Every Tyrolese leaving the country will be replaced by Italians. Italians close by the houses, Italians on the fields! No property will be sure! Where you sow, the Italians will reap and take away the grain from your fields, the fruit from your orchards, the wood from your forests; you will have no official protection, for in Italy all this is not considered as theft but as customary freedom. The people believed this the more easily as the deeds of numerous immigrated Italians were in accordance with this theory. To all these strangers arriving in ever increasing number the "stayers" will be abandoned without protect-

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"There is only one alternative .."

The heaviest and most demoralising artillery employed by the Propagators was the everywhere propagated lie: "He who will not opt for Germany will be transferred to the southern provinces of Italy, to Sicily, Albania, Libia. There will be no

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staying in the homeland , there is only an inexorable alternative: either to emigrate to Germany and live, or to emigrate to the Italian south and there perish; either to live with people of the same language or to live with individuals, whose language, manners, customs and character are wholly different.

It was an unlucky circumstance that precisely in those days the newspapers announced the beginning of the parcelling of the big estates in Sicily and the foundation of 22.000 small properties (piccole proprieta'). Said the propaganda: "These 20,000 Sicilian farms are intended for those South Tyrolese who are not willing to emigrate to Germany. "By a cunning playing hand in hand of the propaganda in South Tyrol and the propaganda in the Reich, the "Muncher Neueste Nachrichten" and other nationalsocialist papers gave the same news in big headlines. The edition of the "Munchner Neuste Nachrichten" containing these news was gratuitously distributed among the population. Thus people could read it black on white that they would be transplanted to Sicily. It was especially the fear of being removed to Sicily that drove the people to declare themselves for German citizenship and emigration to Germany. Only few had the courage to resist.

And the Italians ?

Above all they did nothing to denounce as a lie the propaganda about the transplantation into the old Italian provinces. Moreover, in a syndical assembly at Meran, the fascist secretary (federale) for South Tyrol interpreted the transplantation-agreement as follows: the obligation to emigrate exists for the German citizens dwelling in South Tyrol as well as for the German-speaking Italian citizens whose presence in the country is not desired; if they would refuse to emigrate to Germany, well, there is prepared for them a place "south of the Po". The Nazi propaganda took care to spread this utterance successfully in the country.

Giuseppe Mastromattei, prefect of Bozen, on July 6th 1939 - a few days after the publication of the German-Italian agreement- directed the mayors (podesta') of the province "to favor the emigration" ("favorire l'emigrazione"). The population knew what this meant: the explicit order of the provincial chief to the fascist mayors to induce, by adequate coercion, the population to abandon the country. Many later utterances of the prefect could only be interpreted by the population as an affirmation of the Italian intention to send the South Tyrolese to southern provinces, as it was asserted by Nazi propaganda. Always and everywhere the prefect declared as necessary conditions for remaining in the land "100% of loyalty toward fascist Italy". A quite and correct behaviour ("contegno corretto e tranquillo"), he said, would not be sufficient but it would require " a really Italian education of the youth" and the greatest possible avoidance of the German language even in unofficial and private intercourses. - The Italian press put it into the slogan: The South-Tyrolese who are wishing to remain in the land have to become "100% Italiens". The propaganda replied: " It is impossible that you will be 100% - Italiens". - And the people knew, that really they could not become that. Also they could not resist to its moral application derived from the propaganda: "There will be no more any possibility of existence for you in the old homeland, the Italians will not allow you to live there, not even economically."

There were facts that confirmed the veracity of these assertions:

In the region south of Bozen, the personalities had large estates that were leased

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And the Italians ?

Above all they did nothing to denounce as a lie the propaganda about the transplantation into the old Italian provinces. Moreover, in a syndical assembly at Meran, the fascist secretary (federale) for South Tyrol interpreted the transplantation-agreement as follows: the obligation to emigrate exists for the German citizens dwelling in South Tyrol as well as for the German-speaking Italian citizens whose presence in the country is not desired; if they would refuse to emigrate to Germany, well, there is prepared for them a place "south of the Po". The Nazi propaganda took care to spread this utterance successfully in the country.

Giuseppe Mastromattei, prefect of Bozen, on July 6th 1939 - a few days after the publication of the German-Italian agreement- directed the mayors (podesta') of the province "to favor the emigration" ("favorire l'emigrazione"). The population knew what this meant: the explicit order of the provincial chief to the fascist mayors to induce, by adequate coercion, the population to abandon the country. Many later utterances of the prefect could only be interpreted by the population as an affirmation of the Italian intention to send the South Tyrolese to southern provinces, as it was asserted by Nazi propaganda. Always and everywhere the prefect declared as necessary conditions for remaining in the land "100% of loyalty toward fascist Italy". A quite and correct behaviour ("contegno corretto e tranquillo"), he said, would not be sufficient but it would require " a really Italian education of the youth" and the greatest possible avoidance of the German language even in unofficial and private intercourses. - The Italian press put it into the slogan: The South-Tyrolese who are wishing to remain in the land have to become "100% Italians". The propaganda replied: " It is impossible that you will be 100% - Italians". - And the people knew, that really they could not become that. Also they could not resist to its moral application derived from the propaganda: "There will be no more any possibility of existence for you in the old homeland, the Italians will not allow you to live there, not even economically."

There were facts that confirmed the veracity of these assertions:

In the region south of Bozen, the communities had large estates that were leased in small lots of grounds to the native population. Now the fascist mayors of the communities gave the notice to the tenants to quit in order to lease their allotments to Italians. This happened to 85 persons with their families at Neumarkt, to over 30 at Tramin, to 55 at Kurtatsch etc.

Added to this, by a special exceptional law for South-Tyrol, were expropriations by which again numerous proprietors were turned out of their own grounds. By another special law nobody could acquire property without the explicit and formal consent ("nulla osta") of the Prefect. Immediately after the publication of the agreement on transmigration, all the "nulla osta" were suspended, which signified nothing less than that from now on the purchase of real estate by native citizens of German language was rendered impossible.

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Moreover now the Italian authorities tried to destroy the already hamsed in possibility of employment of native labourers. In summer thousands of disoccupied people had always found employment at the fruit harvest; now Mastromattei forbade the local fruit-raising associations to employ German speaking labourers. For these, and the many deprived of their possessions by expropriation, and thousands of others, the homeland had no more bread. And now Germany offered the bread to those who could no more get it in their country. No wonder, that many resolved to follow the call! That the Fascist government really aimed, by these and other means of constraint, to force a great part of the population to leave the country, was confessed repeatedly by the prefect Mastromattei. He denoted as the preliminary aim of the government the removal of the German speaking population from the towns and vine-and fruit cultivating districts, but declared as desirable the provisional remaining of the mountaineers. By removal of the cultured classes and the town-people, the Italians hoped to italianize quickly the isolated mountaineers. But soon neither Mastromattei nor any one of the superior hierarchy had in ahnd the development of events in the country.

- How the avalanche was loosened

The first cause was the following: after the outbreak of the war, September 1939, Italy called to arms several annual sets, among them numerous South-Tyrolese. These having entered the Italian garrisons became witnesses of and sufferers from the want of every organisation. For weeks they had to ramble about there, without a definite bedstead, without uniforms or regular meals and duty. In the course of October 1939 they were informed by their respective Commanders, that they had directly to give their declaration of option according to the agreement; the stipulated term (December 31st 1939) did not apply to them. In case of option for Germany, they would be immediately released from service.

How was this information received by the soldiers? - "Rather anything else, than to stay for a single day longer in this chaos", they said. Do young men think about the consequences? Repeatedlythe commanders told them that nothing else was expected from them but a declaration for Germany. In many cases they even urged them to do so. Those who were slow in making up their minds were coached by the Nazi organisation. It had instantly comprehended the importance of this opportunity for the option and at once successfully expanded its organisation over the barracks of Upper and Central Italy, over military transports, etc. The majority of the South-Tyrolese soldiers declared themselves for German citizenship, they longed and opted for the return to their homes.

At home the Fascist mayors caused also the young men of the annual sets whose call to arms was expected soon, to give out their option. They were told that in this case their imminent call to arms would not take place. So in the most cases they voted like the soldiers did. The decision of these young men became, however, the fate of their parents and families. If they would not be separated from 05 their sons, they too were bound to the option for Germany, before they could have decided for themselves. After the prematurely enforced option of so many young people, they believed to be obliged to take the same decision. The propaganda took over the task of obtain the same result from the rest of the population. With the same methods of coercion as practised in the Reich, people were urged to the option-offices. Every increase of the o tants for Germany drew along others, as yet not decided, torn apart by tragic conflicts in their families or their con-

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The number of the voters for Germany had now become so great, that it embarassed even the Italian authorities. The movement did not even stop before the mountaineers. Now, end of November 1939, after having done nothing for months to oppose the propagandistic lies, the Italian authorities started some shy tentatives to deny the pretended intention of the Italian Government to transplant the remaining South-Tyrolese to Sicily. But who could still believe Mastromattei or any other Fascist provincial ruler? "Why does the Central Government not talk?" "It would be different if the Government would officially deny the forced transfer to Sicily."

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19 I

The unkept promise of an official declaration

In the beginning of December 1939, Mastromattei summoned a hundred representatives of the country to go to Rome, where Mussolini would receive them and assure them about the future of those who would remain in the country. They were chosen from all valleys of the land and all parts of the population. The day of the audience was fixed, among the deputation there were Prince-Bishop Geisler of Brixen (whose presence was especially desired by the Government) and the old Count of Toggenburg, former Austrian governor of Tyrol and last minister of the Interior in Austria and then deputy of the South-Tyrolese in the Roman Parliament. Now in Rome to all these was given the surprising notice that the audience could not take place, that the Germans had protested, because the intended declarations of Mussolini might mean an influence on the liberty of option! So the deputies were sent home without being received by Mussolini and without getting the prospected assurances.

Of course, now all this made matters worse than they had been before. Said the propaganda and likewise the people: "Now we know, Mussolini has not given the promised declarations, because he could not, we are to be sent to Sicily".

The clergy and the movement of resistance (the "Heimattreuen Südtiroler") had admonished the population to remain in the homeland, but they were "callers in the desert". The so-called "stayers" were persecuted with infernal hate. The "Emigrants" malevolently damaged their property, raided their leaders and agents, menaced their lives and existence. With such terror the success of the movement of the "Heimattreuen" could only be a small one. The then still existing weekly papers, written in German language, could express their opinion only to a limited extent; they were confiscated ever and ever again on account of their attitude against emigration. By request of the German authorities, two of these papers were suspended, finally all of them, after the occupation of South-Tyrol by the Germans. Their printing offices were confiscated, the editors arrested and transported to Germany.

In the last days of 1939 the last resisting ones were dragged to the option offices by special "Nazi Commandos". At the closing of the option, in the New Year's eve of 1939-40, the official German commission for emigration together with Mastromattei and the respective Italian officials arranged a dancing-party in the biggest hotel of Bozen to celebrate German-Italian amity, freed of all impediments by the option.

The result of the Option

On January 1st 1940 the papers published an official communication, signed by German and Italian authorities, according to which the result of the option was as follows: 2364

Admitted to option	:	264.382 persons	
Votes for Germany	:	180.309 "	(71,3%)
" " Italy	:	80.873 "	(28.7%)

Later the Nazists of South Tyrol who united the voters for Germany in an officially approved organisation ("Arbeitsgemeinschaft der deutschen Optanten" A.D.O.), denied the accuracy of this official statement. If rightly or not can hardly be stated.

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230

Admitted to option	:	261.382 persons	
Votes for Germany	:	180.509 "	(71,3%)
" " Italy	:	80.873 "	(28.7%)

Later the Nazists of South Tyrol who united the voters for Germany in an officially approved organisation ("Arbeitsgemeinschaft der deutschen Optanten" A.D.O.), denied the accuracy of this official statement. If rightly or not can hardly be stated, because the publication did not give the results of the single communities which could be more easily controlled. At all events the official statement was signed also by the special German Commissioner for the transmigration, ambassador Rene. In no case these numbers were final ones, because, after January 1st 1940 thousands of South-Tyrolese requested from the Italian authorities to cancel their option for German citizenship, stating that they had been forced to it by deception, fraud or terror. Anyway compared with the result of other similar transactions of the Nazi in Europe, the resistance of the South-Tyrolese was uncomparably stronger.

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19

The option of the clergy

The final term, fixed for the option of the clergy, was to be June 30th 1940: so they would be enabled to adapt their decision to the option of their parishers. With few exceptions, the clergy declined the option for Germany, without formally opting for Italy. By abstaining from voting they kept the Italian citizenship and refused the offered German one.

South-Tyrol has two dioceses: two thirds of the German-speaking population belongs to the diocese of Trent, one third to that of Brixen. In the diocese of Trent the German-speaking clergy with very few exceptions decided to remain in the homeland. In Brixen the Bishop himself voted for Germany. Was it the effect of the not accorded audience with Mussolini? Certainly it must have been painful to him to have been sent back home from Rome shamefully. Or were there other reasons? At all events the following fact was more impressing: In spite of the option for Germany of the Bishop and his Vicar General, a Ladin, in his diocese the outweighing part of the clergy refused to vote for Germany. For this, in his paper "Regime Fascista", Farinacci derided the South-Tyrolese clergy, falsely asserting that they displayed an action against emigration from the pulpit, in the confessional and the sacristy, but were followed only by some Jews, who were assisted by French catholics.

The attitude of the clergy, though the majority of the population had opted for Germany, clearly manifested itself as a moral condemnation of the emigration and the propaganda, and left a deep impression on the population.

The real culprits

That the actual result of the option had been a consequence of the national suppression of the South-Tyrolese people, was established by the unsuspected testimony of an Italian, the late Prince-Archbishop of Trent, Celestino Endrici. His judgement weighs the more, as the Italians have praised him as a champion for liberation from Austria.

In a written report (May 1940) about the option he declares: With 80% of the population all these arguments (of the Nazi propaganda) would have been effectless, if the whole option had not been an outbreak of reaction against the methods of the Government, suggested by Senator Tolomei and executed by the Prefect Mastromattei, methods to-day recognised as erroneous even by Italian authorities. Only this reason can explain the vehement passion of the majority of the population, inducing even peaceful peasants to lend their own parish-priests and to give up their ancestral homesteads of which formerly they would not have given away even the last brick.

2303

VII. The accomplishment of the transfer

From 1940 to 1943, according to German statements, already 85,000 South-Tyrolese, for the most part without property, were transported to the Reich. Italian statements give the number of 75,000. All these are anxious to return as soon as possible to their home out of which they were so shamelessly cheated and to be freed from the moral and material misery in which they were cast by their expulsion from

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Again we must insistently point to the fact that only a few land-owners left their estates and their homes. By far the most part of the estates is yet in the hands of the native German-and Ladine speaking population.

VII. The liquidation of the agreement of transplantation

The special task assigned to the agreement in the whole system of the conspiracy of the two dictators against the peace of the world was strikingly marked by

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the popular expression : "We are to be the lubrificators of the axis Berlin-Rome". To free the Nazi-fascist policy from its last impediment, the cumbersome question of South-Tyrol, its inhabitants had to be driven from their country.

The liquidation of the two Fascist systems and their combined conspiring policy must be followed by the liquidation of the pact itself , that had to create the premiss for carrying out even this policy. In contradiction to this, national-ist Italian spheres yet try to take over the ill-famed inheritance of the Nazi-fascist union. Even to-day they demand the expulsion of the greatest part of the South Tyrolese from their millenian homeland; their removal is intended to clear the way for the renewed demand of the nationalists of Italy - the Brenner border!

A really fair and just solution of the controversy would be the reunion of South-Tyrol with North-Tyrol and with Austria to which it has belonged since cent ri-es, and also the abolition of the emigration-agreement, and with it the return of the emigrated Tyrolese to their homeland from which they have been driven by shameful manipulations.

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2302

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CENSUS RESULTS of a South Tyrolese Population on the 23rd of June 1939 I9L

Hitler never liked to hear about the problem of South Tyrol. He needed Italy's friendship and was willing to sacrifice South Tyrol to his foreign policy. When he marched into Austria in March 1938, he addressed a letter to Mussolini saying that he was drawing a clear frontier towards Italy and that it was the Brenner. Shortly afterwards, in May 1938, in a solemn speech made in Rome, Hitler declared it was his unshakable will and his testament to the German nation that the Alpine frontier should be considered for ever as an inviolable one. On 23rd of June 1939, in Berlin, an understanding was arrived at between Germany and Italy, that the German-speaking population of South Tyrol should be transferred to Germany. This understanding was never published. But in the autumn of 1939 there were published the so-called "general terms of the transfer", according to which the transfer was compulsory for German subjects, whereas the inhabitants of Italian citizenship could decide for themselves by the 31st December 1939 whether they would opt for Germany and emigrate. They had to sign an orange-coloured schedule (schede arancione). The others who did not want to opt for Germany could sign a white schedule (schede bianca) or no schedule at all.

In realty though one can hardly speak of a spontaneous movement because the people was induced to opt for Germany by all possible kinds of oppressive methods and a powerful propaganda using alternatively promises and threats.

On the day of closure of the option vote, on the first of January 1940 the Communities had to state the voting results on opposite forms which were handed over to the Prefect of Bozen. Above that these statements have an eminent importance, as they represent the most recent census results of the population of South Tyrol. They contain precisely under number 17) the indication of the entire population of each single commune on the 23rd of June 1939, and under number 18) the indication of the so-called "popolazione allogena" by which the Italians mean everyone NON-Italian.

In the following compilation the numbers of the entire populations and those of the "popolazione allogena" have been extracted from the above mentioned official statements while the number of the Italian population was obtained through deducing the allogenes' number by the number given of the entire population. The "popolazione allogena" in South Tyrol is throughout German-speaking excepting the Ladine communes (cfr. I, B, of the following compilation) where only a small part speak German and the biggest part speak Ladine. But also the Ladines, just like the German - speaking - people, consider themselves Austrians.

The subsequents events of war prevented the real execution of emigration as it had been planned, so that only a part of the population actually left South Tyrol (about 75,000), but this number comprehends also about 10,000 men who had been obliged to enlist in the German army. 2301

Finally one ought to consider that not only German-speaking people and Ladines have given their vote to Germany, but also in some communities even Italians; so far instance at Laifers (Laives) where over 2,000 people have opted for Germany, though the "popolazione allogena" was registered only with 1,050 people. For this obvious reason it would be quite erroneous to seek the end-number of the German-speaking non-voters by deducing the number of the voters from the total number of allogenes.

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In the compilation the old original names of the communes were relegated to the second place whilst the new Italien names were given first place because the official statements of the communes contain only these Italian names. Otherwise the control of the single numbers on hand of the statements would be rendered difficult.

(Herewith follows a list showing population figures for South Tyrol)

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19 M

SUMMARY

I. Province of Bozen	Popolazione ellogena :	Popolazione italiana :	Totale:
A) Province of Bozen without its Ladine communes:	218,805	76,039	294,844
B) Ladine communes of the Province of Bozen:	10,727	422	11,149
	229,532	76,461	305,993
II. In the Province of Trent			
A) The so-called Unterland	14,903	4,974	19,877
B) The communes Fondo and Rumo	1,601	2,975	4,576
	16,504	7,949	24,453
adding the figures of the Province	229,532	76,461	305,993
result of the total sums:	246,036	84,410	330,446

2300

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Declassified E.O. 12356 Section 3.3/NND No. 980021

COPY

Extract of Decree No. 6588

19 Nov 1945

As the use of both German and Italian language is essential to build up friendship between the two ethnical groups of this Province, pending decision, I order:

1) Free use of Italian and German language in civilian and public relations.

2) Names of towns and roads will be written in both languages on boards or in notices. The Italian name will be in the first place, letters have to be of equal size.

3) The Italian and German denomination of Communes will be decided by Sindaci with the assistance of a Commission composed by the Sindaco and 4 members 2 of whom have to be German speaking and chosen by the Sindaco on Proposal of the Giunta Communale.
Doubtful cases will be submitted to the Prefettura.

4) State administrations and public offices will issue all documents etc. in both languages.
Notice boards on public buildings to be written in two languages.

5) Shops etc. will have their denominations and all notices in both languages except their private names and secondary indications for which the language may be chosen.

6). Administrations and public offices have to arrange that within one year's time all the correspondence (written and verbal) can be carried out in both languages in order that answer can be received in the language in which request has been made.

7) In order to study and to examine the instructions necessary to carry out this decree, a special "Commissione Giuridica per la Bilinguita'" appointed by the Prefect and composed of a President and 6 members (3 Italian, 3 German speaking) will be formed. President will be the First President of the Court of Bolzano and members will be elected by Lawyers and Judges.

8) To receive employment in public offices or to be promoted to responsible grades, it will be necessary to speak both languages.

2299

9) Prefettura gives order to Sindaci to give instructions for the institution of schools in both languages. Provveditore agli Studi will study programmes and notify Sindaci all instructions he deems necessary. A Commission will take care of this (3 Italian and 3 German speaking members). Prefettura will provide for the necessary funds.

10) Para 2-3-4 and 5 will be carried out within 6 months. Sindaci have to notify Prefettura that above instructions have been complied with.

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HEADQUARTERS
VENEZIE REGION
Allied Military Government

14 November 1945

VENEZIE REGION MONTHLY REPORT FOR NOVEMBER 1945

.....

2. LOCAL GOVERNMENT -

As was reported last month, it was found necessary to make a change in the Prefect of Rovigo. An experienced career Prefect Dott. Soldaini has taken office and his introduction has taken place without serious comment. It is an advantage that Dott. Soldaini is from Toscana and served for some time at Rovigo Prefettura in the earlier day of his career. Several of the Present political Prefects have expressed to the writer their intemtion of resigning from the cares of office when AMG support is withdrawn. If the Italian Government can supply career Prefects of calibre there should be no great difficulty in introducing these into the Provinces of Veneto.

Preparation for the election are well forward except in the province of Bolzano where special problems have complicated the issue. In this case however, steps were taken in October to clarify the issue.

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

Translation

State Department

The Secretary General

3/2107

Rome, 23 November 1945

My dear Admiral,

I refer to the letter n. 3/2068 dated November 18th, sent to you by the President of the Council on the law decree, which is now being studied, about the citizenship of the German speaking inhabitants that voted for transfer to the Reich in 1939.

Meanwhile, the regulation has been approved on general principles during the Council of Ministers of the 21st, with a few small modifications, mainly in the drafting, to which the Legal Office is to give its final form. It should be ready within the next week, and considering its special international repercussions, the Presidency of the Council asked this Ministry to proceed to its examination with such organisms of the Allied Commission as are concerned in this matter. I hope this may take place within the next few days.

Believe me, my dear Admiral,

Truly yours,

e. Prunas

Admiral Stone
Chief Commissioner
Allied Commission
R o m e

e/c

ALLIED COMMISSION 6118

2253

EC DIST 27 Nov.
ACTION: CA SEC (2)
INFO: CC
: EX COM
: POLAD A
: POLAD B

7723/LG

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

3/2107

MINISTERO DEGLI AFFARI ESTERI
IL SEGRETARIO GENERALE

Roma, 23 NOV. 1945

27 NOV. 1945

Caro Ammiraglio,

Facio seguito alla lettera n. 3/3068 in data 15 novembre diretta dal Presidente del Consiglio sulla questione del provvedimento legislativo allo studio relativo allo stato di cittadinanza degli alloglotti di lingua tedesca che optarono nel 1939 per il trasferimento nel Reich.

Il provvedimento è stato nel frattempo approvato in linea di massima in occasione del Consiglio dei Ministri del 21 corrente, con qualche piccola modifica di carattere prevalentemente redazionale di cui è stato dato incarico all'Ufficio legislativo di curare la stesura definitiva. Esso dovrebbe essere pronto entro la settimana corrente e, per i suoi particolari riflessi internazionali, la Presidenza del Consiglio ha passato a questo Ministero l'incarico di procedere al suo esame con i competenti organi della Commissione Alleata. Ciò' che, mi auguro di conseguenza, potrà

./.

Ammiraglio Ellery W. STONE
Capo della Commissione Alleata

R O M A

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19NOV1945

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HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

19 NOV 1945

TO : HQ Allied Commission
Civil Affairs Section

16 Nov 45

SUBJECT : Preparation of Electoral Lists Bolzano Province

FILE NO : RXII/025.111

1. Ref:
a) My letter RXII/025.111 of 5 Nov.
b) Your telegram 8114 CITE ACCAS of 061740
c) D/O letter AC/45/12/LG of 5 Nov.
d) Letter of Chief Commissioner to the President Council of Ministers AC/45/12/LG of 19 Oct.
e) My letter to P.C. Bolzano RXII/025.111 copy to your H.Q.

2. In as much as I have not received any further letter from you of a latter date than 5 Nov. I am assuming that the D/O letter from Brigadier Carr of the same date, is the one referred to in your telegram "Letter follows".

3. I proceeded to Bolzano 12 Nov and on 13 Nov, and again on 14 Nov had interviews with the Provincial Commissioner and the Prefect of Bolzano. In accordance with your views I handed Col. Miller on 13 Nov a letter whereof I attach copy. This letter was immediately passed on by Col. Miller in English and Italian texts to the Prefect. I discussed this matter on the afternoon of Tuesday 13 Nov, in Col. Miller's company, with the Prefect and his principal assistants. The Prefect foresaw no difficulties in the pratical application of the instructions given to him.

4. He was however, very perturbed at the delay on the part of the Italian Government in the appointment of the Special Commission (referred to in the fourth paragraph of the Chief Commissioner's letter above referred to).

He was of the opinion that, should there be any further delay on the part of the Italian Government, then the appointment should be made by the Allied Commission. He has himself send an urgent message to Rome in this sense.

I fully endorse the urgency of the matter and ask that you do all in your power to procure the appointment of a

Declassified E.O. 12356 Section 3.3/NND No. 788021

SUBJECT : Preparation of Electoral Lists Bolzano Province

FILE NO : RXII/025.111

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b) Your telegram 8114 CITE ACCAS of 061740
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4. He was however, very perturbed at the delay on the part of the Italian Government in the appointment of the Special Commission (referred to in the fourth paragraph of the Chief Commissioner's letter above referred to).

He was of the opinion that, should there be any further delay on the part of the Italian Government, then the appointment should be made by the Allied Commission. He has himself send an urgent message to Rome in this sense.

I fully endorse the urgency of the matter and ask that you do all in your power to procure the appointment of a Commission at the earliest possible date.

5. With reference to paragraph 1 of the D/O letter AC/45/12/LG of 5 Nov, I ought to report that Col. Miller and I myself, feel impressed by the sincerity and earnestness of purpose of the Prefect De Angelis. It would, in my opinion, be a serious loss were he to resign.

Regional Commissioner

Copy to: P.C. Bolzano
Executive Commissioner (personal copy)

Declassified E.O. 12356 Section 3.3/NND No. 788221

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

CONFIDENTIAL

FBA

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

13 Nov 1945.
JKD/gq.

To: Provincial Commissioner Bolzano Province.

Sub. Electoral Lists.

FILE:RXII/

In conformity with instructions received from Hqtrs Allied Commission and in order to clarify the situation I herewith authorize you to convey the following message to the Prefect of Bolzano:

The compilation of Electoral Lists is to proceed forthwith:

All inhabitants of Bolzano Province who opted in the past for German citizenship but who did not leave the country are to be inscribed on Electoral Lists.

Doubtful cases can be reviewed after inscription by the appropriate Comiasion.

Regional Commissioner.

Copy to:
Hqtrs Allied Commission Rome.

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DRAFT

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My dear Mr. Prime Minister,

My letter of the 20 Aug expressed the views that the electoral registers should be compiled according to the existing Italian Law and that the functions of the Special Commission should be confined to ascertaining facts.

In the absence of an earlier reply from your Government to my letter than your letter of the 9 Nov which I have recently received, the Regional Commissioner has been instructed that the lists must be compiled in accordance with the exisiting Italian law. He has also been informed that according to the advice which the AC has received as to the exisiting law, he should include therein not only the two classes of electors referred to in Para 2 (b) of my letter but also German speaking Italians who had opted for German nationality but had taken no other step to acquire that nationality; ~~but, that he should not include German-speaking Italian nationals who had opted for German nationality and left Italy for Austria and had subsequently returned to Italy~~. It is noted that this instruction is in general accord with the provisions contained in the draft decree forwarded in your letter of the 18 Nov.

Your letter of 9 Nov agreed in principle to the immediate preparation of the Lists and to the provisional inclusion therein of names which might be subsequently struck out if it was found that they had been erroneously included; but, your letter of the 18 Nov suggests that the preparation of the lists should be suspended until agreement as to the draft law has been reached. The preparation of the lists is what is going to take most time, as the difference between the draft decree and the present instructions are only of relatively minor degree it is felt that the compilation of the lists should continue and if names are included therein which should according to later agreement come out it will be far more expedious to strike it out later that to delay the work of compilation now. It is proposed therefore to continue with the compilation; otherwise the lists may not be ready by the time for the elections.

Declassified E.O. 12356 Section 3.3/NND No. 720721

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The draft decree is being studied and will be the subject of a separate communication.

Yours very truly,

Professor Ferruccio PARRI
The President of the Council of Ministers,
Italian Government,
ROME.

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

Declassified E.O. 12356 Section 3.3/NND No. 788021

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

BOLZANO PROVINCE
VENEZIE REGION.

Allied Military Government

A. P. O 394.

REF: 82/03/E/0003

DATE: August 4, 1945

SUBJECT: Electoral Lists

TO: The Vice President C.A. Section, A.C., H.Q.

Copies to C.L.N.; H.Q. A.C.
S.I.C., H.Q. A.I.C. 5th Army, Padova.

1. Enclosed is draft of a Provincial Notice which it is proposed to publish in view of the fact that a large number of persons in this Province do not know whether they are German or Italian citizens, and that all who are in possession of certificates of German citizenship consider themselves to be German citizens even though such certificates were issued contrary to Section 12 and 13 of the Agreement re 1939.

2. Reference is made to the advice given by the C.L.A. in his AG/4107/3/E of 7 July 1945, a copy of which is also enclosed, and on the basis of which the Provincial Notice is drawn.

3. A copy is also enclosed of a letter just received from the Prefect objecting strongly to the Provincial Notice, and to the interpretation of the law as set out therein, and no argument will persuade him that the law is not simple as is therein described. He is going to Rome on Tuesday, 7 July to try and talk the Italian Government into his views.

4. It appears to this H.Q. that the opinion expressed by the C.L.A. is unassailable and from the point of view of policy it is thought highly desirable that the vast majority of the 45,000 citizens referred to in the Prefect's letter who obtained certificates contrary to Articles 12 and 13 of the Agreement should in fact be Italian citizens. It appears to be a matter for the Italian Government acting on the advice of H.Q. A.C. to decide whether or not this class should be allowed to opt again for Germany.

5. It is the opinion of this H.Q. that the Prefect will not recognize the fact that page 35 of the Chiarimenti does not

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

create a new class of persons of German citizenship who are permitted to reside in Italy, but that such Article merely refers to the classes already covered by Articles 12 and 13 of the Agreement.

6. The correct interpretation of the Agreement was discussed yesterday with Maj. Williams, who entirely agreed with our views.

WILLIAM E. McKINNEY
Lt.Col., G.S.,
Provincial Commissioner.

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

BOLZANO PROVINCE
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
A. P. O 394.

11B

DATE: 4 AUG 45

SUBJECT

TO:

REF:

Dear Brigadier

The attached matter on the preparation of electoral rolls is quite important.

Major Williams knows the details.

I hope that the affair can be settled as quickly as possible & thus bring a slightly better degree of tranquility, politically, in Bolzano Province

Sincerely

2291

W E McBratney

7765/12

Declassified E.O. 12356 Section 3.3/NND No. 78-021

315

Translation

The President of the Council of Ministers
5/2063

Rome, 18 November 1945

My dear Admiral,

I have just now been informed by the Prefect of Bolzano that the Allied Commission ordered the electoral lists to be prepared in Alto Adige, indistinctly including all the people who voted for Italy and remained there.

About this matter, I should like to refer to your letter dated October 19th, (AG/45/12/10) in which you spoke about the necessity of forming without delay a commission to examine and decide about the citizenship of a large part of the population in the Alto Adige region.

Obviously, such a matter could only be examined after fixing the criterions which were to inspire it. And my delaying in answering your letter is due to the fact that I first wanted to have the matter examined in its complex juridical and political aspects, as I already wrote to you on November 9th.

The offices in charge drafted a plan which will be examined in the meeting of the Council of Ministers of the 21st. inst.

I had issued instructions to these offices to contact the organisms of the Allied Commission to know beforehand their opinion on the said draft.

Unofficially, I hereby forward a copy to you so that you may at once take cognizance of it.

Considering what I said in this letter, and believing that this matter is shortly to be solved, I shall greatly appreciate it if you give the necessary instructions to the authorities in charge to suspend the drafting of electoral lists in Alto Adige, to avoid the possibility of their being later on in opposition with the results of the enforcing of the planned law decree.

s. Ferruccio Parri

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
R o m e

trans. s/c

ALLIED COMMISSION 5923

E. C. DIST - 20 Nov
Action: C. A. Sec. (2)
Info: C.C.
E.C.
Poland (A)
" (B).
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Declassified E.O. 12356 Section 3.3/NND No. 785021

Translation

Report for the Council of Ministers

The problem of the citizenship of the inhabitants of Alto Adige has been carefully studied in several meetings attended by the On. G.B. Boeri and the representatives of the presidency of the Council and of the Ministries of Foreign Affairs, of the Interior and of Justice.

The solution has been made more difficult by the fact that it is impossible to make any prevision about the fate of the well known Italo-German agreements of 1939; that is to saywhether we shall be allowed to ask for their being further carried on, asking for the transfer to Germany of those who expressed such a purpose in accordance with the agreements.

First of all, we must ascertain what is, in relation with the laws issued up to now, the present position of the inhabitants of the Alto Adige for what concerns citizenship, and on this subject, start from the 1939 agreements.

The carrying out of such agreements took place in three phases: the option, the purpose of which was either to obtain German citizenship, or to transfer the residence to Germany; the issuing of naturalization certificates by the German authorities; the transfer to Germany, with the ensuing liquidation of such property as may have been existing in Italy.

It is obvious that those who at that time removed themselves to Germany (about 70.000, as from ascertainments made on 1.9.43) and those who, without moving to Germany, obtained German citizenship (about 50.000 at the same date), must no longer be considered as Italian citizens. The former, even if they again transferred their residence to Italy at a later date, haven't been able rightfully to regain Italian citizenship, according to art. 9 of the general law on citizenship of 1912, for a regulation of the law of August 21st, 1939, art. 1241, explicitely re-conferred by the enclosed draft, precluded the enforcement of the said article n. 9 [illegible] in the case of the inhabitants of Alto Adige who lost Italian citizenship in accordance with the agreements.

It is also obvious that a simple option cannot bring about the loss of Italian citizenship. On September 1st 1939, the number of the people who had chosen to become Germans and were not yet through with the procedure to become German citizens amounted to about 50.000.

However, among these people, one category must be taken in particular consideration: such people as chose to become Germans and spontaneously put themselves at the disposition of the German authorities during German occupation. This groupd included Italy's worst enemies, who remained in Alto Adige to carry on pro-German propaganda, and wh , during German occupation after the armistice, actively co-operated with the authorities of occupation, even in their most hateful activities. Strictly speaking, such people

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Declassified E.O. 12356 Section 3.3/NND No. 785621

haven't lost Italian citizenship, they haven't lost it in accordance with the 1939 agreements which didn't foresee such an hypothesis; they haven't lost it in accordance with the general law of 1912, for the said law, though deciding the loss of Italian citizenship for those who assumed a position with a foreign government, or did military service for a foreign power, requires nevertheless for the loss of citizenship, an injunction by the Italian Government to give up within a certain lapse of time the said position or service. However, it is a fact that such people, by a series of actions, asserted their purpose to become citizens of another state, and what is more, a State that was at war with Italy. On the other hand, for what concerns the hypothesis foreseen in the 1912 law, the very existence of a state of war preventeath Italian Government from issuing the above mentioned injunction, while the wish of the Italian State to that none of its citizens should put himself at the service of the enemy state was to be considered as implicit.

It therefore seemed preferable to include among such inhabitants of Alto Adige as lost Italian citizenship the category of those who, having chosen German citizenship, then put themselves at the service of Germany, thus summing up in one hypothesis principles drawn from the 1939 convention and from the fundamental law on Italian citizenship..

It is because of the existence of such a category that art. 1 has been drafted under its present form; for, in case it was considered advisable to suppress it, art. 1 might also be suppressed, and the draft would begin with the present n. 2, but for the ensuing modifications in formal order.

After identifying those who must no longer be considered as Italian citizens, we were faced with the problem of the cases and limits within which Italian citizenship may be granted again.

It seemed before all that such people as have already transferred their residence to Germany, thus fulfilling the clauses foreseen by the 1939 agreements, and have, most probably, liquidated what property they had in Italy, should not be able to recover Italian citizenship.

However, a few contrary opinions were expressed, objecting that the inhabitants of the Alto Adige, that had moved to Germany have been the least enthusiastic supporters of pangermanism; besides, having made the experience of Germany, they might again become excellent Italian citizens.

A rather elastic system has been adopted for the two other categories mentioned in art. 1 ; but for a few cases of obvious unworthiness, decisions about requests for regaining Italian citizenship are to be made by special commissions.

Every Commission is formed by a magistrate, presiding over it, a Deputy Prefect, a representative of the C.L.N., and two Italian citizens of Alto Adige, who didn't chose to become German, one of whom is chosen, if possible, among the

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

'sindaci' of the region.

The investigation of each case will enable to decide on a basis of specific and concrete elements, whether it is advisable to grant the citizenship anew.

Motives or definite exclusion are as follow:

a) - to have been a member of the nazi party or of nazi organizations;

b) - to have cooperated, after September 8th, 1943, with the German authorities, to promote enlistment in the army or in German formations, or to have somehow spontaneously cooperated with the German forces in the fight against Italy and the United Nations;

c) - to have been guilty, during German occupation, of acts of cruelty, robbery or looting to the prejudice of Italians, or of the population residing in Italy, or of people belonging to the Armies of the United Nations.

A few doubts were expressed about the first category of exclusion, for it was objected that it would be exaggerated to have people excluded only because they were members of the nazi party. Against that, it was pointed out that such people spontaneously became members of the party and that their action had a political meaning, considering the state of war which was then existing between Italy and Germany.

Art. 6 gives another function to the above mentioned commission, and it is quite different from that of making discretionary decisions about requests for recovering the citizenship; this function consists in solving such contests as may arise - and it seems likely that there will be many - about the subsistence of the elements foreseen for the losing of Italian citizenship. The ascertaining that transfer to Germany really took place, the issuing of the naturalization certificate, spontaneous acts for the service of Germany, are not always peace-fully acceptable; we thought that the intervention of the Commissions would be preferable, for in many cases, this may prevent legal appeal. Cross-examination will be held by the prosecutor.

The three last articles of the draftintend to solve the problem of such inhabitants of the Alto Adige as have remained Italian citizens, and are guilty of the most serious offences in favour of the nazis, or, serving the nazi party, fulfilled leading positions. It has been foreseen that they would be submitted to the same proceedings as have been established by the general law for politically dangerous fascists; the lectoral rights of nazi gerarchi are to be suspended as those of fascist gerarchi.

trans. e/c

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DRAFT

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: AC/25/12/1G

November 1945

My dear Mr. Prime Minister,

I am writing to keep you informed of the action which is being taken in Bolzano Province with regard to the compilation of the Electoral Lists. ~~It will follow of course that~~ presumably similar action will be necessary in Trento, Belluno and Udine.

My letter of the 20 Aug expressed the views that the register should be compiled according to the existing Italian law and that the functions of the Special Commission should be confined to ascertaining facts.

In the absence of an earlier reply from your Government to my letter than your letter of the 9 Nov which I have recently received, the Regional Commissioner has been instructed that the lists must be compiled in accordance with the existing Italian law. He has been informed that according to the advice the AC has received as to the existing law, he should include therein not only the two classes of electors referred to in Para 2 (b) of my letter but also German-speaking Italians who had opted for German nationality but had taken no other step to acquire that nationality; but, that he should not include German-speaking Italian nationals who had opted for German nationality and left Italy for Austria and had subsequently returned to Italy.

It seems to be quite clear that at the time of the signing of the option papers there was no intention of any immediate change of nationality and that Italians who signed such papers were not immediately regarded as aliens and

2206

Declassified E.O. 12356 Section 3.3/NND No. 775021

My dear Mr. Prime Minister,

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It seems to be quite clear that at the time of the signing of the option papers there was no intention of any immediate change of nationality and that Italians who signed such papers were not immediately regarded as aliens and required to obtain any "permis de sejour". They were also liable to conscription by the Italian army and there are other facts which support the opinion that there had been no immediate change of nationality and that the change intended was to follow the move to Austria.

Declassified E.O. 12356 Section 3.3/NND No. 788221

If doubtful cases are to be dealt with in time for the elections the appointment of the Special Commission is a matter of great urgency and unless the Commission is appointed by your Government at an early date I see no alternative to AMG itself setting up a body to find the facts in such cases.

With regard to the last paragraph of your letter of 9 Nov I note that you agree to the immediate preparation of the Lists and to the provisional inclusion therein of names which may be subsequently struck out if it is found that they had been erroneously included; but, I am not clear what the phrase "cancelled after the ascertainment of citizenship made according to the law which is being prepared" in this paragraph means. I presume it means that the method of ascertaining the facts is to be laid down and that it is not proposed to pass legislation ~~which may~~ to alter, or provide new criteria for determining, nationality.

Yours very truly,

HARRY W. STORK
Rear Admiral, USN,
Chief Commissioner.

Professor Ferruccio PARRI
The President of the Council of Ministers,
Italian Government,
ROME.

2255

Copy to: 25/12/1/IC
25/29/IC

Declassified E.O. 12356 Section 3.3/NND No. 788031

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

68

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 478706

AG/45/12/LC

14 November 1945

SUBJECT: BOLZANO--Electoral Lists.

TO : AC Veronie Region.

1. Reference para 1 of your letter /025.111 of 8 November to AC Bolzano, copy to this Section, the expression "letter follows" in my signal 8114 of 6 November does refer to my AC letter of 5 November. The letter dated the 5th would go by the Courier on the 6th, and it was known that it could not reach you before the signal.

BY COMMAND OF THE CHIEF COMMISSIONER:

M. CARR
Brigadier
VP CA Section

CCAW/pec

2284

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

From: Brigadier J.K, Dunlop, OBE, MC, TD.

HEADQUARTERS
VENEZIE REGION
ALLIED MILITARY GOVERNMENT
APO 394
OFFICE OF THE REGIONAL COMMISSIONER

8 Nov 45

13 NOV 1945

My dear Carr.

1. Many thanks for your letter of 5 Nov (D/O AC/45/12/LG) which is clear and helpful.

2. I shall now take action along the lines permitted by your second paragraph.

3. I agree with you that we should discuss this important matter on official files and shall mark a copy of this letter accordingly.

Yours ever,

Brigadier M. Carr, CBE, MC.
HQ. Allied Military Government.

Copy to: File RXII/025.111

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

JKD/zm

CONFIDENTIAL

13 NOV. 1945

13 NOV 1945

13 NOV 1945

P.C. Bolzano Province

Electoral Lists

/025.111

1. Further to my RXII/025.111 of today's date, giving text of a telegram received from Rome, I have now received an important D/O letter from the Vice President Civil Affairs Section A.C. This letter, though clearly not the letter referred to in the telegram does give us a clear indication as to the views of Allied Commission.

2. I am therefore authorised to instruct the Prefect that it is the Allied Commission view that all Germnn speaking Italian who opted for Germany but have taken no other atep to acquire German nationality, will be included in the Electoral Lists.

3. I am proposing to come up to Bolzano on Tuesday - or possibly on Monday evening - for the purpose of meeting yourself and the Prefect and seeing that the position is clarified. Will you please arrange a meeting accordingly on Tuesday afternoon 13 Nov. By that time I expect to have a further letter from Rome referred to in their telegram received today.

Regional Commissioner

Copy to: HQ. A.C.
Civil Affairs Section

Sur bande 47.

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

TO RC VENEZIE REGION AMG

8114 6 Nov 45 PRIORITY

Changed to 5 November

NOV 1945

See No. 64.

CONFIDENTIAL FD

PARA ONE FD REFERENCE YOUR LETTER OF ONE FIVE OCTOBER FOUR FIVE FD

PARA TWO FD PROPOSAL PREPARE ONE HUNDRED PER CENT CENSUS ADULT RESIDENTS NOT APPROVED FD

PAREN TO REGIONAL COMMISSIONER VENEZIE REGION AMG FROM HQ AFCOM CITE ACCAS PAREN

PARA THREE FD ELECTORAL LIST MUST BE BASED ON ITALIAN LAW AND ONLY THOSE QUALIFIED THEREUNDER WILL BE INCLUDED FD LETTER FOLLOWS

2281

Civil Affairs Section

608

G.J. LEONE,
CWO USA
Asst. Adjutant.

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

TO AC VENEZIE REGION ANG

8114 6 Nov 45 PRIORITY

CONFIDENTIAL FD

PARA ONE FD REFERENCE YOUR LETTER OF ONE FIVE OCTOBER FOUR FIVE FD

PARA TWO FD PROPOSAL PREPARE ONE HUNDRED PER CENT CENSUS ADULT

RESIDENTS NOT APPROVED FD

PASS TO REGIONAL COMMISSIONER VENEZIE REGION ANG FROM HQ AIGOM CITE

ACCAS PASS

PARA THREE FD ELECTORAL LIST MUST BE BASED ON ITALIAN LAW AND ONLY THOSE QUALIFIED THEREUNDER WILL BE INCLUDED FD LETTER FOLLOWS

2220

Civil Affairs Section

608

G.J. LEONE,
CWO USA
Asst. Adjutant.

3874/7589/LG

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

JKD/zm

64

6 NOV 1945

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

- 6 NOV 1945

5 Nov 45

TO : HQ. A.C.
Attn: Civil Affairs Section

SUBJECT : Bolzano - Electoral Lists

FILE NO : RXII/025.111

1. On the occasion of my recent visit to Bolzano I was shown by Colonel Miller a letter from the Prefect, copy whereof I attach herewith.

2. You will see that, officially, no progress has so far been made.

3. I have therefore assumed the responsibility of instructing Colonel Miller to tell the Prefect that the compilation of Communal lists is to proceed at once on the basis of a 100% census of all adult residents in the Communes. Once these lists are completed, subsequent adjustments can be made.

4. I am informed by Colonel Miller that, unofficially, lists on this basis are already in course of compilation in many Communes.

Regional Commissioner

Copy to : P.C. Bolzano Province.

22.3

Encl. (1)

(5511)

7588/LG

Declassified E.O. 12356 Section 3.3/NND No. 785821

Translation

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6 NOV 1945

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PREFETTURA OF BOLZANO

Bolzano, 29 Oct 45

TO : A.M.G. BOLZANO

SUBJECT : Preparation of the Electoral Lists.

As already communicated with letter dated 26 Oct. 45, N.6057/Gab, the beginning of the compilation works of the lists has been postponed to 4th Nov.45 because the necessary instructions and explanations regarding the citizenship of those South Tyrolians who opted for Germany, have not yet arrived from the competent Ministry.

The preparatory works (compilation of the lists, consignment of the extracts to the judicial cabinets etc.) are also postponed in every commune and for the execution of the works I wait your mentioned instructions after which the compilation of the electoral lists will be settled quickly.

The electoral Commissions and Sub-Commissions will be formed as soon as the CLN will have provided for the designation of the nominatives, time ago requested.

However, the work of the Commissions will be effected successively to the compilation of the lists ~~work~~ which beginning has been postponed to 4th Nov.45.

We notify that all works will be settled as soon as possible and no other personnel will be needed. We assure you that this Prefettura and the single Commissions will provide for a quick settlement of the works.

In the next fortnightly report I will send you other news requested by you in the letter to which it is answered.

THE PREFECT.

22'8

Instructions re. Nolli Chronological Lists of voters entitled to compile civic lists

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Declassified E.O. 12356 Section 3.3/NND No. 788021

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HEADQUARTERS
VENEZIA REGION
Allied Military Government
APO 394

TO : HQ. A.C. 5 Nov 45
Attn: Civil Affairs Section

SUBJECT : Bolzano - Electoral Lists -

FILE NO : AFI/025.111

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Regional Commissioner

Copy to : P.G. Bolzano Province.

Encl. (1)

2273
(577)
7588/LG

Declassified E.O. 12356 Section 3.3/NND No. 788021

From: Brigadier M. Carr.
VP C.A Section. HQ AC

APO 394

Ref: D/C.AC/45/12/I.G.

5 November 1945

My Dear Dunlop,

Reference your D/C Letter of 20 October 45 on the subject of Electoral Rolls in Bolzano Province.

1. I feel that the fact that the Prefect has "other views" is no excuse for his not doing what he is told and that he should "interpret" the situation in accordance with your directions. If he is definitely obstructive you will no doubt consider replacing him. I understand that this rather delicate matter is a possibility under consideration.

2. It is not considered desirable to publish the Allies' "views". This is but to invite argument and, as has been said, our views as to what the law is are not decisive. There is not the same objection to the publication of a brief resume of any directions given by you to the Prefect as to the lines on which the Lists will be completed if you think that will allay public opinion, namely that German-speaking Italians who opted for Germany but who have taken no other step to acquire German nationality will be included in the Electoral Lists. If you wish it, I can see no objection to the contents of Paras 3, 4 and 5 of AC/45/12/IG of 15 Oct 45 (except the last sentence of Para 5) being communicated orally to a selected meeting of officials concerned.

3. Our opinion is that the preparation of the Electoral Rolls should be carried out in accordance with what we believe the Italian law to be - it is not a nominal roll of the adult population or a census and it should include all Italians and Tyrolers who we believe to be qualified. AC's official views as to that belief have been communicated to you and should be followed.

4. If the Special Commission later finds that facts do not justify the inclusion of persons in the draft Electoral Lists, their names can be struck out but that eventuality is no excuse for the Prefect delaying preparation of the List.

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

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5. I feel that after this letter we should revert to official correspondence on this subject. I did not know that my original D/O letter of October 4th would raise so much re-consideration of this matter.

Yours

MD

Brigadier J.K. DUNLOP, CBE, DC, TD,
Regional Commissioner,
VENEZIA Region.

Copy to: D.O. 1/26 B/CA.

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HEADQUARTERS
VENEZIE REGION
Allied Military Government
AFO 394

23 OTT. 1945

20 October, 1945

My dear Capt. HQ 15 AC/145/12/LG

Reference your RXII/025.111 of 15th October. 10.61

I am much obliged to you for your most interesting letter which I have discussed with Miller and Thompson at Bolzano.

I feel that we all are in complete agreement and your letter expresses clearly our viewpoint.

The difficulty is that the Prefect has other views. We, that is to say Miller, Thompson and I, feel that we should like to make a public press statement of the Allied Commission's views, irrespective of whether these views are entirely popular with some sections of the Italian Government. We feel that such a publication would do a great deal to clear the air and that it might stop a certain amount of prejudgement which is taking place in certain Italian minds.

unobjectionable but a small meeting might be officially informed of our views

There is, however, the further consideration prompted by the extremely important message left by Henry Hopkinson when he passed through Bolzano.

What?

In view of the development I certainly do not wish to do anything without consulting you.

In the meantime no real progress is being made with the compilation of electoral lists. The whole thing is hanging fire because the Prefect is interpreting the situation in one way, and the Sud Tirol Volks Partei are looking with suspicion at the whole affair. As you know, McEratney wanted to have some sort of declaration as to whose names were to go on the rolls.

The Prefect is under the PC why accept the PC census system and insist upon them being carried out

My personal predeliction is, and always has been, for an over all registration of everyone, that is to say a preliminary per capita census of the entire resident population. In that way we should get at the facts.

This is one of those entitled to vote under the census

On the other hand, such a method does, I agree, at once [illegible] the special condition of Bolzano. That, I gather, is

Declassified E.O. 12356 Section 3.3/NND No. 778021

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On the other hand, such a method does, I agree, at once emphasise the special condition of Bolzano. That, I gather, is a matterw hich Allied Commission does wish to avoid.

Yet again, I should think, that Italian rumour is already fairly busy with stories of the London discussion on the Alto Adige.

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Declassified E.O. 12356 Section 3.3/NND No. 788021

Anyhow the fact remains that at present nothing much is being done in the preparation of electoral lists in Bolzano. The Tiroler point to the undoubted flood of Italians arriving from the South, especially into the city of Bolzano, and say that the election lists will be cooked by the inclusion of these immigrants, and by some excuse for the exclusion of the Tiroler who opted for Germany but did not in fact leave.

If I could, with your consent, publish the most valuable sense of the third, fourth, and fifth paragraphs of your letter, it would, I think have a most steadying effect.

Yours sincerely

Brigadier M. Carr
Vice President Civil Affairs Section
Headquarters
Allied Commission

Copy to:- P.C. Bolzano

JKD/lgc

Except the last sentence of the fifth paragraph.
As regards the rest there is no objection to a statement of our views with caution - but to issue a written statement is to invite the political and intelligently minded to engage.

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Declassified E.O. 12356 Section 3.3/NND No. 788021

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Headquarters
Allied Commission

Copy to:- P.C. Bolzano

JKD/lgc

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Declassified E.O. 12356 Section 3.3/NND No. 778021

Declassified E.O. 12356 Section 3.3/NND No. 788021

From: Brigadier K. CAIN, 61
V. CA Section, H. Q.

AFO 394

Ref: D.O. AC/45/12/16. 15 October 1945

Dear

Reference your PWXII/025.111 of 9 October 1945.

I think the view here is that there is little doubt that the Prefect has got wrong ideas as to the law, but the Legal Sub-Commission, even though it may feel that his view is probably based on a misunderstanding of certain documents, cannot commit itself to a categorical statement to that effect because it has not seen the documents in question.

The ordinary way of considering a matter when there is an ambiguity or dispute is to look to the intention of the parties at the time and the Italian Courts have the same practice as the English Courts in this respect. Our view of such intention is not binding on the Italian Courts but it does afford some indication of what the result may be.

In this case it was necessary first to find out who wished to move; this was done by persons opting. This option was not final and conclusive because those documents then had to be accepted by the Germans. Lastly, the migration was to be gradual. It is not believed that it was the intention of either party to create a body of German nationals who would continue to reside in Italy for quite indefinite periods as aliens. If they had been turned into aliens, Italian law would require them to be registered as aliens and to carry identity papers and this is not required. I don't think that there is a shadow of doubt that it was not the intention that the signing of the option would affect an immediate change of nationality.

While neither we nor any "ruling" can decide what the Italian Law is (that is for the Courts to say) it is proper that we should follow what we believe to be the law.

In this case we believe that opting was not intended to and did not alter nationality. It was to be followed by an act, namely a bodily transfer. Therefore, those who opted are not in any "neutral" position but are still Italian citizens (they were, for instance, liable to conscription to the Italian Forces) and no declaration by them is

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Declassified E.O. 12356 Section 3.3/NND No. 780021

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necessary for them to regain their Italian citizenship. The Tyroler who looks upon such a suggestion with suspicion seems to have every reason for his views.

The Italian Commission should have no discretion. It has to look at the facts only and then state the result of those facts under the existing Italian Law.

Any statement of the intentions of the Italian Government towards the Alto Adige would probably deal with such matters as autonomy, languages, education, etc. There has never been any suggestion that it proposes to pass a law affecting nationality. In fact, it would be impracticable for it to do so as it cannot confer German nationality by an Italian law. Change of nationality is obviously a matter for the Peace Treaty and cannot be achived by any unilateral action. A statement as to the Italian Government's intention would therefore appear to be quite irrelevant to the question of nationality.

The Chief Commissioner's letter to the Prime Minister of 20th August stated quite clearly that our view was that the Special Commission should be confined only to examining and establishing the facts of citizenship based on the existing Italian law.

Yours

MC

Brigadier J.K. DUNLOP, CBE, MC, TD,
Regional Commissioner,
VENEZIE Region.

2271

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

9 October, 1945

10 OCT 1945

Ref. RXII/025.111

My dear Carr.

I am obliged to you for your letter of the 4th October, AC/45/12/LG which in fact arrived during my recent visit to Bolzano and did not therefore come before me till my return.

I have read with great interest your letter and I have refreshed my memory of the two letters which you quote, AC/4187/3/4 of 21 August and AC/45/12/LG of 20 August.

I feel that I must call your attention to the fact that the opinion of the Chief Legal Adviser, which you quote as expressed in AC/4187/3/4 of 21 August, is by no means as definite a pronouncement as might be implied from your letter of the 4th October. You will see that in the third and fourth paragraphs of 2 (c) the C.L.A. does make reservations which reduce a good deal the positive value of his opinion.

The difficulty is that the Prefect of Bolzano has most clearly got into his head, and he has some sort of backing from Rome, that the legal position is somewhat as follows:-

Those who opted for German citizenship, but did not in fact leave the country are in a sort of neutral condition. They can be regarded as Italian citizens if they now make a definite option for Italy.

The Tiroler, who certainly want to vote, look upon this idea with great suspicion. First because they feel that if they now elect to claim Italian citizenship they will be regarded as having voted against any sort of autonomy. Secondly, because they believe that the Italian Commission will, in fact, exercise a good deal of discretion in deciding who is to be taken onto the Italian voting register. The result will be, so the Sud Tiroler believe, that Tiroler representation on the electoral rolls will be reduced.

The Tiroler are quite convinced that the Prefect and the Government are trying to boost up the Italian vote by means of a wholesale immigration from the South. There has certainly been

Declassified E.O. 12356 Section 3.3/NND No. 775021

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The Tiroler are quite convinced that the Prefect and the Government are trying to boost up the Italian vote by means of a wholesale immigration from the South. There has certainly been a large influx of Italians from the South. Some of them have come to work, a good many have come to make money on the black market, encouraged by the large stores lying in the Bolzano dumps.

The Chief Commissioner's letter of the 20th October, in its fourth paragraph, clearly envisaged that the Italian Government would make a statement upon its intentions in respect of the upper Adige, before the question of the electoral lists became acute. It is the absence of such a statement which adds to the present fears of the Tiroler.

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Declassified E.O. 12356 Section 3.3/NND No. 788021

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I attach, as of interest, statements handed to me in the course of my recent visit. 60B

I shall be going to Bolzano again early next week and shall be glad to have your further information.

Yours faithfully,

Brigadier M. Carr, C.B.E., M.C.
Vice President, Civil Affairs Section
Headquarters, Allied Commission

Copy to:- P.C. Bolzano

JKD/lgc

Declassified E.O. 12356 Section 3.3/NND No. 770221

C O P Y

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1/12/3

Bruneck, 5 October 1945

LG
13 OCT 1945

P R O M E M O R I A

about the visit to Bruneck.

15 OCT 1945

The sindaco, Dr. Leitner, complains about the bad behaviour of the "Folgore" soldiers who are continually causing incidents and provocations, comitting robberies and giving great trouble to the population. Their great number which is entirely out of proportation with the local needs (total of inhabitants: 3,000, Italian soldiers: 1,000) causes great difficulties re billetting as well as for the supply of water and electric power. The number of occupation troops should be considerably reduced and the Italian soldiers replaced by Allied Forces.

Baron Sternbach, ex Member of Parliament in the former Austro-Hungarian Monarchy, born in South Tyrol, deported to the Lipari Islands by the Fascists as well as prosecuted by the Nazis, requests that his cry for help and protection be forwarded to Allied Headquarters at Rome because the latter unfortunately are supplied with information re South Tyrol by the Prefect of Bolzano Province only. What kind of informations these are, can easily be concluded from his speeches and actions which are persistently and entirely favouring the Italian element.

Baron Sternbach points out that one of the main grievances of the South Tyrolian population is the fact that the Italian minority which did not exist at all before the Fascist era but was artificially created by the latter, is being continually increased at the disadvantage of the South Tyrolian native population. The Prefect on the one hand encourages unrestricted immigration of Italians from the South and on the other hand he wants to drive out of their native land thousands of South Tyrolians who were born here and had spent all their life in this country, by declaring them to be enemy aliens (viz. all the former voters for Germany). The underlying intentions of these machinations are obvious:

1 - He wants to forge the actual proportion of the existing two populations to the advantage of the Italians. For, the Italian Law permits to include in the election lists all persons who happen to be present in any one commune, provide they are bombed out. Of course all these new comers are issued with certificates proving that their homes have been bombarded.

2 - Native South Tyrolese labour is to be superceded by the newcomers imported from the South. In this way numerous South Tyrolians who had been called up for service with the Italian or German Army and are now being discharged from their respective POW camps, on returning home, find their former jobs occupied by Italians.

3 - The Prefect wants to create the impression of an overpopulated Province in order to have an additional argument for preventing from repatriation to South Tyrol those who had left the country following on the Nazi-Fascist Option Agreement of 1939.

This was a downright Nazi-Fascist crime committed on the South Tyrolese population. It was only thanks to 20 years unbearable Fascist tyranny and oppression that a great number of South Tyrolians fell a victim to this fraud. Instead of doing all in his power to repair this wrong he insists on regarding all emigrants as enemy aliens.

In this way the return to their native land shall be made impossible for

Declassified E.O. 12356 Section 3.3/NND No. 759121

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In this way the return to their native land shall be made impossible for ten thousands of small employees and workers. Even those who have not left the country are to be submitted to a "rigorous epuration". He further announced a law which would compel additional thousands of South Tyrolese, selected by arbitrary means, to emigrate for the purpose of making room of new Italian arrivals from the South. This is not democracy - it is Nazi-Fascism !

With all this, the Prefect in his last speech held at Meran praised the South Tyrolians as diligent, honest, disciplined and skillful workers. At the same time he promised us the installation of a South Tyrolian Department at the Prefecture in Bozen.

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Declassified E.O. 12356 Section 3.3/NND No. NND 7321

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This promise was based on the total disregard of the fact that the South Tyrolians are the hosts in their own house for more than thousand years and that the Italians who have come up here only since the beginning of the Fascist era can only be regarded as guests. We South Tyrolians, therefore, claim for ourselves the post of the Prefect and not that of one of his secretaries.

Why all our complaints never taken into consideration ? The reason is, that the very same Fascists who used to oppress us during the last 25 years are still occupying all key positions and are continuing their oppression in the name of Deccracy now. Further, all the local Committees of National Liberation are turning into spying agencies and they interfere,with the full backing of the Italian Government, with all communal affairs and decide them almost invariably in favour of the Italians, even if the latter constitute only 5 or 10% of the inhabitants.

We South Tyrolians therefore demand an adequate proportion in the administration of the Province, and especially the existing Carabinieri Police who still work on purely Fascist lines must be made up exclusively of men born and brought up in this Province. Such men who are familiar with local conditions here will turn out better work and will do away with the present insecurity, the numerous cases of robbery and make and end to black marketing excesses. The Carabinieri never succeed in tracking down a thief, even if one hands over the thief to them in person they let him off, provided he be an Italian.

We are put at a disadvantage in every respect and Italians are given preference is spite of all this talks about democracy. Especially the treatment given to South Tyrolians, returning home from POW camps, is a shame. I have been informed just now, that some of them, insufficiently clad, shivering with cold and hungry, were arrested by the Carabinieri of their native village. In a glaring contrast to this stands the fact that a special Ministery has been created for the welfare of Italian repatriated POW's.

In view of all these facts the Prefect dares stress the remarkable discipline of the Italians in the Province. Why on earth they should revolt ? They are fed by the infatiguable labour of the South Tyrolian farmer, and although most of them are mere idlers who did not come to this Province for the purpose of work, all the best appartments and houses are allotted to them by the Italian controlled billetting offices.

In conclusion I request you to use all your influence for the recognition of all optants, including emigrants, as South Tyrolians with full political rights in their native land, dor a real democratic administration composed of an adequate number of South Tyrolians and above all for a complete renewal of the Police.

I am an old man, Baron Sternbach concludes, and I shall not be suffering long any more, but I feel it my duty to submit my petition frankly, for the benefit of all future generations of South Tyrolians.

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Declassified E.O. 12356 Section 3.3/NND No. 778021

Declassified E.O. 12356 Section 3.3/NND No. 78D021

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C O P Y

Brixen, 5 October 1945

ADDITIONAL PROMEMORIA

of the representatives of the South Tyrolese People's Party at Prixen to Regional Commissioner, Venezie Region, Brigadier I.K. DUNLOP.

In the interview which you so kindly granted us to-day, we did not repeat to you the most important wish of the entire South Tyrolese population because we were of the opinion that you will have been informed by the former Provincial Commissioner, Lt Colonel MacBratney of the fact, that recently deputations of all 92 Communes of South Tyrol spontaneously expressed this desire of the population.

The entire South Tyrolese population, absolutely independant of any outside influence, considers it the greatest and most sacred of all wishes, from the bottom of their hearts, that their South Tyrolese land be once again united with that part of Tyrol lying North of the Brenner, and thereby with Austria.

We beg to request you to kindly help us also in this respect and to do all in your power for the realisation of this our most sacred ideal.

sd/

Hans Kofler,
Dr. Max Frey.

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

Bruneck, 1 Oktober 1945. GDE

P R O M E M O R I A

about the visit to Bruneck.

The sindaco, Dr. Leitner, complains about the bad behaviour of the "Folgore" soldiers who are continually causing incidents and provocations, comitting robberies and giving great trouble to the population. Their great number which is entirely out of proportation with the local needs (total of inhabitants: 3.000, Italian soldiers: 1.000) causes great difficulties re billetting as well as for the supply of water and electric power. The number of occupation troops should be considerably reduced and the Italian soldiers replaced by Allied Forces.

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Declassified E.O. 12356 Section 3.3/NND No. 780021

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This was a downright Nazi-Fascist crime committed on the South Tyrolese population. It was only thanks to 20 years unbearable Fascist tyranny and oppression that a great number of South Tyrolians fell a victim to this fraud. Instead of doing all in his power to repair this wrong he insists on regarding all emigrants as enemy aliens.

In this way the return to their native land shall be made impossible for ten thousands of small employees and workers. Even those who have not left the country are to be submitted to a "rigorous epuration." He further announced a law which would compel additional thousands of South Tyrolese, selected by arbitrary means, to emigrate for the purpose of making room of new Italian arrivals from the South. This is not democracy - it is Nazi-Fascism!

With all this, the Prefect in his last speech held at Meran praised the South Tyrolians as diligent, honest, disciplined and skillful workers. At the same time he promised us the installation of a South Tyrolian Department at the Prefecture in Bozen.

This promise was based on the total disregard of the fact that the South Tyrolians are the hosts in their own house for more than thousand years and that the Italians who have come up here only since the beginning of the Fascist era can only be regarded as guests. We South Tyrolians, therefore, claim for ourselves the post of the Prefect and not that of one of his secretaries.

Why all our complaints never taken into consideration? The reason is, that the very same Fascists who used to oppress us during the last 25 years are still occupying all key positions and are continuing their oppression in the name of Demcracy now. Further, all the local Committees of National Liberation are turning into spying agencies and they interfere, with the full backing of the Italian Government, with all communal affairs and decide them almost invariably in favour of the Italians, even if the latter constitute only 5 or 10% of the inhabitants.

We South Tyrolians therefore demand an adequate proportion in the administration of the Province, and especially the existing Carabinieri Police who still work on purely Fascist lines must be made up exclusively of men born and brought up in this Province. Such men who are familiar with local conditions here will turn out better work and will do away with the present insecurity, the numerous cases of robbery and make an end to black marketing excesses. The Carabinieri never succeed in tracking down a thief, even if one hands over the thief to them in person they let him off, provided he be an Italian.

We are put at a disadvantage in every respect and

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Italians are given preference in spite of all this tals about democracy. Especially the treatment given to South Tyrolians, returning home from POW camps, is a shame. I have been informed just now, that some of them, insufficiently clad, shivering with cold and hungry, were arrested by the Carabinieri of their native village. In a glaring contrast to this stands the fact that a special Ministery has been created for the welfare of Italian repatriated POW's.

In view of all these facts the Prefect dares stress the remarkable discipline of the Italiens in the Province. Why on earth they should revolt? They are fed by the infatiguable labour of the South Tyrolian farmer, and although most of them are mere idlers who did not come to this Province for the purpose of work, all the best appartments and houses are allotted to them by the Italian controlled billetting offices.

In conclusion I request you to use all your influence for the recognition of all optants, including emigrants, as South Tyrolians with full political rights in their native lands, for a real democratic administration composed of an adequate number of South Tyrolians and above all for a complete renewel of the Police.

I am an old man, Baron Sternbach concludes, and I shall not be suffering long any more, but I feel it my duty to submit my petition frankly, for the benefit of all future generations of South Tyrolians.

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Brixen, 5. Oktober 1945. GH

P R O M E M O R I A

der Vertreter der Südtiroler Volkspartei, Hans Kofler und Dr. Max Prey über die dem Herrn Brigadegeneral I.K.Dunlop vorgebrachten Anliegen.

1- Die italienische Besatzungstruppe in Südtirol möge abgezogen werden, da sie sich fortlaufend viele und schwere Übergriffe zuschulden kommen lässt. Ihre Haupttätigkeit besteht darin, dass sie unter dem Deckmantel der Ausübung ihrer Polizeifunktionen einseitig bei den Südtirolern willkürliche Hausdurchsuchungen vornimmt, hiebei privates Eigentum wahllos requiriert, die Bevölkerung mit Waffen bedroht, sie mit den gemeinsten Ausdrükken beschimpft und letzten Endes deren Vertreibung und Ausrottung ankündigt, sobald die Alliierte Besatzung und die AMG abgezogen wird. Es ist allgemein bekannt, dass die italienischen Soldaten die bei diesen Hausdurchsuchungen gemachte Beute, sowie zahllose Bestände aus den von ihnen bewachten ehemaligen deutschen Wehrmachtslagern auf dem schwarzen Markt verhandelt.

Die Südtiroler Bevölkerung ist sehr erregt, weil sie den italienischen Truppen schutzlos ausgeliefert ist. Ruhe und Ordnung in diesem Gebiete sind daher äusserst gefährdet. Wir bitten daher um Ersetzung der italienischen durch Britische oder Amerikanische Kontingente.

2- In Anerkennung der Tatsache, dass die Südtiroler Bevölkerung mindestens 2/3 der Gesamtbevölkerung der Provinz Bozen ausmacht - wenn man von der künstlich durch die Fascisten geschaffenen Industriezone der Stadt Bozen absieht, sogar 85% - hatte die italienische Provinzverwaltung wiederholt feierlich versprochen, alle höheren staatlichen und komunalen Verwaltungsstellen mit Südtirolern zu besetzen. Dieses Versprechen hat sie nicht nur nicht gehalten, sondern im Gegenteil planmässig Südtiroler entfernt und an deren Stelle Italiener eingesetzt. Abgesehen von den Bürgermei-

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stern in den Landgemeinden, die dank der AMG Südtiroler sind, sind alle wichtigen Verwaltungsposten, angefangen von der Präfektur, sämtliche Richterstellen und sogar die Bürgermeisterstellen der Städte Bozen, Meran, Brixen, Sterzing, Lana und andere, durch Italiener besetzt worden.

Wir bitten daher, diese Stellen durch Südtiroler zu besetzen.

3- Seit Mai d.J. findet eine enorme Zuwanderung in diese Provinz von Italienern aus dem Süden statt, welche offensichtlich planmässig heraufgeschickt werden, um die Provinz zu italienisieren. Zu diesem Zwecke hatte bereits der Fascismus etwa 60.000 Italiener in der Provinz angesiedelt, und die Zahl der seit Mai.d.J. neu Zugewanderten Italiener wird auf mindestens 40.000 geschätzt. Es handelt sich meist um minderwertige Elemente, die in keiner Weise arbeitswillig sind und nur eine Gefahr für die Sicherheit in der Provinz darstellen. Sie belasten die Lebensmittellage, erhöhen die bestehende grosse Wohnungsnot, und schaffen im Verein mit den italienischen Besatzungstruppen einen ungeheuren schwarzen Markt.

Ein weiterer offensichtlicher Zweck dieser italienischen Zuwanderung ist es, das italienische Element in der Provinz für die kommenden Wahlen auf eine möglichst hohe Zahl zu bringen.

Dass diese Zuwanderung von den italienischen Behörden planmässig ins Werk gesetzt wurde, geht daraus hervor, dass diese Personen Arbeitsbestätigungen von den italienischen Arbeitsämtern erhalten, weil sie nur auf diesem Wege die Aufenthaltsbewilligung bekommen. Es ist erwiesen, dass diese Arbeitsbestätigungen nur Scheinaufnahmen sind, und alle diese Zugewanderten die in der Provinz schon herrschende Arbeitslosigkeit noch vermehren. 2261

Es wird gebeten, diese hier nicht beheimateten und Unruhe stiftenden Elemente wieder in ihre Heimat zurückzuschaffen und die weitere Zuwanderung vollkommen abzustoppen.

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Aus all dem ist es offensichtlich, dass die bestehende italienische Verwaltung, in Fortsetzung der fascistischen Methoden und vielfach sogar auch mit den gleichen Männern, die Rechte der Südtiroler Bevölkerung systematisch zunichte macht. Wenn keine anderen Gründe benützt werden können, geschieht all dies unter dem Vorwande der Verfolgung von Nazi-Elementen.

Die ganze Südtiroler Bevölkerung setzt ihr vollstes Vertrauen in die Alliierte Militärregierung, als einzige unparteiische Autorität in unserem Lande. Wir danken dem Herrn General von ganzem Herzen, dass er uns die Möglichkeit gegeben hat, ihm unsere Sorgen und gerechten Beschwerden zu unterbreiten.

Hans Kofler Toni Ebner

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

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Brixen, 6. Oktober 1945.

C

Z u s a t z m e m o r a n d u m

der Vertreter der Südtiroler Volkspartei in Brixen

an den Herrn Brigadegeneral I.K. Dunlop.

Bei der heutigen gütigst gewährten Unterredung haben wir es unterlassen, den Hauptwunsch der gesammten Südtiroler Bevölkerung zu unterbreiten in der Annahme, dass der Herr General bereits durch den Herrn Provinzchef Coll. Mac Bratney in Kenntnis gesetzt wurde, dass vor Kurzem Deputationen aller 92 Gemeinden Südtirols diesem Verlangen der Bevölkerung spontanen Ausdruck verliehen haben.

Dieser Hauptwunsch, den die gesammte Südtiroler Bevölkerung vollkommen unbeeinflusst von jeglicher Seite als ihren tiefsten und heiligsten Herzenswunsch hegt, ist der, dass unser Südtiroler Land wieder vereint werden möge mit dem nördlich des Brenners gelegenen Teil Tirols und sohin mit Oesterreich.

Wir erlauben uns, den Herrn General zu bitten, er möge auch in dieser Richtung unser Anliegen unterstützen 2253 und dazu beitragen, dass dieser unser heiligster Wunsch in Erfüllung gehe.

Hans Hofer Mayr

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

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= TRANSLATION =

Brixen, 5 October 1945.

ADDITIONAL PROMEMORIA

of the representatives of the South Tyrolese People's Party at Prixen to Regional Commissioner, Venezie Region, Brigadier I.K.Dunlop.

In the interview which you so kindly granted us to-day, we did not repeat to you the most important wish of the entire South Tyrolese population because we were of the opinion that you will have been informed by the former Provincial Commissioner, Lt.Col.MacBratney of the fact, that recently deputations of all 92 Communes of South Tyrol spontaneously expressed this desire of the Population.

The entire South Tyrolese population, absolutely independant of any outside influence, considers it the greatest and most sacred of all wishes, from the bottom of their hearts, that their South Tyrolese land be once again united with that part of Tyrol lying North of the Brenner, and thereby with Austria.

We beg to request you to kindly help us also in this respect and to do all in your power for the realisation of this our most sacred ideal.

Sd.: Hans Kofler,
Dr.Max Prey.

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Declassified E.O. 12356 Section 3.3/NND No. 780021

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File

AC/25/12/16

17 October 1945.

My dear Mr. Prime Minister: 44A

You will recollect that I wrote to you on 20 August 1945 as to the proposal to appoint a Special Commission for the Province of Bolzano and neighbouring territories for the examination of doubtful cases of citizenship, in connection with the preparation of the electoral lists. I wrote to you again on 21 September, pointing out the urgency of a decision, but I have not yet had any reply from you.

From reports submitted to me, it appears that the authorities in the areas in question will shortly reach the point at which they will be unable to make any further progress in the preparation of electoral lists, because of the unsettled problem of the citizenship of many of the inhabitants. Moreover, the nature of the duties which the Special Commission itself will have to perform is such as will require time. There is accordingly a danger that the electoral lists for Bolzano and the neighbouring areas may not be completed until a date considerably later than the rest of Northern Italy. Such a situation might in turn raise serious problems as to the date of the holding of elections.

The Allied Commission therefore considers that the Special Commission ought to be appointed and begin its labours immediately.

As an alternative to the appointment of the Special Commission by the Italian Government, it would be within the power of Allied Military Government itself to appoint the Special Commission and to define its functions and to ensure that it discharges its duties with all possible speed: and its acts would, of course, be binding on the Italian Government. It is much to be preferred that the Commission be constituted by the Italian Government with the approval of the Allied Commission. If, however, the Italian Government is not able to establish the Special Commission in the immediate future, it may be necessary for the Commission to be appointed and set in motion by the Allies. In my letter I also drew attention to the desirability of your Government making as full a statement as possible on its intention in respect of the Upper Adige.

I trust that the Italian Government will take immediate action in these matters and that you will reply to my letter very shortly.

Yours very truly,

/s/ [illegible] Stone

EILERY W. [illegible]
Rear Admiral, USNR
Chief Commissioner

BF/30 Oct

Professor Ferruccio Parri
President of the Council of Ministers
Italian Government
Rome

cc:
Chief Commissioner
Executive Commissioner
Polad (A)
Polad (B)
Regional Commissioner, Venezie Region. (Copy for Provincial Commissioner, BOLZANO)

DRAFT

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief Commissioner

AC/45/12/LG

October 1945

My dear Mr. Prime Minister,

You will recollect that I wrote to you on 20 August as to the proposal to appoint a Special Commission for the province of Bolzano and neighboring territories for the examination of doubtful cases of citizenship, in connection with the preparation of the electoral lists. I wrote to you again on 21 September, pointing out the urgency of a decision, but I have not yet had any reply from you.

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Declassified E.O. 12356 Section 3.3/NND No. 788021

tories for the examination of doubtful cases [illegible]

the preparation of the electoral lists. I wrote to you again on 21 September, pointing out the urgency of a decision, but I have not yet had any reply from you.

From reports submitted to me, it appears that the authorities in the areas in question will shortly reach the point at which they will be unable to make any further progress in the preparation of electoral lists, because of the unsettled problem of the citizenship of many of the inhabitants. Moreover, the nature of the duties which the Special Commission itself will have to perform is such as will require time. There is accordingly a danger that the electoral lists for Bolzano and the neighboring areas may not be completed until a date considerably later than the rest of Northern Italy. Such a situation ~~would~~ might in turn raise serious problems as to the date for the holding of elections.

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Yours very truly,

CGRW/pec

Distribution:
Chief Commissioner
Exec. Commissioner
Polad (A)
Polad (B)
RC Venezie (copy for PC Bolzano)

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Declassified E.O. 12356 Section 3.3/NND No. 770021

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

59

From: Brig. M. CARR
CA Sec HQ/AC

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

4 Oct 45

Ref AC/45/12/LG

My dear

After my recent visit to your Provincial Headquarters in BOLZANO Province I unfortunately did not have an opportunity of discussing with you any points raised during that visit.

When I was at BOLZANO Provincial Headquarters, the Provincial Legal Officer, referring to the Special Commission to be set up by the Italian Government to examine doubtful cases of citizenship, stated that in his opinion it was urgent that the Italian Govt should give a ruling as to whether the considerable number of inhabitants who opted to go to Germany under the Hitler-Mussolini agreement were Italian or German subjects. He felt that such a ruling was necessary in order that the Special Commission could get to work.

This is a question of law. This HQ's letter AC/4187/3/L of 21 Aug 47A to HC Bolzano Province, copy to you, contained the views of the CLA on the law and these are in accord, it is believed, with the generally accepted Italian view as to the law. It is considered therefore that there is no room for a "ruling"

It is considered, and in this connection please see also the Chief Commissioner's letter to the Prime Minister AC/45/12/LG of 20 Aug 44 copy to you, that the Special Commission should be a technical and not a political body and that it should be confined to finding the facts and interpreting them in accordance with the existing Italian Law.

There is nothing in respect of the foregoing matters which should prevent the Special Commission getting to work once it is officially appointed. The Chief Commissioner is pressing the Italian Government to have the Special Commission set up quickly.

I am sending you this letter because it seems to me that some clearing of the air at Provincial Headquarters, Bolzano Province, may possibly be necessary..

Yours MC

2255

Brigadier J.K. DUNLOP O.B.E., M.C., T.D.
HC VENEZIE Region

Copy to : Poland (B)

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

LGV
10 OCT 1945

O 1/12/3

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JKD/mn

SECRET
URGENT

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

CA Section

28 Sept 45

1 - OCT 1945

TO : HQ. Allied Commission
Civil Affairs Section.

SUBJECT: Bolzano.

FILE No: RXII/025.11

1. You will recollect that we have discussed on previous occasions desirability of securing from the Italian Government a declaration of its intentions in respect of autonomy for Bolzano (The Alto Adige).

2. The Prefect has now returned to Bolzano and has said that the Italian Government did in fact hand to A.C. on 13 Sept. a statement of intention in respect of the Alto Adige.

3. As the Prefect's report may have local publicity, I should be glad if you would be good enough to advise me.

30 SEP 1945

Regional Commissioner

Phoned CSO to Gx. Comm. for news of the alleged declaration: he will enquire & phone me back CC/LS

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

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AC/45/12/LG

SUBJECT: Note of interview - AC HQ

DATE : 1 October 1945 - 1100 hours

PRESENT: S. E. Dott. INNOCENTI, Silvio
Major Ralph R. Temple, Director, Local Government S/C
Major C. G. R. Williams, Executive Officer, Local Government S/C

1. Dott. INNOCENTI called to tell us the Ministry of Interior wanted him to visit Liguria and Piemonte on electoral lists and would we give him a letter of introduction. We said we would.

2. In the course of conversation, he told us he was preparing a technical study on the race problem of Bolzano. He is a member of the "Commission for De-limitation of the Boundaries of Italy"--a Commission set up to make technical studies on ~~the~~ minority and boundary questions and attached to the Ministry of Foreign Affairs. As such, he had prepared 2 reports which are factual studies of the legal and administrative problems involved.

3. Some time ago, he prepared the report on the point whether the Hitler-Mussolini Agreements (and the Italian Law of 1939 made in consequence of them) were still in force--his opinion being that they are. Recently and quite by chance he found that reports and recommendations were being made to the Government on the general question of what to do about the "allogeni", reports which he thought were mistaken in several respects. He therefore prepared a report himself on the subject. He had barely completed this when he received a copy of the Chief Commissioner's letter to the Prime Minister of 20 August--only 5 days ago. He did not alter his report on this account as it is only a technical study and does not settle policy. He has, however, sent it in to the Presidency and the Ministries of Foreign Affairs and Interior.

4. His report makes much the same recommendations as those in the Prime Minister's letter of 23 July —— at fo. 23 . It is as follows: 23

(a) A Commission of First Instance, consisting of a magistrate, an Italian representative and a South Tyrolese representative:
(b) This Commission to inquire into all doubtful cases and establish what is the present citizenship in these cases according to Italian law:
(c) Those who have become German citizens and left the country are to remain German citizens, ever though they have returned:
(d) Those who became German citizens without leaving the country to have a fresh option:
(e) The Commission of First Instance to have discretion to grant such applications or not:
(f) A Commission of Second Grade to be established to hear appeals from decisions of the Commission of First Instance: 2233

Declassified E.O. 12356 Section 3.3/NND No. 788021

56A

(g) The Commission of Second Grade to consist of a Chairman, appointed by the President of the Council (not necessarily a judge ~~administrative~~), a Judge or 2, a representative of the Prefecture and representatives of the Italian and South Tyrolese populations.

NOTE: It will be recollected that Dott. INNOCENTI is one of the most senior Prefects in the Italian service and was Chief of Staff to Marshall BADOGLIO when he was Prime Minister.

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

CGRW/pec

2252

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

HEADQUARTERS ALLIED COMMISSION
APO 534
LOCAL GOVERNMENT AND CIVIL AFFAIRS

AC/45/12/16

Dated: 6th

SUBJECT: Note of Interview - AC HQ

DATE : 1 October 1945 - 1900 hours

PRESENT: Lt. Col. T. M. McBratney, ex-CO Bolzano
Major Ralph R. Temple, Director, Local Government A/C
Major C. C. H. Williams, Executive Officer, Local Government A/C

1. Italian Troops

Lt. Col. McBratney said that there was still a good deal of trouble with the FOLGORE Division--numerous instances of bullying and terrorising the population. He cited one case of a religious festival in a town, which finished up with a party in a beer garden, at which several Italian soldiers had made a disturbance. They were asked to leave by an American officer and did so, but they came back with many more and made another disturbance. A whistle blew and about 50 Italian soldiers armed with automatic weapons entered. After firing a few shots, they beat up the population with gun butts. In the meantime, 2 heavy machine guns had been placed at the ends of the street outside. An Inquiry was held by the local Italian Command, the result of which was to whitewash everybody.

2. He mentioned that the last we had heard of this problem was that the Italian Government had been asked to remove the SAN MARCO Division. Lt. Col. McBratney said yes they had been replaced by the GARIBALDI Unit, who were no better than SAN MARCO.

3. He had had many deputations on the subject recently, but factual complaints had ceased. The reason was, the deputations told him, that the population was terrified of reprisals. He had promised the last deputation that any complaints would be kept in his safe, and in forwarding them he would omit the names. The result of this assurance was that some 20 specific complaints reached him almost immediately.

4. De-Nazification

Lt. Col. McBratney said that practically no Nazis were now left in public office. There were, however, some 40/50 Reich Germans resident who were being registered under the Provincial Registration of Aliens Order. They were reluctant to register and give particulars of themselves for obvious reasons. Some of these are shortly to be tried for failing to register and his HQ are initiating a drive about it.

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

5. Transfer of Aliens

Lt. Col. McInerney thought that registration would be complete shortly and then the problem arose of transferring those Reich Germans back to Germany. Col. Pinkley knew all about the problem. He understood permission is being awaited from AFHQ which has not yet been given. There were also a few Vichy French as to whom the position was the same.

6. As to the Reich Germans, he had arranged for obtaining all the particulars which AFHQ would require and had asked Col. Pinkley to keep the refugee camp in the province open to deal with them.

7. Local Government and Electoral Lists

All districts and Communes have now been confirmed, except in the case of one Commune. The provincial administration was functioning a little better than before.

8. The Syndaci were registering in the electoral lists all clear cases. None of those who had taken any action under the Hitler-Mussolini Agreements were being registered. We pointed out that this meant that no progress had been made beyond Stage "A". The Syndaci could send their extracts to the Judicial Record Offices, but those extracts would be incomplete. When the time came to deal with the optants, they would have to send further extracts to the Judicial Record Offices. Until all extracts had been sent to and returned by the Judicial Record Offices, no lists could be sent for approval to the Electoral Commissions. The position therefore was that in the near future the preparation of the lists in Bolzano would come to a full stop.

9. Nationality Problem

On this we told Lt. Col. McInerney that our position was as stated in the Chief Commissioner's letter to the Prime Minister of 20 August, agreeing to the Special Commission as a fact-finding body only. A reminder had been sent to the Prime Minister, but no answer had been received.

10. Lt. Col. McInerney said the Prefect had been in communication with the Prime Minister and the Prefect understood that the appointment of the Commission would be accompanied by a declaration of the Italian Government as to minority rights in Bolzano. He had seen a telegram from the Prime Minister to the Prefect stating that this declaration as to minority rights had been transmitted to AC on 13 September.

11. He said we doubted if it was necessary to hold up the appointment of the Special Commission for this declaration to be settled. Lt. Col. McInerney said that might be so, but the declaration was very important. He said it was most important that the Special Commission should get to work at once to relieve the increasing tension in the province.

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

12. Conclusions.

Lt. Col. McKinney said that tension and unrest among the population were increasing and that 2 main things were required to allay it:—

(a) Removal of the POLCORE division:

(b) A formal and binding declaration from the Italian Government about minority rights.

He added that when the Prefect had seen the Prime Minister over a month ago, the Prime Minister had promised to deal with all of these points at once. The Prefect had returned to Bolzano and had told a meeting of the Militari that he had the Prime Minister's verbal promise to that effect, and the population are now awaiting for it to be implemented.

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

CGHW/pec

Distribution:

GA section (3)
AG/A3/12/1G
AG/2/12/3/1G
Floats

From: Brigadier L. Clark,
CMP Section, H.Q. 54

DRAFT

To: Brigadier F.H. DUNLOP, etc
HQ VENELIS Region.

September 1945.

My dear

After my recent visit to your Provincial Headquarters in Bolzano Province I unfortunately did not have an opportunity of discussing with you any points raised during that visit.

When I was at Provincial Headquarters, the Provincial Legal Officer, referring to the Appeal Commission to be set up by the Italian Government to examine doubtful cases of citizenship, stated that in his opinion it was urgent that the Italian Government should give a ruling as to whether a considerable number of inhabitants who opted to go to Germany under the Hitler-Mussolini Agreement were Italian or German subject. He felt that such a ruling was necessary in order that the Special Commission could get to work.

47A

May I refer to this Headquarters letter AC/4187/5/L dated 21 Aug 45 addressed to the Provincial Commissioner, Bolzano Province, copy to you, in which the Chief Legal Adviser of this headquarters gave his interpretation of the Hitler-Mussolini Agreement in respect of this matter. This expression of opinion was merely an explanation.

(A)

I also refer to the Chief Commissioner's letter to the Prime Minister AG/45/12/LC of 20 August 45 on the subject of the Special Commission, 2 copies of which were sent to your Headquarters.

Flat

It is our opinion that the Special Commission should be a technical and not a political body and that it should be judge of both law and fact. If it should come across points which it cannot settle, there are several courses it can take - e.g. it could refer the matter to the usual legal advisers of the Ministry of the Interior or could state the facts and set out the possible

Declassified E.O. 12356 Section 3.3/NND No. 788021

After my recent visit to your Provincial Headquarters in BOLZANO Province I unfortunately did not have a opportunity of discussing with you any points raised during that visit.

Upon my return to Provincial Headquarters, the Provincial Legal Officer, referring to the Special Commission to be set up by the Italian Government to examine doubtful cases of citizenship, stated that in his opinion it was urgent that the Italian Government should give a ruling as to whether the considerable number of inhabitants who opted to go to Germany under the Hitler-Mussolini Agreement were Italian or German subjects. He felt that such a ruling was necessary in order that the Special Commission could get to work.

47A

May I refer to this Headquarters letter AC/4187/3/K dated 2 May 45 addressed to the Provincial Commissioner, Bolzano Province, copy to you, in which the Chief Legal Adviser of this Headquarters gave his interpretation of the Hitler-Mussolini Agreement in respect of this matter. This extension of opinion was merely for information.

(A)

I also refer to the Chief Commissioner's letter to the Prime Minister AC/45/12/KG of 20 August 45 on the subject of the Special Commission, 2 copies of which were sent to your Headquarters.

F44

It is our opinion that the Special Commission should be a technical and not a political body and that it should be judged of both law and fact. If it should come across points which it cannot settle, there are several courses it can take - e.g. it could refer the matter to the usual legal advisers of the Ministry of the Interior or could state the facts and set out the possible interpretations of the law and leave higher authority to give a ruling.

There is therefore no ruling required at the present from the Italian Government and there is nothing, however, in respect of the foregoing matters which should prevent the Special Commission getting to work once it is officially appointed. The Chief Commissioner is pressing the Italian Government to have the Special Commission duly set up.

22 28

I am sending you this letter because it seems to me that some clearing of the air at Provincial Headquarters, Bolzano Province, may possibly be necessary.

Yours

Declassified E.O. 12356 Section 3.3/NND No. 788021

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AC/45/12/LG

Tel: 478190

MEMORANDUM

25 September 1945

SUBJECT: Election lists in Bolzano--Italian nationality law.

TO : Director, Local Government Sub Commission

FROM : Major C. G. R. Williams, Executive Officer.

1. Please see VP's memorandum at fo. 50. The para 3(a) of his recent tour notes to which he refers has been copied and is at fo. 50A.

2. I agree with Polad (B) that no ruling is required from the Italian Government at this stage.

3. In the first place, I am inclined to think that the Italian law of citizenship is not really in doubt in the sense that it presents problems to which an experienced Italian administrative lawyer could not give an answer. We in AC have felt doubts about it, but that is because we have not made a thorough study of it; and the doubts have been suggested to us by people who are not themselves experts, e.g. the Prefect.

4. As I understand it, it has always been our intention that the Special Commission should be judges of both law and fact. In my opinion, the Commission is the body to determine the law in the first place. If it shouki come across a knotty point which it cannot settle, there are several courses it can take, e.g. it could refer for an opinion to the usual legal advisers of the Ministry of the Interior; or it could in its report state the facts and set out the possible interpretations of the law and leave it to higher authority to determine the point.

5. I have always been of opinion that the Special Commission should be a technical and not a political body. I think this is implicit in the views expressed in the CC's letter of 20 August--see fo. 44. It should consist of representatives of the 2 nationalities, it is true; but these representatives should be experts in administrative law and qualified to determine the considerations arising.

6. I am inclined to go further and say that the reference to the Italian Government is inadvisable at any stage, let alone this one, because of the possibility that a ruling by the Government as such would be colored by political considerations.

2247

Declassified E.O. 12356 Section 3.3/NND No. 785821

7. What we need is to get the Special Commission set up and its powers defined in a Decree as soon as possible. A reminder was sent to the Prime Minister on 21 September--see fo. 52. If we hear nothing by the end of this week, we should take the matter up again.

8. In the meartime, I think the Sub Commission should visit Bolzano again and survey the situation there. I am not satisfied with the information I obtained during my visit of 1-2 August.

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

CGRW/pec

Declassified E.O. 12356 Section 3.3/NND No. 780021

529

21 September 1945

AG/45/12/18

44

My dear Mr. Prime Minister,

I refer to the letter I wrote to you on 20 August, setting forth the views of the Allied Commission as to the proposal to appoint a Special Commission to examine doubtful cases of citizenship in connection with the preparation of the electoral lists in the Province of Bolzano and in neighboring areas. I do not appear to have had any reply to this letter.

I feel that if such a Special Commission is to be set up, it is important that it be appointed and set to work as quickly as possible, as otherwise the embarrassment of all concerned in the preparation of the lists increases from day to day. May I ask you to let me have at an early date whether you agree with the views expressed in my earlier letter?

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
President of the Council of Ministers
Italian Government
Rome

PF 11/10

See F61

538

5b

D R A F T

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief Commissioner

AC/45/12/IG September 1945

My dear Mr. Prime Minister,

I refer to the letter I wrote to you on 20 August, setting forth the views of the Allied Commission as to the proposal to appoint a Special Commission to examine doubtful cases of citizenship in connection with the preparation of the electoral lists in the Province of Bolzano and in neighboring areas. I do not appear to have had any reply to this letter.

I feel that if such a Special Commission is to be set up, it is important that it be appointed and set to work as quickly as possible, as otherwise the embarrassment of all concerned in the preparation of the lists increases from day to day. May I ask you to let me know at an early date whether you agree with the views expressed in my earlier letter?

Yours very truly,

2624

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
President of the Council of Ministers

Declassified E.O. 12356 Section 3.3/NND No. 788021

My dear Mr. Prime Minister,

I refer to the letter I wrote to you on 20 August, setting forth the views of the Allied Commission as to the proposal to appoint a Special Commission to examine doubtful cases of citizenship in connection with the preparation of the electoral lists in the Province of Bolzano and in neighboring areas. I do not appear to have had any reply to this letter.

I feel that if such a Special Commission is to be set up, it is important that it be appointed and set to work as quickly as possible, as otherwise the embarrassment of all concerned in the preparation of the lists increases from day to day. May I ask you to let me know at an early date whether you agree with the views expressed in my earlier letter?

Yours very truly,

2254

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
President of the Council of Ministers
Italian Government
Rome

Declassified E.O. 12356 Section 3.3/NND No. 770121

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

45/12

18 SEP 194

ALLIED [redacted] COMMISSION

INTER-OFFICE MEMORANDUM

CIVIL AFFAIRS SECTION Tel. 525

(50)

SUBJECT:

FILE No.

TO : Local Government S/C

18 Sep 1945

Please refer to para 3 (e) of my recent Tour Notes regarding the compilation of Electoral Rolls in BOLZANO.

I discussed this matter with Folad (B) this morning and in his opinion no ruling is required from the Italian Government at this stage.

I gathered it had been agreed in an exchange of letters between this Headquarters and the Italian Government that the Commission referred to would merely examine the facts of each case and that at some later stage a decision would be taken as to whether or not individuals of the various categories would be admitted to the Electoral Rolls.

The Provincial Legal Officer BOLZANO apparently had the idea that it was the duty of the Commission to decide who, of these doubtful categories, should or should not be admitted to the Electoral Lists and it may be that a letter setting out the situation to VENEZIA Region is necessary.

Will you please look into this matter and discuss it with me.

2243

M.C. 7168/1G

M. CARR, Brigadier,
VF CA Section.

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

50A

EXTRACT FROM

NOTES ON TOUR NORTHERN ITALY - VICE PRESIDENT

CIVIL AFFAIRS SECTION

Sept. 4 - Sept. 11 -1945

+ + + + + + + +

3 LOCAL GOVERNMENT AND EPURATION

(a) BOLZANO. Discussed with A/PC the situation as regards compilation Electoral Rolls. The President of the Commission to determine facts in cases of doubtful citizenship had spent a few days in BOLZANO and was now in ROME. It seems urgent that the Italian Government should give a ruling as to the legal position in regard to citizenship of those who opted to go to Germany under the Hitler-Mussolini Agreement. Until such ruling is given, the Commission cannot get to work. Local Government Sub Commission to pursue.

+ + + + + + + +

Signed : M.CARR, Brigadier

DISTRIBUTION : Chief Commissioner
Executive Commissioner
Polad (A)
Polad (R)

2243

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

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

- 4 SEP 1945

6 SEP. 1945

Tel: 735

Ref: 585/166/EC.

4 September 1945.

SUBJECT: Electoral Lists and Education - BOLZANO. - 4 SET. 1945

TO : Civil Affairs Section.

1. With reference to the American Embassy letter dated 20 August 1945 on the above subject, addressed to Chief Commissioner with copies to Civil Affairs Section, the Political Adviser (B) has made the comments attached.

2. Will you please prepare a letter to the Prime Minister, for the Chief Commissioner's signature and see that the Sub-Commissions concerned take appropriate action.

Pol/Komsky/Major RA.
"Chief Staff Officer,
To Executive Commissioner.

Incl:
as above

Shown Lt. Col. SIMMONS when comp.
① CAS have taken all nec. action on above.
② This letter to go for filing only: CAS have another copy
③ NFA by this S/C

7026/LG

Declassified E.O. 12356 Section 3.3/NND No. 780021

1 GB

C O P Y

MINUTE FROM POLITICAL ADVISER (B)

"As regards education I agree that the Italian Government could be asked to do more. I thought that the Government had already published a decree for "de-nazification" which was then implemented by A.M.G. in Bolzano. But if they have not done so they must certainly be told to do so before the territory can be handed back."

27 Aug 45.

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7026/LG

Declassified E.O. 12356 Section 3.3/NND No. 780021

45/12

48

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

Reference : 306/4/EC

23 August 1945

SUBJECT : Notes on Executive Commissioner's TOUR - BOLZANO

TO : Distribution below.

1. Elections. I spoke to Lt Col. McBrattney on the question of electoral lists and he seemed quite satisfied with the decision made in ROME. He was, however, anxious that whatever order should be made regarding the setting up of an Italian Commission should be in the form of an Italian decree and not, as the Prefect had suggested, a Regional or AC order.

2. Alien Registration Order. Regional Order No.17 has just been posted and Col. McBrattney hopes to trace a number of Germans by this system. He assumes that non-resident Germans, ie, those who have entered Italy since the war and particularly since the armistice, will be regarded as displaced persons and transferred to Germany. I told him that I agreed with his assumption and would confirm after consultation in ROME. We want to get quite clear in our minds as to what to do with these Germans who are non-residents. In this connection the closing up of No.23 Displaced Persons Camp may have to be delayed. Col. McBrattney suggested that it may be necessary to arrange for AMG officers to carry on with the registration of these Germans if it was not finished by the turnover. He personally thought it would take two months.

.....

4. Prefect. I spoke to the PC. about the Prefect DE ANGELIS. Col. McBrattney said that the man wanted to relinquish his ~~his~~ job as soon as possible but he thought it would be politic if the Italian Government retained him for at least 2 months after the turnover. DE ANGELIS he thought was aspiring to some ambassadorial appointment. Obviously the choice of the new Prefect will have to be made very carefully and if some form of regional autonomy is to be given, it might include the freedom to elect a Prefect.

.....

MSL/JC.

M.S. LUSH
Brigadier,
Executive Commissioner,

2239

C78 45/12

COPY 47A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

28 SEP 1945

Ref : AC/4187/3/L

SUBJECT : Electoral Lists

21 August 1945

TO : PC, Bolzano Province

1. Your BZ/03/K/0803 of 4 August 1945 and enclosures are acknowledged.

2. The Chief Legal Adviser has been requested to consider the legal arguments put forward by the Prefect of Bolzano and has reported substantially as follows :

""The Prefect's view is that optants for Germany who remained in Italy acquired German citizenship, and lost their Italian citizenship if they were cancelled from the Italian register but retained Italian citizenship if they were not so cancelled.

"He bases this view on :

a) the Hitler-Mussolini agreement which by Article 11 and other passages apparently provides for a loss of Italian citizenship without transfer of residence.

b) para. 4 of the "Chiarimenti alle norme", which apparently changes the nationality from the moment of acquisition of German nationality, without regard to transfer of residence.

c) later agreements between Italy and Germany, particularly that of 11 August 1941. "As to the first two grounds I am advised and of the opinion that the Prefect is wrong. The transfer of a residence is a condition of loss of citizenship both under the general law and under this agreement. It is immaterial that German citizenship may be conferred and Italian citizenship lost before the actual transfer since such transfer is nonetheless a condition subsequent of the transaction and if it is bot complied with the transaction falls.

"Moreover Italian citizenship even if lost is reacquired by 2 years residence in Italy unless it is to be assumed that they have been authorized by the Italian Government to remain in Italy without acquiring Italian citizenship.

"As to the third ground I did not know of the existence of these documents which even now I have not seen and upon which I cannot comment. If it is true that such agreements were made and amounted either to a waiver of the condition subsequent or to a general authority with optants to remain in Italy indefinitely without reacquiring Italian citizenship, the status of these persons would undoubtedly be different.

"In any case I see no justification at the moment for distinguishing between different persons under the sole criterium of whether they have or have not suffered the administrative act of deletion from Italian registries"".

3. You will appreciate therefore that, until the Legal Sub Commission has had the opportunity of examining the further documents in the case, it would be at the least premature to issue an official pronouncement on the

and in any case this

Declassified E.O. 12356 Section 3.3/NND No. 788021

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"In any case I see no justification at the moment for distinguishing between different persons under the sole criterion of whether they have or have not suffered the administrative act of deletion from Italian registries".

3. You will appreciate therefore that, until the Legal Sub Commission has had the opportunity of examining the further documents in the case, it would be at the least premature to issue an official pronouncement on the subject. Moreover, and in any case this Headquarters does not think that the status of the Italian citizens for the purpose of Italian elections is a matter in which, by international law, a Military Government can intervene or upon which it should issue any public pronouncements, whether by way of order or notice. Even in the light of the particular interest being taken by the Allies in the forthcoming election it is not the function of AMG to explain, still less to alter Italian law for the benefit of Italians.

./.

Declassified E.O. 12356 Section 3.3/NND No. 788231

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4. The question is one for the Italian Government. The whole position was considered at a Conference held at this Headquarters on 14 August at which the Regional Commissioner Venezie Region was present. At this conference it was decided to concur in certain proposals made by the Italian Government. The RC. Venezie Region will be kept informed of developments.

BY COMMAND OF THE CHIEF COMMISSIONER

S/ M. Carr
Brigadier
VP CA Section

Copy to : RC Venezie Region
C.L.A. HQ.AC.

2237

Declassified E.O. 12356 Section 3.3/NND No. 780127

Declassified E.O. 12356 Section 3.3/NND No. 780021

45/12

67

ALLIED CONTROL COMMISSION

INTER-OFFICE MEMORANDUM

27 AUG 1945

SUBJECT:

FILE No.

TO : Director, Local Government S/C. 24 Aug 1945

At the Executive Commissioner's Meeting this morning the Polads announced that it had appeared in the press that the Italian Government proposed to give local autonomy to Alto Adige and also to Trentino.

M. CAIR,
Brigadier,
VP CA Section.

2236

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

45/12/-

FG 46

21 August 1945.

23 AUG 1945

23 AUG 1945

My dear Mr. Ambassador:

p42 — I FG 22 Aug

Thank you for your letter of 20 August giving the views of the Department of State regarding elections in the Compartment of Venezia Giulia and the Province of Bolzano.

Sincerely yours,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USN.
Chief Commissioner

The Honorable Alexander Kirk,
American Ambassador,
119 Via Vittorio Veneto,
Rome.

Copy to: Exec Comm
VF CA Section

2235

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6990/LG

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

COPY

COPY

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

340

45

22 AGO 1945

AMERICAN EMBASSY

Rome, August 20, 1945

AUG 22 1945

Dear Admiral Stone,

Regarding elections in the compartment of Venezia Giulia and the Province of Bolzano, the Department of State has expressed itself in favor of permitting the Italian Government to prepare, at this stage, electoral lists for communal and national elections in these areas. The Italian Government should be permitted, the Department feels, to hold communal elections anywhere and whenever it is ready, including Bolzano Province and the compartment of Venezia Giulia. Whenever the national elections come along it is felt that these areas should likewise take part therein on the same conditions as other Italian provinces.

Sincerely yours,

/s/ A. Kirk

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

CC DIST:

Executive Commr
Civil Affairs Section
Chief Commr Files

2607/2234

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

45A

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY

Rome, August 20, 1945

Dear Admiral Stone,

Regarding our various conversations concerning preparation of electoral lists in the province of Bolzano and the Italian Government's position with respect to those residents who may be eligible for registration, I am happy to inform you of the views of the Department of State which I have just received. The Department is of the opinion that we should accept the Italian proposal concerning those persons in Bolzano who may be inscribed in the electoral lists but that the Allied Commission should bring to the attention of the Italian Government that expulsion of persons from the province who opted for Germany, emigrated and subsequently returned to Bolzano, should be effected only after agreement with Allied authorities in Germany has been reached. With respect to the sending of an Italian commission to Bolzano to examine individual cases, the Department feels that this is an administrative matter for decision by you.

With respect to Professor Parri's comments on education in his letter of July 5, it is felt that Allied Military Government should not be bound by the views of the Italian Government, if, as appears probable, the measures contemplated are inadequate, with respect to German language and instructions, to meet the needs of the population of the province. The Department has expressed the view that such instruction should be provided through high school grades at least. The Department also noted the lack of any reference in the letter from the President of the Council of Ministers regarding Italian epuration legislation affecting Nazis, such as was suggested in your letter of July 25, to complement similar AMG decrees which will lapse when the province is returned to Italian jurisdiction.

In conclusion, the Department is of the opinion that, in present discussions on the province of Bolzano, the Allied Commission should make it clear to the Italian Government that they are without prejudice to the final disposition of this province.

Sincerely yours

/s/ A. Kirk

2233

Rear Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
ROME

1053

Declassified E.O. 12356 Section 3.3/NND No. 78-021

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AC/45/12/LC

20 August 1945

My dear Mr. Prime Minister,

Ref. 23.

With reference to your letter of 23 July, the views of the Allied Commission can now be stated with reference to that part of it which deals with the preparation of the electoral lists in this Province.

The Allied Commission agrees:

(a) that the preparation of electoral lists in Bolzano Province which was ordered to commence on the 15th July, continue:

(b) that a Special Commission be set up to examine doubtful cases of citizenship. The proper authorities can therefore immediately inscribe in the electoral lists:—

(i) persons of Italian citizenship who were never affected by the Italo-German Accords:

(ii) those who opted for Italy under the Accords.

With regard to para 2(b) above, it is considered essential that the duties of the proposed Special Commission be confined only to examining and establishing the facts of citizenship based on the existing Italian law. It is considered highly undesirable that the Special Commission should be charged with the further duties of hearing fresh options until such time as the Italian Government has determined its future policy with regard to the province: for until the policy of the Government in this respect is made known, the population cannot have the material upon which to found a reasonable decision as to the citizenship they desire to adopt.

From the viewpoint of Italy, the desirability of making as full a statement as possible as to your Government's intentions in respect to the Upper Adige and of issuing a pronouncement thereon as soon as possible would appear to be obvious in order to prevent any apprehensions that might otherwise arise among the population affected.

The Allied Commission further agree that the work of the proposed Special Commission as described above can be carried out contemporaneously with the preparation of the electoral lists. In order that its functions may not unduly delay the work of the preparation of the lists, the Allied Commission will be glad to receive at an early date the names of the proposed members.

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

The Special Commission should also be empowered to examine the cases of doubtful citizenship of persons residing in the provinces of Trento, Belluno and Udine who were affected by the Hitler-Mussolini agreement.

Although the provinces affected are at present under Allied Military Government, it is considered that the Special Commission should be appointed and its duties defined by means of a decree of the Italian Government which the Allied Commission would render executory in the provinces in the usual way. The Italian Government is accordingly invited to prepare a draft of such a decree and send it to this Headquarters so that its contents may be agreed with the Allied Commission before publication.

Yours very truly,

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
President of the Council of Ministers
Italian Government
Rome

ERC/pec

Distribution:

Poland (A)
" (B)
MG Venezia (2)
No. 2 District (2)

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DRAFT

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/45/12/LG

Tel: 478190

SUBJECT: Preparation of electoral lists in Bolzano Province.

August 1945

TO : The President of the Council of Ministers.

1. With reference to your letter of 23 July, addressed to the Chief Commissioner, the views of the Allied Commission can now be stated with reference to that part of it which deals with the preparation of the electoral lists in this Province.

2. The Allied Commission agrees:

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3. With regard to para 2(b) above, it is considered essential that the duties of the proposed special Commission be confined only to examining and establishing the facts of citizenship based on the existing Italian law. It is considered highly undesirable that the special Commission should be charged with the further duties of hearing fresh options until such time as the Italian Government has determined its future policy with regard to the province: for until the policy of the Government in this respect is made known, the population cannot have the material upon which to found a reasonable decision as to the citizenship to

Declassified E.O. 12356 Section 3.3/NND No. 788021

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4. From the viewpoint of Italy, the desirability of making as full a statement as possible as to your Government's intentions in respect to the Upper Adige and of issuing a pronouncement thereon as soon as possible would appear to be obvious in order to prevent any apprehensions that might otherwise arise among the population affected.

Declassified E.O. 12356 Section 3.3/NND No. 778021

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5. The Allied Commission further agree that the work of the proposed special Commission as described above can be carried out contemporaneously with the preparation of the electoral lists. In order that its functions may not unduly delay the work of the preparation of the lists, the Allied Commission will be glad to receive at an early date the names of the proposed members.

6. Although the provinces affected are at present under Allied Military Government, it is considered that the special Commission should be appointed and its duties defined by means of a decree of the Italian Government which the Allied Commission would render executory in the provinces in the usual way. The Italian Government is accordingly invited to prepare a draft of such a decree and send it to this Headquarters so that its contents may be agreed with the Allied Commission before publication.

7. The special Commission should also be empowered to examine the cases of doubtful citizenship of persons residing in the provinces of Trento, Belluno and Udine who were affected by the Hitler-Mussolini agreements.

~~BY COMMAND OF THE CHIEF COMMISSIONER.~~

RRC/pec

M. CARR, Brigadier
VE CA Section

Chief Comm.

Copies to: ~~Chief Commissioner~~
Exec. Commissioner
Polad (A)
" (B)
RC Venezie (2)
No 2 District (2)

Declassified E.O. 12356 Section 3.3/NND No. 788021

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BY COMMAND OF ~~THE CHIEF COMMISSIONER~~:

RRC/pec

M. CARR, Brigadier
Ag C.A. Section

Chief Comm.

Copies to: ~~Chief Commissioner~~
Exec. Commissioner
Polad (A)
" (B)
RC Venezie (2)
No 2 District (2)

2223

Declassified E.O. 12356 Section 3.3/NND No. 778027

Below folio 43 see 1st Jacket

Declassified E.O. 12356 Section 3.3/NND No. 788021

Below folio 43 see 1st Jacket

Declassified E.O. 12356 Section 3.3/NND No. 798021

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