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USE OF FIREARMS AGAINST CIVILIANS
APR., MAY 1944

Closed: 2 May 1944

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PARTITO FASCIS REPUBLICANO
FEDERAZIONE DELL' UOMO

IL COMMISSARIO FEDERALE

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO-394

Ref/319/24/CA

2 May 1944.

SUBJECT: Use of Firearms against Civilians.

TO : Admin. Section (for Legal Sub-Commission.)

Reference ACC/4002/7/L of 14 April SRU/GMP this Headquarters has now been informed that Hq. AAI, after consideration, have now decided not to publish any further orders at present in regard to the use of arms by Military personnel against civilians engaged in the theft of W.D. property.

N. E. Fiske
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

LEGAL SUB COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

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GRU/lat

PEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

14 April 1944

ACC/4002/7/L

SUBJECT: Use of Firearms against civilians.

TO : Executive Commissioner, ACC.

1. Ref your 319/10/CA dated 11 April 1944. If HQ ACC desire to instruct members of the armed forces to the effect set out in para 2 of their letter I see no objection thereto.

2. If such an order to the Allied Forces is issued, the same can be publicised both in occupied and unoccupied Italy by notices in the press and by posters stating that the military have received such orders and warning civilians thereof.

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G. R. UPTON
Colonel
Chief Legal Officer.

12 APR RECD

4002/7
HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Ref/319/10/CA.

11 April 1944.

SUBJECT: Use of Firearms against Civilians.

TO : V.P. Admin. Section - For Legal Sub-Com.

1. Enclosed is copy of letter, ref.AAI/5092/A(PS) of 9 April 1944, received from HQ. A.A.I. (Adm Ech).
2. Will you please let us have your legal opinion on the points raised.

Norman E. Fiske
f NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

Incl.
As above.

SUBJECT: Thefts by Civilians

298 12 APR REC'D
HQ AAI (Adm Sch),
CMT.

Executive Commissioner, ACC

AAI/5092/A (PS) ①
2 April 44

1. Thefts of WD property by civilians are becoming increasingly common and cause serious losses. In order to stop this wastage of war material, it is considered that soldiers should be empowered to use their weapons to prevent it.

2. It is desired to publish an order on these lines:-

"Thefts of WD property by civilians cause serious losses of essential material and obstruct the war effort. It is the duty of every officer and soldier to prevent any theft that he sees being committed, even to the extent of using arms. Every officer and soldier is entitled to use his arms against civilians found stealing WD property, or to prevent the escape of such thieves, under the following conditions:

- (a) It is impossible to prevent the theft, or the escape of the thief, by less violent means,
- (b) The thief has failed to halt when called upon to do so,
- (c) It is certain that a theft is really being committed or attempted,
- (d) The lives of innocent persons are not endangered.

Similar action may be taken against civilians who are found on land occupied by the Allied Forces, and who run away when ordered to halt."

3. Will you please advise this HQ is, in your view, such an order can be issued. If so, can steps be taken, both in King's and in Occupied ITALY, to bring this order to the notice of the civil population.

CMT/FA

Brigadier,
DAG.

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