Declassified E.O. 12356 Section 3.3/NND No. 785016

ACC

10000/142/714

RESTORATION OF TE
(OCT. 1943 – OCT. 194

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10000/142/714

RESTORATION OF TERRITORY AFTER 1 JANUARY 1945
(OCT. 1943 – OCT. 1944); APR. – DEC. 1945

To: VP CA Sec

Herewith :-

In Folder marked No 1 - Letter to AFHQ for signature of VO Ca Sec

In Folder marked No 2 - 2 copies Document "A" for signature of SAC

In Folder marked No 3 - 2 copies of Document "B" for signature of SAC and 1 copy in Italian for information

In Folder marked No 4 - 2 copies of Italian proclamation for signature of Dott De Gasperi and 1 copy in English for information.

Will you please sign letter to AFHQ and return Folders Nos 1, 2 and 3 to this sub-commission and retain the file with Folder No 4 to obtain the signature of Dott Gasperi.

G. G. HANNAFORD,
It Col.
Deputy Chief Legal Advisor.

Legal S/C
19 Dec 45.

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178

Chief Commissioner.

Folders 2 & 3 for signature by SAC.

Would you ask his aide to telephone me when signature has been completed

DW/15/xii

Ex Com. Returned ammended as requested. Legally

signature of Dott De Gasperi and 1 copy in English for information.

Will you please sign letter to AFHQ and return Folders Nos 1, 2 and 3 to this sub-commission and retain the file with Folder No 4 to obtain the signature of Dott Gasperi.

G. G. Hammaford

G. G. HAMMAFORD,
Lt Col.
Deputy Chief Legal Advisor.

Legal S/C
19 Dec 45.

178

Chief Commissioner.

Folders 2 & 3 for signature by SAC.

Would you ask his aide to telephone me when signature has been completed

DS/15/Com

Ex Com.

Returned ammended as requested. Legally plural or singular are immaterial as each SAC refers to his immediate predecessor, even in the islands where the transfer of other portion of Italian territory has been duly notified from time to time. Predecessor furthermore refers to the office held not the man holding it.

G. G. Hammaford

Legal S/C
20/12.

Declassified E.O. 12356 Section 3.3/NND No. 785016

C.A.Sec

Herewith :-

a) Letter to AFHQ for signature with enclosures

b) 2 copies of Document "G" (Italian) for signature of Proff. Zanzi and 1 copy of English version for information

W. S. BISHOP,
Colonel,
Chief Legal Advisor.

Legal S/C
31 July 1945

12

Executive Commissioner

Refer 31. 1+B. Legal suggest that date of hand over of Naples Livorno etc be same as that of hand over N. Italy. One set of proclamations will then suffice. In any event would require practically until 30 Sep to prepare and circulate proclamations viz. I concur, may 30 Sep, or date of hand over N. Italy is agreed please

177

M.D.
V.P. CAS.

C.A.S.
13 SEP. 1945

13

V.P CAS (5391)

Signal Combodyne Force
Recommendation 1 to 12 Inclusive
I am sending today copy to you.

Declassified E.O. 12356 Section 3.3/NND No. 785016

Legal S/C
31 July 1945

Colonel,
Chief Legal Advisor.

12

Executive Commissioner

Refer 31. A.M.B.

Legal suggest that Date of hand over of Naples Livorno etc be same as that of Handover N. Italy. One set of proclamations will then suffice. In any event would require practically until 30 Sep to prepare and circulate proclamations etc.

I concur, may 30 Sep, or date of handover N. Italy is agreed please

MC
V.P. CAS.

177

C.A.S.
10 SEP. 1945

13

V.P
CAS

(5391)

Signal embodying Legal recommendations is in draft. Will be sent today copy to you.

Eisenhower
In Reference

14/9/45.

Declassified E.O. 12356 Section 3.3/NND No. 785016

6.

C.A.Sec

Herewith submitted drafts of following documents in respect of the new restoration on 31 July 1945.

1. Document "A"
2. Document "B" - Proclamation 16F - In English
3. " " - " " - In Italian
4. Document "C" - Italian Proclamation - In English
5. " " - " " - In Italian

Also enclosed in cover marked "FOR PRINTERS" are copies of 2, 3 and 5 above suitable to be handed to the printers to prepare proof.

This sub-commission is now working on the number of copies of each required to be printed.

G. G. Hamilton

L-Cal S/C
30 July 1945.

G. G. HAMILTON, Lt. Col.
Officer i/c Italian Branch.

7.

CA Legal
CAS
H Jul 45

File returned until required

A Lorstman S/Lt

176

8

VP agreed form of documents with Prime Minister at interview 24/7.

B Buchanan Lt 161

9.

CAS.

Documents herewith.

26/vii/45

✓

Wilson CA
C.A.

To: CA Sec. 10.

1. Letter to AFHQ has been duly dispatched.

2. Two copies of the Italian text of Document "C" are forwarded for signature by the President of the Council.

One copy of the English text is forwarded for information.

Declassified E.O. 12356 Section 3.3/NND No. 785046

Also enclosed in cover marked "FOR PRINTERS" are copies of 2, 3 and 5 above suitable to be handed to the printers to prepare proof.

This sub-commission is now working on the number of copies of each required to be printed.

C. S. HANNAFORD, Lt. Col.
Officer i/c Italian Branch.

I. Ital S/C
30 July 1945.

7.

cc Legal File returned on file required

CAS
31 Jul 45.

8

VP agreed form of documents with Prime Minister at interview 24/7.

176

9.

CAS.

Documents herewith.

26/vii/45

TO: CA Sec. 10.

1. Letter to AFHQ has been duly dispatched.

2. Two copies of the Italian text of Document "C" are forwarded for signature by the President of the Council.
One copy of the English text is forwarded for information.

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

LEGAL S/C
26 July 1945
WER/rlp.

Declassified E.O. 12356 Section 3.3/NND No. 785016

VP Ca Sec

Herewith documents in connection with transfer of territory on 10 May 1945.

Document "A" - Please note that all references to the prosecution of the war have been varied.

Two copies of this document are forwarded for signature.

Document "B" - Two copies of the English text are forwarded for signature.

The Italian text has been despatched for printing. One copy is forwarded for information.

Document "C" - Two copies of the Italian text are forwarded for signature.by the President of the Council.

One copy of the English text is forwarded for information.

Legal Sub-Commission.
2 May 1945

W. E. BEHRENS, Colonel,
Deputy Chief Legal Advisor.

2

V.P. C.A.S.

Mutatis mutandis See 1 above.

5 June 45.

C.A.S. 12/5

3.

V.P. C.A.S.

Once more unto the breach, dear friends.

7 June 45

C.A.

4.

C. A. Sec.

It is understood that you will obtain the signature of the President of the Council of Ministers, whoever he may be, to Document "C". If it is

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is forwarded for information.

Document "C" - Two copies of the Italian text are forwarded for signature.by the President of the Council.

One copy of the English text is forwarded for information.

W. E. BEHRENS, Colonel,
Deputy Chief Legal Advisor.

Legal Sub-Commission.
2 May 1945

V.P. C.A.S.

2

Mutatis mutandis See 1 above.

5 June 45.

C.A.S. 5/6/45

3.

V.P. C.A.S.

Once more unto the breach, dear friends.

7 June 45

C.A.S.

4.

C. A. Sec.

It is understood that you will obtain the signature of the President of the Council of Ministers, whoever he may be, to Document "C". If it is necessary it will have to be retyped.

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

Legal S/C.
9 June 1945.

(3)

Legal Please see top folio.

A.D. Bonham Carter Lt Col for CAS

CAS
28 June 45

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5 complete

Sets

Docs A B & C

England 174

D

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Sects

Docs A B C

Envelope

174

D

Draft for

5th Postwar

Doc "C"

SECRET

Document "C"

Restoration of CHIETI, PESCARA, etc

16 October 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

1. Make add copies
in all files compare
to original signed
as to signature

2. One typed set
fully executed
to file in Col
Wilson's office
to send to

3. Receipt for Wilson
files not to be retained

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

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

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

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

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

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

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

271

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

Data: 16 ottobre 1944.

Declassified E.O. 12356 Section 3.3/NND No. 780016

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

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

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

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

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

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

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

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

Data: 16 ottobre 1944.

-76-

Declassified E.O. 12356 Section 3.3/NND No. 785046

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

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

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

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

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

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

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

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

Data: 16 ottobre 1944.

Declassified E.O. 12356 Section 3.3/NND No. 785046

COPY

TEXT OF AGREEMENT MODIFYING ITALIAN ARMISTICE TERMS

Whereas hostilities have ceased;

Whereas after the Armistice, Italian forces contributed to the war against Germany, Italy declared war on Germany as from 13 October 1943 and thereby became a co-belligerent against Germany;

Whereas the Armistice Terms have thereby become in part obsolete or have been superseded by events;

Whereas the Government of Italy has requested and the Governments of the United States, United Kingdom, Union of Soviet Socialist Republics and France have agreed to a modification of the Armistice regime in the light of existing circumstances;

Accordingly, the afore-mentioned Governments have decided that the Armistice Terms shall be modified as follows, pending the coming into force of a Treaty of Peace.

1. The additional conditions of Armistice of 29 September 1943 are hereby abrogated.

2. Relations between the United States, United Kingdom, Soviet and French Governments, acting in the interest of the United Nations, and Italy, shall be governed by the Armistice of 3 September 1943, as modified by the present agreement.

3. The Allied Commission is hereby abolished.

(a) A special section of Allied Force Headquarters under the orders of the Supreme Allied Commander, who will act as Chairman, shall be established to ensure the control functions of supervision and direction of the Italian Armed Forces heretofore exercised by the Land, Navy and Air Forces Sub-Commissions in the Allied Commission. The section shall control the production of armaments.

(b) The employment and disposition of the Italian Navy shall remain as at present under the command and control of the Supreme Allied Commander.

(c) Pending the coming into force of a Treaty of Peace, Allied Military Government shall be continued under the Supreme (Allied) Commander, Mediterranean, in Venezia Giulia and in the Province of Udine.

4. The provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency.

5. Simultaneously with the coming into force of the present agreement, further agreements shall be concluded between the United States and Italy, and between the United Kingdom and Italy, providing for the maintenance in Italy of Allied Forces under redeployment, and for the retention of the Allied Forces required for the Allied lines of communication to Austria.

6. Italian Prisoners of War now held under the jurisdiction of the United States, United Kingdom, the Soviet Union and France shall be repatriated as soon as possible.

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Whereas the Governments of [illegible]
of the United States, United Kingdom, Union of Soviet Socialist Republics and France have agreed to a modification of the Armistice regime in the light of existing circumstances;

Accordingly, the aforementioned Governments have decided that the Armistice terms shall be modified as follows, pending the coming into force of a Treaty of Peace.

1. The additional conditions of Armistice of 29 September 1943 are hereby abrogated.

2. Relations between the United States, United Kingdom, Soviet and French Governments, acting in the interest of the United Nations, and Italy, shall be governed by the Armistice of 3 September 1943, as modified by the present agreement.

3. The Allied Commission is hereby abolished.

(a) A special section of Allied Force Headquarters under the orders of the Supreme Allied Commander, who will act as Chairman, shall be established to assume the control functions of supervision and direction of the Italian Armed Forces heretofore exercised by the Land, Navy and Air Forces Sub-Commissions in the Allied Commission. The Section shall control the production of armaments.

(b) The employment and disposition of the Italian Navy shall remain as at present under the command and control of the Supreme Allied Commander.

(c) Pending the coming into force of a Treaty of Peace, Allied Military Government shall be continued under the Supreme (Allied) Commander, Mediterranean, in Venezia Giulia and in the Province of Udine.

4. The provisions of the present instrument shall not apply in or affect the administration of any Italian colony or dependency.

5. Simultaneously with the coming into force of the present agreement, further agreements shall be concluded between the United States and Italy, and between the United Kingdom and Italy, providing for the maintenance in Italy of Allied Forces under redeployment, and for the retention of the Allied Forces required for the Allied lines of communication to Austria. 167

6. Italian Prisoners of War now held under the jurisdiction of the United States, United Kingdom, the Soviet Union and France shall be repatriated as soon as possible.

7. The Government and people of Italy will abstain from all acts detrimental to the interest of the United Nations or of their nations' nationals.

8. The Italian Government will cooperate in the apprehension and surrender for trial of, or in making available as witnesses, Italian subjects or nationals of States at war with the United Nations designated by the United Nations War Crimes Commission or the International Military Tribunal established by the agreement signed at London on 8 August 1945.

9. The Italian Government will provide, at its own expense, all necessary facilities for and will cooperate with the United Nations in the search for and restitution of property wrongfully removed from the territories of the United Nations and located in Italian territory.

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COPY

10. The Italian Government, in full recognition of the absolute and untrammelled right of the people of Italy to choose by constitutional means the form of democratic government they desire, hereby renews its pledge to submitte the will of the people. To this end the Italian Government undertakes to provide through free elections for an expression of the popular votes which shall be binding upon the present government and upon bodies constituted through such elections.

11. The present agreement shall be without prejudice to any claims of any of the United Nations against Italy arising out of hostilities conducted in or by Italy and shall in no way affect the final disposal of Italian territory or property, nor shall it impair any limitations or restrictions which may be imposed upon Italy in the Treaty of Peace.

12. The present agreement shall enter into force upon signature thereof by the President of the Council of Ministers of Italy, and by the Supreme Allied Commander in Italy duly authorized thereto by the Governments of the United States, United Kingdom, Union of Soviet Socialist Republics and France and shall remain in force until superseded by other arrangements or until the coming into force of the Peace Treaty with Italy.

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P R O C L A M A

Al popolo italiano!

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

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IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

Declassified E.O. 12356 Section 3.3/NND No. 785016

Al popolo italiano!

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

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

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

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IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

Declassified E.O. 12356 Section 3.3/NND No. 785016

P R O C L A M A

Al popolo italiano!

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

ROMA, 16 ottobre 1944

B O N O M I

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Al popolo italiano!

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

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SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. The right to reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war. 16.

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

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

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

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

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

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

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

Signed: H Maitland Wilson.

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

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

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

Signed: Ivanoe Bonomi

Witness:

Signed: Ellery W. Stone Commodore USNR

Witness:

Signed: R. Aprosio

Declassified E.O. 12356 Section 3.3/NND No. 785016

P R O C L A M A

Al popolo italiano!

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

PROCLAMA

Al popolo italiano:

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

BONOMI

ROMA, 16 ottobre 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

PROCLAMA

Al popolo italiano

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

PROCLAMA

Al popolo italiano:

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

PROCLAMA

Al popolo italiano:

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

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

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

B O N O M I

ROMA, 16 ottobre 1944

Declassified E.O. 12356 Section 3.3/NND No. 785016

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

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

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

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

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

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

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

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

Data: 16 ottobre 1944.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

GOVERNO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

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

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

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

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

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

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

154

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

Data, 16 ottobre 1944.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 16 (C)

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

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

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

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

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

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

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

Data: 16 ottobre 1944.

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GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA N. 26 (G)

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

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

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

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

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

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

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

Data: 16 ottobre 1944.

Allied Military Government
of Occupied Territory

PROCLAMATION No. 16 (C)

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

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

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

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

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo are hereby terminated as of 0001 hours

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PROCLAMATION NO. 16 (G)

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

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

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

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

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

H. MAITLAND WILSON
General,

Supreme Allied Commander Mediterranean
Theater and Military Governor.

Dated: 16 October 1944.

Declassified E.O. 12356 Section 3.3/NND No. 785046

Governo Militare Alleato
del Territorio Occupato

PROCLAMA N. 16 (C)

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

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785019

PROCLAMA N. 16 (G)

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

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

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

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

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

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

H. MAITLAND WILSON
Generale,

Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare.

Data: 16 ottobre 1944.

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S. la Réorientation

To be filled in by clerk

Provinces
Date
Nombre réfractaires

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Rider 44

until further notice all laws, orders, proclamations, regulations and decrees issued by the Allied Military Government and in effect on the date hereof relating to or affecting prices, wages, currency, rates of exchange, finance, business and property of any of the United Nations or of any national thereof, and those relating to prices, posting of prices, rationing, declaration, assessing, confiscation, sale and removal of food and other supplies, and those relating to agrarian or agricultural matters and organizations will be deemed continued in force and all persons violating any of such provisions will be punished in Italian Courts.

2. Notwithstanding the termination of the Allied Military Government and of the proclamations and orders issued by it, certain provisions of those orders and proclamations will remain in force. Future decrees will be issued from time to time specifying exactly what provisions of such orders and proclamations will be accepted as part of the Italian law. [illegible] All persons are hereby warned regarding the declaration of [illegible] and all regulations affecting currency, rates of exchange, finance and business contained in any proclamation or order issued by the Allied Military Government, will be deemed continued in force and all persons violating such provisions will be punished in Italian courts.

See Rule 14 — K

NOTE: This does nothing about changing the right of confiscation to Allied

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See Rider 4 — K

[redacted] regarding the abolishment of fascist or other anti-Allied laws and decrees affecting sanctity, rights of property, financial measures contained in any proclamation or order issued by the Allied Military Government, will be deemed continued in force and all persons violating [redacted]

NOTE: This does nothing about changing the right of confiscation to Allied Military Government and does not make reports to Italian Government substituted for reports to AMG as required in some instances. To spell this out would take pages. As proclamation probably does not have force of law, should not each sub-commission be directed to furnish draft of what it wants in some legally binding decree etc. of the Italian Government to be promulgated at the same time?

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until further notice all laws, orders, proclamations, regulations and decrees issued by the Allied Military Government and in effect on the date hereof relating to or affecting prices, wages, currency, rates of exchange, finance, business and property of any of the United Nations or of any national thereof, and those relating to prices, posting of prices, rationing, declaration, assuring, confiscation, sale and removal of food and other supplies, and those relating to agrarian or agricultural matters and organizations will be deemed continued in force and all persons violating any of such provisions will be punished in Italian courts.

[illegible].

9. Notwithstanding the termination of the Allied Military Government and of the proclamations and orders issued by it, certain provisions of those orders and proclamations will remain in force. Future decrees will be issued from time to time specifying exactly what provisions of such orders and proclamations will be adopted as part of the Italian law. ~~Until further notice all price regulations, all requisitions regarding the declaration of food or other supplies and all regulations affecting currency, rates of exchange, finance and business, contained in any proclamation or order issued by the Allied Military Government, will be deemed continued in force and all persons violating such provisions will be punished as before.~~

See Rectech

NOTE: This does nothing about changing the right of confiscation to Allied Military Government and does not make

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See Redact

tions regarding the declaration of food or other supplies and all regulations affecting currency, rates of exchange, finance and business, contained in any proclamation or order issued by the Allied Military Government, will be deemed continued in force and all persons violating ~~such provision will be punished as Italian courts.~~

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NOTE: This does nothing about changing the right of confiscation to Allied Military Government and does not make reports to Italian Government substituted for reports to AMG as required in some instances. To spell this out would take pages. As proclamation probably does not have force of law, should not each sub-commission be directed to furnish draft of what it wants in some legally binding decree etc. of the Italian Government to be promulgated at the same time.

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Rider A

Termsof Restoration: all the rights, powers and immunities received in Document A entered into at the time of the restoration of certain territory to the jurisdiction of the Italian Government as of 0001 hours 16 October 1944 shall be deemed to be applicable to the above described territory now being restored to the jurisdiction of the Italian Government as if expressly set forth herein including those requirements set forth in paragraph 15 thereof which have not yet been complied with or which require repetition so as to be applicable to the said territory now being restored to the jurisdiction of the Italian Government pursuant hereto

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

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DOCUMENT "A"

and m 16 October 1944

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

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

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

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

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

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

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

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

Rid in A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signed: H. Maitland Wilson.

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

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

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

Signed: Ivanoe Bonomi

Witness :

Signed: Ellery W Stone Commodore USNR

Witness :

Signed Cap. Lou R Laporatella

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DOCUMENT "D"

Allied Military Government of Occupied Territory.

PROCLAMATION NO. 16 (D).

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

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

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

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

Allied Military Government established by me or my predecessor and all proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the ~~Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo~~ are hereby terminated as of 0001 hours on the ~~15th~~ day of ~~October~~, 1944. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and Allied Control Commission.

Signed: H. Maitland Wilson.

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/s/ H. MAITLAND WILSON

/s/ H. MAITLAND WILSON.

General, Supreme Allied Commander
Mediterranean Theater and
Military Governor.

~~10th October~~ 1944.

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DOCUMENT "C"

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

PROCLAMATION

To the Italian people:

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

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

The restoration is subject to the following conditions:

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

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

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

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

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

President of the Council of Ministers

BONOMI

Signed: Ivanoe Bonomi

Rome, 26 October 1944.

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SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

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

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

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

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

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

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

Territory Restored. That portion of Italy comprising the Provinces of Chieti, Pescara, L'Aquila, Teramo, Rieti and Viterbo. 135

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

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

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

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

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

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

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

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

7. Any official in the Unoccupied Territory previously appointed by the Allied Military Government may only be removed by the Italian Government with the consent of the Supreme Allied Commander, Mediterranean Theater. 134

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

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

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

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

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

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

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

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

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

Signed: H. Maitland Wilson

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

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

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

Signed: Giuseppe Bonomi

Witness : Commodore USNR

Sign: Ellery W Stone

Witness :

Signed: Capt Dan R Atterbury

FOR YOUR INFORMATION

The Armistice clauses together with other relevant documents will be given to the Press by the Italian Government at 1900 hrs, today, November 6. They are being simultaneously released by the US and UK governments in Washington and London. All material issued by the Italian Government will be in Italian. For the convenience of English speaking journalists we are issuing the text of the clauses of the "long terms" the commentary on these terms, and the Cunningham-de Courten Naval agreement with comment. These form, together with the Macmillan aide memoire of 24 February 1945, the major part of the Italian Government release. Please note release date and hour.

PUBLIC RELATIONS BRANCH
ALLIED COMMISSION
APO 394

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ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY

(Long Terms)

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

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

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

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

These terms have been presented by General Dwight D. EISENHOWER, Commander-in-Chief, Allied Forces, duly authorised to that effect.

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

Words and sentences in italics, including the title, do not appear in the original document signed at Malta on September 29, 1943 but have been subsequently added or modified in agreement with the Protocol of November 9, 1943 (See No. 12b).

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suspended between Italy and the United Nations on certain terms of a military nature;

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

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

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

These terms have been presented by General Dwight D. EISENHOWER, Commander-in-Chief, Allied Forces, duly authorised to that effect:

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

Words and sentences in italics, including the title, do not appear in the original document signed at Malta on September 29, 1943 but have been subsequently added or modified in agreement with the Protocol of November 9, 1943 (See No. 12b).

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ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY

(LONG TERMS)

1.

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

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

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

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

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

4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian Land, Sea and Air Forces will be carried out in conditions to be laid down by the United Nations, and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the Allied Commander-in-Chief.

5. No requisitioning, seizures or other coercive measures shall be

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

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

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

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

4. Italian Land, Sea and Air Forces will within the periods to be laid down by the United Nations withdraw from all areas outside Italian territory notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian Land, Sea and Air Forces will be carried out in conditions to be laid down by the United Nations, and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the Allied Commander-in-Chief.

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

6. The demobilization of Italian Land, Sea and Air Forces in excess of such establishments as shall be notified will take place as prescribed by the Allied Commander-in-Chief.

7. Italian warships of all descriptions, auxiliaries and transports will be assembled as directed in ports to be specified by the Allied Commander-in-Chief, and will be dealt with as prescribed by the Allied Commander-in-Chief. (Note. If at the date of the Armistice the whole of the Italian Fleet has been

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assembled in Allied ports, this article would run - "Italian warships of all descriptions, auxiliaries, and transports will remain until further notice in the ports where they are at present assembled, and will be dealt with as prescribed by the Allied Commander-in-Chief (C)."

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

9. Without prejudice to the provisions 14, 17 and 26 (A) and (D) below, all merchant ships, fishing or other craft of whatever flag, all aircraft and inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

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

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

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

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

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14.

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

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inland transport of whatever nationality in Italian or Italian-occupied territory or waters will, pending verification of their identity and status, be prevented from leaving.

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

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

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

16. All radio or telecommunication installations or other forms of this communication, whether or not Italian control whether belonging to Italy or any person other than the United Nations will transmit until directions for the control of these installations have been prescribed by the Allied Commander-in-Chief. The Italian authorities will conform to such requirements for censorship and ownership of press and of other publications, of broadcasting and broadcasting, and also of all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

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

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

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

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

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at their expense. The Italian Government will take the necessary measures to insure that the vessels and their cargo are not damaged.

16. No radio or telecommunication installations or other forms of intercommunication, stores or effects under Italian control whether belonging to Italy or any of the United Nations will be removed until directions for the control of these installations have been received by the Allied Commander-in-Chief. The Italian authorities will institute such measures for censorship and ownership of press and of other publications, of broadcasting and all forms of intercommunication as the Allied Commander-in-Chief may direct. The Allied Commander-in-Chief may, at his discretion, take over radio, cable and other communication stations.

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

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

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

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

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(B) The Italian authorities will make available on non-occupied Italian territory all transport facilities required by the United Nations including free transit for their war material and supplies, and will comply with instructions issued by the Allied Commander-in-Chief regarding the use and control of airfields, ports, shipping, inland transport systems and vehicles, intercommunication systems, power stations and public utility services, oil refineries, stocks and such other fuel and power supplies and means of producing same, as United Nations may specify, together with connected repair and construction facilities.

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

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

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

25.

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

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

26. Italian subjects will pending further instructions be prevented from leaving Italian territory except as authorized by the Allied Commander-in-Chief and will not in any event take service with any of the countries or in any

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

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

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

25.

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

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

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

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

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

(B) The Military, Naval and Air personnel and the civilian nationals of any such country or occupied country in Italian or Italian occupied territory will be prevented from leaving and will be interned pending further instructions.

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

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

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

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

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

32.

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

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territory will be prevented from leaving [illegible] instructions.

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

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

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

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32.

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

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

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

33.

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

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

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

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

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

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

38.

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

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

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

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

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period of the present instrument.

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

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

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

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

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

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

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

Signed at MALTA on the 29th day of September 1943.

Marshal
PIETRO BADOGLIO
Head of the Italian Government

General, United States Army
Dwight D. EISENHOWER
Commander-in-Chief
Allied Forces

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Declassified E.O. 12356 Section 3.3/NND No. 780016

AMENDED BY FAN. 624.

S E C R E T.

ADDITIONAL CONDITIONS OF ARMISTICE WITH ITALY.

COMMENT: The extent to which certain articles of the following agreement signed on behalf of the United Nations on the one hand and the Italian Government on the other have been implemented or modified is shown in italics under the relevant articles. The remaining articles have either been superceded by events and are therefore dormant, or are still in force. These articles are not commented upon.

(NOTE: Articles of armistice terms to be inserted above each applicable comment)

Article

1. Text of article.....
2. " " "
3. " " "
4. " " "
5. " " "

Were complied with.

6. Text of article.....
7. " " "
8. " " "
9. " " "
10. " " "
11. " " "
12. " " "

With the cooperation of the Italian Government, the Italian Armed Forces have been used to the maximum useful extent in the services of the United nations and have contributed materially towards the liberation of Italy and final victory. The Italian Navy has operated with Allied warships in the Mediterranean and elsewhere and since the cessation of hostilities has largely been employed in the Italian interests in mine sweeping and the transport of displaced persons. The Army fought alongside Allied formations during the campaign in Italy and the Air Force took its place with the Allied Air Forces.

13. Text of article.....

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(NOTE: Articles of armistice terms to be inserted above each applicable comment)

Article

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2. " " "
3. " " "
4. " " "
5. " " "

Were complied with.

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11. " " "
12. " " "

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13. Text of article.....

No comments.

14. Text of article.....

While Italian merchant ships have been employed in the general interests of the United Nations, they have been primarily employed in the Italian interest. Italian inland transport and ports have now been largely returned to Italian administration except insofar as redeployment and maintenance of Allied Forces has had to be effected.

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Article

15. Text of article....

The provisions of the article as regards small vessels and craft have not been fully satisfied owing to the difficulty of locating and identifying the vessels and craft concerned.

16. Text of article....

Control of radio has been returned to the Italian Government. All military and rehabilitated civilian telecommunications are being handed over to the Italians as military requirements decrease. Internal censorship has been abolished in the areas under Italian Government control.

17. Text of article.....

No comments.

18. Text of article.....

The second sentence of this article has never been invoked except in two frontier areas, ie., on the Franco-Italian frontier and Venezia Giulia.

19. Text of article.....

Care has been taken to conserve, wherever possible, Italian resources for the use of the civil economy and to utilise local goods and services only when military necessity demanded.

The Allied Forces Local Resources Board, on the committees of which Italian representatives have sat, was established as the allocation agency. While the legal rights of the Allied Forces under this article have not been modified, in practice it has been administered with as much regard as possible for Italian needs. With the redeployment of Allied troops from Italy the utilisation of local resources and facilities is diminishing rapidly. In addition, large quantities of food, coal, clothing and other commodities have been imported into Italy by the United Nations, largely in United Nations ships, to supplement local resources and to alleviate distress.

20. Text of article.....

AMG was rigorously enforced in combat zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to Italian administration.

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AMG was rigorously enforced in combat zones for obvious operational reasons. This was progressively relaxed as the battle moved forward until territories were handed over wholly to Italian administration.

21. Text of article.....

As Allied forces are redeployed facilities are progressively being handed back to Italian control.

22. Text of article.....

With the declaration of war upon the Germans by the Italian Government in October 1943, there has never been any necessity to invoke this article.

Sheet 2.

Declassified E.O. 12356 Section 3.3/NND No. 785046

Article

23. Text of article.....

The Italian Government has been informed that the Allied Commission will no longer intervene in Italian internal financial affairs, except in cases of Allied military necessity, and that with certain exceptions in Italy's own interests the Italian Government need no longer obtain the approval of the Allied Commission prior to the execution of external financial transactions. The Italian Government is now free to fix to negotiate exchange rates for the lire without prior consultation with the Allied Commission.

24. Text of article.....

Private export trade may now be resumed and all types of commercial and financial correspondence may now go forward from Italy to the non-enemy world, subject to the Italian Government putting into force certain trade control measures similar to those employed by the United Nations, against enemy interests.

25. Text of article.....

No comments.

26. Text of article.....

This article is no longer enforced and provided an individual has the necessary civil documents such as passport, visa, etc., there is nothing to prevent him leaving Italian territory, subject of course to the immigration laws and regulations of the countries of intended destination.

27. Text of article.....

No comments.

28. Text of article.....

No comments.

29. Text of article.....

No comments.

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30. Text of article.....

31. Text of article.....

The Italian Government has of its own volition done all that would have been required.

32. Text of article.....

Declassified E.O. 12356 Section 3.3/NND No. 785016

for the [illegible]
Commission.

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No comments.

28. Text of article.....

No comments.

29. Text of article.....

No comments.

124

30. Text of article.....

31. Text of article.....

The Italian Government has of its own volition done all that would have been required.

32. Text of article.....

This article has been complied with and is in the case of clauses (a) and (b) no longer applicable. As regards clause (c), the Italian Government has cooperated loyally in carrying out such instructions as have been given concerning the conservation and administration of United Nations property in Italy previously sequestrated by the Italian Government.

Sheet 3.

Declassified E.O. 12356 Section 3.3/NND No. 788016

Article

33. Text of article.....

The part of clause 33 (b) that deals with the disposal of foreign assets has been modified in favour of the Italian Government. (See under Article 23).

34. Text of article.....

No comments.

35. Text of article.....

No comments.

36. Text of article.....
37. Text of article.....

The execution of these clauses has been modified by the Macmillan Aide Memoir of 24 February 1945.

38. Text of article.....

No comments.

39. Text of article.....

No comments.

40. Text of article.....

No comments.

41. Text of article.....

In practice the Armistice conditions have not been applied to ALBANIA or to any former Italian territories overseas.

42. Text of article.....

No comments.

43. Text of article.....

No comments.

44. Text of article.....

No comments.

Declassified E.O. 12356 Section 3.3/NND No. 785016

MEMORANDUM OF AGREEMENT OF 23 SEPTEMBER 1943 ON THE EMPLOYMENT AND DISPOSITION OF THE ITALIAN FLEET AND MERCANTILE MARINE BETWEEN THE ALLIED NAVAL COMMANDER IN CHIEF, MEDITERRANEAN, ACTING ON BEHALF OF THE ALLIED COMMANDER IN CHIEF AND THE ITALIAN MINISTER OF MARINE AS AMENDED BY PROTOCOL OF 17 NOVEMBER 1943

---

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

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

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

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

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

(i) Warships
(ii) Merchant ships

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

123

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

(E) It should be clearly understood that the extent to which the terms of the armistice are modified to allow of the arrangements outlined [illegible] dependent upon the extent and effective-

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

2. Method of Operation. The Commander-in-Chief, Mediterranean, will place at the disposal of the Italian Ministry of Marine a high ranking Naval officer with the appropriate staff who will be responsible to the Commander-in-Chief, Mediterranean, for all matters in connection with the operation of the Italian Fleet, and be the medium through which dealings will be carried out in connection with the Italian Mercantile Marine. The Flag Officer acting for these duties

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(Flag Officer Liaison), will keep the Italian Ministry of Marine informed of the requirements of the Commander-in-Chief, Mediterranean, and will act in close co-operation as regards issue of all orders to the Italian Fleet.

3. Proposed disposition of the Italian Fleet.

(a) All battleships will be placed on a care and maintenance basis in ports to be designated and will have such measures of disarmament applied as may be directed. These measures of disarmament will be such that the ships can be brought into operation again if it so seems desirable. Each ship will have on board a proportion of Italian Naval personnel to keep the ships in proper condition and the Commander-in-Chief, Mediterranean, will have the right of inspection at any time.

(b) Cruisers. Such cruisers as can be of immediate assistance will be kept in commission. At present it is visualized that one squadron of four cruisers will suffice and the remainder will be kept in care and maintenance as for the battleships but at a rather greater degree of readiness to be brought into service if required.

(c) Destroyers and Torpedo Boats. It is proposed to keep these in commission and to use them on escort and similar duties as may be requisite. It is proposed that they should be divided into escort groups working as units and that they should be based on Italian ports.

(d) Small Craft. M.A.S., Minesweepers, auxiliaries and similar small craft will be employed to the full, detailed arrangements being made with the Flag Officer (Liaison) by the Italian Ministry of Marine for their best employment.

(e) Submarines. In the first instance submarines will be immobilized in ports to be designated and at a later date these may be brought into service as may be required to assist the Allied effort.

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

The requisite liaison officers will be supplied to facilitate the working of the Italian ships in co-operation with allied forces. A small Italian liaison mission will be attached to the Headquarters of the Commander-in-Chief, Mediterranean, to deal with matters affecting the Italian Fleet.

5. Mercantile Marine. It is the intention that the Italian Mercantile Marine should operate under the same conditions as the merchant ships of the Allied Nations. That is to say, all mercantile shipping of the United Nations is formed into a pool which is employed as may be considered necessary for the benefit of all the United Nations. In this will naturally be included the requirements for the supply and maintenance of Italy. The system will be

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COMMENTS ON THE CUNNINGHAM-de COURTEN AGREEMENT.

1. As explained within the terms, this agreement was produced in modification of the Armistice Terms in order that the Italian Fleet and Mercantile Marine could assist in the prosecution of the war against the Axis Powers.

2. The additions to the agreement were inserted at the Allied request after the original agreements had been concluded and were accepted on the Italian side in view of an amelioration of certain articles in original terms of the Armistice. Signature was accompanied by the formal statement of Admiral de Courten printed above.

3. The provisions of this agreement have been carried out and those provisions which remain operative with the cessation of hostilities are still being carried out. Furthermore, many Italian warships are undertaking work of direct benefit to the Italians themselves, e.g. transport of displaced persons.

4. While the employment of Italian ships has been of use to the United Nations it is pointed out that considerable United Nations resources have been expended in Italy to help the Italian Government in keeping Italian ships running and the crews fed and clothed.

5. In addition to the use of the Italian Mercantile Marine shipping, under this agreement a number of smaller Italian merchant ships have been returned to the control of the Italian authorities.

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Legal 5/c 62A

For Your File
BY

Ref : 9/6E/CA

27 Dec 45

SUBJECT : Position after Handover

TO : All CA Sub-Commissions

Please submit to this office your comments on the following Memorandum received from Regional Commissioner Venezia Region on the above subject by 29 Dec 45.

H.E. ANSON, Major,
for VP CA Section

LEGAL SUB COMMISION	
CLO	Saw
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
28 DEC [illegible]	

121

All Law except Legal (Col Bottaro)

COPY

62B

MEMORANDUM

POSITION IN RESPECT OF AMG UDINE, AND LIAISON GROUP TREVISO AFTER 31 DEC 1945

PART I - UDINE

CIVIL AFFAIRS SECTION

1. LOCAL GOVERNMENT -

a) Officials - Prefect of Udine: Avv. Agostino CANDOLINI.
The appointment of all Italian Government officials including the Sindaci of Communes remains the responsibility of the Provincial Commissioner AMG.

In view of the possible hand back of Udine Province within the year, it will frequently be desirable to secure agreement with the Italian Government in respect of the more important appointments.

I suggest that this be done by direct correspondence, between P.C. Udine and the Italian Ministry concerned, copy to 13 Corps.

b) Elections -

It is probable that administrative elections will be held in the last week of February, and elections for the Constituente on the first Sunday in May. It is most desirable that Udine Province follow, in respect of elections, the exact pattern laid down by the Italian Government in the rest of Italy. For the purpose of these elections Udine forms part of the second "College" in the Veneto, comprising Venezia, Treviso, Udine and Belluno. Reports required by the Italian Government in respect of the preparation of electoral lists should be forwarded by the Prefect, through P.C. Udine, direct to the Ministry of the Interior, RMF.

2. LEGAL

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a) Proclamations -

All proclamations issued heretofor under AMG in Udine will remain in force. These include General Orders 1, 2, 18, 20, 24, 25, 27, 29, 33, 35, 35A, 39, 39A, 41, 45; Regional Orders 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21 and such Provincial Orders as may from time to time have been issued.

The power of making Provincial Orders for the Province of Udine will continue to lie with the Provincial Commissioner. It is however, suggested that issue of Provincial Orders be limited to matters of real urgency and that necessary local administrative action be taken by Prefect's decrees, endorsed by AMG. It is most desirable that proclamations issued in Zone "A" in the light of the special circumstances obtaining there should not be also made applicable to Udine.

Declassified E.O. 12356 Section 3.3/NND No. 785016

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The power of making Provincial Orders for the Province of Udine will continue to lie with the Provincial Commissioner. It is however, suggested that issue of Provincial Orders be limited to matters of real urgency and that necessary local administrative action be taken by Prefect's decrees, endorsed by AMG. It is most desirable that proclamations issued in Zone "A" in the light of the special circumstances obtaining there should not be also made applicable to Udine.

b) Legislation

All Italian legislation hitherto implemented in North Italy by order of the Chief Commissioner has automatically become law in Udine. It is possible that, in future, there may be no Legal Sub-Commission in Rome to carry out this function of screening and implementing Italian legislation. It therefore appears desirable that a copy of each Gazzetta Ufficiale be sent direct by the Ministry of Justice to the Provincial Commissioner Udine, in order that he may at once carry out the procedure implementing the D.L.L. contained therein.

A more simple method, which contains a certain derogation of AMG powers but possesses several practical advantages is to say that all D.L.L. as they are passed by the Italian Government become automatically law in Udine, unless expressly excluded from implementation by the Provincial Commissioner.

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62e

c) AMG Courts -

Udine Province will have on present plans two experienced Legal Officers. Cases involving violations of AMG Proclamations and Orders can therefore be tried by AMG Courts.

It must however be realised that with the possible disappearance of the Legal Sub-Commission there would be no Reviewing officer. It is suggested therefore that authority to review cases should be vested in the Provincial Commissioner or such Officer as may be designated by him. At the same time jurisdiction to try violations of AMG Proclamations and Orders should be conferred on Italian Courts subject to the supervision and observation of the AMG Legal Officers.

It is my experience that except in respect of the infliction of the death penalty, Italian Courts are as severe in their sentences as any Allied Court would be likely to be.

I suggest that the Provincial Commissioner should be empowered to convene AMG General Courts and the Senior Officer of the Province authorised to act as President.

d) Italian Courts

Appeals from Tribunali are to Court of Appeal, Venice and from Extraordinary Courts as laid down in D.L.L. 702.

e) Epuration

To continue on the lines and subject to the control by AMG indicated in recent directives from C.A. Section.

3. PUBLIC SAFETY

a) Carabinieri -

Group of Udine - Commander Major ANTIGO
Forms part of the Legion of Padova - Commander Col. DE VITO

1.9

b) Guardia di Finanza

Circolo di Udine - Commander Major D'ARNOSIO
Forms part of Legion of Udine - Commander Col. MARINI

c) Corpo Forestale

Group of Udine - Commander Capt. COLO
Forms part of Legion of Padova - Commander Lt. Col. GRAZIANI

d) Agenzia di Pubblica Sicurezza

Questore Col. DURANTE Umberto

Declassified E.O. 12356 Section 3.3/NND No. 783046

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119

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Questore Col. DURANTE Umberto

e) All the above Police Agencies work in AMG territory under the general direction of the Provincial Public Safety officer. It will however be clear that it is most desirable that the normal Italian channels of Command, Legion Commander, etc, be encouraged to function to the maximum extent. It will be obviously dangerous for the future wellbeing of the various Italian Public Safety services, if the Udine Sub-Divisions are allowed to develope an overstrong spirit of autonomy under the regime of AMG.

f) There are 567 auxiliary and 105 railway police employed in Udine. These can be continued in employment and function under the authority of the Provincial Commissioner. It is however strongly urged that the Province of Udine should follow

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(621)

the procedure laid down in D.L.L. 691 of 21 Aug 1945 for the gradual absorbtion of these auxiliary police as reinforcements for the existing national police agencies.

4. PUBLIC HEALTH

Medico Provincial Prof. Dott. GELOTTI

There will be no AMG Public Health officer on the staff of Provincial Commissioner Udine. All Public Health services in Venezia Region have already been turned over to the Italian Government and the Medico Provinciale has been authorised to correspond direct with the Ministry at Rome.

5. EDUCATION

Provveditore agli Studi Dott. TAMBURLINI -

There will be no education officer in the staff of the Provincial Commissioner, Udine. The Provveditore agli Studi will be instructed to communicate direct with the Ministry at Rome on all technical matters.

6. MONUMENTS AND FINE ARTS

There will be no M.F.A.A. Officer on the staff of the Provincial Commissioner Udine. The area is under the general supervision of the Superintendent of monuments, Udine (Prof. Piazzo), who comes under the direction of the Ministry of Public Instruction, Rome.

7. PATRIOTS

The provincial Italian Patriot Liaison officer have already, in AMG territory, been placed under the orders of the Prefect. This course should be followed in Udine. Their work now depends from the Ministry of Post War Assistance.

PART II

PROVINCES OF BELLUNO, TREVISO, VENICE

Also: PADOVA, ROVIGO, VICENZA, VERONA, TRENTO.

8. A small Liaison Group (under command Lt.Col. F.O. Mavis (A) will be established at Treviso, with general Liaison Mission over the eight provinces above named.

A similar group will be established at Bolzano.

9. Instructions defining the functions of these Liaison Groups will shortly be issued by M] Allied Commission. In general, however, that these groups exist to advise M] Rome and thereby the Embassies, of the conditions in the Provinces also to assist in every way possible relations between the Allied Military Authorities and the Italian civil administration.

10. The groups will, however, have no executive status and the Italian Government

Declassified E.O. 12356 Section 3.3/NND No. 785046

There will be no AMG Public Health officer on the staff of Provincial Commissioner Udine. All Public Health services in Venezie Region have already been turned over to the Italian Government and the Medico Provinciale has been authorised to correspond direct with the Ministry at Rome.

5. EDUCATION

Provveditore agli Studi Dott. TAMBURLINI -

There will be no education officer in the staff of the Provincial Commissioner, Udine. The Provveditore agli Studi will be instructed to communicate direct with the Ministry at Rome on all technical matters.

6. MONUMENTS AND FINE ARTS

There will be no M.F.A.A. Officer on the staff of the Provincial Commissioner Udine. The area is under the general supervision of the Superintendent of monuments, Udine (Prof. Piazzo), who comes under the direction of the Ministry of Public Instruction, Rome.

7. PATRIOTS

The provincial Italian Patriot Liaison officer have already, in AMG territory, been placed under the orders of the Prefect. This course should be followed in Udine. Their work now depends from the Ministry of Post War Assistance.

PART II

PROVINCES OF BELLUNO, TREVISO, VENICE

118

Also: PADOVA, ROVIGO, VICENZA, VERONA, TRENTO.

8. A small Liaison Group (under command Lt.Col. F.C. Mavis (A) will be established at Treviso, with general Liaison Mission over the eight provinces above named.

A similar group will be established at Bolzano.

9. Instructions defining the functions of these Liaison Groups will shortly be issued by HQ Allied Commission. In general, however, that these groups exist to advise HQ Rome and thereby the Embassies, of the conditions in the Provinces also to assist in every way possible relations between the Allied Military Authorities and the Italian civil administration.

10. The groups will, however, have no executive status and the Italian Government will have full sovereign rights in the above named provinces (except in respect of a few specially reserved matters affecting Allied troops).

Declassified E.O. 12356 Section 3.3/NND No. 799046

Declassified E.O. 12356 Section 3.3/NND No. 785016

4-1025 Enclo 7 file

61D

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Office of the Regional Legal Officer

31 December 1945.

PR/LE/521.

SUBJECT : Inspection of Northern Italy.

TO : Legal S/C (attn C.L.A.)

Ref. your AC/4102/5/L of 27 inst received only to-day: Major Mc Colm will proceed to Milan on 5 Jan. 45 as instructed. E.T.A. at R.L.O.'s office 1000 hours.

D.D. Mc Colm, Major

D.D. Mc Colm,
Major, R.A.,
Regional Legal Officer.

DDM/CB
Copy to R.L.O. Milan - for Col. Hannaford's information if original not received in time.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

60A

Logal

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference:

Date/Time of Origin: 02 JAN 46

Message Centre No: G/6696

Date Time Rec'd: JAN 041330

Precedence: ROUTINE

FROM: REGIONAL LEGAL OFFICER HQ AMG VENEZIE

TO : DEPUTY CHIEF LEGAL ADVISER LEGAL SUBCOMMISSION HQ AC (FOR ITALIAN BRANCH) (ATTN LT COL G G HANNAFORD)

UNCLASSIFIED

55A

Reference your AC/4102/5/L of 27 December 1945. I confirm that proposed arangement is satisfactory

HEADQUARTERS JAN 1946 G

ACDIST

ACTION: LEGAL S/C

INFO: CHIEF COMMISSIONER
FILE 2
FLOAT

ACTION

116

1939

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S-E-C-R-E-T

59A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5/L.

31 December 1945

SUBJECT : Restoration Documents.

TO : Office of Chief Commissioner.

1. Herewith enclosed original documents of Restoration of Territory for your files. All other original restoration documents are in your possession.

2. Please acknowledge receipt on carbon copy of this letter.

JOHN K. WEBER,
Col. Infantry,
Chief Legal Advisor.

Encl.

58A

~~DOCUMENT No.~~

P R O C L A M A

AL POPOLO ITALIANO:

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

Il provvedimento concerne l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonche' le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine.

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785046

che altri territori, oltre quelli già restituiti, passino sotto l'amministrazione del Governo Italiano, a datare da domani, secondo le modalità e condizioni necessarie per esigenze militari.

Il provvedimento concerne l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonchè le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine.

Il trapasso è regolato dalle norme seguenti:

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Alcide de Gasperi

Roma, 31 dicembre 1945.

Declassified E.O. 12356 Section 3.3/NND No. 785046

Declassified E.O. 12356 Section 3.3/NND No. 785016

57A

20 December 1945

My dear Mr. Prime Minister:

In accordance with your request I wish to confirm that the expression "Armistice Terms" in the ninth clause of Document "A" (Terms of Restoration of Additional Italian Territory) with which you agreed today, implies the Armistice Terms as modified by the implementation of the Macmillan Aide-Memoire and subsequent directives, the application of which was described in the agreed commentary on the Armistice Terms published by your Government and the Governments of the United Nations on 7th December.

Yours very truly,

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Dr. Alcide de Gasperi
The President of the Council of Ministers
Italian Government
Rome

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1943

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5-6A

SECRET
- - - - - -

HEAD QUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/4102/5/L 19 December 1945

SUBJECT : Handover of territory to the Italian Government

TO : AFHQ - G-5.

1. The enclosed documents are forwarded for the signature of the Supreme Allied Commander.

2. It is requested that the necessary signatures be obtained as soon as possible and all documents returned to this Hq.

3. Enclosures :-

a. Document "A" - 2 copies - signature of SAC only

b. Document "B" (Proc.16E) - 2 copies (In English) - for signature of SAC only.

c. Document "B" - 1 copy in Italian for information only.

For the Chief Commissioner :

M. CAHR, Brig.,
VP CA Section.

Incls: See para 3.

Copy to: Executive Commissioner.

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5-B

S-E-C-R-E-T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, Successively on the 11th February 1944, on the July 20th 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945, on the 19th June 1945 and on the 4th August 1945 certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

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

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

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

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre, and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the Government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Delle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the above-mentioned territory is without prejudice to any frontier rectification which may be decided in the Peace Treaty and upon condition that the Islands of LAMPEDUSA, LINOSA and PANTELLERIA shall be demilitarised in accordance with such orders as may from time to time be issued by the Supreme Allied Commander, Mediterranean Theatre and that the United Nations shall have the right at any time to station representatives in the said Islands in order to ensure that they remain demilitarised.

111

Date of Restoration: At 24.00 hours on 31st December 1945.

Terms of Restoration: Without prejudice to any rights, powers and immunities of the United Nations under the Armistice Terms heretofore granted to the Italian Government, all of which remain in full force and effect throughout all Italian territory, there are hereby reserved to the United Nations and to the Supreme [illegible] Mediterranean Theatre and to such officers or other representatives,

Declassified E.O. 12356 Section 3.3/NND No. 785016

WHEREAS, successively on the 11th February 1944, on the 5th July 2nd 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945, on the 19th June 1945 and on the 4th August 1945 certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

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

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

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

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.B.E., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre, and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the Government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the above-mentioned territory is without prejudice to any frontier rectification which may be decided in the Peace Treaty and upon condition that the Islands of LAMPEDUSA, LINOSA and PANTELLERIA shall be demilitarised in accordance with such orders as may from time to time be issued by the Supreme Allied Commander, Mediterranean Theatre and that the United Nations shall have the right at any time to station representatives in the said Islands in order to ensure that they remain demilitarised.

111

Date of Restoration: At 24.00 hours on 31st December 1945.

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

Declassified E.O. 12356 Section 3.3/NND No. 785044

the jurisdiction of the Italian Government, hereinafter referred to as "the Unoccupied Territory".

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

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

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

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

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

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

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

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

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

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

11. Any official, or representative, or agent of the United Nations, civilian

Declassified E.O. 12356 Section 3.3/NND No. 785046

occupied territory as they may desire.

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

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

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

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

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

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

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

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

11. Any official, or representative, or agent of the United Nations, civilian or military, may for the purposes of official duty enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its

Document "A"

Declassified E.O. 12356 Section 3.3/NND No. 798046

political sub-divisions or agencies.

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

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

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

Lieutenant - General
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

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

I also agree that the said restoration shall take place on the 31st December 1945.

Witness:

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Witness:

Declassified E.O. 12356 Section 3.3/NND No. 785016

DOCUMENT "B"

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (R)

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

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

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

NOW, THEREFORE, I, William D. Morgan, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander Mediterranean Theatre and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or by my predecessors and all Proclamations and Orders heretofore issued by me or by them or under my or their authority in that portion of Italy comprising the whole of Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine, are hereby terminated as of 2400 hours on the 31st day of December 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander Mediterranean Theatre and the Allied Commission.

Lieutenant-General,
Supreme Allied Commander
Mediterranean Theatre
and Military Governor.

Dated : December 1945

Declassified E.O. 12356 Section 3.3/NND No. 785046

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

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

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

NOW, THEREFORE, I, William D. Morgan, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander Mediterranean Theatre and Military Governor, hereby proclaim as follows :

Allied Military Government established by me or by my predecessors and all Proclamations and Orders heretofore issued by me or by them or under my or their authority in that portion of Italy comprising the whole of Metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno, Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine, are hereby terminated as of 2400 hours on the 31st day of December 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander Mediterranean Theatre and the Allied Commission.

Lieutenant-General,
Supreme Allied Commander
Mediterranean Theatre
and Military Governor.

Dated : December 1945

Declassified E.O. 12356 Section 3.3/NND No. 785016

DOCUMENT "B"

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA NO. 16 (H)

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

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dai miei predecessori oppure in mio od in loro nome, Proclami ed Ordinanze, e

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

Io, William D. Morgan, K.C.B., D.S.O., M.C., Tenente Generale, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

Per effetto del presente proclama, a partire dalle ore 24.00 del 31 dicembre 1945 il Governo Militare Alleato istituito da me o dai miei predecessori e tutti i Proclami ed Ordinanze finora emanati da me o dai miei predecessori ovvero in mio od in loro nome cessano di essere in vigore in quella parte del territorio italiano che comprende

l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonchè le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine

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

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Data: dicembre 1945

Tenente Generale

Declassified E.O. 12356 Section 3.3/NND No. 785016

DATO CHE nell'esercizio di tali poteri sono stati emessi in detto territorio, di volta in volta da me o dai miei predecessori oppure in mio od in loro nome, Proclami ed Ordinanze, e

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

Io, William D. Morgan, K.C.B., D.S.O., M.C., Tenente Generale, Comandante Supremo Alleato nello Scacchiere Mediterraneo e Governatore Militare, con il presente proclamo quanto segue:

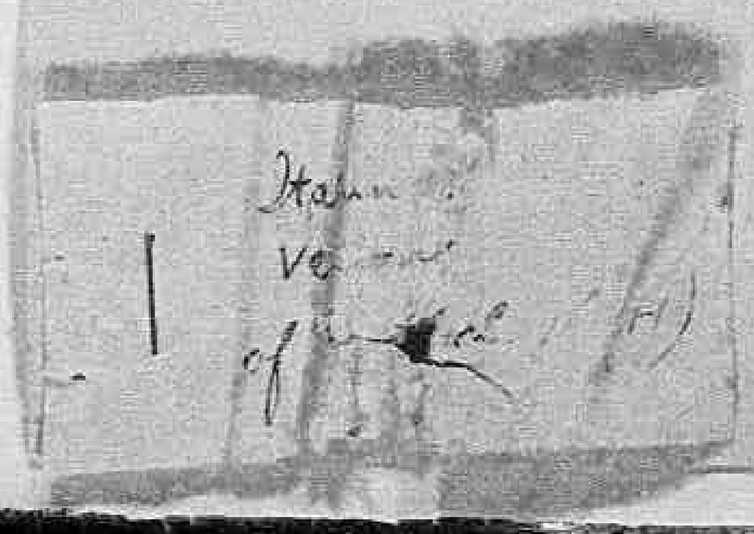
Per effetto del presente proclama, a partire dalle ore 24.00 del 31 dicembre 1945 il Governo Militare Alleato istituito da me o dai miei predecessori e tutti i Proclami ed Ordinanze finora emanati da me o dai miei predecessori ovvero in mio od in loro nome cessano di essere in vigore in quella parte del territorio italiano che comprende

l'intero territorio metropolitano attualmente sotto il Governo Militare Alleato ivi compresi i Comuni di Colle Salvetti, Livorno, Napoli e Pisa, nonché le isole di Lampedusa, Linosa e Pantelleria, fatta esclusione tuttavia della Venezia Giulia e della Provincia di Udine

Da tale data il Governo Italiano amministrerà il predetto territorio fatti salvi tutti i poteri, diritti ed immunità di cui godono le Nazioni Unite, il Comandante Supremo Alleato nello Scacchiere Mediterraneo e la Commissione Alleata. 197

Data: dicembre 1945

Tenente Generale
Comandante Supremo nello
Scacchiere Mediterraneo e
Governatore Militare



Declassified E.O. 12356 Section 3.3/NND No. 785046

DOCUMENT "C"

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

To the Italian people :

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

The provisions hereof concern the whole of metropolitan territory at present under Allied Military Government including the Communes of Colle Salvetti, Livorno Naples and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration is subject to the following conditions :

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785016

today's date, in accordance with the terms and conditions necessary for military requirements.

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

President of the Council of Ministers.

ALCIDE DE GASPERI

Rome: December 1945

Declassified E.O. 12356 Section 3.3/NND No. 785046

1955

Declassified E.O. 12356 Section 3.3/NND No. 785016

ENTER & FILE

(1)

55 A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5/L. 27 December 1945.

SUBJECT : Inspection of Northern Italy.

TO : Regional Commissioner, (Attn. Regional Legal Officer), PIEMONTE and VENEZIE Regions.

1. Lieutenant-Colonel G. G. Hannaford will be in Milan on 5 Jan 45 together with the Head of the Mission of the Ministry of Justice.

2. The Mission is proceeding North in order to facilitate the handover of the Courts to the Italian Authorities.

3. Would both Major Gilshenan and Major McColm proceed to Milan ir order to meet Lieutenant-Colonel Hannaford on Saturday 5 Jan 45. In all probability Lieutenant-Colonel Hannaford will also visit Turino & Padova with both Regional Legal Officers.

4. Please acknowledge and confirm that this arrangement is satisfactory.

By command of Rear Admiral STONE.

105

G. G. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

1954

Declassified E.O. 12356 Section 3.3/NND No. 785016

Enclo. & FILE

54A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5/L. 27 December 1945.

SUBJECT : Inspection of Northern Provinces.

TO : The Minister of Pardon & Justice.

1. This is to confirm that Lieutenant-Colonel G. G. Hannaford will proceed to Milan on 4 Jan 45 and will visit Milan, Turin, Genova and Padova between 5 and 10 Jan 45.

2. He will be glad to get into touch with the Mission sent by you in order to facilitate their work. The Regional Legal Officers of Piemonte and Venezia will also be in Milan on 5 Jan 45.

3. Should you wish to communicate further with Lieutenant-Colonel Hannaford kindly do so before Wednesday next.

104

G. G. HANNAFORD.
Lt. Col.,
Deputy Chief Legal Advisor.

53 A

Mod. 46 MG

4102/5 Ext.

Roma 22 dicembre 1945

Il Guardasigilli

MINISTRO DI GRAZIA E GIUSTIZIA

UC/4235/-5

Alla Commissione Alleata
Sottocommissione Legale
R o m a

OGGETTO: Ispezione straordinaria nel Nord.

In vista della prossima restituzione dei territori del Nord al Governo italiano è mio intendimento inviare in ispezione straordinaria il comm. Emiliani Pescitelli, coadiuvato da alcuni funzionari, a Milano nonchè nelle altre principali città dell'Italia settentrionale, sedi di corti di appello, quali Torino, Genova, Brescia, allo scopo di prendere contatto diretto con le autorità giudiziarie italiane del Nord e di risolvere in via provvisoria i principali problemi al riguardo, che si prevedono numerosi e complessi.

In occasione di tale missione, la cui durata sarà presumibilmente di qualche settimana, ritengo particolarmente utile che i membri inviati dal Ministero possano essere coadiuvati sul posto nei loro compiti, dagli Ufficiali Legali dell'A.M.G. che potranno con la loro competenza specifica essere di grande giovamento per la risoluzione dei vari problemi locali.

Pertanto mentre si fa riserva di comunicare ulteriori dati circa la data di invio della missione anzidetta e il suo programma concreto, si prega vivamente codesta Sottocommissione, sulla cui collaborazione questo Ministero ha potuto fare sempre il più ampio affidamento, di voler prendere in proposito gli accordi di massima con i propri ufficiali legali del Nord.

IL MINISTRO

Grisolia

LEGAL SUB COMMISION
CLO
DCLO
Chief Counsel

Declassified E.O. 12356 Section 3.3/NND No. 785016

MINISTRO DI GRAZIA E GIUSTIZIA

uc/4235/-5

Alla Commissione Alleata
Sottocommissione Legale
R o m a

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IL MINISTRO
Grazia

SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLRX
27 DEC 1945

Declassified E.O. 12356 Section 3.3/NND No. 785016

1939

Declassified E.O. 12356 Section 3.3/NND No. 785016

4102/5

52A

ACTED IN ALONE 22 Dec. 45

(1) RE FIRSTTEL INSTR (2) RD LIMITA AUTH (3) RE TEXTUAL

MESSAGE ORIGINATED IN ENCRYPTED VERSION

9391 SECRET

SECRET TO SUBSTRATO PROCLAMATIONS AND RATIFICATION OF ARMISTICE TEXT

PARA ONE TO PROCLAMATIONS SIGNED IN NAPLES AND PRIOR RECEIPT HERE

UNCLEARED TEXTSOF MEETING BEING CONSIDERED IN TRIPOLI TO MEDAF AND

MAY TIDE US OVER TO FOR; REPARTEMENTS IN MEDAF ARMYS MORNAY APPROACH TWENTYFOUR

INSTRUCTED

PARA TWO SECTIONS MENTIONED BEING SENT LECHIA CAB FLASH TEXTUAL MUST ENDEAVOR TO

EXPEDITE AND RECEIVE TEXTUAL TWO PRIOR TO DESPATCH TO CAIRO

PARA THREE TO ENABLE LOCAL CIVIL AUTHORITIES ARE ACTED IN HASTE AND LATER

CHANGES AS MAY BECOME NECESSARY TO PROCLAMATIONS ARE MADE

BY PROVINCES AND DESIGNATION LOCAL AUTHORITIES AS INDICATED WITH BASE LEFT TO BE IN CASE OF DELAY

OR OTHER EQUIVALENT CHANGES WITH COLONEL RANKIN OR MAJOR DAVIAN AT LANDRIANO

HEADQUARTERS TELEPHONE MILAN TWO ZERO TWO THREE AND TWO TWO THREE FOUR TO

HAVE POWER TO ACTABOVE CHANGES WITHOUT FURTHER REFERENCE BACK SUBJECT

ONLY TO LIMITATIONS ACCEPT BY ITALIAN GOVERNMENT DESPATCHED TO YOU SEPARATE

102

Distribution (22)
M.C. Piemonte Region
M.C. Liguria Region
M.C. Veneto Region
M.C. Lombardia Region.

PRIORITY

LEGAL RECONNAISSANCE

1960

Declassified E.O. 12356 Section 3.3/NND No. 785016

57A

AG/4102/54.

21 December 1945.

SUBJECT : Distribution of Proclamations.

TO : Regional Commissioner,
I Ligurian Region.

1. Confirming telephone conversation of 20 December 1945 (Lt. Col. Bonnefoi - Col. Kinnick) this is to advise that the proclamations for the restriction of Northern Italy will arrive in Milan by Swiss Post train on Monday or Tuesday. You will be notified by signal or telephone when they leave Rome.

2. There will be four separate lots with an aggregate weight of approximately two tons. Will you please arrange for their immediate collection upon arrival, and have lorries ready for the immediate transmission of the lots addressed to Genoa, Genova and Torino. The fourth lot of proclamations to be retained in Milan for distribution in all communes in your region.

3. Enclosed herewith is a distribution list indicating the number of proclamations to be distributed to each province according to the population. A copy of this list will accompany the proclamations.

By command of Rear Admiral STOKES :

John K. Kinnick,
Colonel, Infantry,
Chief Legal Adviser.

Copy to : 1. HQ Piemonte Region
HQ Liguria Region
HQ Venezia Region.

101

1961

Declassified E.O. 12356 Section 3.3/NND No. 785016

LOMBARDIA

Province	Number of communes - (C) and of circolazioni - (C) required						
	>2.000	2.001-5.000	5.001-10.000	10.001-20.000	20.001-50.000	50.001-100.000	ov 100
	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P
Bergamo	117 @ 5 = 585	83 @ 10 = 830	13 @ 30 = 390	3 @ 50 = 150	-Nil-	1 @ 200 = 200	-
Brescia	51 @ 5 = 255	76 @ 10 = 760	36 @ 30 = 1080	7 @ 50 = 350	-Nil-	-Nil	1 @
Como	132 @ 5 = 660	54 @ 10 = 540	12 @ 30 = 360	1 @ 50 = 50	1 @ 100 = 100	1 @ 200 = 200	-
Cremona	50 @ 5 = 250	50 @ 10 = 500	6 @ 30 = 180	2 @ 50 = 100	1 @ 100 = 100	1 @ 200 = 200	-
Mantova	8 @ 5 = 40	34 @ 10 = 340	20 @ 30 = 600	7 @ 50 = 350	1 @ 100 = 100	-Nil-	-
Milano	86 @ 5 = 430	101 @ 10 = 1010	40 @ 30 = 1200	12 @ 50 = 600	4 @ 100 = 400	1 @ 200 = 200	1 @
Pavia	98 @ 5 = 490	63 @ 10 = 630	10 @ 30 = 300	1 @ 50 = 50	2 @ 100 = 200	1 @ 200 = 200	-
Sondrio	56 @ 5 = 280	17 @ 10 = 170	4 @ 30 = 120	1 @ 50 = 50	-Nil-	-Nil-	-
Varese	67 @ 5 = 335	33 @ 10 = 330	11 @ 30 = 330	1 @ 50 = 50	4 @ 100 = 400	-Nil-	-
Tot.: (Communes	665	511	152	35	13	5	3
Tot.: (Circolaz.	3.325	5.110	4.560	1.750	1.300	1.000	

1962

Declassified E.O. 12356 Section 3.3/NND No. 785016

LOMBARDIA

Number of consumes - (C) and of problem stions - (P) required

2.001- 5.000	5.001- 10.000	10.001- 20.000	20.001- 50.000	50.001- 100.000	OVER 100.000	Total of	
C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C	P
89 @ 10 = 890	17 @ 20 = 320	3 @ 50 = 150	-Nil-	1 @ 200 = 200	-Nil-	217	2.155
76 @ 10 = 760	26 @ 30=1080	7 @ 50 = 350	-Nil-	-Nil	1 @ 400 = 400	173	2.845
54 @ 10 = 540	14 @ 30 = 360	1 @ 50 = 50	1 @ 100=100	1 @ 200 = 200	-Nil-	201	1.910
50 @ 10 = 500	6 @ 30 = 180	2 @ 50 = 100	1 @ 100=100	1 @ 200 = 200	-Nil-	110	1.330
24 @ 10 = 240	20 @ 30 = 600	7 @ 50 = 350	1 @ 100=100	-Nil-	-Nil-	70	1.430
101 @10=1010	40 @ 30=1200	12 @ 50 = 600	4 @ 100=400	1 @ 200 = 200	1 @ 400 = 400	245	4.240
63 @ 10 = 630	10 @ 30 = 300	1 @ 50 = 50	2 @ 100=200	1 @ 200 = 200	-Nil-	175	1.870
17 @ 10 = 170	4 @ 30 = 120	1 @ 50 = 50	-Nil-	-Nil-	-Nil-	78	620
33 @ 10 = 330	11 @ 30 = 330	1 @ 50 = 50	4 @ 100=400	-Nil-	-Nil-	116	1.445
511 5.110	152 4.560	35 1.750	13 1.300	5 1.000	1 800	1.983	17.845

1963

Declassified E.O. 12356 Section 3.3/NND No. 785016

PIEMONTE

Number of Communes = (C) and of Preelezioni = (P) to elect

Province	> 2.000	2.001 - 5.000	5.001 - 10.000	10.001 - 20.000	20.001 - 50.000	50.001 - 100.000	
	C e P each	C e P each	C e P each	C e P each	C e P each	C e P each	C e
Alessandria	100 e 5 = 500	53 e 10 = 530	5 e 30 = 150	2 e 50 = 100	3 e 100 = 300	1 e 200 = 200	
Aosta	74 e 5 = 370	25 e 10 = 250	5 e 30 = 150	2 e 50 = 100	1 e 100 = 100	- Nil -	
Asti	67 e 5 = 335	32 e 10 = 320	4 e 30 = 120	1 e 50 = 50	1 e 100 = 100	-Nil-	
Cuneo	109 e 5 = 545	76 e 10 = 760	18 e 30 = 540	4 e 50 = 200	3 e 100 = 300	-Nil-	
Novara	90 e 5 = 450	36 e 10 = 360	9 e 30 = 270	4 e 50 = 200	1 e 100 = 100	1 e 200 = 200	
Torino	87 e 5 = 435	69 e 10 = 690	18 e 30 = 540	7 e 50 = 350	2 e 100 = 200	-Nil-	1
Vercelli	115 e 5 = 575	55 e 10 = 550	7 e 30 = 210	2 e 50 = 100	1 e 100 = 100	-Nil-	
Tot: (Comm.)	606	323	66	22	12	2	1
Tot: (Preel.)	3190	3230	1980	1100	1200	400	

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PIKEOWES

mber of rooms = (c) end of proclamations = (P) required

2,001 - 5,000	5,001 - 10,000	10,001 - 20,000	20,001 - 50,000	50,001 - 100,000	OVER 100,000	Total	
C & P each	C & P each	C & P each	C & P each	C & P each	C & P each	rooms	Payment
53 & 10 = 530	5 & 30 = 150	2 & 50 = 100	3 & 100 = 300	1 & 200 = 200	-Nil-	164	1780
25 & 10 = 250	5 & 30 = 150	2 & 50 = 100	1 & 100 = 100	- Nil -	-Nil-	107	970
32 & 10 = 320	4 & 30 = 120	1 & 50 = 50	1 & 100 = 100	-Nil-	-Nil-	105	925
76 & 10 = 760	18 & 30 = 540	4 & 50 = 200	5 & 100 = 500	-Nil-	-Nil-	306	2335
36 & 10 = 360	9 & 30 = 270	4 & 50 = 200	1 & 100 = 100	1 & 200 = 200	-Nil-	141	1530
63 & 10 = 630	18 & 30 = 540	7 & 50 = 350	2 & 100 = 200	-Nil-	1 & 400 = 400	178	2555
35 & 10 = 350	7 & 30 = 210	2 & 50 = 100	1 & 100 = 100	-Nil-	-Nil-	163	1365
323	66	22	12	2	1	1064	
3230	1980	1100	1200	400	400		11,500

1965

Declassified E.O. 12356 Section 3.3/NND No. 785016

LIGURIA

Provinces	Number of Communes - (C) and of Proclamations = (P) required						
	> 2.000	2.001 - 5.000	5.001 - 10.000	10.001 - 20.000	20.000 - 50.000	50.000 - 100.000	over 100.000
	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each
Genova	22 @ 5 = 110	33 @ 10 = 330	7 @ 30 = 210	3 @ 50 = 150	-Nil-	-Nil-	1 @ [illegible] =
Imperia	34 @ 5 = 170	13 @ 10 = 130	2 @ 30 = 60	1 @ 50 = 50	2 @ 100 = 200	-Nil-	-Nil
La Spezia	12 @ 5 = 60	13 @ 10 = 130	4 @ 30 = 120	2 @ 50 = 100	-Nil-	-Nil-	1 @ [illegible] = [illegible]
Savona	44 @ 5 = 220	15 @ 10 = 150	5 @ 30 = 150	3 @ 50 = 150	-Nil-	1 @ 200 = 200	-Nil
total (Communes	112	74	18	9	2	1	2
total (Proclamat.	560	740	540	450	200	200	80

Declassified E.O. 12356 Section 3.3/NND No. 785016

LIGURIA

Number of Communes = (C) and of Proclamations = (P) required

.000	2.001 - 5.000	5.001 - 10.000	10.001 - 20.000	20.001 - 50.000	50.001 - 100.000	over 100.000	Total of	
P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	(C)	(P)
5 = 110	33 @ 10 = 330	7 @ 30 = 210	3 @ 50 = 150	-Nil-	-Nil-	1 @ 400 = 400	66	1200
5 = 170	13 @ 10 = 130	2 @ 30 = 60	1 @ 50 = 50	2 @ 100 = 200	-Nil-	-Nil-	52	610
5 = 60	13 @ 10 = 130	4 @ 30 = 120	2 @ 50 = 100	-Nil-	-Nil-	1 @ 400 = 400	32	810
5 = 220	15 @ 10 = 150	5 @ 30 = 150	3 @ 50 = 150	-Nil-	1 @ 200 = 200	-Nil-	68	870
112 560	74 740	18 540	9 450	2 200	1 200	2 800	218	3,490

1967

Declassified E.O. 12356 Section 3.3/NND No. 785016

VENEZIA

37

Province	Number of Communes = (C) and of Proclamations = (P) required						
	= 2.000	2.001 - 5.000	5.001 - 10.000	10.001 - 20.000	20.001 - 50.000	50.001 - 100.000	OVER 100.0
	C & P each	C & P each	C & P each	C & P each	C & P each	C & P each	C & P
Belluno	42 @ 5 = 45	96 @ 10 = 360	3 @ 30 = 90	1 @ 50 = 50	1 @ 100 = 100	1 @ 200 = 200	-Nil-
Treviso	59 @ 5 = 295	59 @ 10 = 590	5 @ 30 = 150	2 @ 50 = 100	1 @ 100 = 100	1 @ 200 = 200	-Nil-
Belluno	28 @ 5 = 140	31 @ 10 = 310	8 @ 30 = 240	1 @ 50 = 50	1 @ 100 = 100	-Nil-	-Nil-
Padova	2 @ 5 = 10	64 @ 10 = 640	32 @ 30 = 960	7 @ 50 = 350	-Nil-	-Nil-	1 @ 400 =
Rovigo	2 @ 5 = 10	27 @ 10 = 270	10 @ 30 = 300	8 @ 50 = 400	2 @ 100 = 200	-Nil	-Nil-
Treviso	3 @ 5 = 15	41 @ 10 = 410	35 @ 30 = 1050	9 @ 50 = 450	1 @ 100 = 100	1 @ 200 = 200	-Nil-
Venezia	-Nil-	13 @ 10 = 130	17 @ 30 = 510	8 @ 50 = 400	4 @ 100 = 400	-Nil-	1 @ 400 =
Verona	11 @ 5 = 55	46 @ 10 = 460	28 @ 30 = 840	4 @ 50 = 200	1 @ 100 = 100	-Nil-	1 @ 400 =
Vicenza	21 @ 5 = 105	67 @ 10 = 670	23 @ 30 = 690	4 @ 50 = 200	3 @ 100 = 300	1 @ 200 = 200	-Nil-
Tot: (Communes	175	386	160	44	14	4	3
Tot: (Proclamat.	875	3.860	4.800	2.200	1.400	800	1.

Declassified E.O. 12356 Section 3.3/NND No. 785016

V E N E Z I A

C-
39

Number of Communes = (C) and of Proclamations = (P) required

	2.001 - 5.000	5.001 - 10.000	10.001 - 20.000	20.001 - 50.000	50.001 - 100.000	OVER 100.000	T o t a l	
each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	C @ P each	Communes	Proclamations
45	36 @ 10 = 360	3 @ 30 = 90	1 @ 50 = 50	1 @ 100 = 100	1 @ 200 = 200	-Nil-	91	1.045
95	59 @ 10 = 590	5 @ 30 = 150	2 @ 50 = 100	1 @ 100 = 100	1 @ 200 = 200	-Nil-	127	1.435
40	32 @ 10 = 320	8 @ 30 = 240	1 @ 50 = 50	1 @ 100 = 100	-Nil-	-Nil-	89	840
20	64 @ 10 = 640	32 @ 30 = 930	7 @ 50 = 350	-Nil-	-Nil-	1 @ 400 = 400	105	2.330
10	27 @ 10 = 270	10 @ 30 = 300	8 @ 50 = 400	2 @ 100 = 200	-Nil	-Nil-	49	1.180
15	41 @ 10 = 410	35 @ 30 = 1050	9 @ 50 = 450	1 @ 100 = 100	1 @ 200 = 200	-Nil-	90	2.225
	13 @ 10 = 130	17 @ 30 = 510	8 @ 50 = 400	4 @ 100 = 400	-Nil-	1 @ 400 = 400	49	1.840
55	48 @ 10 = 480	23 @ 30 = 690	4 @ 50 = 200	1 @ 100 = 100	-Nil-	1 @ 400 = 400	93	2.075
05	67 @ 10 = 670	23 @ 30 = 690	4 @ 50 = 200	3 @ 100 = 300	1 @ 200 = 200	-Nil-	119	2.165
	386	260	44	14	4	9	736	
375	3.860	4.800	2.200	1.400	800	1.200		15.135

1969

Declassified E.O. 12356 Section 3.3/NND No. 785016

H402/5

58A

19 DECEMBER 45 12.30

ALCOM CITE AC CIVIL AFFAIRS SECTION

REGIONAL COMMISSIONERS AMG LOMBARDIA REGION, AMG PIEMONTE REGION, AMG LIGURIA REGION, AMG VENEZIE REGION.

9487

UNCLASSIFIED

PARA ONE FD INSTRUCTIONS IN ENGLISH AND ITALIAN LANGUAGE TO PREFECTS AND SINDACI GIVING CONDITIONS OF HANDOVER TOGETHER WITH ADVANCE COPY OF PROCLAMATIONS ARE BEING DESPATCHED FROM THIS HEADQUARTERS TWO ONE DECEMBER FOUR FIVE FD

PAREN TO FOR ACTION REGIONAL COMMISSIONERS AMG LOMBARDIA REGION COMMA AMG PIEMONTE REGION COMMA AMG LIGURIA REGION AND AMG VENEZIE REGION FROM ALCOM CITE AC CIVIL AFFAIRS SECTION PAREN

PARA TWO FD PLEASE ARRANGE TO HAVE SKELETON STAFF AT CALL OVER HOLIDAY PERIOD TO ENSURE EARLIEST POSSIBLE ISSUE THESE DOCUMENTS TO PREFECTS AND ONWARD TRANSMISSION TO SINDACI FD

INTERNAL DISTRIBUTION

EXECUTIVE COMMISSIONER (2)

LEGAL S/C

PRIORITY

C.A. SECTION

2XXXX 525



1970

Declassified E.O. 12356 Section 3.3/NND No. 785016

L-102/5.

(49A)

CC 2603

18 December 1945

MEMORANDUM:

TO : Executive Commissioner,
VP, Civil Affairs Section.
Chief Legal Adviser

1. At his special conference yesterday, SACMED set December 31st as the definite date on which the handback of the Northern provinces and Fortress Islands would take place. The time will be 2400 hours.

2. The press announcement to this effect will be made at 6 P.M. today.

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Courts
CIO
Italian Section
CLERKS
18 DEC 1945

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

95

Declassified E.O. 12356 Section 3.3/NND No. 785016

NOW, THEREFORE, I, WILLIAM D. MORGAN, K.C.B., D.S.O., M.C., Lieutenant-General, Supreme Allied Commander, Mediterranean Theatre and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory restored The whole of Italian Metropolitan territory at present under Allied Military Government including the Communes of Naples, Livorno, Colle Salvetti and Pisa, and the Islands of Lampedusa, Linosa and Pantelleria, but excluding Venezia Giulia and the Province of Udine.

The restoration of the abovementioned territory is without prejudice to any rectifications of the Italian frontiers which may be subsequently agreed upon and subject to the following conditions :-

(i) Italian Armed Forces other than Carabinieri shall not be stationed within fifteen miles (twenty four kilometres) of the Franco-Italian frontier;

(ii) The Islands of Lampedusa, Linosa and Pantelleria shall be demilitarised, and the United Nations shall have the right at any time to inspect the said Islands to ensure that they remain demilitarised.

DRAFT

L. 41025

C 8A

SECRET.

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10 May 1945, on the 19th June 1945 and on the 4th August 1945,

certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the and

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

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

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

NOW, THEREFORE, I, 33

Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising

Terms of Restoration: Without prejudice to any rights,

Declassified E.O. 12356 Section 3.3/NND No. 788046

the 30th July 1944, on the 19th August 1944, on the 9th October 1944, on the 10 May 1945, on the 19th June 1945 and on the 4th August 1945,

certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the and

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

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

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

93

NOW, THEREFORE, I,

Supreme Allied Commander, Mediterranean Theater and Military Governor, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored: That portion of Italy comprising

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

Declassified E.O. 12356 Section 3.3/NND No. 785046

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

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

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

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

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

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

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785016

of the Unoccupied Territory as they may see fit.

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

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785016

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

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

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

Lieut-General
~~Field Marshal~~,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

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

I also agree that the said restoration shall take place on the

91

Witness:

Declassified E.O. 12356 Section 3.3/NND No. 785046

such form and manner as to be applicable to the additional territory now being restored.

Lieut-General
~~Field Marshal~~,
Supreme Allied Commander, Mediterranean
Theater and Military Governor.

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

I also agree that the said restoration shall take place on the

91

Witness:

Witness:

Declassified E.O. 12356 Section 3.3/NND No. 785016

Declassified E.O. 12356 Section 3.3/NND No. 785016

13 DEC 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

13 DIC. 1945

Ref: 2605/459/EC.

13 December 1945.

SUBJECT: Transfer of Territory.

TO : Civil Affairs Section.

1. Reference FAN 634.

2. When preparing the transfer documents which you are now undertaking, will you please bear in mind the instructions contained in Major General Ward's DO letter of 11 December addressed to the Chief Commissioner.

Temporary Lt. Colonel
Chief Staff Officer,
To Executive Commissioner.

	ALLIED COMMISSION
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
13 DEC 1945	

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ALLIED COMMISSION HEADQUARTERS 648

19791

Declassified E.O. 12356 Section 3.3/NND No. 785016

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13DEC 1944

C.A. Sec 46A

EX 56064

DEC 111917A

13DIC 1944

G/5458

DEC 130900A

URGENT

AFHQ, SIGNED EACHAM CITE FX606

ACTION: AGWAR WASHINGTON FOR COMBINED CHIEFS OF STAFF AND CABINET OFFICES FOR BRITISH CHIEFS OF STAFF
INFO: ALCOM ROME

SECRET.

This is NAF 1093 Reference FAN 694 and NAF 1096.

Para 1. The immediate handback of theNorthern Provinces raises the question of whether the rights of the Italian Government in theFranco-Italian frontier Zone are to be in any way restricted.

Para 2. It is clear that unless we do restrict the employment of Italian troops in this zone pending the outcome of diplomatic negotiations between the United States, United Kingdom and French Governments we risk provoking the French into precipitate action.

Para 3. Logically the Italian Government when responsible for theadministration of the Provinces of Piedmonte and Liguria should be permitted to station such troops as they consider necessary anywhere in these provinces. I am reluctant to attach further formal conditions to the hand over of territory, but I feel that the present restriction on the employment of Italian troops in the frontier zone (NAF 1096 refers) should be maintained until the question is settled with the French Government.

Para 4. I therefore propose at the time of hand over to obtain an undertaking by the Italian Government not to station troops other than Carabinieri anywhere wit in 15 miles of the Franco-Italian border. This undertaking will be given no publicity. The Italian Prime Minister will be informed now that some such condition may be imposed.

Para 5. I estimate that the hand over of the Northern Provinces will be effected about 31 December. Urge that the question of restrictions in the Franco-Italian Frontier Zone be settled with the French Government by that date.

AG DISTRIBUTION
INFO ACTION: EXEC COMMISSIONER (2)
INFO: CHIEF COMMISSIONER
PAO, AD (A)
POLAD (B)
C A SECTION
LAND FORCES S/C
FILE (SKELETON)

ALLIED COMMISSION 1879 HEADQUARTERS

M/O NOTE: Distribution delayed on instructions of Office, Exec. Commissioner.

Declassified E.O. 12356 Section 3.3/NND No. 785016

COPY

SECRET

45A

From:- Major-General A. D. Ward

TOP SECRET & PERSONAL

ALLIED FORCE HEADQUARTERS
Office of the Chief of Staff

11 December 1945.

DO.Italy

My dear Admiral.

1. I am sorry for the check in the proceedings that we had this afternoon but the Supreme Allied Commander wished to consider two signals which were received just after lunch before going ahead with the communication to the Italian Government of the terms of FAN 634.

2. Your instructions for making this communication, which will be confirmed in the minutes of to-day's SACMED Meeting, are:-

a. You will inform the Italian Government that the territories mentioned in FAN 634 will be handed back to Italian Government control about 31 December.

b. When communicating the above information to the Italian Prime Minister you should notify him informally that:-

i) When the transfer documents come to be signed, a condition that Italian troops, other than Carabinieri, should not be stationed within fifteen miles of the Franco-Italian frontier may be imposed.

ii) It will probably be necessary to make a public announcement that the hand-over will be without prejudice to any rectifications of the Italian frontiers which may subsequently be agreed upon.

86

c. You will ensure that the agencies under your control at present give no publicity to the exclusion of Italian troops from the Franco-Italian frontier zone or to the possible rectification of the Italian frontiers.

3. You should make no specific reference to the "full consideration

1931

Declassified E.O. 12356 Section 3.3/NND No. 785016

TOP SECRET & PERSONAL

of Italian rights" mentioned in para 3 (b) of FAN 634. Future action over the Italian frontier provinces is adequately covered within the terms of my para 2 b ii.

4. The Supreme Allied Commander would prefer that no publicity be given to the information that the northern provinces are to be handed back to the Italian Government until the morning of 13 December.

5. At the same time as you are giving the information to the Italian Prime Minister I shall be informing the Chief of the French Liaison Mission to A.F.H.Q. that:-

a Pending the outcome of diplomatic negotiations between the U.S., U.K. and French Governments, the hand-back of territory will not affect the existing restrictions on the employment of Italian troops, other than Carabinieri, in the frontier zone.

b The handover will be without prejudice to any rectifications of the Italian frontier which may subsequently be agreed upon.

c In order to avoid embarrassing the Italian Government, the Supreme Allied Commander wishes that no publicity should at present be given to the conditions set out in paras a and b above.

6. I hope you had a comfortable flight back to Rome.

Yours sincerely,

/S/ H. D. Ward

Rear Admiral Ellery W. Stone,
Chief Commissioner,
Allied Commission,
ROME.

87

Copy sent by Chief Commissioner to:

US Ambassador
UK Ambassador
Exec Comar
Legal S/C ✓
CA Section

1982

Declassified E.O. 12356 Section 3.3/NND No. 785016

1 DEC 194

FAN 634

11 DIC 1943

AFHQ marked SECRET GEN FWD

ACTION: ALCOM ROME 13 CORPS

Info.

The following message has been received from the Combined Chiefs of Staff as FAN 634. Further instructions from AFHQ will follow.

Para 1. All areas in Italy, including the Province of Bolzano and the Communes of Calle Selvetti, Livorno, Naples and Pisa, and the fortress islands of Lampedusa, Linosa, and Pantelleria, but excepting Udine Province and that portion of Venezia Giulia west of the Morgan Line, will be returned to Italian administration as soon as possible and in any case no longer than 21 days after receipt of this directive(reference your radios NAF 1069, NAF 1071, NAF 1073, NAF 1092, and NAF 965).

Para 2. Simultaneously, in respect of any territories which may be retained under AMG, all command functions of AFCOM and AAC will be performed by 13 Corps, reporting directly to AFHQ. Military personnel detached from duty with AFCOM will not be utilized as AFHQ liaison to AFCOM.

Para 3. At time of hand over you should inform Italian Government and make public announcement to include statements that:

(A) Udine is retained solely for military reasons and not because it is considered a disputed area.

(B) Return of Bolzano is without prejudice to final disposal of province under peace treaty at which Italian rights will receive full consideration.

Para 4. As regards Lampedusa, Linosa, and Pantelleria, handback of these provinces should be made at the same time, subject to your obtaining agreement of Italian Government to:

(A) Their demilitarization.

(B) Your retaining right of inspection to insure that demilitarization is maintained. You should provide, if you think it necessary, for Allied officers to be stationed there, as in other parts of Italy administered by Italian Government, to ensure that Allied Military interests are safeguarded.

Para 5. You are completely relieved of Italian supply responsibility except for Venezia Giulia, and Province of Udine. Supplies will be the concern of the civilian departments of the United States and United Kingdom Governments of the Italian Government program. Pending further instruction, you should, as President of the Allied Commission, continue to advise and assist the Italian Government in the preparation of program of supplies for the areas covered by its program and, when such programs have been established by the Italian Government review and transmit them with appropriate comments and recommendations to the Combined Chiefs of Affairs Committee which will transmit them to the Combined Liberated Areas Committee for action by the appropriate civilian agencies of the United States and British Governments.

Continued

1983

Declassified E.O. 12356 Section 3.3/NND No. 785016

0/5329

You may also circumstance to the Italian Government in connection with the preparation of bids for transportation for the supplies when received in Italy. In addition, as Military Commander, you will have the right to communicate with the United States and United Kingdom Governments on supply matters affecting the security or employment of your troops.

Para 6. Your channel of communication to the United States and United Kingdom Governments, both with respect to Allied Force Headquarters and Allied Commission matters will continue through theCombined Chiefs of Staff and the Combined Civil Affairs Committee in appropriate cable series. It is contemplated that necessary Italian civil supply arrangements will be handled between Allied Commission and Combined Liberated Areas admitted and use of CCS-AOC cable series has been authorized for thispurpose. However, you may submit any matters you deemappropriate to theCombined Chiefs of Staff or Combined Civil Affairs Committee throughexisting channels. Combined Chiefs of Staff or Combined Civil Affairs Committee will, where appropriate, communicate with responsible civilian agencies of theUnited States and United Kingdom Governments. unquote

DISTRIBUTION

ACTION: EXECUTIVE CORRESPONDENCE (2)

INFO: CHIEF CORRESPONDENCE
POLAD (A)
POLAD (B)
C A SECTION (FOR CLA)
ECON SECTION
FILE

85

1984

Declassified E.O. 12356 Section 3.3/NND No. 785016

4182/5

43A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4062/L. FS/rm.

4 December 1945.

SUBJECT : Sentences of Allied Military Courts.

TO : The Minister of Pardon and Justice.

In connection with the eventual restoration of the Military Government territory to the Italian Government this Sub-Commission wishes to point out that all sentences rendered or to be rendered by Allied Military Courts in Italy will remain within the exclusive control of Allied authorities as provided by Art. 2 of RDL 11 February 1944 No. 31 and Art. 2 of DLL 20 July 1944 No. 162. It is not proposed to modify the present procedure for revision of such sentences or for adjudication of petitions for pardon and conditional liberty in respect of such sentences agreed with your Ministry in Salerno (vide circular of Dir. Gen. Aff. Pen. Prot. No. 26013 of 24 April 1944) and confirmed in Rome (Letter Uff. Collag. 7154/288, 3 Oct. 1944 of 3 Oct. 1944).

C.O. BANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

Copy to.: Executive Commissioner
for information.

1985

Declassified E.O. 12356 Section 3.3/NND No. 785016

1 DEC 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

USA

Secret

AG 10 2/5

30 NOV 1945

EXTRACT FROM MINUTES OF SACMED'S CONFERENCE
(9th Meeting) held at AFHQ on 22 November 1945

MINUTE No.4.

"4. HANDBACK OF NORTHERN ITALIAN PROVINCES TO THE ITALIAN GOVERNMENT.

(previous reference SAC (45) 8th Meeting - Minute 4).

MAJOR GENERAL WARD said that he understood that the State Department had now reversed their position and were prepared to agree to the return of BOLZANO Province to Italian government administration. Before he had received this information he had intended to propose that a further signal on the subject should be sent to the Combined Chiefs of Staff. However, he did not know think this would be desirable, as it looked as though instructions on the subject might be received very shortly.

BRIGADIER LUSH, in reply to a question by the Supreme Allied Commander, said that although the machinery for effecting the handover was fully prepared, a delay of ten days, from the receipt of the decision, would be required before it could be implemented.

BRIGADIER GENERAL HAMBLEN, in reply to a question by the Deputy Supreme Allied C$ommander, said that the Combined Chiefs of Staff had already agreed to the return to Italian control of the communes of NAPLES, LIVORNO and PISA at the same time as the northern provinces. In addition a recommendation had also been made to them that the islands of LAMPEDUSA, PANTELLERIA and LINOSA should also be handed back. If the Supreme Allied Commander's recommendations were agreed, therefore, only UDINE and VENEZIA GIULIA would remain under Allied Military Government:

THE SUPREME ALLIED COMMANDER:

Directed that no further signal should for the present be despatched to the Combined Chiefs of Staff on the subject of the handover of the northern provinces. "

Ex.Com's Distb: 29 Nov.

Copy to: File 2806/EC.
CA SECTION.

ALLIED COMMISSION 6192 HEADQUARTERS

1986

Declassified E.O. 12356 Section 3.3/NND No. 785016

402/5

41A

RECEIPT FOR SECRET DOCUMENTS

19 November 1945

Received from Legal Sub-Commission Transfer of Territory to Italian Government docs. of 19 June 1945, 10 May 1945, and 4 August 1945. (Two restorations).

S-S D. DePalma
C/C

82

1987

Declassified E.O. 12356 Section 3.3/NND No. 785016

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

FILE.

40A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5L. /es

14 November 1945

SUBJECT : Handover of Territory to the Italian Government.

TO : A.F.H.Q. G-5 Section
(Attn: Lt. Col. Seugrave).

1. As requested herewith enclosed two sets of the documents in the last four restorations.

2. Also enclosed are mimeographed copies in blank of the documents so that should you desire to make further copies of any particular restoration the mimeographed forms can be quickly adopted.

For the Chief Commissioner

G.G. HAMILFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

81

1988

Declassified E.O. 12356 Section 3.3/NND No. 785016

39A

COPY

The following is a joint statement by the President of the United States, the Prime Minister of Great Britain, and the Prime Minister of the Union of Soviet Socialist Republics, re declaration of war by Italy against Germany:

The Governments of Great Britain, the United States and the Soviet Union acknowledge the position of the Royal Italian Government as stated by Marshal Badoglio and accept the active cooperation of the Italian nation and armed forces as a co-belligerent in the war against Germany. The military events since September eighth and the brutal maltreatment by the Germans of the Italian population, culminating in the Italian declaration of war against Germany have in fact made Italy a co-belligerent and the American, British and Soviet Governments will continue to work with the Italian Government on that basis. The three Governments acknowledge the Italian Government's pledge to submit to the will of the Italian people after the Germans have been driven from Italy, and it is understood that nothing can detract from the absolute and untrammelled right of the people of Italy by constitutional means to decide on the democratic form of government they will eventually have.

The relationship of co-belligerency between the Governments of Italy and the United Nations Governments cannot of itself affect the terms recently signed, which retain their full force and can only be adjusted by agreement between the Allied Governments in the light of the assistance which the Italian Government may be able to afford to the United Nations' cause.

-81-

Declassified E.O. 12356 Section 3.3/NND No. 785016

Regd 4625

RESTRICTED

CAS 38A 8/1952

F 56144
Oct 25/1943

25 OCT 1943

Oct 251000
ROUTINE

AFHQ SHARED SIGNAL OUTGOING

ALCOM PRIORITY

RESTRICTED. Rome 7538.

Para of 15 November only referred to contemplated setting up of Italian wire control and not to surrender of border provinces.

HEADQUARTERS
25 OCT 1943
A.F. C.

DISTRIBUTION:
Action: WD Gens 2
Info: Chief Commissioner
CA Sec
Room Sec 2
Mil 2
Secret

	G-2	
	DCLO	
	Chief Counsel	
	CJO	
→	Italian	for info only
	C	

26 OCT 1943

RESTRICTED

5256

79

Declassified E.O. 12356 Section 3.3/NND No. 785016

L-
24 OCT 1945

410/15

37A

AFHQ FOR G-5

7588 23 Oct ROUTINE

23 OCT 1945

RESTRICTED FD F 14601 20 Oct.

IN YOUR TELEGRAM FOX FOUR NINE SIX ZERO ONE OF TWO ZERO OCTOBER YOU CONTEMPLATE FURTHER DELAY IN TURN OVER OF NORTHERN REGIONS FD IN YOUR TELEGRAM F 14632 20 Oct FOX FOUR NINE FOUR THREE TWO OF SAME DATE YOU CONTEMPLATE THAT ALLIED MILITARY GOVERNMENT WILL CEASE TO FUNCTION IN BORDER PROVINCES ON NOVEMBER 15 ONE FIVE FD

PAREN TO AFHQ FOR GEORGE DATE FIVE SECTION FROM HQ ALCOM CITE ACEXC SIGNED STONE PAREN

AM I TO TAKE THIS DATE AS DATE OF TURNOVER AND TO SET MACHINERY FOR TURNOVER IN ACTION

For info { CAO DCO Chief [illegible] CA Italy [illegible] C

Copy to: CA Sec
Econ Sec

Executive Commissioner

343
M. G. Scott

Brigadier
Executive Commissioner

Declassified E.O. 12356 Section 3.3/NND No. 785016

3 OCT 1945

36A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 387.4-2

1 October 45.

SUBJECT: Handover of AMG Territory.

TO : Headquarters, Allied Commission,
APO 394.

This is to confirm ~~that~~ our cable to you reference F 46670 of 30 September informing you that all recommended handbacks are under urgent consideration on a governmental level but no final decision has been reached.

F.C.A. PARSONS
Brigadier, G.S.
Deputy Asst. Chief of Staff, G-5.

ALLIED COMMISSION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CLERKS
3 OCT 1945

77

ALLIED COMMISSION
4461

Declassified E.O. 12356 Section 3.3/NND No. 785016

1992

C-A-S

10 Oct 1945

INCOMING MESSAGE

35A

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F 46670
Date/Time of Origin: SEPT 30/1820A
1 - OCT 1945

Message Centre No: F/9592
Date Time Rec'd: SEPTEMBER 1/0930A
Precedence: ROUTINE

FROM : AFHQ SIGNED SACMED CITE FWD
TO : ALCOM ROME

SECRET

SECRET.

Reference our NAF 1069 and NAF 1071 repeated to you. Informed by combined chiefs of staff that question of handover Italian territory under urgent consideration on governmental level

HEADQUARTERS
1 - OCT 1945

A C

REGIONAL COMMISSION
CLO
DCLO
Chief Courier
CLO
Legal Section
C Records

DIST
ACTION : CA SEC
INFO : CHIEF COMMISSIONER
EX COMMISSIONER (2)
POLAD (A)
POLAD (B)
ECON SEC
LAND FORCES
FILE

A
IA

E/C NOTE:

No trace of NAF 1071

ACTION

SECRET

4365

1993

Declassified E.O. 12356 Section 3.3/NND No. 785016

34A

CIVIL AFFAIRS SECTION

HEAD

Tel. Ext. 525

21 Sep 45.

TO: Chief Legal Adviser.

1 I discussed the attached paper with Col. [redacted] before he left.

2 The feeling in higher circles here is that we should try and hand-over Northern Italy to the Italian Government on September 30th no matter what date we get the all-clear from AFHQ.

It is essential, therefore, that we should have everything ready.

3 I suggest, therefore, that except for blanks which cannot be filled in, we should have a complete draft of letter (a) prepared in English and Italian.

4 As regards (b) we should have this prepared except for blanks in English and Italian and submit it to F.R.C.

In this connection it was mentioned at the Executive Commissioner's Meeting this morning that in some press release we should give reasons as to why UNRRA was not being handed back to the Italian Government and for this purpose the words used in the AFHQ Telegram should be adopted.

5 As regards (c), when we submit the draft press release to F.R.C., we can raise the question of the broadcast.

6 Local Government Sub-Commission are concerned in this matter and will discuss it at my Conference at 1600 hrs this afternoon, but in view of the short notice we may get we should go straight ahead with completing the draft and translations into Italian.

75

M.

M. CARR, Brig.,
VI CA Section.

Declassified E.O. 12356 Section 3.3/NND No. 785016

20 SET 1945

3 4A

20 SET 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5/L. /rlp.
19 September 1945.

SUBJECT : Plan for quick hand-over.

TO : VP, CA Sec.

1. There will be required:

   a. Letter to Prefects and Sindaci
   b. Notice in press
   c. Statement on radio

2. As to a. I suggest the following:-

   To ~~All~~ 16 Prefects and Sindaci within the Province of

   1. NOTICE is hereby given that Allied Military Government will terminate within each and every Province mentioned above at hours on 1945. The Italian Government will resume administration of these provinces at the same hour.

   2. In order to give effect to this transfer, Field Marshall Sir H.L.G. Alexander, GSB, CSI, DSO, MC, Military Governor has issued the following proclamation, which is in course of printing and will be published as soon as possible:-

   3. In order to make clear the terms upon which the Italian Government has resumed the administration of these provinces, Prof. Ferruccio Parri, President of the Council of Ministers has issued the following proclamation which is in course of printing and will be published as soon as possible:-

   4. In order to avoid any possibility of misunderstanding of this position persons who have been nominated to appointments by AMG, the Italian Government has passed the following decree:-

   5. You will ensure that the contents of this notice are brought to the attention of all persons within your province or commune who are in any way responsible for or connected with the administration thereof.

FOR AND ON BEHALF OF SAC AND MG:

E. W. S.
C.C.A.O.

ALLIED COMMN CA SECTION 391

Declassified E.O. 12356 Section 3.3/NND No. 785016

Change to the Para

343

3. As to b.,

The information should be published in the local presses. It does not matter how much or how little appears in Rome. RCs and PCs should be instructed to arrange for the appearance in all local papers of a statement substantially as follows:-

/ "AMG in the Provinces of will end ended at

The effect of the end of military government is that all Proclamations and Orders issued by ~~AMG~~ or under the authority of the Supreme Allied Commander in AMG territory cease to have effect and that, subject to the powers, rights and immunities of the United Nations, the SAC and the Allied Commission, the Italian Government will be fully responsible for the administration of the territory.

The Italian Government has officially recognized all Proclamations and Orders formerly issued by AMG in these provinces as having been validly made and as having the same legal effect as if they had been issued by the Italian Government according to Italian law, and has further recognized as legal and valid all acts done by members of the Allied Forces in pursuance or in application of these Proclamations and Orders, including the appointments, and removals of public officials. All persons appointed to public offices by AMG will continue in office as temporary appointees, unless or until they are replaced by the Italian Government. The terms of the appointments are set out in decree DLL No.† All sentences imposed by AMG Courts continuein effect as if they had been imposed by Italian Courts. They can only be modified by or with the consent of AC.

4. As to c.,

PRO could agree the wording, substantially on the lines of b.

Leave as shown.

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

73

Leave AMG Proclamations in force Military excluded

† This decree has been passed and will be published this week.

The date and number can be filled in when known.

402/5

340

DISPATCHES TO THE PRESS

AMG in the Provinces of

will end at

The effect of the end of military government is that all Proclamations and Orders issued by or under the authority of the Supreme Allied Commander in AMG territory cease to have effect and that, subject to the powers, rights and immunities of the United Nations the SAC and the Allied Commission, the Italian Government will be fully responsible for the administration of the territory.

The Italian Government has officially recognized all Proclamations and Orders formerly issued by AMG in these provinces as having been validly made and as having the same legal effect as if they had been issued by the Italian government according to Italian law, and has further recognized as legal and valid all acts done by members of the Allied Forces in pursuance or in application of these Proclamations and Orders, including the appointments, and removals of public officials. All persons appointed to public offices by AMG will continue in office as temporary appointees, unless or until they are replaced by the Italian Government. The terms of the appointments are set out in decree [illegible] No. All sentences imposed by AMG Courts continue in effect as if they had been imposed by Italian Courts. They can only be modified by or with the consent of AC.

Declassified E.O. 12356 Section 3.3/NND No. 788016

DRAFT

Il Governo Militare Alleato nella Provincia di ..... avrà termine il .....

La fine del Governo Militare Alleato importa che cessano dall'avere effetto tutti i Proclami e le Ordinanze emanate da o in nome del Comandante Supremo Alleato nel territorio soggetto al Governo ~~Militare~~ Militare Alleato e che il Governo Italiano sarà pienamente responsabile dell'amministrazione di detto territorio, fatti salvi i poteri, diritti e immunità delle Nazioni Unite, del Comando Supremo Alleato e della Commissione Alleata.

Il Governo Italiano ha ufficialmente riconosciuto che tutti i Proclami e le Ordinanze precedentemente emanate dal Governo Militare Alleato in codeste Provincie sono stati validamente emanati ed hanno la stessa efficacia come se fossero stati emanati dal Governo Italiano in conformità alla legge Italiana, ed ha inoltre riconosciuto legali e validi tutti gli atti compiuti dai ~~membri~~componenti delle Forze Alleate in conformità od in applicazione di detti Proclami od Ordinanze ivi compresi le nomine e le rimozioni di pubblici funzionari.

Tutte le persone nominate a pubblici uffici dal Governo Militare Alleato rimarranno in carica a titolo temporaneo a meno che o fino a quando vengano sostituiti dal Governo Italiano. Le condizioni per le nomine sono quelle stabilite dal DLL No. .....

Tutte le sentenze pronunciate dai Tribunali del Governo Militare Alleato mantengono la loro efficacia così come se fossero state pronunciate dalle autorità giudiziarie Italia-

Declassified E.O. 12356 Section 3.3/NND No. 785016

cessano dall'avere effetto tutti i Proclami e le Ordinanze emanate da o in nome del Comandante Supremo Alleato nel territorio soggetto al Governo Militare Alleato e che il Governo Italiano sarà pienamente responsabile dell'amministrazione di detto territorio, fatti salvi i poteri, diritti e immunità delle Nazioni Unite, del Comando Supremo Alleato e della Commissione Alleata.

Il Governo Italiano ha ufficialmente riconosciuto che tutti i Proclami e le Ordinanze precedentemente emanate dal Governo Militare Alleato in codeste Provincie sono stati validamente emanati ed hanno la stessa efficacia come se fossero stati emanati dal Governo Italiano in conformità alla legge Italiana, ed ha inoltre riconosciuto legali e validi tutti gli atti compiuti dai componenti delle Forze Alleate in conformità od in applicazione di detti Proclami od Ordinanze ivi compresi le nomine e le rimozioni di pubblici funzionari.

Tutte le persone nominate a pubblici uffici dal Governo Militare Alleato rimarranno in carica a titolo temporaneo a meno che o fino a quando vengano sostituiti dal Governo Italiano. Le condizioni per le nomine sono quelle stabilite dal DLL No. .....

Tutte le sentenze pronunciate dai Tribunali del Governo Militare Alleato mantengono la loro efficacia così come se fossero state pronunciate dalle autorità giudiziarie Italiane, e possono essere modificate soltanto dalla Commissione Alleata o col consenso della stessa.

Declassified E.O. 12356 Section 3.3/NND No. 785046

314-D

To the Prefect and Sindaci within the Province of

1. NOTICE is hereby given that the Allied Military Government will terminate within each and every Province mentioned above at hours on 1945. The Italian Government will resume administration of these provinces at the same hour.

2. In order to give effect to this transfer, Field Marshal Sir H.L.G. Alexander, GSB, CSI, DSO, MC, Military Governor has issued Proclamation N°16(H) which is in due course of printing and will be published as soon as possible:-

3. In order to make clear the terms upon which the Italian Government has resumed the administration of these provinces, Prof. Ferruccio Parri, President of the Council of Ministers has issued the following proclamation which is in due course of printing and will be published as soon as possible:- 170

4. In order to avoid any possibility of misunderstanding of this position persons who have been nominated to appointments by AMG, the Italian Government has passed the following decree:- .....

5. You will ensure that the contents of this notice are brought to the attention of all persons within

Declassified E.O. 12356 Section 3.3/NND No. 785016

1945. The Italian Government will resume administration of these provinces at the same hour.

2. In order to give effect to this transfer, Field Marshal Sir H.L.G. Alexander, GSB, CSI, DSO, MC, Military Governor has issued Proclamation No16(H) which is in due course of printing and will be published as soon as possible:-

3. In order to make clear the terms upon which the Italian Government has resumed the administration of these provinces, Prof. Ferruccio Parri, President of the Council of Ministers has issued the following proclamation which is in due course of printing and will be published as soon as possible:- 170

4. In order to avoid any possibility of misunderstanding of this position persons who have been nominated to appointments by AmG, the Italian Government has passed the following decree:- .....

5. You will ensure that the contents of this notice are brought to the attention of all persons within your province or commune who are in any way responsible for or connected with the administration thereof.

FOR THE SUPREME ALLIED COMMANDER AND MILITARY GOVERNOR

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

Declassified E.O. 12356 Section 3.3/NND No. 785046

Al Prefetto ed ai Sindaci delle Provincie di

1. Con la presente si informa che il Governo Militare Alleato cessera' in ciascuna delle summenzionate Provincie alle ore del 1945. Il Governo Italiano riassumera' alla stessa ora l'amministrazione delle dette provincie.

2. Per effettuare detto trasferimento il Maresciallo Sir H.L.G. Alexander G.C.B., C.M.G., D.S.O., M.C., Governatore Militare, ha emanato l'unito Proclama che e' in corso di stampa e sara' pubblicato il piu' presto possibile.

3. Per chiarire i termini della rimessazione della amministrazione di dette provincie da parte del governo Italiano il Prof Ferruccio Parri, Presidente del Consiglio dei Ministri ha emanato l'unito Proclama che e' in corso di stampa e che sara' pubblicato il piu' presto possibile.

4. Al fine di evitare ogni possibile malinteso circa la posizione delle persone di cospicuo ufficio o seguito di nomina del Governo Militare Alleato, il Governo Italiana ha emanato l'unito decreto.

5. La S.V. vorra' assicurarsi che il contenuto della presente sia portato a conoscenza di tutti coloro che nell'ambito delle provincie o del comune siano comunque responsabili della relativa amministrazione o siano in qualche collegamento con la stessa.

DI NOME E PER CONTO DEL COMANDANTE SUPREMO ALLEATO E GOVERNATORE MILITARE:

E. W. S.

C. G. A. C.

Declassified E.O. 12356 Section 3.3/NND No. 785046

2002

Declassified E.O. 12356 Section 3.3/NND No. 785016

4102 S/ 33A

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 42799
Date/Time of Origin: SEP 121357B 13 SEP 1945

Message Centre No: F/7486
Date Time Rec'd: SEP 131115
Precedence: ROUTINE

FROM AFHQ SIGNED SACMED CITE FHGEG

TO : PENBASE PENSOUTH INFO ALCOM ROME IDISTWO DISTHREE

SECRET

SECRET.

ALCOM has been instructed to proceed with handover of following Communes to Italian jurisdiction NAPLES LIVORNO PISA and COLLE SALVETTI. Proposed date for transfer will be notified later.

DIST

INFOACTION CA SEC
INFO CHIEF COMMISSIONER
EX COMMISSIONER 2
POLAD A
POLAD B
FILE

69

3683

INFO - ACTION

HQ ALLIED COMMISSION	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	
13 SEP 1945	

Discussed by Lt Col White & Lt Col Hammond 13.9.45 M Ward

SECRET

HEADQUARTERS 13 SEP 1945 A.F.H.Q.

2003

Declassified E.O. 12356 Section 3.3/NND No. 785016

12 SEP 1945

SECRET

F 42514
SEPT 11/1440Z

12 SEPT 1945

AIG SECRET SACHED CITE FWDD
ALCOM ROME

INFO

SECRET.

Your 4089.

Approval given to hand over territory as in MAT 905 repeated to you.

Policy Advisory Council and report result together with proposed date

for transfer

FLEX

ACTION : [illegible]

INFO : CHIEF OF STAFF
G.A. SEC
FILE (2)
FLOAT

SECRET

HEADQUARTERS
10 SEP 1945

2004

Declassified E.O. 12356 Section 3.3/NND No. 785016

12 SEP 1945

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

DIA G-2 CAS

Originator's Reference: FX 42513

Date/Time of Origin: SEPT 11/1616B 12 SEP 1945

Message Centre No: F/7367

Date Time Rec'd: SEPT 12/0900B

Precedence: PRIORITY

FROM AFHQ SIGNED ALEXANDER CITE FUGEC

TO : ACTION: ALL MAT ADDRESSEES INFO: ALCOM

SECRET

SECRET.

INFO - ACTION

This is MAT 905.

Handover of following communes to Italian jurisdiction has again been under consideration: NAPLES, LIVORNO, PISA and COLLE SALVETTI. Further continuation of Allied Military government in these areas believed to be unnecessary. ALLIED COMMISSION is therefore being instructed to proceed with handover and to inform Advisory Council for ITALY in advance

67

DIST

INFO-ACTION : CA SEC

INFO : CHIEF COMMISSIONER
EX COMMISSIONER (2)
ECOI SEC (2)
FINANCE SC
FILE

3624

SECRET

17 SEP 1945
HEADQUARTERS

2005

Declassified E.O. 12356 Section 3.3/NND No. 785016

30A

HEADQUARTERS ALLIED COMMISSION
A.F.O. 394.
LEGAL SUB-COMMISSION

AC/A.102/5/1. /rlp.
31 August 1945.

SUBJECT : Handover of territory - proclamations.

TO : VP CA Sec.

1. Two proclamations are normally issued at the end of AMG:-

a. the Allied proclamation ending AMG
b. the Italian Government Proclamation taking over the territory.

2. So far as a. is concerned, there is no legal requirement that orders of a military government should be issued by proclamation (see e.g. HMG, Andt 12, para 347): still less that such Proclamation should be issued in any specific form.

3. It is however essential, in my opinion, that the end of AMG should be brought clearly to the notice of all local authorities concerned. This could be done if necessary by:-

a. a radio broadcast
b. publication in all local papers and
c. letters addressed down to sindaci.

4. If this method is adopted I think that the press and letter publications should print complete texts of the (Italian versions of them) two proclamations. I further think that the printed proclamation should be posted as soon as possible.

66

5. So far as b. is concerned, I think it essential to ensure that real effective publicity is given to the terms of this document. It is this proclamation which regularises acts done by AMG, or provides for continuity of government. I think it essential for the preservation of good order and the avoidance of abuse that every responsible person should know the contents of this proclamation at the time of handover. It is desirable if possible to have the proclamation posted in time in the normal way, but this is not legally necessary provided that adequate publicity is given to it as in 3 supra. The actual proclamation could, in this case also, be posted later.

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

2006

Declassified E.O. 12356 Section 3.3/NND No. 785016

File 4102/5

29A

CIVIL AFFAIRS SECTION

INTER-OFFICE MEMO

TO: Director, Legal S/C. 29 Aug 45

1 At the Chief Commissioner's weekly meeting this morning it was pointed out that no reply had been received as regards the handing over of North Italy to the Italian Government. The CC said that should we receive a reply within the next day or so he would be in favour of not adhering to the 21 day period we suggested for going through the usual procedure but that we should try and get the matter through by September 15th.

2 I said that the 21 day period was required to get all the necessary documents signed, printed and delivered to a very large number of Communes. I said that all preliminary arrangements had been made and that possibly the matter could be put throughin less than 21 days but there was always the question of getting the documents right down to the most distant Communes.

3 The CC raised the point as to whether the matter would not be sufficiently covered if, after all the appropriate documents were signed, a telegraphic or letter notification was sent out to say that the change over would take place at a given time.

4 Please advise on this last point.

M.C.

65

M. CARR,
Brigadier,
VP CA Section.

DCLO
Chief Counsel

2/1/46

2007

Declassified E.O. 12356 Section 3.3/NND No. 785016

CA SEC 28A

CC 1007

28 August 1945

28 AUG 1945

Subject: Transfer to Italian Administration of Northwest Border Provinces

To: G-5, Allied Force Headquarters, APO 512

Enclosed for your information is copy of letter dated 24 August 1945 received from the American Ambassador transmitting the State Department's views in regard to the withdrawal of Allied Military Government from Northwest Italy.

/s/ L. W. S.

L. W. STEARNS
Major, AGD
SO to CC

1 Incl.

cc: Exec. Comm.
CA Section

Legal ✓ — C. L. A. to me

DECLASSIFIED

DCIO
Chief Counsel
CJO 64
Italian Section
CL RKS

30 AUG 1945

2008

Declassified E.O. 12356 Section 3.3/NND No. 785016

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

AMERICAN EMBASSY

Rome, August 24, 1945

Dear Admiral Stone,

On August 6 the French Embassy presented a note to the State Department referring to unofficial reports that it had received that North Italy would be restored to Italian administration on September 1. The French note stated that the withdrawal of Allied Military Government from northwest Italy was of direct interest to France; that Allied Military Government replacement by Italian administration should under no circumstances "infringe on Morgan-Carpentier agreements" or upon local "Doyen Truscott agreements relating to demilitarization of zone of fifteen miles east of frontier" and agreements relating to "pasture lands of Mont Cenis and Haute Maurienne"; and that the representative of France in Rome had received instructions to make similar representations to the Allied Commission and to the Advisory Council for Italy.

The views of the Department of State on this note, which I am happy to pass on to you, are that representations on this point should be addressed to the Allied Commission; that the agreements cited in the French note of August 6 make no commitment on the duration of Allied Military Government nor contain any obligation extending beyond the AMG period; that these agreements are purely military and that they relate only to the establishment of AMG and the withdrawal of French forces. In the view of my Government Italian territory on the northwest border should be returned to Italian jurisdiction on the same terms and at the same time as the rest of the northern provinces.

Sincerely yours,

s/ A.Kirk

Rear Admiral Ellery W. Stone,
Chief Commissioner,
Allied Commission,
Rome.

63

CC DIST:
Executive Commr.
Civil Affairs Section
G-5, AFHQ
CC Files

C O P Y

2987

2069

Declassified E.O. 12356 Section 3.3/NND No. 785016

Ex file.

SECRET 27A

Copy

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

5 Aug 45

Ref: AC/4102/5/L.

SUBJECT: Handover of Territory.

TO: AFHQ, G-5 Section.

1 The transfer to the Italian Government of the territory mentioned below, took place as of 2359 hours Saturday 4 Aug 45:

(a) Compartimento of EMILIA comprising the Provinces of BOLOGNA, FERRARA, FORLI, MODENA, PARMA, PIACENZA, RAVENNA, REGGIO EMILIA.

(b) The Provinces of APUANIA and LUCCA.

(c) The Commune of ANCONA.

2 I enclose herewith 4 copies of all documents for onward transmission to CCS. The territory mentioned in (a) and (b) above is covered by one set of documents and there is a separate set for the Commune of ANCONA.

FOR THE ALLIED COMMISSIONER:

C.R. STOKES, Brig.,
VF CA Section.

62

2223

2016

Declassified E.O. 12356 Section 3.3/NND No. 785016

17 4107/5

Legat. 26A

CD 34
AUG 031845

P/2347
AG 040845B
IMMEDIATE

DIATOME

ALCOM CITE AGCAS INFO DIATOME DISTHREE PENBASE

UNCLASSIFIED.

Ref your 3004 of 2 August. Provinces PIACENZA PARMA REGIO MODENA part of BOLOGNA APUANIA and LUCCA not in DIATOME. Agree restoration Provinces FERRARA FORLI and RAVENNA to Italian Govt. Do not agree Comune ANCONA and this already represented to AFHQ.

HEADQUARTERS
A AUG 1945
A. C.

DIST

ACTION CAS
INFO CHIEF COMMISSIONER
EX COMMISSIONER 2
LEGAL 3 C
FEIR 2
FLOAT

CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
A AUG 1945

61

Declassified E.O. 12356 Section 3.3/NND No. 785016

336

SECRET

388

410 4/5

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FCAP/TBJ/as

G-5: 387.4-2

2 August 1945

SUBJECT: Handback of Territory - Commune of Ancona. 2-AUG 1945

TO : Headquarters, Allied Commission, APO 394.
(Attn: Chief Commissioner).

Reference your AC/4102/5/L of 31 July the documents enclosed therewith are returned having been signed by the Supreme Allied Commander.

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

F. G. A. PARSONS
Colonel, G.S.

Incl:
Folder Tab C

Received the above mentioned original documents from Legal Sub-Commission.

L. N. Stuart
Maj. Gen.

60

4 Aug 45

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785016

235

4102/5

SECRET

AUG 1 RECD cc 1735

24A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FGAP/TBJ/thh

379

G-5 387.4-2

31 July 1945

SUBJECT: Handover of Territory to the Italian Government.

TO : Headquarters, Allied Commission,
(Attn: Chief Commissioner)
APO 394.

1. Reference is made to your AC/4102/5/6 of 26 July.

2. The documents ~~hereto~~ enclosed are returned herewith having been signed by the Supreme Allied Commander.

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

F. G. A. PARSONS,
Colonel, G.S.

Encl: Folder tabbed 'C'.

HEADQUARTERS
1 AUG 1945
ALLIED COMMISSION

Received the above mentioned original documents from Legal Sub-Commission.

R. M. Stuart
Major AGD

59

4 Aug 45

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785016

4102/5

23A

DISTONE INFO DISTWO, DIS THREE, FHBASE

3004 2 AUGUST 1945 ROUTINE

UNCLASSIFIED ED

PARA ONE ED CONFIRM RESTORATION TO ITALIAN GOVERNMENT CONTROL OF FOLLOWING TERRITORY AS OF TWENTY THREE FIFTY NINE HOURS FOUR AUGUST PAREN ABLE PAREN COMPARTIMENTO OF EMILIA WHICH INCLUDES PROVINCES OF PIACENZA CMA PARMA CMA REGGIO EMILIA CMA MODENA CMA BOLOGNA CMA FERRARA CMA FORLI AND RAVENNA ED

PAREN TO DISTONE INFO DISTWO CMA DIS THREE CMA FHBASE FROM ALSOM CITE ACCAS PAREN

PAREN BAKER PAREN PROVINCES OF APUANIA AND LUCCA ED

PAREN CHARLIE PAREN COMMUNE OF ANCONA

INT. DIST.

EX COM.
LEGAL S/C

58

CIVIL AFFAIRS SECTION

437
A.D. BORHAM-CARTER LT COL

NICHOLAS FIORENTINO
CWO, USA
Asst Adjutant

2014

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

9/6B/CA

SUBJECT: Handover of further territory. 30 Jul 45

TO: VP CA Section.

1. I attach a letter which has been sent forward from the Chief Legal Adviser in your absence and which I have held up pending the completion of the restoration of territory now in progress and until your return. I recommend that the following points be considered immediately:

2 (a) Are we to recommend the restoration of the whole of Italy (less Venezia Giulia) as of 31 August or are there to be other exceptions in our recommendation. I anticipate that there will be strong opposition once more to Naples and I think we can expect the same objections being raised about Livorno. In My view we should press for the whole country being restored to the Italian Government — subject to your views to the Executive Commissioner on the problems of Venezia Region.

2 (b) Whether the occasion of this restoration is the time to alter the hand-over agreement. - It seems to me that this must turn on the results of the Potsdam Conference about which we are unlikely to have any advance information. I submit that the hand-over itself should be on the same conditions as before and that if, as a result of the Potsdam Conference, there is a change in policy towards Italy a separate instrument should be drawn up altering whatever needs to be changed in a manner which is divorced entirely from any specific restoration. I consider that this may not be possible if an announcement from Potsdam is made before the end of August but I do not think that we can work on any other lines.

2 I have sent a copy of this letter to the Executive Commissioner and the Chief Legal Adviser in advance of your return.

57

A.S. Bonham-Carter

A.D. BONHAM-CARTER, Lt. Col.,
CSO Civil Affairs Section.

ALLIED COMMISSION
CLO
DCLO
Chief Counsel
Italian Section
CLERKS

Copy to: Executive Commissioner,
Chief Legal Adviser.

201-81

Declassified E.O. 12356 Section 3.3/NND No. 785016

COPY

SECRET

(228)

HEADQUARTERS ALLIED COMMISSION
APC 394
LEGAL SUB-COMMISSION

AC/4102/5/1. /rlp
24 July 1945

MEMORANDUM

SUBJECT: Handover of AMG Territory 31 August 1945.

TO: Executive Commissioner (THRU: VP CA Section)

1. It is understood that with the possible exception of one or two provinces, the whole of the territory under the jurisdiction of AMG on the 31 August 1945 will be handed back to the Italian Government on that date.

2. It appears to me to be a matter of urgent consideration to decide the form of the final handover agreement to take effect at this time.

3. The main problems appear to be:-

a. Is it intended to continue to stress the existence of the Armistice Terms?

In this connection it is believed that there may be some ground for thinking the Armistice Terms would be modified to some extent before that date.

b. Is it intended to maintain the same conditions for the benefit of the Allied armies throughout Italy when Military Government has substantially come to an end?

4. If a different form of handover agreement is to be employed, the approval of COS will presumably have to be obtained. Urgent action will appear to be necessary if approval is to materialize before the 31st August 1945.

If a draft of a new form of agreement is to be prepared, may I have your instructions please, as to your views, on the points mentioned in paragraph 3, a and b above, or any further points which you think should be dealt with in the agreement.

(Sgd.) W.E. BEHRENS.
(t) W.E. BEHRENS,
Colonel,
Chief Legal Adviser.

2016

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/4102/5/L

31 July 1945

SUBJECT : Restoration of Territory - ANCONA

TO : AFHQ, G-5

1. Herewith enclosed documents in connection with the restoration of the Commune of Ancona to the Italian Government.

2. It is requested that these documents be signed by the SAC and returned to this H[illegible] as soon as possible.

3. There are enclosed :-

a) Document "A" - 2 copies - for signature of SAC

b) Document "B" - English - 2 copies - for signature of SAC

c) Document "B" - Italian - 1 copy for information.

For the Chief Commissioner:

C. R. UPJOHN,
Brig.,
VP CA Section.

Encls: See para 3.

Copy to: Executive Commissioner

S E C R E T

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL

ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the 4th August 1945, and

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

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

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

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

Territory Restored: That portion of Italy comprising the Communes of Ancona in the Province of Ancona.

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

1. There will be made available to the Allied Forces such facil-

Declassified E.O. 12356 Section 3.3/NND No. 785016

10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

WHEREAS, it has been agreed that certain further territory now occupied by the Allied Forces shall be restored to the jurisdiction of the Italian Government on the 4th August 1945, and

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

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

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

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

Territory Restored: That portion of Italy comprising the Communes of Ancona in the Province of Ancona.

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

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

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

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

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

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

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

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

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 780046

issued by the Allied Military authorities and or any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

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

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

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

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785016

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

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

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

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

I also agree that the said restoration shall take place on the 4th day of August 1945.

witness:

witness:

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Declassified E.O. 12356 Section 3.3/NND No. 785016

DOCUMENT "E"

(21C)

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION No. 16 (C)

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

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

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

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

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Comune of Ancona in the Province of Ancona are hereby terminated as of 23.59 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

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

Dated: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 783016

ALLEGATO "B"

(21)

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (G)

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

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

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

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

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende il Comune di Ancona nella Provincia di Ancona.

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

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

Data: 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 785046

21E

DOCUMENT "g"

P R O C L A M A

AL POPOLO ITALIANO:

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

Il provvedimento concerne il Comune di Ancona nella Provincia di Ancona.

Il tempo

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Declassified E.O. 12356 Section 3.3/NND No. 785046

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

Il provvedimento concerne il Comune di Ancona nella Provincia di Ancona.

Il tenore

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Roma, 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 783046

Document "G"

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

PROCLAMATION

To the Italian people :

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

The provisions hereof concern the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions :

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

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

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

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

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

The provisions hereof concern the Commune of Ancona in the Province of Ancona.

The restoration is subject to the following conditions :

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

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

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

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

President of the Council of Ministers.

PARRI

Rome : 4 August 1945.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

SECRET

19A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4102/5/L. /rlp.
24 July 1945.

MEMORANDUM

SUBJECT : Handover of AMG Territory 31 August 1945.

TO : Executive Commissioner (THRU: VP CA Sec).

1. It is understood that with the possible exception of one or two provinces, the whole of the territory under the jurisdiction of AMG on the 31st August 1945 will be handed back to the Italian Government on that date.

2. It appears to me to be a matter of urgent consideration to decide the form of the final handover agreement to take effect at this time.

3. The main problems appear to be:-

a. Is it intended to continue to stress the existence of the Armistice Terms?

In this connection it is believed that there may be some ground for thinking the Armistice Terms would be modified to some extent before that date.

b. Is it intended to maintain the same conditions for the benefit of the Allied armies throughout Italy when Military Government has substantially come to an end?

4. If a different form of handover agreement is to be employed, the approval of CCS will presumably have to be obtained. Urgent action will appear to be necessary if approval is to materialize before the 31st August 1945.

If a draft of a new form of agreement is to be prepared, may I have your instructions please, as to your views, on the points mentioned in paragraph 3, a and b above, or any further points which you think should be dealt with in the agreement.

W. E. EHRENS,
Colonel,
Chief Legal Adviser.

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SECRET

2029

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SECRET

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/4102/5/L. /1p. 26 July 1945.

SUBJECT : Handover of territory to the Italian Government.

TO : AFHQ. G-5.

1. The enclosed documents are forwarded for the signature of the Supreme Allied Commander.

2. It is requested that the necessary signatures be obtained as soon as possible and all documents be returned to this Hq.

3. Enclosures:

a. Document "A" - 2 copies - signature of S/C only.

b. Document "B" - (Proclamation No. 16F) - 2 copies - signature of S/C only.

c. Document "B" - 1 copy in Italian for information only.

For the Chief Commissioner:

C. D. Buchanan-Clarke 1/61

for C. R. UPJOHN, Brig.,
Vice President,
Civil Affairs Section.

3 Incls: see para. 3.

Copy to: Executive Commissioner.

45

SECRET

2038

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4102/5

(20)

APO GROUND FIVE SECTION

2:03 26 July PRIORITY

EN CLAIR PD

MYFA ONE PD REFERENCE YOUR FOX TWO SEVEN SEVEN SEVEN SEVEN FOUR OF TWO FIVE JULY AND YOUR GRAY TWO SEVEN SEVEN SEVEN SEVEN EIGHT OF TWO FIVE JULY PD

PARRY TO APO GROUND FIVE SECTION FROM ALLIED CONTROL COUNCIL

PARA ONE PD REFERENCE CONVERSATION PARRY JARRETT BRIG NORMAN CARTER PARRY IS COMMANDED AND DO I AGREEMENT TO MAKE NOTIFICATION ON YOUR BEHALF PD

PARA THREE PD THIS CHANGE IS NECESSARY OWING TO THE NEED OF DIPLOMATIC ADVISORY COUNCIL IN ADVANCE TO CONTROL MEETS TWICE AUGUST PD THE NEW DATE HAS BEEN PASSED ON TO PROVINCES CONCERNED

DCIO
Chief Counsel
CIO
Italian Section
GL RKS

INT DISTRIBUTION:
Chief Commissioner
Executive Commissioner
Room Sec
Ref Sec
Legal S/C

47

Civil Affairs Section.

437

2 6 JUL 1945

A.D. NORMAN-CARTER Lt Col.

NICHOLAS PYMENTKO
CWO USA
Asst Adjutant.

2122

S A C R E T

(18B)

DOCUMENT "A"

TERMS OF RESTORATION OF ADDITIONAL ITALIAN TERRITORY

WHEREAS, successively on the 11th February 1944, on the 20th July 1944, on the 15th August 1944, on the 16th October 1944, on the 10th May 1945 and on the 19th June 1945, certain territory in Italy previously occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

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

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

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

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

Territory Restored: That portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

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

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

2. The right to maintain and quarter troops in such parts of the

Declassified E.O. 12356 Section 3.3/NND No. 785016

occupied by the Allied Forces has been restored to the jurisdiction of the Italian Government, and

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

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

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

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Territory Restored: That portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

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

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

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

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

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

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

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

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

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

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

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

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

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

13. All expenses and costs arising from the maintenance of

Declassified E.O. 12356 Section 3.3/NND No. 783046

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

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

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

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

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785016

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

H. R. ALEXANDER

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

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

I also agree that the said restoration shall take place on the 4th day of August 1945.

witness:

witness:

42

Declassified E.O. 12356 Section 3.3/NND No. 785046

(18C)

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (F)

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

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

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

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

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca are hereby terminated as of 2359 hours on the 4th day of August 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

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

41

Dated: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 785046

DOCUMENT "B"

(18D

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (E)

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

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

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

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

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Bologna, Ferrara, Forli, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

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

-40

H. R. ALEXANDER,
Maresciallo,
Comandante Supremo Alleato nello

Declassified E.O. 12356 Section 3.3/NND No. 785046

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

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

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

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

Per effetto del presente proclama, a partire dalle ore 2359 del 4 agosto 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordinanze finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Bologna, Ferrara, Forlì, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

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

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

Data: 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 785046

Document "C"

(18E)

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

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

To the Italian people :

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

The provisions hereof concern the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

The restoration is subject to the following conditions :

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

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

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

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

Declassified E.O. 12356 Section 3.3/NND No. 785046

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

The provisions hereof concern the Provinces of Bologna, Ferrara, Forli', Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania and Lucca.

The restoration is subject to the following conditions :

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

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

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

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

President of the Council of Ministers.

BONOMI

Rome: 4 August 1945.

Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLEGATO "G"

PROCLAMA

18F

AL POPOLO ITALIANO:

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

Il provvedimento concerne le Provincie di Bologna, Ferrara, Forlì, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Il trapasso è regolato dalle norme seguenti:

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

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

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

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

38

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

PARRI

Declassified E.O. 12356 Section 3.3/NND No. 785046

Il provvedimento concerne le Provincie di Bologna, Ferrara, Forlì, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Apuania e Lucca.

Il trapasso e' regolato dalle norme seguenti:

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

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

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

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

38

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

FIRMATO

Roma, 4 agosto 1945.

Declassified E.O. 12356 Section 3.3/NND No. 785046

2043

Declassified E.O. 12356 Section 3.3/NND No. 785016

1102/5

17A

AMZ EMILIA GMA LIGURIA REGIONS GMA ANCONA GMA NAPLES COMMZSEC

2528 25 JULY 45 OPS PRIORITY

IN CLEAR TO

PARA CIC TO RESTORATION OF THE FOLLOWING TERRITORY TO ITALIAN GOVERNMENT

WILL TAKE PLACE AS AT TWO THREE FIVE NINE HOURS FOUR AUGUST ONE NINE FOUR

FIVE TO

PASSED TO AMZ EMILIA GMA LIGURIA REGIONS GMA ANCONA GMA NAPLES COMMZSEC

FROM ALLIED CTTE ACCHQ PASSED

PARA TWO TO PASSED AMZ PASSED PROVINCES OF APUANIA GMA LUCCA GMA PIACENZA

GMA PARMA GMA REGGIO EMILIA GMA MODENA GMA BOLOGNA GMA RAVENNA GMA FORLI

GMA FERRARA TO

PARENTHESIS PASSED COMMZSEC OF ANCONA AND NAPLES ARE NOT REPEAT NOT INCLUDED

25 JUL 1945

DIST DIST :-
Chief Comm
Exec. Comm
Ext Sec
Econ. Sec
Legal S/C

37

CA Section

437

A. D. BURHAM CARTER Lt Col

NICHOLAS PIGNANO
CMO, USA
Asst Adjutant

2644

Declassified E.O. 12356 Section 3.3/NND No. 785016

4102/5

169

FOR ACTION RO EMILIA REGION FOR INFO RC LIGURIA REGION CMA NAPLES COMMUNE CMA ANCONA COMMUNE

2256 21 JUL 45 PRIORITY

IS CLEAR FD

PARA ONE FD VERBAL AGREEMENT RECEIVED TO RESTORATION OF TERRITORY ALREADY ADVANCED ON ONE TENTH JULY NOW FIVE FD

PARA TWO FD CONFIRMATION WILL BE PASSED ON DIRECTLY IT IS RECEIVED FD

PASSD TO FOR ACTION REGIONAL COMMISSIONER EMILIA REGION FOR INFO REGIONAL COMMISSIONER LIGURIA REGION CMA NAPLES COMMUNE CMA ANCONA COMMUNE FROM ALLIED CITY MCDAS PASSD

PARA THREE FD NAPLES WILL NOT BE INCLUDED AND ANCONA IS WELL UNDERSTOOD

INT DIST:
Chief Comm
Exec. Comm
Ext Sec
Econ Sec
Legal S/C

36

437

CA Section

A. D. DONHAM CARTER Lt Col

NICHOLAS PISANELLO
CWO, USA
Asst Adjutant

2052

2045

Declassified E.O. 12356 Section 3.3/NND No. 785016

150

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: AG/4102/5/I. 20 Jul 45

SUBJECT: Proclamations and General Orders.

TO: Security Printing Officer.

1 The attached Proclamation is submitted for the setting up of the proof. Will you please give this first priority.

2 In due course, 15,000 copies will be required. Proofs should be submitted to this Section.

G.H. UPJOHN, Brig.,
VF CA Section.

Orig destroyed by CA Sec 1000 hrs 31 Jan GH

35

2046

Declassified E.O. 12356 Section 3.3/NND No. 785016

REGION of EMILIA, PROVINCES of APUANIA & LUCCA AND COMMUNE of

PROVINCE	> 2,000 5 P per Comm	2,001 - 5,000 10 P per Comm	5,001 - 10,000 30 P per Comm	10,001 - 20,000 50 P per Comm	20,001 - 50,000 100 P per Comm	50,001 - 100,000 200 P per Comm	> 100,000 400
BOLOGNA	- Nil -	18 = 180	32 = 460	7 = 350	2 = 200	- Nil -	1
FERRARA	- Nil -	1 = 10	8 = 240	5 = 250	5 = 500	- Nil -	1
FORLI	2 = 10	25 = 250	15 = 450	5 = 250	- Nil -	3 = 600	-
MODENA	1 = 5	12 = 120	20 = 600	10 = 500	2 = 200	1 = 200	-
PARMA	- Nil -	21 = 210	22 = 660	3 = 150	- Nil -	1 = 200	-
PIACENZA	3 = 15	21 = 210	20 = 600	2 = 100	- Nil -	1 = 200	-
RAVENNA	- Nil -	3 = 30	8 = 240	4 = 200	2 = 200	1 = 200	-
REGGIO EMILIA	- Nil -	16 = 160	24 = 720	4 = 200	- Nil -	1 = 200	-
APUANIA	1 = 5	5 = 50	6 = 180	2 = 100	- Nil -	- Nil -	1
LUCCA	7 = 35	11 = 110	8 = 240	4 = 200	4 = 400	1 = 200	-
ANCONA COMMUNE						1 = 200	
TOTAL: COMMUNES	14	133	163	46	15	10	3
TOTAL: PROCLAMATIONS	70	1330	4890	2300	1500	2000	

2047

Declassified E.O. 12356 Section 3.3/NND No. 785016

of [illegible]LIA, PROVINCES of LUCCA AND COMMUNE of ANCONA 148

> 2,000 5 P per Comune	2,001 - 5,000 10 P per Comune	5,001 - 10,000 30 P per Comune	10,001 - 20,000 50 P per Comune	20,001 - 50,000 100 P per Comune	50,001 - 100,000 200 P per Comune	< 100,000 400 P per Comune	TOTAL	
- Nil -	18 = 180	32 = 960	7 = 350	2 = 200	- Nil -	1 = 400	60 2090	11
- Nil -	1 = 10	8 = 240	5 = 250	5 = 500	- Nil -	1 = 400	20 1400	7
2 = 10	25 = 250	15 = 450	5 = 250	- Nil -	3 = 600	- Nil -	50 1560	8
1 = 5	12 = 120	20 = 600	10 = 500	2 = 200	1 = 200	- Nil -	46 1625	4
- Nil -	21 = 210	22 = 660	3 = 150	- Nil -	1 = 200	- Nil -	47 1220	7
3 = 15	21 = 210	20 = 600	2 = 100	- Nil -	1 = 200	- Nil -	47 1125	6
- Nil -	3 = 30	8 = 240	4 = 200	2 = 200	1 = 200	- Nil -	18 870	5
- Nil -	16 = 160	24 = 720	4 = 200	- Nil -	1 = 200	- Nil -	45 1280	7
1 = 5	5 = 50	6 = 180	2 = 100	- Nil -	- Nil -	1 = 400	15 735	5
7 = 35	11 = 110	8 = 240	4 = 200	4 = 400	1 = 200	- Nil -	35 1185	4
					1 = 200		1 200	1
14	133	163	46	15	10	3	384	
70	1330	4890	2300	1500	2000	1200	13,290	

Declassified E.O. 12356 Section 3.3/NND No. 785016

13A

SECRET SECRET

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: AC/4102/5/1 10 Jul 45

SUBJECT: Handover of Territory to the Italian Government.

TO: AFHQ, G-5 Section.

Reference your G-5: 387.4-2 of 4 Jul 45 and our AC/4102/5/1, of 25 Jun 45.

1. Attached herewith please find four copies of the hand-over documents relating to the restoration of territory made on 10 May 45. The delay in forwarding this copies is very much regretted.

FOR THE CHIEF COMMISSIONER:

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

Encl: As above.

33

SECRET SECRET

2049

Declassified E.O. 12356 Section 3.3/NND No. 785016

4102/5

Legal S/C

5851

127

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

JL/fr 8W

G-5: 387.4-2 16 July 1945

SUBJECT: Handover of Territory to the Italian Government.

TO : Headquarters, Allied Commission, APO 394.

87

1. Reference your AC/4102/5/L of 25 June and our G-5: 387.4-2 of 4 July. 117

2. When may the further sets of documents be expected?

For Asst. Chief of Staff, G-5:

Julius Byles
JULIUS BYLES,
Major, G.S.C.

2050

Declassified E.O. 12356 Section 3.3/NND No. 785016

402/5.

SECRET

LEGAL S/C 152

TBJ/jrs 118

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

7 AUG 1943

G-5: 387.4-2

SUBJECT: Handover of Territory to the Italian Government

TO : Headquarters, Allied Commission,
APO 394.

8A

1. Reference is made to your AC/4102/5/L of 25 June.

2. Enquiry is made as to when the further sets of documents will be forwarded.

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

T. B. JACKMAN,
Lt. Colonel.

6 JUL

9.538.

SECRET

2051

Declassified E.O. 12356 Section 3.3/NND No. 785016

1077

HEAD QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rlp.
30 June 1945.

AC/4102/5/L.

SUBJECT : Restoration of Territory to Italian Government.

TO : Office of the Chief Commissioner.

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

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

Incls.

30

2057

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

(9A

Ref AC/4402/5/1

28 June 45

SUBJECT : Restoration of Territory

TO : Executive Commissioner

1 While there is much to be said for refraining from further restorations of territory until such time as the main "hand over" can be made, I draw your attention to the following points

a) HG Emilia stated that his Region would be in a fit state to be restored on 1 August.

b) Despite the belief that the Commission will be re-inforced by new officers, those now known are untrained and of unknown quality and their time of arrival is uncertain. Even at best the overall personnel situation is likely to deteriorate.

2 I propose that I be instructed to examine the possibility of making a restoration of Emilia and the two Provinces of Toscana on 1 August 1945.

3 Will you raise at Exec C meeting tomorrow?

G.R. UPJOHN Brig,
VP CA Section

2 0 5 3

Declassified E.O. 12356 Section 3.3/NND No. 785016

SECRET

8A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: AC/4102/5/L 25 Jun 45

SUBJECT: Handover of Territory to the Italian Government.

TO: AFHQ, G-5 Section.

Reference your letter of the 13 Jun 45.

1 I enclose four copies of the herd-back documents relating to the restoretion made on the 19 Jun 45.

2 Very shortly I shall be sending on to you the sets of documents relating to the 10 May but am sending these in advance as they are completed.

FOR THE CHIEF COMMISSIONER:

C.R. [illegible], Brig.,
VP CA Section.

28

2054

Declassified E.O. 12356 Section 3.3/NND No. 785016

4102/5

SECRET

7A 922

2949.

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

13 June 1945

SUBJECT: Handover of territory to the Italian Government.

TO : Headquarters, Allied Commission,
(Attn: Chief Commissioner)
APO 394.

1. Reference is made to HQ AC/4102/5/L of 8 June.

2. Attached is folder enclosing the documents signed by SACMED.

3. You will notice that Document A has been retyped and differs slightly in the wording of the third and fourth recitals from that submitted by you. The reason for the alterations was that CCS on 11 June finally commented on the revised form of the handback documents as submitted by you in connection with FAN 487 and their comments necessiteted the slight amendments which have been made in Document A.

4. No copies of the handback documents for the territory handed back on 10 May have yet been sent to CCS for record purposes. It is requested therefore that four sets of those documents and four sets of the documents to be used in connection with the present handover be sent to this Section for onward transmission.

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

T. B. JACKMAN,
Lt. Colonel.

Read original enclosures to the letter

Incl: folder containing documents as above.

Col. CSO CASC.

15 JUN 1945

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CSO
Italian Section
CL RKS
14 JUN 1945
SECRET

27

HEADQUARTERS
13 JUN 1945
A. G.

2053

Declassified E.O. 12356 Section 3.3/NND No. 785016

SECRET

6A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/4102/3/L.

8 June 1945.

/rlp.

SUBJECT : Handover of territory to the Italian Government.

TO : AFHQ, G-5.

1. The enclosed documents are forwarded for the signature of the Supreme Allied Commander.

2. It is requested that the necessary signatures be obtained as soon as possible and all documents be returned to this Hq.

3. Enclosures,

a. Document "A" - 2 copies - signature of SAC only.

b. Document "B" - (Proclamation No. 16E) - 2 copies - signature of SAC only.

c. " " - 1 copy in Italian for information only.

For the Chief Commissioner:

G. R. Lyon

G. R. LYON, Brig.,
Vice President,
Civil Affairs Section.

3 Incls, see para. 3.

Copy to: Executive Commissioner.

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SECRET

SECRET

DOCUMENT "A"

(6B)

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

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

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

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

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

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

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

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

1. There will be made available to the Allied Forces such facilities,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24

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

Declassified E.O. 12356 Section 3.3/NND No. 785046

Allied Military authorities and of any person otherwise doing any act hostile to the Allied forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

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

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

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

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

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

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

24

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

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

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

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

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

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

witness:

witness:

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SECRET

(6C)

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (R)

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

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

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

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

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

22

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

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

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

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

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

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

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

22

Dated:

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785016

S-2-C-R-E-T

(6D)

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (R)

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

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

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

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

Per effetto del presente proclama, a partire dalle ore 0001 del 19 giugno 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Firenze, Pistoia, Pisa e Livorno, con eccezione del Comune di Pisa nella Provincia di Pisa e dei Comuni di Livorno e Colle Salvetti nella Provincia di Livorno, (che, per necessita' militari deve rimanere zona militare sotto il mio unico controllo ed amministrazione quale Comandante Supremo Alleato e dove tutti i proclami e le ordinanze emessi da me od in mio nome, ed attualmente in vigore, restano operativi fino a che non siano revocati, o comunque modificati).

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

H. R. ALEXANDER,
Maresciallo,

Declassified E.O. 12356 Section 3.3/NND No. 785046

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

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

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

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

Per effetto del presente proclama, a partire dalle ore 0001 del 19 giugno 1945 il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di Firenze, Pistoia, Pisa e Livorno, con eccezione del Comune di Pisa nella Provincia di Pisa e dei Comuni di Livorno e Colle Salvetti nella Provincia di Livorno, (che, per necessita' militari deve rimanere zona militare sotto il mio unico controllo ed amministrazione quale Comandante Supremo Alleato e dove tutti i proclami e le ordinanze emessi da me od in mio nome, ed attualmente in vigore, restano operativi fino a che non siano revocati, o comunque modificati).

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

21

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

Data:

S-E-C-R-E-T

Declassified E.O. 12356 Section 3.3/NND No. 785016

SECRET

DOCUMENT "C"

(6E)

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

PROCLAMATION

To the Italian people:

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

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

The restoration is subject to the following conditions:

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

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

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

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

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

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

The restoration is subject to the following conditions:

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

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

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

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

President of the Council of Ministers

BONOMI

Rome:

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785016

S-E-C-R-E-T

PROCLAMA

AL PUEBLO ITALIANO:

Las Naciones Unidas hacen entrega al Gobierno Italiano de otros territorios, además de los ya mencionados, actualmente bajo la administración del Gobierno Italiano, a efectos de Gobierno, según la modalidad y condiciones necesarias por exigencias militares.

El procedimiento comprende la Provincia de Florencia, Pistoia, Pisa y Livorno, con excepción del Comune de Pisa en la Provincia de Pisa y del Comune de Livorno y Colle Salvetti en la Provincia de Livorno.

El traspaso se regula de las normas siguientes:

1. Desde que a la hora del presente la autoridad Aliada en punto tiene el Gobierno Militar Aliado en los territorios mencionados, en tales territorios y en relación de los habitantes de ellos todos los poderes gubernativos y jurisdiccionales, así como la suprema responsabilidad administrativa, son asumidos del Gobierno Italiano, salvo siempre los derechos reservados a las Naciones Unidas.

2. Todos los Decretos y las Ordenanzas hasta ahora emanados en dicho territorio del Gobierno Militar o, en su nombre, de sus delegados en tales territorios cesados del Gobernador Militar al efecto de la restitución, serán con el presente reconocidos del Gobierno Italiano válidamente emanados por el tiempo en que hayan tenido ejecución y surtido sus debidos efectos jurídicos como si fueran sido emanados del Gobierno Italiano según la ley italiana. Como tales serán reconocidos de todos los Tribunales y Juzgados italianos.

3. Todos los actos ejecutados de cualquiera modo de las Fuerzas Aliadas en aplicación de tales Decretos de Ordenanza, así como todas las disposiciones oficiales de cualquier genero adoptadas del Gobierno Militar Aliado en aplicación de tales Decretos de Ordenanza, conforme las normas y las prescripciones de cualquier oficio, público o privado, serán reconocidas en todos los Tribunales y Juzgados italianos como legales, validos y imperativos.

4. Todas las sentencias emanadas del Tribunales Militares Aliados serán con el presente reconocidas del Gobierno Italiano validas y legales y surtirán sus debidos efectos como si fueran sido emanadas del Tribunales italianos. Como tales serán reconocidas de todos los Tribunales y Juzgados italianos, a menos que sean revocadas o modificadas de la Comisión Aliada o con el consenso de ella.

EL PRESIDENTE DEL CONSEJO DE MINISTROS

Roma,

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...ocumenti di Liverna e delle Autorità della Provincia di Livorno.

Il tempo e' regolato dalle norme seguenti:

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

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

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

4. Tutte le sentenze emesse dai Tribunali Militari Alleati sono con il presente riconosciute dal Governo Italiano valide e legali ed avranno gli stessi effetti come se fossero state emanate dai Tribunali italiani. Come tali saranno riconosciute da tutti i Tribunali e Funzionari italiani, a meno che non vengano revocate o modificate dalle Autorità Alleate o con il consenso di queste. »

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Roma.

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(5A)

Chief Commissioner's Speech to Advisory Council on 4 May 1945

Proposed Restoration of Territory to the Jurisdiction of the Italian Government

In accordance with the policy of the Allied Governments it has been the practice to restore to the jurisdiction of the Italian Government such parts of Italy as are not, by reason of military necessity, required to be retained under Allied Military Government.

This practice was initiated on 11 February 1944 when Sicily, the Compartimenti of Basilicata and Calabria, and the Province of Salerno were so restored. There have been further restorations of territory, the last of which was on 15 October 1944, so that the boundary between Allied Military Government Territory and Italian Government Territory is now the Northern boundary of the Provinces of Teramo, Rieti and Viterbo.

The presence of large numbers of Allied troops in the area North of this boundary, where they have been preparing for the final assault which has just concluded so successfully, has previously made it impossible to restore any further territory to the jurisdiction of the Italian Government. Now that our victorious armies are surging forward to the Northern boundaries of Italy, I and my advisers are of opinion that a further and considerable area of territory may properly be handed over. This area comprises the Compartimenti of UMBRIA and of MARCHE (which contain the provinces of PERUGIA, TERNI, ASCOLI PICENO, MACERATA and ANCONA) also three provinces of TOSCANA, namely, AREZZO, SIENA and GROSSETO. However, I have deemed it advisable to

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the practice to restore to the jurisdiction of the Italian Government such parts of Italy as are not, by reason of military necessity, required to be retained under Allied Military Government.

This practice was initiated on 11 February 1944 when Sicily, the Compartimenti of Basilicata and Calabria, and the Province of Salerno were so restored. There have been further restorations of territory, the last of which was on 15 October 1944, so that the boundary between Allied Military Government Territory and Italian Government Territory is now the Northern boundary of the Provinces of Teramo, Rieti and Viterbo.

The presence of large numbers of Allied troops in the area North of this boundary, where they have been preparing for the final assault which has just concluded so successfully, has previously made it impossible to restore any further territory to the jurisdiction of the Italian Government. Now that our victorious armies are surging forward to the Northern boundaries of Italy, I and my advisers are of opinion that a further and considerable area of territory may properly be handed over. This area comprises the Compartimenti of UMBRIA and of MARCHE (which contain the provinces of PERUGIA, TERNI, ASCOLI PICENO, MACERATA and ANCONA) also three provinces of TOSCANA, namely, AREZZO, SIENA and GROSSETO. However, I have deemed it advisable to exclude from this proposed restoration the Comune of ANCONA, where the port remains a vital link in the supply line of the Allied Forces.

The Provinces which I have mentioned above have all had the benefit of Allied Military Government for some months. During that time much has been done to repair the ravages of war and to restore the economic life of the country. These Provinces are, in the opinion of myself and of my advisers, in a fit and proper state to be handed over to the Italian Government. Accordingly, I recommend to you as Chief Civil Affairs

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Officer of Occupied Territory that these Provinces, less the Commune of ANCONA, be restored to the jurisdiction of the Italian Government.

I am anxious, if you approve, that this restoration should take place as soon as possible and I have suggested that the date be the 10 May. My reasons are twofold. First, looked at from my office as Chief Commissioner, I am of opinion that it is very desirable at this juncture that the Italian Government should be able to exercise its jurisdiction over as large an area as is compatible with Allied Military requirements. Second, it will enable me to reinforce Allied Military Government personnel in the North just when it is most needed.

The Supreme Allied Commander has indicated his approval to my proposal, subject to your advice and concurrence.

I must conclude with a word of warning. It might be thought that with the conclusion of hostilities in Italy large areas could be returned straight away to the jurisdiction of the Italian Government. Such is not the case. Large bodies of Allied troops will continue to be stationed in Northern Italy for some time, and many serious problems of great urgency will arise. These problems can only be solved by the application of Allied Military Government for a period. How long this period will be I cannot say. It must rest entirely on the conditions we find and upon which I have, as yet, no firm report.

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2072

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SECRET

4A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/4102/5/I.a. 3 May 1945

SUBJECT: Handover of Territory to the Italian Government.

TO: Allied Force Headquarters, G-5 Section

1. The enclosed documents are forwarded for the signature of the Supreme Allied Commander.

2. It is requested that the necessary signatures be obtained as soon as possible and all documents be returned to this Headquarters.

3. Enclosures:

i) Document "A" - 2 copies - signature of SAC only.

ii) Document "B" (Proclamation 16D) - 2 copies - signature of SAC only.

iii) -do- 1 copy in Italian for information only.

C. R. WYNOTT, Brig.
Vice President
Civil Affairs Section

Encl: see para. 3

16

Copy to: Executive Commissioner

2073

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Rule 7(b)

1,102/5

3A

FM TOGRAIA REGIMI CWA MPID GMGNIA MARCHE REGIMN GWA EMILIA REGION

6700 2 May 45 PRIORITY

SECRET PD

(A)A CHE PD AFHQ AGREE PROPOSED HANDOVER TO ITALIAN GOVERNMENT OF FOLLOWING TERRITORY TO BE EFFECTIVE TEN DAY PD

(B) COM TO PO TOGRAIA REGIMI CWA LITE GMGNIA MARCHE REGIMN GWA EMILIA REGION

FROM ALCOM SITE A.C.A.B. FANUM

PARA TWO PD REGION OF UMBRIA MARCHE LESS COMUNE OF ANCONA PROVINCES OF GROSSETO CWA SIENA GWA AREZZO PD

PARA THREE PD COMMUNE OF ANCONA WILL BE ADMINISTERED DIRECT FROM HQ QUEEN ALCOS PD

PARA FOUR PD LO/LIAISON TEAMS WILL ACT AS LIAISON OFFICER GMGNIA MARCHE IN ADDITION TO ALL DUTIES IN ANCONA COMMUNE

INFO LIST :-

Ex Commissioner
Eat Section
Econ Section
Legal S/C

CA Section
608

A.T. DONEAN CAMERA Lt Col

NICHOLAS PISANO
CWO, USA
Asst Adjutant

15

SECRET

DOCUMENT "A"

2A

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

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

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

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

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

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

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

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

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

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Supreme Allied

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draft

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

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

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

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

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

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

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

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

SECRET

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

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

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

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

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

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

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

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

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

11. Any official or other representative or, in respect of any activities for official account, any agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any impost, tax, charge or

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such other controls as may be determined by the Supreme Allied Commander, Mediterranean Theater.

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

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

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

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

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

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

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

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

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

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

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

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

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

witness :

witness :

12

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2B

SECRET

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION NO. 16 (D)

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

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

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

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

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

11th day of May 1945

11

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

Dated:

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such territory under my direction, and

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

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

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

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

11th day

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

Dated:

SECRET

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S-E-C-R-E-T

(2C)

GOVERNO MILITARE ALLEATO

DEL TERRITORIO OCCUPATO

PROCLAMA No. 16 (2)

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

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

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

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

Per effetto del presente proclama, a partire dalle ore 0001 del 12 giugno 1945 (10 maggio 1945) il Governo Militare Alleato istituito da me o dal mio predecessore e tutti i Proclami ed Ordini finora emanati da me o dal mio predecessore ovvero in mio od in suo nome cessano di essere operativi in quella parte del territorio italiano che comprende le Provincie di PARMA, REGGIO EMILIA, MODENA, FERRARA, FORLI, RAVENNA, PISTOIA, LUCCA e MASSA, con eccezione del comune di MASSA nella provincia di MASSA, (che, per necessita' militari deve rimanere sotto militare sotto il mio unico controllo ed amministrazione quale Comandante Supremo Alleato e dove tutti i proclami e le ordinanze emessi da me od in mio nome, ed attualmente in vigore, restano operativi fino a che non siano revocati, o comunque modificati.)

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

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

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Whereas the absence from the territory of Italy occupied by the forces of the United Nations of the Government of Italy and of the authorities of that territory has created a situation in which all powers of government and jurisdiction in the territory of Italy occupied by the forces of the United Nations are exercised by the Supreme Commander, Allied Forces Mediterranean Theatre, and by the Commanding General, Allied Military Government of Occupied Territory, Fifth Army, and by the Commanding General, Peninsular Base Section, Communications Zone, Mediterranean Theatre of Operations, and by the Commanding General, Allied Military Government of Occupied Territory, Peninsular Base Section, Communications Zone, Mediterranean Theatre of Operations, and by the Commanding General, Allied Military Government of Occupied Territory, Fifth Army, and by the Commanding General

S E C R E T

DOCUMENT "C"

2D

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

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

To the Italian people :

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

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

The restoration is subject to the following conditions:

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

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

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

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

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tion [illegible] of today's date, in accordance with the terms and conditions necessary for military requirements.

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

The restoration is subject to the following conditions:

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

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

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

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

President of the Council of Ministers

BONOMI

Rome:

SECRET

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S E C R E T

(2E)

P R O C L A M A

AL POPOLO ITALIANO :

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

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

Il trapasso é regolato dalle norme seguenti :

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

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

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

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

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

Il trapasso é regolato dalle norme seguenti :

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

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

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

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

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

BONOMI

Roma:

S E C R E T

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SECRET

1A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4057/1/L. 2 April 1945.

SUBJECT : Restoration of Territory.

TO : VP, CA Sec.

1. Reference your 4/32 A/CA of 2 Apr 45 herewith is submitted the suggested draft for the next transfer of territory to the Italian Government.

2. The only effective alteration in Document "A" is the deletion of the previous Article 7 which required consent of SACMED to the removal of Italian officials. The deletion of this clause does not in my opinion involve the necessity for any other alteration to the terms of the document.

3. The wording of Article 14 of Document "A" has been simplified because all those provisions requiring repetition on the occasion of each successive restoration have now been made applicable by specific decrees to all future restorations, and therefore it is my opinion that the Italian Government need only be required on this occasion to issue the form of decree defining the territory plus the President of Council's proclamation. This is in accordance with the policy of simplification as originally planned.

4. Document "B" is substantially unaltered.

5. Document "C" is substantially unaltered.

Paragraph 3 of the Proclamation recognises as legal, valid and binding all appointments to and removals from offices effected by the Allied Military Government; this clause is obviously necessary to protect officials who have acted under AMG authority, and in the case of appointments made by AMG and expressed by them to be temporary, does not bind the Italian Government to continue the office-holders in office. In any case, this clause is not affected by the proposed change in the terms of restoration since the recognition of the legal, valid and binding nature of the appointments could not be varied by any subsequent consent of SACMED to the removal of the officials concerned.

6. No document is required for the purpose of preserving the right of veto of military appointments since this right, which springs from an agreement between Lt.Gen. Mason MacFarlane and Marshal Badoglio dated 13 March 1944, is preserved by the Aide Memoire of 24 Feb 45 for the appointments concerned.

W. E. BEHRENS.
Colonel,
Deputy Chief Legal Advisor.

Copy to: AC/4102/S/L.

Incls : Documents "A", "B" and "C".

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and Arizona except the Community of Arizona ~~the Community~~
in the Province of Arizona which by proper [illegible] military necessity shall remain
a military Zone under my sole control and administration as
Supreme Allied Commander and shall be proclaimed and governed
by me or by my authority and responsibility shall remain in force
until repealed, amended or modified

6

SECRET

DOCUMENT "A"

TERMS OF RESTORATION OF
ADDITIONAL ITALIAN TERRITORY

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

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

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

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

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

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

Territory Restored: That portion of Italy comprising the Provinces of Terni, Perugia, Ascoli Piceno, Macerata, Ancona, Grosseto, Siena, ~~and~~ Arezzo . . .

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

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

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

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

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

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

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

Territory Restored: That portion of Italy comprising the Provinces of Teramo, Perugia, Ascoli-Piceno, Macerata, Rome, Grosseto, Siena, ~~Arezzo~~ Arezzo . . .

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

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

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

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

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

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

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

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

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

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

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

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

12. No member of the Allied Forces or any official or other repre-

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Allied Military Authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such person as such Tribunals may direct.

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

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

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

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

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

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

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

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

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

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

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

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

Witness:

Witness:

3

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SECRET

DOCUMENT "B"

Allied Military Government of Occupied Territory

PROCLAMATION No. 16 (D)

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

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

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

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

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Perugia, Terni, Ascoli-Piceno, Macerata, Pesaro, Forli, Siena and Arezzo are hereby terminated as of 0001 hours on the 10th day of May 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

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

Dated:

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

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

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

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

Allied Military Government established by me or my predecessor and all Proclamations and Orders heretofore issued by me or by him or under my or his authority in that portion of Italy comprising the Provinces of Perugia, Terni, Ascoli Piceno, Macerata, Pesaro, Forli, Siena and Arezzo are hereby terminated as of 0001 hours on the 1st day of May 1945. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Supreme Allied Commander, Mediterranean Theater and the Allied Commission.

2

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

Dated:

SECRET

Declassified E.O. 12356 Section 3.3/NND No. 785016

SECRET

DOCUMENT "C"

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

PROCLAMATION

To the Italian people:

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

The provisions hereof concern the Provinces of Teramo Perugia Ascoli Piceno Macerata Pesaro Grosseto Siena e Arezzo

The restoration is subject to the following conditions:

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

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

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

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

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

The provisions hereof concern the Provinces of Trento, Bolzano, Udine, Gorizia, Trieste, Pola, Fiume, Zara, Aosta, Cuneo, Imperia, Savona, Genova, Sienna, Aosta

The restoration is subject to the following conditions:

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

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

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

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

President of the Council of Ministers

B O N O M I

Rome:

S E C R E T

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