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HANDLING OF PARTISANS & PATRIOTS
JULY 1944 - APR. 1945

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

785016

FILE CLOSED 11 Apr 11 1945

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HEADQUARTERS ALLIED COMMISSION

AMO 394

LEGAL SUB-COMMISSION

AC/4159/L.

11 April 1945.

SUBJECT: Prosecutions of Partisans.

TO: Regional Commissioners, TOSCANA, EMILIA, LIGURIA,
PIEMONTE, LOMBARDIA, VENETIE (Attn. Regional
Legal Officers)
SCAO, 5th and 8th Armies, HQ, IV Corps.

1. A problem has arisen in Umbria-Marche Region over the prosecution of partisans for offences committed during German occupation. Many of such offences e.g. taking by force of arms food and other property were committed for genuine battle necessity, while others were committed for personal gain.

2. The solution adopted in Umbria-Marche is as follows. A committee of 3 patriots has been formed whose members have been specially selected and vetted by P.S.S. and an Italian Patriot Officer. Whenever a person claiming to be a patriot is denounced to the Procuratore del Regno, the Procuratore calls upon the committee for a dossier of the accused. On the basis of this dossier the Procuratore will decide whether the act complained of was one which was manifestly performed in course of duty and under orders, whether it was one which would be likely to fall within the ambit of the Italian amnesty decree (RDL No. 96 of 5 Apr 44) when it becomes operative in the territory, or whether it was committed for personal reasons. In the first case the Procuratore is authorized by A.M.C. to reject the denunciation; in the second to suspend action temporarily thereon in the third to proceed with the case.

3. This system is proving satisfactory in Umbria-Marche and is brought to your notice in case you wish to apply a similar solution if circumstances require.

4. It should be observed that the Minister of Justice is preparing a decree to give protection to patriots who commit offences of this nature in course of duty. The terms of the decree are not yet firm, however, and it is not possible to say whether it can be extended to A.M.C. territory.

5. The Minister of Justice is also proposing to extend for the benefit of patriots the terms of the amnesty decree above mentioned, to cover offences committed by patriots between 5 Apr 44 and the present time. While the present intention is to exclude this

personal gain.

2. The solution adopted in Umbria-Marche is as follows. A committee of 5 patriots has been formed whose members have been specially selected and vetted by P.S.S. and an Italian Patriot Officer. Whenever a person claiming to be a patriot is denounced to the Procuratore del Regno, the Procuratore calls upon the committee for a dossier of the accused. On the basis of this dossier the Procuratore will decide whether the act complained of was one which was manifestly performed in course of duty and under orders, whether it was one which would be likely to fall within the ambit of the Italian amnesty decree (RUL No. 96 of 5 Apr 44) when it becomes operative in the territory, or whether it was committed for personal reasons. In the first case the Procuratore is authorized by A.M.C. to reject the denunciation; in the second to suspend action temporarily thereon in the third to proceed with the case.

3. This system is proving satisfactory in Umbria-Marche and is brought to your notice in case you wish to apply a similar solution if circumstances require.

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5. The Minister of Justice is also proposing to extend for the benefit of patriots the terms of the amnesty decree above mentioned, to cover offences committed by patriots between 5 Apr 44 and the present time. While no final decision has been taken, the present intention is to exclude this decree from operation in A.M.C. territory.

By command of Rear Admiral STONE.

For *1 Campbell* *col*

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

4159 File

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2/10/44
 (AFM) G-S by CAS
 File 37/3N/A

MEMORANDUM

1. It is necessary to consider the following categories of Fascists:

- a) those whom it is proposed merely to dismiss from their official posts without imposing further punishment (expulsion);
- b) those who have collaborated with the Fascist Republic and Germans since 8 September 1943;
- c) those who have committed Fascist crimes as set out in DLL 159 but have not necessarily collaborated with the Germans since the Armistice, e.g., Roatta;
- d) war criminals who have committed war crimes (i.e., acts of atrocity and the like) solely against Italians;
- e) war criminals who have committed such crimes wholly or in part against members of the United Nations;
- f) members of any of the above categories who are actively engaged in fighting against the Allies and who seize the opportunity of the Allied advance to surrender and become prisoners of war.

2. As to category (a), it is thought that the plans made by this Commission for the expulsion of State officials will be sufficient to satisfy the intentions of the Allies in this respect.

These plans include,

- a) the immediate expulsion of notorious Fascists from leading positions in accordance with Executive Memorandum No. 67;
- b) the setting up of Italian Commissions for each province by the Provincial Commissioner to carry out a systematic expulsion of the State Administration. This is done by the early posting of GO 35;
- c) the ultimate implementation of DLL 159 and ancillary decrees under which the Italian Government will carry out expulsion.

3. DLL 159 provides special punishments for those who have collaborated with the Germans since 8 September 1943. The Italian Government have produced a draft decree (based on the model set up in France for simi-

lar purposes), to which this Commission has agreed in principle, whereby these collaborators will be brought to trial before special courts consisting of a judge as President and four lay members drawn by lot from a larger list produced by the local CLN and screened by the local President of the Tribunale.

It is not believed that it will be necessary to set up special investigating units as suggested, for under the Italian system, it is anticipated that a very large number of denunciations will be made. Indeed if, as is probable, any time elapses between the withdrawal of the Germans and the entry of the Allies, it is thought that the local CLN will have locked up a very large number of these collaborators and will have their dossier waiting for investigation by the judicial officials.

4. Class (c) is a highly complex class and the acts showing that the accused is a Fascist criminal range over a long period of years. It is thought that these cases can only be adequately investigated by Italian judicial personnel. They will be dealt with not by the Special Courts mentioned in paragraph (3), but by the High Court of Justice in Rome for more serious cases or by the local Courts of Assize for less serious cases.
5. War Criminals. The investigation of war criminals in their true sense is a matter in which this Commission has limited its activities to the onward transmission of evidence obtained of crimes actually committed in Italian territory. It is understood that the evidence in such cases when complete is sent forward in order that the cases may ultimately come before the United Nations War Crimes Commission.

It is felt, however, that war crimes committed by Italians solely against Italians do not come within the scope of the United Nations War Crimes Commission, since ex-hypothesi the crimes were not committed against any of the United Nations. It is difficult to see any justification for refusing to allow such cases to be tried immediately by Italian courts under Italian law, and it is considered that such misunderstanding and possible ill-feeling will be caused if any attempt is made on the part of the Allies to prevent the holding of these trials.

~~If such trials are allowed,~~
If ~~this course is adopted,~~ it is not believed that any special investigating unit will be required to enable the necessary evidence to be obtained against the persons accused. It is believed that such evidence will be readily available locally and that large numbers of persons will be only too anxious to produce it. Any evidence which does come into the possession of Allied authorities would, of course, be forwarded to the appropriate Italian Tribunal.

6. Persons in class (f) would, on the basis of present instructions, be required to be held in custody in order that charges against them may be investigated at a later date by the United Nations War Crimes Commission. This may be satisfactory in the case of persons who are charged only with war crimes against United Nations' personnel and where no local Italian interests are involved. In the case of persons who are alleged to have committed war crimes not only against members of the United Nations, but also against the local inhabitants, it is felt that their retention in the comparative comfort of imprisonment, in anticipation of a trial before some far distant and somewhat nebulous tribunal, may lead to considerable discontent. It is strongly recommended that in such cases authority be given for the persons charged to be handed over to Italian Courts for trial, at least in connection with the offenses committed by them against the Italian population. The stipulation may be made that if they are acquitted or inadequately punished by such tribunals, the Allies reserve to themselves the right to bring charges in respect of their crimes against members of the United Nations before the United Nations War Crimes Tribunal. In this case also the previous remarks as to special investigating units appear to apply.
7. For the reasons stated above, it is the opinion of this Commission that no special investigation units are required. The rapid administration of justice in these cases does require a sufficient number of qualified Instructional Judges to investigate cases in accordance with Italian law. These persons must be Italian personnel, they must be qualified, and they are likely to prove difficult to obtain, at least in sufficient numbers. The Italian Government is being pressed to provide a sufficiency.
8. It is felt that some difficulty may be caused by persons classified in (g) above who seize the opportunity of the Allied arrival to make themselves prisoners of war and obtain the benefits of the Geneva Convention, hoping thereby to escape the vengeance of the patriots for their past activities. It may well be a military necessity to accept the surrender of these individuals, together with other members of the opposing army, in the initial stages. It is felt, however, that the Geneva Convention imposes no obligation upon the detaining power to do more than comply with the rules for the treatment of a prisoner during the time he is held in captivity and to arrange for his repatriation at the conclusion of this captivity. It does not impose upon the detaining power any obligation to continue captivity for any particular length of time. It is considered, therefore, that in appropriate cases, prisoners of war should be officially released from their captivity and set at liberty. Arrangements can be made, without infringing the obligations of the Geneva Convention, for such prisoners to be arrested by the civil police immediately such release becomes effective.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

29A

AG/4159/L.

GGH/mt.
27 March 1945.

SUBJECT : Prosecution of Partisans.

TO : H. E. The Minister of Pardon and Justice.

1. The attention of this Sub-Commission has been drawn to the fact that many partisans in army areas have committed at one time or another some kind of illegal act which would render them liable to prosecution. The attached documents refer.

2. In territory under AMG administration steps have been taken to suspend proceedings against this type of offender, but patriots are very concerned with their future legal position when such territory is restored to Italian administration.

3. It is believed that it may be Your Excellency's intention to extend to the partisans the benefit of the amnesty. On the other hand it may well be that patriots will be arrested and detained in gaol awaiting a trial which most Italian judges will be obviously loath to initiate.

4. In order to avoid discrepancy in the treatment of partisans, and the risk of promoting injustice and causing resentment, would Your Excellency consider the possibility of issuing some form of legislative enactment which would allay the patriot's fears. If Your Excellency agreed to follow this procedure Allied authorities would be very glad to implement such legislation in AMG territory immediately.

5. Perhaps Your Excellency will wish to discuss this matter at the next meeting.

G. G. HAINFORD ,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls.

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COPIA

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AL HQ. AMG 8 Army
AL PATRIOT BRANCH HQ. AC

R O M A

OGGETTO: Provvedimento legislativo.

Con la cessione dei territori liberati alla amministrazione piena del Governo italiano si pone il problema del trattamento cui devono esser sottoposti i partigiani per azioni commesse durante il periodo della loro attività bellica.

Durante l'azione dei reparti, per il raggiungimento dello scopo prefissosi, e molto spesso per la stessa salvezza della formazione, è stato necessario procedere alla eliminazione di cittadini italiani inquadrati in formazioni militari fasciste, o in preminente posizione politica, o collaboratori tedeschi. Tali azioni non sempre hanno rivestito il carattere di vero e proprio combattimento, ma spesso sono state effettuate in agguati o in piccole azioni sporadiche. Molte di tali azioni si sono effettuate durante il periodo di interregno tra la occupazione tedesca e l'arrivo delle truppe alleate.

Durante tali periodi si sono anche verificate delle requisizioni di generi alimentari, di mezzi di trasporto, delle richieste forzose di danaro a carico di elementi compromessi politicamente.

Mentre il Governo Militare Alleato provvede con le sue norme a regolare la posizione di coloro che venissero a trovarsi imputati, sembra opportuno che il Governo italiano, tempestivamente, studi la opportunità di emanare le norme giuridiche atte a concedere la sanatoria per quegli atti di violenza che siano stati commessi in dipendenza dello stato di guerra.

Semberebbe opportuno però che tale sanatoria tenga presente i seguenti principi generali, che sono dettati dalla situazione come man mano si è vista delinearsi:

- 1) = occorre che le sia salvato il principio della punibilità per tutte quelle azioni che risultassero compiute non per il fine superiore del bene della Patria, ma per vendetta personale.

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Sembrirebbe opportuno però che tale sanatoria tenga presente i seguenti principi generali, che sono dettati dalla situazione come man mano si è vista delinearsi:

- 1) = occorre che le sia salvato il principio della punibilità per tutte quelle azioni che risultassero compiute non per il fine superiore del bene della Patria, ma per vendette personali.
- 2) = che gli accertamenti e l'eventuale proseguo giudiziario, se pur affidato alla magistratura ordinaria, siano effettuati con particolare procedura sommaria, che tenga conto delle relazioni dei comandi di Banda, delle attestazioni dei C.L.N. delle indagini che espletano Gli ufficiali Patriot Representatives presso le Unità Alleate ecc. documenti tutti cui dovrebbe riconoscersi un particolare valore probativo.
- 3) = che il provvedimento legislativo tenga presente la data della cessazione delle ostilità in ciascuna determinata zona, in quanto a volte può verificarsi che anche in zona già liberata si verifichino delle azioni di guerra o di rappresaglia in dipendenza dello stato di guerra stesso.

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4) = ove la magistratura ordinaria non possa adempiere a tali compiti, con le opportune cautele, potrebbe studiarsi la formazione di un particolare Tribunale Militare, che dia la garanzia agli aventi causa che essi possano ottenere giustizia ove ne abbiano il diritto, ma che sia anche e nello stesso tempo una garanzia per coloro che hanno eseguite le necessarie azioni in periodo eccezionale e per fini superiori.

Mi permetto segnalare la delicatezza del problema, ma anche la necessità di provvedere in tempo, in ispecie per la situazione che verrà ad incontrarsi nei territori che verranno successivamente liberati.

C. to Casilli d'Aragona

Cap. M. Casilli d'Aragona
Patriot Representative
HQ. AMG 8 Army

14 marzo 1945.

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

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14 marzo 1945.

HQ. AMG 8 Army

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Legal

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APRQ CING ENDSO INFO 15 SHOT GROUP CIVIL AFFAIRS SECTION 0 5 SECTION
CNG 2 INFO

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DEFINITION

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THEY ARE TO BE USED IN THE MANNER OF THE OTHERS. IS SUBJECT ONE Y OR
THEY ARE TO BE USED IN THE MANNER OF THE OTHERS. IS SUBJECT ONE Y OR

FROM THE 15TH FIFTEEN ARMY GROUP ADVISE THAT PRESENT PLAN WAS IN ACCORDANCE TO
BOM WAS IN TO LOCALLY PARTICIPATE WITH PROUDER PATRONS HIGH ARE OF PATRONS OF
GUARDIAN PATRONS WITHIN PATRONS PATRONS WAS BLACK BACKGROUND WITH BOMB PATRONS
IN RED LETTERS TO FIFTEEN ARMY GROUP GEORGE FIVE BLANK FOUR ONE ONE FIVE
NOT TO FIGHT A BOMBERS PATRONS PATRONS TO

FROM 13 APRIL 1964 1500Z INFO HQ FIFTEEN ARMY 0000 CIVIL AFFAIRS SECTION
FIVE DELETED FROM REPORT FROM HQ ALONG WITH ASSASSIN PARAGRAPH

PARA THREE PD LEAD. OPINION OF THIS COMMISSION IS THAT THE SHOULDER PATCHES
SUGGESTED BY FIFTEEN ARMY GROUP DO NOT CONSTITUTE A FLAGrant DISTINGUISHING MARK
WITHIN THE MEANING OF ARTICLE ONE OF THE HAGUE REGULATIONS PROTECTING THE
LAWS AND CUSTOMS OF WAR ON LAND ON THE GROUNDS THAT THEY ARE NOT SUFFICIENTLY
CONSPICUOUS TO BE RECOGNIZABLE AT A DISTANCE PD RECOMMEND A. SECONDARY THAT THE
PATCHES BE OF LARGER SIZE PD FURTHER RECOMMEND THAT THE WORD "NOTES" BE REPLACED
BY "NOTES" INSTEAD OF "NOTES" PARTICIPANTS WOULD BE

LEGAL & CRIMINIOLOGY
CLO
BAND
The City Hall

MAR 1946

PARA FOUR IS THIS COMMISSION IS OF OPINION THAT WEARING OF A DISTINCTIVE SIGN AND THE
 ISSUE OF A STATEMENT BY THE ITALIAN GOVERNMENT CLAIMING THE BENEFIT OF THE CONVENTION
 FOR PATRIOTS WILL BE TAKEN AS A FINAL INDICATION BY PATRIOTS THAT THE ALLIES INTEND TO
 GIVE THEM ALL THE BENEFITS OF MILITARY FORCES SUCH AS HOSPITALIZATION AND MEDICINE
 AND CLOTHING AND IF SUCH BENEFITS ARE NOT FORTHCOMING IT IS THE VIEW OF THIS COMMISSION
 THAT GREAT DIFFICULTY MAY BE EXPERIENCED IN DISPERSED OF PATRIOTS IN
 PARA FIVE IS IT IS RECOMMENDED THEREFORE THAT NO STEPS BE TAKEN TO ISSUE A STATEMENT
 OR TO SEND DESIGNATIONS TO PATRIOTS UNTIL THE REQUEST CONTAINED IN YOUR MESSAGE FOX
 EIGHT SIX FOUR IS ACCEPTED

INTERNAL DISTRIBUTION :

Patriots Branch.
 Land Forces S/C
 Legal S/C

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CA SECTION

608

NR C/LTS COL

NICHOLAS FLOBBING, CWO, AID
 Asst Adjutant.

~~SECRET~~

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4159/L

WEB/PA.
22 March 1945

SUBJECT : Patriots.
TO : V. CA Sec.

1. Ref signal G-5/411 of 21 March 1945 I am of opinion that a black shoulder patch, Guards pattern, with the word "Partisans" inscribed in red is not a fixed distinctive sign within the meaning of Article 1 of the Hague Regulations respecting the laws and Customs of War on Land.

2. In accordance with previously accepted principles of international law a sign, to be regarded as fixed, must be substantially irremovable. Otherwise the wearer could relapse at will from the status of belligerent to that of civilian. In this war the Allies have claimed that detachable arm bands, when worn, constitute a sufficient sign, and it was no longer open to us therefore to insist upon the irremovability of a sign in our treatment of enemy partisans. This was the view expressed by you in your letter ACC/4159/L of 14 October 1944. It is by no means clear, however, that the Germans have accepted this view and obviously the Allies cannot by a unilateral declaration change to their own advantage previously recognized rules of warfare. A shoulder patch is clearly not irremovable; even if sewn on it can be cut off in a matter of seconds if the local tactical situation makes this course desirable.

3. In any event, as you also pointed out in your letter, the sign must be of sufficient size and sufficiently conspicuous to be recognizable at a distance. You stated that the test for this was that the sign must be visible at convenient small arms range - 150 to 200 yards - in normal light and by the naked eye. I respectfully concur in this opinion. The sign is intended to confer upon its wearer the right under the rules of war to use weapons against enemy troops. Obviously therefore it must be sufficiently conspicuous to identify its wearer to enemy troops, who observe him, as a proper target for their own fire. It cannot in my opinion be suggested that a black shoulder patch, even with red lettering, could be identified at 150 yards, or indeed a much shorter range, with the naked eye.

4. On the principal ground therefore that the sign could not be

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recognized at a distance and also on the subsidiary ground that it is not irremovable I am of opinion, as stated, that it does not constitute a "fixed distinctive sign recognizable at a distance".

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

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INCOMING MESSAGE

Copy

Ref: G-5/411

Mar 211130A

March 21st 1945

From: HQ 15 Army Group (G-5 Section)

To : HQ Alcon

SECRET

15 Army Group and 30M will confer.

Refer distinctive emblem for partisans and you will be advised as to instructions to be issued by 15 Army Group. Present plan if agreeable to 30M is to forward to partisans 100,000 shoulder patches which are of pattern of Guards (British) patches. These will be black background with word partisans in red letters. 5000 patches at a time will be dropped. Beginning date not yet known. You will be given full details as soon as possible. Allied Commission cable 3856 refers, also FX 45247 17 March.

Dist.

ACTING CA Sec
Inform: Interested S/Cs

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Dist.

ACTING CA Sec
Infor: Interested S/Cs

36

S E C R E T

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4157/L.

/rlp.
20 March 1945.

SUBJECT : Prosecution of partisans.

TO : Regional Commissioner (Attn: Regional Legal Officer),
ABRUZZI-MARCHE Region.

The procedure contained in your letter R5/511/34 of 13 March 1945
is entirely approved.

By command of Rear Admiral STONE:

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

TO : HQ ALLIED COMMISSION
(for attention of Legal Sub-Commission)

FROM : HQ AMG/AC ABRUZZI MARCHE REGION

SUBJECT : Prosecutions of partisans

REF. : R5/511/34

DATE : 13 March 1945

1. The matter of the prosecution of former partisans in the Province of Pesaro for offences committed between 5 Apr. '44 (date of amnesty) and 2 Sep. '44 to the middle of October (dates of liberation of various parts of the Province) is causing a great deal of dissatisfaction.
2. There is hardly a patriot who, at one time or another whilst operating in the area of the Gothic line, has not committed some illegal act such as demanding and taking food from farmers - often under threat of arms. Many of these acts were however committed by partisans from sheer necessity, or on the orders of their leaders, and without any motive of personal gain.
3. It is assumed that the Ministry intends to extend by Decree the amnesty granted by RDL No 96 of 5 Apr. '44, but in the meantime there are patriots in gaol to whom the extension of the amnesty would undoubtedly apply. The patriots themselves are angry and upset that men who have rendered good service should be in gaol; they are nervous that they themselves will also find themselves denounced, and the Italian Judicial Officials are extremely loath to proceed even against persons calling themselves partisans who committed illegal acts for motives of personal gain.
4. Some little time ago various meetings were held in Pesaro, at which the P.C., the Prefett, the FLO, the Procuratori, the Commander of the CC.RR., an Italian Patriot Officer specially sent down by AMG 8th Army and three well known patriot leaders were present at one time or another, and as a result of these discussions, and of further suggestions made at this HQ it is thought that a solution has been found.
5. The remedy seems to be, pending the extension of the amnesty, to appoint a committee of three patriots in both Pesaro and Urbino, the members of which shall have been most carefully selected and specially vetted both by FSS and an Italian Patriot Officer. Whenever a person claiming to be a patriot is denounced, the Procuratore would call upon this committee for a complete dossier of the accused.
6. If the Procuratore is satisfied that the act complained of is one which

LEONARDO

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15 MAR 1945

in the area of the Gothic line, has not committed some illegal act such as demanding and taking food from farmers - often under threat of arms. Many of these acts were however committed by partisans from sheer necessity, or on the orders of their leaders, and without any motive of personal gain.

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6. If the Procuratore is satisfied that the act complained of is one which was done by a patriot acting as a soldier on the orders of his leader, he should be authorized by AMG then and there to reject the denunciation. It is thought that in such a case, quite apart from any question of an amnesty, AMG could not as a matter of good government permit any conviction.

7. In any other case in which the Procuratore thinks that if the amnesty provisions were in force the accused would be likely to fall within their orbit, he shall be authorized by AMG to put the denunciation on one side, to be dealt with when the amnesty is extended.

8. In cases in which the dossier reveals that the accused acted from motives of personal gain, or in which the accused was not a partisan and it appears probable that he will not come within the provisions of the amnesty, the case would proceed in the usual way. It is not of course suggested that the committees be given any power to conduct investigations on their own account but it is believed that the various patriot bodies already have very full information relating to their members and their activities.

9. These suggestions were greatly welcomed by the PC, the Patriots and the other interested parties. It was considered that committees of good and sound

partisans would be only too glad to see punished men who used the partisan movement for their own personal gain, thereby bringing it into disrepute.

10. The above suggestions relate to cases in which accused Patriots are not already denounced or at least are not in gaol. As regards those now in gaol, it is suggested that Procuratori should be instructed to re-examine such cases and should be authorized by AMG to grant provisional liberty in appropriate cases even where this is contrary to Italian Law.

11. Is there any objection to solving the problem in this way? Any other suggestions that you can make will be much appreciated.

LEGAL SUB-COMMISSION	
CLO	/
DOO	
Chief Counsel	/
CJO	
Italian Liaison	
CL RGS	
15 MAR 1945	

For the Regional Commissioner

R. G. S. Alexander
R. G. S. ALEXANDER, Major
R.L.O.

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Copy to : FLO PESARO URBINO

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/JPL

23A

AOC/4159/L

26 Oct. 44

Subject: Case of DI FEMCO Carlo

To : Regional Commissioner (att. Regional Legal Officer)
Southern Region.

In answer to L-3031 of 23 Oct. 44.

1. It has been found impossible to issue any directive on the point raised: circumstances vary in every case. The following suggestions are offered as guidance:-

- (a) The general policy that patriots in Military Government Territory are required to surrender their arms on the same basis as every-body else.
- (b) The fact that an accused has been an active patriot does not mean necessarily that he is of good character; indeed, many of them are of the turbulent element and are just the type whom it is particularly desirable to disarm.
- (c) If, therefore, an accused has been living as a private citizen in Military Government territory for a substantial period, the Court should not attach much weight to the fact that the accused had previously been a patriot. If he has actually been of service to the Allies, the Court should take this into general consideration along with many other factors, in assessing sentence.
- (d) Similarly, if it is apparent that the accused knew of the obligation to surrender arms or to obtain an AMG permit and deliberately disregarded this obligation, the mere fact that he is a Patriot should not be accepted as an excuse; again, in fixing sentence his background should be taken into consideration along with other relevant factors.
- (e) Where, however, the accused is actively and presently engaged in Patriot activities and his time in AMG territory is brief and there is no suggestion of any intention to flout the proclamation, all consideration should be shown and any punishment should only be such as to show that the AMG requires a strict compliance with the orders. In many cases, a sentence wholly or to a large extent suspended may be sufficient.

2. As I understand from para 6 that the question and record were submitted for general guidance, I have not entered any Decision on Review. *I would*

deem that sub para (e) applies to this case.

3. The record is returned herewith.

Copy to: FILE 4033/1

W.E. BURENE
Colonel

Deputy Chief Legal Adviser

4159

pke

8

22A

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

L-3031

23 October 1944

SUBJECT: Carrying of Arms in A.M.G. area by Italian Patriots.

TO : Chief Legal Adviser, A.C.C., H.Q., C.M.F.

1. I attach hereto the record of certain criminal proceedings which have recently been instructed ^{in fact} against one DI FRESCO Carlo di N.N.

2. He was, in my opinion rightly, found guilty of being in possession of a Berretta pistol and 6 rounds of ammunition therefor without a proper permit and was sentenced to the term shown on the record.

3. He now appeals and the grounds of this appeal are sufficiently set forth in the papers.

4. I shall be glad to know what is the position with regards to the carrying of arms by Italian Patriots. In this case the accused stated that he had actually been fighting in the Florence area.

5. They are I suppose technically guilty if they carry arms without a proper permit but is the fact that they were or are still Italian Patriots to be taken into account as a rule of practice as a factor in mitigation of penalty?

6. I have always thought that when once local guerrillas pass behind our lines they revert, ^{often} ~~and the~~ things being equal, to their normal status as civilians and are as fully amenable to the law as the rest of the population. 37

7. As, however, there may exist ^{here} ~~some~~ some rule of practice based upon policy which modifies the proposition set forth in para.6 hereof I am referring the matter to you for guidance.

Please see ~~attached~~

8. Please return the papers with your reply when I shall decide the appeal.

L. F. Dawson

L.F. DAWSON
Lt. Colonel, G.L.,
Reg. Chief Legal Officer
Southern Region.

LFD/mo

ENCLS-

1 record (No. 4050)
form 8 with doc.s

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Station Section	
CL RKS	
25 OCT 1944	

30

file
4459

221A

TO: Civil Affairs Section.

I return to you your copy of the CCS signal on Italian partisans to complete your records.

In the absence of any draft reply from you I have sent off this morning an immediate reply to A.F.H.Q. and asked Political Section to draft a reply which will be considered at the C.O.S. meeting tomorrow.

for *Worship* *Loen*

Brigadier,
Chief of Staff.

19th October, 1944.

Loen White.

This bird after a hell of a chase
is finally retrieved and laid dead at
your feet!

W

Lg. 11

Please file

W. White

19 OCT. 1944

21
2292

SECRET

4159 ✓

ASG

AFHQ HIGH COM BUREAU

Z 16036

OCT 08:1745A

ACTION COPY

CA SEC
FOR INFORMATION ONLY

20A

70

7379

Legal Plc.
consult Plc.
and instructions
25/09

9 OCT 1944

ROUTINE

CITE XEROX

SECRET. Suggestion by combined Chiefs of Staff that if Italian Partisans fulfill conditions of Article 1 of Regulations appended to HAGUE Convention Number IV of 1907 a statement should be prepared for issuance by the Italian Govt stating the facts and demanding treatment as Prisoners of War in the event of capture by enemy. Such statement is to be submitted to this Hq and will not be issued until released here.

List

Action - ~~CA~~ Sect (3)
Info - Pol Sec
Army SC
Patriote Br
IPGW SC
A/CG
C of SC - SEC
File

LEGAL SUB-COMMISSIO	
CLO	✓
DCLO	
Chief Counsel	
CLO	
Italian Section	
CL RKS	
8 OCT 1944	

28

HEADQUARTERS
9 OCT 1944
A. C. C.

SECRET

OCT 090854A

2292

0749

785016

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

19A

ACC/4159/L.

21 Oct. 44.

SUBJECT: Enemy Partisans.

TO : Adjutant, Piemonte Region.

1. Reference your letter 461 dated 19 October 1944.
2. Herewith 10 additional copies of ACC/4159/L dated 14 Oct 44 as requested.

BY COMMAND OF COMMODORE STONE:

Jos. W. LEVY,
Capt.
for Chief Legal Advisor. 2

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

18A
Legal

FILE : 461
SUBJECT : Request for publications.
TO : Civil Affairs Section, Hq ACC. ✓

19 October 1944

1. May this Hq please be supplied with ten (10) additional copies of your letter, subject, "Enemy Partisans", file, ACC/4159/L dated 14 Oct 44.

For the Regional Commissioner:

Lawrence E. Kearin
LAWRENCE E. KEARIN
Capt, Inf.
Adjutant



SECRET
HEADQUARTERS

ALLIED CONTROL COMMISSION
CIVIL AFFAIRS SECTION

APC 394

ACC/4159/L.

SUBJECT : Enemy Partisans.

TO : Regional Commissioners, Liguria, Piemonte, Lombardia, Venezia and
Emilia Regions (Attn: FIOs).
SOACs 5th & 6th Armies.

14 October 1944.

1. The arrest and prosecution of members of the civil population for bearing arms against the Allied Forces raise many difficult problems of international law.

2. In some cases no official answer exists to these problems and in others the answers given are based upon the warfare of many years ago and are manifestly impractical in present day conditions.

3. The following memorandum is based upon the official text books of international law, but the actual answers suggested to the problems raised are intended as a guide in practice and are not propounded for scientific juristic analysis.

4. Civilians are entitled to bear arms against the enemy if, but only if, they comply with the following conditions:-

- A. (1) They are commanded by a person responsible for their subordinates; and
(ii) They wear a fixed distinctive emblem recognisable at a distance; and
(iii) They carry arms openly; and
(iv) They conduct their operations in accordance with the laws and usages of war; and possibly also - but as to this see para 9.-
(v) They are resisting invasion by our forces, or

B. They form part of a levee en masse.

5. The following answers are suggested to some of the questions which naturally arise out of these conditions.

6. A.

- (i) Guerrilla warfare is officially recognized. It is felt therefore that it is unnecessary for the commander to be within ear-shot of his subordinate - or even in wireless communication, provided that he has in fact allotted a role to his subordinate and left him to carry it out. If in fact there exists any organization, this should be treated as an adequate compliance with this condition and a statement by the "accused" that he was acting under orders should, if believed, be sufficient evidence of compliance with this condition.

25

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7. A.

- (ii) What is meant by fixed? Distinctive emblem? A distance? Fixed cannot be taken to mean irremovable since the British Home Guard wore originally only a removable arm-band. If at any material time the emblem can be shown to have been removed, obviously the accused was not "wearing" it. The word must therefore be taken to mean "established" or "recognized". In other words it is sufficient if all members of some force wear the same emblem, which by this uniformity becomes established, but it is inadequate if the "accused" can only point to some individual peculiarity of his own connection. Emblems used have been of the most casual nature. Italian partisans habitually wear red scarfs as their only emblem. The safest course is to accept any identifiable peculiarity of clothing or mark, generally worn and recognisable "at a distance", as a distinctive emblem for this purpose.

A reasonable text for the distance at which the emblem must be recognizable would seem to be that when the wearer is exposed to view the emblem must be recognizable at convenient small arms range - 150 to 200 yards - in normal light and by the naked eye.

It must be appreciated that it is a question of fact in each case whether, in the full circumstances, a particular uniform is sufficient. The standard is plainly not high for arm bands have been considered by the Allies to be sufficient both for the British Home Guard and the F.F.I.

8. A.

(iii) & (iv) It is not thought that any difficulty arises on these conditions.

9. Text book writers add that in order for members of the civil population to be protected, they must be resisting during the period of invasion, and that this right to resist ceases on occupation. In view, however, of the declaration that, in occupied France, the FFI are to be treated as part of the armed forces it is very doubtful how far this requirement can now be pressed. The other requirements in paragraph 4 A would seem to provide sufficient safeguard against the ordinary sniper, and it appears dangerous to insist upon a condition which is manifestly at variance with the declared policy of the United Nations.

10. As to a levee en masse - there are 2 kinds of levee which for convenience may be called "spontaneous" and "directed".

A "spontaneous" levee occurs when the inhabitants of a territory which has not been occupied.....an approach of the enemy spontaneously take up arms to resist the invading troops without having had time to organize".

A "directed" levee consists of members of the peaceful population who under similar circumstances are called to arms by a belligerent and thus made part, if an irregular part, of the armed forces".

11. In the case of a spontaneous levee it would seem that if they do take up arms spontaneously on the approach of the enemy they are only required to carry their arms openly and observe the laws and customs of war. Their rights as a levee en masse end upon occupation but if thereafter they comply with the requirements of para 4 A (i)-(iv) the remarks in para 9 appear to apply.

12. The question that arises is what proportion of a local population is required to constitute a levee en masse. There is no definite answer to this, and perhaps theoretically there might be a one man levee. In practice the test suggested is that there should be either (in the case of populated areas) a substantial body of men or (in other areas) a substantial portion of the population.

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13. In the case of a directed levee the people are called to form part of the armed forces. Obviously there must be a call to arms; if there is, are the citizens who muster required to conform to the tests of members of the armed forces (para 4 A (i)-(iv)) and do they remain members of the armed forces after occupation?

14. The practical answers appear to be:

(A) During the invasion stage they have the same status as a spontaneous levee, save that all citizens who answer the call and fight with the regular forces should be privileged, irrespective of their number.

(B) After occupation they have no rights unless they comply with the conditions - para 4 A (i)-(iv) .

15. Finally it is emphasized that these instructions are intended only as a guide and that cases of difficulty will be referred to Legal Sub-Commission before prosecutions are instituted. While sniping by civilians must be of course vigorously suppressed and offenders punished in Allied Military Courts it is plain that grave harm by way of reprisals on our own POWs in German hands may result if any prosecution is undertaken against enemy partisans where any case can be made for claiming protection for them under the rules which have been discussed above.

BY COMMAND OF ACTING CHIEF COMMISSIONER:

G. R. Upjohn

C. P. UPJOHN, Brigadier
V. B., C. A. Sec.,
Deputy Chief of Staff.

0756

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

785016

25

- 3 -

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

ACC/4159/L.

9 October 1944.

SUBJECT : Enemy Partisans.

10007.1944

TO : V.P., C.A.Sec.

1. As a result of the recent discussion of RLOs the attached memorandum has been prepared and is submitted for your approval.

2. It is recognised that in many instances the decisions taken lean heavily upon the side of the partisans but it is felt that in view of the underlying policy it would be dangerous to take any other course.

Richard H. Wilmer

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

WEB/wcw.

SECRET

9 Oct, Recd

AGU

B4 on 15/x

C5A

9/x

PATRIOTS
FOR INFORMATION ONLY

7375

15A

25/09

AFHQ SIGNED BARRED

Z 36036

OCT 081745A

ROUTINE

CITE VHGRC

SECRET. Suggestion by combined Chiefs of Staff that if Italian Partisans fulfill conditions of Article 1 of Regulations appended to HAGUE Convention Number IV of 1907 a statement should be prepared for issuance by the Italian Govt stating the facts and demanding treatment as Prisoners of War in the event of capture by enemy. Such statement is to be submitted to this Hq and will not be issued until released here.

Page 204

Dist

Action - C o S Sect. (3)
 Info - Pol Sec
 Army SC
 Patriots Br
 IPOW SC
 A/CC
 C A SEC
 File

W.C.
 For Info
 Page 204

~~X Action to Legal X~~

Imp. C. H.
 My

SECRET

OCT 090854A

SEE
OVER

22

2350

On instructions of Col White (CASA)
action copy of this cable today handed
to SSgt. Paken - Chief Clerk, Office of Chief of Staff
~~for~~ for Col Shippe with message that
instructions would be given on E action to
be taken there at next Chief of Staff meeting

X

X

12/10/44



SECRET

3001 recd

HEADQUARTERS
AMG FIFTH ARMY
APO 464 U.S. ARMY

SECRET

109/2

2nd October 1944.

LEGAL SUB COMMISSION

CLO ✓

DCLO ✓

Chief ✓

CJO

Its/la

CL

SUBJECT: Partisans.

TO : See Distribution.

Considerable experience has now been gained in dealing with patriots and on the whole this problem is being very satisfactorily handled by C.A.O.s. However, while there is no desire to limit the discretion of officers in solving individual problems, there are two points on which a uniform procedure must be adopted.

1. Certificates.

In order to maintain the value of the certificates in the eyes of the patriots themselves and of the local population their issue should be strictly limited to persons who have definitely borne arms against the Germans. While it is impracticable to lay down a hard and fast rule that no certificate will be issued unless the recipient has previously handed in a weapon, nevertheless this principle should be borne in mind at all times. There have been too many instances in the past where the number of certificates issued has been entirely out of due proportion to the number of weapons collected.

2. Handing in of arms.

Although results vary widely this is in general very unsatisfactory, there are many instances in which the number of weapons handed in is but a small fraction of the quantity which the partisans themselves admit to possessing. Moreover there is evidence that partisans are being advised by political organisations to retain their arms and the presence of armed hoodlums throughout the country is causing grave concern to the Italian Government and Allied Authorities.

For these reasons a firmer attitude must be adopted. All persons who have wilfully concealed weapons will be charged under the terms of Proclamation Number 1. C.A.O.s are reminded that cases involving a serious flouting of the orders contained in the Proclamations can and should be remanded for trial by a Superior Court, which has the power to impose severe penalties. Where however a C.A.O. considers that a greater deterrent effect can be obtained by a speedy trial of offenders by Summary Courts he should impose an adequate sentence. In this connection attention is drawn to Article 26 of the A.C.C. Consolidated Instructions for the holding of

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DISTRIBUTION:

All S.C.O.s, C.A.O.s & C.A.O.s.
 All F.C.s Regions VIII & IX (for F.C.s & F.C.s)
 F.C.s Regions VIII, IX, Liguria, Piemonte & Lombardy (for F.C.s & F.C.s)
 C.A.O.s Bible
 AMG Eighth Army
 HQ, ACC - Civil Affairs Section
 IG-1 Sub-Commission
 Public Safety Sub-Commission
 Districts Branch
 Adv. ACC, M. in HQ, AAI

E.B. MAYE

Colonel U.D.F.,
 Chief of Staff,
 A.M.G. Fifth Army.

HEADQUARTERS

15 OCT 1944

A.C.C.

SECRET

LIED COMMISSION

INCOMING MESSAGE

TO: ACTION: ACC FOR WILMER

SIGNAL MESSAGE CENTER No: 98/15

FROM: AFHQ SIGNED SACHED

CLASSIFICATION: SECRET

REFERENCE No: F-26015

PRECEDENCE: ROUTINE

DATE AND TIME OF ORIGIN: SEP 16 1606B OFFICE OF ORIGIN: CITE RHGEG

FRENCH FORCES OF INTERIOR.

SHAEP HAS PUBLICLY DECLARED THAT RESISTANCE GROUPS OF THE FFI ARE PART OF THE AEF. IN ACCORDANCE WITH RULES OF WAR THEY CONDUCT OPERATIONS OPENLY AGAINST THE ENEMY AND HAVE A DISTINCTIVE EMBLEM.

PARA. IN THE EVENT THAT ENEMY ORGANIZES RESISTANCE GROUPS AND THEY ARE CONSTITUTED AS COMBAT FORCES AND HAVE DISTINCTIVE EMBLEM AND CONDUCT OPERATIONS OPENLY IN ACCORDANCE WITH RULES OF WAR THEY SHOULD BE TREATED IN ACCORDANCE WITH THE RULES OF WAR IN ORDER THAT NO JUSTIFICATION FOR ENEMY REPRISALS AGAINST RESISTANCE GROUPS AIDING ALLIES MAY BE GIVEN.

PARA. THIS POLICY IS NOT TO BE PUBLISHED OUTSIDE OF THE ARMED FORCES.

ACTION

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MAY - 1944 (2)

JAN - 1950

ADMIN

CABIN

AFCC

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O.W.

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PARA. IN THE EVENT THAT ENEMY ORGANIZES RESISTANCE GROUPS AND CONDUCT
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IN ACCORDANCE WITH THE RULES OF WAR IN ORDER THAT NO JUSTIFICATION FOR
ENEMY REPRISALS AGAINST RESISTANCE GROUPS AIDING ALLIES MAY BE GIVEN.

PARA. THIS POLICY IS NOT TO BE PUBLISHED OUTSIDE OF THE ARMED
FORCES.

ACTION

Acc Dist
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Inf - 250
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SEP 170800B

DATE and Time of RECEIPT

SECRET

Distribution:

SECRET

5484

(13A)

ACTION: AGO FOR WILSON

98/16

AFHQ SIGNED CACHED

SECRET

P-16019

ROUTINE

SEP 161606B

CITE ENOEC

FRENCH FORCES OF INTERIOR.

SHANE HAS PUBLICLY DECLARED THAT RESISTANCE GROUPS OF THE FYI ARE PART OF THE ARMY. IN ACCORDANCE WITH RULES OF WAR THEY CONDUCT OPERATIONS OPENLY AGAINST THE ENEMY AND HAVE A DISTINCTIVE UNIFORM.

PARA. IN THE EVENT THAT ENEMY ORGANIZED RESISTANCE GROUPS AND THEY ARE CONSTITUTED AS COMBAT FORCES AND HAVE DISTINCTIVE UNIFORMS AND CONDUCT OPERATIONS OPENLY IN ACCORDANCE WITH RULES OF WAR THEY SHOULD BE TREATED IN ACCORDANCE WITH THE RULES OF WAR IN ORDER THAT NO JUSTIFICATION FOR ENEMY REPRISALS AGAINST RESISTANCE GROUPS AIDING ALLIES MAY BE GIVEN.

PARA. THIS POLICY IS NOT TO BE PUBLISHED OUTSIDE OF THE ARMED FORCES.

ACC DIST

NOT
INF
LEGAL (2)
ESO
ADMIN
CNA
A/C
FILE

19

SECRET

SEP 170800B



4159 file
To LEGAL

1. I expanded the to
Meeting of Forward Region
Yesterday.
- 2) It was accepted by
all and understood.

Philip
CA

14 Sep. 44.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

(2A)

/rlp.

11 September 1944.

ACC/4159/L.

MEMO TO: Colonel Cripps.

And 4

The question appears to have been raised as to whether AG Courts should try partisans for murders of fascists such murders having been committed prior to occupation. While the occupying power may try in its courts crimes committed before occupation, because after occupation there is a dual-court system, it has not been the practice since the early days of Sicily to try cases where crimes have been committed before occupation where civilians alone are involved. As a matter of fact, it has not generally been the practice in the many months for AG Courts to try cases involving crime where the Allied interests, property or personnel, have not been affected irrespective of when the crime was committed. It seems, therefore, to me, that these cases must be left to the Italian Courts to deal with whether the crime was committed before or after occupation.



RICHARD H. WILMER,
Colonel, GAC.
Chief Legal Officer.

Copy to: ACC/4002/L.

18

11A

HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

95/Pat

16.9.44.

SUBJECT: Formation of Italian Patriot Committee

TO: Distribution below.

The Italian Government have set up an Italian Patriot Committee under the Chairmanship of the Prime Minister with the following terms of reference:-

1. The Commission will be called "Commissione per i Patrioti"
2. It will be presided over by the Prime Minister and, in his absence, the Under Secretary of State to the Presidency.
3. The members will be:-

H.E. Mario FALCINO, Under Secretary of State for War.

H.E. Giuseppe SPALLARO, Under Secretary of State for Press and Information.

Dr. SAUER or other representatives of the C.L.N.

General ODDONE (Military)

4. The directives of the Commission will be carried out by a corresponding "Ufficio Patriote". The work will be undertaken by military and civilian personnel.

5. The head of this, Lt. Col. BATTISTO, will also be Secretary of the "Commissione".

In their relations with the Allied Control Commission and the Regions, this Committee will deal with the Patriot Branch of the RC and MG Section. Officers of this Commission will reciprocally deal with this Italian Patriot Committee through the Patriot Branch and not direct.

17

↑ 18/11/44

H.E. Mario P. LUSH, Under Secretary of State for War,

H.E. Giuseppe SPALARO, Under Secretary of State for
Press and Information.

Dr. E. JER or other representatives of the C.L.N.

General ODDONE (Military)

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17

M. S. LUSH

(M. S. LUSH) Brigadier, Executive
Commissioner.

Distribution:

C (Group 1)

LEG	CLB	
CLO	DCLO	Chief Counsel
CJO	Italian Section	CL: RKS

RESTRICTED

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.G. & M.G. Section
Patriots Branch
AFO 394

Ref/46/14/PAT.

22 August 1944.

Speech made by Colonel C.D. MC CARTHY Patriots Branch

at Regional Commissioner's Conference 22 Aug. 1944.

1. Patriot Bands many of which are large and highly organised bodies have been created in various centres of German occupied territory in Italy and have received considerable encouragement and active help and instructions from the Allied Command. It is therefore clearly one of our chief tasks to look after the individual members of these bands when their fighting is over and in this connection it has been laid down by A.A.I. that bands must not accompany the Armies forward out of their own areas.

The Patriots Branch of A.V.C. was formed early in July as a result of an instruction from A.A.I. and is responsible for all dealings with Resistance Groups as soon as the territory in which they have been operating is liberated by our troops.

2. In all dealings care is taken to distinguish between bogus Patriots and genuine patriots who are defined as being those in the ranks of genuine fighting bands who have carried arms, engaged in sabotage or secured important military information to the benefit of the Allied War effort. It must be remembered that these genuine patriots have in very many cases lived extremely precarious lives, suffered considerable casualties and been a very great nuisance to the enemy. Let us not forget that they have been living under the black cloud of torture and death not only for themselves but also for their families. I will read you the text of a German Order signed for the Commander in Chief of the German Armed Forces and found in the SUBBIANO area in mid-July:

ONE. Whoever is found in possession of arms or explosives and does not report them to the nearest German Headquarters WILL BE SHOT.

TWO. Whoever gives shelter to bandits, protects them or gives them clothing, food or arms..... WILL BE SHOT.

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TWO. Whoever gives shelter to bandits, protects them or gives them clothing, food or arms..... WILL BE SHOT.

THREE. If it is found that anyone knows a group of rebels or even a single rebel without having reported them to the nearest Headquarters, he..... WILL BE SHOT.

FOUR. Whoever gives information to the enemy or to the bandits on the location of German Headquarters or Military dumps... WILL BE SHOT.

FIVE. Any village where it can be proved that there are bandits or where attacks against German or Italian soldiers have been made, or where acts of sabotage intended to damage or destroy warlike stores, have taken place.... WILL BE BURNT ... TO THE GROUND. However, male inhabitants of the village over 18 years old... WILL BE SHOT. Women and girls will be interned in labour camps.

There is no doubt that many patriots have acted with extreme bravery and courage and a note of their activities has been prepared and is available to those who would like to read it.

/s. Mary

- 2 -

3. Many questions have been asked of the political tendencies of patriot bands. After speaking to a large number of patriots in various corners of the country I personally feel that in the great majority of cases these men have been fighting first to defeat the Germans, second to destroy Fascism and third in the case of some of them, to build up a new Italy. Most of them have at this stage of the war very little idea of the aims and ambitions of the six political parties in Italy but they are keenly alive to the fact that something drastic must be done about politics in the very near future and being mostly young and active men they are keenly susceptible to influence and require a lead from the Italian Government. Some of them will undoubtedly be of importance in the new Italy and they are a great responsibility for us all.

4. Plans have been drawn up for dealing with patriots. A message in poster form signed by General Alexander has been distributed in forward areas, a form of certificate of merit has been approved and certificates have been sent to Regions and to the 5 and 3 Armies for distribution. Although many patriots are used for a short while by the Army in their own area as guides and patrols and for reconnaissance work, the intention generally is to direct nearly all of them into civil life. About 50% return to their own homes and occupation locally. Of the remainder some will be used for police duties or as drivers, others will be employed on engineering work, and on mine clearance; and arrangements have been made for recruiting and passing back volunteers for service in the Italian Army and Air Force. Communal committees are being set up to assist Provincial Commissioners in this work, and to help weed out bogus applicants among the genuine patriots. The problems of collecting and disposing of the patriots' arms is in hand. The arms will be used for future operations as directed by A.A.I.

5. Reports are being received from Patriot Representatives and from the leaders of the Patriot bands. Information from these reports is extracted and passed on when relevant, for use by P.R.O., P.W.B. and by the press. Italian newspapers are closely scrutinised. Information is being collected about conditions in enemy occupied territory in order that suitable plans can be made for handling patriot problems in that territory when it has been liberated.

6. Liaison is maintained with the Italian Ministry of War through an Italian senior officer who is responsible for coordinating the work of the two groups which are recognised - the C.L.M. Group and the Military Centre Group.

7. Directives have been issued as required in agreement with A.A.I. and other authorities. It is fair to say that the task of ensuring that

and arrangements have been made for recruiting and passing back volunteers for service in the Italian Army and Air Force. Central committees are being set up to assist Provincial Commissioners in this work, and to help weed out bogus applicants among the genuine patriots. The problems of collecting and disposing of the patriots' arms is in hand. The arms will be used for future operations as directed by A.A.I.

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7. Directives have been issued as required in agreement with A.A.I. and other authorities. It is fair to say that the task of ensuring that these directives are acted upon by Allied officers concerned and by the leaders of the patriot bands is well in hand. The broad political aspect of the patriot problem has been borne constantly in mind, and very close liaison is being maintained with those Allied officers who are concerned with the political future in Italy.

8. The patriot question is very much in the news at present and I am bombarded with questions about what we are likely to find on the other side of the line. We have a fairly good idea and I am endeavouring to furnish this information when it is essential to do so. At the same time I am endeavouring to see that those on the other side of the line are properly informed about what is going on this side of the line. I would like in conclusion to take this opportunity to thank the press, P.R.O. and P.W.B. for the active cooperation given in recent weeks and for the manner in which publicity has been treated. The power of the press is tremendous in this present era of the patriot movement; and we must remember that the Germans are spreading propaganda against us as energetically as they can so that it is necessary for us to encourage our patriots as much as we can. I am trying to help in this firstly by ensuring that the proper arrangements are made for their welcome on this side of the line and secondly by taking care that they shall be informed immediately what that welcome will be.

HEADQUARTERS
ALLIED CONTROL COMMISSION
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CURRENT PROBLEMS

(A) PROBLEMS FOR THE ITALIAN GOVERNMENT.

1. Institution of a Patriot Commission for Italy.
2. Patriot Committee for Rome.
3. Nomination of truly representative Patriot Representatives.
4. Keeping a check on names and performances of genuine Patriots and seeing that they have employment.
5. Providing Patriot Branch with information.
6. Collect money for Patriot needs, such as pay and salary for Patriot Representatives, compensations for Patriots and provision of food, clothing and cigarettes to fighting Patriots pending their employment.
7. Provide transport and drivers for Patriot Representatives.

(B) PROBLEMS FOR A.M.G. OF ARMIES.

The whole brunt of the patriot problem falls on the Armies. The following will be helpful for handling patriot problems behind the Army areas.

1. Collection of stories for propaganda purposes and we should like to send Press Representatives up to witness the distribution of certificates.
2. Collecting and forwarding of reports from Patriot Representatives and Band Leaders.
3. A short summarised weekly report of patriot activities.

(C) PROBLEMS FOR REGIONS (in addition to some or all the A.M.G. problems).

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Patriot Representatives, commissions for Patriots and providing food, clothing and cigarettes to fighting Patriots pending their employment.

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(C) PROBLEMS FOR REGIONS (in addition to some or all the A.M.G. problems).

These are connected with the final winding up of the patriots in each Region.

1. Training of an Allied officer, whole or part time, to look after patriot problems in each Region.
2. Formation of an Italian Patriot Committee and prodding of it to see that it functions.

(D) PROBLEMS FOR INTELLIGENCE SECTION OF PATRIOTS BRANCH.

1. Information to AMG of Armies and Regions concerning composition of forward bands etc.
2. Information regarding Po flooding, sea flooding and pump station preservation.
3. Information regarding Prefects and prominent men in present occupied area.

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4. Statement on damage to be avoided - this may need a special committee of Italians.
5. Collect reports weekly from Patriot Representatives and Band Leaders (through Armies and Regions) and examine and pass to Italian Government for their need.

(E) PROBLEMS FOR PROPAGANDA SECTION OF PATRIOTS BRANCH.

1. Collect news from all Regions all sources. Collect good stories and statistical data.
2. Produce anti-Boche and anti-Fascist propaganda.
3. Give news to patriots of what is happening through P.R.O., P.W.B., E.R.C. broadcasts to civilians, leaflets and press.

(F) PROBLEMS FOR H.Q. SECTION OF PATRIOTS BRANCH.

1. Look after problem of returning volunteers.
2. Investigate question of providing patriots with food, cigarettes, clothes and boots.
3. Keep up to date lists of Italian officers for special jobs.

22 August 1944.

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Legal
25/11/1944

PATRIOT BANDS IN CENTRAL ITALY

(This report concerns only the liberated areas of Regions 4, 5 and 8.)

1. ORIGIN OF THE BANDS.

The Patriot Movement does not represent something completely new in Italian life; it can be considered a new and wider development of the struggle carried out during the last twenty years by several underground organisations against the Fascist regime. The activities of these underground organisations had a direct influence in creating the conditions which made possible the coup-d'etat of July 25, 1943.

After the coup-d'etat, leaders and members of the underground organisations came out into the open. With the re-establishment of the Fascist regime (25 Sept. 1943), it became imperative for anti-fascists in enemy occupied territory, to go into hiding. The same was done by many other people who had not taken part in the anti-fascist activities before July 25th; and who after that date had shown sympathy for the new regime and for the Allied cause.

As a result of the amnesty, most of the Italian Army disbanded. Officers and soldiers went home or tried to reach home, hoping that the Allies would soon arrive. When the new Fascist Government was re-established and it became evident that the enemy was going to occupy parts of the country for a certain while, officers and soldiers who did not want to join the new Fascist Army or were afraid of being sent to Germany to work, went into hiding.

Among the hundreds of thousands who went into hiding during the months of September and October 1943, there was a minority willing to engage in anti-fascist and all anti-German activities. In the towns the old anti-fascist organisations absorbed many of the people willing to act against the enemy. New groups were formed mainly by former officers in the Italian Armed Forces. In the rural districts a separation was soon established between members of bands and those who were simply waiting for the arrival of the Allies. Also in the rural districts, members of the former anti-fascist organisations succeeded in establishing some kind of authority over the bands, except for those bands which were formed by officers and men of the disbanded Italian Army.

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As a result of the armistice, most of the Italian Army disbanded. Officers and soldiers went home or tried to reach home, hoping that the Allies would soon arrive. When the new Fascist Government was re-established and it became evident that the enemy was going to occupy parts of the country for a certain while, officers and soldiers who did not want to join the new Fascist Army or were afraid of being sent to Germany to work, went into hiding.

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2. DEVELOPMENT OF BANDS.

Fairly large bands were already in existence at the end of September. They could be found chiefly in the mountainous regions. There were bands in the Maiella and the Gran Sasso. A cluster of bands could be found all along the VIA Salaria from Rieti to AScoli and for a depth of about 30 to 40 miles north of this road. Other bands were formed in the Upper Tiber Valley and surrounding districts. Bands could be found in the sparsely inhabited area of MAREMMI, from CECINA to CIVITA VECCHIA. Large concentrations of bands were formed in the mountains north and east of the Arno Valley. Small groups which in some cases developed into large bands existed in the mountains between Lazio and Abruzzi, and in the hilly districts of southern Lazio (Castelli Romani, Monti Lepini). It is possible that the average strength of genuine bands in rural areas of Regions 4, 5 and 8 has varied from 8,000 to 12,000 true patriots.

It soon became customary for the bands in the rural districts to have some kind of military organisation, and they called themselves Battalions or Brigades. Battalions were bands with a strength of around 100 men. Brigades were usually bands or groups of bands with a strength which varied from about 250 men to a maximum of 800 men. Most Brigades had around 350 men.

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In the towns, the leaders of the anti-fascist organizations who had some experience of underground work, organized Gruppi d'Azione Patriottica (G.A.P.), small squads usually containing from five to twelve men. In the city of Rome there were both bands which usually had been organized by officers of the Italian Army and "gangs". It is possible that in the city of Rome there have been as many as 7,000 to 8,000 true patriots.

3. CENTRAL CONTROL.

While bands and gangs were being organized spontaneously in every section of Central Italy, efforts were being made to coordinate their activities and to bring them under some kind of unified control.

Before the coup-d'etat of 25 July 1943 an agreement had been reached between the six main anti-fascist political parties, and in most provincial capitals clandestine committees were formed by representatives of the six parties. After a while all the clandestine committees adopted the name of Comitato di Liberazione Nazionale (C.L.N.).

In Central Italy the Rome C.L.N. soon acquired special importance. It established a Giunta Militare, also composed of representatives of the six parties. After the armistice, the Rome Giunta Militare tried to establish contact with the provincial C.L.N.'s in Central Italy and with the bands, but on the whole the real influence of the Rome Giunta Militare on the bands outside the cities' area was negligible. The fact remained however, that most bands considered themselves subordinated to the provincial C.L.N.'s and through them to the Giunta Militare.

Soon after the armistice, anti-German officers of the Italian Army organized in Rome, the Military Clandestine Front. An offshoot of this organization was the Comando Bande, divided into two sections: Bande Interne and Bande Esterne. The C.B.I. was supposed to control bands inside Rome and to it were connected several military bands formed by loyal officers and men of disbanded units of the Italian Army. The C.B.E. was supposed to contact the Patriot Bands outside Rome. Only at a late stage was the C.B.E. able to establish contact with a certain number of bands in Central Italy, but, as in the case of the G.M., contact did not mean control.

Dissident political groups tried to establish their own unified Patriot Command. Their efforts had negligible results.

A number of bands had been organized spontaneously chiefly in the mountainous areas of Central Italy. Not less than two important central organizations and several smaller ones had been established in Rome, but there was little

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A number of bands had been organized spontaneously chiefly in the mountainous areas of Central Italy. Not less than two important central organizations and several smaller ones had been established in Rome, but there was little relationship between the former and the latter.

More successful were local attempts at creating cooperation between different bands. In several instances small bands got together and formed Brigades. In this way came into existence the Spartaco Brigades in Macerata Province and in Siena Province, the Garibaldi Brigades of Foligno, of the Pratomagno, of Pisa Province of Ancona Province, the Arno Brigade in the Valdarno, the Gransoi Brigade near Spoleto, etc.

Brigades also tried to get together. There was a time for instance when several Brigades in the provinces of Macerata and Perugia were working together. Later on various Brigades in the Marche Region established cooperation and formed a Garibaldi Division. Another Division came into existence in the Arno valley. In the provinces of Siena and Grosseto, officers of the Italian armed forces brought together several bands and formed a Raggruppamento which was in contact with the C.B.E. Other Raggruppamenti were formed in northern Lazio, southern Lazio and in the area east of Lazio.

4. ARMAMENT - FOOD AND CLOTHING - POLITICS.

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ARMIES - FOOD AND CLOTHING - POLITICS
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The majority of the Patriots who went to the hills or the mountains of ~~Central~~ Italy in September and October 1943, had little or no arms, a band of more than 200 patriots on the Gran Sasso had more than 40% casualties when attacked by the Germans because of a deficiency in weapons and ammunition. The situation improved before the end of Autumn 1943, thanks to the attacks made against barracks of the Fascist Militia and the Carabinieri and thanks also to the raids on dumps of either the Italian or the German Armies. In certain districts arms were supplied by the Allies.

The food situation for the patriots in Central Italy was altogether satisfactory. Peasants gave generously. More food was obtained by the patriots by raiding the depots organised either by Italian or German authorities. Even in the city of Rome food was obtainable for the patriots. A large organisation sprang into being for the transport of foodstuffs from the countryside to the city.

A severe winter helped in creating a serious situation as far as clothing was concerned. Shoes also were practically unobtainable.

Politics have been an important element in the life of the patriots in Central Italy. The rank and file can be considered anti-German and anti-Fascist. In each band have usually been present a few patriots with rather determined political views who tried to acquire a following in the bands.

Until the end of April a sharp distinction existed between "badogliani" and "anti-badogliani". The former were supporters of Marshall Badoglio and of the Crown. The latter were in favour of the overthrow of the Monarchy. In this second group the most active elements were the Democrats (Action Party) and the Communists. The solution of the political crisis of April 1944 improved the relations between "badogliani" and "anti-badogliani". On the other hand the cleavage between Democrats and Communists increased.

There is little doubt that the Communists have found a more favourable ground for their propaganda among patriots than either the Monarchists (mostly regular Army officers) or the action party Democrats. On the other hand it appears that in most patriot bands the Communists were a minority and that their success in establishing their leadership was mostly due to better organisation and greater spirit of initiative.

5. ALLIED SUPPORT.

It is known that soon after the armistice of September 8, 1943, contacts were established between the Allied Armies in Italy and several bands in Central Italy. The bands received arms, ammunition, and funds. Directives were given to them concerning operations to be carried out.

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An important element in the relationships between the bands and the Allied was represented by the propaganda coming from Allied radio stations. The Patriots were encouraged to carry out acts of sabotage against the enemy. Certain broadcasts could be interpreted by the patriots in such a way that they expected their work to be recognised and rewarded when the areas in which they operated were liberated.

It was something of a shock for many patriots to find, on their first contacts with Allied troops or with A.M.G. representatives, that the Allied officers with whom they came in touch knew little or nothing of patriot activities and had little or no idea of what Allied propaganda had said and promised.

/6. ACTIVITIES

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6. ACTIVITIES AGAINST THE ENEMY.

In the appendix are listed a series of examples of what bands and "gangs" did in Central Italy during the period of enemy occupation. It is impossible yet to give a complete record of patriot activities in Central Italy and it will be some time before all facts are collected and verified. It is impossible yet to say how many Germans and Fascists have been killed by the patriots, or how many trucks or railway were destroyed. By summing up what the bands did in various areas, the total is far from negligible.

Patriot activities in Central Italy can be summarised as follows:

- (a) Killing of Fascists and of Germans.
- (b) Sabotage against means of communications.
- (c) Attacks in the outlying districts against small groups of Fascists, of Carabinieri and of Germans.
- (d) Raids on food and petrol dumps.
- (e) Supplying information valuable to the Allied war effort.

A German map shows the areas in which it was not advisable for Germans to travel unless they were in fairly large numbers. It is an indication of the seriousness of the problem created by the patriots to the enemy troops. It appears that the Germans usually believed the patriots to be more numerous, better organised and better armed than they really were.

Considerable hardships were endured by the patriots during the months of enemy occupation. Their losses at times have been fairly high. The number of people shot by the Germans in Rome alone is probably between 1000 and 1500. Everywhere in Central Italy bands suffered losses. One Garibaldi Brigade in Umbria is reported to have had about 60 patriots killed, out of a total strength of less than 500. A group of bands in the Province of Grosseto suffered the loss of 43 patriots killed. A Spartaco Brigade in Siena Province is reported to have suffered 75 casualties out of a strength of less than 600 men. An Army band lost in one engagement 18 killed at Capranica. In another engagement at Colle Croce a C.L.N. band lost 25 patriots killed while 7 more were killed in minor skirmishes, the enemy suffering 22 casualties. In one day at Montemnacchio the patriots lost 16 killed.

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22 August 1944.

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APPENDIX

Patriot Activities in Central Italy.

There follow now a few examples of what the patriots did in Central Italy. The list is by no means comprehensive but from the few examples given an idea can be gained of the kind of acts the patriots were performing throughout the whole of Central Italy.

ROME =

12th Sept. '43 - During the curfew hours, in the Prenestina zone isolated Germans were attacked by an Action Party Squad of Tor Sapienza armed with revolvers and 5 Germans were killed. In reprisal the Germans shot 10 Italians.

Sept. '43 - The leader of the "Filippo" band established in Rome a W/T clandestine information service in favour of the Allied Force. On Sept. 15th 1943 a wireless transmitter was carried from the Contrada la Storta to Rome by FILIPPO and other helpers on a small cart laden with vegetables in order to elude the strict control of the Nazi-fascists on all road approaches to Rome.

Sept. 20-22nd '43 - Acts of snootage were carried out by the "Garibaldino" Group at the Garage "Stella d'Italia", Via Pompeo Magno which was being used as a repair shop. 30 Jeeps (North-African booty) were rendered unusable by breaking of axles and destroying of parts and tyres.

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The electrical and telephone installations were damaged by the Patriots of the group "Garibaldino".

Early Sept. '43 - Two fascists were wounded in a skirmish against fascists at ARPINO. An attack was made against Germans and paratroopers in vicinity of MONTE MARIO. Two Germans and one paratrooper were killed. (Group "Garibaldino").

28th Oct. '43 - Squads of the Action Party attacked a militia garrison (Piazza Ungheria) at night and wounded some militia-

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28th Oct. '43 - Squads of the Action Party attacked a militia garrison (Piazza Ungheria) at night and wounded some militia-men.

6th Nov. '43 - At night at Via Regina Elena a squad of the Action Party, with an explosive grenade, sabotaged a German garage. One person was killed. Three vehicles and a considerable amount of material were damaged.

12th Nov. '43 - A mixed group of Action Party and Communist Party men, at night, detached a wagon from a German train loaded with ammunition and incendiary bombs at the Prenestina Station. Part of the material was destroyed.

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27th Nov. '43 - A squad of the Action Party at the Prenestina Station at night attacked a train loaded with ammunition and fuel. Five wagons with their loads were destroyed.

28th Nov. '43 - G.A.P. of the Communist Party executed at 2030 hours in Via Magella a fascist consul called MUSSO (sic) killing him with revolver shots.

9th Dec. '43 - G.A.P. of the Communist Party killed a German of the S.S. with revolver shots at Via Regina Elena, at 1750 hours.

19th Dec. '43 - G.A.P. of the Communist Party attacked Hotel Flora, a German H.Q., with grenades. This occurred at 1805 hours. 14 Nazi-fascists were killed and 2 trucks were damaged.

16th Jan. '44 - G.A.P. of the Communist Party sabotaged a German garage with a bomb at Via San Niccolò da Tolentino at 1750 hours. 5 German trucks were damaged.

January '44 - Sabotage squads were formed by the "Filippo" band. They scattered thousands of nails on the Cassia and Flaminia highways.

23rd Jan. '44 - G.A.P. of the Communist Party attacked, with a bomb, German troops at the Railway Station in Piazza del Cinquecento at 1800 hours. 4 Germans were killed and 19 wounded.

23rd March '44 - G.A.P. of the Communist Party attacked a German Company with hand grenades at Via Rasella at 1500 hours. 32 Nazis were killed and 71 wounded.

June '44 - Members of the Filippo band, in a Company of 80 strong, occupied FORTE MONTE MARIO, at the time of the Allied entry into Rome. They captured 25 German soldiers, a tank and various arms and ammunition. Another band occupied the Military Hospital Baldi and saved all medical equipment, uniforms and provisions left behind by the Germans.

Sept. '43 - June '44 - From the very first days of Nazi occupation of Italy, the Action Party was very active in the production of false identity documents and their distribution to Partisans in the whole of Italy. False documents in circulation included the following:

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Sept. '43 - June '44 - From the very first days of Nazi occupation of Italy, the Action Party was very active in the production of false identity documents and their distribution to Patriots in the whole of Italy. False documents in circulation included the following:

1. Papers stating unfitness for military service;
2. Papers stating membership of the Fascist Republican Forces;
3. Papers stating absence from labour service of the Ispettorato Fascista Repubblicano;
4. Ausweis of the Tcdt organisation;
5. By falsifying the orders of the German High Command and Embassy the Action Party was able to requestate vehicles and food supplies which, with false permits, were sent through German control points to Patriots in the hills.

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C O N F I D E N T I A L

LTA Z I O (not including Rome).

On September 18, 1943 the Sardinian band (Italian Army) engaged the enemy near Capranica, inflicting about 50 casualties. Eighteen Patriots were killed.

In October 1943, Patriots of the bands near TURRITA TIBERINA made two successful attacks against trains carrying ammunition and petrol. Three attacks were made against the railway bridge on the GALATINA river.

6th. Dec. '43 - A C.L.N. band using a machine gun, and sabotaging the road with a mine and nails killed 2 German officers, wounded another and destroyed a vehicle on the Via Appia.

20 Dec. '43 - Two actions were engaged in on the principal railway lines of Rome-Cassino and Rome-Formia by a C.L.N. band. Two trains were blown up - one carrying troops and one loaded with war material and fuel. On the Rome-Formia line there were 400 dead and many wounded. On the Rome-Cassino line the goods vans loaded with war material and fuel were completely destroyed together with 2 engines. The German personnel on the train were all killed.

At the end of January, the Patriot band at TURRITA TIBERINA, in order to help the Allied landing at Anzio, mined several roads near the Tiber river.

Also at the end of January, the bands of GENZANO attacked small units in the German rear in an effort to help the Allied troops at Anzio. They met with strong resistance and suffered severe casualties.

In March '44 a Fascist who had denounced an escaped Allied P.O.W. was killed at Monte Celio by members of the Partisan Brigade. Members of the same Brigade sabotaged effectively German telephone lines at SETTECAMINI, MONTE CELIO, GUIDONIA, PONTE LUCANO, MONTE LIBRETTI.

Several bands in GIOCIARIA (Prov. of FROSINONE)

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Several bands in GIOCIARIA (Prov. of PROSINONE) were active in cutting wires and putting nails on roads during the period October 1943 - May 1944. In the period of the enemy withdrawal, they engaged effectively small German units, which lost 43 killed and 173 prisoners. The bands lost ten Patriots killed. 11

19th May '44 - At Rustica Vecchia a band connected with the C.B.E. threw hand grenades at a truck. 6 Germans were killed and truck immobilized. ./. 495

C O N F I D E N T I A L - 4 -

MARCHES

G.A.P. of PERMO in Sept. '43 obtained by force from the Fascists 25 rifles, 3 Breda machine guns, 2 cases of hand grenades and 13 cases of ammunition.

Oct. '43 - The C.L.N. group of MONTE NERO - CINGOLI fought a Nazi-fascist force. They killed 1 German, captured 3 and also a vehicle.

Nov. - Dec. '43 - The Nicolò di Monastero Group had a clash with Nazi-fascists at S. GINESIO. Eight of the enemy were killed. The Patriots lost one killed.

March '44 - The a/m group began a cleaning up operation against the Nazi-fascists. In heavy fighting the enemy lost several killed and wounded. The Patriots had 2 killed and several wounded.

Nazi-fascist reaction to the activities of the C.L.N. bands in the province of ASCOLI during the early months of '44 was very strong. They employed strong forces against the Patriots and on the 18th March '44 16 Patriots were killed at MONTEMONACO in severe fighting.

In April '44 a C.L.N. band captured and shot near MONTEPERNO a German Captain of the Intelligence Service who had worked his way into the band as well as four other spies captured in the RIVITOLLO-MONTEMONACO area.

May '44 - The AVENALE di CINGOLI group attacked a Fascist H.Q. at SARMANO. The town was finally captured by the Patriots. The Patriots had 2 men killed.

On May 18, 1944, a force of about 300 Italian S.S. attacked the Patriots in the area of MONASTERO. The enemy was reported to have left behind nearly 40 dead and wounded.

In June '44 C.L.N. bands attacked the enemy in retreat. There was fighting along the ASCOLI-ARMANDO-MACERATA road - in the areas at MONTE GALLO - ARGUATA = ACQUASANTA = CASTIGNANO = OFFIDA. These attacks delayed the enemy's movements and allowed the Patriots to retrieve a large quantity of cattle. In the hills the Germans were prevented from looting and requisitioning.

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May '44 - The AVENALE di CINCOLI group attacked a Fascist R.Q. at SAINANO. The town was finally captured by the Patriots. The Patriots had 2 men killed.

On May 18, 1944, a force of about 300 Italian S.S. attacked the Patriots in the area of MONASTERO. The enemy was reported to have left behind nearly 40 dead and wounded.

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On June 13th '44 a G.A.P. attacked a group of Republican Guards who had halted in the middle of the square at FERMO. They killed one officer and wounded 3 others. The G.A.P. had 4 men wounded.

U M B R I A = S A B I N A =

In October 1943, the Giuseppe Garibaldi Brigade located near Foligno attacked enemy transport. Fifteen Germans and Fascists were reported killed.

C O N T I D E N T I A L 5

In order to obtain arms, ammunition and food, the Garibaldi, Gramsci and Spartaco Lavagnini Brigades attacked barracks of the Fascist Militia and of the Carabinieri at Camerino, at Nocera Umbra (when two Carabinieri were killed), at Campello (where two agents of the Fascist Police were killed), at Matigge di Trevi.

Two Fascists were killed by members of the Spartaco Brigade on January 24.

In November 1942, members of the Spartaco Brigade took 800 quintals of wheat and distributed it to the population. In March, members of the Garibaldi Brigade took 200 quintals of wheat from the Germans.

Severe mopping-up operations were undertaken by the Germans at the end of November 1943 and in March 1944. In the course of an engagement at Colle Croce, 25 Patriots were killed, the enemy suffering eight casualties. In the course of another engagement at Bettonia, six more Patriots were killed by the Germans.

A C.L.N. band at Monterotondo in Sabina, regularly, twice a week, from November 1943 to March 1944 put nails on the roads Salaria, Nomentana and Tiberina.

The same C.L.N. band at Monterotondo attacked enemy transport on Dec. 8th (when six Germans were killed), on Dec. 18th (when five Germans were killed), on Jan. 15th 1944 (when seven Germans were killed). When the enemy was withdrawing (June 1944), the band attacked two enemy armoured cars which were captured. The Patriots lost 10 killed and 16 wounded.

A B R U E Z I

25th Sept. '43 - The band of Bosco Martese attacked a German cleaning-up party consisting of 26 troop carrying vehicles loaded with troops and two 82mm artillery pieces. The Germans were forced to withdraw leaving 57 killed or wounded behind. A Fiat 1100, 2 trucks loaded with mines and several cases of

the enemy suffering eight casualties. In the course of another engagement at Bettolina six more Patriots were killed by the Germans.

A C.L.N. band at Monterotondo in Sabina, regularly, twice a week, from November 1943 to March 1944 cut rails on the roads Salario, Nomentana and Tiburtina.

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A B R U Z Z I

25th Sept. '43 - The band of Rosco Martese attacked a German cleaning-up party consisting of 26 troop carrying vehicles loaded with troops and two 82mm artillery pieces. The Germans were forced to withdraw leaving 57 killed or wounded behind. A Fiat 1100, 2 trucks loaded with mines and several cases of hand grenades were also captured.

January 1st, 1944 - Members of the band located in Pescina destroyed or damaged with hand grenades 12 enemy vehicles near Forca Caruso.

February 7th. - Members of the band located in Pescina killed an enemy D/R at Km. 140 on Via Tiburtina.

11th March '44 - 400 Germans attacked the Patriots at UNIFO and in the surrounding hills. The battle lasted 3 hours. The Patriots were obliged to retreat. 36 Patriots were killed but the Germans had 23 casualties.

A small band in the Collepardo area carried out cutting of telephone wires and sabotaging of petrol dumps during the Winter and the Spring.

C O N F I D E N T I A L

- 6 -

The Mersica Band in eight months of partisan struggle lost 15 dead and 12 wounded. They have to their credit: - 45 Germans and Fascists killed and wounded, 41 trucks destroyed or damaged, 40 railway wagons sabotaged, 3 armoured cars rendered unserviceable, 15 cases of ammunition and 70 weapons of various kinds captured.

T U S C A N Y (Area Liberated at 15th August).

During January and February 1944, members of the C.L.N. Brigade Spartaco Lavagnini engaged the enemy at MUR-LO and MONTE CUCCIO. The Patriots had severe losses but they are reported to have killed or wounded 30 Fascists. The Bocconeggiato mines were damaged in March.

During the Winter and Spring, G.A.P. of CHIUSI tried to halt trains at that important railway centre.

A Fascist loader was killed at ORTIGNANO on March 8th by members of a Gariboldi Battalion. A few days later the same battalion attacked the Carabineers of Tallia and obtained a considerable quantity of hand grenades. Another group of Carabineers was attacked at Chiusi della Verne. Another Fascist was killed at BIESINI. Four Germans were killed on March 23rd and six more on April 2nd. The same Battalion is reported to have engaged actively the enemy during their withdrawal (Part of the area where the Battalion operated had not been liberated by August 15th).

During night of April 15th, Patriots from SINIGU-CA cut enemy telephone wires. On May 25th other Patriots attacked an enemy vehicle and killed two Germans.

The Distaccamento Riba (C.E.E.) reports that in May they were able to halt, for several hours, 40 enemy vehicles near San Quirico d'Orcia. A Fascist was shot by them at Montaleone on June 3rd.

At end of June, 1944, Patriots demolished two road bridges near Castiglione.

to halt trains at that important railway centre.

A Fascist leader was killed at ORTIGNANO on March 8th by members of a Garibaldi Battalion. A few days later the same battalion attacked the Carabineers of Talla and obtained a considerable quantity of hand grenades. Another group of Carabineers was attacked at Chiusi della Verna. Another Fascist was killed at PIRBIENA. Four Germans were killed on March 23rd and six more on April 2nd. The same Battalion is reported to have engaged actively the enemy during their withdrawal (Part of the area where the Battalion operated had not been liberated by August 15th).

During night of April 15th, Patriots from SIMALUNGA cut enemy telephone wires. On May 25th other Patriots attacked an enemy vehicle and killed two Germans.

The Distaccamento Rips (C.B.E.) reports that in May they were able to halt, for several hours, 40 enemy vehicles near San Quirico d'Orcola. A Fascist was shot by them at Monteleone on June 3rd.

At end of June, 1944, Patriots demolished two road bridges near Castiglione.

The O.L.N. Brigade Spartaco Lavagnini, operating in Siena Province, reports to have had the following losses in engagements with the enemy: 42 Patriots killed, 33 wounded. The same Brigade also reports that on June 3rd it inflicted 42 casualties on the enemy and 49 casualties on June 9th.

The 3rd Garibaldi Brigade is reported to have collaborated wholeheartedly with the Allies. Patriots were sent through the lines to carry useful information on military activities of the enemy and location of mined areas. Losses of this formation were considerable, the total in dead, wounded and prisoners amounting to well over 150 men.

SECRET

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Regional Control and Military Government Section.

Ref/30/8/PAT.

24 July 1944.

SUBJECT: Re-employment of Patriots.

TO : Distribution Overleaf.

1. This directive is issued after agreement with H.Q., A.A.I. and is for the guidance of A.M.G. officers in connection with Appendix "A" of the General Instruction for the Administration of Patriots in Military Government Territory reference 30/1/PAT dated 18 July 1944.
2. It should be used as a basis for discussion with Area Commanders, Town Majors, Engineer or other Military units and Labour Officers who, other things being equal, should be asked to give priority for employment to genuine Patriots with certificates. C.A.O's. should be instructed to get in touch with the nearest Labour Officers (D.A.D.L. or S.L.C.O.) as soon as possible and give them the names of suitable Patriots who can be used as civilian workers.
3. Some Patriots may be taken for special operations, some will be disposed of locally, some will move to or have to be transported to a distance for re-employment and some foreigners e.g. Yugoslavs will be despatched through the Displaced Persons Sub-Commission. There will, however, remain a hard core of say 30% over whom a good deal of trouble may have to be taken and the following suggestions for their re-employment are approved in principle by A.A.I. and the other authorities concerned.

- (a) Some of them may be enlisted in the Regular Italian Army by the special Italian Officers being sent up by M.M.I.A. Full details of the new scheme are given in Army Sub-Commission letter G/19 dated 23 July 1944 - copy attached.
- (b) The reengagement of Carabinieri and Guardia di Finanza as such should not be made, on account of administrative difficulties arising from the establishment of the strength ceiling for those agencies. Where feasible they should be employed as special police, pending their return to Reception Centres established at Grosseto and Chieti.
- (c) Employment by Engineer or other military units for urgent work on bridging, road repairing, dock clearance and military repair work

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 - (c) Employment by Engineer or other military units for urgent work on bridging, road repairing, dock clearance and military repair work as soon as an area has been liberated.
 - (d) Employment by AMG/ACC for duties similar to (c) as and when required.
 - (e) Employment by AMG/ACC for special police and motor car drivers.
 - (f) Employment by Area Commanders and Town Majors as watchmen.
 - (g) Where it is clear to a C.A.O. that he will have an impossible task in absorbing locally his hard core of Patriots, he should be instructed to pass particulars quickly to his Provincial Commissioner who should arrange for work within the Provinces.
 - (h) The problem of training and providing de-mining squads in back areas is being considered.
4. The problem of paying and feeding Patriots who are employed in some of the manners suggested above should be studied. Full instructions for feeding

- 2 -

civilians employed on military duties are given in "Instructions Regarding the Employment of Civilian Labour (Italy and Sicily)". For issue of U.S. relations to civilians see HATOUSA circular No. 14 dated 4 February 1944.

MORAN E. FISKE,
Colonel.
Norman E. Fiske
Brigadier,
Executive Commissioner.

USL/FRS.

DISTRIBUTION:

SCAO, AMG 5 Army.	(25)
SCAO, AMG 8 Army.	(40)
R.C., Region IV.	(42)
R.C., Region V.	(52)
R.C., Region VIII.	(43)
R.C., Region IX.	(20)
R.C., Rome Region.	(10)
Secretary General.	(1)
Admin. Section.	(5)
Economic Section.	(2)
Political Section.	(1)
Army Sub-Commission.	(3)
Navy Sub-Commission.	(1)
Air Force Sub-Commission.	(1)
Civil Affairs Branch.	(1)
Displaced Persons Sub-Comm.	(1)
Italian Refugee Branch.	(1)
Public Relations Branch.	(1)
PWB (Attn: Mr. Rayner).	(1)
Public Safety Sub-Comm.	(1)
Labour Sub-Commission.	(1)
No. 1 Special Force.	(2)
O.S.S.	(2)
Adv. A.A.I. (BGS(ops)).	(2)
Main A.A.I. (G(SD)).	(2)
Main AAI (D.C.A.O.).	(2)
Main AAI (D.Q.M.G.).	(10)
Main AAI (D.A.G.).	(2)

C O P Y

SUBJECT: - Italian Military Personnel from Enemy Occupied Italy.

Army Sub-Commission, A.C.C.
Main H.Q. MILA
ROME.

6/19
23 Jul 44.

Ministry of War

Copy to: HQ AIR

CHIEF

Army Sub-Comm LO Naples
" " " 5 Army
" " " 8 Army
A.C.C. Patriots Section.
Navy Sub-Comm. ACC.
Air Forces Sub-Comm. ACC.

HQ ACC

Army Sub-Comm LO.
1 District.
2 District.
3 District.
5 Corps HQ.

1. Certain arrangements have been made, in agreement with the Patriots Branch at ACC, with a view to enlisting into the Italian Army at the earliest possible moment, Patriots encountered in newly-liberated areas who volunteer for such enlistment.
2. These arrangements which are in effect an extension of the provision of MILA letter, 6/19 of 3 June (and are to be read as such) are as follows: -

- (a) The Ministry of War will at once send a Screening Agency (not exceeding 4 officers and 6 men) to join the ACC officer dealing with the re-settlement of Patriots at HQ of each 5th Army, 8th Army and Polish Corps.
- (b) The Screening Agencies will interview volunteers as required by the ACC officer. They will decide whether these can be accepted within the number that the Ministry of War consider can be absorbed from time to time without detriment to the cohesion and efficiency of the existing Army.
- (c) Those accepted will be given a pass authorising them to be passed back (through refugee channels) to the nearest Italian enlistment centre for immediate enlistment.
- (d) The Agencies will travel and operate as required by the ACC officer concerned inside the Army areas concerned and within the terms given them by the Ministry of War.
- (e) These Agencies will move forward in accordance with the advance of the armies concerned.

2. These arrangements which are in effect an extension of the provision of MILA letter, G/19 of 3 June (and are to be read as such) are as follows: -

- (a) The Ministry of War will at once send 2 Screening Agency (not exceeding 4 officers and 6 men) to join the IMC officer dealing with the re-settlement of Patriots at HQ of each 5th Army, 5th Army and Polish Corps.
- (b) The Screening Agencies will interview volunteers as required by the IMC officer. They will decide whether these can be accepted within the number that the Ministry of War consider can be absorbed from time to time without detriment to the cohesion and efficiency of the existing Army.
- (c) Those accepted will be given a pass authorizing them to be passed back (through refugee channels) to the nearest Italian enlistment centre for immediate enlistment.
- (d) The Agencies will travel and operate as required by the IMC officer concerned inside the Army areas concerned and within the terms given them by the Ministry of War.
- (e) These Agencies will move forward in accordance with the advance of the armies concerned.
- (f) In order to deal with Patriots who are still waiting in areas behind Army rear boundaries, the Ministry of War will detail and hold in readiness at Rome three similar Agencies which will be available to visit centres and operate as required by the Patriot branch of ACC. These Agencies will be disbanded as soon as the area has been "cleared" or the normal calling-up agency is established by proclamation.

3. Other men of military age, including Patriots and volunteers who have not been accepted for immediate enlistment, will remain as civilians until called upon to register (or re-register) for service in the ordinary way.

(sgd) L. BROWNING.
Major General,
Army Sub-Comm. A.C.C.

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SECRET

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 394.

Regional Control and Military Government Section.
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Ref: 30/1/PAT.
18th July 1944.

SUBJECT: General Instructions on the Administration of Patriots in
Military Government Territory.

TO : Distribution Below.

1. The handling of patriots is a difficult problem which will increase in complexity as the advance continues and the patriots increase in numbers and achieve more successes. Their rehabilitation in liberated territory is an added burden to CAO's in Armies and Provincial staffs, but it is a duty which must be carried out with firmness and sympathy and with the knowledge that success or failure in this matter may have wide repercussions in this and other territories.

2. Patriots, although mostly Italians, may be of any nationality, and are defined as being those in the ranks of genuine fighting bands who have carried arms, engaged in sabotage or secured important military information to the benefit of the Allied war effort.

3. The following directions contain the main principles of the agreed policy with regard to patriots and all the procedure to put that policy into effect. Instructions for dealing with all those who have helped Allied Prisoners of War are being issued separately.

4. On liberation of territory patriots must revert from their quasi-military status and become good citizens. To this end a message in poster form signed by General Alexander has been prepared and will be widely published.

5. Patriots come under the aegis of AMG officers whose duty it is to see that the metamorphosis from military to civilian status takes place with the minimum of disillusionment. To this end representatives of patriot organisations have been sent to Army AMG's and Italian committees with strong patriot representation will be set up in the local governments of liberated territory. It is extremely important that while order is to be maintained and arms have to be surrendered, patriots should be treated with great tact and sympathy in order to avoid antagonism and discouragement which would become known and have an adverse effect upon patriots still operating against the enemy. Leaders of patriot groups should be thanked by AMG officers for the assistance

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6. While the patriots are not a political organisation and must be dissuaded from setting up purely patriot local governments, it must be remembered that by virtue of their military aid they have a right to strong representation in the local government. Italian local government officials must be made to realise and show appreciation of their value and their right to be represented in government.

7. Patriots will be unwilling to hand in arms but the preservation of law and order precludes the existence of irregular armed bands in liberated territory: the law demands their surrender and they must therefore be tactfully told to obey the law.

8. After months of guerrilla warfare it will be hard for patriots to settle down to normal life. To encourage rapid return to their ordinary vocations will be one of the most difficult duties of the local committees who, like AMG officers

-2-

and Italian officials, must deal with the patriots not as a nuisance but with sympathy and gratitude. It should at all times be remembered that an unemployed patriot is not only a disgrace to the community but a menace.

c. While it is desirable to leave the rehabilitation of patriots to the Italians themselves, in the form of local committees, CAO's and especially Provincial Officers in the later period of occupation, remembering that they have fought for the Allies, should ensure that they are given a square deal.

10. 20,000 posters have been sent to AMG 5 Army and 30,000 to AMG 8 Army. These should be displayed immediately after liberation of territory and the attention of all patriots drawn to them. The contents of the poster will also be broadcast locally by RFB and will be published in Italian newspapers.

11. In order to show appreciation of individual effort certificates of merit have been prepared for issue to every individual patriot vouched for by the local patriot leader. Certificates will be endorsed by the recognised patriot leader and by an Allied officer (e.g. the CAO). If for any reason the patriot leader wishes to remain anonymous his signature can be replaced by a pseudonym or signed by another patriot representative. Posthumous certificates may be awarded to next-of-kin. In special cases letters of thanks by Corps or other senior commanders may be sent to towns or villages who collectively and actively have aided the Allied cause.

12. The advice of patriot leaders should be sought before the issue of any certificate in order to avoid possession of them by bogus patriots.

13. Provincial Commissioners will issue certificates, if properly vouched for by patriot leaders, in areas where the CAOs, Army AMGs, have not been able to do so, and in areas liberated within the last few months. Provincial Commissioners should give this matter very early attention and will set up special committees in local governments to deal with outstanding cases, e.g., in the Rome Region.

14. Italian patriot representatives from the Military Central Italy Group controlled by Col. Bernabe and from the Comitato Liberazione Nazionale controlled by Mr. Bauer, have been sent to each Corps in Army AMG's. CAOs must bear in mind that these patriot representatives may be mainly concerned to obtain recognition for patriots belonging to their own organisation. If other patriots present themselves they must be carefully scrutinised and if found to be bona fide they should be given certificates and afforded equal treatment. CAOs must encourage the patriot representatives to take a broad view and not to look after the interests merely of members of their own organisations but also all genuine patriots.

15. Patriot representatives are in no way political. Their main duties are:-

(a) to help Army CAO's in the identification of leaders of patriot bands;

12. The advice of patriot leaders should be sought before the issue of any certificate in order to avoid possession of them by bogus patriots.

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14. Italian patriot representatives from the Military Central Italy Group controlled by Col. Bernabè and from the Comitato Liberazione Nazionale controlled by Mr. Bauer, have been sent to each Corps in Army AM's. GAO's must bear in mind that these patriot representatives may be mainly concerned to obtain recognition for patriots belonging to their own organisation. If other patriots present themselves they must be carefully scrutinised and if found to be bona fide they should be given certificates and afforded equal treatment. GAO's must encourage the patriot representatives to take a broad view and not to look after the interests merely of members of their own organisations but also all genuine patriots.

15. Patriot representatives are in no way political. Their main duties are:-

- (a) to help Army GAO's in the identification of leaders of patriot bands;
- (b) to help in the selection of suitable patriots out of those bands to assist the GAO;
- (c) to assist AM's generally in dealing with all patriot problems.

16. These representatives draw pay from their own organisations. They should be housed and rationed and supplied with POL by AM's (DARE, ILL is sending instructions to Lancia HQ to this effect).

17. Distribution of these representatives is as follows:-

- 4 to AMG 5 Army;
- 6 to AMG 8 Army, of whom 2 are for Pol Corps.

Cars may be requisitioned for these locally.

SECRET

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 394

Regional Control and Military Government Section.

+++++

18th July 1944

Ref: 30/1/PAT.

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2. Patriots, although mostly Italians, may be of any nationality, and are defined as being those in the ranks of genuine fighting bands who have carried arms, engaged in sabotage or secured important military information to the benefit of the Allied war effort.

3. The following directions contain the main principles of the agreed policy with regard to patriots and all the procedure to put that policy into effect. Instructions for dealing with all those who have helped Allied Prisoners of War are being issued separately.

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success or failure in this matter may have wide repercussions on the territories.

2. Patriots, although mostly Italians, may be of any nationality, and are defined as being those in the ranks of genuine fighting bands who have carried arms, engaged in sabotage or secured important military information to the benefit of the Allied war effort.

3. The following directions contain the main principles of the agreed policy with regard to patriots and all the procedure to put that policy into effect. Instructions for dealing with all those who have helped Allied Prisoners of War are being issued separately.

4. On liberation of territory patriots must revert from their quasi-military status and become good citizens. To this end a message in poster form signed by General Alexander has been prepared and will be widely published.

5. Patriots come under theegis of AMG officers whose duty it is to see that the metamorphosis from military to civilian status takes place with the minimum of disillusionment. To this end representatives of patriot organisations have been sent to Army AMG's and Italian committees with strong patriot representation will be set up in the local governments of liberated territory. It is extremely important that while order is to be maintained and arms have to be surrendered, patriots should be treated with great tact and sympathy in order to avoid antagonism and discouragement which would become known and have an adverse effect upon patriots still operating against the enemy. Leaders of patriot groups should be thanked by AMG officers for the assistance which they have rendered to the Allies and told to convey to their groups the Allied appreciation of their efforts.

6. While the patriots are not a political organisation and must be dissuaded from setting up purely patriot local governments, it must be remembered that by virtue of their military aid they have a right to strong representation in the local government. Italian local government officials must be made to realise and show appreciation of their value and their right to be represented in Government.

7. Patriots will be unwilling to hand in arms but the preservation of law and order precludes the existence of irregular armed bands in liberated territory: the law demands their surrender and they must therefore be tactfully told to obey the law.

8. After months of guerrilla warfare it will be hard for patriots to settle down to normal life. To encourage rapid return to their ordinary vocations will be one of the most difficult duties of the local committees who, like AMG officers

-2-

and Italian officials, must deal with the patriots not as a nuisance but with sympathy and gratitude. It should at all times be remembered that an unemployed patriot is not only a disgrace to the community but a menace.

9. While it is desirable to leave the rehabilitation of patriots to the Italians themselves, in the form of local committees, CAO's and especially Provincial Officers in the later period of occupation, remembering that they have fought for the Allies, should ensure that they are given a square deal.
10. 20,000 posters have been sent to AMG 5 Army and 30,000 to AMG 8 Army. These should be displayed immediately after liberation of territory and the attention of all patriots drawn to them. The contents of the poster will also be broadcast locally by PW and will be published in Italian newspapers.
11. In order to show appreciation of individual effort certificates of merit have been prepared for issue to every individual patriot vouched for by the local patriot leader. Certificates will be endorsed by the recognised patriot leader and by an Allied officer (e.g. the CAO). If for any reason the patriot leader wishes to remain anonymous his signature can be replaced by a pseudonym or signed by another patriot representative. Posthumous certificates may be awarded to next-of-kin. In special cases letters of thanks by Corps or other senior commanders may be sent to towns or villages who collectively and actively have aided the Allied cause.
12. The advice of patriot leaders should be sought before the issue of any certificate in order to avoid possession of them by bogus patriots.
13. Provincial Commissioners will issue certificates, if properly vouched for by patriot leaders, in areas where the CAOs, Army AMGs, have not been able to do so, and in areas liberated within the last few months. Provincial Commissioners should give this matter very early attention and will set up special committees in local governments to deal with outstanding cases, e.g., in the Rome Region.
14. Italian patriot representatives from the Military Central Italy Group controlled by Col. Bernabo and from the Comitato Liberazione Nazionale controlled by Mr. Eusebi, have been sent to each Corps in Army AMG's. CAO's must bear in mind that these patriot representatives may be mainly concerned to obtain recognition for patriots belonging to their own organisation. If other patriots present themselves they must be carefully scrutinised and if found to be bona fide they should be given certificates and afforded equal treatment. CAO's must encourage the patriot representatives to take a broad view and not to look after the interests merely of members of their own organisations but also all genuine patriots.
15. Patriot representatives are in no way political. Their main duties are:-

(a) to help form CAO's in the liberated areas

actively have aided the Allied cause.

- 12. The advice of patriot leaders should be sought before the issue of any certificate in order to avoid possession of them by bogus patriots.
- 13. Provincial Commissioners will issue certificates, if properly vouched for by patriot leaders, in areas where the CAO's, Army AGOs, have not been able to do so, and in areas liberated within the last few months. Provincial Commissioners should give this matter very early attention and will set up special committees in local governments to deal with outstanding cases, e.g., in the Rome Region.
- 14. Italian patriot representatives from the Military Central Italy Group controlled by Col. Bernabo and from the Comitato Liberazione Nazionale controlled by Mr. Bauer, have been sent to each Corps in Army AGO's. CAO's must bear in mind that these patriot representatives may be mainly concerned to obtain recognition for patriots belonging to their own organisation. If other patriots present themselves they must be carefully scrutinised and if found to be bona fide they should be given certificates and afforded equal treatment. CAO's must encourage the patriot representatives to take a broad view and not to look after the interests merely of members of their own organisations but also all genuine patriots.
- 15. Patriot representatives are in no way political. Their main duties are:-
 - (a) to help Army CAO's in the identification of leaders of patriot bands;
 - (b) to help in the selection of suitable patriots out of these bands to assist the CAO;
 - (c) to assist AMG generally in dealing with all patriot problems.
- 16. These representatives must pay for their own organisations. They should be housed and rationed and supplied with POL by AMG (DPMG, AMI is sending instructions to armies HQ to this effect).
- 17. Distribution of these representatives is as follows:-
 - 4 to AMG 5 Army;
 - 6 to AMG 8 Army, of whom 2 are for Pol Corps.

Cars may be requisitioned for them locally.

-3-

18. When these patriot representatives enter new areas with CAO's it is suggested that they should set up a special patriot office and produce for the CAO a complete list of patriots in the area in order that certificates may be issued and plans made for their re-employment.

19. These representatives should also be of assistance in setting up the more permanent communal committees whose duties will be to organize the re-employment and dispersal of patriots on the lines set out in the attached appendix.

20. Patriot leaders should be encouraged to prepare lists of their groups and reports on their operations previous to Allied occupation.

21. Patriots must hand in their arms (including hand grenades and bombs). No other reason need be invoked except that the law requires the surrender of arms. At the same time peremptory orders in the first instance should be avoided.

22. Arms should be handed over normally to CAO's and Allied officers and a receipt should be signed by these officers or patriot leaders. Carabiniers or other patriots may be used to receive and guard surrendered arms and great care should be taken with regard to storage, especially of bombs and grenades.

23. Surrendered arms will as far as possible be removed to central points where some of them will be taken over by No. 1 Special Force who need them for further operations. It is important that the Patriot Branch, AOC, should be notified of the location of arms and stores, numbers of arms, and be given a General picture of the position including estimated number of arms still unsundered.

24. Yugoslavs are urgently required for operations in their own country and special arrangements should be made to send them South as quickly as possible through the Displaced Persons Sub-Commission.

MSL/JG.

DISTRIBUTION:

SCAO, AME 5 Army.
SCAO, AME 8 Army.
R.C., Region IV.
R.C., Region V.
R.C., Region VIII.
R.C., Region IX.
R.C., ROE Region.
Secretary General.
Admin Section.

(25)
(40)
(12)
(52)
(43)
(20)
(10)
(1)
(5)

Mr. S. S. S. S. S.
Colonel
Brigadier,
Executive Commissioner.

LEGAL SUB-COMMISSION

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Mr. J. J. J. J. J.
Colonel
 Brigadier,
 Executive Commissioner.

MSL/JG.

DISTRIBUTION:

- SCIO, AMG 5 Army. (25)
- SCIO, AMG 8 Army. (40)
- R.C., Region IV. (42)
- R.C., Region V. (52)
- R.C., Region VII. (43)
- R.C., Region IX. (20)
- R.C., ROME Region. (10)
- Secretary General. (1)
- Admin Section. (5)
- Technical Section. (2)
- Political Section. (1)
- Army Sub-Commission. (5)
- Navy Sub-Commission. (1)
- Air Force Sub-Commission. (1)
- Civil Affairs Branch. (1)
- Displaced Persons Sub-Com. (1)
- Italian Refugee Branch. (1)
- Public Relations Branch. (1)
- FEB (Attn: Mr. Rayner). (1)

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

b

Appendix "A"...../

Appendix "A" to 30/1/PAT dated 18 July 1944

SECRET

FORMATION OF COMMUNAL COMMITTEES FOR RE-EMPLOYMENT
AND DISPENSAL OF PATRIOTS.

1. (a) The Committee will be formed and exist at Commune level only in the first instance.
- (b) Subject to local conditions a suggested form of committee is as follows:-

Sindaco (or Commissario Prefettizio) to preside;
four or more representatives chosen by and from the patriots;
two members of the Giunta Comunale if formed as such or otherwise
two well known and respected local residents.

(c) Consistency of policy, co-ordination of the efforts of the Communal Committees and means of communication from AB/ACC HQ should be effected at Provincial level by and through the Prefect acting on the advice and under the supervision of the Provincial Commissioner.

2. The function and purpose of the Committee are as follows. They will firstly determine whether persons calling themselves patriots are in fact patriots. After sifting for this purpose, the bogus patriots will be ignored. The genuine patriots will be classified and dealt with in the following manner:-

(a) Local absorption into their ordinary walks of life and means of livelihood and employment (particularly agricultural and harvesting) which may still exist in the local area. They will be dealt with as any other residents of the locality who had remained there. This process will apply both to patriots whose home is in the particular area and to non-residents if the latter so wish. Preference may be given to patriots in providing employment.

(b) Non-residents who do not want to stay in the area. It is believed that this class will be very small in number. They will return to their homes. Their return will be arranged locally by the CAO to Provincial HQ thence by the Provincial Commissioner.

(c) Those who want to join the Army immediately (as opposed to waiting for "call up" if and when liable) will be conveyed to Provincial HQ and thence under Provincial arrangements to such points as may be determined by the Allied/Italian Military authorities. To enable this to be done the AMIA will keep Regional Commissioners and SCAGs informed as to the places to which such persons are to be conveyed and any other relevant information for the purpose.

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(b) Non-residents who do not want to stay in the area. It is believed that this class will be very small in number. They will return to their homes. Their return will be arranged locally by the CAO to Provincial HQ thence by the Provincial Commissioner.

(c) Those who want to join the Army immediately (as opposed to waiting for "call up" if and when liable) will be conveyed to Provincial HQ and thence under Provincial arrangements to such points as may be determined by the Allied/Italian Military authorities. To enable this to be done the RMA will keep Regional Commissioners and SCAGs informed as to the places to which such persons are to be conveyed and any other relevant information for the purpose.

(d) Those who wish to continue to serve as patriots. These will be selected, in small numbers, by the appropriate military agencies if needed.

(e) Yugo Slavs who have not already been sifted and dealt with under these instructions will be returned through Displaced Persons Sub-Commission for special employment in the Slav Fighting Forces.

3. The Director and/or his official will keep proper records of the Committee's proceedings including the names, certificates (if any) and classification of all persons dealt with and the method and date of their disposal.

Lists prepared by patriot leaders together with any other relevant information which may be required will be made available to the Committee.

CO LUC 1944
3 AUG 1944

HEADQUARTERS
AMG FIFTH ARMY
A.P.O. 464 U.S. ARMY

SECRET

9th July 1944.

10 1/2

SUBJECT: Partisans.

TO : See Distribution.

Responsibility.

1. H.Q., AMI letter 40/G/Ops dated 22nd June 44 lays down that the handling of all Partisans once they are within our lines is an AMG responsibility. It also directs that troops will not allow themselves to become involved in problems affecting Partisans but will refer all such matters to the nearest AMG representative.

Types of Partisans.

two

2. There are ~~two~~ main types of organised Partisans: military bands often formed around units of the Italian Army who took the side of Badoglio in September 1943, and political groups usually organised by the local Committee of National Liberation. Either type may be found headed by Allied ex-PW., including men of Russian and Slav nationalities. These organised bands have often proved of great assistance to our tactical troops and have received direct assistance from the Allies in the shape of arms, supplies etc., dropped behind the enemy lines.

In addition there are many groups of young men belonging to no particular organisation and recognizing no particular leader. Such groups are of little value to our troops and may constitute a potential menace to law and order if not correctly handled in the first instance.

Method of Handling.

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In addition there are many groups of young men belonging to no particular organisation and recognizing no particular leader. Such groups are of little value to our troops and may constitute a potential menace to law and order if not correctly handled in the first instance.

Method of Handling.

3. Much must inevitably be left to the discretion of the individual CAO but certain instructions must be followed and these are set out below.

The two main principles affecting the general attitude towards the Partisans are first, the necessity for restoring the rule of law and order once the emergency period is over and re-establishing local Italian Government as soon as possible on a firm basis which can

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in due course be lined up with the Central Government in the rest of liberated Italy: secondly the expression of a proper appreciation of the efforts and achievements of the Patriots and avoidance of any incident which may embarrass the Allies in future dealing with resistance groups behind the enemy lines. The United Nations have been encouraging Partisan movements by every possible means and their potential importance will increase as the attack on Germany goes forward. Intimidation and discouragement must be avoided since both will become known and will have both an adverse effect on groups still in enemy territory and undesirable long-term political results.

Tact and firmness are both required. In general it will be found that tact is the most important in case of organised groups, while firmness is more necessary in the case of unorganised groups of near-hooligans.

Status.

4. Once they are behind the Allied lines the military functions of Partisans cease; their status is no different from that of the ordinary civil population.

Political.

5. Partisan groups have no political functions or status. The C-in-C has insisted that Allied Military Government shall be enforced in newly occupied territory and this must be explained politely but firmly to Partisan leaders.

Arms and ammunition.

6. Peremptory orders about handling in arms and ammunition are a particular source of aggravation to flushed and excited patriots and should be avoided, but arms must be handed in forthwith.

It should be explained that the arms are required for supplying the patriots operating further north. If it appears impolitic to order the arms to be handed over to the C.C.F.F., the leaders of groups should be told to centralise their arms in their own armoury from which they can later be collected.

All collections of arms can be removed by the Army Ordnance; this will be done as soon as requested by a CAO to Corps or Army

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they can later be collected.

All collections of arms can be removed by the Army Ordnance;
this will be done as soon as requested by a CAO to Corps or Army
Headquarters. (Map references should be given of all armouries
reported together with the name and address of the responsible persons
holding the keys).

Non-Italian Personnel.

7. Escaped Allied PW will be evacuated through normal military
channels to the Refugee Interrogation Post which is always near the

the Army PW' Cage.

Deserters from the German Army of Russian, Polish, Dutch etc., nationality will be thanked for their activities and evacuated through normal PW. channels. (Standing orders lay down special treatment for these persons to differentiate between them and German PW.).

Privileges.

8. Italian Partisans once demobilised, have no right to special rations on any other other privileges not accorded to ordinary civilians. (see para. 4 above).

Enlistment into Italian Army.

9. Partisans wishing to continue to fight the Germans should be directed to enlist in the Italian Army: attempts are being made to speed up the provision of facilities for enlistment and further information on this will be supplied as soon as available.

Evaluation of achievements.

10. Leaders of groups should be instructed to prepare a report on their activities which can be sent on to higher Headquarters for proper evaluation.

Disposal of Prisoners.

11. It will often be found that the Partisans have made arrests; the C.I.C./SM should be requested (if they have not already done so) to screen any persons found in prison. Those whose continued detention is recommended by C.I.C./SM or against whom genuine charges are preferred under Italian criminal law should be kept in custody; the remainder should be released as soon as circumstances permit on the understanding that the allegations against them will all due course be investigated through the machinery of the Law for the Punishment of Fascist crimes and offences which has recently been passed by the

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Assistance for CAOs.

12. The following are being sent to us by HQ ACC under instructions from HQ A.I.I. CAOs will receive fuller details in the near future.

- a. 4 mobile Italian representatives of the bodies responsible for organising the Partisan movement.
- b. Notices thanking partisans for their good work and explaining that they must submit for the time being to Allied Military Government.
- c. Individual certificates, including a receipt for arms handed in

by demobilised partisans.

i. It is further hoped that declarations will shortly be made by the Italian Government itself by Radio and poster which will explain to Partisans their own status and that of the Allied Military Government in Occupied Territory.

E.B. Mayne

E.B. MAYNE,
Colonel, U.D.F.,
Chief of Staff
AMG FIFTH ARMY.

/KR

DISTRIBUTION:

All Corps SCAOs and CAOs.
P.Cs. Region VIII (less Arezzo).
P.Os and P.F.Os, Region VIII (less Arezzo).
R.C. Region VIII. (5)
Major Collins. (3)

Copies to:

G/S Fifth Army.
G-1 Fifth Army.
G-2 Fifth Army.
C.I.G., Fifth Army.
Provost Marshall, Fifth Army.
HQ ACC. PC and NG Section.
Colonel McCarthy, HQ ACC Adv.
Legal Subcommittee, ACC.
Army Subcommittee, CC.
Public Safety Subcommittee, ACC.
AMG Eighth Army Main.
HQ A.A.I. (TAC).

SECRET

MINUTES OF CONFERENCE HELD ON 3 JULY 44 IN ROME TO DISCUSS THE

ADMINISTRATION OF PATRIOTS IN OCCUPIED ITALY

PRESENT :-

Brigadier M.S. Lush (Chairman)	Executive Commissioner, A.C.C.
Lt. Col. Amos	Rome Region
Mr. Bauer	Patriot (C.S.M.)
Col. Dornabo	Patriot (Military)
Group Captain Benson	AMS 8 Army
Mr. Gen. Browning	M.M.I.A.
Capt Duckley	A.C.C.
Mr. Caccia	A.C.C.
Col. Carter	C.S.S.
Brigadier Dunlop	Region IV
Major Fielden	A.C.C.
Lieut Harris	No.1, Special Force
Col. Fiske	A.C.C.
Major Koch	O.S.S.
Lieut Macnamara	A.C.C.
Brigadier Mainwaring	A.A.I.
Col. Mc Carthy	A.C.C.
Col. Monfort	A.C.C.
Col. Pidsley	M.M.I.A.
Mr. Reynar	P.W.B.
Major Talbot	A.C.C.
Mr. Reber	A.C.C.
Major Tennent	No.1, Special Force
Col. Upton	A.C.C.
Col. Young	A.C.C.

Patriot Reps with AMG of Armies

1. It was decided that Representatives should be found only from the Michaelis and Bauer parties. OSS and Special Force stated that they could not provide officers but would send relevant information through SO3 Ops AMI whence it could, after screening, be passed to armies and then to Corps HQs and down to C.I.C.S. One Patriot Rep of the Michaelis and one of the Bauer party will be at each Corps H.Q.
- Detailed instructions to be sent to AMG at Armies by Patriot Branch of R.C. & H.Q. Section.

Brigadier General

Col. Mc Carthy
 Col. Mankert
 Col. Fildsley
 Mr. Rayner
 Major Talbot
 Mr. Reber
 Major Tennant
 Col. Upjohn
 Col. Young

A.C.C.
 A.C.C.
 A.M.I.A.
 P.W.B.
 A.C.C.
 A.C.C.
 No. 1. Special Force
 A.C.C.
 A.C.C.

Patriot Raps with MB of Armies

1. It was decided that Representatives should be found only from the Michaelis and Bauer parties. CCS and Special Force stated that they could not provide officers but would send relevant information through BGS Ops and I whence it could, after screening, be passed to armies and then to Corps HQ and down to C.A.C.s. One Patriot Rep of the Michaelis and one of the Bauer party will be at each Corps HQ.

Detailed instructions to be sent to MB at Armies by Patriot Branch of R.C. & M.G. Section.

2. It was agreed that the duties of Patriot Raps should be to identify leaders of Patriot bands and to help MB to deal with them. For this purpose they should help to select a few suitable local patriots to serve on the staff of each C.A.C.

3. The duties of Patriot Raps are to be in no way political.

4. permission to put Patriot Raps on the MB ration strength and to allow them to draw petrol was later obtained from MB (A).

5. It was also agreed later that the Michaelis and Bauer Raps should be called Patriot Raps (MI) and Patriot Raps (C.I.N.) respectively.

.....6/.....

Preliminary action in occupation.

6. The poster prepared by PW for Gen Alexander's signature was approved subject to an additional clause appealing for the gathering of the harvest. This poster is to be posted in forward areas, and the contents put in Italian newspapers and broadcast by PW.

7. The surrender of arms must be justified by law and not on grounds of military expediency i.e. the statement that arms will be returned to Northern Italy.

8. The time of handing in arms to be at the discretion of C.A.O.s who may use Patriots for temporary police work if necessary.

9. Arms must be handed in to AMG and not to carabinieri though the latter may handle the collection thereof. Receipts for arms should be given and should be signed by C.A.O.s.

Certificates of merit.

10. After discussion it was decided not to issue collective certificates of merit since this would be most difficult to administer and would certainly cause ill feeling.

11. It was agreed that the only certificates of merit to be issued to Patriots (apart from those given to persons who have helped accepting prisoners of War) should be to members of recognised fighting bands who have carried arms, carried out demolitions or engaged in sabotage. It will be the duty of C.A.O.s helped by their Patriot Pepe to adjudicate in doubtful cases.

12. The certificate will be signed by General Alexander in facsimile, and will also be endorsed by the local Patriot leader and an Allied Officer.

13. Regional Officers will take over from departing Army C.A.O.s the responsibility

(a) P.W.B.
(b) Detailed instructions to be sent to AMG at Armies by Patriot Branch of R.C. & M.G. Section.

Detailed instructions to be sent to AMG at Armies by Patriot Br. of R.C. & M.G. Section.

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12. The certificate will be signed by General Alexander in Ifoimillo, and will also be endorsed by the local Patriot leader and an Allied Officer.

13. Regional Officers will take over from departing Army C.A.O.s the responsibility for the issue of certificates.

Subsequent employment of Patriots.

14. It was suggested that the problem of finding employment for Patriots should be handled by a committee at every provincial seat of government reporting to the Prefect and the AD representative. In rural areas the men can usefully be employed on agriculture; in towns on the clearance of debris, and the necessary reconstruction of roads and essential buildings. It is essential to find work to absorb the Patriots otherwise militant political parties would resurround.

- (a) P.W.B.
- (b) Detailed instructions to be sent to ALE at Armes by Patriot Br of RC & ME Section.

Draft proposals to be put up by Patriots Branch.

.....15/.....

15. The G.C.C. M.M.I.A. stressed that as Italian conscription law extended into AMG territory, Patriots of military age were liable for service. In practice it would take a little time to establish the machinery for registration etc. in forward areas. Pending further notifications patriots of military age should therefore be encouraged to act on a temporary basis in the same way as those of other age groups.

Persons who have assisted Allied P.O.W. to escape.

16. A scheme of aid is in operation for people who have assisted Allied P.O.W. to escape. This was discussed and it was decided that no further action could be taken meantime.

C.D. MC CARTHY,
Colonel,
Patriot Branch,
R.C. & M.C. Section.

DISTRIBUTION:

All Allied members present.
AMG 5 Army (5)
AMG 3 Army (10)
Interior Subcommittee (1)
Spares (10)
File (1)
War Diary (1)

0 8 2 5