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RESTORATION
NOV. 1943 - JA

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RESTORATION OF TERRITORY TO ITALIAN GOV'T
NOV. 1943 - JAN. 1944

COPY.

US SECRET EQUALS BRITISH MOST SECRET.

DOCUMENT A.

PROCLAMATION.

Whereas I assumed all the powers of government and jurisdiction in the territory of Italy and Sicily occupied by my troops and over its inhabitants and established Military Governments to exercise these powers in such territory under my direction, and

Whereas in exercise of such powers proclamations and orders have been issued from time to time by me or under my authority throughout such territory, and

Whereas an Armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

Whereas the Italian Government has declared war on Germany and has become cobbelligerent with United Nations, and

Whereas the United Nations have consented at the request of the Italian Government to restore the jurisdiction of the Italian Government in the occupied territory to such extent as may be compatible with military legislation,

Now, therefore, I, HAROLD R. L. G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General Officer Commanding Allied Forces in Sicily and on the mainland of Italy and Military Governor of all Occupied Territory, by virtue of authority vested in me by the Commander in Chief of the Allied Forces, hereby proclaim as follows:-

I

Without prejudice to the continued status of the territory concerned as occupied territory, to the position and powers therein of the Forces of the United Nations, or to the rights of the Allied Commander in Chief in regards thereto, all proclamations and orders heretofore issued by me or under my

in such territory under my direction, and

Whereas in exercise of such powers proclamations and orders have been issued from time to time by me or under my authority throughout such territory, and.

Whereas an Armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

Whereas the Italian Government has declared war on Germany and has become cobbelligerent with United Nations, and

Whereas the United Nations have consented at the request of the Italian Government to restore the jurisdiction of the Italian Government in the occupied territory to such extent as may be compatible with military legislation,

Now, therefore, I, HAROLD R. L. G. ALEXANDER, G.C.B., C.S.I., D.S.O., K.C., General Officer Commanding Allied Forces in Sicily and on the mainland of Italy and Military Governor of all Occupied Territory, by virtue of authority vested in me by the Commander in Chief of the Allied Forces, hereby proclaim as follows:-

I

Without prejudice to the continued status of the territory concerned as occupied territory, to the position and powers therein of the Forces of the United Nations, or to the rights of the Allied Commander in Chief in regards thereto, all proclamations and orders heretofore issued by me or under my authority are hereby terminated as at 0001 hours of the day of 1944, throughout that portion of the mainland of Italy south of the northern boundaries of the Provinces of Salerno, Potenza, and Bari, and Sicily and Adjacent Islands (but not Pantelleria or Lampedusa or Linosa) and all powers of government and jurisdiction in such territory and over its inhabitants will henceforth be exercised by the Government of Italy subject to the guidance and instructions of the Allied Control Commission and on the understanding that the powers in

question will be exercised by officials of proven good faith and Allied sympathies.

II

The said powers or any part of them (including the right to cancel or override any act of the Italian Government) may at any time be resumed or exercised by the Allied Commander in Chief or anyone acting under his authority, if in his opinion this should be rendered necessary by military exigencies or in the interests of public order or good government.

III

Nothing herein shall effect

- (A) The right of the Allied Commander in Chief to take all steps necessary to ensure the security, maintenance, welfare, accommodation, communications, movements and operations of the occupying forces or any other United Nations Forces, and to issue all such proclamations or orders as may be necessary for any of these purposes, with which all Italian authorities and the inhabitants of the territory concerned will be bound to comply;
- (B) The right of the Allied Control Commission to take any action necessary for the execution of the armistice with Italy.

H. R. L. ALEXANDER,
General Officer, Commandin

Now, therefore, I,

, Head of the Italian

Government, by virtue of the authority vested in me hereby proclaim as follows:

1. Military Government in the said territory having been terminated by the Allied Military Government, all powers of government and jurisdiction in the said territory and over its inhabitants, subject only to the rights therein reserved to the United Nations, are vested in the Government of Italy.
2. All proclamations and orders which have heretofore been issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor, as upon its restoration, are hereby recognised by the Italian Government and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian law, and they will be so recognised by all Italian courts and officials.
3. All acts done by any member of the United Nations Forces in pursuance of such proclamations or orders, and all official actions of any nature taken by the Allied Military Government in pursuance thereof, including all appointments to and removals from any office public or private, will be recognised by all Italian courts and officials as legal, valid and binding, except that any person so appointed may be removed at any time by the Italian Government with the consent of the Allied Control Commission.
4. All sentences imposed by the Allied Military Courts are hereby recognised by the Italian Government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognised by all Italian courts and Italians officials unless set aside or modified by or with the consent of the Allied Control Commission.
5. The Allied Forces are fighting our common enemy against whom Italy has declared war for the purpose of driving the German invader from Italian territory and restoring Italy as a free nation, liberating thousands from Axis domination and from all trace of Fascism. I call upon all Italians in every walk of life

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to aid in this fight upon the successful outcome of which the future of Italy depends.

6. It will be necessary for the prosecution of the war for the Forces of the United Nations to continue to occupy the said territory. It is the duty of every Italian to cooperate fully with all these Forces and to obey all orders and regulations which may from time to time be posted by the Commander of the United Nations Forces in the said territory.

7. Only by the most wholehearted cooperation can our war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof, or doing any act which in any way impedes the war effort or aids the enemies of Italy, will be severely punished either by Italian courts or by Allied Military Courts.

Head of the Italian Government.

DOCUMENT C.

AGREEMENT

Whereas the Italian Government has requested that the exercise be henceforth vested in them of governmental and jurisdictional powers in certain territory occupied by the Allied Forces;

And whereas the Allied Command in Chief is prepared to accede to this request on the terms set out in the proclamations issued under his authority, dated _____, and provided the requirements of the United Nations in regard to certain Italian Provinces, namely, Agrigento, Caltanissetta, Catania, Enna, Messina, Palermo, Ragusa, Siracusa, Trapani, Catanzaro, Cosenza, Matera, Potenza, Reggio, Salerno, Bari, Brindisi, Lecce, Taranto, Cagliari, Sassari, and Nuoro, are complied with:

It is hereby agreed between _____ representing
the Allied Commander in Chief and _____ representing
the Italian Government, duly authorized to that effect, as follows:

The Allied Commander in Chief and any such officer or other representative, including the Allied Control Commission, as the Allied Commander in Chief may designate, shall have the following rights and powers in the provinces above mentioned:

- I. To operate and use such ports and airfields and all such means of transportation or communication within the said territory as he may desire;
- II. To quarter troops in such parts of the said territory as he may see fit;
- III. To declare any area within the said territory which may be needed for operation of ports, airfields, transport or communications facilities, for quartering of troops or for such other purpose as he may deem necessary for

And whereas the Allied Command in Chief is prepared to accede to this request on the terms set out in the proclamation issued under his authority, dated , and provided the requirements of the United Nations in regard to certain Italian Provinces, namely, Agrigento, Caltanissetta, Catania, Enna, Messina, Palermo, Ragusa, Siracusa, Trapani, Catanzaro, Cosenza, Matera, Potenza, Reggio, Salerno, Bari, Brindisi, Lecce, Taranto, Cagliari, Sassari, and Nuoro, are complied with:

It is hereby agreed between representing
the Allied Commander in Chief and representing
the Italian Government, duly authorized to that effect, as follows:

The Allied Commander in Chief and any such officer or other representative, including the Allied Control Commission, as the Allied Commander in Chief may designate, shall have the following rights and powers in the provinces above mentioned:

- I. To operate and use such ports and airfields and all such means of transportation or communication within the said territory as he may desire;
- II. To quarter troops in such parts of the said territory as he may see fit;
- III. To declare any area within the said territory which may be needed for operation of ports, airfields, transport or communications facilities, for quartering of troops or for such other purpose as he may deem necessary for successful prosecution of the war as an Allied Military Zone;
- IV. To assume full administrative jurisdiction over such military zones and to issue and enforce such orders and regulations for the conduct of all persons in and about such zones as he may see fit;
- V. To convene Allied Military Courts for the trial of any person violating any such orders or regulations and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the said territory and to inflict such punishment upon such person as such court may direct;

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VI. To retain the right through Allied Military Courts to conduct and carry to ultimate conclusion the trial of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Government;

VII. To requisition private or public property;

VIII. To import and control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine, without payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies;

IX. To engage in such operations and import such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war, free from imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies;

X. Any official or other representative or agent of the United Nations, civilian or military, may enter and remain within the said territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies;

XI. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian court for any cause whatsoever either civil or criminal without the consent of the Allied Powers;

XII. All expense and costs arising from the maintenance of Allied troops or other personnel within the said territory will be chargeable to the Italian Government as a part of the costs of occupation.

The foregoing provisions shall form an integral part of the terms on which governmental and jurisdictional powers in certain parts of Italian territory are ~~vested~~ vested in the Italian Government in virtue of the aforesaid proclamation, and shall

population of such civilian supplies as the Allied Forces may determine, without payment of any impost, tax, charge or duty of any kind whatsoever either to the Italian Government or to any of its political subdivisions or agencies;

IX. To engage in such operations and import such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war, free from imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies;

X. Any official or other representative or agent of the United Nations, civilian or military, may enter and remain within the said territory free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian Government or any of its political subdivisions or agencies;

XI. No member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, shall be brought to trial in any Italian court for any cause whatsoever either civil or criminal without the consent of the Allied Powers;

XII. All expense and costs arising from the maintenance of Allied troops or other personnel within the said territory will be chargeable to the Italian Government as a part of the costs of occupation.

The foregoing provisions shall form an integral part of the terms on which governmental and jurisdictional powers in certain parts of Italian territory are ~~vested~~ vested in the Italian Government in virtue of the aforesaid proclamation, and shall be without prejudice to the exercise of any Allied rights or powers under the Armistice with Italy.

Draft of 22 Dec.

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C. C. L. sec.

EQUALE DUTY AND SERVICE

DOCUMENT A

Draft Terms for Restoration of Territory to Italian Government.

WHEREAS, in the course of their conduct of the war against the Axis

powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an Armistice has been concluded with the Italian Government

pursuant to which the United Nations may take such measures within and in

regard to such territory as they may deem necessary for the protection of

the Allied Forces and for the successful prosecution of the war and to

occupy such other portions of Italian territory as they may deem necessary;

and

WHEREAS, the Italian Government has declared war on Germany and has

become a co-belligerent with the United Nations and

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

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

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

HENRY TRUPPER, I, HAROLD E. L. G. ALLEN, D. C. P., D. S. I., D. S. O., D. C., General, Military Governor, by virtue of authority vested in me by General Indrighi E. Nicotri, Commander in Chief of the Allied Forces, hereby term-

inate Allied Military Government in the territory described below. The

Italian Government will resume the government of that territory, subject

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regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and to occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian government has declared war on Germany and has become a co-belligerent with the United Nations and

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

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

WHEREAS, it is necessary for the successful prosecution of the war that certain rights, power and jurisdiction in all Italian territory which has been liberated from German domination be retained by the Allied Forces, NOW, THEREFORE, I, HAROLD A. L. E. ALLEN, G. O. B., U. S. A., U. S. O., M. O., General, Military Governor, by virtue of authority vested in me by General Dwight D. Eisenhower, Commander in Chief of the Allied Forces, hereby terminate Allied Military Government in the territory described below. The Italian Government will resume the government of that territory, subject to the terms and conditions hereinafter set forth.

Territory Restored. That portion of the Mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza and Bari, and Sicily and adjacent islands (but not Pantelleria or Lampedusa and Linosa).

Terms of Restoration. Without prejudice to any rights, powers and immunities of the United Nations under the armistice terms heretofore granted to the Italian government, all of which remain in full force and effect throughout all Italian territory, there is hereby reverted to the

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United Nations and to the Commander in Chief of the Allied Forces and to such officers or other representatives, including the Allied Control Commission, as he may designate, the rights, powers and immunities described below, in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian government, hereinafter referred to as "the Unoccupied Territory":

1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.
2. To maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.
3. To hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.
4. To declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.
5. To convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof, and to inflict such punishment upon such person as such tribunals may direct.
6. To conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Government.

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1. There will be made available to the Allied Forces such facilities, utilities and installations as may be required by the Allied Commander in Chief or his agents for such disposition, use or operation as may be determined.
2. To maintain and quarter troops in such parts of the Unoccupied Territory as they may see fit.
3. To hold or require the Italian Government to hold in custody prisoners of war and civilian internees as may be directed by the Allied Commander in Chief.
4. To declare any area to be a Military Zone and to exercise therein the rights of an occupying power or enforce such other controls as may be determined by the Allied Commander in Chief.
5. To convene Allied Military Tribunals for the trial of any person violating any order or regulation issued by the Allied Military authorities and of any person otherwise doing any act hostile to the Allied Forces or any member thereof, and to inflict such punishment upon such person as such Tribunals may direct.
6. To conduct and carry to ultimate conclusion the trial by Allied Military Tribunals of any person charged with an offense heretofore committed and cognizable under any proclamation or order heretofore issued by or on behalf of the Allied Military Governor.
7. To requisition private and public property and services.
8. To reoccupy the whole or any part of the Unoccupied Territory at any time or to take such other steps or exercise such other powers in any part of such territory as may from time to time be deemed necessary for the proper prosecution of the war.
9. To import and export and to control and supervise the distribution to the civilian population of such civilian supplies as the Allied Forces may determine without the payment of any ^{tax, duties, or duty of any} ~~tax, duties, or duty of any~~

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FEDERAL BUREAU OF INVESTIGATION
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Kind whatsoever either to the Italian government or to any of its political subdivisions or agencies.

10. To engage in such operations and import and export such military or other supplies or property of any nature as may be deemed necessary for the proper prosecution of the war free from the imposition of any impost, tax, charge or duty of any kind whatsoever by the Italian government or any of its political subdivisions or agencies.

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

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

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

14. Proclamations and decrees in the form annexed hereto and under a part of these terms and conditions will be issued by the Italian Government at the time of transfer of the territory.

General,
Military Governor.

of its political subdivisions or agencies.

11. Any official or other representative or agent of the United Nations, civilian or military, may enter and remain within the Unoccupied Territory free from the imposition of any import, tax, charge or duty of any kind whatsoever by the Italian government or any of its political subdivisions or agencies.

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

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

14. Proclamations and Decrees in the form annexed hereto and made a part of these terms and conditions will be issued by the Italian Government at the time of transfer of the territory.

General,
Military Governor.

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Draft of 22 Dec.

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Draft Proclamation for Military Governor.

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

WHEREAS in the exercise of such powers, proclamations and orders have been issued from time to time by me or under my authority throughout such territories, and

WHEREAS an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

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

NOW, therefore, I, HANDED E.I.O. ALEXANDER, G.C.B., G.S.I., L.C.O., R.A., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Dwight D. Eisenhower, Commander in Chief of the Allied Forces, hereby proclaim as follows:-

Allied Military Government established by me and all proclamations and orders heretofore issued by me or under my authority in that portion of the mainland of Italy south of the northern boundaries of the provinces of Salerno, Potenza, and Bari, and Sicily and adjacent islands (but not Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0801 hours on ____ day of ____ The Italian

established military government to exercise these powers in each territory under my direction, and
 WHEREAS in the exercise of such powers, proclamations and orders have been issued from time to time by me or under my authority throughout such territories,

and

WHEREAS an armistice has been concluded with the Italian Government and an Allied Control Commission has been appointed, and

WHEREAS the Italian Government has declared war on Germany and has become a co-belligerent with the United Nations, and

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

NOW, therefore, I, HAROLD K.L.S. ALEXANDER, G.C.B., G.S.I., D.M.O., M.C., General, Military Governor of all the Occupied Territory, by virtue of authority vested in me by General Dwight D. Eisenhower, Commander in Chief of the Allied Forces, hereby Proclaim as follows :-

Allied Military Government established by me and all proclamations and Orders heretofore issued by me or under my authority in that portion of the Mainland of Italy south of the northern boundaries of the provinces of Palermo, Potenza, and Bari, and Sicily and adjacent islands (but not Pantelleria or Lampedusa or Linosa) are hereby terminated as of 0601 hours on ____ day of _____. The Italian Government will thereafter administer the above territory, subject to all powers, rights and immunities of the United Nations and of the Allied Commander in Chief and Allied Control Commission.

General,
 Military Governor.

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EQUALS ENEMY SECRET

Draft of 22 Dec.

DOCUMENT 6

Draft Proclamation by the Italian Government to be signed by Marshal Badoglio
To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian Government that certain territories heretofore occupied by the Allied Forces be relinquished and restored to the Italian Government upon such terms and conditions as are necessary for the proper prosecution of the war,

WE, THE PEOPLE, I,

hereby proclaim and decree as follows:

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the Government of Italy.
2. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian Government in accordance with Italian Law, and they shall be so recognized by all Italian courts and officials.
3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or Orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, will be recognized by all Italian courts and officials as legal, valid and binding, except that any person so appointed may be removed at any time by the Italian Government with the consent of the Allied

conditions as are necessary for the proper prosecution of the war,

RUS, Ruffinone, I,

hereby proclaims and decrees as follows:

1. Military government in the territory restored having been terminated by the Allied Military Government, all powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights reserved to the United Nations, are vested in the government of Italy.
2. All Proclamations and orders heretofore issued by the Military Government or under its authority in the said territory and which have been terminated therein by the Military Government as upon its restoration, are hereby recognized by the Italian Government as having been validly issued and are declared to be of the same legal effect as if they had been issued by the Italian government in accordance with Italian law, and they will be so recognized by all Italian courts and officials.
3. All acts done by any member of the Allied Forces in pursuance of such Proclamations or orders, and all official action of any nature taken by the Allied Military Government in pursuance thereof including all appointments to and removals from any office, public or private, shall be recognized by all Italian courts and officials as legal, valid and binding, except that any person so appointed may be removed at any time by the Italian government with the consent of the Allied Commander in Chief.
4. All sentences imposed by Allied Military Courts are hereby recognized by the Italian government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless set aside or modified by or with the consent of the Allied Control Commission.
5. The Allied Forces are fighting our common enemy against whom Italy

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has declared war, for the purpose of driving the German invaders from Italian territory and restoring Italy as a free nation, liberated from Nazi domination and from the abuses of Fascism. I call upon all Italians in every walk of life to aid in this fight upon the successful outcome of which the future of Italy depends.

6. In prosecuting the war it will be necessary for troops to be maintained and quartered, for military zones to be established, and for members of the Allied Forces and officials and other representatives and agents of the United Nations to circulate freely within the restored territory. It is the duty of every Italian to cooperate fully with all members of the Allied Forces and all such officials and representatives and agents, and to obey all orders and regulations which may from time to time be issued by the Allied Forces in the military zone. All persons within such zones will be subject to the jurisdiction of the Allied Military Forces and of Allied Military Tribunals.

7. Only by the most whole-hearted cooperation can the war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof or doing any act which in any way impedes the war effort or aids the enemies of Italy, will be subject to punishment by an appropriate Allied Military Tribunal or Italian Court.

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6. In prosecuting the war it will be necessary for troops to be maintained and quartered, for military zones to be established, and for members of the Allied Forces and officials and other representatives and agents of the United Nations to circulate freely within the restored territory. It is the duty of every Italian to cooperate fully with all members of the Allied Forces and all such officials and representatives and agents, and to obey all orders and regulations which may from time to time be issued by the Allied Forces in the military zones. All persons within such zones will be subject to the jurisdiction of the Allied Military Forces and of Allied Military Tribunals.

7. Only by the most wholehearted cooperation can the war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof or doing any act which in any way impedes the war effort or aids the enemies of Italy, will be subject to punishment by an appropriate Allied Military Tribunal or Italian Court.

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1st Army Group

APAC 15 Army Group

Return to Lord Russell at

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C. in C. agrees

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25 Nov.

Col. Jerry }
Cdo

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Gen. Wolmer 5 d/o tel.

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Return to Lord Remond at

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Col. Ferry }
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Gen. Wolmer 5 d/o tel.

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DOCUMENT A

No. 1

DRAFT OF NOV 12, 1943.

SECRETDraft Terms for Restoration of Territory to Italian Government.

WHEREAS, in the course of their conduct of the war against the Axis powers, the Allied Forces have occupied certain Italian territory and

WHEREAS, an amity has been concluded with the Italian Government pursuant to which the United Nations may take such measures within and in regard to such territory as they may deem necessary for the protection of the Allied Forces and for the successful prosecution of the war and to occupy such other portions of Italian territory as they may deem necessary, and

WHEREAS, the Italian government has declared war on Germany and has ^{been} granted the status of ^{with} a co-belligerent by the United Nations and

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

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

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

NOW, THEREFORE, I, HENRY H. H. H. ALLEN, G.C.B., G.C.I., D.C.O., K.C., General, General Officer Commanding the Allied Forces in Italy and Sicily and Military Governor, by virtue of authority vested in me by General Dwight D.

Eisenhower, Commander in Chief of the Allied Forces, hereby relinquish and restore to the government of Italy all powers of government and jurisdiction heretofore

ALLIED Control Commission as to any Acquiescence, the right in any part of the said territory and in all other Italian territory which has been liberated from German domination and is now under the jurisdiction of the Italian Government, jurisdiction referred to as "The Liberated Territory".

1. To operate and use such junks and airplanes, and all such means of transportation or communication within the said territory as they may desire;
2. To quarter troops in such parts of the Unoccupied Territory as they may see fit;
3. To declare any areas within the Unoccupied Territory which may be needed for the operation of ports, air fields, transportation or communication facilities, for the quartering of troops, or for such other purposes as they may deem necessary for the successful prosecution of the war, to be Allied Military Zones;
4. To exercise full administrative jurisdiction over such Military Zones, and to issue and enforce such orders and regulations for the control of all persons in and about such zones as they may see fit;
5. To exercise Allied Military Courts for the trial of any person violating any such order or regulation and of any person otherwise doing any act hostile to the Allied Forces or any member thereof in any part of the Unoccupied Territory, and to inflict such punishment upon such persons as such courts may direct;
6. To retain, the right, through Allied Military Courts, to conduct and carry to ultimate conclusion the trial of any person charged with an offense heretofore committed and criminal under any proclamation or order heretofore issued by or on behalf of the Allied Military Government;

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without the payment of any import, tax, charge, or duty of any kind whatsoever either to the Italian government or to any of its political subdivisions or agencies.

10. An official or other representative or agent of the United Nations, civilian or military, may enter and remain within the Occupied Territory free from the imposition of any import, tax, charge or duty of any kind whatsoever by the Italian government or any of its political subdivisions or agencies; nor shall any member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, be brought to trial in any Italian Court for any crime whatsoever; civil or criminal without the consent of the Allied Powers;
11. Proclamations and Decrees in the form annexed hereto and made a part of these terms and conditions will be issued by the head of the Italian State at the time of transfer of the territory.

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...of the Italian Government or any of its political subdivisions or agencies; nor shall any member of the Allied Forces or any official or other representative or agent of the United Nations, civilian or military, be brought to trial in any Italian Court for any cause whatsoever.

civil or criminal without the consent of the Allied Powers;

11. Proclamations and Decrees in the form annexed hereto and made a part of these terms and conditions will be issued by the head of the Italian State at the time of transfer of the territory.

DRAFT of Nov. 12, 1943.

Draft Proclamation of Acceptance of a Transfer of Territory by
Head of Italian State.

To the Italian People:

WHEREAS, the United Nations have agreed to the request of the Italian government that certain territories heretofore occupied by the Allied Forces be relinquished and restored to the Italian government upon such terms and conditions as are necessary for the proper prosecution of the war,

NOW, THEREFORE, I,

Head of the Italian State by virtue of the authority vested in me by

heretofore, do hereby decree as follows:

1. Military government by the Allied Forces in the territory restored has terminated;
2. All powers of government and jurisdiction in the territory restored and over its inhabitants, and final administrative responsibility, subject only to the rights therein reserved to the United Nations, are vested in the government of Italy;
3. All Proclamations and Orders heretofore issued by the Military Governor or under his authority in the said territory and which have been terminated therein by the Military Governor as upon its restoration, are hereby recognized by the Italian government and are declared to be of the same legal effect as if they had been issued by the Italian government in accordance with Italian law, and they will be so recognized by all Italian courts and

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government with the consent of the Allied Control Commission.

5. All sentences imposed by Allied Military Courts are hereby recognized by the Italian government as valid and legal and of the same effect as if imposed by an Italian court and will be so recognized by all Italian courts and Italian officials unless and unless modified by or with the consent of the United Nations.

6. The Allied Forces are fighting our common enemy against whom Italy has declared war for the purpose of driving the invader from Italian territory and restoring Italy as a free and independent nation, liberated from Axis domination and from all traces of Nazism. I call upon all Italians in every walk of life to aid in this fight upon the successful outcome of which the future of Italy depends.

7. In prosecuting the war, it will be necessary for the members of the Allied Forces and of the United Nations to relocate freely within the restored territory and to maintain military zones therein for the purpose of quartering troops or for other military purposes. It is the duty of every Italian to co-operate fully with all members of the Allied Forces and of the United Nations within the said territory at all times, and to obey all orders and regulations which may from time to time be posted by Commanders of the Allied Forces in military zones. All persons within such zones will be subject to the jurisdiction of the Allied Military Forces and of Allied Military Courts which they may set up therein.

8. Only by the most whole-hearted cooperation can our war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof or doing any act which in any way impedes the war effort or aids the enemies of Italy, will be severely punished either by Italian Courts or by Allied Military Courts.

Italy has declared war for the purpose of ^{German} driving the German from Italian territory and restoring Italy as a free and independent nation, liberated from this domination and from all traces of Fascism. I call upon all

Italians in every walk of life to aid in this fight upon the successful outcome of which the future of Italy depends.

7. In prosecuting the war, it will be necessary for the members of the Allied Forces and of the United Nations to operate freely within the restored territory and to maintain military zones therein for the purpose of guarding troops or for other military purposes. It is the duty of every Italian to co-operate fully with all members of the Allied Forces and of the United Nations within the said territory at all times, and to obey all orders and regulations which may from time to time be promulgated by the Allied Forces in military zones. All persons within such zones will be subject to the jurisdiction of the Allied Military Forces and of Allied Military Courts which they may see or hear of.

8. Only by the most whole-hearted cooperation can our war be won. Any person doing any act hostile to the Allied or Italian Forces or any member thereof or doing any act within in any way impedes the war effort or aids the enemies of Italy, will be severely punished either by Italian Courts or by Allied Military Courts.

The question was raised as to the communications set-up. Captain Elbery W. Stone, USNR, was called in to explain the present situation. He reiterated that the cable between Naples and Bari would be repaired within three weeks. The work was progressing under the guidance of 15th Army Group. Accordingly, he had made arrangements to reserve six (6) circuits of this cable for the use of the Italian Government and the Allied Control Commission. The cable from Naples to Palermo was cut and he could not say when it would be repaired. He understood too, that work was progressing in the southern portion to restore the wire communications but this had only recently started and he could not venture a report on its progress.

In answer to the question of how long it would take to move our present wireless communications set-up to Palermo, Captain Stone estimated that two or three days would be necessary.

DISTRIBUTION:

1 - Gen. Joyce
 1 - Gen. Taylor
 1 - Gen. Holmes
 1 - Brig. Gusterbock
 1 - Lt. Col. Chandler

not venture a report on its progress.

In answer to the question of how long it would take to move our present wireless communications set-up to Salerno, Captain Stone estimated that two or three days would be necessary.

DISTRIBUTION:

1 - Gen. Joyce
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1 - Lt. Col. Chandler

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whenever given to the Italian government or to any of its political subdivisions or agencies

20. An official or other representative or agent of the United States, civilian or military, any sailor and mariner within the United States, any crew from the inspection of any vessel, any, change or duty of any kind disclosed by the Italian government or any of its political subdivisions or agencies, nor shall any member of the Allied Forces or any official or other representative or agent of the United States, civilian or military, be brought to trial in any Italian Court for any crime whatsoever either civil or criminal without the consent of the Allied Powers

21. A proclamation or decree in the form annexed hereto and under a part of these terms and conditions will be issued by the head of the Italian State at the time of transfer of the territory.

(A)
The Commander in Chief of the
Allied Forces and to such officers or
other representatives, including the
Allied Control Commission, as
he may designate,

