

ACC

10000/143/1590
(2ND)

SCR
DEC

10000/143/1590
(2ND)

SCREENING OF ITALIAN OFFICIALS, POLICY
DEC. 1944 - MAR. 1946

W 651

CA Sec (Barwhite)

Will you please approve the draft at

Handwritten signatures

if suitable.

48A
21/6/52
517365

PS: It is not considered proper to have in the information contained in 57A to the Separation Commission. It is likely to lead to friction. ~~It~~ What is required is that the Separation Commission and Ministry should get in touch and submit details a when the Ministry and the papers with the Commission received the papers from WTC.

Handwritten signature

CA
21/6/10:45

2

PS 47A is now cancelled (see 49A)

Handwritten signature

CA
21/6/52

3

CA Sec (Barwhite)

Re your letter of 5/6/52

Please see 57A

Handwritten signature

26/5/52

More meetings - Do you not think a

conference would be useful?

Handwritten signature

CA
21/6/52

5

PS
 It is not intended to file to pass on the information
 contained in 57A to the Separation Commission. It is likely to
 lead to further ~~the~~ ^{the} ~~equivalent~~ ^{equivalent} is that the Separation Commission
 and Ministry must get a pattern and compare ~~with~~
 a when the Ministry sent the papers to the SAC.
 to John the Sp. Commission received the papers from the SAC.

Handwritten signature

CA
 21 May 1968

2

PS 47 A is being cancelled

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(SO F9A)

CA
 21 May

3

CA Sec (Balwhite)

Re your letter of 5A.

Please see 57A

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26th

Work Meeting - Do you not think a

Conference would be useful

Handwritten signature

CA
 21 May 1968

5

CA5 Col White

Considering that all separation in Police agencies
 is done at Ministries and not in Provincial setups,
 does 60 A apply to Public Safety & Police ?

Handwritten signature

29 June 68. PS K.

6. 5776

PS

Yes more particularly - If in the course of personal files
 of files of a PS officer in the North they find suspicious circumstances,
 being many will still have to be investigated. While they make further investigations
 which as they may have to make them in North and also take away being
 from where the file is prepared and where the file is kept. It is then for handling
 for a period of time to be kept in a safe place for a period of time.

To CASec. Lt Col. White.
Please see 74B reference your 60A and our 60A.
13 July 45. Also 73A please.

PS. 60A requests number to be sent 4 Dec 45 regarding
in North study. The number marked as 74B refers
my problems in Dr. Galt's testimony.

W. H. White, Lt Col.

CASec
WHITE

- 9 -

To CASec. Lt Col. White.
Re 94A P1 - Delay in transmitting returns
Hansel's related communications probably to come if no
change when letters and two copies were returned. Also
change in operation committee. Also some attention in
papers. Some matters are being taken up with the
PS. Committee.
5-10-45 Tol. 257.
John W. Chapman (Colonel USAF)

PS. CoA requires manual to be sent to Rts of Region
in next study. The manual should be in B state
only 5 copies in DC State Territory

(H.W.H.)

10-16-75

PA S
PUB. 101

- P -

To CASAL. HCOL. White.

Re 94A P1 - Delay in transmitting returns
Naval Fleet communications probably to cause of our
change when contact and Training were returned. Also
change in operation committee. These would alter in
figures. These matters are being taken up with the
PS. Committee.
5-10-45 Tol. 257.
Postulation King
Re John W. Chapman Colonel SAS

5775

HEADQUARTERS ALLIED COMMISSIONS
Public Safety Sub-Commission
APO 394

100A

AC/14754/PS

5 March 46.

SUBJECT : Epuration Returns.
TO : Ministry Interior
Director General P.S. (Anti Fire Service)
Ministry of War (CC.BR.)

1. Epuration returns are required up to 28 February 1946 only. After this date, no further returns need be submitted.
2. Your co-operation and assistance in the provision of these returns in the past is appreciated.

John R. Chapin
JOHN R. CHAPIN
Colonel J.A.G.B.
Director Public Safety
Sub-Commission.

RJW/ac.

5774

105A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref : DP/6.A/CA

28 Feb 46

SUBJECT : Expiration Returns

TO : See Distribution

14754

With reference to DP/6.A/AS of 5 Sep 44, Expiration Returns are needed up to and including 28 Feb 46 (due in at this office 5 March). After this date they will not be required and Ministries should be informed of this by Sub-Commissions.

M. Carr

M. CARR, Brig,
VP CA Section

TO	INITIALS	DATE
DIRECTOR	<i>[Signature]</i>	2/3
DEPUTY DIRECTOR	<i>[Signature]</i>	4/3
EXEC. OFFICER	<i>[Signature]</i>	5/3
CHIEF OF STAFF		
CHIEF OF BRANCHES		
SECURITY		
STAFF CLERK		

1st copy sent to Ministry

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57.3

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

File 104A

12 December 1945

AC/14754/PS

See 103A

SUBJECT: D.L.L. 26 April 1945 N°149: Measures taken
against Fascists considered dangerous.

TO: : Ministry of Interior, Direction General of
Public Security.

1. Reference is made to your N.441/OI927 of
3 December, 1945.

2. The a/m D.L.L. can be carried out in all
of Naples Province except that part which is admini-
stered by Allied Military Government.

JOHN W. CHAPMAN
Colonel, JAGD
Director

OP/

5712

27 DIC. 1945

103A

TRANSLATION M.C.

MINISTRY OF INTERIOR
No. 441/010927

ROME - 3 DEC. 1945

TO: ALLIED COMMAND
PUBLIC SAFETY S.C.
ROME

14754
R

SUBJECT: D.L.L. 26 April 1945 No. 199/: measures taken
against Fascists considered dangerous.

In the order of the Brigadier General G.R. Upjohn of
15 May 1945 published in Official Gazette No. 61 of 22 of
same month, it was disposed of that the application of the
D.L.L. 26-4-1945, in connection with measures taken against
Fascists considered dangerous, did not include territory ad-
ministered by the Military Allied Government.

In connection with the province of Naples, this Ministry
has been requested to specify if said D.L.L. must be applied
and carried out also in aforesaid province, as Naples alone
as its chief-town, owing to the harbour activity, is consi-
dered under the Allied administration.

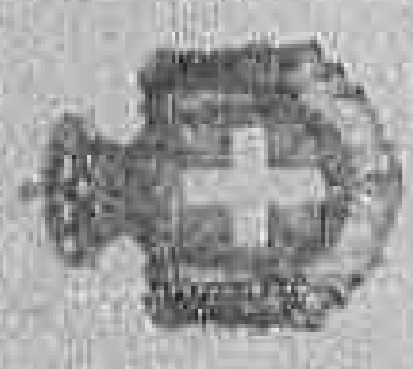
You are thus begged to examine the opportunity for
clearing and resolving, with formal act, the matter in question
for the whole Naples province.

For the Minister

Ferrari

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5771



RACCOMANDATA

Roma 3 Dicembre 1945

Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA

MAJON. COMMISSIONE ADUNATA SOTTOCOMMISSIONE PER LA P. S.

Giornale A.G.R. Nr. 1°

Prot. N. 3441/010927 Allegato

R O M A

Espresso al Seglio del Gov. Nr. 1°

OGGETTO D.L.L. 26 aprile 1945 N. 159; provvedimenti contro fascisti ritenuti pericolosi.

Com'è noto, con ordinanza del Brigadiere Generale G.S. Upjohn del 15 maggio 1945, pubblicata sulla Gazzetta Ufficiale N. 64 del 22 stesso mese, si è disposto che l'applicazione del D.L.L. 26.4.1945 N. 159, per i provvedimenti a carico di fascisti ritenuti pericolosi, è esclusa nel territorio soggetto all'Amministrazione del Governo Militare Alleato.

Per quanto riguarda la provincia di Napoli, è stato prospettato a questo Ministero il dubbio se debba in essa applicarsi ed avere esecuzione il citato D.L.L., dato che solo la città capoluogo, per l'interesse militare annesso al movimento del porto, è da considerarsi soggetta all'Amministrazione delle Autorità Alleate.

Sembrirebbe opportuno, ad evitare diversità di posizione rispetto alla legge, nei riguardi di cittadini che pur risiedono nella stessa provincia, che si consentisse l'esecuzione del decreto legislativo luogotenenziale in questione in tutta la provincia di Napoli.

Ciò premesso, si prega compiersi esaminare l'opportunità di chiarire e risolvere, con un atto formale, la questione di cui trattasi.

PMI MINISTRO

5 0

SCOTCOMMISSIONE PER LA T. S.

ROMA

Divisione A.S.R., Sec. 1°
Prot. N. 243/210927. Magoli

Allegato al Foglio del
Giornale

OGGETTO D.L.L. 26 aprile 1945 N. 159: Provesi dimessi contro
fascisti ritenuti pericolosi.

Com'è noto, con ordinanza del Brigadiere Generale G.R. Upjohn del 15
maggio 1945, pubblicata sulla Gazzetta Ufficiale N. 51 del 22 stesso mese,
si è disposto che l'applicazione del D.L.L. 25.4.1945 N. 159, per i provve-
dimenti a carico di fascisti ritenuti pericolosi, è esclusa nel territorio
soggetto all'Amministrazione del Governo Militare Alleato.

Per quanto riguarda la provincia di Napoli, è stato prospettato a que-
sto Ministero il dubbio se debbe in essa applicarsi ed avere esecuzione
il citato D.L.L., dato che scio le città capoluogo, per l'intervento milita-
re annesso al movimento del porto, è da considerarsi soggetta all'Admini-
strazione delle Autorità Alleate.

Semberebbe opportuno, ad evitare diversità di posizione rispetto al-
la legge, nei riguardi di cittadini che pur risiedono nelle stesse provin-
cie, che si consentisse l'esecuzione del decreto legislativo luogotenencia-
le in questione in tutta la provincia di Napoli.

Ciò premesso, si prega compiacersi esaminare l'opportunità di chiarir-
re e risolvere, con un atto formale, la questione di cui trattasi.

5 . 0

PER MINISTRO



29 NOV 1945

HEADQUARTERS ALLIED COMMISSION
AFC 394
CIVIL AFFAIRS SECTION

14754/PS

Ref : DF 5.28/CA

19 Nov 45

SUBJECT : Revision of Eputation Procedure

TO : See Distribution

Enclosed is an English version of DL 702, the new law on eputation which replaces Part II of DL 159.

1. The grounds upon which persons may be eputed are re-defined and are somewhat differently stated. The old grounds are therefore superseded. Broadly speaking, officials and civilians of equivalent rank down to the 7th Grade inclusive are liable to eputation if they have shown activity as fascists. Employees of lower grades are not eputable unless they have shown serious fascist bias or have committed certain named acts or held certain named offices. Persons who distinguished themselves in opposition to the Germans are still exempt.
2. The machinery is also varied. The present Commissions of First Instance remain and continue to function under the same rules. The order for dismissal however will be made by the Head of the Service. Dismissed employees are normally entitled to pension though they may be deprived of this in exceptional circumstances. Employees may be suspended pending proceedings and officials may be transferred from one district to another.
3. Employees of concerns of national importance and of companies exercising public utility functions are eputable under similar conditions to those mentioned above.
4. The procedure for dealing with professions is varied and they are made more or less self purging. The present commissions are abolished.
5. The procedure with regard to appeals is completely changed. The Central Commission is abolished and a special section of the Council of State is substituted therefor which will hear ordinary appeals but appeals against decisions of Provincial Commissions will be to a new Section of the local Court of Appeal. In either case the respective courts of appeal will operate according to the rules of procedure which previously applied for the abolished Central Commission.
6. All previous decisions as to dismissal from Service, removal from the register of a profession or acquittal stand but all minor punishments (with one exception mentioned below) are revoked. Provision is made for dealing with pending appeals. The minor punishment which is a reversion in Grade but this is intended only to be used to restore to his proper grade a person who has received undue promotion by fascist favour.

7 Suspensions of all persons of lower than Grade 7 are revoked unless they are persons against whom proceedings are to be continued under Part 2 of Art 1 or under Art 2. All "de facto" suspensions, however occasioned, are revoked. This is intended to apply to those persons who have been warned or instructed by bodies or persons, who are not legally empowered so to do, that they are dismissed or will not in future attend their offices. It does not apply to suspensions ordered under Art 35.

8 Art 14 The time limits within which proceedings must be brought are the 31 Mar 46 or three months after the handing back of the territory to Italian administration, whichever is the later, but this will not re-open time limits which expired before this Decree came into force.

9 Art 16 New provisions are contained to enable the operation of those directors and managers who by Italian law are, technically speaking, not employees. If such persons have been guilty of moral acts or have held invalid offices their contracts are declared dissolved and any employer who continues to employ such persons is liable to punishment by imprisonment or fine. This Art 18 dissolution will not be applied in certain cases. Persons may apply to a Art 17 Special Commission for an order that the dissolution does not apply. Persons Art 19 whose employment is dissolved are, under certain circumstances, entitled to compensation.

10 All provisions of DL 159 and of the subsequent operation decrees, e.g. 237, which are not inconsistent with any of the above provisions, continue. The principal changes are the restriction, in normal circumstances, of operation to the first 7 Grades, the addition of managers and directors to those operations and the change of procedure with regard to the professions and as to appeals. For all practical purposes, so far as Sub-Commissariats and Regions are concerned, the machinery under DL 159 continues to operate unchanged so far as the restricted classes of employees are concerned. It should not be overlooked that any employee of a grade lower than the 1st may be operated if he has shown serious fascist bias as well as for reasons contained in Art 2.

BY ORDER OF THE CHIEF COMMISSIONER

[Signature]
C. W. WHITE Lt Col,
A/VP G. Section

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for info : Economic Sec
Executive Commissioner } 2
CGAO Venezia Giulia }

Scale of Dist: HQ (4); PD (2)

31 NOV 64 2 30 PM 1965

Revision of the law as to duration

The Italian version of this document is the only authoritative text. This version is not a literal translation; its object is to inform officers consistently of the provisions contained in the decree. Offices are referred to the Italian text for all points of detail or nature of procedure or details. Words in brackets are explanatory and not in the original text.

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PART I - OFFICERS AND PROFESSIONS

TEACHERS TO MILITARY

1. Employees of the public services of the 7th or higher grades of whatever assignment area if irremovable may, because of their (post) constitutional activity their (university) school conduct, whether or not in the execution of their office, their intended plan or their appointment to office, because of their financial qualifications have chosen themselves to remain in their office shall be classified from the service.

Employees of the public services of grade lower than 7th shall not be liable to dismissal unless they have shown serious faults or are within the provisions of the next article.

For the purposes of this law, when the parity of the grades of non-stato services is maintained, it shall be included by the rank of that service.

2. Employees of the public services of every assignment area if irremovable may be classified from service if they have chosen themselves until to retain their office because they have since 1 Jan 1963:-
- a) given military or civil service to the German invaders;
 - b) belonged to the fascist-populist parties;
 - c) voluntarily served in military units of the government of the so-called Italian Social Republic or as officers in the lesser organizations of that

Liability to Espionage	Art 1-3
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TABLE I - EMPLOYERS AND THEMSELVES

CLASSIFICATION TO EMPLOYERS

1. Employees of the public services of the 7th or higher grades of whatever classification even if involuntarily, because of their (past) fascist political activities they (German, fascist, socialist, communist or not) in the execution of their office, their political bias or their appointment to office, because of their fascist political activities have been themselves unfit to remain their office shall be dismissed from the service.

Employees of the public services of grade lower than 7th shall not be liable to dismissal unless they have shown serious fascist bias or are within the provisions of the next article.

For the purposes of this law, when the parity of the grades of non-state services is undetermined, it shall be delayed by the head of that Service.

2. Employees of the public services of every conviction even if involuntarily shall be dismissed from service if they have been themselves unfit to remain their office because they have since 8 Sep 1938:

- a) given military or civil service to the German invaders;
- b) belonged to the fascist or communist party;
- c) voluntarily served in military units of the government of the so-called Italian Social Republic or as officers in the former organizations of this government;
- d) taken part in arresting, sentencing or executing conditions ordered by fascist fascists or acted as witnesses for the latter;
- e) been appointed chief of the province or minister of the so-called Italian Social Republic or have been President, Public Prosecutor or member of the special or extraordinary tribunals set up by the said government;
- f) lost their main place of work or have the fascist Italian Social Republic collaborated with the latter or with the so-called Italian Social Republic established from service shall not be delayed if his activity after 8 Sep 1938 was under compulsion or had the object of maintaining German collaboration or those of the government which was then being served only in appearance.

3. Those who acted in the public services after 8 Sep 45 in the fight against the German may be exempted from dismissal from service.

5767

ADMINISTRATIVE PROCEEDINGS

The unavailability (for whatever reason) referred to in arts 1 and 2 shall (upon application of the Service concerned)

a) in the case of employees of the State Central Services or of Autonomous Public Bodies be decided by the Appointments Commission not later than 159 of 27 Jul 44; the powers contained in this last part of art 14 of the 199 of 27 Jul 44 and in art 16 of the 249 of 27 Jul 44 shall remain unchanged;

b) in the case of employees of public utility bodies and of economic controlled by the local administration be decided by the provincial or regional Councils of Administration in accordance with art 14 of the 199 of 27 Jul 44.

The local administrations for their own against freedom and his provincial, regional or other services or within provincial and other necessary and economic proceedings, the rules provided in the 199 of 27 Jul 44 for the proceedings before the Administration of Public Works and the subsequent conditions and measures therein shall apply to proceedings before the Appointments Commission.

The Service concerned, having received notice of the final decision, shall order the dismissal from the service of an employee dismissed with prejudice to his service. No appeal whatever to the administrative authority or to the judiciary shall be against an order for dismissal from service.

The right of appeal for dismissal from service.

ARTICLE 15

As employees dismissed from service under the preceding article shall be granted the pension rights to which he is entitled under the existing laws.

In particularly serious cases the Appointments Commission may order suspension of pension rights. When a suspension of pension has been ordered, the contribution which he has paid to the pension shall be repaid to the dismissed employee.

ARTICLE 16

The Service concerned may suspend an employee subject of suspension proceedings under art 4 pending the result of such proceedings.

ARTICLE 17

The provisions of the preceding articles shall apply also to employees of public utility bodies and to employees of national importance and of private undertakings or companies carrying public services or serving a public purpose or public utility bodies.

Where no other regulations concerning suspension have been set up for the said institutions and companies, the suspension shall be provided by the Service concerned in accordance with the provisions of the preceding articles and under the terms of art 14 of the 199 of 27 Jul 44 and the subsequent conditions and measures therein.

The decision of the Service concerned of suspension of public institutions and institutions of national importance shall be by the Court of the Institute. In the case of employees of private companies or undertakings mentioned in the first part of the present article the Institute shall be that by the prefect of the province in which the company or undertaking has its head office.

The Service Commission, having received notice of the final decision, shall order the transfer from the service of an employee desiring either to retain his status or to enter for admission from abroad.

No appeal shall be made to the Administrative Authority on to the jurisdiction shall be subject to order for admission from abroad.

TRANSFERS

An employee dismissed from service under the preceding articles shall be entitled to pension rights to which he is entitled under the existing law.

As particularly provided under the operation, commission may order for admission from abroad.

When a transfer of an employee has been ordered, the contribution which he has paid to the pension fund shall be repaid to the dismissed employee.

DISCIPLINE

The Service Commission may exercise its powers in any case subject of operation proceedings, under any law pending the receipt of such proceedings.

PROVISIONS APPLICABLE TO THE SERVICE COMMISSION

The provisions of the existing law shall apply also to employees of public institutions and to institutions or persons appointed and of private undertakings or companies providing public services or having a public purpose or public utility.

As to other employees, the Commission may, from time to time, set by for the said institutions and companies, the conditions to be observed by persons in the exercise of their functions.

The Commission may also exercise its powers of public institutions and institutions of public utility, shall be by the head of the institution. In the case of employees of private undertakings or institutions mentioned in the first part of the present article, the Commission shall be able to exercise its powers in the territory in which the company or undertaking has its head office.

TRANSFERS OF OFFICIALS

Transfers of the administrative services may be made by the transfer office, in the case if they are transferred to another area or for political or moral reasons, by the Commission it is possible to do so. In territory under the administration of the State, transfers may be made by the Commission after such territory has been transferred to the State Administration.

DISCIPLINE

Any person who, because of his or her conduct or activities, has incurred his or her liability to discipline, shall be liable for any act or trade, may be transferred from the territory of his profession.

This discipline shall be subject to the liability shall be by the bodies responsible for

...shall be ... reported, which may ... by means of a ...
...shall be ...
...shall be ...

APPEALS

11. In ...
...shall be ...
...shall be ...

Such appeal shall be lodged within six days of notification of the decision of the Commission of the Council of State and be constituted by a Decree of the President of the Council of Ministers and consist of two members, one of whom shall be designated by the President and the other by the Minister of the Interior in which the appellant resides.

The Special Section shall consider the appeal in camera and shall not be bound by the ordinary rules of procedure but shall observe the rules contained in Art. 158 of the Constitution and the regulations and amendments for the proceedings before the Central Committee.

12

A dismissed employee may lodge an appeal against the decisions of a Provisional Commission to a Commission set up in the Court of Appeal within three months from the date of the decision of the Provisional Commission. The Commission of Appeal shall be composed of a Decree of the President of the Court of Appeal and shall consist of a President who shall be a magistrate or an official of the public service, services of rank, or not less than the 5th grade and of two members one of whom shall be nominated by the High Council of the State and the other by the President of the Council of Ministers. The Commission shall have the authority to suspend the appellant during the proceedings.

Such appeal shall be lodged within six days of notification of the decision of the Commission of the Council of Ministers, by filing the same in the secretariat of the Commission of Appeal.

The rules for the proceedings before the Central Commission established in Art. 158 of the Constitution and the subsequent regulations and amendments shall apply to proceedings before such Commissions of Appeal.

FINAL DECISIONS

13

Decisions of the Council of Ministers, Ministers, Secretaries and assistants resulting from their functions already made under Decree No. 27 of 27 July shall stand, but provisions other than those already made under Decree No. 27 of 27 July shall stand and shall be subject to appeal by the Council of Ministers and the Council of Ministers.

For the purposes of the provisions of the preceding paragraph, a decision of the Council of Ministers shall be considered final even if notice of the same has not been served as required by art. 5 of Decree No. 173 of 26 April 1953 on the day this Decree comes into force.

Appeals against decisions of (Members of) first instance made under Decree No. 27 of 27 July 1953 and the subsequent regulations and amendments thereto which are still appealable may be lodged in accordance with the procedure laid down in this Decree.

The appeals which are pending before the Central Commission on the day on which this Decree comes into force shall be final with the exception of those which are still appealable under art. 11 and 12 hereof.

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Conclusion otherwise, in the absence of such an appeal as served by directly in the secretariat of the Special Section of the State Council.

The Special Section shall consider the appeal in camera and shall not be bound by the ordinary rules of procedure but shall observe the rules contained in Article 159 of the Civil Procedure Code. The Commission of Appeal shall be composed of 5 members of the first instance in camera. The Commission of Appeal shall consist of 3 members who shall be magistrates or an official of the public service, barrister or advocate, of not less than five years and of two members one of whom shall be appointed by the High Commissioner and the other by the Government from the officials of the service to which the applicant belongs.

12 A convicted employee may lodge an appeal against the decision of a Provincial Commission to a Commission set up in the Department of Appeal within whose jurisdiction the Commission of First Instance is located.

The Commission of Appeal shall consist of 5 members of the first instance in camera. The Commission of Appeal shall consist of 3 members who shall be magistrates or an official of the public service, barrister or advocate, of not less than five years and of two members one of whom shall be appointed by the High Commissioner and the other by the Government from the officials of the service to which the applicant belongs.

Such appeal shall be lodged within six days of notification of the decision of the Commission of 1st Instance, or failing the case in the jurisdiction of the said Commission or directly in the jurisdiction of the Commission of Appeal.

The rules for the proceedings before the Central Commission established in Article 159 of the Civil Procedure Code shall apply to proceedings before the said Commission of Appeal.

THE PROSECUTOR

13 Prosecutors from services, members from the magistracy and magistrates recruited from the judicial system already made under Article 159 of the Civil Procedure Code shall be appointed to the magistracy from the magistracy and the magistracy shall be appointed by the High Commissioner under the same legislative process as provided.

For the purposes of the provisions of the preceding paragraphs, a decision of the Provincial Commission shall be considered final even if notice of the same has not been served as required by Art. 5 of the Civil Procedure Code in the day, this notice shall be served in the form of a writ.

Appeals against decisions of (Administrative) first instance made under Article 159 of the Civil Procedure Code and the subsequent provisions and amendments thereto shall still be appealable as provided by Article 159 of the Civil Procedure Code in this decree.

The articles which are pending before the Central Commission on the day on which this decree comes into force shall be dealt with by the Commission of Appeal in accordance with the procedure laid down in this decree.

Provisions under Article 159 of the Civil Procedure Code by the Commission of First Instance for the revision of the judgments which are still appealable shall be dealt with by the High Commissioner and not by the High Commissioner if the appeal has already been lodged and decided by the Commission.

The Central Commission for questions on the Commission for the revision of the judgments set up under Article 159 of the Civil Procedure Code shall be composed of 5 members of the first instance in camera and 2 members of the magistracy.

Provisions pending before the Commission of First Instance on the day on which this decree comes into force shall be dealt with by the Commission of Appeal in accordance with the procedure laid down in this decree.

There are employees are not within the provisions of the second part of Article 1 and 2, suspended from office pending proceedings of employees of 6th grade and lower shall be reviewed if the service concerned; all other cases suspended may be reviewed by the service concerned or by the bodies set up by Art. 15 of the Civil Procedure Code if proceedings have been commenced.

5766

The facts appearing (other than the above) however documented shall come
out from the file and be taken into account.

TINP LIBRARY

14. The copy of permits to be submitted to election proceedings may be sent in bet-
ween 14 days (not less than 10 days) in the case of persons in the territory (in which case
proceedings must be commenced) within seven months from the day on which said ter-
ritory is handed over to the administration of the Italian Government but this
(article) shall not suspend the limits which expired before this document was in-
troduced.

15. The provisions of the law of 27 July 42 and the subsequent additions and modifi-
cations thereto or for as they are inapplicable herewith are removed.

ART IV - VIOLATIONS OF PROVISIONS

LIABILITY TO DEPORTATION AND PROSECUTION

16. Those categories of subjects of foreign origin or management of foreign, technical or
administrative services, or heads of departments or branches of the Ministry of
the Interior whose essential economic activities are wholly or not their own
may be limited by decree or of insurance companies with national capital or which
are wholly or partly owned by the State shall be dissolved:

- 1) if the person concerned has been sentenced for a (felony) crime under part
4 of the law of 27 July 42, even if such sentence does not include disqualifi-
cation from holding public office;
- 2) if property belonging to such person has been forfeited under art 2 of
said law;
- 3) if such person has been sentenced to any sanction under the laws of
art 1 of the law of 27 July 42 and part 4 of art 3 of the law of 20 Apr 45;
- 4) if such person has held any (of the following) fascist offices, secretary
or vice secretary of the party, member of the central committee, member of the
National Directorate, member of the party, Federal secretary, fascist sec-
retary, national councillor or secretary who has been removed from such office.

17. The provisions of sub-para 4 of the preceding article shall not be enforced
if such persons are of distinguished individual and administrative capacity and
if they fulfill any of the following conditions: have distinguished themselves
in the fight against the fascist regime or before the beginning of the present war
merely opposed fascism, or left the National Fascist party, or they held the pos-
ition of member, councillor (merely) or representative of the profession with-
out engaging in any political activity.

When the application of any such provision the decision (as to the dismissal)
which shall be final and be requested within sixty days from the day on which
this decree came into force, shall be given by a provincial commission appointed
by the Prefect of the province after consultation with the Provincial CIV and
shall consist of a President nominated by the Provincial Delegation of the High
Court of Justice for Southern Regions (under art 4 of the law of 27 July 42) and
be nominated by the President of the Court and two by the nomination of employers.
The Commission shall be (to be) in the case of the case shall be that having jurisdic-
tion for the period in which the employee works.

The provisions of the law of 27 July 42 and the subsequent additions and modifi-
cations thereto or for as they are inapplicable herewith are removed.

ARTICLE 17 - UNFAIR LABOR PRACTICES

ARTICLE 17 - UNFAIR LABOR PRACTICES

16. These provisions of employment agency or management of general, individual or administrative managers, or heads of departments or branches of the Management of these companies shall apply to all employees, whether or not they have been employed by the company or if otherwise designated with personal capital or other assets.

1) If the person mentioned has been mentioned in the provisions of article 17 of the Law of 1952, then it is not included in the provisions of this article.

2) If property belonging to such person has been forfeited under art 9 of this law;

3) If such person has been subjected to any sanction under the first part of art 1 or the last part of art 3 of the Law of 26 Apr 1952;

4) If such person has held any (of the following) fascist offices, secretary or vice secretary of the party, member of the central committee, member of the National Executive, Inspector of the party, Federal secretary, fascist deputy, national councillor or similar, he has been removed from such office.

17. The provisions of sub-para 4 of the preceding article shall not be enforced if the person mentioned in sub-para 1 and administrative capacity and if they fulfill any of the following conditions: have distinguished themselves in the fight against the Communist Party, or they held the post of member of the National Executive, or held the National Executive, or held the post of member of the National Executive (partly) or representative of the profession without engaging in any other political activity.

Upon the expiration of any such period the decision (as to the dismissal) which shall be final and be reviewed within sixty days from the day on which this decision comes into force, shall be given by a provincial commission appointed by the Council of the province after consultation with the Provincial Council and shall consist of a President, members by the Provincial Delegation of the High Commission for Technical Studies and of four members, two of whom shall be nominated by the "General Workers' Council" and two by the association of employers. The Commission authorized (to settle the case) shall go into having jurisdiction in the place in which the employee works.

The President, in agreement with the President of the Provincial Commission, may request under article 17 of the Law of 1952 one or more positions of such commission.

If an appeal has been lodged as above, the dismissal of the director shall be suspended until the final decision of the provincial commission.

The decision of the commission shall be communicated to the employer.

18. If the appeal mentioned in the second part of art 17 has not been lodged, the employer shall, as soon as the time limit mentioned in the said article has expired, inform the employee as to when in order for the dismissal of an employee has been made, otherwise (the employer shall be deemed) to mean that the employee referred to in the first part of the said article has been awarded or (alternatively) as soon as the provincial mentioned in para 1, 2, 3 of art 16 have become final.

If employer who violates the provisions of the preceding article shall be punishable by imprisonment up to a maximum of six months and a fine up to a maximum of 400,000 Lira.

19 An employee discharged in consequence of discontinuance of his services under art 16 of the present Decree, shall be entitled to receive the compensation referred to in the third and fourth parts of art 10 of the Law No. 1089 of 13 Nov 1927, a certified date on the 152 of 13 March 1928 and any other compensation provided for by the contract of employment.

In the case of an agreement for a limited period, the (compensation) payor to shall be whichever is the smaller of the total amount of compensation to the expiry of the contract or the total amount of indemnity for an unlimited period. Dismissed employees within the provisions of articles 1 and 2 of art 16 shall not be paid compensation for discharge and damages which may have been provided for in any contract for an unlimited period. In such case the compensation and damages shall be transferred to the Provident Fund of the Company or, failing that, to the National Institute of Social Insurance.

The provisions of the present Decree shall be applied to employees who in the event of their discharge under any of the provisions of articles 1 and 2 of art 16 shall be paid to a dismissed employee under any of the provisions of articles 1 and 2 of art 16 shall be paid to him.

20 The present Decree shall come into force the day after its publication in the Official Gazette of the Kingdom.

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

10/A
27 November 1945

AG/14754/PS

SUBJECT : Colonel PASQUINELLI
TO : Ministry of Interior
Director of P.S.

1. The above named officer who has been in charge of special Police at Naples, has stated that he is the subject of operation, and that he cannot carry out his duties efficiently whilst under suspicion.
2. He spoke to the AMG Police Officer at Naples and forwarded copies of testimonials from officers under whom he has worked.
3. Copies of testimonials are forwarded to you for information and any action you may care to take.

John W. Chapman
JOHN W. CHAPMAN
Colonel J.A.S.D.
Director.

Copy to SCAPD
AMSI Naples
(Your PS/5.10.2 of 15 Nov 45 refers)

ROB/G

5764

HEADQUARTERS
 ALLIED MILITARY GOVERNMENT
 NAPLES COMMUNE
 APO 394
 PUBLIC SAFETY DIVISION

14754
 R 109A

Ref: PS/ 5.10.2

Date 15 November 1945

SUBJECT: Colonel PASQUINELLI.

TO : Headquarters, Allied Commission, *C*
 (Attn: Public Safety Sub-Commission).

1. Referring to the attached papers. *100 BIDE*
2. Colonel PASQUINELLI has been in charge of the 2nd Division of Special Police under the Questore of Naples, since July 1945, and has carried out his duties faithfully and conscientiously.
3. This Officer now states he has received intimation that he is the subject of epuration, by reason of certain incidents which occurred whilst he was an inmate of a Concentration Camp, and between persons of different political views, and he fears that he may have been improperly denounced to the Epuration Committee.
4. The Colonel further states that he is unable to carry out his official duties efficiently whilst he is under unjust suspicion and would like advice and assistance in his case, to set his mind at rest.
5. The required investigation is outside my province, and the correspondence is passed to Headquarters herewith for any available help or action appropriate in this matter, please.
6. Attached are copies of references from British Officials under whom the Colonel has previously worked, and also a recommendation from the Questore of Naples, his present Chief.

	TO	INT	DATE
CHIEF			
DEPUTY CHIEF			
EXC.			
SECURITY			
CHIEF CLERK			

For the Commissioner:

Launders 5763
 for P.F. LUCKMAN
 Major, A.C.,
 S.C.A.P.O.

ACS/jag.

99A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref: DE/6.5/CA

11 Oct 45

SUBJECT : Expiration Returns.

TO : Public Safety S/C. —

M-7

14754

- 1 Col (e). The rate of progress is still considered to be low. It is appreciated that a large number of cases have to be decided provincially but even allowing for these and the extra time which they are allowed the rate of progress is too low.
- 2 All Sub-Commissions should compare col (e) of 30 Sep with col (d) of 30 June. All cases have to be completed within 3 months of their initiation. All cases shown as initiated on the 30 June should by now be completed. As this is an outer limit and many cases are no doubt completed in less than the maximum time it follows that col (e) now should be substantially greater than col (d) at 30 June. Where it is less an explanation should be asked for. If the difference is large and the explanation is not considered satisfactory, but no otherwise, the facts will be reported to this Section.

TO	DATE	INITIALS
DIRECTOR	JUN 15 1945	[Signature]
DEPUTY DIRECTOR		
EXEC. OFFICER	JUN 13 1945	[Signature]
PAUSE		
LIC. & REG.		
POST OFFICE		
ADVIS.		
SECURITY		
CHIEF CLERK		

[Signature]

S.H. WHITE Lt Col,
for VP CA Section.

5762

[Handwritten signature]

UNITED STATES ARMY COMMISSION
CIVIL AFFAIRS SECTION

RM

2 Oct 15

Subject: Defection - 01 571
: Sec Distribution

14754

Forwarding copy of DA 571 to the position of officials appointed or
removed by RAC.

BY ORDER OF THE CHIEF OF SECTION

[Handwritten signature]
S. R. GIBB, WAC,
VE CA Section.

DISPATCH
Eso Vicaria, Roberto, Placido, Venecia Regional
Scale of Distribution: RAC (4); RAC (2)
Civil Affairs Section
General Section
Scale of Distribution: Sec (4); 3/C (2)

	TO	DATE	INITIALS
<input checked="" type="checkbox"/>	FOR	5-61	
<input checked="" type="checkbox"/>	ADJUTANT GENERAL	5-61	
	EXECUTIVE	5-10	
	POLICE	619	

11. 274 OF 31 AUGUST 1945

as to officials appointed or removed by law

The Italian version of this decree is the only authoritative text. This version is not a literal translation; its object is to inform officials concurrently of the provisions contained in the text.

Officials are referred to the Italian text for all points of detail or matters of procedure or detail.

Words in brackets are explanatory and not in the original text.

1 For the purposes of Italian law, appointments to public offices made by the Allied Military Government in the territory under its jurisdiction are temporary.

2 Any person who upon the restoration of territory to Italian Administration holds a public office to which he was appointed by AMG, shall continue to hold the said office until such time as he is relieved therefrom by the appropriate Italian authority or until he is appointed to the permanent staff. For purposes of reassignment, temporary employees shall be paid as if they were permanent employees of the State (which shall be deemed to be the case) until the date of their appointment to the permanent staff. This special status shall be published by decree of the appropriate authority in conjunction with the authority of the State (which shall be deemed to be the case) by present laws or by regulations which are applicable to the positions the duties of which they perform.

3 All employees of the State or of any body to which art. 11 of Dec. 159 of July 1, 1944 applies, who have been removed or dismissed from office by AMG for reasons of operations, shall be deemed to be suspended from office under art. 26, para. 3 of Dec. 159 of July 1, 1944.

Such suspensions shall take effect from the date of such removal or dismissal. Any change of function must be heard, for the purpose of operation, within three months from the restoration to Italian Administration of the territory in which the removal or dismissal occurred or, if the territory has already been restored, from the date that this decree came into force.

This (this text) does not apply to any other suspension to be enforced against the said employees as a result of special proceedings taken against them. 5760

4 The provision of the present decree shall apply also to cases of law in the territory which was restored to the Italian Administration before this decree came into force.

1 For the purpose of Italian law, appointments to public offices made by the Allied Military Government in the territory under its jurisdiction are temporary.

2 Any person who, upon the restoration of territory to Italian Administration holds a public office to which he was appointed by AMG, shall continue to hold the said office until such time as he is relieved therefrom by the appropriate Italian authority or until he is reappointed to the permanent staff. For purposes of reappointment, temporary employees shall be paid as if they were permanent employees of the State while they (temporarily) perform the same duties. This equal standard shall be published by decree of the appropriate Ministry in conjunction with the Ministry of the Treasury.

3 Temporary employees other than those employed by the State shall be paid the salaries established by present laws or by regulations which are applicable to the position the duties of which they perform.

4 In the absence of the State or of any body to which art 14 of D.L. 159 of 27 July 1944 relates, the law has been removed or dismissed from office by AMG for reasons of expiration, shall be deemed to be suspended from office under art 14, par 1 of D.L. 159 of 27 July 1944.

5 Such suspension shall take effect from the date of such removal or dismissal. Any charge of suspension must be heard, for the purpose of expunction, within three months from the date of notification to Italian Administration of the territory in which the removal or dismissal occurred or, if the territory has already been restored, from the date that this decree came into force.

6 This (time limit) does not apply to any other sanction to be imposed against the said employees as a result of penal proceedings taken against 5/60

7 The provisions of the present decree shall apply also to acts of AMG in the territory which are referred to the Italian Administration before this decree came into force.

8 This decree shall be published in the following 1st publication in the Official Gazette.

97A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DF/6.5/CA

SUBJECT : Epuration Returns

TO : Public Safety S/C

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXECUTIVE	4 OCT 1957	J.L.G.
CHIEF CLERK		
SECRETARY		
PROPERTY		
MAIL		
STENOGRAPHER		
CHIEF CLERK		

94A

- 1 Please reply to para 1 of DF/6.5/CA of 19 Sep.
- 2 Your graph has not yet been inspected; please do this forthwith.

S.H. White
S.H. WHITE Lt Col,
CSO CA Sec. 5759

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

96A

1 Oct 45

3.2 ✓ Per Auth
MINT
Ref DP/6.8/CA
SUBJECT : Expiration Returns.
TO : Public Safety S/C

14754

- 1 The handing over of Tuscany and Emilia to Italian Administration does not appear to have had much effect on col. 8. Unless you are satisfied that the additional personnel has been fully included, you will please take the matter up further with the Ministry or other Employer.
- 2 The number of cases heard (col 8) is deplorably low. You will please emphasize to the Hearing Commissions that priority must be given to the senior grades and convey tactfully to those who are too inactive that you have been informed that this Section proposes to report insufficiently active Commissions to the High Commissioner as obstructive and that you hope it will be necessary to include them in any such report.
- 3 Appeals have now reached the stage of about 30 Jan (8 months from filing). All cases set down by that date should by now be heard. Sub-Commissions should compare the appeals heard col with the appeals lodged col. of 30 Jan to see whether their cases are in arrears.

[Signature]
S.H. WHITE Lt Col,
CSD 2d Section.

TO		
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER	9/18	4-10
PROV. CLERK		
RECORDS		
TRAINING		
CLERK		
CLERK		

5758

95 A

TRANSLATION S.D.

Rome, 13 September 1945.

MINISTRY OF INTERIOR

1st Grade Commission for
the Epuration of Public
Security Personnel

14754

TO H.Q. ALLIED COMMISSION
PUBLIC SAFETY SUB COMMISSION

No 5243/Comm.

J.S. - R O M E

SUBJECT : Commission for the epuration of Public
Security Personnel.

It is pointed out that the number 304 appearing from
the statistic report drawn up by the General Directorate
of P.S. as "epuration proceedings pending on 15 May 1945"
is wrong.

In fact it is referred to the denunciations handed
by the a/m General Directorate to the Commissariate for
the epuration, denunciations which have nothing to do with
the judgments commenced by this Commission.

On the contrary the figure concerning the proceed-
ings concluded on 15 August 1945 and which is equal to the
number of the judgments started on 15 May 1945, is right.

The President
/s/ Francesco Giotta

TO	INITIALS	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER	<i>DDM</i>	1-10
POLICE		
LC. & I.S.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

5157

24 SET. 1945

Roma 13 settembre 1945

Ministero dell'Interno
 Ufficio di Roma
 per l'Estrazione e l'Assegnazione della Persona Giurata
 Roma
 Let. N. 5243/Roma Allegato

HEADQUARTERS ALLIED
 COMMISSION - Public
 Safety Sub-Commission
 APC 394 ROMA
 Roma del 28/8/1945
 N. AC/14754/P.S.

Oggetto: Commissione di Estrazione Personale P.S.

Con riferimento al foglio suindicato pregio
 mi significare a codesto On. Comando Commissione al
 leato che il numero di 364 dei procedimenti di epu
 razione pendenti al 15 maggio 1945 risultante dal
 prospetto statistico redatto dalla Direzione Gene
 rale della P.S. alla data anzidetta, è errata essen
 desi indicato il numero delle denunce trasmesse
 dalla Direzione Generale stessa al Commissariato
 per l'epurazione; denunce che non hanno alcuna re
 lazione con i giudizi iniziati da questa Commissio
 ne.

E' esatta invece l'indicazione relativa ai pro
 cedimenti conclusi (n. 152) al 15 agosto 1945, che
 corrisponde perfettamente al numero dei giudizi
 iniziati al 15 maggio 1945. e

IL PRESIDENTE

(Dr. Francesco Gionta)

5756

Aug 31

Leave this in file
re 944

	(#)	(#)
	Initiated	Completed
CCPR		
A.	149	80
Allied	65	4
Sells & traps.	28146	concluded complete.

Fire, Stalms	45	40
allied	1	1

P.S.

DC.	401	152
Allied	28	0

5754

QMA

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

20 SET. 1945
Approved

DF/6.5/CA

Col. Lehmann

19 Sep 45

SUBJECT : Expiration Returns.
TO : Public Safety S/C.

14754

- 1 Is it correct that the addition of the whole of Tuscany and Emilia makes no change in Col b.
- 2 Only four cases were heard in the last 15 days; this is regarded as quite unsatisfactory. Will you please enquire from your commissions the reason for this dilatoriness.
- 3 Please arrange to inspect your graph in this office.

S.H. White

S.H. WHITE Lt Col,
CSO CA Section.

TO		
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. DIRECTOR	<i>Mr. 9209</i>	
POLICE		
SEC. S/C.		
ADJ. S/C.		
ASST. S/C.		
SECRETARY		
CHIEF CLERK		

no action file

5755

2588

(Transmission L.S.)

31 AGO. 1945

Rome 29-8-1945

93A

MINISTRY OF GRACE AND JUSTICE
General Direction of Penal Institute

Office 2

To the LEGAL COMMISSION
and the COMMISSION for P.S.

N° 85928/I

SUBJECT- Defascistization.

Following the note of the same number dated 10/7 ult., we inform that the wardens PICCIANO Carmine and CALABRESE Carmelo, employed respectively at Cremona and Spoleto prisons, have been suspended from their charge since the 1st Aug. 1945, because under the charge of epuration giudicial.

For the Minister
/s/VOLPE

711A
14754

TO		
DIRECTOR	<i>[Handwritten initials]</i>	<i>[Handwritten initials]</i>
DEPUTY DIRECTOR	<i>[Handwritten initials]</i>	<i>[Handwritten initials]</i>
EXEC. OFFICER	<i>[Handwritten initials]</i>	<i>[Handwritten initials]</i>
POLICE		
LIC. & RES.		
PRISON	<i>[Handwritten initials]</i>	<i>[Handwritten initials]</i>
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

5753

(Transmission L.S.)

Rome 29-8-1945

MINISTRY OF GRACE AND JUSTICE
General Direction of Penal Institute

Office 2

To the LEGAL COMMISSION
SUB COMMISSION for P.S.

N° 85928/1

SUBJECT- Defascistization.

Following the note of the same number dated 10/7 ult, we inform that the wardens PICCIANO Carmine and CALABRONE Carmelo, employed respectively at Cremona and Spoleto prisons, have been suspended from their charge since the 1st Aug. 1945, because under the charge of epuration judicial.

For the Minister

/s/VOLPE

5753



29 AGO. 1945

Mod. 1547 MG

Numero 29 AGO. 1945 *pag. 1*

Ministero di Grazia e Giustizia
DIREZIONE GENERALE
per gli Istituti di Penitenziaria e di Pene

Alla Commissione Lega-
la - sottocommissione
per la P.S. ROMA

Prot. 780920/1

Proposta di del.

ufficio 2°

Dir. Sec. N°

Oggetto: Deascistizzazione.

Di seguito alla nota di pari numero in data 10/7 u. s., si comunica che gli agenti di custodia Ficciano Carmine e Calabrese Carmelo, addetti rispettivamente alle Carceri di Cremona e di Spoleto, sono stati sospesi dall'ufficio a decorrere dal 1° agosto 1945, perché sottoposti a giudizio di epurazione.

PEL MINISTRO

5751

092A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

31 August 45

Ref DT/5.14/CA

ATTENTION: Detachment

MT 64
22

TO : See Distribution

Herewith translation of DL 472 disqualifying proved fascists from holding certain managerial appointments in private companies.

Handwritten signature
S. M. WINTER Lt Col
For HQ CA Section

DISTRIBUTION:

- Education S/C (2)
- Legal S/C (2)
- Local Govt S/C (2)
- Pub Safety S/A (2)
- Pub Health S/C (2)
- DT & X S/C (2)
- WPA & A S/C (2)
- Agriculture S/O (2)
- Industry S/O (20)
- Commerce S/O (20)
- Finance S/O (20)
- Labour S/O (2)
- Food S/O (2)
- Pub Works & Ut S/O (2)
- Trsp S/C (2)
- Navy S/C (2)
- Land Force S/O (2)
- Air S/C (2)
- Comms S/C (2)
- WFO & IPW S/C (2)

Copy for info: HQ Piemonte, Lombardia, Liguria, Venetia Regione
HQ Venetia Giulia

Scale of Distribution: HQ (4); HQ (2)

To	Initials
Director	WJH
Asst Dir	WJH
Exec	WJH
Adm. Serv.	WJH
Int. Affairs	WJH
Files	WJH

Handwritten initials

31 August 45

WTS
gpc

Ref DE/2.14/GA

SUBJECT: Distribution

TO: See Distribution

Herewith translation of DL 472 disqualifying proved fascists from holding certain managerial appointments in private companies.

Handwritten signature
S.M. WHITE Lt Col
for VE CA Section

DISTRIBUTION:

- Education S/C (2)
- Local S/C (2)
- Local Govt S/C (2)
- Pub Safety S/C (2)
- Pub Health S/C (2)
- DP & R S/C (2)
- AAA & A S/C (2)
- Agriculture S/C (2)
- Industry S/C (20)
- Commerce S/C (20)
- Finance S/C (20)
- Labour S/C (2)
- Food S/C (2)
- Pub Works & Ut S/C (2)
- Army S/C (2)
- Navy S/C (2)
- Land Forces S/C (2)
- Air S/C (2)
- Comms S/C (2)
- WAD & IAF S/C (2)

Copy for info: RAs Piemonte, Lombardia, Liguria, Venetia Regions
RG Venezia Giulia

Scale of Distribution: HQ (4); RA (2)

DIRECTOR	WTS
DEPUTY DIR	WTS
LEGAL	WTS
POLICE	WTS
DEF & FOR	WTS
FINANCE	WTS
ADMN	WTS
SECURITY	WTS
OTHER CLEAR	

Handwritten signature
191

5750

ALL 472 OF 4 AUG 45

DISABILITY OF DISSENTING
AND
SCIENTIFIC CONTROLS
OF
PRIVATE ENTERPRISES

5749

DISABILITIES OF DIRECTORS
AND
STATUTORY MEMBERS
OF
PRIVATE ENTERPRISES

5749

CA Sec

31 Jun 65

deprived of his right to the position of director, manager or receiver in accordance with the preceding article, is hereby disqualified from holding the position of technical or administrative manager, departmental or office or office head, branch manager or any office in which he exercises powers delegated to him with respect to the companies in which he held any of the above mentioned positions or in any associated company which is within art 4 hereto.

ARTICLE 13

1. Art 24 of Decree of 1944 shall apply to the provisions of this decree.
2. This Decree shall come into force in the territories not restored to Italian Administration or such day as may be ordered by the Allied Military Government.

5747

PLU 472 OF 4 AUG 45

DISABILITIES OF DIRECTORS AND STATUTORY CONTROLLERS OF PRIVATE ENTERPRISES

The Italian version of this decree is the only authoritative text. This version is not a literal translation; its object is to inform Officers conveniently of the provisions contained in the Decree.

Officers are referred to the Italian texts for all points of detail or matters of procedure or dispute.

Words in brackets are explanatory and are not included in the original text.

Civil Disabilities of Fascists	Art 1-2
Relief from Disabilities	" 3
Funkties	" 4
Administration	" 5-6
Liability of Managers to Spuration	" 7
Appeals	" 8

CIVIL DISABILITIES OF FASCISTS

1 The undocumented are hereby disqualified from holding the office of director or manager or receiver of a company limited by shares or whose responsibilities are limited in any other way, which has a capital of more than 5 million lire, or of an insurance company having a nominal capital or assets exceeding 1 million lire

a) any person who has been convicted for any of the offences referred to in first part of Art 159 of 27 July 1944 notwithstanding that the sentence (which may have been imposed upon him in respect of such offence) does not include exclusion from public office;

b) any person who has suffered confiscation under Art 2 of Art 159 aforesaid;

c) any person who has been subjected to any of the sanctions contained in the first para of Art 1, or the first or second para of Art 3 of Decree No 26 of 26 Apr 45;

d) any person who

(i) has been deprived of the right to vote as having held one of the fascist offices mentioned in the decrees of the President of the Council of Ministers dated the 2 Feb 45 and published in the Official Gazette No 23 of 15 Feb 45, or who

(ii) has been a member of the fascist government after 3 Jan 43, or having been a militant member of the fascist party subsequent to that date, has held the office of deputy or national councillor, or

(iii) being a senator has been removed from office under the last para of Art 8 of Decree No 159 of 27 Jul 44; or

(iv) has suffered forfeiture of profits derived from the regime under Decree No 26 of 26 Apr 45;

(v) any person who by final judgement under Art 22 of Decree No 159 of 27 Jul 44 has been deprived of his right to possess;

any person within any of the above descriptions who at the date of this decree is in force in an office as a director manager or receiver is hereby relieved from such office or appointment.

2 No contract for public works and no public utility concession shall be granted to any company not within the provisions of Art 1 hereof nor to any

Liability of Managers to Expiration
Appeals

7
8

CIVIL DISABILITIES OF FASCISTS

1 The undermentioned are hereby disqualified from holding the office of director or manager or receiver of a company limited by shares or whose responsibilities are limited in any other way, which has a capital of more than 5 million lire, or of an insurance company having a nominal capital or assets exceeding 1 million lire:

- a) any person who has been convicted for any of the offences referred to in Art 1 of Decree No. 237 of 27 July 1944 notwithstanding that the sentence (which may have been imposed upon him in respect of such offence) does not include exclusion from public office;
- b) any person who has suffered confiscation under Art 9 of Decree No. 237 of 27 July 1944;
- c) any person who has been subjected to any of the sanctions contained in the first para of Art 1, or the first or second para of Art 3 of Decree No. 237 of 27 July 1944;
- d) any person who
 - (i) has been deprived of the right to vote as having held one of the fascist offices mentioned in the Decree of the President of the Council of Ministers dated the 2 Feb 45 and published in the Official Gazette No 20 of 15 Feb 45, or who
 - (ii) has been a member of the fascist government after 3 Jan 45, or having been a militant member of the fascist party subsequent to that date, has held the office of deputy or national councillor, or being a senator has been removed from office under the last para of Art 6 of Decree No. 237 of 27 July 44; or
 - (iii) has suffered forfeiture of profits derived from the regime under Decree No. 31 of 31 May 45;
- e) any person who by final judgment under Art 22 of Decree No. 237 of 27 July 44 has been deprived of his right to participate in any person within any of the above descriptions who at the date of this Decree coming into force is in office as a director manager or receiver is hereby relieved from such office or appointment.

5748

2 No contract for public works and no public utility concession shall be granted to any company not within the provisions of Art 1 hereof nor to any private concern whose directors or owners are within any of the descriptions contained in Art 1 hereof. Contracts already in existence shall remain valid for a period of one year from the date of publication of this Decree.

RELIEF FROM LIABILITIES

3 Provided however that persons within the descriptions contained in subpara (a) of Art 1 who distinguished themselves in the fight against the Germans or before the outbreak of the present war, took an open stand against fascism and ceased to belong to the national fascist party may be relieved from such disqualification.

Such relief against which there shall be no appeal may be granted on the request of the person concerned. The Commission to hear such requests shall be appointed by the Council of Ministers and constituted as follows:

- e) the High Commissioner for sanctions against fascists or a person appointed by him;
- b) two citizens of acknowledged probity and of sound anti-fascist record (respectively) by employers and workers organisations, two substitute members may be appointed on the nominations of the said organisations.
- The Commission may in suitable cases limit the disqualification referred to in Art 1 to a definite period of time.
- Such relief may also be granted by the Commission in cases involving only slight political activity or in the case of persons who are of acknowledged technical and administrative ability or who have shown substantial and effective opposition to fascism or to the German invader during the occupation.
- Directors and owners of companies and concerns referred to in Art 2, who are within the description of subpara (d) of Art 1 hereof may apply for relief under this Art, for the purpose of excluding or limiting the sanctions contained in Art 2 hereof.

PENALTIES

- 4 Directors, Managers or Receivers of companies to which Art 1 applies, who are within any of the descriptions contained therein, who continue to exercise the functions of their office, shall be liable to one year's imprisonment and a fine of one hundred thousand lire. Persons within the above mentioned descriptions who (hereafter) take up a position referred to in Art 1 shall be liable to the same punishment.

The manager of any company who is aware of the fact that any person disqualified under Art 1 hereof continues to exercise in any such company the functions of his office and fails to notify the president of the tribunal which has jurisdiction over the district in question of such illegality, shall be liable to six months imprisonment and a fine of fifty thousand lire. A manager who, being aware that a person appointed director, manager or receiver of a company after this decree comes into force is disqualified under Art 1 hereof, fails to report such illegality to the tribunal having jurisdiction, shall be liable to the same punishment.

Directors or owners of companies or concerns within Art 2 hereof who are within the description contained in Art 1, who nevertheless enter into contracts for public works or receive concessions of public utility, shall be liable to the penalties laid down in the first paragraph (hereof).

ADMINISTRATION

- 5 Within thirty days from the coming into force of this decree every company within the provisions of Art 1 hereof shall file at the Chancery of the Tribunal having jurisdiction a declaration containing the names of their directors, managers or persons who have ceased to act in such under the provisions of para 2 of the said Art and shall serve notice of the said declaration on the person concerned by registered letter.

On the expiration of such period the High Commissioner for sanctions against fascism may issue a decree removing from office any director, manager or receiver whose name has not been reported under the preceding para as having vacated his office. Notice of this decree shall be served on the person concerned. For the above purpose, the High Commissioner may require any director, manager or receiver of any company within the provisions of Art 1 hereof to complete within a stated time a special questionnaire to show whether he is within any of the descriptions

4 Directors, Managers or Receivers of companies to which Art 1 applies, who are within any of the descriptions contained therein, who continue to exercise the functions of their office, shall be liable to one year's imprisonment and a fine of one hundred thousand lire. Persons within the above mentioned descriptions who (hereafter) take up a position referred to in Art 1 shall be liable to the same punishment.

The manager of any company who is aware of the fact that any person disqualified under Art 1 hereof continues to exercise in any such company the functions of his office and fails to notify the president of the tribunal which has jurisdiction over the district in question of such illegality, shall be liable to six months imprisonment and a fine of fifty thousand lire. A manager who, being aware that a person appointed director, manager or receiver of a company after this decree comes into force is disqualified under Art 1 hereof, fails to report such illegality to the Tribunal having jurisdiction, shall be liable to the same punishment.

Directors or owners of companies or concerns within Art 2 hereof who are within the description contained in Art 1, who nevertheless enter into contracts for public works or receive concessions of public utility, shall be liable to the penalties laid down in the first paragraph (hereof).

ADMINISTRATION

5 Within thirty days from the coming into force of this decree every company within the provisions of Art 1 hereof shall file at the Chancery of the Tribunal having jurisdiction a declaration, containing the names of their directors, managers or receivers who have ceased to act as such under the provisions of para 2 of the said Art and shall serve notice of the said declaration on the person concerned by registered letter.

On the expiration of such period the High Commissioner for conciliations against business may issue a decree removing from office any director, manager or receiver whose name has not been reported under the preceding para as having vacated his office. Notice of the decree shall be served on the person concerned. For the above purpose, the High Commissioner may require any director, manager or receiver of any company within the provisions of Art 1 hereof to complete within a stated time a special questionnaire to show whether he is within any of the descriptions contained in the said article.

Any person failing to complete and return such questionnaire within the said time limit or who makes a false or incomplete declaration shall be liable to the penalties prescribed for giving false or riotous testimony.

6 If the person concerned is of opinion that his removal has been unjustly ordered, he may within 10 days of receiving such notice appeal to the Commission referred under Art 3 hereof.

Decrees against which no appeal has been lodged within the prescribed time and decrees appealable against which have been rejected shall be transmitted to the Chanceries of the Tribunals having jurisdiction.

LIABILITY OF MANAGERS TO SPEECH

7 Any person within the descriptions contained in Art 1 (hereof) who has been

File *90 A*

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APC 394

Tel : 459081-257

28 August 45

AC/14754/PG

SUBJECT : Expiration Returns.

TO : Expiration Commission for Agents of P.S.

1. Please compare your figure of 364 in Column (d) on your May 15 return with the figure 152 in column (e) of August 15.
2. The law allows 3 months for screenings. Those initiated May 15 should have been completed by August 15 so that the latter figure would be more or at least equal to the former.
3. Please present an explanation for the length of time being in excess of that allowed by law - in these cases.

J. W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.S.D.
Director.

EPR/G

5745

89A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DE/6.E/CA

25 Aug 45

SUBJECT : Expiration Returns

TO : See Distribution

WTF/gh

1 Since 10 May most of Toscana and the whole of Emilia has been added to the territory under Italian Administration. This should be reflected in col b of the return. Only two sub-commissions show any appreciable increase one substantial the other moderate. All Sub-Commissions receiving returns in which col b has not appreciably increased will check with the reporting body that this is correct.

2 The rate at which proceedings are being heard is slightly improved but is still too slow. Sub-Commissions must bear in mind that all unheard cases now in col d MUST be concluded before 15 Nov. Sub-Commissions by checking the rate at which cases have been heard over the last four weeks can see that (in most cases) the cases will not be concluded in time unless the rate is improved and in some cases very considerably improved.

3 All Sub-Commissions will compare col d of the return of 15 May with col e of the return of 15 Aug.
The law allows 3 months for hearing. In all cases the number of proceedings concluded is smaller than the number of cases initiated on 15 May. All Sub-Commissions will ask for an explanation of the difference and forward same to this Section.

4 Appeals have at last started to move substantially. The number of appeals heard has now reached the number of appeals lodged on 15 Jan. Sub-Commissions whose appeals 'heard' are lower than the number lodged on that date hearings may be said to be in arrears. The time for a case to be reached is at present 7 months. The AHC has intimated that the number of courts is to be increased.

5744

[Signature]

S.M. WHITE Lt Col,
for VC CA Section.

DISTRIBUTION:-
VF CA Sec
Adm S/C
Legal S/C
Agric S/C
Comms S/C
Finance S/C

- 1 Since 10 May meet of Toscana and the whole of Emilia has been added to the territory under Italian Administration. This should be reflected in col b of the return. Only two sub-commissions show any appreciable increase one substantial the other moderate. All Sub-Commissions receiving returns in which col b has not appreciably increased will check with the reporting body that this is correct.
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5744

[Handwritten signature]
Sgt. WHITE Lt Col,
for VT CA Section.

AGRIC S/C
Comms S/C
Finance S/C
Pub Works S/C
Trans S/C
PFB
Pol Adv (2)

VF CA Sec
Edu S/C
Legal S/C
Loc Govt S/C
Pub Ser S/C
Comms S/C

DISTRIBUTION:-

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC DIR		
PLANNING		
INSPECTION		
TRAINING		
RECORDS		
COMMUNICATIONS		

[Handwritten initials]
Sgt 278

13 AGO. 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

14752
WIM

88A

11 Aug 45

DF/6.5/CA

SUBJECT : Epuration Returns.

TO : Public Safety S/C.

- 1 The general date for the conclusion of proceedings for all personnel of the State Central Administration who are located in Rome is 15 Aug.
- 2 The general date for the initiation of proceedings for all other personnel in territory under Italian Administration on 15 Feb is 15 Aug.
- 3 As regards the former please obtain from all your Commissions confirmation that all cases which should have been finished have in fact concluded and that the difference between Cols d and e includes only cases of personnel not within para 1.
- 4 As regards the latter please obtain from the personnel branch of the Ministry, Department or concern an assurance that the difference between Cols b and c refers only to personnel in territory which was NOT under Italian Administration on 15 Feb and that all other cases have been considered.
- 5 As to your epuration return. The number of cases heard in the last fortnight was 14, the number remaining to be heard is 355. At this rate the proceedings are not likely to be concluded until Sep 46. The progress is considered to be most unsatisfactory.
- 6 Your attention has frequently been drawn to the unsatisfactory progress which is being achieved. Will you please report the reasons why your commissions fail to improve, so that the matter can be taken up on a higher level.

TO		
DIRECTOR	White	11/14
DEPUTY DIRECTOR		
EXECUTIVE	WIM	14-8
ADJUTANT		
CLERK		
SECRETARY		
CHIEF CLERK		

S.H. White
S.H. WHITE
for VP CA Section.

2272

TRANSLATION I.S.

87A

RM

MINISTRY OF INTERIOR
General Direction for Antifire Service

N.709 Ris
alleg.1

Rome, 1 August 1945

TO ALLIED COMMISSION COMMAND
Sub-Commission for P.S.
R O M E

83H

In reference of your letter AC/14754/PS dated
25 July 1945.

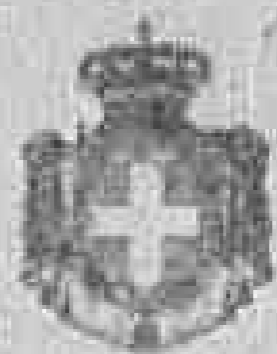
Herein a copy of letter, inclosed to the note
N.671 Ris of the 7 July 1945.

87B

FOR THE MINISTER
/s/ Illegible

TO
DIRECTOR
DEPUTY DIR
EXEC. OFF
POLICE
LEC. & ...
VENUE
ADM.
SEC.
CHIEF

X MA 6-8 5142



Mod 840
L. F. L.
Ministero dell'Interno

DIREZIONE GENERALE DEI SERVIZI ANTINCENDI

no 709 Ris

Roma, 1° agosto 1945.

*2009.1*AL COMANDO COMMISSIONE ALLEATA
Sottocommissione per la P.S.
ROMARiferimento alla nota AC/14754/P.S.
del 25 luglio 1945.Si rimette la copia della lettera
allegata alla nota n° 671 Ris del 7
luglio 1945.

P e l M I N I S T R O

*all'ho*

5741

C O P Y

TRANSLATION L.S.

8715.

MINISTRY OF INTERIOR
General Direction Antifire Service and P.E.

N.671 ris
Div.II

7 July 1945

TO THE COMMISSARY
Anti-fire Service
Via Monte n.7

M I L A N

Referring same request by Allied Commission kindly and urgently send the list of the Officer, non-commissioned officer, and fireman of the Fire Corps of North Italy or who has been in service at the General Direction of Antifire Service and for those that is advisable to take the proper steps in consideration of their previous fascist situation and for their attitude during the nazi-fascist occupation. Providing the disqualification from holding an office. Measures will be taken by this General Direction. From the list requested, they have to show the following elements for each officer, non-commissioned officer and firemen proposed for the disqualification.

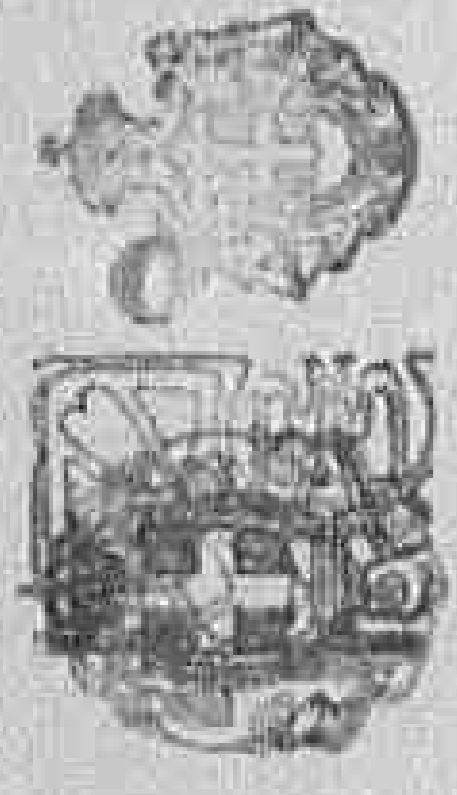
- 1) Region, Corps or Office where he is stationed at present.
- 2) Generality and rank
- 3) Full reason for adopting a disqualification measure.

For the Minister
Spetaro

5140

COPIA

Roma. 7 luglio 1945 A



Ministero dell'Interno

DIREZIONE GENERALE DEI SERVIZI ANTINCENDI E P.A.
VIA A. BERTOLONI 27

Prot. N. 671 Ris
Divisione II^a
Allegato

M. Sig. COMMISSARIO
Ufficio Servizi Antincendi
Via Monti n° 7
MILANO

Respostal Foglio N. 2
Dd

OGGETTO

Per corrispondere ad analoga richiesta della Commissione alleata pregasi trasmettere con urgenza l'elenco degli ufficiali sottufficiali e vigili dei Corpi V.V.F. dell'Italia settentrionale o già in servizio alla Direzione Generale Servizi Antincendi per i quali si ritiene opportuno, in considerazione dei precedenti fascisti e dall'atteggiamento assunto durante l'occupazione nazi fascista, provvedere alla sospensione dell'Ufficio.

I provvedimenti saranno adottati da questa Direzione Generale.

Dall'elenco richieste dovranno risultare i seguenti elementi per ogni ufficialii sottufficiale e vigili proposte per la sospensione:

- 1°) - Regione, Corpo o ufficio nel quale attualmente presta servizio o risiede;
- 2°) - generalità e grado;
- 3°) - descrizione delle ragioni che consigliano l'adozione del provvedimento di sospensione.

51366

Pel MINISTRO
F.to : SPATARO

Per copia conforme

DIREZIONE GENERALE DEI SERVIZI ANTINCENDI e P.A.
VIA A. BERTOLONI 27

Pol. N. 671 Ris

Divisione II

Allegati

Ufficio Servizi Antincendi
Via Monti n. 7
MILANO

Reg. al Sig. N. 671
Del

OGGETTO

Per corrispondere ad analoga richiesta della Commissione alleata pregasi trasmettere con urgenza l'elenco degli ufficiali sottufficiali e vigili dei Corpi V.V.F. dell'Italia settentrionale o già in servizio alla Direzione Generale Servizi Antincendi per i quali si ritiene opportuno, in considerazione dei precedenti fascisti e dall'atteggiamento assunto durante l'occupazione nazi fascista, provvedere alla sospensione dell'Ufficio.

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- 1°) - Regione, Corpo o ufficio nel quale attualmente presta servizio o risiede;
- 2°) - generalità e grado;
- 3°) - descrizione delle ragioni che consigliano l'abozione del provvedimento di sospensione.

Per copia conforme



Pel MINISTRO
F.to : SPATARO

14754/PS

CR 86A

HEADQUARTERS ALLIED COMMISSION
APO 974
CIVIL AFFAIRS SECTION

23 July 45

Ref : DE/5.5/CA

SUBJECT : Equitation Returns

TO : Public Safety Sub-Commission

The percentage of cases dealt with col s. shown on your return is the lowest in the whole of the Allied Commission. The percentage is 41 and the next lowest is 34. More than one third higher. Only four Sub-Commissions show less than 75% of their cases as complete.

Over 320 cases still remain to be heard and only 20 were heard in the last fortnight.

TO		
DIRECTOR	<i>pat</i>	<i>27/4</i>
DEPT. CHIEF	<i>pat</i>	<i>27/4</i>
PROSECUTOR	<i>pat</i>	<i>26-7</i>
CLERK		
SEC. W. UNIT		
TRAINING		
ADM. OFFICE		
SECURITY		
CHIEF CLERK		

S. H. White Lt. Col.

S. H. WHITE, Lt Col,
for VP CA Section

5738

2105

14754/P

85A

HEADQUARTERS ARMED COMMISSION
APO 594
CIVIL AFFAIRS SECTION

23 July 45

UP/6.5/CA

SUBJECT : Expiration Return.
TO : Public Safety S/S

You are reminded that your return for the 15 July due line today.
May this be forwarded as soon as possible please.

TO		
✓ []		
DEPT. []	147	267
ENCL. []	267	
INDEX []		
FILE []		
ADM. []		
SECURITY []		
CHIEF CLERK []		

[Signature]
S. L. WHITE Lt Col,
for UP CA Section

5737

276

TRANSLATION M.C.

MINISTRY OF INTERIOR

N.333/9022.3

17 July 45

Answer to AC/14754/PS dated 3/7/45

SUBJECT : De-fascistization list

In reference to the a/m you informed us, in order to facilitate the work of the Provincial Epuration Committee, to forward you complete list of the Officials, clerks and porters of the P.S. who are in service in the recently liberated Provinces in whose regard this Ministry intends to put into act the measures mentioned in Art.22 of the D.L.Lgt. 27-7-1944, No.159

Respecting same, we inform you that this Office is not yet in a position to forward you the requested list of names, as we have not received from the Provinces in question the full details relating to the aforesaid personnels position during the Nazi-fascist occupation. Meanwhile, we assure you that as soon as we receive all the information in regard, we shall onward transmit it.

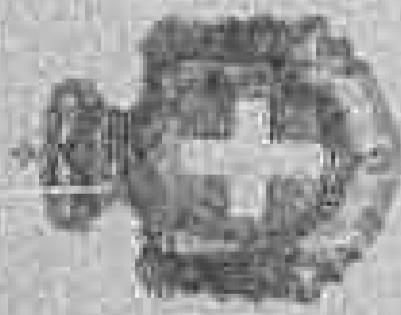
TO	DATE	INITIALS
MINISTER		
DEPUTY DIRECTOR		
EXPL. OFFICE	7/17/45	26-7
PROV. OFFICE		
SECRETARY		
CHIEF CLERK		

For the Minister

/S/Illegible

5736

Pl.



Ministero dell'Interno

DIREZIONE GENERALE
DELLA PUBBLICA SICUREZZA

Roma 17 Lelio: 1145

Alla Sottocommissione di
P.S.

Commissione Alleata

R O M A

Divisione Person. L.

Prot. N. 333/9022.3. Allegati

Risposta al Foglio del. 3.7.945.P.S.
Giv. L. A.C. / 1474.P.S.

OGGETTO ELANCHI per la defascistizzazione.

Con la nota sopradistinta, codenta On/le Commissione, allo scopo di facilitare l'opera delle Commissioni Provinciali di Epurazione, ha chiesto di conoscere con unico elenco i nominativi dei funzionari, impiegati ed uscieri di P.S., in servizio nelle Province recentemente liberate, nei cui riguardi questo Ministero intende attuare il provvedimento di sospensione d'ufficio, ai sensi dell'Art. 22 del D.L. Lft. 27.7.1944, n. 159.

Al riguardo, si deve però far presente che questo Ufficio non è ~~in~~ in grado di fornire i dati stessi, non essendo ancora pervenuti dalle Province interessate gli elementi già richiesti, in base ai quali sarà possibile stabilire la posizione del personale stesso, in servizio durante il periodo dell'occupazione nazifascista.

Si soggiunge, peraltro, che appena possibile, non si mancherà di aderire alla richiesta.

5735

Divisione Person. An.
Prot. N. 333/9022.3. Allegati

• Risposta al foglio del 3.7.945.P.S.
Dir. An. A.C. 118/54.P.S.

OGGETTO FIANCHI per la defascistizzazione.

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Si aggiunge, peraltro, che appena possibile, non si mancherà di aderire alle richieste.

5735

PEL MINISTRO



HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478709

25 July 1945

AC/14754/PS

SUBJECT : -

TO : Ministry of Interior
Gen. Directorate of Fire Services

Ref. Div.II No. 671 RIS of 7 July 1945

1. Final paragraph mentions "letter attached".
2. We do not find the letter and will appreciate a copy if available.

John W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director

FPH/G

5734

TRANSLATION S.D.

MINISTRY OF INTERIOR
General Directorate of Anti-Fire Services

Div. II

No. 671 Ris

7 July 1945

TO : A.C. Public Safety S.C.

Reference to note AC/14754/P.S. of 3 July 1945.

As it is known, this Ministry has no certain news - since October 1943 - about the behaviour of the personnel of the Antifire services who went to the North with the Fascist Government or who were already serving there.

Besides it is also wanting the possibility to examine the "curriculum vitae" of the men belonging to the fire-men Corps, because even the archives have been taken to the North.

Consequently we beg you to examine closely the opportunity to give due course to the letter attached herewith, asking for the news that are in turn requested by your a/m note. *not read*

f. Minister
sgd Spataro

TO	INIT	DATE
DIRECTOR		
DEPUTY DIR.		
EXEC. OF	<i>DVA</i>	<i>22-7</i>
POLICE		
LIC. & REG.		
PROSEC.		
ADM. SERV.		
SECURITY		
CHIEF CLERK		

5733

** St Col Maddalena*

Mod. 840

Roma, 7 Luglio 1945 A



Ministero dell'Interno

DIREZIONE GENERALE DEI SERVIZI ANTINCENDI e P.A.
Via Bertoloni 27

Al COMANDO COMMISSIONE ABILITATA
Sottocommissione per la P.S.

R. C. M. A

Divisione II^a Sec.
Prot. N. 571 Ris. Allegati

Risposta al Foglio del
Dir. Sec. N. 2

OGGETTO

Riferimento alla nota AS/ 14754/P.S. del 3 luglio 1943.
Com'è noto, questo Ministero dall'ottobre 1943 non ha no-
tizie sicure sul comportamento del personale dei servizi an-
tincendi, che seguì al Nord il pseudo governo fascista e che
era in servizio nelle regioni dell'Italia Settentrionale.

Inoltre manca a questo Ministero la possibilità di esami-
nare gli atti personali degli appartenenti ai ruoli antincendi
perché anche gli archivi furono trasferiti al Nord.

In considerazione di quanto precede si prega di voler vaglia-
re l'opportunità di dare corso alle unite lettere dirette al
Commissario della Direzione Generale Servizi Antincendi al Nord,
con la quale si chiedono le notizie di cui alla nota succitata
di cotesta Commissione.

REG. MINIST. 5732

A. Torino

R O L L A

Divisione *VI* *Sc.*
671 *Re's* *Allegati*

Proposta al *Foglio del*
Dir. *Sc.* *N.º*

OGGETTO

Riferimento alla nota n.º/ 14754/S.º. del 3 luglio 1945.
Com'è noto, questo Ministero dall'ottobre 1943 non ha no-
tizie sicure sul comportamento del personale dei servizi an-
tincensi, che seguì al Nord il pseudo governo fascista o che
era in servizio nelle regioni dell'Italia Settentrionale.

Inoltre manca a questo Ministero la possibilità di esami-
nare gli atti personali degli appartenenti ai ruoli antincensi
perchè anche gli archivi furono trasferiti al Nord.

In considerazione di quanto precede si prega di voler vaglia-
re l'opportunità di dare corso alla unita lettera diretta al
Comissario della Direzione Generale Servizi Antincensi al Nord,
con la quale si chiedono le notizie di cui alla nota succitata
di questa Commissione. -

PER MINISTRI 5732

Pratore

il Nord
attenti

MP

HEADQUARTERS ALLIED COMMISSION
PUBLIC SAFETY SUB-COMMISSION
A.P.O. 194, U.S. ARMY

File 81A

26 July 1945

AC/1945 4/75

Subject: Epuration Committee in Venice.

To: Chief Commissioner, Allied Commission.

1. Colonel Piske has just advised me that you are interested in the matter of the dismissal of the Epuration Committee in the Province of Venezia. During my recent visit to North Italy I called on Major Harris, Public Safety Officer for that Province who told me the following story.

2. Several weeks ago a prominent citizen of Venice was arrested and placed in jail to await the action of the Epuration Committee. A few days after his arrest an Italian called at his home and demanded an audience with his wife. After some time the wife did receive this man who expressed his regret over the arrest of her husband and offered to assist her in procuring the release of her husband. He said that a friend of his was a member of the Committee and that through him the release could be obtained but that there would be some expenses involved. The wife shrewdly requested time to think the matter over and also requested that the committee member be brought in so that she could talk to him. After a little delay this was arranged. In the meantime the wife arranged for witnesses to be present at the interview but concealed in an adjoining room. The interview took place at which the first Italian stated that she would have to pay them 800,000 lire for the release of her husband. She again stalled off the extortioners and made complaint to the AMI police who arrested the two individuals. Major Harris was in on the investigations and on the basis of the evidence reported the matter to the Provincial Commissioner. There had been other reports of irregularities on the part of the Epuration Committee members but this incident apparently was the last straw and the Provincial Commissioner dismissed the entire committee;

2. The CLM was advised of the dismissal and of the necessity of submitting recommendations for a new committee. When the recommendations came in, the only names submitted were those of the persons who had just been dismissed.

John W. Chapman
Colonel, Director
Public Safety-Sub-Commission

MINISTERO DELL'INTERNO
Direzione Generale
della Pubblica Sicurezza

Roma, 6 July 1945

CR 80A

AL COMANDO COMMISSIONE ALLEATA
Sottocommissione per la P.S.
APO 394

Dit. F.A.P.
N.800/9801 A.2/A

Ref: AC/14754/PS dated 3/7/45

65A

TRANSLATION M.C.

SUBJECT : List for the de-fascistization of P.S. Agents.

Referring to a/m reference we inform you that the de-fascistization of the P.S. Agents actually in service in the north, will be taken on directly by the National Provincial Liberation Committee.

Meanwhile this Ministry, has not requested the suspension of the P.S. Agents, in the North, from their employment, and is not in condition to forward the list asked for.

TO	
TO DIRECTOR	Aut 4/17
TO	Sto 2 21/7
TO	228 26-7
TO	
TO	
TO	
TO	
TO	
TO	

For the Minister,
/s/ Illegible

5730



Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA

Numero P.S. P. S. 300/9801 *Algha*

Al COMANDO COMMISSIONE
ALIBATA - Sotto-commissione
per la P.S.

APU 394

Reg. P. S. del 3/7/545

Dir. No 20/14754/PS

Oggetto: Elenchi Agenti di P.S. per la defascistizzazione.-

Con riferimento alla nota sopradistinta, si comunica che alla defascistizzazione degli Agenti di P.S. attualmente in servizio nelle provincie del Nord provvedono direttamente i Comitati Provinciali di Liberazione Nazionale.

Pertanto questo Ministero, non ha richiesto al Nord la sospensione dall'impiego di Agenti di P.S. e non trovandosi in condizioni di inviare gli elenchi richiesti da codesta Commissione.-

PER IL MINISTRO

Gianni

5729

TRANSLATOR C.C.

MINISTRY OF THE INTERIOR

ROME . 27/6/45

N.345/500.F.

In reply to : N.AC/14754/P.S.

Object : EPURATION

To : Allied Commission (A.C. Public Safety S.C.)

In reply to note 21/6/45 A.C/14754/P.S. from this Command, we confirm what has been communicated previously with note of April 4th ult. N.101/500.F, vis. as follows:

"" In relation to note written at margin, we communicate that this Commission is proceeding in contests with the concerned and to the relative proceedings as soon as the denunciations from the High Commissary for the epuration has been received.

No practice is pending for want of contestations except the one of Dr. ing. Luigi Bigi - 2nd cl. Officer - grade VII - group A -

For this it necessitates that Bologna be liberated to enable this Commission to take steps in disposing for investigations with the local Authorities.

All other practices are getting settled in due legal time.

The Commission assembles at any time when necessary; from dates of decision on inquiry examination papers results how speedy the proceedings follow when just arrived ""

The settlement of the matter ~~depends~~ within the time-limit, Aug. 15 th next, depends on the answers awaited from the local Authorities.

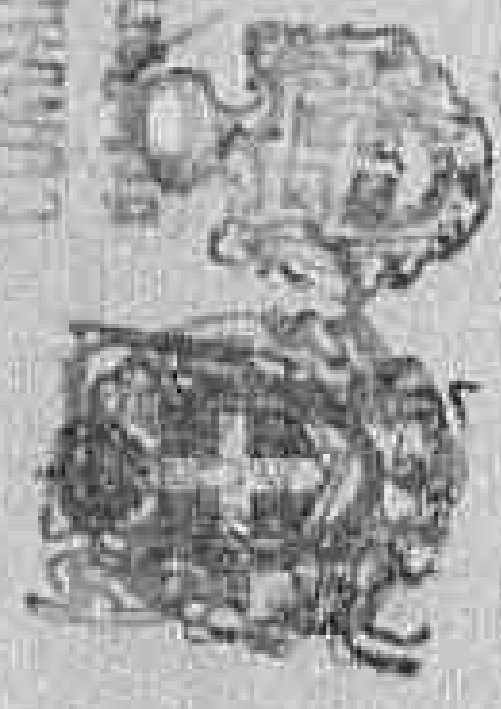
The beginning of the matter depends from the high Commissary for the epuration to whom is due the initiative of the proceedings.

For the President
(Dr. Arturo RISPOLI)

TRD		
DIRECTOR		
DEPUTY DIR.		
EXEC. DIR.		
SECY		
CLERK		
ADJ. CLERK		
SECURITY		
CHIEF CLERK		

Handwritten notes in the table: "5/2/45" and "16/7" in the top right cells, and "D.W. 16/7" in the bottom right cell.

COMMISSIONE SUPPLEMENTARE PER L'EPURAZIONE
del personale dei ruoli dei Territi e Comuni



Roma, 27 giugno 1945 A

Ministero dell'Interno

DIREZIONE GENERALE DEI SERVIZI ANTINCENDI
VIA A. BERTOLONI 27

Prot. N. 345/500.F.

Direzione
Sottosegretario

AL COMANDO COMMISSIONE ALLEATA
SOTTOCOMMISSIONE PER LA P.S.

A P O 354

Risposta al Segretario N. AC/14754/P.S.
Del

OGGETTO : EPURAZIONE -

In risposta alla nota 21/6/1945/A.C/14754/P.S. di co-
desto Onorevole Comando, si conferma quanto è stato precedentemente
comunicato con la nota 4 aprile scorso, n° 101/500.F, e cioè quanto
segue:

"" In relazione alla nota a margine segnata si comunica che que-
sta Commissione procede alle contestazioni agli interessati e alle
istruttorie relative appena ricevute le denunce dall'Alto Commissa-
rio per l'epurazione.

"" Nessuna pratica è in pendenza per mancanza di contestazioni ed-
espletata la pratica del dr. Ing. Luigi Bigi - Ufficiale di 2° classe
- grado VII - Gruppo A - Si attende per essa che Bologna sia liberata
perchè questa Commissione possa disporre le indagini presso le loca-
li Autorità.

"" Tutte le altre pratiche sono espletate nei termini legali; nessu-
na presente per il momento, il pericolo che possano scadere i detti
termini.

"" La Commissione si riunisce tutte le volte che è necessario;
dalle date di decisione nei verbali istruttori risulta come proceda
subito all'espletamento delle pratiche appena pervenute. ""

L'espletare tutte le pratiche entro la data del 15 ^{5.28} p.v.
dipende dalle risposte che daranno le autorità locali alle chieste
informazioni.

A P O 354

Prot. N. 345/500.F.

Divisione
Allegato

Reposta al Foglio N. AC/14754/P.S.
Del

OGGETTO : EPURAZIONE -

In risposta alla nota 21/6/1945/A.C/14754/P.S. di questo Onorevole Comando, si conferma quanto è stato precedentemente comunicato con la nota 4 aprile scorso, n° 101/500.F., e cioè quanto segue:

"" In relazione alla nota a margine segnata si comunica che questa Commissione procede alle contestazioni agli interessati e alle istruttorie relative appena ricevute le denunce dall'Alto Commissario per l'epurazione.

"" Nessuna pratica è in pendenza per mancanza di contestazioni eccettuata la pratica del dr. ing. Luigi Bigi - Ufficiale di 2° classe - Grado VII - gruppo A - Si attende per essa che Bologna sia liberata perchè questa Commissione possa disporre le indagini presso la locale Autorità.

"" Tutte le altre pratiche sono espletate nei termini legali; nessuna presenta per il momento, il pericolo che possano scadere i detti termini.

"" La Commissione si riunisce tutte le volte che è necessario; dalle date di decisione dei verbali istruttori risulta come proceda subito all'espletamento delle pratiche appena pervenute. ""

L'espletare tutte le pratiche entro la data del 15 ^{5/37} P.V. dipende dalle risposte che daranno le autorità locali alle chieste informazioni.

L'inizio delle pratiche dipende dall'Alto Commissariato per l'Epurazione a cui è devoluta la iniziativa del procedimento.

Hispoli

PHYSIDEMTE

Consigliere della Corte di Cassazione
(comm. prof. dr. Arturo HISPOLI)



14754/PS

OR 48A

TRANSLATION M.S.

MINISTRY OF INTERIOR
DIV. Gen. affaire.
N. 635 - RIS

25 JUNE 1945
ROME

TO: HEAD OF ALLIED SUBCOMMISSION FOR
PUBLIC SECURITY - ROME

SUBJ. : EMIGRATION

On the 21st of June last I was informed through A.C. letter No. 14754 P.S. , addressed to Grade I Commission, of the Emigration of the anti-fire Service Personnel to hasten and bring to close the trial in course.

I have communicated same to the Cabinet of U.S. the Minister.

This General Direction, as already brought to your knowledge, will forward with due regularity the "schede" and reports of dependent personnel to High Commission for Emigration.

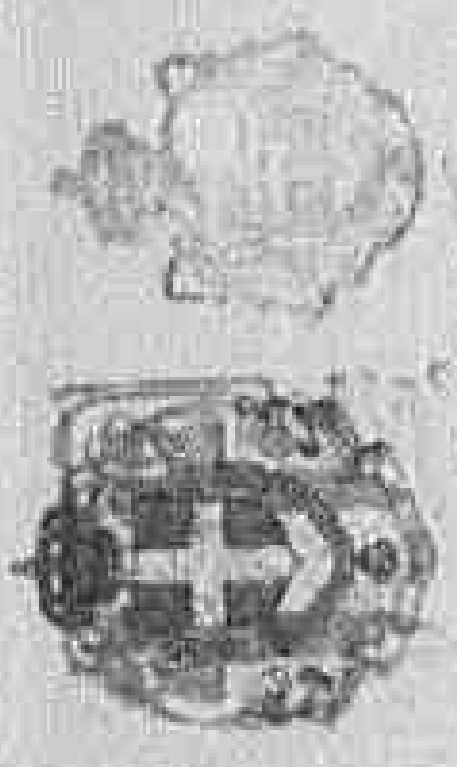
The General Director

DIREZIONE	JUL 21/7	
DIRETTORE		
UFFICIO		
UFFICIO		
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UFFICIO		
UFFICIO		

5726

Mod. 840 bis

Roma, 26 giugno 1945 A



Ministero dell'Interno

DIREZIONE GENERALE DEI SERVIZI ANTINCENDI
Via Bertoloni 27

AL CAPO DELLA SOTTOCOMMISSIONE
ALLEATA P.S.

R O M A

Disposizioni
Prot. N. 555 R. 23 Allegato

Proposta al T. G. del
Gen. T. G. N.

OGGETTO : Epurazione -

Sono venute a conoscenza della nota 21 giugno 1945
A.C. 14754/ P.S., diretta alla Commissione di I) Grado per
l'Epurazione del Personale dei Ruoli Antincendi per incl-
tarla a definire rapidamente i giudizi iniziati.

Informo che ne ho dato comunicazione al Gabinetto
di S.E. il Ministro.

Questa Direzione Generale, come risulta dai pro-
spetti già trasmessi, provvede regolarmente ad inviare
all'Alto Commissario per l'Epurazione le schede ed i rap-
porti del personale dipendente.

IL DIRETTORE GENERALE

del m
5725

HEADQUARTERS ALLIED COMBINATION
APO 394
CIVIL AFFAIRS SECTION

Ref : WE/5.20/CA

7 July 45

SUBJECT : Defascism - DL 179 of 22 Apr 45.

TO : Sec Distribution

473

Enclosed is translation of DL 179, amending DLs 159, 257 and 285 of 1944 and DL 44 of 1945, for your information.

CHIEF		
VP CA Sec	sub	m/1
Educ S/C	sub	10/1
Local Govt S/C	sub	10/1
Legal S/C	sub	10/1
Pub Saf S/C	sub	10/1
Econ Sec		
Agri S/C		
Commer S/C		
Labour S/C		
Finance S/C		
Pub Works S/C		
Transpt S/C		
Air S/C		
Army L/C		
Naval S/C		
Cons S/C		
HRU		
CHIEF CLERK		

[Signature]
S.R. BRUGHEN Brig,
VP CA Section

DISTRIBUTION:

VP CA Sec		Agri S/C	(2)	Air S/C	(2)
Educ S/C	(2)	Commer S/C	(2)	Army L/C	(2)
Local Govt S/C	(2)	Labour S/C	(2)	Naval S/C	(2)
Legal S/C	(2)	Finance S/C	(2)	Cons S/C	(2)
Pub Saf S/C	(2)	Pub Works S/C	(2)	HRU	
Econ Sec	(2)	Transpt S/C	(2)		

RCs Piemonte, Lombardia, Emilia, Liguria, Venezia Regions (2)
For info : SCAOs 5 Army, 8 Army, IV Corps, XIII Corps

5724

71B

EXPLANATION

DL 179 of 22 Apr 55

amending DL 150, 257 & 285 of 1944

and DL 44 of 1945

The Italian version of this decree is the only authoritative text. That version is not a literal translation; its object is to inform officers conveniently of the provisions contained in the Decree. Citations are referred to the Italian text for all points of detail or matters of procedure or dispute.

Presidents of Commissions	Art 1
Sub-Commissions	" 2
Appeals	" 3-5
Retirement	" 6-8
Time limits	" 9-11

INCIDENTS OF COMMISSIONS

1. Instead of magistrato as directed by Art 18 of DL 159 of 27 Jul 44 the following are available over Jurisdiction Commissions of first instance:-
 - a) Procuratori (di ruolo) of law of a University or of an institution of higher learning of the Kingdom;
 - b) Lawyers whose names appear in the special register created by Art 33 of RDL 1775 of 27 Nov 1933, embodied into Law No 36 of 22 Jan 1934;
 - c) Retired administrative officials of State Departments, who, upon the cessation of their service, were of not less than fifth grade.

SUB-COMMISSIONS

2. A sub-commission under Art 16 of DL 285 of 23 Oct 1944 may be formed, whenever the circumstances mentioned in the said Article exist. Such a sub-commission may also be formed for any body within sub-para 2 & 3 of Art 11 of DL 150 of 27 July 1944.

APPEALS

3. The time limits for an appeal to the central operation Commission, under Arts. 20 and 23 of DL 159 of 27 July 1944, is extended to 6 days for the person concerned and to 30 days for the High Commissioner for sanctions against fascism. But this provision shall not apply to time limits which expire before this Decree came into force. 5,23
4. An appeal whether of the person concerned or of the High Commissioner for sanctions against fascism, against the decision of an operation Commission of first instance, shall be filed at the secretariat of the central Commission. Notice of the said appeal shall be served by the Secretariat the High Commissioner

Presidents of Commissions	Art 1
Sub-Commissions	" 2
Appeals	" 3-5
Retirement	" 6-3
Time limits	" 9-11

RESOLUTIONS OF COMMISSIONS

1. Instead of registered as directed by Art 10 of DL 159 of 27 Jul 44 the following may preside over Special Commissions of First Instance:-
 - a) Professors (di ruolo) or law of a University or of an institution of higher learning of the Kingdom;
 - b) Lawyers whose names appear in the special register created by Art 33 of DL 1592 of 27 Nov 1939, subdivided into law no 36 of 22 Jan 1934;
 - c) Retired administrative officials of State Departments, who, upon the cessation of their service, were of not less than fifth grade.

SUB-COMMISSIONS

2. A sub-commission under Art 16 of DL 285 of 23 Oct 1944 may be formed, wherever the circumstances mentioned in the said Article exist. Such a sub-commission may also be formed for any body within sub-para 2 & 3 of Art 11 of DL 159 of 27 July 1944.

APPEALS

3. The time limits for an appeal to the central Commission, under Arts. 20 and 21 of DL 119 of 27 July 1944, is extended to 6 days for the person concerned and to 30 days for the High Commissioner for Sanctions against fascism. But this provision shall not apply to time limits which expired before this decree came into force.
 - 5, 23
4. An appeal whether of the person concerned or of the High Commissioner for Sanctions against fascism, against the decision of an appeal Commission of First Instance, shall be filed at the secretariat of the central Commission.
 - a) Notice of the said appeal shall be served by the Secretariat where the appeal has been filed by the person concerned on the High Commissioner and
 - b) where the appeal has been filed by the High Commissioner on the person concerned.

The Secretariat of the central Commission shall, upon receipt of an appeal, forthwith require the appropriate commission of first instance to transmit to the Secretariat the papers relating to the proceedings against which the appeal is made.
5. Notice of the decision of the central Commission shall be served by the secretariat
 - a) on the High Commissioner for Sanctions against fascism;
 - b) on the person concerned; and
 - c) on the Department employing him.

REQUIREMENT

- 6 When separation proceedings are contemplated in an employee any notwithstanding be placed in retirement either in the ordinary course or upon application if conditions contained in present legislation are fulfilled.
- The Department concerned must give immediate notice to the High Commission for pensions against issuance of any such action taken.
- The latter may within thirty days of receipt of the said notice ask the appropriate Commission to initiate proceedings to decide whether any pension shall be forfeited. In the absence of any such request or if the High Commissioner expressly refuses to make such a request no proceedings shall be brought.
- 7 Discharged military personnel and civilian employees placed in retirement under art. 2 of D.L. 257 of 11 Oct 1944 or art. 6 of this decree shall not, under any circumstances, be employed or re-employed in any State Department, in any Public Body or any body controlled or subsidized in any way by the State.
- 8 Military personnel the cease to be on permanent active service in consequence of the application of art. 2 of D.L. 257 of 11 Oct 1944, shall be placed in one of the categories of discharge under the appropriate regulation as to their status, and shall have the right to the same remuneration as those of equal rank, retired on account of age, to the same category of discharge.

TIME LIMITS

- 9 As regards the personnel referred under art. 2 of D.L. No 257 of 11 Oct 1944, who on the day on which this decree came into force were in territory not yet restored to Italian Administration, the time limits contained in para 4 of art. 4 of the said Decree are extended to 6 months after the restoration of the said territory to Italian Administration.
- 10 As regards persons employed in the Ministry of Posts and Telecommunications itself, the time limits for the initiation of operation proceedings contained in the first paragraph of art. 25 of D.L. 459 of 27 July 1944 as extended by art. 4 of D.L. No 56 of 12 March 1945, are hereby extended to 15 May 1945. This provision shall be effective as from 15 April 1945.
- As regards the civil personnel employed in any other Ministry the date of expiry of the time limit contained in para 4 of art. 4 of D.L. No 56 of 12 March 1945 and, except for military personnel attached to a Ministry as to the time limit contained in para 3 of the same article, shall remain unaltered.
- As regards all other persons the time limit for initiating operation proceedings is extended to August 15 1945.
- The time limits referred to in the first paragraph of art. 2 of D.L. No 44 of 23 Feb 1945 for the completion of the proceedings before the Commissions of First Instance shall be extended by 30 days.
- 11 The present Decree shall come into force on the day of its publication in the Official Gazette of the Kingdom (12 May 1945).

8 Military personnel who cease to be on permanent active service in consequence of the application of art 2 of DLN 257 of 11 Oct 1944, shall be placed in one of the categories of discharge under the appropriate regulation as to their status, and shall have the right to the same remuneration as those of equal rank, retired or, according to age, to the same category of discharge.

THE LIMITS

9 As regards the personnel retired under art 2 of DLN No 257 of 11 Oct 1944, who on the day on which this decree came into force were in territory not yet restored to Italian Administration, the time limits contained in para 1 of art 4 of the said decree are extended to 6 months after the restoration of the said territory to Italian Administration.

10 As regards persons employed in the Ministry of posts and telecommunications itself, the time limits for the initiation of operation proceedings contained in the first paragraph of art 25 of DLN 459 of 27 July 1944 as extended by art 1 of DLN No 56 of 12 March 1945, are hereby extended to 15 May 1945. This provision shall be effective as from 15 April 1945.

As regards the civil personnel employed in any other Ministry the date of expiry of the time limit contained in para 1 of art 1 of DLN No 56 of 12 March 1945 and, except for military personnel attached to a Ministry, as to the time limit contained in para 3 of the same article, shall remain unaltered.

As regards all other persons the time limit for initiating operation proceedings is extended to August 15 1945. The time limits referred to in the first paragraphs of art 2 of DLN No 44 of 27 Feb 1945 for the completion of the proceedings before the Commissions of first instance shall be extended by 30 days.

11 The present decree shall come into force on the day of its publication in the Official Gazette of the Kingdom (12 May 1945).

Translation M. C. O.

Rome

10/5/45

76A

Ministry of War
- Cabinet -

3rd July 1945

No. 9528. Att. I

To: Subcommission for P. S. A. C. - Rome

76B

In relation to verbal request made by Allied Commission, we forward copy of letter no. 27327/10/24. 24/11/45, dated 19th March '45 of the Presidency of the Council of Ministers, in which it specifies that discharged officers should not undergo separation trial, since there is in their case no need to report active service.

For the Minister

Separation file

TO		
SECRETARY	10/5/45	14/7
ADJUTANT	10/5/45	14/7
CLERK	10/5/45	14/7
...
...
...
...
...
...
...

5722

Translation R. C.

Presidency of the Council of Ministers
- Cabinet -

16 B

No. 27327/10212, 24/1.7

Rome, 10th March 1945

Refer. to folio of the 9-2-45 n. & b. 1678 -

To: The Ministry of Marine
and for information:

To: The Ministry of War - Cabinet -
Office, Laws & Decrees

To: Ministry of Air: Cabinet -

To: High Commission for Sanctions Against Fascism.

Subject: Epuration Proceedings - Query -

With above mentioned note this Ministry makes a query on the applicability of the issue rules for the epuration of the reserve and auxiliary officers, remembering that in letter of the 8th Sept. 1944, n. 12335, this Presidency suggests that complementary non-career officers and non-commissioned officers, had no need to undergo the trial of epuration since there is ⁱⁿ their case no need to report active service.

In effect only reserve, auxiliary or complementary officers are without the C. d. "Impiego" (art. 14, 48, and 99 decreed 9th May 1940, n. 369) and thus have the obligation ⁵ of temporary service, this not being continuous, they do not therefore appear to have the needed requisites to belong to the State Administration, deemed necessary in the Law of Epuration (Art. II D. L. L. 27th July 1944 no. 159.)

It appears therefore, that aforesaid Auxiliary, reserve and complementary officers, have not to undergo an separation trial being in their case lacking the report requisites of continuous service.

It is underlined that if discharge (same applies to reserve and auxiliary) took place after the 25th of July 1943, it is nevertheless possible, when grave ~~offence~~ offence results against aforesaid, according to art. 22 of D.L.L. 27th July 1944 no. 159, that they lose their pension right (art. 27 D.L.L. 23rd Oct. 1944, no. 285).

In such cases, there is the possibility regarding discharged officers (complementary, reserve, auxiliary) of a discrimination trial for the ^{cross-}examination of their military conduct before and after armistice was concluded. The same applies to discipline proceedings whenever of one of actions mentioned in Art. 12. D.L.L. 27th July 1944, no. 159 integrates any of the hypothesis above named.

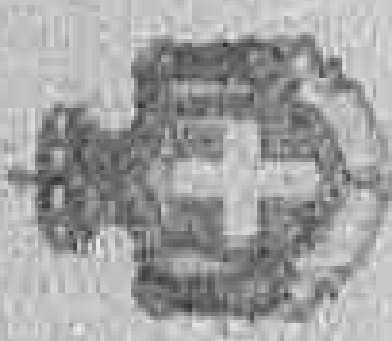
Finally, officers not subjected to trial of separation, in accordance to art. 27 of D.L.L. 23rd Oct. 1944, but are, notwithstanding, accused of some of the actions mentioned in Art. 12 of D.L.L. 27th July 1944, this Ministry, will give instructions that their service cease, and if recalled, receive orders of discharge.

The Under-Secretary of State

Spataro

5720

Translato.
Roma, 3 luglio 1945



Ministero della Guerra
- CABINETTO -

Dir. Aff. G. III/28
III/28/leg. 1

Reposta al foglio del
Dir. III/28

OGGETTO Applicazione del D.L. 27 luglio 1944, n. 159, nei riguardi del personale dell'amministrazione della Guerra.

ALLA SOTTOCOMMISSIONE PER LA I.S. DELLA COMMISSIONE ALLEATA
Via Vittorio Veneto - Palazzo ex Corporazioni - 5° piano -

R O M A

.....

In relazione alla richiesta verbale di cotesta SOTTOCOMMISSIONE, trasmesso copia della nota n. 27327/10124.24/1.7, in data 10 marzo c.e., della Presidenza del Consiglio dei Ministri, con la quale viene precisato che gli ufficiali delle categorie in congedo non possono essere sottoposti al giudizio di epurazione, non ricorrendo nei loro confronti il requisito del rapporto continuativo di servizio.

IL MINISTRO

Plan

5719

PRESIDENZA DEL CONSIGLIO DEI MINISTRI
GABINETTO

Prot. N. 27327/10124.24/1.7 Roma, 10 marzo 1945

Risp. al foglio del 9.2.1945 n. B. 1678 -

OGGETTO: Procedimento d'epurazione - Quesito -

AL MINISTERO DELLA MARINA = GABINETTO =
e, per conoscenza:
AL MINISTERO DELLA GUERRA = GABINETTO =
Ufficio Leggi e Decreti
AL MINISTERO DELL'AERONAUTICA = GABINETTO =
ALL'ALTO COMMISSARIATO PER LE SANZIONI CONTRO IL FASCISMO

Con la nota suindicata codesto Ministero ha rivolto a questa Presidenza un quesito sull'applicabilità o meno delle norme sull'epurazione agli ufficiali della riserva o in ausiliaria, ricordando, che con nota 8 settembre 1944, n. 22335, questa Presidenza aveva espresso l'avviso che gli ufficiali di complemento e i sottufficiali non di carriera non potessero essere sottoposti al giudizio di epurazione, non ricorrendo nei loro confronti al requisito del rapporto continuativo di servizio.-

In effetti, gli ufficiali della riserva o in ausiliaria, al pari di quelli di complemento, sono sprovvisti del C. d. "impiego" (artt. 14, 48 e 99 della legge 9 maggio 1940, n. 369), ed hanno obblighi di servizio soltanto eventuali e, in ogni caso, non continuativi, e che pertanto non sembrano idonei a porre in essere quel requisito di appartenenza all'Amministrazione dello Stato, che è il presupposto dell'applicabilità delle leggi sull'epurazione - (art. 11 D.L.L. 27 Luglio 1944, n. 159).-

Sembra quindi, che i predetti ufficiali della riserva o in ausiliaria, al pari di quelli di complemento, non possano essere assoggettati a giudizio di epurazione appunto perchè nei loro confronti non ricorre il requisito del rapporto continuativo di servizio.

././.

5718

E' però da tener presente che se il collocamento a riposo (al quale deve essere equiparato il collocamento nella riserva o in ausiliaria) è avvenuto dopo il 25 luglio 1943, il giudizio d'opurazione è tuttavia possibile quando ricorra la gravità prevista dal secondo comma dell'art. 22 del D.L.L. 27 Luglio 1944, n° 159, agli effetti dell'eventuale perdita del diritto a pensione (art. 27 D.L.L. 23 ottobre 1944, n. 285).--

Resta in ogni caso salva, nei confronti di tutti gli ufficiali delle categorie in congedo (compiamento, riserva, ausiliaria), la possibilità del giudizio di discriminazione per l'esame del comportamento, dal punto di vista militare, tenuto all'atto e dopo la conclusione dell'armistizio. Resta del pari salva la possibilità del procedimento disciplinare a norma delle vigenti disposizioni, qualora uno dei fatti previsti degli artt. 12 e sgg. del D.L.L. 27 Luglio 1944, n. 159, integri taluna delle ipotesi per cui si può far luogo al procedimento stesso.

Infine, per gli ufficiali nella riserva o in ausiliaria che non possono essere sottoposti al giudizio d'opurazione a norma del citato art. 27 del D.L.L. 23 ottobre 1944, n. 285, o ai quali siano tuttavia addebitabili alcuni dei fatti previsti dagli artt. 12 e sgg. del D.L.L. 27 luglio 1944, n. 159, codesto Ministero potrà impartire disposizioni perché non vengano più richiamati in temporaneo servizio, o, se attualmente richiamati, perché vengano subito posti in congedo.

IL SOTTOSEGRETARIO DI STATO
P° SPATARO

5717

75A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

13 July 45

AO/14754/PA

SUBJECT : Defascistization

TO : CG. RR Hdqs.

73A

Reference your 933/2 dated 10 July 45. Attached
are General Order 35 and 35B as requested.

John W. Chapman
JOHN W. CHAPMAN
Colonel J.A.G.P.
Director

1076

5716

14754/PS

RYA

TRANSLATION S.D.

MINISTRY OF GRACE AND JUSTICE

No. 85928/1 - Off.2nd.

10 July 1945

SUBJECT : Defasciation.

TO : A.C. Public Safety S.C. - Rome - 64A

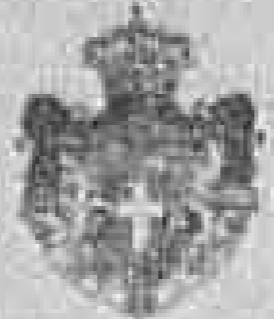
(refer. to letter No.A.C./14754/PS of the 3rd July 1945)

Attached herewith is a list of the Prison-Guards who have been suspended from service ^{because} denounced to the competent Purge Commission.

Further suspensions of the kind will be communicated to your Commission.

f. the Minister 5715 60A

1 encl.



Roma 10 LUG 1941

Mod. 805 MO

Ministero di Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

Alla Commissione legale
Sottocommissione per la
Pubblica Sicurezza

Ufficio 2°
Aut. N. 53/20, I

ROTA
Risposta al N. 14754/4.3.
del 3 luglio 1941

OGGETTO: Negoziazione.

Allegati n. 1

In relazione alla nota soprastante, si trasmette l'elenco degli agenti di custodia assenti dall'ufficio, per essere deferiti alla competente Commissione per l'operazione.

Con l'occasione si assicura che se in seguito dovessero accendersi altri agenti, si comunicheranno alla suddetta Commissione i nominativi.

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
PHONE		
LIC. & REG.		
MAILS		
ADM. OFFICE		
SECURITY		
CHIEF CLERK		

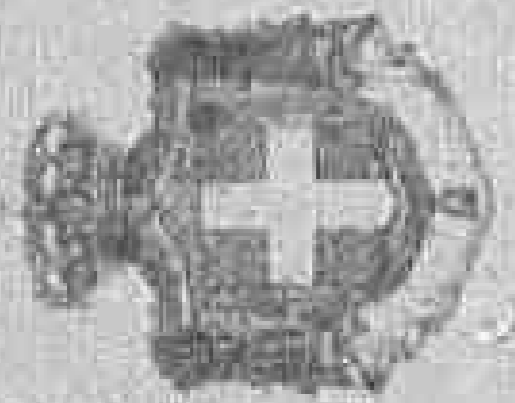
MINISTRO
[Signature]

5714

21

Mod. 1942 MG

Luigi
Ministero di Grazia e Giustizia



P. L. E. N. C. O. degli agenti di custodia sospesi con l'ufficio, arretrati
referiti alla Commissione per l'Espurazione:

A B R U Z Z I

DE SIMONE *Luigi*, guardia, espulso dal 1° 4. 1945 - Casa penale SULLERA
DIOCIANINI *Giuseppe* " " 16. 5. 1945 " " SULLERA

L A Z I O

GRUORA *Carlo*, sottocapo, sospeso dal 31. 10. 1944 - Casa penale CIVITAVECCHIA
MARI *Gerolamo*, guardia " " 1° 12. 1944 - Carcere gen. ROMA
MIRKISI *Antonino* " " 1° 4. 1945 - Centro med. ROMA

E A R C H E

GALLINO *Atene*, guardia, sospeso dal 1° 6. 1945 - Casa penale BRINDISI
PALANI *Filippo*, guardia " " 16. 6. 1945 - Carcere gen. CROTONO

T O S C A N A

BALOTRUCCHI *Alfredo*, guardia, sospeso dal 16. 2. 1945 - Casa penale S. GILIGNO
BARDINO *Mario* " " " 24. 10. 1944 - Carcere gen. PIACENZA
DELL'ATTI *Giuseppe* " " 26. 6. 1945 " " FISA
BIGNARDI *Giulio* " " " 1° 4. 1945 - Casa penale VOLTERRA
BARTINI *Orlando* " " " 1° 4. 1945 - Carcere gen. LIVA
MARE *Vincenzo* " " " 1° 4. 1945 - Casa penale VOLTERRA
PACCHIERA *Giuseppe* " " " 16. 6. 1945 - Casa penale S. GILIGNO
MORINI *Giuseppe* " " " 16. 6. 1945 " " S. GILIGNO

5713

referiti alla Commissione per l'Accusazione:

A. BRUNETTI

DA SIMONE Emilio, guardia, escono dal 1° 4. 1945 - Casa penale SUISSA
 NICOLAUTI Orlando " " 16. 5. 1945 " " SUISSA

L. A. E. I. O.

DELOGRA Gerio, sottosegretario, escono dal 31. 10. 1945 - Casa penale CIVITAVECCHIA
 MAZZI Gerardo, guardia " " 1° 12. 1946 - Circolo giud. ROMA
 SPIRITI Antonio " " 1° 4. 1945 - Centro stud. ROMA

H. A. R. C. H. S.

GABRINI Atto, guardia, escono dal 1° 6. 1945 - Casa penale SUISSA
 TAJANI Di Mario, guardia " " 16. 6. 1945 - Circolo stud. VERONA

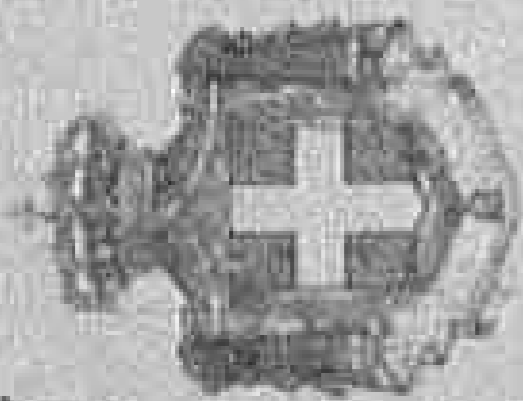
F. O. S. O. A. M. A.

VALSTROGHI Alfredo, guardia, escono dal 16. 2. 1945 - Casa penale S. GIUSTINO
 MIRENGO Marvilio " " " 24. 10. 1944 - Carcere giud. SUISSA
 DEL MASCHI Giuseppe " " " 26. 6. 1945 " " SUISSA
 GIGLIOTTI Giulio " " " 1° 4. 1945 - Casa penale VOLTERRA
 MANTINI Orlando " " " 1° 4. 1945 - Circolo stud. ROMA
 ALIBEO Vincenzo " " " 1° 4. 1945 - Casa penale VOLTERRA
 BARRABUZZA Gisseppe " " " 16. 6. 1945 - Casa penale S. GIUSTINO
 FERRARAI Giovanni " " " 16. 6. 1945 " " S. GIUSTINO
 FANTUCCI Biorio " " " 16. 6. 1945 " " S. GIUSTINO
 PARIGONE Felice " " " 16. 6. 1945 " " S. GIUSTINO
 TILLEY Ferdinando " " " 16. 2. 1945 " " S. GIUSTINO

5713

vista

Mod. 1342 MG



Ministero di Grazia e Giustizia

F U L L I N

CAPELLI Vincenzo, osped. Garibaldi, con. usq. dal 14.10.1944 - Casa penale TURI

U N B E R T A

SCOGIATI Giuseppina, osp. Bonifida, annesso dal 10.6.1945 - Carcere gius. V. MARINO

5712

ER 43A



RISERVATO

Comando Generale dell'Arma dei Carabinieri Reali

UFFICIO SEGRETERIA E RISERVATO

66A

N. 933/2 di prot. Ris.

Roma, il 10 luglio 1945

Risposta al foglio del 3 corrente n. AC/14754/PS Allegati n. --

OGGETTO: Defascistizzazione.

ALLA COMMISSIONE ALLEATA - Sottocommissione per la P.S.

R O M A

Risposta negativa.

La circolare GO 35, che non è pervenuta, è stata richiesta.

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		15-7
PL. CLERK		
LC. & PCL		
POSTMAN		
ADJ. STAFF		
SECURITY		
CHIEF CLERK		

d'ordine
IL COLONNELLO CAPO DI S.M.
(Ezio Polani)

Polani

5711

14754/1750

92
71AHEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DA/3.39/CA

9 July 45

SUBJECT : Defascism - Epuration of the Professions.

TO : See Distribution

- 72 B

Enclosed for your information are copies, in English and Italian of General Order No 35 - D.

TO	INITIALS	DATE
DIRECTOR		
DEPUTY DIRECTOR	W	11/7
EXEC. OFFICER	W	12-7
POLICE		
CLERK & PEON		
INFORMANT		
SECURITY		
CHIEF CLERK		

W. H. H. H. H.
for C.I. UFFICIO Brig,
VF CA Section.

DISTRIBUTION :-

VF CA Sec		Agriculture S/C (2)	Air S/C (2)
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Pub Saf S/C (2)		Pub Work S/C (2)	RR (2)
Spec Sec (2)		Transport S/C (2)	

ROs Piemonte, Lombardia, Emilia, Liguria, Venetia Regions
For Info : SACs 5 Army, 8 Army, 19 Corps, Venezia Giulia.

Scale of Distribution : RM (A) - HQ (2)

5710

976

ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

GENERAL ORDER NO 35 - B

REGULATION OF THE PROFESSIONS

WHEREAS it is desirable to insure that certain former members of the Fascist Party from the exercise of their professions or callings.

I, ELLEN WILSON SMITH, Rear Admiral, United States Naval Reserve, Chief Civil Affairs Officer, for and on behalf of the Supreme Allied Commander and Military Governor hereby order as follows:

ARTICLE I

Any person exercising such of the professions referred to in Article 23 of DLM 159 of 27 July 1944 as may be specified by order of the Regional Commander of the Allied Military Government shall be subject to proceedings under General Order No 35 of the Allied Military Government as modified by this Order and the provisions and principles of General Order No 35 shall apply by analogy to all such persons and proceedings.

ARTICLE II

For the purposes of this Order, Article IV, Section (a) of General Order No 35 shall be modified to read as follows:

Not later than 7 days after the coming into operation of this Order the Keeper of the Rolls in a Province of, or (as the case may be) the provincial authority supervising the professions to which this Order applies or has been made applicable by order of the Regional Commander mentioned in Article I hereof shall give notice to all members of the profession as may be specified by the Regional Commander that this Order has come into operation in that Province.

Provided that the condition to give such notice shall not afford a defence to a person charged with non-compliance with the provisions of General Order No 35 as modified by Article III of this Order.

ARTICLE III

(a) Members of professions are not divided into categories as provided in Article V, Section (a) of General Order No 35, but any member of a profession subject to Article 23 of DLM 159 who may from time to time be ordered by or on behalf of the Allied Military Government through the

5709

Party from the exercise of their professions or calling

I, ELBERT WILSON SMITH, Rear Admiral, United States Naval Reserve, Chief of Civil Affairs Officer, War and on behalf of the Supreme Allied Commander and Military Governor hereby order as follows:

ARTICLE I

Any person exercising any of the professions referred to in Article 23 of MIL 159 of 27 July 1944 as may be specified by order of the Regional Commander of the Allied Military Government shall be subject to proceedings under General Order No. 35 of the Allied Military Government as modified by this Order and the provisions and principles of General Order No. 35 shall apply by analogy to all such persons and proceedings.

ARTICLE II

For the purposes of this Order, Article I, Section (a) of General Order No. 35 shall be modified to read as follows:

Not later than 7 days after the coming into operation of this Order the Keeper of the Rolls in a Province of, or (as the case may be) the provincial authority supervising the professions to which this Order applies or has been made applicable by order of the Regional Commander mentioned in Article I hereof shall give notice to all members of the profession as may be specified by the Regional Commander that this Order has come into operation in that Province,

provided that the omission to give such notice shall not afford a defence to a person charged with non-compliance with the provisions of General Order No. 35 as modified by Article III of this Order.

ARTICLE III

(a) Members of professions are not divided into categories as provided in Article V, Section (a) of General Order No. 35, but any member of a profession subject to Article 23 of MIL 159 who may from time to time be ordered by or on behalf of the Regional Commander of Allied Military Government through the authority mentioned in Article II hereof to complete a schedule personnel shall complete, sign and lodge the same with the aforementioned authority within 7 days of receiving notice of such order. The said authority shall, within 2 days of the receipt of any such schedule, cause a list of such schedule to be prepared and transmitted with the schedule personnel to the appropriate Commission established under General Order No. 35.

(b) For the purpose of Article V, Section (b) and (c) of General Order No. 35 the authority specified in Article II hereof shall be substituted for the "head of the Administration or undertaking".

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ARTICLE IV

For the purpose of Articles VI and IX of General Order No 35, the author-
ities specified in Article II hereof shall be substituted for the "employer".

ARTICLE V

Effect of Suspension Order --- A Suspension Order made against any
person suspends that person from the exercise of his profession as from the
date of the Order.

ARTICLE VI

This Order shall come into effect in any Province or part thereof on the
date of its first posting therein.

FOR THE SUPREME ALLIED COMMANDER AND MILITARY GOVERNOR :

SAC/

ELMER WHEELER STONE,
Rear Admiral,
United States Naval Reserve,
Chief Civil Affairs Officer.

Dated : 19 AUG 1945

GOVERNO MILITARE ALLEATO
DEL TERRITORIO OCCIDENTALE

ORDINANZA GENERALE NO. 35 - B

EVOLUZIONE DELLE PROFESSIONI

FAVORE che conviene mantenere alcuni elementi già appartenenti al Partito Fascista dell'esercizio delle loro professioni, arte e mestiere,

Io, MILANO VENTURA BUCCHETTI, Comandante della Riserva della Marina degli Stati Uniti, Ufficio Capo degli Affari Civili, in nome e per conto del Comando Supremo Alleato e Governatore Militare, ordino quanto segue:

ARTICOLO I

Sono soggetti ai provvedimenti previsti dall'Ordinanza Generale No. 35 del Comando Militare Alleato, salvo le modifiche apportate dalla presente Ordinanza, coloro che esercitano, tra le professioni di cui all'Art. 23 del DL 27 Luglio 1946, No 153, quelle che saranno specificate con ordinanza del Comandante Regionale del Governo Militare Alleato; alle persone ed ai procedimenti suddetti si applicheranno per analogia le disposizioni ed i principi dell'Ordinanza Generale No. 35.

ARTICOLO II

Le modifiche della presente Ordinanza, la lettera (a) dell'Art. IV dell'Ordinanza Generale No 35 e' modificata come segue:

Nei 7 giorni successivi all'entrata in vigore della presente Ordinanza, l'organo incaricato nella Provincia della tenuta degli elbi per l'esercizio delle professioni, arti e mestieri nei cui confronti la presente Ordinanza si applica o s'essa applicabile d'ordine del Comandante Regionale nominato all'Art. I c, za del caso, l'organo provinciale di controllo sulle ditte professionali, arti e mestieri, darà avviso della entrata in vigore della presente Ordinanza nella Provincia stessa e coloro che esercitano una professione, arte o mestiere o siano specificati dal Comandante Regionale.

Resta comunque fermo che il presente avviso del soggetto avviso non potrà essere subito o diviso da chi sia deputato a trasmettere alle disposizioni dell'Ordinanza Generale No. 35, modificata dall'Art III della presente Ordinanza.

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to l'acquisto dall'espatriato delle loro esecuzioni, arte o mestiere, lo, ELLIOTT WILSON SONS, Consul General della Nuova Zelanda negli Stati Uniti, Ufficio degli Affari Civili, in nome e per conto del Comandante Supremo Alleato e Governatore Militare, ordina quanto segue:

ARTICOLO I

Sono soggetti ai procedimenti previsti dall'Ordinanza Generale No. 35 del Governo Militare Alleato, salvo le modifiche apportate dalla presente Ordinanza, coloro che esercitano, tra le professioni di cui all'Art. 23 del DM 27 luglio 1944, No 158, quella che veniva specificata con ordinanza del Commissario Regionale del Governo Militare Alleato; alle persone ed ai procedimenti suddetti si applicheranno per analogia le disposizioni ed i principi dell'Ordinanza Generale No 35.

ARTICOLO II

Le parti affette dalla presente Ordinanza, la lettera (a) dell'Art. IV dell'Ordinanza Generale No 35 e' modificata come segue:

Nei 7 giorni successivi all'entrata in vigore della presente Ordinanza, l'ordine incaricato nella Provincia dello Stato degli Stati Uniti per l'esercizio delle professioni, arti o mestieri nel cui confronto la presente Ordinanza si applica o e' reso applicabile d'ordine del Commissario Regionale menzionato all'Art. I c, se del caso, l'ordine provinciale di controllo sulle dette professioni, arti o mestieri, deve avvisare della entrata in vigore della presente Ordinanza nella Provincia stessa e coloro che esercitano una professione, arte o mestiere e siano episcopati del Commissaria Regionale.

Resta comunque fermo che il mandato in via del suddetto avviso non potra' essere rifiutato e dispartito da chi sia imputato di trasgressione alle disposizioni dell'Ordinanza Generale No 35, 608

ARTICOLO III

(a) Gli esercenti una professione, arte o mestiere non sono ripartiti nelle categorie previste dall'Art V, (a) dell'Ordinanza Generale No 35, se giungano, esercitando una delle professioni, arti o mestieri contemplati dall'Art. 23 del DM 27 luglio 1944, No 158, ricorsi, tramite l'intermediazione menzionata all'Art. II, del Commissario Regionale del Governo Militare Alleato, o in suo nome, l'ordine di ricevere una scheda personale, dove' ricopiata, firmata e presentata alla suddetta autorità' nei sette giorni dalla data di ricezione dell'ordine stesso. Tale scheda, nei due giorni dalla ricezione di ciascuna scheda, in carica' l'ispezione in una lista da essere trasmessa, con le schede personali, alla Commissione competente istituita a norma dell'Ordinanza Generale No. 35.

(3) agli effetti dell'art. 1, (b) e (c) dell'Ordinanza Generale No. 35, "Il Capo dell'Amministrazione ed Azienda" viene sostituito dagli organi specificati nell'art. II della presente Ordinanza.

ARTICOLO IV

Gli effetti degli art. VI e IX dell'Ordinanza Generale No. 35 "Il settore di lavoro" viene sostituito dagli organi specificati nell'art. II della presente Ordinanza.

ARTICOLO V

Effetti dell'ordine di sospensione. -- L'ordine di sospensione contro chiunque omette sospende la persona dall'esercizio della sua professione, arte o mestiere a partire dalla data dell'ordine stesso.

ARTICOLO VI

La presente Ordinanza entra in vigore in ogni Provincia o parte di esse alla data della sua presa d'effezione nella stessa.

PER IL COMANDANTE SUPREMO ALLEATO E GOVERNATORE MILITARE :

Sd/

ELLEN WESSEFF STONE,
Contrammiraglio,
Flotta della Marina degli Stati Uniti,
Ufficiale Capo degli Affari Civili

ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

GENERAL ORDER NO 35-B

REGULATION OF THE PROFESSIONS

WHEREAS it is desirable to exempt certain former members of the Fascist Party from the exercise of their professions or callings

I, EMERY WINNIE, SGM, Rear Admiral, United States Naval Reserve, Chief Civil Affairs Officer, for and on behalf of the Supreme Allied Commander and Military Governor hereby order as follows:

ARTICLE I

Any person exercising such of the professions referred to in Article 23 of DM 139 of 27 July 1944, as may be prescribed by order of the Regional Commander of the Allied Military Government shall be subject to proceedings under General Order No 35 of the Allied Military Government as modified by this Order and the provisions and principles of General Order No 35 shall apply by analogy to all such persons and proceedings.

ARTICLE II

For the purposes of this Order, Article IV, Section (a) of General Order No 35 shall be modified to read as follows:

Not later than 7 days after the coming into operation of this Order the keeper of the rolls in a Province of, or (as the case may be) the provincial authority supervising the professions to which this Order applies or has been made applicable by order of the Regional Commander mentioned in Article I hereof shall give notice to all members of the profession as may be specified by the Regional Commander that this Order has gone into operation in that Province.

Provided that the omission to give such notice shall not afford a defense to a person charged with non-compliance with the provisions of General Order No 35 as modified by Article III of this Order.

ARTICLE III

(a) Members of professions are not divided into categories as provided in Article V, Section (a) of General Order No 35, but any member of a profession subject to Article 23 of DM 139 who may from time to time be ordered by or on

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WHEREAS it is desirable to suspend certain former members of the National Party from the exercise of their professions or calling:

I, HARRY WILSON STONE, Rear Admiral, United States Naval Reserve, Chief Civil Affairs Officer, for and on behalf of the Supreme Allied Commander and Military Government hereby order as follows:

ARTICLE I

Any person exercising such of the professions referred to in Article 23 of DFL 159 of 27 July 1944 as may be specified by order of the Regional Commander of the Allied Military Government shall be subject to proceedings under General Order No 35 of the Allied Military Government as modified by this Order and the provisions and principles of General Order No 35 shall apply by analogy to all such persons and proceedings.

ARTICLE II

For the purposes of this Order, Article IV, Section (e) of General Order No 35 shall be modified to read as follows:

Not later than 7 days after the coming into operation of this Order the Inspector of the Rolls in a Province of, or (as the case may be) the provincial authority supervising the profession to which this Order applies or has been made applicable by order of the Regional Commander mentioned in Article I hereof shall give notice to all members of the profession as may be specified by the Regional Commander that this Order has come into operation in that Province.

Provided that the omission to give such notice shall not afford a defence to a person charged with non-compliance with the provisions of General Order No 35 as modified by Article III of this Order.

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ARTICLE III

(a) Members of professions are not divided into categories as provided in Article V, Section (a) of General Order No 35, but any member of a profession subject to Article 23 of DFL 159 who may from time to time be ordered by or on behalf of the Regional Commander of Allied Military Government through the authority mentioned in Article II hereof to complete a schedule shall complete, sign and lodge the same with the aforementioned authority within 7 days of receiving notice of such order. The said authority shall, within 5 days of the receipt of any such schedule, cause a list of such schedules to be prepared and transmitted with the same personnel to the appropriate Commission established under General Order No 35.

(b) For the purpose of Article V, Section (b) and (c) of General Order No 35 the authorities specified in Article II hereof shall be substituted for the "head of the administration or undertaking".

ARTICLE IV

For the purpose of Articles VI and VII of General Order No 35 the authorities specified in Article III hereof shall be substituted for the "employer".

ARTICLE V

Effect of Suspension Order -- A Suspension Order made against any person suspends that person from the exercise of his profession as from the date of the Order.

ARTICLE VI

This Order shall come into effect in any Province or part thereof on the date of its first posting therein.

FOR THE SINGAPORE ALLIED COMMANDER AND MILITARY GOVERNOR :

SA/

MILBRY WHEELER STOUT,
Rear Admiral,
United States Naval Reserve,
Chief Civil Affairs Officer.

Dated : 19 AUG 1945

GOVERNO MILITARE ALIATO
DEL TERRITORIO OCCUPATO

ORDINANZA GENERALE NO. 35 - B

ESCLUSIONE DELLE PROFESSIONI

Dal 30 che perviene spondere alcuni elementi già apparesenti al Partito Fascista dall'esercizio delle loro professioni, esse o mestiere,

Io, ELIERY WALTER STONE, Comandante della Riserva della Marina degli Stati Uniti, ufficiale capo degli Affari Civili, in nome e per conto del Comandante Supremo Alleato e Governatore Militare, erizzo quanto segue:

ARTICOLO I

Sono soggetti ai procedimenti previsti dall'Ordinanza Generale No. 35 del Governo Militare Alleato, salvo le restrizioni apportate dalla presente Ordinanza, coloro che esercitano, tra le professioni di cui all'Art. 23 del DM. 27 Maggio 1944, No. 159, quelle che sono specificate con ordinanza del Commissario Regionale del Governo Militare Alleato; alle persone ed ai procedimenti suddetti si applicheranno per analogia le disposizioni ed i principi dell'Ordinanza Generale No. 35.

ARTICOLO II

Agli effetti della presente Ordinanza, la lettera (a) dell'Art. IV dell'Ordinanza Generale No. 35 e' modificata come segue:

Nei 7 giorni successivi all'entrata in vigore della presente Ordinanza, l'organo incaricato nella Provincia della tenuta degli atti per l'esercizio delle professioni, arti o mestieri nei cui confronti la presente Ordinanza si applica o e' resa applicabile l'ordine del Commissario Regionale menzionato all'Art. I c. 4o del caso, l'organo provinciale di controllo sulle dette professioni, arti o mestieri, deve avvisare della entrata in vigore della presente Ordinanza nella Provincia stessa e coloro che esercitano una professione, arte o mestiere e siano qualificati dal Commissario Regionale.

Resta comunque fermo che il mandato inviato dal suddetto avviso non potra' essere adotto e discusso da chi e' imputato di trasgressione alle disposizioni dell'Ordinanza Generale No. 35, modificata dall'Art. III della presente Ordinanza.

ARTICOLO III

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ARTICOLO I

Sono soggetti ai provvedimenti previsti dall'Ordinanza Generale No. 35 del Governo Militare Alleato, salvo le modifiche apportate dalla presente Ordinanza, coloro che esercitano, tra le professioni di cui all'Art. 23 del D.L. 27 Luglio 1944, No 139, quella che mirava specificamente con ordinanza del Commissario Regionale del Governo Militare Alleato; alle persone ed ai procedimenti soggetti si applicheranno per analogia le disposizioni ed i principi dell'Ordinanza Generale No. 35.

ARTICOLO II

La lettera (a) della presente Ordinanza, la lettera (a) dell'Art. IV dell'Ordinanza Generale No. 35 e' redifinita come segue:

Nei 7 giorni successivi all'entrata in vigore della presente Ordinanza, l'organo incaricato nelle Province della tenuta degli atti per l'esercizio delle professioni, arti e mestieri nei casi previsti dalla presente Ordinanza si oppone o e' restato applicabile d'ordine del Commissario Regionale menzionato all'Art. I e, se del caso, l'organo provinciale di controllo sulle dette professioni, arti e mestieri, cura l'avvio della entrata in vigore della presente Ordinanza nella Provincia stessa e coloro che esercitano una professione, arte o mestiera e sono soggetti del presente Ordinanza.

Resta comunque fermo che il suddetto avviso del suddetto avviso non potra' essere addebi- o diacurando da chi sia imputato di trasgressione alle disposizioni dell'Ordinanza Generale No. 35, e' applicabile dell'Art. III della presente Ordinanza.

5706

ARTICOLO III

(a) Gli esercenti una professione, arte o mestiere non sono ripartiti nelle categorie previste dall'Art. V, (a) dell'Ordinanza Generale No. 35, ma qualunque esercitasse una delle professioni, arti e mestieri contemplati dall'Art. 23 del D.L. 27 Luglio 1944, No 139, riserva, tramite l'autorita' menzionata all'Art. II, del Commissario Regionale del Governo Militare Alleato, o in suo nome, l'ordine di riesame una scheda personale, dove' riempire, firmarla e presentarla alla suddetta autorita' nel sotto giorno della data di ricezione dell'ordine stesso. Tale autorita', nei due termini dalla ricezione di ciascuna scheda, ne curera' l'iscrizione in una lista da essere trasmessa, con le schede personali, alla Commissione competente istituita a norma dell'Ordinanza Generale No. 35.

(b) Agli effetti dell'Art. 7, (b) e (c) dell'Ordinanza Generale No. 35, "il Capo dell'Amministrazione od Azienda" viene substituito negli organi specificati nell'Art. II della presente Ordinanza.

ARTICOLO IV

Agli effetti degli Art. VI e VII dell'Ordinanza Generale No. 35 "il Capo di lavoro" viene substituito negli organi specificati nell'Art. II della presente Ordinanza.

ARTICOLO V

Effetti dell'ordine di sospensione. -- L'ordine di sospensione contro chiunque esset, comporta la cessazione dall'esercizio della sua professione, arte o mestiere a partire dalla data dell'ordine stesso.

ARTICOLO VI

La presente Ordinanza entrerà in vigore in ogni Provincia o parte di essa alla data della sua prima pubblicazione nella stessa.

PER IL COMANDANTE SUPREMO ALLEATO E GOVERNATORE MILITARE :

SA/

ALEXANDER WHEELER STONE,
Comandante Regio,
Riserva della Marina degli Stati Uniti,
Ufficio Capo degli Affari Civili

71A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394 .

AG/14754/PS

7 July 1945

SUBJECT : Lists of Provincially Expendable Officials
TO : Expiration Committees for
Agents of Public Security, Ministry of Interior
Anti-fire Service, Ministry of Interior
Commanding General OCRA

1. It is understood that the time limits for the initiation of proceedings against those persons who are expendable provincially have been extended to 15 Aug (Art 10 of DL 179 of 11 Apr 45) and the time for the ending such proceedings is 15 Nov. This may affect a large number of personnel.
2. Please furnish us with a list of cases in the above category.

John W. Chapman
for JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

JFB/13

5705

Transl. C.C.

14954/PS.

pe 70A

ROMA 4/7/45

MINISTER OF THE INTERIOR
N. 3231/F.G.

To: ALLIED COMMISSION FOR THE CONTROL OF THE EPURATION.

Object: Epuration

Following interview of 29th June ult. I transmit copy of my order service referring to proceedings to follow for the epuration of Officers and Officials of the P.S. with grade superior to 10th.

I transmit also copy of remarks handed to the Prime Minister by Chief of Police containing proposals for the speeding-up of the process of epuration.

TO	INITIALS	DATE
SECRETARY		
DEPUTY SECRETARY	6/25	
SECRETARY GENERAL	28 77	
POLICE		
MIN. INTER.		
MIN. DEF.		
MIN. JUST.		
MIN. ECON.		
MIN. EDUC.		
MIN. HEALTH		
MIN. AGRIC.		
MIN. WORK		
MIN. TRANSPORT		
MIN. POSTS		
MIN. TELEGR.		

THE PRESIDENT
(Bott. Pietro Baratonio)

5164

30/6/45

40/3

EPURATION OF THE P.S. PERSONNEL (OFFICIAL OFFICERS AND AGENTS OF P.S.)

The High commissary for the epuration has already denounced 1045 cases of first grade to the Commission.

It's known that the same Commissary has in mind to denounce about 10.000 individuals, that is, nearly all the present personnel at the disposal of the P.S.

At the present speed it would take no less than 5 years to get over with the work which is now done by only 3 persons.

If the aforesaid news are true it would be necessary to reorganize grade 1 on a different basis: creation of no less than 3 Subcommissions composed of 5 members each; more premises apt to contain the enormous pile of books and room for employees, 3 times larger than that (practically inefficient) now employed.

But those to be epurated could be eventually reduced if the H.J.C. would limit, for example, the denouncement of the only personnel which has been compromised since 8th Sept. 1943.

Lots of officials and agents are denounced for the fact of being employed during the fascist period: an almost constant motive is that of having discovered communist organizations and to have arrested its components or for having been employed in the commission for confinement.

According to the High Commissary this fact would mean, according to art. 13, the charge admitted for fascist factiousness.

The 1st grade Commission thinks that, during the fascist period, it was not possible for a p.s. to escape from what was then known as a duty and has therefore no manifest spirit of factiousness. There is no p.s. official that during 20 years of regime has never had to do with such operations and therefore the same thing should be applied to commissions for confinement.

I believe that the granting of such principle would simplify the work. More sensible still, with sensible speeding-up with the epuration, would be to limit investigations and processes in relation to the attitude held after 8/9/45.

F/to Baratono

MINISTER OF THE INTERIOR

ORDER OF SERVICE

TO: COMMISSION SECRETARY FOR THE EPURATION OF P.S. PERSONNEL OF 1st GRADE

From status sent fortnightly to Allied Commission results that, of about 350 committances of officers and officials of P.S. with grade superior to 10th, only about 140 have been submitted to examination by this Commission.

IN CONSEQUENCE I DISPOSE :

- 1) To ascertain immediately of the number of officials to be committed to this commission and placed at rest by this administration during the deferment of judgment.
- 2) That in the proceedings should take the heed all practices referring to personnel 1Xth (higher grade) putting aside, if necessary, other proceedings.
- 3) I should like to know why, of the 350 submitted, only 140 have been placed under the judgment of this commission.

The secretary of the commission is responsible of the execution of the present order.

Rome 30/6/45.

THE PRESIDENT OF THE COMMISSION
F/to Dr Pietro Barabona



Ministero dell'Interno

Translate.

Mod. 103

Roma 2 Luglio 1945

4 LUG 1945

COMMISSIONE ALLEATA
DI CONTROLLO PER L'EPURAZIONE
Via Veneto Piano 5° stanza 12
ROMA

Divisione
No. 3231/F. Allegato

Responsabile del
Servizio No.

OGGETTO

Di seguito al colloquio del 29 Giugno u/sc. trasmetto copia del mio ordine di servizio circa la precedenza da dare all'epurazione dei funzionari e ufficiali di P.S. di grado superiore al X°.

Trasmetto anche copia di un appunto consegnato al Presidente del Consiglio a mezzo del Capo della Polizia contenente proposte per l'acceleramento dei processi di epurazione.

IL PRESIDENTE
(Dott. Pietro Baratonò)

Pietro Baratonò

psg

998
25701

10/6/44

EPURAZIONE DEL PERSONALE DI P.S. (FUNZIONARI UFFICIALI ED AGENTI P.S.)

L'Alto Commissario Aggiunto per l'Epurazione ha finora denunciato alla Commissione di I° grado n°1045 casi. Si dice che l'Alto Commissario Aggiunto abbia in progetto di denunciare complessivamente circa 10.000 unità: ossia quasi tutto il personale di P.S.

Col ritmo attuale occorrerebbero non meno di 5 anni per smaltire il lavoro che è oggi affidato a sole tre persone.

Se la notizia è vera occorrerebbero impostare l'organizzazione dell'organo di I° grado su ben diverse basi: creazione di non meno di tre sottocommissioni di 5 membri ciascuna: locali numerosi capaci di contenere l'enorme numero di fascicoli, impiegati e dattilografi tre volte maggiore di quello già scarso oggi in servizio.

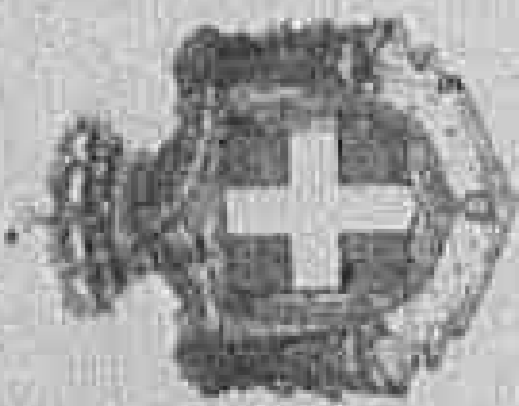
Si ritiene però che il numero degli epurandi potrebbe notevolmente ridursi se l'Alto Commissario Aggiunto per l'Epurazione si limitasse, per esempio, a denunciare il personale che si sia compromesso dopo l'8 Settembre 1943. Molti e molti funzionari ed agenti vengono invece denunciati per il servizio da essi prestato durante il regime fascista: motivazione quasi costante quella di avere scoperto organizzazioni comuniste e di aver arrestato i componenti, o di avere fatto parte di Commissioni per il confino. Secondo l'Alto Commissariato ciò integrerebbe l'addebito di faziosità fascista secondo l'art.13. La Commissione di I° grado ritiene che ad un funzionario di p.s. durante il periodo fascista, non era possibile sottrarsi a quello che per esso era allora il compimento di un dovere d'ufficio e non la manifestazione di uno spirito di faziosità.

Non vi è funzionario di p.s. che in vent'anni di regime non abbia compiuto qualche operazione del genere. Dovrebbero allora tutti

essere epurati. Lo stesso dicasi per le Commissioni del Confino. Credo che l'accoglimento di tale principio dimezzerebbe almeno il lavoro. Più risolutiva ancora, agli effetti di un sensibile acceleramento dell'epurazione, sarebbe la decisione di limitare le indagini e i processi in relazione all'atteggiamento tenuto dopo l'8 settembre 1943.

F. Baratono

Mod 839



Ministero dell'Interno

ORDINE DI SERVIZIO

PER LA SEGRETERIA DELLA COMMISSIONE DI 1° GRADO PER L'EPURAZIONE
DEL PERSONALE DELLA PUBBLICA SICUREZZA.

Dagli statini inviati quindicinalmente alla Commissione Alleata risulta che su 350 circa deferimenti di funzionari ed ufficiali di P.S. di grado superiore al 10° solo 140 circa sono stati sottoposti all'esame di questa Commissione.

Ciò ha sollevato le rimostranze della Commissione Alleata di controllo.

IN CONSEGUENZA DISPONGO :

- 1°) Che sia immediatamente accertato quanti funzionari già deferiti a questa Commissione siano stati, nelle more del giudizio, collocati a riposo dall'Amministrazione. Il loro numero dovrà essere depernato da quello, che in base agli statini, dovrebbe ancora essere sottoposto a giudizio.
 - 2°) Che nell'istruttoria sia data la precedenza alle pratiche relative al personale del 10° grado in su, accantonando, ove occorra, la istruttoria delle altre pratiche.
 - 3°) Desidero conoscere le ragioni per le quali dei 350 deferiti solo 140 siano stati sottoposti al giudizio della Commissione.
- Il Segretario della Commissione è responsabile dell'esecuzione del presente ordine.

5700

Roma, li 30 Giugno 1945.

IL PRESIDENTE DELLA COMMISSIONE

F/to Dr. Pietro Baratono

ORDINE DI SERVIZIO
PER LA SEGRETERIA DELLA COMMISSIONE DI I° GRADO PER L'EPURAZIONE
DEL PERSONALE DELLA PUBBLICA SICUREZZA.

Dagli statini inviati quindicinalmente alla Commissione Alleata risulta che su 350 circa deferimenti di funzionari ed ufficiali di P.S. di grado superiore al 10° solo 140 circa sono stati sottoposti all'esame di questa Commissione.

Ciò ha sollevato le rimostranze della Commissione Alleata di controllo.

IN CONSEGUENZA DISPONGO :

- 1°) Che sia immediatamente accertato quanti funzionari già deferiti a questa Commissione siano stati, nelle more del giudizio, collocati a riposo dall'Amministrazione. Il loro numero dovrà essere depennato da quello, che in base agli statini, dovrebbe ancora essere sottoposto a giudizio.
 - 2°) Che nell'istruttoria sia data la precedenza alle pratiche relative al personale del 10° grado in su, accantonando, ove occorra, la istruttoria delle altre pratiche.
 - 3°) Desidero conoscere le ragioni per le quali dei 350 deferiti solo 140 siano stati sottoposti al giudizio della Commissione.
- Il Segretario della Commissione è responsabile dell'esecuzione del presente ordine.

5700

Roma, li 30 giugno 1945.

IL PRESIDENTE DELLA COMMISSIONE

F/to Dr. Pietro Baratono

9282

69A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DP/3.28/CA

4 July 45

14754
R

SUBJECT : Report of Expiration Meeting.

TO : Pub Safety S/O. ✓

- 1 The receipt of the copy of your report to the IPS on the meeting on expiration, which is dated 29 Jun is appreciated.
- 2 The following comments thereon are made in the hope that they will be of some assistance.
- 3 Temporary personnel (para 3) are not separable if they are fascist; the appropriate procedure is to terminate their temporary service - No special legislation is necessary for that purpose and they were therefore not included in DL 159.
- 4 It is understood that the time limits for the initiation of proceedings against those persons who are separable provincially have been extended to 15 Aug (Art 10 of DL 179 of 11 Apr 45) and the time for the ending such proceedings is 15 Nov. This may affect a large number of personnel. Can you obtain some idea of numbers to enable you to see that all cases which should be finished by 15 Aug are dealt with in time.

TO	
DIRECTOR	
DEPUTY DIR.	
EXEC. OF	24-27
POLICE	
LIC.	
PROV.	
AD.	
SECURITY	
WIRE CLERK	

S. H. WHITE Lt Col,
for VP CA Section.

5699

Translation M. C.

Ministry of Interior

no. 21695/9654

To: Allied Commission
Sub-commission Public
Security

Rome 19th June 1945

In reply to letter no. 12754/P.S.
12th June 1945

Subject: - Epuration

In relation to the above mentioned we assure you that nothing has been neglected to draw the attention of the High Commissioner Agguento for the epuration, regarding your complaints in view of hastening the task of ^{the} Epuration Commissions.

For the minister

5588

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER	MA	5-7
POLICE		
L.C. & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

68A

SHA 12754 &

Mod 866



Ministero dell'Interno
GABINETTO DI S. E. IL MINISTRO

Handwritten signature

Roma, 19 giugno 1965

Alla Commissione Alleata
Sottocommissione Pubblica
di Sicurezza ROMA

Prot. N. 21695/965 *Allegato*

Deposita del 12 giugno
In *Te* N. 14754/PS

Oggetto: Epurazione

In relazione alla nota soprastante,
si assicura che non si è mancato di richia-
mare l'attenzione dell'Alto Commissario AG-
giunto per l'epurazione su quanto segnalato
da codesta Commissione ed al fine di solle-
citare i lavori delle Commissioni di epura-
zione.

PER IL MINISTRO

Handwritten signature

5697

Can/Co

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel: 439081-257

4 July 1945

AC/14754/PS

SUBJECT : Eparation Return

TO : VP.CA Section att: S.H. White Lt.Col.

Reference DF/6.5/CA of 24 June.

1. 21 June a letter was sent to each Eparation Committee calling attention to slow rate of eparation proceedings.

2. Conference was held in Public Safety S/C office as per report 61A. - AC/14613/17/1/PS.

John W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director

FFH/pl

Copy : AC/14613/17/1

5696

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AG/14754/PS

Tel: 489081-257

3 July 1945

SUBJECT : Defascism Lists.

TO : Ministry of Interior.

1. It is reported from Regions that some of the Ministries are sending to the North names of employees to be suspended. Action against such persons has to be taken under GO 35. It would greatly facilitate the work of these commissions if instead of receiving piece meal application from various Ministries at various times Ministries would submit a complete list for each Region to this HQ for this HQ to forward to the Regional Commissioner, who is the responsible authority under GO 35.

2. Please prepare lists to cover PS Agents and present to this office by 10 July 1945 for transmittal.

J. F. ...
for JOHN W. CHAPMAN
Colonel, J.A.S.D.
Director

RFH/jwf

695

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel: 489081-257

3 July 1945

AC/14754/PS

SUBJECT : Defacement Lists

TO : Ministry of Interior (Anti Fire Service)

1. It is reported from Regions that some of the Ministries are sending to the North names of employees to be suspended. Action against such persons has to be taken under GO 35. It would greatly facilitate the work of these commissions if instead of receiving piecemeal application from various Ministries at various times Ministries would submit a complete list for each Region to this HQ for this HQ to forward to the Regional Commissioner, who is the responsible authority under GO 35.

2. Please prepare lists to cover ~~the~~ ^{VVFF} and present to this office by 10 July 1945 for transmittal.

J. V. Chapman
JOHN V. CHAPMAN
Colonel, J.A.G.D.
Director

FFH/pl

5694

MINISTRY OF THE INTERIOR

SUBJECT : Epuration

Rome, 28 June 1945

Answer to the sheet 21.6.1945
Replied to 21.6.1945

With reference above mentioned letter, We refer to this On. Commission that on 1043 deferring sent from the High Commission for the Epuration, this Commission has issued N° 440 decisions and has ordered the discontinuance of the judgment for No.76 measures towards officials, and N.C.O's and agents, who are charged with penalty because they are residing in the North.

From the number of the charges must be deducted also all those of the officials in pension; successively to the same denunciation. For the remaining cases the proceeding are in course and its quick definition is obstructed, from the difficulty that interfere with the necessary notifications; it is necessary to proceed to difficult enquiries about the address; and to require the help of the many Questures of the Kingdom, for notifying about those who do not live in Rome. In order to facilitate and to accelerate the explication of the relative work, I have sollicitated and obtained a reinforcement of the secretary's office, which had not enough personnel.

I am sure from your side nothing will be neglected in order to complete as soon as possible the epuration work, making observe that the term on the 15.8.1945 established by the 2° comma art. 10 of D.L. Lgt. 22.4.1945, N°173, refers to the judgement of the Commission of the first degree from the High Joined Commissary for the epuration, and not to the definition of proceedings from the same Commissions. I add a copy of the note sent by me under to day's date to the High Commissary and to the Ministry of the Interior.

TO	DATE	INITIALS
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. DIR.		
PAUSE		
LC. STAFF		
PROG.		
ADM. STAFF		
SECURITY		
CHIEF CLERK		

5093

63A

Roma, 28 Giugno 1945

ALL'ON/le COMMISSIONE AL-
LEATA - Sottocommissione
per la P.S. -

R O M A

Proposta al Foglio del 21.6.1945.
Dir. *Gen.* N. AC/I4754

Ministero dell'Interno
MINISTERO DELL'INTERNO
CORTE PUNIZIONE E SICUREZZA
PER IL PERSONALE DELLA PUBBLICA SICUREZZA

Divisione
Prot. N. 314 V. P. 8 *Maglioli*

OGGETTO EPURAZIONE.

Con riferimento al foglio sopraindicato si ha il pregio di riferire a codesta ON/le Commissione che a tutt'oggi, su IO43 deferimenti pervenuti dall'Alto Commissariato per l'Epurazione, questa Commissione ha emesso n° 440 decisioni ed ha ordinato la sospensione del giudizio per n° 76 procedimenti a carico di funzionari, sottufficiali ed agenti a carico dei quali pende giudizio penale ovvero perché residenti al Nord.

Dal numero delle denunce devono essere sottratte anche tutte quelle dei funzionari collocati a riposo successivamente alla denuncia stessa. Per il restante dei casi, i procedimenti sono in corso e la loro sollecita definizione è ostacolata dalle difficoltà che, nell'attuale situazione, si frappongono per le necessarie notifiche; deve invece procedere a complesse ricerche circa gli indirizzi e richiedere l'opera delle diverse questure del Regno per le notifiche nei confronti di coloro che risiedono fuori Roma.

Onde facilitare e accelerare l'espletamento del lavoro relativo, ho sollecitato ed in questi ultimi tempi ottenuto, un rinviamento dell'ufficio di segreteria, già composto di personale numericamente insufficiente.

Assicuro che da parte di questa Commissione nulla sarà trascurato al fine di portare a conclusione e nel più breve termine il suo lavoro di epurazione, facendo rilevare peraltro che il termine del 15.8.1945 stabilito dal 2° comma dell'art. 10 del D.L. Lgt. 22.4.1945, n° 179 *disprende* si riferimenti al giudizio della Commissione di 1° grado da parte dell'Alto Commissariato Aggiunto per l'Epurazione e non già alla definizione di procedimenti da parte delle Commissioni stesse.

Allego copia della nota da me diretta in data odierna all'Alto Commissariato e al Ministero Interni.

Divisione
 Prot. N. 314 IV. P. S. Allegati

Requisito al Tribunale del 21.6.1945.
 Div. I. No. 1. AC/I4754

OGGETTO EPURAZIONE.

Con riferimento al foglio sopraindicato si ha il pregio di riferire a codesta ON/le Commissione che a tutt'oggi, su IO43 deferimenti pervenuti dall'Alto Commissariato per l'Epurazione, questa Commissione ha emesso n°440 decisioni ed ha ordinato la sospensione del giudizio per n°76 procedimenti a carico di funzionari, sottufficiali ed agenti a carico dei quali pende giudizio penale ovvero perché residenti al Nord.

Dal numero delle denunce devono essere sottratte anche tutte quelle dei funzionari collocati a riposo successivamente alla denuncia stessa. Per il restante dei casi, i procedimenti sono in corso e la loro sollecita definizione è ostacolata dalle difficoltà che, nell'attuale situazione, si frappongono per le necessarie notifiche; deve invero procedere a complesse ricerche circa gli indirizzi e richiedere l'opera delle diverse questure del Regno per le notifiche nei confronti di coloro che risiedono fuori Roma.

Onde facilitare e accelerare l'espletamento del lavoro relativo, ho sollecitato ed in questi ultimi tempi ottenuto, un rinvigorisimento dell'ufficio di segreteria, già composto di personale numericamente insufficiente.

Assicuro che da parte di questa Commissione nulla sarà trascurato al fine di portare a conclusione e nel più breve termine il suo lavoro di epurazione, facendo rilevare peraltro che il termine del 15.8.1945 stabilito dal 2° comma dell'art. 10 del D.L. Lgt. 22.4.1945, n° 179 si riferisce ai deferimenti al giudizio della Commissione di 1° grado da parte dell'Alto Commissariato Aggiunto per l'Epurazione e non già alla definizione dei procedimenti da parte delle Commissioni stesse.

Allego copia della nota da me diretta in data odierna all'Alto Commissariato e al Ministero Interni.

IL PRESIDENTE
 (Dott. Pietro Baratonò)



62A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

2 July 45

DF/6.5/CA

SUBJECT : Expiration Return.

TO : Public Safety S/O ✓

14754
59 A

When may a reply to our DF/6.5/CA of 24 June be expected please.

TO		
DIRECTOR		
DEPUTY DIRECTOR	577	
EXEC. OFFICER	347	
POLICE	571	
CH. S. SGT.		
PERSONNEL		
TRAINING		
SUPPLY		
CHIEF CLERK		

A. D. Bonham
A. D. BONHAM CAPT,
Lt. Colonel,
for VP CA Section.

5691

1828

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

61A

Tel : 478709

29 June 1945

AC/14613/17/1/PS

SUBJECT : Report of Eparation meeting

TO : Director Public Safety Sub-Commission

1. At 1000 hrs. 29 June 45 the following met in PS S/C Office of Lt. Col. Wilson

a. Dott. Baratono Pietro	president	Eparation Comm. P.S.	
b. Sig. Meluso	secretary	"	" VV.FF
c. Sig. Arena	member	"	" VV.FF
d. Col. Recchio	president	"	" CC.RR

with Lt. Col. White
and Lt. Col. F.J. Wilson Police Division PS S/C A.C.
and Major F.F. Hoelscher Exec. Off. PS S/C A.C.
with Mrs. Bellai of the PS S/C as interpreter.
2. The Italian representatives were told that eparation proceedings in their divisions were far behind schedule and improvements must be made if matters were to be completed by 15 August 45.
3. They offered many reasons why proceedings had been delayed most of which were operational but brought out the significant fact that certain categories in their total list were not to be eparated by orders from higher authority, in that they were temporary and would be later retired as many of their kind already had been.
4. They pointed out that delays were frequent in eparating their list as all personnel, frequently far distant from Rome, were handled through Rome committees and any discrepancies in papers, on investigations required by the committees, necessitated great delays in ~~submitting~~ ^{submitting} from sources. Also that their office personnel was not sufficient to speed up the proceedings.
5. Each of them promised to revise their lists

- 2 -

to show the actual number to be epurated, eliminating the persons ordered out of epurable category, and to attempt to procure assistance in handling their work faster.

6. We assured them of our continuing cooperation.

see file

John W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director.

FPH/pl

5039

14754/18
pe

60A

HEADQUARTERS ALLIED COMMISSION
AFG 197
CIVIL AFFAIRS SECTION

29 June 45

Ref DP/3.32/CA

SUBJECT : Defencism - GO 35

INFO : See Distribution below

It is reported Area Regions that some of the Ministries are sending to the North names of employees to be suspended. Action against such persons has to be taken under GO 35. It would greatly facilitate the work of these commissions if instead of receiving piece meal application from various Ministries of various types Ministries would submit a complete list for each Region to this HQ for this HQ to forward to the Regional Commissioner, who is the responsible authority under GO 35.

2. Will you please instruct your Ministry that any such list should reach CA Section on or before the 14 Jul. If there are any further names later, a supplementary list may be submitted on or before Jul 28.

S.H. White
S.H. WHITE Lt Col
for VP CA Section

DISTRIBUTION :

CA Section
Local Govt S/C
Legal S/C
Pub Safety S/C
Education S/C
Econ Section
Agric S/C

Command S/C
Finance S/C
Pub Works S/C
Air S/C
Naval S/C
Land Forces S/C
Transport S/C
Communications

See Min 5

TO	DATE	INITIALS
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER	56/38	246
POLICE		
LIC. & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

14758/PS

ae 59A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

24 June 45

Ref DF/6.5/CA

SUBJECT : Expiration Return

TO : Public Safety Sub-Commission

It is pointed out that only 8 cases were heard in the last 15 days whereas 380 remain to be heard. Please inform those concerned that this rate is not considered satisfactory and report what steps are being taken to insure that hearings will be concluded by the 15 Aug.

S.H. White

S.H. WHITE Lt Col
for VP CA Section

The proportion of cases heard is not much more than half that of the most efficient tribunals. Something seems to be radically wrong with you please look into it.

TO		
INVEST	<i>Wb</i>	<i>26%</i>
DEPUTY DIR	<i>Wb</i>	<i>26%</i>
EXEC. OFF	<i>Wb</i>	<i>25%</i>
POLICE	<i>Wb</i>	<i>26%</i>
LEG. COUN.		
RECORDS		
APP. DIV.		
SECURITY		
CHIEF CLERK		

see 57A

5687

1426

PS 58A

MEMORANDUM

Ref DE/2 H/O.

20 June 45

SUBJECT : Defamation - Dismissed by CIN

TO : See Distribution below

14754 ee

- 1 A question has arisen as to the right to redress of a State Official who has been removed from office by the local CIN, if the Regional Commissioner is permitting his successor, also appointed by the CIN, to exercise the functions of the office.
- 2 The following action is appropriate. The official suspended should be served with a Scheda under GO 35 and the normal operation procedure under that Order should be carried out.
 - a) If he is found to be a Fascist, his suspension will be formally ordered, no difficulty about his salary will arise and in due course he will appear under ML 139.
 - b) If he is found to be no Fascist, he has a claim for re-instatement and arrears of salary; but, if it is found for any reason inexpedient to re-instate him in that district, the appropriate procedure is to notify this HQ that he has been cleared, but that it is considered inexpedient to re-employ him locally. The appropriate Ministry will then be informed and he will be re-employed elsewhere. With the present shortage of officials the Government will be glad to use him.
- 3 Where the Regional Commissioner finally decides to permit the CIN appointee to carry on in the office to which he has been appointed by them, the Regional Commissioner should confirm the appointment in writing.
- 4 Powers exercised by this directive to be exercised by a Regional Commissioner may be delegated by him to a Provincial Commissioner.
- 5 Attention is also drawn to the 11th of Admin Instructions to GO 35.

BY COMMAND OF

TO	DATE	INITIALS
DIRECTOR	21/6	[Signature]
DEPUTY DIRECTOR	21/6	[Signature]
EXEC. OFFICER	21/6	[Signature]
POLICE	21/6	[Signature]
LC. & PD.		
PRISON		
GEN. SER.		
SECURITY		
CHIEF CLERK		

G.A. VEJOHI Brig.
VE CA Section

DISTRIBUTION :

Italia, Emilia, Lombardia, Liguria, Toscana, Piemonte Regions
 SCAGS 8 Army, 9 Army, IV Corps, XIII Corps
 EOCAG - 15 Army Group
 Scale of Distribution : HQ and SCAG (4); PHQ (2)
 All Defeating Sub-Commissions

5086

1699

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AG/14754/PS

21 June 1945

SUBJECT : Epuration

TO : Epuration Committees for
Agents of Public Security, Ministry of Interior
Anti-fire Service, Ministry of Interior
Commanding General DORA

1. We are deeply concerned at the slow progress of your epuration proceedings. At the present rate of initiating and concluding your cases it will be many months before the matter is settled.
2. The public asks why these matters are delayed. The delays cause unrest.
3. We suggest that every effort be made to improve your situation at the earliest possible date by initiating a greater number of cases and pressing them to conclusion.
4. You are reminded that all cases must be completed for 15 August 1945. If you believe that hearings will not be completed in time you will please report the reasons to this Section.

James W. Chapman
for
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

FRI/lb

685

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
AFO 394

Pub. Safety 512
14754 re 56A

ADMINISTRATIVE INSTRUCTION)

NUMBER

15)

14 June 1945

(Referring to Epuration General Order No. 35)

Several important questions concerning the interpretation and application of various provisions of order 35 have been presented by provincial officers and provincial epuration commissions. Some of these have been covered by previous directives and instructions. In the interest of uniformity, supplemental administrative instructions will be issued from time to time, as needed for the attention of provincial commissioners and through them for the epuration commissions in each province.

1. Treatment of "pre-8 September" regular civil-service employees who were forced to pledge allegiance to the Fascist Republican Government.

Article II (c) of General Order 35 provides that any person who has pledged allegiance to the Republican Fascist Government shall be suspended from service.

Several provincial epuration commissions feel that injustices are likely to occur if this provision is applied universally to all "pre 8 Sept. 1943" employees who were forced as a condition of retaining employment to swear allegiance to the Fascist Republican Government.

Provision for taking into account extenuating circumstances in cases of this type is contained in Circular No. 1 in the booklet of instructions for epuration commissions entitled "Sospensioni dei Funzionari e degli Impiegati Fascisti" issued by the Allied Commission February 1945.

It is recommended that epuration commissions in each province, in accordance with the general rules set forth in Circular No. 1 exempt from suspension persons who:

- were full time civil service officials or employees, employed in the same type of position in North Italy prior to 8 September, 1943;
- belong to a category of officials or employees which as an entirety was forced to take the oath as a condition of retaining employment;
- does not fall within any of the other categories of Fascist activity set forth in Article II, and
- is otherwise unobjectionable to the epuration commission.

2. "AUXILIARY" Agents of Questura

It is reported from some provinces that "auxiliary" agents of ^{signature} Questura appointed after 8 September are still being kept in office. This result may be partly due to the fact that until very recently epuration commissions could not act with respect to the "Category Postponed" in which these auxiliary agents fall. Now that the "Category Postponed" has been made subject to all the requirements of order No. 35, epuration commissions should proceed to deal with these agents.

for the attention of provincial commissioners and through them for the epuration commissions in each province.

1. Treatment of "pre-8 September" regular civil-service employees who were forced to pledge allegiance to the Fascist Republican Government.

Article II (c) of General Order 35 provides that any person who has pledged allegiance to the Republican Fascist Government shall be suspended from service.

Several provincial epuration commissions feel that injustices are likely to occur if this provision is applied universally to all "pre 8 Sept. 1943" employees who were forced as a condition of retaining employment to swear allegiance to the Fascist Republican Government.

Provision for taking into account extenuating circumstances in cases of this type is contained in Circular No. 1 in the booklet of instructions for epuration commissions entitled "Sospensioni del Funzionari e degli Impiegati Fascisti" issued by the Allied Commission February 1945.

It is recommended that epuration commissions in each province, in accordance with the general rules set forth in Circular No. 1 exempt from suspension persons who:

- a. were full time civil service officials or employees, employed in the same type of position in North Italy prior to 8 September, 1943;
- b. belong to a category of officials or employees which as an entirety was forced to take the oath as a condition of retaining employment;
- c. does not fall within any of the other categories of Fascist activity set forth in Article II, and
- d. is otherwise unobjectionable to the epuration commission.

2. "AUXILIARY" AGENTS OF QUESTURA

It is reported from some provinces that "auxiliary" agents of ^{Questura} appointed after 8 September are still being kept in office. This result may be partly due to the fact that until very recently epuration commissions could not act with respect to the "Category postponed" in which these auxiliary agents fall. Now that the "Category postponed" has been made subject to all the requirements of order No. 35, epuration commissions should proceed to deal immediately with questura agents as the nature of their work makes epuration imperative.

All auxiliaries hired after 8 September 1943, should either be suspended forthwith, or if in the category of temporary employees (avventizi) be dismissed immediately under Order No. 35 A. The permanent agents will be epurated as are all other categories of public employees.

3. Reports from Epuration Commissions

Epuration Commissions in each province are henceforth required to submit in duplicate to the provincial Commissioner a monthly report showing:

- a. Total number of suspension and dismissals made during the month.

b. The names of all persons suspended or dismissed showing title of position, cause for dismissal or suspension and date of the Commission order with respect to each.

One such copy will be retained by the provincial Commissioner and the other will be forwarded to the Regional Eparation Officer.

4. Provincial Eparation Commissions appointed under General Order No. 35 have no authority to deal with cases of undue enrichment under the Fascist Regime. This subject is covered by part III of D.L.L. 159 and subsequent Decrees, the operation of which is the responsibility of a special branch of the department of the High Commissioner for Sanctions under the Italian Government, and not of A.M.G. or A.C. If in the course of their investigations into matters which are within their competence, the Provincial Eparation Commissions come across facts which indicate that action under part III of D.L.L. 159 may be desirable, they should report such facts to the Intendente di Finanza as a basis for further action by the Italian Government at a later date.

CHARLES FOLETTI
Colonel
Regional Commissioner

DISTRIBUTION:
"C"

LIST

EX. COMMA
CA SEC
LEGITIMIL
P. SAFETY SIC
PDS

RECEIVED	DATE	INITIALS
SECRETARY GENERAL	1946	
PROV. OFFICER		
CLERK	20-6	
SEC. OFFICER		
ASST. OFFICER		
PROPERTY		
CHIEF CLERK		

55A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

1
EF/6. W/CA

13 June 45

SUBJECT : Expiration Returns.
TO : See Distribution.

W/CA
pe

- 1 Please compare Cols (a) and (c) of the returns for the period ending 30 May and (when received) 15 Jun and calculate therefrom how long it will take before all hearings will have been completed.
- 2 The time limits for completion of hearings is for part of the personnel 15 Jul and for the remainder 15 Aug.
- 3 If you are not satisfied that all hearings will be completed by 15 Aug, you will please arrange for a conference with those concerned and obtain their proposals for ensuring that all cases are completed in time.
- 4 You will bear in mind that Jul and Aug are regarded as vacation months in Rome and ensure that Commissioners do not take vacations until their work is completed.
- 5 You will bear in mind also that under the Armistice Terms the Italian Government have undertaken to remove fascists from office and that this is a matter upon which the Allies have a right to insist.
- 6 Where you have reason to believe that hearings will not be completed in time you will report the reasons to this Section.

W/CA
S. H. WHITE Lt Col,
for W/CA Section.

DISTRIBUTION:-

VP CA Sec	Acric S/O
Edmo S/O	Comsrov S/O
Legal S/O	Finance S/O
Leo Govt S/O	Pub Works S/O
Proc Saf S/O	Trans S/O
Comms S/O	PRG
	Pol Adv (2)

TO	INIT	DATE
DIRECTOR	<i>W/CA</i>	14/6
DEPUTY DIRECTOR	<i>W/CA</i>	14/6
EXEC. OFFICER	<i>W/CA</i>	14/6
IN. & REG.	<i>5683</i>	15/6/45
PERSONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

File

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478709

12 June, 1945.

10/14754/PS

SUBJECT : Epuration.
TO : Ministry of Interior.

- All 53A*
1. Attention is invited to the many cases still to be heard, as shown on your Epuration Report for May.
 2. Slowness in completing action on these cases is a matter of grave concern to the general public and some definite efforts to speed up action should be taken at once. Greater expedition will have to be shown in order to keep within the time limits.
 3. Priority should be given to speeding action on the cases of senior officers, especially those of grade IX and above. Others in lower grades should be deferred until the higher officials have been acted upon.
 4. Your comments are invited.

Joan W. Chapman

JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

IFM/G.

5682

53A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DF/6.5/CA

pe
10 June 45

SUBJECT : Defascism - Fortnightly Return
TO : Public Safety Sub-Commission

14754

Reference your Expiration Return for 30 May.

Cols (d & e). 370 cases still remain to be heard; at 20 in 15 days this will take another 9 months. Greater expedition will have to be shown to keep within the time limits. Please instruct those concerned that priority must be given to the cases of senior officers. Officials lower than grade IX or not mentioned in the civilian form must be deferred until after the senior officials are concluded.

[Signature]
S. H. WHITE Lt Col
for VP CA Section

TO		
DIRECTOR	<i>[initials]</i>	13/6
DEPUTY DIRECTOR	<i>[initials]</i>	13/6
EXEC. OFFICER	<i>[initials]</i>	12/6
POLICE		
LIC. & REG.		
PRISONS	<i>[initials]</i>	12/6
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

5681

[Handwritten mark]

PS 52A

ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

GENERAL ORDER NO. 46

OPERATION IN PRIVATE INDUSTRY

14754
2 Same as

WHEREAS it is necessary that persons in private industry who through fascist activities or for fascist motives or for the purpose of collaboration with the Fascist-Republican Government or the German invaders have obtained their position in such industry, shall be removed from their employment in such industry.

AND WHEREAS it is necessary that such removals be carried out in accordance with the principles of justice and good order

NOW, THEREFORE, I, ELMER WHEELER SCHEZ, Rear Admiral, United States Naval Reserve, Chief Civil Affairs Officer, for and on behalf of the Supreme Allied Commander and Military Governor, hereby order as follows:

ARTICLE I

This Order shall apply to any company or firm within territory subject to the Allied Military Government in which the same is posted and shall cease into force on the date of such posting therein. Such company or firm is hereinafter called the said firm.

ARTICLE II

No worker or employee who now is or may hereafter be employed by the said firm may be dismissed or suspended from his employment with the said firm in consequence of any alleged act, neglect or omission which was earlier in date than the effective date of this Order unless the order for such dismissal or suspension is made in writing and is signed by the manager or receiver of the said firm.

Any person other than such manager or receiver or his duly authorized agent who gives to any worker or employee an order purporting to dismiss or suspend him from employment or who otherwise prevents or endeavours to prevent him from continuing in that employment shall be guilty of an offence.

ARTICLE III

When it is necessary that a worker or employee who now is or may hereafter be employed by the said firm should be dismissed or suspended from his said employment on account of any act, neglect or omission which was occasioned by fascist motives or resulted from fascist activities or collaboration with the Fascist-Republican Government or the German invaders, the procedure set out in this Order shall be followed and the order of dismissal or suspension of the said worker or employee shall be made by the manager or receiver of the said firm in accordance with this procedure and not otherwise.

element in such industry.

AND WHEREAS it is necessary that such removals be carried out in accordance with the principles of justice and good order

ARTICLE I

Now, WHEREAS, I, ELERY WHELAN STONE, Rear Admiral, United States Naval Reserve, Chief Civil Affairs Officer, for and on behalf of the Supreme Allied Commander and Military Governor, hereby order as follows:

ARTICLE II

This Order shall apply to any company or firm within territory subject to the Allied Military Government in which the name is posted and shall cover into force on the date of such posting therein. Such company or firm is hereinafter called the said firm.

No worker or employee who now is or may hereafter be employed by the said firm may be dismissed or suspended from his employment with the said firm in consequence of any alleged act, neglect or omission which was earlier in date than the effective date of this Order unless the order for such dismissal or suspension is made in writing and is signed by the manager or receiver of the said firm.

ARTICLE III

Any person other than such manager or receiver or his duly authorized agent who gives to any worker or employee an order purporting to dismiss or suspend him from employment or who otherwise prevents or endeavours to prevent him from continuing in that employment shall be guilty of an offence.

ARTICLE IV

When it is necessary that a worker or employee who now is or may hereafter be employed by the said firm should be dismissed or suspended from his said employment on account of any act, neglect or omission which was occasioned by fascist motives or resulted from fascist activities or collaboration with the Fascist Republican Government or the German invaders, the procedure set out in this Order shall be followed and the order of dismissal or suspension of the said worker or employee shall be made by the manager or receiver of the said firm in accordance with this procedure and not otherwise.

All complaints of the character set forth in Article III against workers and employees of the said firm shall be investigated and determined by an Spurious Commission which shall consist of a President and two members who shall all be appointed, subject to the approval of the Allied Military Government, by the Provincial Commission established in accordance with Order No. 75 of the Allied Military Government.

NAME	
POSTAL ADDRESS	
PROFESSION	
SEC. STATUS	
RELIGION	
SECURITY	
CIMM CLASS	

In appointing the said two members the Provincial Commission shall select one member to represent the workers and employees of the said firm and the other to represent the association of employers of the industry concerned, or in the absence of such association to represent the manager/receiver of the said firm.

In making the appointments aforesaid the Provincial Commission shall have regard to the reasonable wishes of the employees and workers and to the association of employers or the manager/receiver of the said firm as the case may be.

Nothing in this Order shall prevent the Eputation Commission when so appointed from being constituted by the Provincial Commission as the Eputation Commission of other firms and companies to which this Order applies in addition to the said firm.

No person, body of persons or commission other than the manager/receiver of the said firm or his duly authorized agent and the said Eputation Commission appointed as aforesaid shall exercise any power purporting to affect the employment of any worker or employee of the said firm.

ARTICLE V

The office of the Eputation Commission shall for the purposes of the said firm be at the office of the said firm.

ARTICLE VI

Any complaint of the nature hereinbefore mentioned against any worker or employee of the said firm shall be made in writing and signed and addressed to the Eputation Commission at the said office and shall state in detail the act, neglect or omission of which complaint is made.

ARTICLE VII

Within two days after receipt of a complaint the Eputation Commission shall inform the person accused either orally or in writing of the fact that such complaint is made and of the substance thereof and shall notify that person that unless he is willing for an order of dismissal or suspension to be made against him he must attend before the said Commission to answer the said complaint.

ARTICLE VIII

If the person accused is not willing for such an order to be made against him the Eputation Commission shall proceed within five days to investigate and hear the said complaint. At such hearing the Commission shall hear such relevant evidence as the complainant and the person accused may wish to give or call before it.

Any investigation shall not proceed against any worker or

Nothing in this Order shall prevent the Eparation Commission when so appointed from being constituted by the Provincial Commission or the Eparation Commission of other firms and companies to which this Order applies in addition to the said firm.

No person, body of persons or commission other than the manager/ receiver of the said firm or his duly authorized agent and the said Eparation Commission appointed as aforesaid shall exercise any power purporting to affect the employment of any worker or employee of the said firm.

ARTICLE V

The office of the Eparation Commission shall for the purpose of the said firm be at the office of the said firm.

ARTICLE VI

Any complaint of the nature hereinafore mentioned against any worker or employee of the said firm shall be made in writing and signed and addressed to the Eparation Commission at the said office and shall state in detail the act, neglect or omission of which complaint is made.

ARTICLE VII

Within two days after receipt of a complaint the Eparation Commission shall inform the person accused thereof orally or in writing of the fact that such complaint is made and of the substance thereof and shall notify that person that unless he is willing for an order of dismissal or suspension to be made against him he must attend before the said Commission to answer the said complaint.

ARTICLE VIII

If the person accused is not willing for such an order to be made against him the Eparation Commission shall proceed within five days to investigate and hear the said complaint. At such hearing the Commission shall hear such relevant evidence as the complainant and the person accused may wish to give or call before it.

The Eparation Commission shall not proceed against any worker or employee who has not received notice of the complaint against him in accordance with Article VII hereof or who has not been given proper and adequate opportunity to appear before the Eparation Commission for the hearing.

ARTICLE IX

At such hearing the Eparation Commission shall consider only whether the person accused has been guilty of the act, neglect or omission specified

in the said complaint and if so whether such guilt has been occasioned by fascist activities or has been a result of fascist activities or of collaboration with the fascist Republican Government or the German invaders. For this purpose the Epuration Commission shall apply by analogy the principles established in Part II of DL 159 of 27 July 1944. The Epuration Commission shall then decide (if necessary by a majority vote) and shall report in writing to the manager/receiver of the said firm and to the complainant and to the person accused:

- a) Whether the complaint is found to be proved; and if so
- b) Whether the Epuration Commission decides that the person accused be dismissed from his said employment or be suspended therefrom for a period to be specified by the Epuration Commission and not to exceed one year from the date of the hearing.

ARTICLE X

Upon receipt of the said report the manager/receiver of the said firm shall make in writing and serve upon the person accused an order in accordance with the said report.

An order of suspension shall have effect to suspend the worker or employee from his employment with the said firm for the period specified without any salary or allowances.

An order of dismissal shall have effect to dismiss the worker or employee from his employment with the said firm without any salary or allowances save that he shall be entitled to receive the indemnities and allowances up to the amount of any contributions previously made by him.

ARTICLE XI

Any worker or employee who since the liberation from the Germans of the town in which the said firm is situated and before the date of this Order has been dismissed from employment with the said firm on any of the grounds mentioned in this Order and who claims to be entitled to reinstatement may apply to the Epuration Commission for such reinstatement. The Epuration Commission shall thereupon give public notice of such application and unless within three days after such notice the Epuration Commission receives a complaint as laid down in Article VI hereof the Epuration Commission shall recommend and the manager/receiver of the said firm shall order such reinstatement.

If any such complaint is received the same shall be investigated as hereinbefore mentioned.

ARTICLE XII

It is further provided that for the purpose of Arts VI, VII, and XI hereof in all cases where the guilt (within the meaning of this Order) of any worker or employee is notorious to the Epuration Commission and

ARTICLE X

Upon receipt of the said report the manager/receiver of the said firm shall make in writing and serve upon the person accused an order in accordance with the said report.

An order of suspension shall have effect to suspend the worker or employee from his employment with the said firm for the period specified without any salary or allowances.

An order of dismissal shall have effect to dismiss the worker or employee from his employment with the said firm without any salary or allowances save that he shall be entitled to receive the indemnity and contributions up to the amount of any contributions previously made by him.

ARTICLE XI

Any worker or employee who since the liberation from the Germans of the town in which the said firm is situated and before the date of this Order has been dismissed from employment with the said firm on any of the grounds mentioned in this Order and who claims to be entitled to reinstatement may apply to the Eputation Commission for such reinstatement. The Eputation Commission shall thereupon give public notice of such application and unless within three days after such notice the Eputation Commission receives a complaint as laid down in Article VI hereof the Eputation Commission shall recommend and the manager/receiver of the said firm shall order such reinstatement.

If any such complaint is received the same shall be investigated as hereinafter mentioned.

5679

ARTICLE XII

It is further provided that for the purposes of Arts VI, VII, and XI hereof in all cases where the guilt (within the meaning of this Order) of any worker or employee is notorious to the Eputation Commission and well authenticated, it shall not be necessary for any formal complaint to be made and the Eputation Commission shall itself take cognizance of the facts, provided always that the Eputation Commission shall inform the person accused of such facts and afford him the opportunity of making his defence thereto in all respects in accordance with the provisions of this Order.

ARTICLE XIII

It shall be open to the person accused to file an appeal against a decision of the Examination Commission under Arts. IX, XI or XII hereof. Such appeal shall be made to an Appeal Group to consist of a President and two members and to be appointed by the Provisional Commission mentioned in Article IV hereof, subject to the approval of the Allied Military Government. The appeal shall be made within 10 days after the decision complained of, shall be in writing and shall specify the grounds upon which it is based. The Appeal Group shall forthwith consider such appeal and shall notify the decision thereon to the person accused, the complainant, the Examination Commission and the receiver/manager of the said firm. For the purposes of the said appeal the Appeal Group is not required to hear evidence but may hear such evidence as it considers necessary.

ARTICLE XIV

This Order shall come into effect in any province or part thereof on the date of its first posting therein.

FOR THE SUPREME ALLIED COMMANDER AND MILITARY GOVERNOR:

/s/ SULLERY WHEELER STONE,
Rear Admiral,
United States Naval Reserve,
Chief Civil Affairs Officer.

23 June 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

51A

Ref: 14754/11

30 May 45

SUBJECT : Expiration Return Forms

TO : See Distribution

14754
PE

- 1 Will you please instruct all bodies making returns to you that Note 2 at the foot of each of the two Italian Expiration Return Forms has been amended to read as follows:

Le colonne da (h) a (k) si riferiscono ai risultati totali della Commissione di epurazione di prima istanza tenuto conto degli emendamenti apportati dalle decisioni in sede di ricorso.

- 2 Copies of this letter to enable you to minute them on can, if desired, be obtained from Civil Affairs Section on application to the Chief Clerk.

S.R. WHITE Lt Col
for VP CA Section

DISTRIBUTION :-

VP CA Sec
Educ S/C
Legal S/C
Loc Govt S/C
IG S/C
Genex S/C

Agric S/C
Comm S/C
Finance S/C
Pub Works & U S/C
Transportation S/C
Pub Relations Branch

TO	DATE	INITIALS
DIRECTOR	1/6	W
DEPT. CH. CLERK	1/6	W
FILE CLERK		
RECORDS		
SEC. & EXT.		
PERSONS		
INS. OFFICER		
SECRETARY		
CHIEF CLERK	1/6	W

5678

1475/PS

PS
50A

IMMEDIATE

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Lt/3.10/C.

22 May 45

SUBJECT : Defacement - Meetings.
TO : See Distribution

It is requested that the officer of your Sub-Commission responsible for supervising the progress of defacement will meet Lt Col WHITE in room 56-5 (R) between the hours of 0900 and 1100 on Wed 23 May.

- 1) To inspect comparative graphs of progress of defacement.
- 2) To compare the High Commissioner's return as to defacement with the figures supplied by your Sub-Commission.
- 3) To supply new and correct figures for disbursements for return for 30 April.
- 4) To receive and discuss return for 15 May.
- 5) To discuss any problems or difficulties.

[Signature]
S.H. WHITE Lt Col,
For VP CA Section

DISTRIBUTION :- VP N. Seco Agric S/C
 Educ S/C Cont S/C
 Legal S/C Finance S/C
 Loc Govt S/C Pub Works & U S/C
 PS S/C Transportation S/C
 Comm S/C Pub Relations Branch

Meeting held.
934

TO	DATE	INITIALS
HEAD		
DEPUTY HEAD	5/27/45	1/6
COPY TO		
POLICE	5/25/45	
CLERK		

HEADQUARTERS ARMED SERVICES
AFS 384
CIVIL AFFAIRS SECTION

49A

REF: AF/5.20/68

21 May 45

SUBJECT: Decree - DL 179

RE: See Distribution

14754
pe.

The following is a summary of the effect of DL 179 of 22 Apr 45 which amends several of the previous decrees. A formal translation is not being issued.

DL	Effect	Affects
1.	Allows professors of law, advocates admitted to practice before the Court of Cassation and retired administrative officers of not less than the fifth grade to preside over operation Commissions of first instance.	A.18 of DL 179
2.	Allows Division of Administrative Commissions to sit provincially in all cases.	A.16 of DL 235 A.11 of DL 159
3.	Increases the time limit for lodging an appeal by the defendant to 6 days by the HE to 30 days	AA 20 & 23 of DL 159
4.	Requires appeals to be filed at the Central Commission and in such case requires the secretariat to notify the other party.	
5.	Requires the Central Commission to notify the High Commission, the other party and the Department employing him of the result of an appeal.	
6.	Allows any official liable to operation to be retired and requires notice of any such retirement to be served on the HE who may within 30 days require operation proceedings to be brought for the purpose of determining the pension which shall be payable.	
7.	Prohibits the re-employment in status or contractual position of military personnel who have been discharged or of civilian employees retired under A. 2 of DL 257 or A. 6 hereof.	
8.	Provides as to the status and pensions of military personnel who cease to be actively employed as a result of the application of A. 2 of DL 257.	

5676

9. Extends for territory not yet returned to Italian Administration the time limits within which persons may be retired. A. 2 of DL 257
10. Extends the time limits for initiating operation proceedings against employees of the Ministry of Posts and Telecommunications to 15 May. A. 25 of DL 159
A. 1 of DL 56
The time limit except for civil employees of other Ministries and for military personnel remain unaffected but the time limit for all other persons is extended to 15 Aug. A. 1 of DL 56
The time limit for the completion of proceedings is extended by 30 days. A. 2 of DL 44

[Handwritten Signature]
C.R. URSINI Brig.
VP CA Section

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Scale of Distribution :- HQ (4), HQ (2)

[Handwritten notes]
205
AUG 16
1945

48

HEADQUARTERS UNITED COMMISSION
AND
CIVIL AFFAIRS SECTION

Re: DF/LB/CA

22 May 60

SUBJECT: Defascism - Time Limits

TO: See Distribution

48A

Please take no action on DF/LB/CA of 19 May. This Section will take other steps to obtain the information it desires.

all 0

John 24/5
24 22-5
22/5
24 23/5

White

S.H. WHITE Lt Col,
for VP-CA Section

DISTRIBUTION :-

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| Ext S/C | Pol Adv |

5675

DRAFT

~~47~~^A
47A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AG/14754/PS

May 1945

SUBJECT : Expiration

TO : Expiration Committees for
Agents of Public Security, Ministry of Interior
Anti-Fire Service, Ministry of Interior
Commanding General GCRB

1. It is understood that a number of appeals in cases of Expiration are being delayed by the High Commissioner.
2. It is thought that although this official is permitted 30 days within which to exercise his right of appeal to the Central Commission the time limits are in effect avoided by the practice of filing a pro forma notice of appeal. The file is then retained at the High Commissioners office for two or three months before being sent to the Central Commission with a new and complete notice of appeal.
3. Please report by 29 May 1945 the number of cases in which this has occurred and the periods of time taken by the High Commissioner to perfect his appeals.

JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

5674

ALBA

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DE/AS/CA

19 May 45

SUBJECT : Defascism - Time Limit

14754

RE
of 22 May

TO : Sec Distribution

- 1 It is understood that a large number of appeals are being delayed for periods of two and three months by the High Commissioner. Although this official is now permitted 30 days (art 3, MIL 179) instead of 20 days (art 20, DML 159) within which to exercise his right of appeal to the Central Commission, the time limits are in effect avoided by the practice of filing a pro forma notice of appeal. The file is then retained at the High Commissioner's Office for two or three months before being sent to the Central Commission with a new and complete notice of appeal.
- 2 Reports will be obtained from the Secretaries of the Commissions of Expiration of first instance of the number of cases in which this has occurred and the periods of time taken by the High Commissioner to perfect his appeals. Will you please submit by 1 June 1945 the number of cases retained by the High Commissioner in this way, and the approximate periods of time elapsing between the time case files were turned over to him and the time his appeal was perfected.

Handled by
ALBA

S.R. White
S.R. WHITE Lt Col,
for VP CA Section

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TO	DATE
DIRECTOR	16/5 19/5
ASST DIR	19/5
CHIEF CLERK	21/5
ADJUTANT	
RECORDS	5673
LEGAL OFFICER	
SECURITY	
CHIEF CLERK	

Sgt Pacific - PS.

Herewith a few Defascism
letter & directives which were
not distributed to PS at the
time of issue & which
to [unclear] White thinks you
should now have to complete
your Defascism files.

EA Sec
26 April 45

[Signature]
A. Hershman
please put our
files in it

ASA

12 Jan 45

14754

WAR DAMAGE CLAIMS COMMISSION
LAW 374
CIVIL AFFAIRS SECTION

Ref DE/CA/CA

SUBJECT : Defacement - Fortnightly Return

TO : See Distribution

Referred DE/CA/103 of 5/26/44.

1 As a result of the manner in which the internal administrative details of Executive Sub-Committees has developed the original instruction that Defacing returns should be compiled by the Executive Sub-Committees themselves is no longer of any practical value. Sub-Committees will therefore arrange that those returns will in future be compiled by the personnel branch of Ministries.

2 They will explain to Ministries that col c and d of the form relate only to action within the Ministry. Under Art 2 of DL 285 each Minister is charged with the duty of forwarding to the IC a list of employees liable to expatriation together with the evidence against them. This requires methodical enquiry by the Ministry into the record of every employee. In col e and f should be recorded the progress which the Minister makes in this investigation. That, for instance, he has examined the records of 250 employees and has referred 50 of such cases to the Executive Commission (or High Commissioner). The Minister does not comply with Art 2 if he merely deals with persons denounced to him. It is obvious that since the Minister has investigated the record of every one of his employees the figure in col c will then agree with that in col b.

3 The note two columns 6 and 7 refer only to the proceedings of the Executive Commission which they report to the personnel branch of the Ministry after every session. The Ministry should therefore have no difficulty in saying for instance that the total number of cases heard is 30 and that dismissed was recorded in 20 cases.

4 Similarly in the case of bodies other than Ministries, but the returns will in such cases be compiled by the appropriate personnel branch and the above instruction will be read as if references to Ministry and Minister related to the common level and the appropriate responsible officer.

[Handwritten Signature]
S.H. WHITE Lt Col
For VE CA Section

DISTRIBUTION:

- CA Sec
- Law Sec S/C
- Legal S/C
- File S/C
- Exam Sec
- Polit Sec
- Finance S/C
- Public Works S/C
- Unemployed S/C

- Air Sec S/C
- Army S/C
- Nav S/C
- Army S/C
- Communications S/C

5072

TO : See Distribution

Reference: DR/6A/22 of 5 Sep 44.

- 1 As a result of the manner in which the internal administrative details of Examination Sub-Commissions has developed the original instruction that Defraising returns should be completed by the Examining Sub-Commissions themselves is no longer either workable or convenient. Sub-Comms will therefore arrange that these returns will in future be completed by the personnel branch of Ministries.
- 2 They will explain to Ministers that col c and d of the form relate only to action within the Ministry. Under art 2 of DL 205 each Minister is charged with the duty of forwarding to the HC a list of employees liable to spiration together with the evidence against them. This requires methodical enquiry by the Minister into the record of every employee. In col c and d should be recorded the programs which the Minister makes in this investigation. That, for instance, he has examined the records of 250 employees and has referred 50 of such cases to the Examination Commission (or High Commissioner). The Minister does not comply with art 2 if he merely deals with persons denounced to him. It is obvious that when the Minister has investigated the record of every one of his employees the figure in col c will then agree with that in col b.
- 3 The next two sub-panels a and f refer only to the proceedings of the Examination Commission which they report to the personnel branch of the Ministry after every session. The Ministry should therefore have no difficulty in saying for instance that the total number of cases heard is 50 and that dismissed was average included in 20 cases.
- 4 Similarly in the case of bodies other than Ministers, but the returns will in such cases be completed by the appropriate personnel branch and the above instruction will be read as if reference to Ministry and Minister related to the concern itself and the appropriate responsible officer.

[Handwritten Signature]
 S.B. WHITE Lt Col
 for VZ CA Section

DISTRIBUTION:

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- Law 2/20
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 - Navy S/C
 - Communications S/C
 - Transportation S/C
- 5072**

HEADQUARTERS ALLIED COMMISSION
AFG 7/4
CIVIL AFFAIRS SECTION

Ref 007.03/CA

11 Jan 45

REPORT : Defection - Amendments to Decree No 159 - 257 - 285

TO : See Distribution

The enclosed decree is almost purely administrative; it affects certain minor amendments to the procedural decrees, fills in certain gaps in the rules of procedure. None of which seem to be of any great importance except the extension of the all cases of the 1st instance for the first four grades have been extended by 30 days to the end of January.

Art 6 extends the ordinary time limits by 3 months, except for civil servants or the central government, in which case it is one month only.

- Art 1 varies slightly the set up of the High Commission.
- Art 2 varies slightly the term limit upon any fiscal officer.
- Art 3 directs the motion of appointment of the chairman of certain Commissions.
- Art 4 permits lesser punishment than dismissal in certain cases.
- Art 5 provides for the Central Commission sitting in four divisions.
- Art 6 extends the time limit for the commencement of proceedings under Art 159 by 3 months (except for civil servants or the central Govt, in which case the extension is 1 month only).
- Art 7 extends the time limit for commencement of proceedings against the first four grades by 30 days to 28 Jan.
- Art 8 extends the time limit for compulsory retirement of the first four grades by 30 days to 24 Feb.
- Art 9 varies slightly slightly as to position of persons compulsorily retired.
- Art 10 adds Art 100 to the list of persons entitled to be awarded the Order of Merit.
- Art 11 varies the date to which the time limits in certain cases shall run.
- Art 12 varies slightly the responsibilities for preparing cases to go before provincial courts.
- Art 13 requires these responsibilities for keeping professional registers to actively specialise nominations if they are in their possession and if they are to justify proceedings.
- Art 14 requires return of reports to the High Commission at the end of proceedings.
- Art 15 sets of amendments, list of amendments: except Art 7 - 30 Dec.

BY ORDER OF THE CHIEF OF THE COMMISSION:

[Handwritten Signature]

G.A. JEFFERSON
V.P. G. S. S. S. S.
1000 10 5071

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- 100 TO: TOMBAY Region
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- 100 TO: Other Region

to the end of January.
Art 6 extends the ordinary term of the by 3 months except for civil servants of the central government, in which case it is one month only.

- Art 4 varies slightly the set up of the High Commission.
- Art 2 varies slightly certain less important financial crimes.
- Art 3 directs the method of appointment of the Chairman of certain Commissions.
- Art 4 permits lesser punishment than elsewhere in certain cases.
- Art 5 provides for the Central Commission sitting in four divisions.
- Art 6 extends the time limit for the commencement of proceedings under IL 139 by 3 months (except for civil servants of the central Govt, in which case the extension is 1 month only).
- Art 7 extends the time limit for conclusion of proceedings against the first four grades by 30 days to 29 Jan.
- Art 8 extends the time limit for compulsory retirement of the first four grades by 30 days to 29 Jan.
- Art 9 varies slightly details as to pensions of persons compulsorily retired.
- Art 10 adds a new article relating to fines, subject to the advantages of being allowed in retrospectively.
- Art 11 varies the date from which the limits in certain cases shall run.
- Art 12 varies slightly the responsibility for preparing cases to go before provincial commissions.
- Art 13 requires those responsible for keeping professional registers to notify special commissions if they are, in their possession sufficient evidence to justify proceedings.
- Art 14 requires return of papers to the High Commission at the end of proceedings.
- Art 15 date of commencement of obligation: except arts 7 - 30 Dec.

BY ORDER OF THE CHIEF COMMISSIONER

[Handwritten signature]

O.E. SYSTEMS only
V.O. CI SYSTEMS
TELES NO **5671**

INSTRUMENTS :

- | | | | | |
|----|-------------------|----|----------------------|--------------------|
| EC | Toronto Region | EC | British Region | Comauco S/O |
| EC | Emilia Region | EC | Verdiana Region | Public Works S/O |
| EC | Piemonte Region | EC | Southem Region | Finance S/O |
| EC | Liguria Region | EC | L. de B. Gen | Agri S/O |
| EC | Lombardia Region | EC | Industrial-Trade Act | As S/O |
| EC | Venezia Region | Q. | Genoa | As S/O |
| EC | EMC 6 Army | EC | Genoa | Naval S/O |
| EC | EMC 3 Army | EC | Genoa | Grain S/O |
| EC | Public Safety S/O | EC | Genoa | Transportation S/O |

Scale of Distribution
Regions 4 (incl heads of Divisions); Exchanges 24 Sub Regions 2.

HEADQUARTERS ALLIED COMMISSION
ART 394
CIVIL ACTIONS SECTION

Ref US/ 12/34

14 Jan 45

SUBJECT : Defamation - Amendments to Decree's (op DUL 149 - 257 - 265)

TO : The Distribution

The enclosed hereto in almost purely administrative effect certain minor amendments to the printed decree, filed in certain cases in the rules of procedure, none of which seem to be of any great importance except the extension of time. All cases of this kind for the first four grades have been extended by 30 days to the end of January.

Art 6 states the ordinary time is two by 3 months except for civil servants of the central government, in which case it is six months only.

Art 1 varies slightly the set up of the High Commission.

Art 2 varies slightly certain laws important for socialist crimes.

Art 3 directs the method of appointment of the Chairman of certain Commissions.

Art 4 permits lesser punishment than the usual in certain cases.

Art 5 provides for the Central Commission sitting in four divisions.

Art 6 extends the time limit for the commencement of proceedings under Art 14 by 3 months (except for civil servants of the central Govt, in which case the extension is 4 months only).

Art 7 extends the time limit for completion of proceedings against the first four grades by 30 days to 28 Jan.

Art 8 extends the time limit for completion of the first four grades by 30 days to 28 Jan.

Art 9 varies slightly details as to positions of persons compulsorily retired.

Art 10 adds Article 50 to those entitled to the advantages of being placed as ineligible.

Art 11 varies the date from which the time limits in certain cases shall run.

Art 12 varies slightly the responsibility for refusing cases to go before provincial commissions.

Art 13 requires those responsible for keeping professional registers to notify certain commissions if they have in their possession sufficient evidence to justify proceedings.

Art 14 requires return of papers to the High Commission at the end of proceedings.

Art 15 sets date of commencement of publication except Art 7 - 30 Jan.

BY ORDER OF THE CHIEF COMMISSIONER

G. H. HERRICK
VP No. 5680
1005 JC

DISTRIBUTION :

EC Toronto Region
EC Pacific Region

EC Atlantic Region

Com. Reg. 5/5
Public Works 5/5
Finance 5/5

of the Central Government, in which case it is one month only.

- Art 1 varies slightly the set up of the High Commissions.
 Art 2 varies slightly certain than imposed on frontier drives.
 Art 3 directs the method of appointment of the Commissions of certain Commissions.
 Art 4 permits lesser punishment than directed in certain cases.
 Art 5 provides for the Central Commission sitting in four divisions.
 Art 6 extends the time limit for the commencement of proceedings under D. 109 by 3 months (except for civil servants of the Central Govt, in which case the extension is 1 month only).
 Art 7 extends the time limit for conclusion of proceedings against the first four grades by 30 days to 29 Jan.
 Art 8 extends the time limit for compulsory retirement of the first four grades by 30 days to 28 Jan.
 Art 9 varies slightly matters as to pensions of persons compulsorily retired.
 Art 10 adds amongst public servants to those entitled to the advantages of being classified as reservists.
 Art 11 varies the date from which the 10 limits in various cases shall run.
 Art 12 varies slightly the responsibility for covering cases to go before provincial commissions.
 Art 13 retains the responsibility for issuing professional registers to notify operations undertaken if they are in their possession subsequent release to justify proceedings.
 Art 14 requires return of papers to the High Commission at the end of proceedings.
 Art 15 sets off commencement of day of prohibition: except art 7 - 30 Dec.

BY ORDER OF THE CHIEF COMMISSIONER:

[Handwritten Signature]

B. B. USHINOFF
 V. S. 5680
 DD 25 10

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RC	Central-Industrial Region	Army S/C
RC	Central Region	Health S/C
RC	South India Region	Communications S/C
RC	South East Region	Transportation S/C
RC	North East Region	Secy S/C
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Scale of Distribution
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MEMORANDUM

HEADQUARTERS ALLIED COMMISSION

487 394

OFFICE OF CHIEF OF STAFF

RWT/DE/2.1.45.

28 November 1944.

SUBJECT: Eruption in occupied territory.

TO: Regional Commissioner, Lazio-Umbria, Abruzzi Marche, Toscana, Emilia, Liguria, Piemonte, Lombardia and Venetia Regions.

1. In view of the strong anti-fascist feeling which is likely to prevail in Northern Italy you may find it necessary to ensure that the public that Eruption and the removal from office of suspected persons are proceeding as quickly as possible.

2. Eruption 1, being undertaken by the Italian Government under D.L. 159 and subsequent decrees. Moreover in June 1944 an agreement was made between the Italian Government and AG that AG would leave this work to the Government and would not operate an independent scheme of their own. However, the Italian Government has experienced many delays in working their scheme in Southern Italy and you may find it desirable in the North to ensure more rapid progress. With this and in view General Order No. 35 has been prepared which provides for the suspension of fascists through Provincial Commissions.

This order follows the lines of the Italian Government Scheme and does not therefore infringe the spirit of the June agreement. Moreover the Italian Government has been informed of and has welcomed the Order. It is, however, important that the Order is put into operation should be enforced in its entirety so as to ensure uniformity throughout all regions. The Order will be put into operation at the discretion of Regional Commissioners but such discretion will not be exercised without the previous consent of HQ AG.

3. The Order is in no way intended to prevent the suspension or dismissal of any person from office by a member of the Allied Military Government as heretofore. No system of eruption, however, will be employed by any Regional or Provincial Commissioner or any other member of the Allied Military Government except under Executive Memorandum No. 67 and 76 and/or this General Order.

4. It is important that the work under the Order should be done by the Italians themselves, but great care must be taken that the Eruption proceedings shall not become the basis of vindictive or unfair action by any Commission or persons connected with it. These proceedings must not be allowed to become witch hunts. Close supervision will be necessary particularly in the initial stages.

It is very important that Commissions concentrate on the officials of high grades. Experience so far under the Italian Government Scheme has shown that the tendency is to pursue the small men occupying low grade and **sub**stant posts, and to pass over the more important officials.

Article V of the Order is designed to meet this problem but Provincial Commissioners must ensure that even within categories immediate and routine the officials and employees are considered in order of importance. It is hereby designated for security.

1. In view of the strengthening-fascist feeling which is likely to prevail in Northern Italy you may find it necessary to ensure and to satisfy the public that Epurations and the removal from office of suspected persons are proceeding as quickly as possible.

2. Epurations are being undertaken by the Italian Government under D.L. 159 and subsequent decrees. Moreover in June 1944 an agreement was made between the Italian Government and AC that AC would leave this work to the Government and would not operate an independent scheme of their own. However, the Italian Government has experienced many delays in working their scheme in Southern Italy and you may find it desirable in the North to ensure more rapid progress. With this end in view General Order No. 25 has been prepared which provides for the suspension of fascists through Provincial Commissions.

This Order follows the lines of the Italian Government scheme and does not therefore infringe the spirit of the June agreement. Moreover the Italian Government has been informed of and has welcomed the Order. It is, however, important that the Order is put into operation should be enforced in its entirety so as to ensure uniformity throughout all Regions. The Order will be put into operation at the discretion of Regional Commissioners but such discretion will not be exercised without the previous consent of HQ AC.

3. The Order is in no way intended to prevent the suspension or dismissal of any person from office by a member of the Allied Military Government as before. No system of epuration, however, will be employed by any Regional or Provincial Commissioner or any other member of the Allied Military Government except under Executive Memoranda Nos. 67 and 76 and/or this General Order.

4. It is important that the work under the Order should be done by the Italians themselves, but great care must be taken that the Epurations proceedings shall not become the basis of vindictive or unfair action by any Commission or persons connected with it. These proceedings must not be allowed to become witch hunts. Close supervision will be necessary particularly in the initial stages.

It is very important that Commissions concentrate on the officials of high grades. Experience so far under the Italian Government Scheme has shown that the tendency is to pursue the small men occupying low grade and substant posts, and to pass over the more important officials.

Article V of the Order is designed to meet this problem but Provincial Commissioners must ensure that even within categories immediate and routine the officials and employees are considered in order of importance.

It is normally desirable for school personnel to be epurated as quickly as possible. Regional Commissioners will, therefore, if so advised by the Regional Educational Officer, make an order for one section of Provincial Commissions to devote themselves to these officials.

In no circumstances will any attempt be made to commence Epurations proceedings against persons in category Postponed without the previous consent of HQ AC.

5. Generally, it is not to be expected that Commissions will be set up in Army Areas unless they become static and the particular SCAC shall so approve.

6. In some provinces it may not be possible to find locally enough commissioners or commission staffs with the requisite qualifications. While it is preferable to employ local personnel this is not obligatory and any Italian may be appointed even though he resides in another province or region, provided he

possesses the requisite qualifications.

7. Hasty suspensions of persons in important positions in administrative or undertakings performing services essential to the Allied Forces may easily cause disruption of this work unless acceptable substitutes are immediately available. The civil administration and the judiciary may suffer likewise from such action. Therefore, particular care must be taken to avoid any such disruptions. Your attention is drawn to par. 17 of the Administrative Instructions in this respect.

8. In appointing Commissions only 5 or 3 members should be appointed for each Commission or for each Section when it is contemplated that a Commission will sit in Sections. Where vacancies occur they should not be filled unless it is necessary to do so.

9. Commissions when appointed must proceed speedily with their work and if any member thereof is not performing satisfactory service such member should be removed.

10. When the Order is to become operative in a certain locality the Provincial Commissioner should see that the Order and the separate order fixing the commencement date are posted together a sufficient time in advance of the commencement date and at the requisite places to give the public and all persons concerned reasonable advance notice. A suggested form of Provincial Order is attached.

11. The contents of this communication should be made available to officers of Allied Military Government who will perform services in connection with these Commissions, but NOT to the Italians.

12. Attached hereto are copies, in English and Italian, of General Order No. 35 and the Administrative Instructions. The Administrative Instructions which cover details of procedure, are for the use of members of the Commissions as well as members of the Allied Military Government. They are not in any way secret, but it is not thought necessary that they should be publicly posted.

By Command of Commadore STONE.

M. S. LUSH,
Brigadier,
Chief of Staff.

- CO. Liaison Officer Sec
- ECOM Sec
- Polit Sec
- Log Govt S/C
- Legal Sec
- Exec S/C
- Comroe S/C
- Public Works S/C
- Finance S/C
- Agric S/C
- Air S/C
- Army S/C
- Naval S/C
- Communications S/C
- Transportation S/C

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By Command of Commodore STONE,

M. S. LUCH,
Brigadier,
Chief of Staff.

- CO. I & 2
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- CO. I & 4
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- CO. I & 97
- CO. I & 98
- CO. I & 99
- CO. I & 100

NOTE: Italian copies are in the press and will be forwarded later under separate cover.

ORDER FIXING DATE OF COMMENCEMENT OF GENERAL ORDERS No. _____

Provincial }
Order No. }

I,, Provincial Commissioner for the
Province of do hereby order and direct that General
Order No. 35 shall commence and become operative in the Province/Locality of
..... beginning as of 0001 hours on the day of 1944.

Dated :

Signed :

.....
(Provincial Commissioner)

5068

COMMISSION ON ASSASSINATIONS
CIVIL SERVICE DIVISION

21 May 64

HR 25

Subject: Rules of Procedure for Declassification Proceedings

TO : The Administrator

1. Enclosed is a copy of the Rules of Procedure for Declassification Proceedings, as amended by the Rules of Procedure (HR 159). Attention is drawn to some of the provisions. Except where inconsistent with the words of the rules they apply to both Mandatory and Voluntary Declassification.

a) Persons who have been given honorary clearance under G.S. 1-101 or 1-102, or persons for whom special provisions are not applicable -
i.e. the above holding of a special title does not alone justify diminished such less suspension.

b) Public Utility companies operating in the province only will be classified provisionally.

c) Provincial companies are no longer appointed by the cabinet. All appointments will in future be made by the CPM.

A committee may be appointed to deal with any class one or more special representatives are made for them.

It is understood that the CPM will confirm appointments made by the cabinet except where he considers an appointment unsuitable.

d) Appointment of Proceedings.
If should be noted that special orders against all persons who have already been suspended without having been given notification of a charge under HR 159 are deemed to commence on the day that the date of HR 159 then begins to run. This will apply to practically all persons already appointed by the appropriate stops should be taken to see that they realize this and that their cases are dealt with within the prescribed time limit.

Persons received under July 62 may be directed of person in HR 159 and persons whose appointments are ordered shall be immediately suspended and will remain suspended during an appeal, unless they are to take etc.

The above are into force on 7 May 64 and is subject to be ordered to be amended and arbitrary.

It is not only the duty of the officers to see that the rules are followed with these orders (159-207-68), transmission of all of which have been circulated, but to see that they are brought to the notice of and followed by the relevant officials and committees responsible for declassifying. These should also have received, a copy of the rules be carrying out the High Commissioner's directive on 4 Feb 64 which was circulated under HR 159 on 1 May 64 or 17/29/64 of 15 Nov 64.

HR 8

HR 49

HR 15

HR 25

HR 87

HR 29

HR 30

5667

of the provisions. Except where inconsistent with the wording of the
 1) persons who have been given honorary passports under the provisions
 or have in fact been given honorary passports under the provisions
 i.e. the mere holding of a passport title does not alone justify
 issuance with long suspension.

b) Public Utility concerns operating in an province only will be
 provided provisionally.
 c) Provincial Commissions are no longer appointed by the subject.
 All appointments will be made by the subject.
 A Commission may be appointed to deal with more than one province
 special arrangements are made for them.
 It is understood that the CDS will continue appointments directly
 made by Province except where he considers an appointment unjustified.

d) Government of Proceedings.
 It should be noted that proceedings against all persons who have
 already been suspended without having been given particulars of a
 charge under III 139 are limited to 100 days in the 21 Nov.
 The time limit of art 25 of III 179 does not apply. This Art
 will apply to functionally all persons already dismissed by the
 appropriate organs should be taken to see that they remain this
 and that their cases are dealt with within the prescribed time
 limit.

e) Caracas received since July 47 may be divided of person cards.
 All persons whose dismissal is ordered shall be immediately
 suspended and will remain suspended during the period, should they
 fail to make one.
 f) The Public Utility Commission 7 Nov and is direct to be continued
 in the same territory.

2. It is not clear the duty of my officers to see that the provisions
 of the above Decree (159-207-208), transcriptions of all of which
 have been circulated, but to see that they are brought to the notice of
 the following by the Italian Consulate and Commission responsible for
 the following. That should also have received, a requisition for
 be coming out the High Command's directives of 4 October 1947 which
 was calculated under art 139, 140 of 5 Nov 47 or 13/21/47 of 1947.

DE CO. AND DE THE CHIEF OF POLICE

7 R Lyjstra
 7-11-50 1965

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CA See

HEADQUARTERS ALLIED EXHIBITION
400 3rd
CIVIL ASSAULTS SECTION

2 300 14

12/23/68

SUBJECT: Removal of employees of United Publishing Government.

TO: 1 box distribution.

1 In the advance through virus research in various countries, USA and SA officers will have before them the problem of discussing various Government services.

2 It has sometimes been assumed that every employee of the Embassy has a certain level of loyalty to the Government. If this is not the case, administrative action will result. Any way in which we may persons of some special have been removed that insufficient are left to carry out essential duties. It is essential that sufficient personnel be retained to fill the various services to allow them to function.

3 The principle to be followed is that:

- a) Areas of service or of important concerns which are dealt with in accordance with the Two Hour 67 (or 50. 15) has the latter is in operation.
- b) Areas of the lower rank as to whom there is no evidence of active fascist participation will be retained to work under the knowledge of the SA. The SA who have been really known to be reliable may also then determine by subpoena.

4 The new areas will, if any remain of outside qualifications, collate the documents are available, be provided with necessary funds from the retained. If none are available, replacement will be required.

5 Every effort will be made to utilize sufficient and efficient personnel and if, after review, insufficient personnel remain to carry out necessary duties, reinforcements must be requested, but it must be realized that owing to the availability of the process of defectors, the no large number of personnel can be expected to be available. Some security for program in order to be maintained.

BY COMMAND OF THE CHIEF OFFICER:

50667
CIVIL ASSAULTS SECTION

5382

1 In the interim through great necessity is to be an emergency, and no officers will leave before the problem of clearing various Government services.

2 It has been assumed that every employee of the United States Government is too factually unemployable. If this position is followed administrative measures will result. Already in some areas many persons of some services have been removed that individuals are left to carry out essential duties. It is essential that sufficient personnel be retained in all the various services to allow them to function.

3 The principle to be followed is that:
a) Head of services or of important services must be dealt with in accordance with the Executive Order 9835 (as amended) and the law in this regard.

b) Those of the lower ranks are to be those in the evidence of active fascist sympathies will be retained to work under new administration heads but employees who have been ready to leave should be encouraged to do so.

4 The new heads will, if any personnel of suitable qualifications and background are available, be promoted with temporary rank until those retained. If none are available, replacements will be requested.

5 Every effort will be made to organize sufficient and efficient services and if, after review, insufficient personnel remain to carry out necessary duties, reinforcements must be requested, but it may be realized that owing to the uncertainty of the process of appointing as large numbers of personnel are required to be available, hence the necessity for prompt and efficient appointments.

BY ORDER OF THE GOVERNMENT COMMISSIONER:

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Office of Administration

Region 10 (incl. Heads of Division); Province 1; Sub-Committee 4;

56661
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HEADQUARTERS ALLIED CRIMINAL COMMISSION
CIVIL AFFAIRS SECTION

11/24/50

2 Nov 50

SUBJECT: Removal of employees of Federal Government, and

DD : See distribution.

1 In the advance through cases recently involving Communist and Government officers will have before them the problem of clearing through Government services.

2 It has sometimes been assumed that every employee of the Federal Government Government is ipso facto disloyal. It is this attitude toward administrative staffs that will result, already it has caused so many persons of some services have been removed that institutions are left to carry out essential duties. It is essential that sufficient personnel be retained in all the various services to allow them to function.

3 The principle to be followed is that:

- a) Needs of services or of important concerns must be dealt with in accordance with the Executive Order for G.O. If the latter is in operation.
- b) Those of the lower rank as to whom there is no evidence of active Communist participation will be retained to work under our staffs and to carry out essential duties. If they have been recently active (active) they will also when feasible be retained.

4 The investigation will, if any personnel of suitable qualifications ability and experience are available, be promoted with temporary rank from those retained. If none are available, replacements will be requested.

5 Every effort will be made to organize sufficient experienced personnel for the, after having, identified personnel remain to carry out necessary duties, replacements must be requested, but it must be realized that owing to the unavailability of the process of selection and the removal of personnel can perhaps be available. Hence the necessity for advance in organizing replacements.

BY COMMAND OF THE CHIEF COMMISSIONER:

50665
D. R. THORNTON
72 24 Section
1005 49

5065
U.S. REGIONAL
OFFICE
L-302

Governmental services.

2 If this sometimes been assumed that every employee of the Republic...
Governmental services.

3 The principle to be followed is that:
a) Needs of services or of important concerns must be dealt with in accordance with the Law No. 67 (of 1958), 55 and the letter is in operation.
b) Those of the lower ranks as to whom there is no evidence of active socialist participation will be retained to work under new socialist methods but evidence who have been really active fascists may also then be retained or suspended.

4 The new needs will, if any personnel of suitable qualifications ability and capabilities are available, be provided with temporary work from those retained, if none are available, replacements will be required.

5 Every effort will be made to organize sufficient competent personnel and if, after further, insufficient personnel remain to carry out necessary duties, replacements must be requested, but it must be recalled that owing to the universality of the presence of defectors to the ranks reserves of personnel are available to fill in. Hence the necessity for vigilance in organizing replacements.

BY ORDER OF THE CHIEF COMMISSIONER:

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Scale of Organization

Regions 10 (incl. French of Luxembourg); Province of Alsace.

44A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478708

1 May, 1945

10/14754/PS

SUBJECT : Defascism
TO : Civil Affairs Section.

43A

1. With reference to your letter DF/65/CA dated 30 April, 1945.
2. All committees responsible have been interviewed and have given a definite assurance that all cases will be examined and deferred where necessary, by the time limit imposed by law.

J
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

DF/G.

NR

5064

0 14574/PS

0 43A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

W

DF/6.5/CA

30 April 45

SUBJECT : Defascising Returns/
TO : Public Safety S/C ✓

- 1 There now only remains one fortnight in which to complete the preliminary investigations. On that date (15 May) Col (c) of the fortnightly return should agree with Col (b).
- 2 During the last fortnight according to your return 16 cases were investigated and 507 investigations still have to be completed.
- 3 Please report by return what steps you are taking to ensure that the ministerial investigations will be completed by that date. This is an Allied (your) responsibility.

[Handwritten signature]

S.H. WHITE Lt Col,
for VP CA Section

TO	FILE	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXECUTIVE OFFICER	<i>[Handwritten initials]</i>	
CHIEF		
CLERK		
	8	2/5

5063

File 112A

HEADQUARTERS ARMED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478708

AC/14754/PB

20 April 1945

SUBJECT : Defacement

TO : Civil Affairs Section

1. With reference to your letter DF/6.5/OA dated 19 April 1945.

2. The Officials concerned with investigations in the first instance have been interviewed this day and their attention drawn to the short time remaining for these outstanding cases to be completed within the legal time limit.

3. They have given an assurance that all cases will be examined, and deferred where necessary, by the time limit imposed by law.

AA
J
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

5662

HEADQUARTERS ALLIED COMMISSIONS
170 234
CIVIL AFFAIRS SECTION

TO	ALL
FROM	ALL
SUBJECT	ALL
DATE	1945
INITIALS	ALL
REMARKS	ALL
APPROVED	ALL
SIGNED	ALL
POST OFFICE	ALL
TELEPHONE	ALL
TELETYPE	ALL
MAIL ROOM	ALL
RECORDS SECTION	ALL
TRAINING SECTION	ALL
GENERAL CLERICAL	ALL
PROPERTY SECTION	ALL
POSTAL SECTION	ALL
FINANCE SECTION	ALL
LEGAL SECTION	ALL
LABOR SECTION	ALL
RELATIONS SECTION	ALL
RESEARCH SECTION	ALL
STATISTICS SECTION	ALL
TRAINING SECTION	ALL
GENERAL CLERICAL	ALL
PROPERTY SECTION	ALL
POSTAL SECTION	ALL
FINANCE SECTION	ALL
LEGAL SECTION	ALL
LABOR SECTION	ALL
RELATIONS SECTION	ALL
RESEARCH SECTION	ALL
STATISTICS SECTION	ALL

Ref D 3.11/6.

SUBJECT: Provincial Bureau

TO: See Distribution

- 1 Provincial Bureau Commissions (A, 15 of DL 159 and A, 15 of DL 285) have now been established in all Provinces except Ancona, Florence, Pisa, Livorno, Terni, Viterbo, Brindisi and as to those arrangements are practically complete.
- 2 Divisions of Ministerial Commissions (A, 15 of DL 285) will not be established; the following have already been or are about to be established:

Ministry Province Object

Agriculture	Palermo	Ente di Colonizzazione del Littorale Siciliano
Treasury	Florence	Istituto di Credito Agrario per la Toscana
Treasury	Sassari	" " " " Sardegna
Public Works	Palermo	Bate Acquedotti Siciliani
Public Works	Bari	Ente Autonomo Acquedotto Pugliese
Education	every province	Elementary Schools
Education	every province	Intermediate Schools
Communications	Palermo (3)	State Railways
Communications	Palermo	Road Transport
Communications	Reggio Calabria	State Railways
Communications	Pescara (5)	State Railways
Communications	Naples	State Railways
Communications	Bari	State Railways
Communications	Gagliari	State Railways
Communications	Ancona (3)	State Railways
Communications	Bari	Road Transport
Communications	Florence	TRAI

- a) Further similar Commissions will be established both in liberated Italy and in its course in Northern Italy.
 - b) arrangements for constituting similar commissions to deal with Postal Police such employees are under discussion.
 - c) Employees will obtain from their Ministries a full programme of the proposals and arrangements for the employees dealt with respectively by divisional Commissions to be included in the returns forwarded to them.
- 5061
- 3 Commissions are also being set up procedurally for the appointment of the professions (see D 3.3/6 of 19 Apr 45). 5/98 should be aware of what is being done to private professions with which they are concerned. So far as Rome is concerned Commissions have already been set up to deal with Notaries, advocates, procurators, Doctors, Chemists, Accountants, Bankers, Engineers, etc.

2 Divisions of Ministerial Commissions (A. 16 of 24, 205) will sit provincial-ly; the following have already been or are about to be established

Ministry	Province	Subject
Agriculture	Palermo	Ente di Colonizzazione del Territorio Siciliano
Treasury	Florence	Istituto di Credito Agrario per la Toscana
Public Works	Caserta	" " " " " " Sardegna
Public Works	Palermo	Ente Acquedotti Siciliani
Education	Bari	Ente Autonomo Acquedotto Pugliese
Education	every province	Elementary Schools
Education	every province	Infantile Schools
Communications	Palermo (3)	State Railways
Communications	Palermo	Road Transport
Communications	Bergio Calabria	State Railways
Communications	Florence (5)	State Railways
Communications	Naples	State Railways
Communications	Bari	State Railways
Communications	Cagliari	State Railways
Communications	Ancona (3)	State Railways
Communications	Ancona	Road Transport
Communications	Florence	Tram

a) Further similar Commissions will be established both in liberated Italy and in one course in Northern Italy.

b) arrangements for constituting similar commissions to deal with Postal Tele-graph employees are under discussion.

c) Arrangements will obtain from their Ministries a full programme of the proposed arrangements for the employees dealt with provisionally by divisional commissions to be included in the returns rendered to them. **5661**

3 Commissions are also being set up provisionally for the apartment of the professions (see D.P. 3.39/CX of 19 Apr 46). S/Os should be aware of what is being done to separate professions with which they are concerned. So far as some of concerned Commissions have already been set up to deal with Notaries, Advocates, Procurators, Doctors, Chemists, Accountants, Bankers, Engineers, etc. etc. Similar and other Professional Commissions are in process of being set up in all provinces.

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[Handwritten Signature]
G.R. LEVON RUS
VP On Section

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- Naval S/O
- Comms S/O
- Trans S/O
- MS

13754/PC
40A

HEADQUARTERS ALLIED COMMISSION
APO 3rd
CIVIL AFFAIRS SECTION

Ref DE/25/CA

SUBJECT : Cooperation of the Allies in Defeatism

TO : See Distribution

TO	DATE	INITIALS
DIRECTOR	10/10/44	W.H.
DEPUTY DIRECTOR	10/20/44	W.H.
EXEC. OFFICER	3 April 45	
PUBLIC		
EC. & REG.		
PROVINCIAL		
ADM. SERVICES	24-45	
SECURITY		
TRAINING		

- 1 All possible assistance will be given to Espionage Commissions consistent with care of Allied interests.
- 2 Documentary evidence as to the political past of individuals (including scheds) in Allied possession should normally be handed to or made available to the High Commissioner for Defeatism or his Provincial Delegate unless it contains matter which would endanger the national security of an Allied nation or cause serious injury to the interests or prestige of any such nation.
- 3 In the case of a document originating in an Allied agency the following additional provisions apply; that
 - a) it does not disclose the name of any informant, investigator or writer of any security report, nor the reason for, the extent of, or the procedure employed in any enquiry
 - b) that the evidence contained therein is not available from other sources.
- 4 As the Italian people are in general far better aware of the past political history of each other than we are likely to be, the production of any document which originated in an Allied office can only very exceptionally be justifiable. In any case no such document will be produced without the consent of the office in which the document originated.
- 5 It will be exceptional for Allied personnel to have personal knowledge of the pre-liberation activities of an Italian national. A request for Allied personnel to give evidence can therefore seldom be justified. In any case, no Allied personnel will give evidence, whether for or against an individual, without the prior sanction of this HQ.
- 6 Where it is considered that an individual by virtue of good service to the Allied cause deserves that such service shall be taken into consideration in mitigation of his sentence the record of such service and the Allied view of the value thereof may be submitted to the High Commissioner or his Delegate for inclusion with the papers to be submitted to the Commission. Any such record will not include any request to the Commission to take any particular course nor will it otherwise attempt to influence the Commission from arriving at a free decision. It will be signed by the Regional Commissioner or by the Director of a Sub-Commission.
- 7 Exemption under Art 16 of DL 159 is granted only where the individual has done some act which is particularly notable or useful to the Allied War Effort

and not merely for being competent. Competence can be taken into account in mitigation of punishment.

Where a request for the suspension or removal of an individual for "fascism" is made by the appropriate Italian authority it shall be complied with, unless the Regional Commissioner or this HQ, otherwise directs.

- In arriving at his decision the RC shall be guided by the following direction:
- Where it is believed that the loss of the services of a man almost unique in technical or administrative ability would have a reasonably direct and seriously adverse effect on the Allied War Effort the suspension or dismissal will be deferred and the matter referred to this HQ. The use of this procedure will be quite exceptional and confined to the cases of experts holding very senior and important appointments. In other cases:
 - Where essential work would be interrupted by the proposed removal the suspension or dismissal may be deferred but only for such minimum time as is reasonably necessary to appoint a successor whether or not that successor is as capable as the man to be removed.

FOR THE CHIEF COMMISSIONER

[Handwritten Signature]

S.R. UPJOIN Brig
VP C-Section

Distribution:

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GHI-C 27 Mar)

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39A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

IR/6.5/CA

19 April 45

SUBJECT : Defascism

TO : Pub Safety S/C

Please state what action was taken on receipt of the returns from which your return for the period ending 15 Apl was compiled.

It is pointed out that only 16 cases (col c) were investigated in the last 15 days; that there are over 500 cases still uninvestigated (col b minus col c) and less than four weeks to finish these 500 investigations.

What steps have been taken to ensure that these investigations will be completed.

S.H. White
S.H. WHITE Lt Col,
for CSO GA Section

TO	INITIALS	DATE
DIRECTOR	WJW	21/4
DEPUTY DIRECTOR	WJW	22/4
EXEC OFFICER	WJW	24/4
POLICE		
LIC. & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

5659

HEADQUARTERS ALLIED COMMISSION
AFG 304
CIVIL AFFAIRS SECTION

DF/3.33/CA

19 April 45

SUBJECT : Exemption of the Professions.

10 : See Distribution

1 The relevant law is contained in EL 159 (A.23) IL 285 (JA 10-24) II 2 of 1945 (413)

2 The registers are largely kept provincially and where this is the case commissions will sit provincially. The authority responsible for the supervision of the keeping of the registers is the Ministry of Justice or the Ministry of the Interior and the registers are authorised by the respective Ministers to make appointments are:-

<u>Profession</u>	<u>Body</u>
Notaries	Procurators General of the Court of Appeal
Chemists	
Doctors	
Veterinary Surgeons	Fitfact
Obstetricians	
All other professions	Senior President of the Court of Appeal.

3 All Provincial delegates have been asked to submit to the Ministers of Justice or of the Interior their proposals as to who shall represent the MO on the Commissions. Some names have already been received, a few commissions have already been appointed. All are expected to be appointed shortly. Provincial Commissioners will arrange for the officials under the heading of 'body' above to keep them informed of what commissions are constituted.

4 These Commissions are constituted of first instance and are distinct from the normal Provincial Commission or the Division of a Ministerial Commission sitting provincially.

BY COMMAND OF THE CHIEF COMMISSIONER :

[Signature]
G. R. GEORGE DICK,
VP C. Section

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- Pub Works S/C

5058

The members are largely kept provincially and where this is the case commissions will sit provincially. The authority responsible for the supervision of the keeping of the register is the Ministry of Justice or the Ministry of the Interior and the 'voering' authorized by the respective Ministers to make appointments are:-

- | | |
|-----------------------|--|
| <u>Profession</u> | <u>Body</u> |
| Notaries | Procureurs Generals of the Court of Appeal |
| Medists | |
| Doctors | |
| Veterinary Surgeons | Professors |
| Obstetricians | |
| All other professions | Superior President of the Court of Appeal. |

3 All Provincial delegates have been asked to submit to the Ministers of Justice or of the Interior their proposals as to the men to represent the NC on the Commissions. Some names have already been received, a few commissions have already been appointed. All are expected to be appointed shortly. Provincial Commissions will arrange for the officials under the heading of 'Body' above to keep them informed of what commissions are constituted.

4 These Commissions are commissions of first instance and are distinct from the normal Provincial Commission or the Division of a Ministerial Commission sitting provincially.

BY COMMAND OF THE CHIEF COMMISSIONER:

[Signature]
S. R. UZUNY BRTG.
VP CA Section

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| RC Venetia Region | Legat S/C | Air S/C |
| RC Thebes Region | Pub Safety S/G | Naval S/C |
| CC Umbria-Marche Reg | Education S/C | Land Force S/C |
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5058

Scale of Distribution:- HQ (4), PRG (2)

319A

CONFIDENTIAL

14754

HEADQUARTERS ALLIED COMMISSION

CIVIL AFFAIRS

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FINANCE	1944
LOG. & REG.	1944
PRISONS	1944
ADM. OFFICER	1944
SECURITY	1944
CHIEF CLERK	1944

Subject: Defascism - North Italy.

TO : See Disposition

RE: DEPORTATION OF FASCISTS FROM STATE

1. Operation will play an even more important role in the North than in areas already liberated. A quick and effective spin-off may be decisive in securing a peaceful administration.

At the same time, this does not mean that there will be complete demobilization, any plan for such would not only disorganize the administration but might work grave injustices. (e.g. It is believed from reliable sources that the Judges of Florence, Lombardi and Venezia have refused to take the oath of allegiance to the Fascist Republican Government).

2. Operation will therefore be conducted on the following plan:-

- a) On first entry operations will be carried out in accordance with Executive Memorandum 7 (of which a revised edition has been issued). This will be followed by the setting up of Italian Provincial Separation Commissions under the terms of GO 35. In provinces not yet liberated at this date, GO 35 may be posted by any time after entry as the discretion of SAC Army or IV Corps, or the Regional Commissioner, without reference to Headquarters Allied Commission. This discretion may be delegated to Provincial Administrators.
- b) However, as the General Order sets up rigorous time limits, it should not be posted until suitable persons to sit on the Commissions have in fact been selected.
- c) Substans of GO 35, together with Administrative Instructions and forms printed in Italian for the use of the Italian authorities, have been distributed.
- d) An amended GO 35(b) has been signed. It affects provisions to be made to suspended personnel and provides for the dismissal of those in suspension of temporary employees (eventual). Copies of GO 35(b) will be held up by the arrival of copies of GO 35 (c).
- e) The amended GO 35(b) has been approved by the (AP) Commission under the new provisions of GO 35(b) and the instructions for its application.

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2057

PRISONS	✓
ADAM OFFICER	✓
SECURITY	✓
CHIEF CLERK	✓

10 : See Identification

4 - EVICTION OF RESIDENTS FROM STATES CONCERNED

1. Eviction will play an even more important role in the North than in areas already liberated. A quick and effective operation may be decisive in securing a peaceful administration.

At the same time, take care not to mean that there will be needless skirmishes, any plan for such would not only disregard the administrative but might work grave injustices. (e.g. It is believed from reliable sources that the Judges of Florence, Lombardy and Genoa have refused to take the oath of allegiance to the Fascist Government).

Eviction will therefore be conducted on the following plan: -

a) On first entry operations will be carried out in accordance with Executive Memorandum 27 (of which a revised edition has been issued). This will be followed by the setting up of Italian Provincial Operations Committees under the terms of GO 25. In provinces not yet liberated (e.g. of this date, GO 25 may be posted to any time after entry or the discretion of the Army or IF Corps, or the Regional Commissioner, without reference to Headquarters Allied Commission. This discretion may be delegated to Provincial Commissioners.

However, in the General Order 25 is rigorous time limits, it should not be posted until suitable persons to carry out the operations have been selected.

Supplies of GO 25, together with Administrative Instructions are being printed in Italian for the use of the Italian Commissions, have been distributed.

GO 25 (as amended) has been signed. It affects provinces to be made to suspended provincial and provincial 1933 the date 2057. Copies of GO 25 will be distributed as soon as possible, but the operation of GO 25 will not be held up by its arrival of copies of GO 25 (63).

The formation will be followed up by the implementation under the name of provinces of ILL 157 and operations between in 630 Territory.

When these orders are implemented in each province to collect evidence, make investigations on behalf of the High Commissioner, and set up Provincial Commissions. Every Commission should be given 20 days to report. However, it is not necessary to suspend the operations set up under (b) above until the Government Commission has actually completed and report to concerned party.

It very well may be that the Life and Partisans will themselves have carried out the operation of the administration before the arrival of the Italian and have placed the personnel in the absence of those mentioned. This will require the task of operation that much easier.

If such is found to be the case it will be advisable to remove these people from office. There would be no objection to the same individuals being appointed by AMG if considered suitable but it must be fully realized by the Italian that AMG is the appointing authority, and not IAN or any other body.

In other cases it may be found that there has been a mass appointment and the vacant offices have not been filled. In this case, personnel will be recruited locally, or replacements must be requested from Headquarters Allied Commission. The former is to be preferred, as the number of minor officials who can be supplied by the Italian Government is not large, and some delay in their arrival is to be anticipated. If suitable persons of personnel names is absolutely necessary, minor officials may have to be temporarily reinstated although they have previously been removed. Expediently should be taken of assuring the local population of an immediate investigation of any persons thus reinstated in accordance with the procedure outlined in para 2 above.

B - OPERATION OF BUSINESS CONCERNS :-

- 5 Paragraph 21 above does not deal with the operation of business concerns which are not strictly of para-statal.
- In the matter of business concerns which:-
 - a) owing to their importance it is desired to operate but have ceased to operate or operate effectively as the Fascist Regime have fled; or
 - b) are operating under Fascist heads and it is desired to continue operate; you are to approve the Fascist head;
 - c) have become ineffective as the Fascist heads have fled and the management has been "liquidated" in the name of the Regime, you should be made of the power to appoint a receiver and manager (see Directive 23/11/45/L dated 17 March 1945).

C - ADMINISTRATION OF FASCIST COURTS, AND COURTS OF APPEALS :-

- 6 It is not legal for AMG to set up special Allied Courts to deal with Fascist criminals or collaborators with the Fascist Republican Government or Germans. AMG Courts are confined to trying offences against Proclamations and General, Regional, or Provincial Orders or, in exceptional circumstances (see Article 14 of Consolidated Instructions for Allied Military Courts), offences against Italian law.
- Officials are also reminded that AMG Courts may not try enemy Prisoners of War or War Criminals.
- 7 On the other hand, it may be anticipated that local AMG may have set up local but illegal Courts to try such criminals and collaborators. It will be the duty of AMG to call in their power to suppress these Courts and, to assist in this difficult but essential task, the following plan has been agreed with the Italian Government.
 - a) Courts will shortly be passed and will provide for the setting up of Special Tribunal Courts to deal with those who collaborated with the Germans

personnel whose of absolutely necessary, must completely be removed temporarily restricted although they have previously been removed. opportunity should be taken of turning the local populace of an immediate investigation of any persons who resisted in accordance with the procedure outlined in para 2 above.

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5 - REPEAL OF BUSINESS CONCERNS :-

- 3 Paragraph 14 above does not deal with the operation of business concerns which are not steel or para-statal.
- 4 In the cases of business concerns which:-
 - a) owing to their importance it is desired to operate but have needed to operate or operate effectively as the Fascist Regime have filed or
 - b) are operating under Fascist laws and it is desired to position them in the regime the Fascist Regime have filed can the regime have become insolvent in the hands of the workers, must be taken "socialized" in the hands of the workers, and should be made of the power to appoint a Director and Manager (see Directive 44/103/L dated 17 March 1943).

6 - PUNISHMENT OF FASCIST CRIMINALS AND OTHERS :-

- 6 It is not legal for AMG to set up special Allied Courts to deal with Fascist criminals or collaborators with the Fascist Republican Government or Germany. AMG Courts are confined to trying offences against provisions of the Geneva Convention, or Provisional Orders or, in exceptional circumstances (see Article 14 of Consolidated Instructions for Allied Military Courts), offences against Italian Law.
- 7 Officers are also reminded that AMG Courts may not try enemy Prisoners of War or War Collaborators.
- 7 On the other hand, it may be anticipated that local AMG may have set up local but illegal Courts to try such criminals and collaborators. It will be the duty of AMG to do all in their power to suppress these Courts and, to assist in this difficult but essential duty, the following plan has been agreed with the Italian Government.
 - a) A Decree will shortly be passed and will provide for the setting up of Special Popular Courts to deal with those who collaborated with the Germans since 26 September 1943.

Initially, the scheme of this Decree is that, in each Province, the AMG will select 200 names from convicted and suspected, from within the Province of the Province will select a panel of 50 names. From this panel a list of 20 names will be selected by the President of the Court Presiding over these offences. This Decree, which also provides for very quick procedure, will be published in a special issue of the Official Gazette and will bear its own endorsement by the implementing the Decree in AMG Territory. This Decree will be put into operation immediately. If a Prefect has been appointed it will be implemented by the normal way by handing the Official Gazette to him. If there is no Prefect, SOG or Regional Commissioners are advised to issue a short order bringing the Decree into operation.

- 4. special advice to the Court officials and the might also be a size presentation.
- It may be of interest to note that this Decree is based on the same law operating in France there is no proved to be a considerable success.
- 5) The Italian Government have already published a decree (No 65 of 1 Feb 45) setting up special Military Courts to deal with both military and civilian offenders expeditiously. This decree will be implemented in AMG territory in accordance with the usual procedure.
- 6) Provided that any illegal courts/tribunals their activities on the entry of the Allies, it is not imperative that the persons constituting such courts should be apprehended. It is a matter for discretion in each case, e.g. on the one hand members of the AMG may have constituted a Court in good faith under a mistaken view of their rights, or the other hand a regime of revenge and murder may have been set up under the guise of a Court of Justice.

D - IMPRISONMENT OF FASCISTS AND COLLECTORS:-

- 7. As formerly, this will continue to be a normal function of SOG/CIC and only under the powers conferred on them in para 10 of Executive Memorandum 67 will AMG officers arrest and intern fascists who are not charged with a specific offence.
- 8. It may be anticipated that in a large number of cases there will have been wholesale arrests and imprisonments by Partisans etc or IN before the arrival of the Allies. Unless prison suggestion becomes inoperative it will probably be in the best interests of all concerned to leave such persons in prison until a more settled state is reached and their individual cases can be investigated by the appropriate authority. In retaining such prisoners, AMG officers must be satisfied that (a) the prison officials etc provide an effective guard; and (b) the prisoners are being properly cared for and fed, and are not the subject of mistreatment by prison guards, Partisans or others.

BY COMMAND OF THE DEPUTY COMMISSIONER :

G. R. Lytton

G. R. OFFICER BRIG,
VP AMG Section

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5656

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courts should be apprehended. It is a matter for discretion in each case, e.g. on the one hand members of the ILM may have constituted a Court in some fields under a mistaken view of their rights, on the other hand a regime of revenge and murder may have been set up under the guise of a Court of Justice.

D - IMPRISONMENT OF FASCISTS AND COLLABORATORS:-

- 9 As formerly, this will continue to be a normal function of IAS/ICD and only under the powers conferred on them in para 10 of Executive Memorandum 67 will IAS officers arrest and intern fascists who are not charged with a specific offence.
- 10 It may be anticipated that in a large number of cases there will have been wholesale arrests and imprisonments by Partisans and/or ILM before the arrival of the Allies. Unless prison congestion becomes intolerable it will probably be in the best interests of all concerned to leave such persons in prison until a more settled state is reached and their individual cases can be investigated by the appropriate authority. In retaining such prisoners, IAS officers must be satisfied that (a) the prison officials can provide an effective guard, and (b) the prisoners are being properly cared for and fed, and are not the subject of mistreatment by prison staff, Partisans or others.

BY COMMAND OF THE CHIEF COMMISSIONER:

G. R. Lytton

G. R. LYTTON Brig,
VP Q. Section

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QUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

36A
April 45

EXECUTIVE MEMORANDUM)
NUMBER 67 (REVISED))

REMOVAL OF ITALIAN OFFICIALS DISCOVERED IN ADVANCE POINTWARDS.

- 1 This revised Executive Memorandum No 67 is issued in the light of experience gained by the working of the original memorandum No 67 of 5 July 1944, which is hereby cancelled. The policy and the principle of operation remain the same.
- 2 Our object is to remove from territory, immediately on liberation, all leading fascists from important posts, especially those collaborationists put in office by the Republican Fascist Government. This memorandum is intended as a guide for such an initial purge.
It will be followed by a more detailed purge under GO 35 and ultimately by the procedure under DM 159 and amending decrees and therefore this Directive is not concerned with minor posts or minor fascist officials; they can be dealt with later. The Allies must create a sound impression by quickly removing the leading fascists from the important posts.
- 3 Many officials will have been placed in office by the Republican Fascist Government; others will have taken the oath of allegiance to the Fascist Government; on the other hand, others will be career officials who have considered it their duty to stick to their posts in the interests of the civil administration; others, again, (it is understood from reliable reports) have remained at their posts at great peril and have refused to take the oath of allegiance. Wholesale dismissals are, therefore, to be avoided as much injustice may be done quite apart from rendering it difficult to carry on the administration.
It is safe to assume that the worst fascists will be removed by GIs before arrival of the Allies; the remainder of those in office will be dealt with in accordance with this directive.
- 4 Two lists attached to the original memorandum have been brought up-to-date and set out in a more convenient form.
Appendix 'A' to this memorandum contains a list of important Italian government and ministerial offices which should be cleaned of fascist personnel as quickly as possible. Other officials of lower rank who are important and too numerous to be dealt with as this stage should not be considered.
Appendix 'B' contains a list of purely fascist offices and serves as a guide to the type of fascist party members who are particularly obnoxious.
- 5 These two lists will normally be used together. Thus if it is found that a person who occupied one of the offices in Appendix 'A' and also has had one of the party affiliations contained in Appendix 'B' he should be removed at once.
- 6 If there is any doubt as to the fascist background of any person holding an office included in Appendix 'A' he may be required to complete a Self-Inspection Form. The Provincial Commissioner may, if he considers it desirable, consult the Prefect or GIC on any particular case. No attention will be paid to anonymous communications.
- 7 Persons suspended under this memorandum, except those mentioned in paragraphs 8 and 9, will be paid on the same basis as persons suspended under DM 159. Temporary

employees, whether employed on a day-to-day basis or on a fixed term basis, e.g. 6 months, will, however, be dismissed.

Lists of persons suspended under this Memorandum, specifying the offices from which they have been removed, will be submitted to HQ AG for attention of the appropriate Sub-Commission or where none is appropriate to the Civil Affairs Section.

In addition to the foregoing, all Italian administrative organizations whose continued existence is inconsistent with the sovereign rights of the Italian National Government, or which have been abolished by decrees thereof, are deemed no longer to exist. The holders of offices in such organizations will probably have fled, but if any such are found reporting to hold any office or to exercise any executive functions in connection therewith they will be removed from office.

Such bodies include:

- a) All Ministries and Departments of the Republican Fascist Government;
- b) National, Federal, Provincial and Communal organizations of the Fascist party; of the Chamber of Fasci and of Corporations; of Fascist Syndicator and Federations;
- c) The Fascist Militia, the National Republican Guard and ONA;
- d) Prefetti, Vice Prefetti and Rettorati of Provinces; Consulti of Gramsci;
- e) The Tribunali Speciali, the Tribunali Straordinari Provinciali and the "Graciar" Court of Cassation.

Officials (as well as any other persons) regarded as potentially dangerous will in addition to suspension be taken into custody immediately. They may be interned or at the request of the Italian Govt to AG be handed over to the custody of that Government. Whenever a person is interned a report will forthwith be made to HQ AG.

It is emphasized that in carrying out the important duty of ridding the country of fascists nothing herein is intended to prejudice the right of SOAs and SOs or Districts and/or their individuals at their discretion without reference to their present official position or past fascist office.

SOAs and SOs have discretion in most exceptional cases to retain as a purely temporary expedient a fascist in office where the immediate administration of any locality renders this essential and no local replacement can be found. In all such cases the work of the individual should be closely supervised and a decision should be made at once for a replacement to the appropriate sub-Commission. In the North, however, it should seldom, if ever, be necessary to exercise this discretion.

H. E. Fiske

H. E. FISKE, Col
Acting Executive Commissioner
For Chief Commissioner

Distribution:

Groups I & II: List A less serials 19/45 & 34/63
Group III : List B plus No 1 & No 2 District (2 copies)

APPENDIX "A" TO EX MEMO No. 42 (REVISED)

Offices from which persons may be removed on evidence of Fascism in Apex "B"

- 1 As to Professional Organizations, State and Para-State Concerns
Presidents, Vice Presidents, Directors, Managers and Secretaries.
- 2 As to Local Government
Presidents, Vice Presidents and Chiefs of Cabinet of Provinces;
Mayors of cities and communes.
- 3 As to the Judiciary
First President, Procuratori and Avvocati Generali, Presidenti of Sessions,
Consiglieri and Giudici Istruttori of the Court of Appeal;
President, Presidenti of Session, Procuratore del Reame (della Repubblica) and
Giudici Istruttori of the Tribunale;
Primo Pretore of towns of over 40,000 inhabitants.
- 4 As to Education
Rectors and Professors of Universities;
Provveditori agli Studi and Ispettori of Provinces;
Direttori Didattici and Esamini and Direttori of Schools.
- 5 As to Public Safety
Ispettori Generali, Questori and Vice-Questori of Provinces;
Comandanti of Vice Brigades.
- 6 As to Finance
Intendenti di Finanza and Regionali Capo of Provinces;
Senior Provincial Officers of Banks, Finance and Insurance concerns.
- 7 As to Transportation and Communications
Directors of Transport and Port Commandants;
Provincial Directors and Inspectors of Postal and Telegraph Services;
Divisional Directors and Engineers of Telegraph and Telephone Services.
- 8 As to Commerce, Food, Agriculture and Labour
Directors and Secretaries of Consigli Provinciali dell'Economia Corporativa;
Direttori dell'Assicurazione, Direttori of Consorzi;
Directors of Social Insurance Agencies, Ispettori del Lavoro.

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APPENDIX "B" TO R.O. 12356 No. 57 (REVISED)Evidence of Fascism deemed to justify removal from offices in 1943

- 1 If a "fact-cursor" employee, received an appointment after 13 Oct 43.
- 2 Held a Ministerial or senior Executive grade appointment in the Republican Fascist Government or any ministry or Department thereof.
- 3 Held an office in any National, Federal, Provincial or Communal Organization of:
 - i the Fascist Party;
 - ii the Chamber of Fasci and Corporations;
 - iii the Fascist Syndicates and Federations;
 - iv the Fascist Militia (except officers of the Milizia Controspionaggio, Controspionaggio or Volontaria unless they are within some other provision hereof).
- 4 Held (except as an honorary distinction for some non-political reason) the title of:

Sansopolista, Squadrista, Antonarvio, Maresca di Roma, Sciarpa Littorio.
- 5 Was during the Fascist regime, a member of:

the Central Government, the Senate, the Chamber of Deputies, the National Council, the Grand Council, the Tribunale Speciale, the Tribunale Straordinari Provinciali.
- 6 Consistent public advocacy of Fascism: whether over the radio, in the Press, or otherwise and whether as author, speaker, editor, director, or organizer.
- 7 Was decorated or promoted or otherwise rewarded for political services by the Republican Fascist or German Governments.
- 8 Has taken the oath of allegiance to the Fascist republican Government.

NOTE :- All expressions referring to any fascist organization include the equivalent Republican Fascist organization.

35A

HEADQUARTERS ALLIED COMMISSION
APO 524
CIVIL AFFAIRS SECTION

IR/3.8/OA

9 April 45

SUBJECT : Defensives - North Italy.

TO : Economic Section
Legal Sub-Comm
Pub Safety Sub-Comm ✓

It is proposed to issue the attached directive immediately.

If you have any comments will you please inform this Section by 1000 hrs tomorrow 10 April 45.

The attention of Economic Section is particularly drawn to sub-heading B.

	INIT	DATE
DIRECTOR	<i>[Signature]</i>	9/4
DEPUTY DIR	<i>[Signature]</i>	10/4
EXECUTIVE	<i>[Signature]</i>	10/4
PLN	<i>[Signature]</i>	10/4
IC 219. <i>Russ</i>	<i>[Signature]</i>	11/4
PRSON	<i>[Signature]</i>	11/4
ASST	<i>[Signature]</i>	9/4
SECRET		
CHIEF		

[Signature]
A.D. ~~WHELAN~~
Lt Colonel
for VP OA Section

5653

DRAFT

CONFIDENTIAL.

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

9 April 1945

SUBJECT: Defascism - Plan of Operation

TO:

A. EXPURGATION OF FASCISTS FROM STATE ADMINISTRATION AND STATAL AND PARASTATAL CONCERNS:

1. Expuration will play an even more important role in the North than in areas already liberated. A quick and effective expuration may be decisive in securing a peaceful administration.

At the same time, this does not mean that there will be wholesale dismissals, any plan for such would not only disorganize the administration but might work grave injustices. (e.g. it is believed from reliable sources that the Judges of PISA have refused to take the oath of allegiance to the Fascist Republican Government).

2. Expuration will therefore be conducted on the following plan:

- a) On first entry expuration will be carried out in accordance with Executive Memorandum 67 (of which a revised edition has been issued).
- b) This will be followed by the setting up of Italian Provincial Expuration Commissions under the terms of GO.35. In provinces not yet liberated as of this date, GO.35 may be posted at any time after entry at the discretion of SOAO Army or IV CORPS, or the Regional Commissioner, without reference to Headquarters Allied Commission. This discretion may be delegated to Provincial Commissioners.

However, as the General Order sets up rigorous time limits, it should not be posted until suitable persons to sit on the Commissions have in fact been selected.

Supplies of GO.35, together with Administrative Instructions and books printed in Italian for the use of the Italian Commissions, have been distributed.

An amended GO.35(a) has been signed. It affects payments to be made to suspended personnel and provides for the dismissal rather than suspension of temporary employees (avventisti). Copies of GO.35(a) will be distributed as soon as possible, but the operation of GO.35 will not be held up by non-arrival of copies of GO.35 (a).

c) The foregoing will be followed up by the implementation under the

35B

be decisive in securing a peaceful administration.

At the same time, this does not mean that there will be wholesale dismissals, any plan for such would not only disorganize the administration but might work grave injustices. (e.g. it is believed from reliable sources that the Judges of PISA have refused to take the oath of allegiance to the Fascist Republican Government).

2. Expiration will therefore be conducted on the following plan :

a) On first entry expiration will be carried out in accordance with Executive Memorandum 67 (of which a revised edition has been issued).

b) This will be followed by the setting up of Italian Provincial Expiration Commissions under the terms of GO.35. In provinces not yet liberated as of this date, GO.35 may be posted at any time after entry at the discretion of SOAO Army or IV CORPS, or the Regional Commissioner, without reference to Headquarters Allied Commission. This discretion may be delegated to Provincial Commissioners.

However, as the General Order sets up rigorous time limits, it should not be posted until suitable persons to sit on the Commissions have in fact been selected.

Supplies of GO.35, together with Administrative Instructions and books printed in Italian for the use of the Italian Commissions, have been distributed.

An amended GO.35(a) has been signed. It affects payments to be made to suspended personnel and provides for the dismissal rather than suspension of temporary employees (avventisti). Copies of GO.35(a) will be distributed as soon as possible, but the operation of GO.35 will not be held up by non-arrival of copies of GO.35 (a).

c) The foregoing will be followed up by the implementation under the usual procedure of MIL.159 and amending Decree in ASL territory.

When these Decrees are implemented it is the duty of the Government to appoint three delegates in each province to collect evidence, make investigations on behalf of the High Commissioner, and set up Provincial Commissions. Every assistance should be given to these Delegates.

However, it is not necessary to suspend the Commissions set up under (b) above until the Government Commissions are actually nominated and ready to commence work.

/ J.....

2.

3. It very well may be that the CINs and Partisans will themselves have carried out an epuration of the administration before the arrival of the Allies and have placed new personnel in the places of those dismissed. This will render the task of epuration that much easier.

If such is found to be the case, it will probably be wise to retain in office such new personnel as are not found to be incompetent. Nevertheless, the situation will require constant watching to see that in fact such personnel carry out the orders of the Allies and are not attempting to set up some administration of their own. If necessary, firm action must be taken and such officials removed.

4. In other cases it may be found that there has been a mass epuration and the vacant offices have not been filled. In this case, personnel will be recruited locally, or replacements must be requested from Headquarters Allied Commission. The former is to be preferred, as the number of minor officials who can be supplied by the Italian Government is not large, and some delay in their arrival is to be anticipated. If an acute shortage of personnel makes it absolutely necessary, minor officials may have to be temporarily reinstated although they have previously been removed. Opportunity should be taken of assuring the local populace of an immediate investigation of any persons thus reinstated in accordance with the procedure outlined in para. 2 above.

B. EPURATION OF BUSINESS CONCERNS:

5. Paragraph "A" above does not deal with the epuration of business concerns which are not statal or para-statal.

In the cases of business concerns which:

- a) owing to their importance it is desired to operate; but have ceased to operate or operate effectively as the Fascist heads have fled; or
- b) are operating under Fascist heads and it is desired to continue operation and remove the Fascist heads;
- c) have become ineffective as the Fascist heads have fled and the management has been "socialized" in the hands of the workers

use should be made of the power to appoint a Receiver and Manager (see Directive... ALLENBY/11888).
AG/4.183/L dated 17 March 1945)

C. PUNISHMENT OF FASCIST CRIMINALS AND COLLABORATORS:

6. It is not legal for AMG to set up special Allied Courts to deal with Fascist criminals or collaborators with the Fascist Republican Government or German AMG Courts are confined to trying offences against proclamations and General Orders or Punishment Orders or, in exceptional circumstances (see Article

the vacant offices were not been filled. In this case, personnel will be recruited locally, or replacements must be requested from Headquarters Allied Commission. The former is to be preferred, as the number of minor officials who can be supplied by the Italian Government is not large, and some delay in their arrival is to be anticipated. If an acute shortage of personnel makes it absolutely necessary, minor officials may have to be temporarily reinstated although they have previously been removed. Opportunity should be taken of assuring the local populace of an immediate investigation of any persons thus reinstated in accordance with the procedure outlined in para.2 above.

B. EPURATION OF BUSINESS CONCERNS :

5. Paragraph "A" above does not deal with the epuration of business concerns which are not statal or para-statal.

In the cases of business concerns which :

- a) owing to their importance it is desired to operate; but have ceased to operate or operate effectively as the Fascist heads have fled; or
- b) are operating under Fascist heads and it is desired to continue operation and remove the Fascist heads;
- c) have become ineffective as the Fascist heads have fled and the management has been "socialized" in the hands of the workers

use should be made of the power to appoint a Receiver and Manager (see Directive... ~~MINISTRE DELL'INDUSTRIA~~),
 10/4183/1, dated 17 March 1945)

C. PUNISHMENT OF FASCIST CRIMINALS AND COLLABORATORS:

6. It is not legal for AMF to set up special Allied Courts deal with Fascist criminals or collaborators with the Fascist Republican Government or German-AMF Courts are confined to trying offences against proclamations and General Regional or Provincial Orders or, in exceptional circumstances (see Article 14 of Consolidated Instructions for Allied Military Courts), offences against Italian Law.

Officers are also reminded that AMF Courts may not try enemy prisoners of War or War Criminals.

7. On the other hand, it may be anticipated that local CENs may have set up local but illegal to try such criminals and collaborators. It will be the duty of AMF to do all in their power to suppress these Courts and, to assist them in this difficult but essential duty, the following plan has been agreed with the Italian Government.

/ (a)

3.

a) A Decree will shortly be passed and will provide for the setting up of Special Popular Courts to deal with collaborators with the Germans since 26 September 1944.

Briefly, the scheme of this Decree is that, in each Province the OCM will select 200 names from proved anti-Fascists, from which the President of the Tribunal will select a panel of 50 names. From this panel 4 lay assessors will be selected in turn and will form a Court presided over by a Judge appointed by the President of the Tribunal for the trial of these offenders. This Decree, which also provides for very quick procedure, will be published in a special issue of the Official Gazette and will bear its own endorsement by AG implementing the Decree in AMG territory. It is recommended that this Decree be implemented by handing to the Prefect at the earliest possible moment sufficient copies of this official gazette will be dispatched to Armies and Regions directly they are available.

It may be of interest to note that this Decree is based on the one now operating in France where it has proved to be a considerable success.

b) The Italian Government have already published a decree (No. 35 of 1 Feb 45) setting up special Military Courts to deal with both military and civilian offenders expeditiously. This Decree will be implemented in AMG territory in accordance with the usual procedure.

8. Provided that any illegal courts exist from their activities on the entry of the Allies, it is NOT imperative that the persons constituting such courts should be apprehended. It is a matter for discretion in each case, e.g. on the one hand members of the OCM may have constituted a Court in good faith under a mistaken view of their rights, on the other hand a regime of revenge and murder may have been set up under the guise of a Court of Justice.

D. DEPRISONMENT OF FASCISTS AND COLLABORATORS:

9. As formerly, this will continue to be a normal function of FES/CIC and only under the powers conferred on them in para. 10 of Executive Memorandum 67 will AMG officers arrest and intern Fascists who are not charged with a specific offense.

10. It may be anticipated that in a large number of cases there will have been wholesale arrests and imprisonments by Partisans and/or OCM before the arrival of the Allies. Unless prison congestion becomes intolerable it will probably be in the best interests of all concerned to leave such persons in prison until a more settled state is reached and their individual cases can be investigated by the appropriate authority. In retaining such prisoners, AMG officers must be satisfied that (a) the prison officials can provide an effective guard; and (b) the prisoners are being properly cared for and fed and are not the subject of mistreatment by prison guards, Partisans or others.

to implementing the Decree in AMI territory. It is recommended that this Decree be implemented by handing to the Prefect at the earliest possible moment. Sufficient copies of this official gazette will be dispatched to Armies and Regions directly they are available. It may be of interest to note that this Decree is based on the one now operating in France where it has proved to be a considerable success.

b) The Italian Government have already published a decree (No. 55 of 1 Feb. 45) setting up special Military Courts to deal with both military and civilian offenders expeditiously. This decree will be implemented in AMI territory in accordance with the usual procedure.

8. Provided that any illegal courts desist from their activities on the entry of the Allies, it is NOT imperative that the persons constituting such courts should be apprehended. It is a matter for discretion in each case, e.g. on the one hand members of the GEM may have constituted a Court in good faith under a mistaken view of their rights, on the other hand a regime of revenge and murder may have been set up under the guise of a Court of Justice.

D. IMPRISONMENT OF FASCISTS AND COLLABORATORS:

9. As formerly, this will continue to be a normal function of PSS/OIC and only under the powers conferred on them in para. 10 of Executive Memorandum 67 will AMI officers arrest and intern Fascists who are not charged with a specific offence.

10. It may be anticipated that in a large number of cases there will have been wholesale arrests and imprisonments by Partisans and/or GEM before the arrival of the Allies. Unless prison congestion becomes intolerable it will probably be in the best interests of all concerned to leave such persons in prison until a more settled state is reached and their individual cases can be investigated by the appropriate authority. In retaining such prisoners, AMI officers must be satisfied that (a) the prison officials can provide an effective guard; and (b) the prisoners are being properly cared for and fed and are not the subject of mistreatment by prison guards, Partisans or others.

~~BY COMMAND OF THE CHIEF COMMISSIONER~~

MILBY W. STONE
Rear Admiral, USNR
Chief Commissioner

Distribution:
All Sub-Commissioners
All Provincial Commissioners
All Public Safety Officers
All Legal Officers

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

10 April 1945

AC/14754/PS

SUBJECT : Defacement
TO : Civil Affairs Section

1. With reference to letter DF/6.5/CA dated 26 March 1945.
2. With reference to Grade I-IV officials, these are all GCRS Officers and during the last few days progress has been made whereby the outstanding cases have been reduced by over 50%.
3. From interviews with the Committees and Officials concerned, an assurance has been obtained that progress will improve; written replies to letters from this office to the Ministries concerned asking for an assurance that the cases will be completed within the periods allowed by law are awaited.
4. Arrangements have been made whereby the GCRS Eputation Commission can go to Florence to interview witnesses on the spot which should materially expedite investigations.
5. When interviewed, the various officials re-iterate the difficulties under which they are working, some instances of which were given in this office letter AC/14754/PS dated 15 March 1945 to Civil Affairs Section and while giving an assurance that they are working as fast as possible, they do ask that their difficulties be taken into consideration.
6. With reference to para 6a of this office letter of 15 March 1945, respecting alleged delay in the office of the High Commission for Eputation, any action be taken by your office to investigate this statement and eliminate some of the delay.

MA

JOHN E. CHAPMAN
Colonel, U.S.A.
Director Public Safety
Sub-Commission

5649

22/12

Translation-

MINISTRY OF INTERIOR
1st Grade Epuration Committee
Personnel Fire-Service.

4th April, 1945.
N. 101/500/P

Reply to AC/14754/43 dated 28/3/45.

Subject : Defascism.

To : A.C. Public Safety Sub-Commission - Rome

With ref. to the a/m letter it is communicated that this Committee provides for the sending out of the intimations to those concerned and is dealing with the respective investigations, as soon as the denunciations arrive from the High Commissioner for Epuration.

There are no cases for which intimations have not been sent out, exception made of the case of dr. Ing. Luigi Bigi 2nd class Officer - VII grade - Group A - For this case the liberation of Bologna is awaited, so that this Committee be able to make investigations at the local Authorities.

All other cases have been dealt with within the legal time limits;.

Each time the necessity arises the Committee is meeting; from the dates of the investigating records it appears how immediate action is taken in regard to incoming cases.

The President
(Dr. Prof. Arturo Rispoli)

rv.

TO	BY	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
CLERK		
SEC. & REG.		
RECORDS		
ADVIS. STAFF		
S. S. STAFF		
OTHER		

5048

Forvaldte

Ministero dell'Interno



DIREZIONE GENERALE DEI SERVIZI ANTINCENDI
COMMISSIONE DI 1° GRADO PER L'EPURAZIONE
del Fascicolo del Casell. dei Servizi Antincendi

Prot. N. 151/800/2
a. 2058 AC/14754/28
del 20.3.1945

Roma, li 4 aprile 1945

HEAD QUARTERS ABILITY COMMISSION
Public Safety Sub-Commission
PO 334

SUBJECT: Refusci-tazione.

In relazione all'ergolo a marione decessa di cui questa Commissione prende atto, contestazioni agli interessati e alla istruttoria relativa appena ricevuta la domanda dalla Commissione per l'epurazione.

Nessuna pratica è in possesso del Tribunale di 1° grado eccettuata la pratica del Tribunale di 1° grado per caso di decesso di un individuo. Si attende per caso di decesso la pratica presentata per il caso di decesso di un individuo.

Tutte le altre pratiche sono espresse nei termini della Commissione presentata per il caso di decesso che possono essere i decessi.

La Commissione si riunisce tutte le volte che è necessario, dalle date di decisione dei verbali istruttori risulta come praeda subito all'impulamento della pratica appena pervenute.

IL PRESIDENTE
Consigliere della Corte di Cassazione
(dr. prof. Arturo Ripoll)
5647

Ripoll



DIREZIONE GENERALE DEI SERVIZI ANTINCENDI

COMMISSIONE DI 1° GRADO PER L'EPURAZIONE

641 Ferrovie del Sud-Est Servizi Antincendi

Prof. E. LOI/SUB/3
a. NOVA AD/I4764/23
del 28.3.1945

Torino, li 4 aprile 1945

HEAD QUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
PO 334

Oggetto: Definitiva.

In relazione alla nota emessa dalla Commissione di cui questa Commissione fa parte, e in merito alle contestazioni proposte alla Commissione stessa, si è provveduto a una istruttoria relativa a questa vicenda. Le conclusioni della Commissione per l'epurazione sono:

Restano pratici in piena conoscenza dei fatti e delle circostanze, e in merito a questa vicenda, si è provveduto a una istruttoria relativa a questa vicenda. Le conclusioni della Commissione per l'epurazione sono:

Tutte le azioni praticate sono espletate nei termini indicati. La Commissione si riunisce tutte le volte che è necessario, e dalla data di istituzione del verbale istruttorio risulta come proceda subito all'espletamento delle pratiche approntate.

IL PRESIDENTE
Consigliere della Corte di Cassazione
(Prof. Arturo Ripoli)
5047

Ripoli



32A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DF/6.5/CA

7 April 45

SUBJECT : Defascism

TO : Pub Safety S/C

Please expedite reply to this Office letter of even reference
dated 26 March.

30A

S.H. White
S.H. WHITE Lt Col,
for CSO CA Section

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER	<i>W</i>	<i>7/4</i>
POLICE		
REC. MSTR		
SECRET	<i>S</i>	<i>7/4</i>
CHIEF CLERK		

5046

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31A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478708

28 March, 1945.

AG/14754/PB

SUBJECT : Defascism.

TO : Ministry of Interior : Commanding General C.C.F.
Euration Committee for : Euration Commission.
Agents of Public Security :

Ministry of Interior
Euration Committee for Fire Service. - 33^a

1. With reference to the fortnightly returns showing progress of Committees of Examination and Euration of Grade I to IX officials.
2. It is considered that the present rate of progress is not satisfactory, and that unless it improves considerably, that neither the preliminary examinations nor the trial of those officials referred to the Euration Committee will be completed within the periods allowed by law.
3. May the necessary action be taken to increase the speed of progress, and an assurance be given that all cases will be completed within the legal time-limits.

JW
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

BF/G.

5645

30A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

16754/PS.

Tel. Ext. 469

REF: DF/6.5/CA.

26 Mar 45.

SUBJECT: Defascism.

TO: Public Safety Sub-Commission. ✓

Reference Defascism report for period ending 15 Mar 45.

- 1 With regard to Grades 1 - 4 Officials, it is noticed that the figures are identical with those of the last report and that no progress whatever has been made. This is not regarded as satisfactory. Will you please obtain an assurance that the out-standing cases will be promptly heard.
- 2 As to the report generally:
 - (a) A comparison of columns (b) and (c) shows that 560 persons are still to be investigated. As the time limit for this is nearly expired, will you please obtain an assurance that these investigations will be concluded in time.
 - (b) A comparison of columns (d) and (e) shows that 450 cases remain to be tried. These will not be concluded within the time limit if the rate of progress is not improved.

Handwritten signature
S.M. WHITE, Lt Col,
SOP VP CA Sec.

AB/eg

	TO
WARRANT	
DEPUTY DIRECTOR	
EA OFFICER	
POLICE	
LC & Reg	
PROSEC	
ADM OFFICER	
SECURITY	
CHIEF CLERK	

8 27/3

5044

CF

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

21 Mar 45.

29A

Ref: DF/5.15/CA.

SUBJECT: Deceased.

TO: See Distribution.

WTR
28A

Reference our DF/5.15/CA dated 22 Mar 45.

You will note the various extensions of time limits, particularly that contained in Art. 1 of D L 56 which extends the time limit of persons separable centrally by at least 30 days and in certain cases to 60.

For the Chief Commissioner:

[Signature]

G.R. UFFORD, Brig.,
VP CA Section.

DISTRIBUTION:

VP CA Section,
Educ S/C
Local Govt S/C
Legal S/C
Pub Aff
File (4)

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Aeri S/C
Commiss S/C
Finance S/C
Pub Works S/C
Transport S/C

Pol Sec
Air S/C
Army S/C
Naval S/C
Comms S/C
P R B

TO		
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
PO		
LC. & REG.		
PERSONS		
LEGAL OFFICER	7/5	28/3
IS		
TY		
CLERK		

5643

14754

28A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

22 Mar 45

Ref : DF/5.15/CA

SUBJECT : Defascism.

TO : See Distribution

25B

Enclosed are translations of DL's 44 and 56, amending DL's 159, 257 and 265 of 1944, for your information.

[Handwritten signature]

G.F. URJOHN Brig
WP CA Section.

DISTRIBUTION:

- | | | |
|--------------------|-------------------|--------------|
| VP CA Sec | Econ Sec (2) | Pol Sec (2) |
| Educ S/C (2) | Agri S/C (2) | Air S/C (2) |
| Local Govt S/C (2) | Commerce S/C (2) | Army S/C (2) |
| Legal S/C (2) | Finance S/C (2) | Navals/C (2) |
| Pub Saf S/C (2) | Pub Works S/C (2) | Comms/C (2) |
| File CAS | Transpt S/C (2) | HRB |

All Regional Headquarters (4)
All Provincial Commissioners (2)

Director	<i>[initials]</i>	24/3
Asst Dir	<i>[initials]</i>	24/3
Chief Clerk	<i>[initials]</i>	24/3
Sec. & Insp.	<i>[initials]</i>	24/3
Prisons	<i>[initials]</i>	26/3
Asst. Officer		

5642

[Handwritten mark]

DIA 44 of 23 FEB 45

DIA 56 of 12 MAR 45

RULES OF PROCEDURE
ADDITIONAL AND AMENDING

02103

RULES OF PROCEEDINGS
ADDITIONAL AND AMENDING

22 Mar 45

CL 500

0203

5640

DL 44 of 23 Feb 45

DL 56 of 12 Mar 45

RULES OF PROCEDURE

ADDITIONAL AND AMENDING

The Italian versions of these decrees are the only authoritative texts. These versions are not a literal translation; their object is to inform officers conveniently of the provisions contained in the Decrees. Officers are referred to the Italian texts for all points of detail or matters of procedure or dispute.

DL 44 DL 56

Pay of Suspensions	Art 1	2
Time limits	" 2-7	1
Appeals	" 8	
Future Liberation	" 9	
Pensions	" 10-11	

DL 44

PAY OF SUSPENSIONS

1 Employees suspended from office in accordance with the last para of Art 22 of DL 45 of 1944 shall in addition to their salary be paid the family or high cost of living allowance at present authorized as well as the temporary increase granted by DL 15/B of 1943 - as increased by DL 328 of 1944.

TIME LIMITS

2 Eparation proceedings before a Commission of first instance against any employee suspended from office before this decree came into force shall if the employee belongs to a central State Department be completed within four months and in all other cases within five months from the date on which the proceedings commenced as laid down by art 25 of DL 285 of 1944.

But this provision shall not affect the time limits relating to officials of the first four grades which shall remain unchanged.

3 The time limit for the commencement of the operation proceeding against prisoners or internees, including those interned or imprisoned in Italy and against persons shown as missing and against persons resident outside the national territory, shall be three months commencing from the date of the cessation of hostilities or if such be earlier, from the day on which they resumed service with the Department employing them; or, if they are employed outside the national territory, from the day on which they resume duty in such territory.

4 The time limit for the commencement of operation proceedings against civilian employees in military service shall be three months from the date of their discharge or being granted indefinite leave.

Operation proceedings in progress against any person called or recalled to

Officers are referred to the Italian text.

DL 44 DL 56

Pay of Suspenses	Art 1	2
Time limits	" 2-7	1
Appeals	" 8	
Future Liberation	" 3	
Pensions	" 10-11	

DL 44

PAY OF SUSPENSES

1 Employees suspended from office in accordance with the last para of Art 22 of DL 159 of 1944 shall in addition to their salary be paid the family or high cost of living allowance at present authorized as well as the temporary increase granted by DL 18/B of 1943 - as increased by DL 228 of 1944.

TIME LIMITS

2 Expiration proceedings before a Commission of first instance against any employee suspended from office before this decree came into force shall if the employee belongs to a central State Department be completed within four months and in all other cases within five months from the date on which the proceedings commenced as laid down by art 25 of DL 285 of 1944.

But this provision shall not affect the time limits relating to officials of the first four grades which shall remain unchanged.

3 The time limit for the commencement of the expiration proceedings against prisoners or detainees, including those interned or imprisoned in Italy and against persons shown as missing and against persons resident outside the national territory, shall be three months commencing from the date of the cessation of hostilities or if such be earlier, from the day on which they resumed duty with the Government employing them; or, if they are employed outside the national territory, from the day on which they resume duty in such territory.

4 The time limit for the commencement of expiration proceedings against civilian employees in military service shall be three months from the date of their discharge or being granted indefinite leave.

Expiration proceedings in progress against any person called or recalled to arms shall be suspended until such person is discharged or given indefinite leave.

5 For the purposes of the second para, of Art 25 of DL 159 of 1944, the expiration proceeding before any Commission of first instance shall be deemed to terminate when the decision is filed in the Secretariat of the said Commission.

6 The second paragraph of Art 1 of DL 237 of 1944 is amended to read as follows

"In cases such as are referred to in the preceding paragraph, Commissions shall file their decisions in the Secretariat of their Commission within thirty days from the day on which the person was referred to trial; the period for lodging an appeal to the central Commission established by Art 20 of DL 159 of 1944 shall for the High Commissioner be ten and for the person concerned three days from the communication to them respectively of the said decision. The said appeals shall be dealt with by the Central Commission with absolute priority".

7 The time limit within which proceedings of first instance must be completed may, when the exceptional complexity of any case requires it, be extended by a maximum of thirty days.

The extension shall be granted on the request of the President of the Eparation Commission to the authority which was responsible for nominating the particular Commission concerned.

APPEALS

8 Whenever notice of any decision of a Commission of first instance is served outside the Province in which such Commission sits, the person concerned may in addition to the method of filing prescribed by art 9 of DL 285 of 1944 file his appeal to the Central Commission at the Prefecture or at the office of the Sindaco of the Province or Comune in which the said notice was served on him or at the local CURE station.

Any appeal so filed shall be forwarded immediately to the Secretariat of the Commission of first instance for transmission to the Central Commission.

OTHER LIMITS

9 The following paragraph shall be added to art 26 of DL 265 of 1944.
"If the discovery of any such evidence results from the restoration of normal communications with any colony or territory, it may be ordered, in the manner directed by the preceding paragraph, that the period within which the person concerned may be referred to Eparation shall commence from the day of the cessation of the state of war".

PENSIONS

10 In the event of any retirement under art 2 of DL 257 of 1944 being ordered while Eparation proceedings are in progress, the High Commissioner for Sanctions against Fascism may within thirty days from receiving notice of any such order, request the appropriate Commission of first instance or the Central Commission to continue the proceedings to decide whether the right to pension or to any increase of pension granted by art 3 of the said law shall be forfeited.

In the absence of any such request (within the said time limit) or on an express refusal by the High Commissioner to make any such request the said proceeding shall cease and be of no effect.

11 The economic benefits granted to irremovable personnel by art 3 of DL 257 of 1944 and art 9 of DL 2 of 1945 shall as from the dates of their respective retirements be extended to regular Magistratus of Military Courts and to Councillors of the National Research Council retired under DL 257 of 1944.

The time limit contained in the second paragraph of the aforesaid art 9 shall commence from the day on which this decree comes into force.

12 The present decree shall come into force the day after its publication in the Official Gazette of the Kingdom (9 Mar 1945)

DL 56

TIME LIMITS

- 1 The time limits for the initiation of Eparation proceedings under para 1 of art 25 of DL 159 of 1944 as extended by art 6 of DL 2 of 1945 are further extended by
 - (i) 30 days for civilian employees of my Ministry;
 - (ii) 60 days for civilian employees of my central Department of State other

Any appeal so filed shall be referred immediately to the Secretariat of the Commission of first instance for transmission to the Central Commission.

GENERAL PROVISIONS

9 The following paragraph shall be added to Art 26 of DL 287 of 1944.
 "If the discovery of any such evidence results from the restoration of normal communications with any colony or territory, it may be ordered, in the manner directed by the preceding paragraph, that the period within which the person concerned may be referred to execution, shall commence from the day of the cessation of the state of war".

PENSIONS

10 In the event of any retirement under Art 2 of DL 257 of 1944 being ordered while execution proceedings are in progress, the High Commissioner for Pensions against Pensions may within thirty days from receiving notice of any such order, request the appropriate Commission of first instance or the Central Commission to continue the proceedings to decide whether the right to pension or to any increase of pension granted by Art 3 of the said Decree shall be forfeited.
 In the absence of any such request (within the said time limit) or on an express refusal by the High Commissioner to make any such request the said proceeding shall cease and be of no effect.

11 The economic benefits granted to irremovable personnel by Art 3 of DL 257 of 1944 and Art 9 of DL 2 of 1945 shall as from the dates of their respective retirements be extended to regular Magistrates of Military Courts and to Councillors of the National Research Council retired under DL 257 of 1944.

The time limit contained in the second paragraph of the aforesaid Art 9 shall commence from the day on which this Decree comes into force.

12 The present Decree shall come into force the day after its publication in the Official Gazette of the Kingdom (9 Mar 1945)

DL 56

TIME LIMITS

1 The time limits for the initiation of operation proceedings under para 1 of Art 25 of DL 159 of 1944 as extended by Art 6 of DL 2 of 1945 are further extended by
 (i) 30 days for civilian employees of any Ministry;
 (ii) 60 days for civilian employees of any central Department of State other than a Ministry;
 (iii) 60 days for members of the armed forces employed in any central Department of State.

PAY

2 Notwithstanding Art 362 of RD 827 of 25 May 1924, provincial offices of the Treasury, while waiting for the proper changes to be made in the account books, may as a matter of course order the payment of any remuneration owing to employees suspended under the last paragraph of Art 22 of DL 159 of 1944.

3 The present Decree shall become effective on the day of its publication in the Official Gazette of the Kingdom (16 Mar 1945).

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DF/3.32/CA

17 Mar 45

SUBJECT : Defascism.

TO : See Distribution

Enclosed for your information are 2 copies of a handbook on the suspension of fascist officials and employees, under GO 35 for use by Provincial Commissioners of North Italy if GO 35 is put into operation there.

S.H. White
S.H. WHITE Lt Col,
for VP CA Section

DISTRIBUTION :-

VP CA Sec

Educ S/C

Local Govt S/C

Legal S/C

Pub Saf S/C

File CAS

Econ Sec (2)

Agri S/C

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Finance S/C

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Transpt S/C

Pol Sec

Air S/C

Army S/C

Naval S/C

Comms S/C

PRE

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File 26A
14754

CONFIDENTIAL

APPENDIX I No. 58

8 March 1945

EPURATION

(Further copies of this report are available on request)

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3. Translation of Statement submitted by Mario Berlinguer (Jan 1945)	3
4. Statistics of High Commissioner of Epuration	6
5. List of Fascists Whose Property has been Sequestered (Feb. 1945)	9
	11

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EPURATION

(Further copies of this report are available on request)

1. Introduction	Page
2. Activities and Organization of the Epuration Commission	1
3. Translation of Statement submitted by Marie Berlinguer (Jan. 1945)	3
4. Statistics of High Commissioner of Epuration	8
5. List of Fascists Whose Property has been Sequestered (Feb. 1945)	9
	11

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CONFIDENTIAL

CONFIDENTIAL

- 1 -

(Passages marked with a line at the side are for information only)

F. R. U. R. A. T. I. O. N.

1. Introduction

It is perhaps needless to say that epuration has been one of the most serious problems of the new Italian Government. That there are many confused and widely differing ideas as to the exact meaning of "epuration" in the various currents of Italian thought, is evident from the fact that in less than one year there have been four different High Commissioners for Sanctions against Fascism, - Zaniboni, Sforza, Scoccimarro, and now Bonomi. The latter has entrusted the actual work to G.B. Boeri, who is the Secretary General for the Sanctions against Fascism. The resignation of the first Bonomi government was due to disagreements within the Ministry on the subject of epuration, and the Epuration Commission has been the object of political manoeuvres by the parties participating in the present government.

There are many reasons for the slowness of epuration. After seven months, the special commissions for the various government administrations are only just beginning to be organized and to learn their functions, and there are still several administrations for which commissions have not been set up. Adequate funds have not yet been appropriated for the salaries of the personnel of the existing commissions and some 150 judges serving on these have not yet been paid. The offices of the High Commissioner at the Viminale are under-staffed, while the absence of the adequate means of transportation and communication has retarded investigations. Many documents have been removed to Northern Italy, and until they have been recovered many cases will lapse for want of evidence. There is a shortage of trained personnel for the epuration offices. The Allies have not wanted to see the regular courts drained of their judges to supply the epuration commissions, and lastly there is sabotage of proceedings within the government services by state employees who are reluctant to see themselves or their friends epurated.

There are many ways to evade the epuration laws: the accused say that they were young when they joined the March on Rome and invoke the thoughtlessness of youth; they say they were forced to join the Fascist Party; influential friends and relatives intercede on their behalf;

Sforza, Scoccamario, and now Boeri, who is the Secretary of the actual work to G.B. Boeri, who is the Secretary General for the Sanctions against Fascism. The resignation of the first Bonomi Government was due to disagreements within the Ministry on the subject of epuration, and the Epuration Commission has been the object of political manoeuvres by the parties participating in the present government.

There are many reasons for the slowness of epuration. After seven months, the special commissions for the various government administrations are only just beginning to be organized and to learn their functions, and there are still several administrations for which commissions have not been set up. Adequate funds have not yet been appropriated for the salaries of the personnel of the existing commissions and some 150 judges serving on these have not yet been paid. The offices of the High Commissioner at the Viminale are understaffed, while the absence of the adequate means of transportation and communication has retarded investigations. Many documents have been removed to Northern Italy, and until they have been recovered many cases will lapse for want of evidence. There is a shortage of trained personnel for the epuration offices. The Allies have not wanted to see the regular courts drained of their judges to supply the epuration commissions. ~~They~~ lastly there is sabotage of proceedings within the government services by state employees who are reluctant to see themselves or their friends epurated.

There are many ways to evade the epuration laws: the accused say that they were young when they joined the March on Rome and invoke the thoughtlessness of youth; they say they were forced to join the Fascist Party; influential friends and relatives intercede on their behalf; they claim that they only became Fascists or "Repubblicani" in order to gather information for the Allies; they claim that in the past they spared anti-Fascists and demand that they be now kindly treated; they play politics, give bribes, extend favours, and seek protection from influential Allied officials.

While the above are a few of the causes that delay de-Fascistization they are not the principal ones. The trouble is that there is no driving force from the people which demands the transformation of the State from a Fascist to a democratic basis. The people are not sure that they

CONFIDENTIAL

CONFIDENTIALAPPENDIX I

- 2 -

(Passages marked with a line at the side are for information only)

believe in democracy, nor are they always sure what a Fascist is. Many Italians who sincerely disliked the Fascists and the Fascist system, now show an equal dislike for the newly-born "anti-fascists" and for Allied rule. They do not believe that everything in Fascism was bad. The lethargy and political skepticism of the people is reflected in the slow functioning of the epuration commission.

Since the formation of the second Bonomi government, epuration has proceeded along conservative lines and has been based on liberal traditions. The government wishes to proceed by due process of law and denies the existence of a revolutionary situation. Its critics claim that epuration can only be achieved by revolution because no regime will epurate - and thus largely eliminate - itself.

The broader problem of epuration may be summed up by this question: from a strictly constitutional point of view, is the whole Fascist regime illegal?

If the answer is "yes", all fascist legislation should be abrogated, and all fascist crimes should be punished according to pre-fascist laws.

If the answer is "no", new legislation modifying existing laws will be necessary in order to punish the Fascists.

The answer has not been given, but a compromise has been reached.

Much of the Fascist legislation is still in force today, while Fascists are being punished according to new "experimental" epuration laws.

The issue on the subject of epuration as between Right and Left, may be summed up as follows: The Left demands complete epuration in the upper grades of officials and insists that the structure of the State be radically changed in order to eliminate all Fascists and all traces of Fascism. The Right only wants moderate epuration, and insists that the structure of the State be preserved and only partially modified. As yet no agreement is in sight. It is to be expected that a new wave of epuration will break out

Italy is freed. Carlo Sforza

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2. Activities and Organization of the Epuraton Commission.

The following is based on information given to a P.V.B. officer during the past week by various officials of the Epuraton Commission, including Singolani and Stangoni, Asst. High Commissioners, Carapazza, of the Central Commission of Epuraton, and Dr. Franceschelli, Secretary of Grieco, High Commissioner for the Epuraton of Government Administrations.

The Epuraton Commission of the Italian Government was created to "de-fascistize" the Italian State. It is divided into the four following branches which function under the direction of the High Commissioner for Sanctions against Fascism:

- 1) Punishment of Fascist Crimes, High Commissioner, Mario Berlinguer.
- 2) Epuraton of the Government Administrations, High Commissioner, Ruggiero Grieco.
- 3) Liquidation of the property of the Fascist Party, Assistant High Commissioner, P.F. Stangoni.
- 4) Confiscation of illegally acquired profits, Assistant High Commissioner, Mario Singolani.

The creation of these different branches was necessary from the technical and legal point of view, to insure that "de-fascistization" will proceed by due process of law, and in a just and orderly manner.

The following is a brief survey of the work of the above branches:

- 1) Punishment of Fascist Crimes. The special law for Sanctions against Fascism provides for an extraordinary High Court of Justice to try outstanding Fascist criminals. Minor offenders are tried by the existing courts of justice of the communities of their residence. The public prosecutors act under instructions from the High Commissioner for the Punishment of Fascist Crimes, Mario Berlinguer, who assists them in obtaining evidence etc. etc.

Officers of the Armed forces who are guilty of political crimes fall under the jurisdiction of the High Court. The most recent figures show that more than 3000 cases have been investigated by the office of the High Commissioner; 1013 of these have been referred to the ordinary courts; 295 preliminary investigations have been completed and in

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- 2) Epuration of the Government Administration. This branch of the Epuration Commission is the largest and most complicated. It has created and still is creating special epuration commissions for each of the administrations of the government. Each special commission is composed of one magistrate appointed by the High Commissioner for Sanctions against Fascism, one member appointed by the government administration concerned, and one appointed by the High

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Commissioner for the Spuration of Government Administrations (Crieco).

The immediate suspension of an official can be ordered either by the High Commissioner or by the Minister of the administration concerned. The special commissions receive denunciations, collect evidence, and hold hearings. The commissions thereupon acquit, dismiss, suspend, or otherwise discipline the accused. Provision is made for a court of appeal to review cases, whether on the appeal of the accused or of the High Commissioner.

The Court of Appeal will begin to function on March 1st, when it will review 1000 appeals which are pending. (See pages 8-10. For statistics on the epuration of the various administrations).

3) Liquidation of the property of the Fascist Party. This Branch deals with the disposal of the property of the Fascist Party. Real estate or personal property which can be of no use to the State is sold and the proceeds turned over to the treasury; Fascist Party property which can be useful to the government is confiscated and allotted by the Presidency of the Council to such administrations as can make the best use of it. It has not been possible to ascertain precisely the value of the property and money which the Fascist Party removed to Northern Italy. The branch under Stangoni is searching for information in an attempt to trace the whereabouts of Fascist funds. Although most of the Fascist Party files were removed, a certain number of records were left behind. It is estimated that about 90% of the Party funds were taken North, none of which in all probability will ever be recovered. The Fascist Republic set up in the North has taken over all Fascist Party property and changed the names of its former organizations. This will complicate but not prevent its ultimate confiscation.

4) Confiscation of illegally acquired profits. The work of this office is to confiscate the illegally acquired profits of Fascist individuals and firms who enriched themselves through Fascist political influence or favoritism. The special sections of the Provincial Tax Commissions as provided for in Article 30 of the Spuration decree, have not yet started to function, so that the work of first determi-

ing and then confiscating profits has been de-

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As new areas of Italy are liberated, epuration is at first the task of the Allied military government, which under the stress of military operations, temporarily removes from office such state employees as they believe to be dangerous Fascists. When the area is subsequently turned over to the control of Italian government, the Epuration Commission takes over. The former High Commissioner, Sforza, some months ago, said that as a rule the Allies suspended large numbers of state employees, while the Epuration Commission tended to proceed more slowly and more carefully.

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3. Translation of statement dated Jan 1945. Submitted by
Mario Berlinguer.

"Many people inside and outside of Italy are asking: why does the punishment of those who were responsible for Fascism and the war and those who collaborated with the German proceed more slowly in Italy than in France and in other nations liberated from the Nazi occupation?

Italy was the first European state to enact a law against political criminals and traitors; this was done at Salerno when the Government was first formed by the Six Democratic Parties.

The law was subsequently modified and made more effective and severe in July of last year by the Bonomi government, which at the same time created a new organ for the prosecution of the more responsible culprits; this organ was the High Court of Justice which began at once to function.

The investigation and trials of individuals of minor importance charged with Fascist crimes are entrusted to the ordinary courts supplemented by lay judges, while military offenders are subject to the military courts.

Is it true that the delays of operation are due in part to the scarcity of judges and to legal procedure which require that investigations and trials be conducted with full guarantees of liberty and justice. The High Court has given proof of its intention to respect these guarantees in the trials of Ceruso, of the governor of the Bank of Italy, L. Zolini, and of the General Del Totto and Pentimalli.

But above all one must take into consideration the peculiar condition of Italy when compared with France and the other nations.

In Italy the law distinguishes between two distinct categories of culprits: those who were responsible for the twenty years of Fascist domination, and those who collaborated with the enemy after the armistice. In the other liberated nations only those in the last category are punished.

This distinction is very important.

Italy was oppressed by Fascist autocracy and terror for twenty years; and the law proposes to punish those responsible for this internal and foreign policy of violence, in order to prevent a recurrence; thus it has revoked Fascist amne-

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Is it true that the delays of epuration are due in part to the scarcity of judges and to legal procedure which require that investigations and trials be conducted with full guarantees of liberty and justice. The High Court has given proof of its intention to respect these guarantees in the trials of Caruso, of the governor of the Bank of Italy, Lanzolini, and of the General Del Totto and Pentimalli.

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This distinction is very important.

Italy was oppressed by Fascist autocracy and terror for twenty years; and the law proposes to punish those responsible for this internal and foreign policy of violence, injustice and aggression; thus it has revoked Fascist amnesties and proscriptions and the judges are re-examining legal proceedings such as the Matteotti case and are taking cognizance of new denunciations dealing with events during that twenty year period. But the punishment of these offenses naturally requires long and difficult investigations, for it necessary to gather evidence reaching far back into the past. Very often the investigation requires documents which are in Northern Italy.

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In France and elsewhere the punishment of political criminals involves only traitors, that is, German collaborators during the few years of Nazi occupation.

The Italian law also punishes her traitors with death: but in Italy the German occupation was relatively brief and did not exist at all in Southern Italy. Sardinia was almost immediately cleared of Germans after September 8, while Sicily was liberated quickly by the Allies. The Germans were only in Naples for little more than a month, and in Rome, nine months; in the latter city the arrests of traitors and spies have been the most numerous (nearly a thousand).

While France was so rapidly liberated that the collaborators were unable to escape, in Italy the war dragged on slowly and liberation came gradually; accordingly most of the traitors, as well as those responsible for Fascist oppression were able to take refuge in the northern provinces; among these refugees are most of the Fascist high gerarchs, the collaborating generals, etc.

Until now the High Commissioner for the Punishment of Fascist Crimes has held that in general it is preferable to take immediate action against defendants who are subject to arrest rather than to try in absentia defendants who are beyond the jurisdiction of the court. Convictions not followed by action would strike the public as useless and demagogical measures.

It must be understood that there will be exceptions to this rule and that after the liberation of the northern regions, responsible individuals who succeeded in escaping to Germany and elsewhere will be tried.

There is another reason which explains the delays in the punishing political criminals in Italy, and which, although frankly stated, cannot give offense to the Allies.

The laws enacted by the Italian Governments at Salerno and at Rome were subject to the approval of the Allied Control Commission. In itself, this was a cause of further delay. And these laws could not become immediately effective because the Allies as they advanced kept ~~sub~~ liberated provinces under their control. The Italian government was thus prevented from enforcing its laws for periods varying from two to three months, and in some cases (such as Naples) for even longer periods.

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The condition was originally due to the terms of the armistice and to the exigencies of active military operations. Nevertheless Italy is still under effective Allied control; It is not for me to go into this general situation, which is still the object of discussion:

In France and in the other liberated countries, the constituted governments - even though provisional - have immediately been able to enforce their laws against their collaborators throughout their national territories.

The problem for Italy with respect to the liberation of the northern regions is a very serious one. The need of prompt justice has already been illustrated by unfortunate incidents in Rome and in Florence; in Rome, the brutal lynching of Carretta, while in Florence, a few days after

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after its liberation, several collaborators appear to have been summarily judged by a court which certainly did not offer all the guarantees of justice.

In the North where outstanding criminals will be found in large numbers, matters can be worse. The population has suffered longer and is more bitterly hostile to the Germans and to their Fascist servants. The people will be more exasperated and will be tempted to settle private accounts by summary executions, which in turn will lead to disorders.

It is necessary therefore to take timely measures to ensure rapid and efficient punitive action in Northern Italy. The Allies, like the Italian government, must give this problem their serious consideration. The Italian government is convinced that it is able to administer justice and that it will know how to punish its fascist criminals and traitors, if the Allies will only collaborate with understanding and confidently grant the government the necessary means".

.....

4. STATISTICS OF THE ACTIVITIES OF THE HIGH COMMISSIONER FOR THE
EPURATION OF THE ADMINISTRATION OF THE ITALIAN GOVERNMENT.

Administrative Branch	Suspensions made on request of High Comm.	Suspensions made on request of Minister	Hearings initiated by High Commissioner	Hearings initiated by Minister	DECISIONS Dismissed from Posts
Office of the Presidency of the Council of Ministers.	6	1	250	-	33
Foreign Office.	4	3	91	40	2
Industry Commerce and Labour.	84	0	227	-	23
Agriculture.	6	58	58	-	5
Public Works.	0	117	5	377	29
Justice.	34	2	431	0	29
Finance.	8	16	51	144	2
Treasury.	5	62	115	468	58
War.	65	33	157	2,405	3
Carabinieri.		18	77	185	
Navy.	2	406	84	404	6
Aeronautics.	3	1	395	459	36
Education.	74	89	236	618	71
Italian Africa.			12		
Communications.	20	1,923	105	8,304	122
Interior.	254	100	1,504		76
Press & Information.			149		12
Liberal Professions.	24	8	239		14
Commune & Province of Rome.	11	509	595	50	13
Sub-Commissions of Ministry of Education & Justice		0	0	0	0

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STATISTICS OF THE ACTIVITIES OF THE HIGH COMMISSIONER FOR THE
OF THE ADMINISTRATION OF THE ITALIAN GOVERNMENT.

	Suspensions made on request of High Comm.	Suspensions made on re- quest of Minister	Hearings initiated by High Commissioner	Hearings initiated by Minister	DECISIONS OF COMMISSION APPEALS			
					Dismissed from Posts	Disci- plined	Acqui- ttals filed by High Comm.	
re-								
Cou-	6	1	250	-	33	60	15	25
rs.	4	3	91	40	2	4	17	14
ce								
	84	0	227	-	23	25	15	7
	6	58	98		5	8	3	8
	0	117	5	377	29	48	59	3
	34	2	431	0	29	16	26	22
	8	16	51	144	2	0	1	1
	5	62	115	468	58	99	33	26
	65	33	157	2,405	3	8	35	27
		18	77	185				
	2	406	84	404	6	201	336	36
	3	1	395	459	36	19	59	27
	74	89	236	618	71	118	14	30
			12					
	20	1,923	105	8,304	122	709	964	17
	254	100	1,504		76	115	61	8
tion.			149		12	11	5	3
ions.	24	8	239		14	10	6	3
nce of								
	11	509	595	50	13	71	13	5
of								
ication & Justice	0	0	0	0	0	0	0	0

P.T.O.

Administrative Branch	Suspensions made on re-quisition of High Comm.	Suspensions made on request of Minister	Hearings initiated by High Comm.	Hearings initiated by Minister	Decisions Dismissed from Posts	Dismissed Dismissals
Sub-Comm. Ind., Comm. & Labour.		4	348		125	1
" " Treasury & Finance.			108	32	50	
" " Navy and Air.			168	12		
" " War.		28	254	21	20	
" " Foreign Affairs and Italian Africa.		0	0	0	0	
" " Communications & Public Works.		2	17		26	
" " Agriculture.		3	65			
" " Office of Prime Minister and Interior			16			
TOTALS to January 15	600	3	5,915	13,473	756	1,7
Plus Totals Jan 15-31	24	93	618	914	130	
Plus Total Feb. 1-15	12	92	1,095	694	99	
GRAND TOTAL	636	3568	7,628	15,061	984	2,

DECISIONS OF COMMISSIONS								
Suspensions made on re-quisition of High Comm.	Suspensions made on request of Minister	Hearings initiated by High Comm.	Hearings initiated by Minister	Dismissed from Posts	Disciplined	Acquittals	Appeals filed by High Comm.	
Comm. & Labour.	4	348		125	113	26	1	
Army & Finance.		108	32	50	1			
and Air.		168	12					
	28	254	21	20	64		1	
in Affairs and in Africa.	0	0	0	0	0	0	0	
Communications & Works.	2	17		26	63	8	7	
Culture.	3	68						
of Prime Minister		16						
terior		16						
July 15	600	3	5,915	13,473	733	1,763	1,696	271
Jan 15-31	24	93	618	914	130	304	195	60
1-15	12	92	1,095	694	99	346	170	79
	636	3568	7,628	15,081	984	2,413	2,051	410

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5. LIST OF FUGITIVES WHOSE PROPERTY HAS BEEN SEQUESTERED.
(as of Feb 15th 1945)

No.	Individuals or firms	Town
1	Armenise Giovanni	Roma
2	Acervo Giacomo of Olindo	"
3	Anfuso Filippo of Alfio	"
4	Azzolini Vincenzo of Alfonso	"
5	Arpino Maria	"
6	Armenise Angela widow of Juletta	"
7	Anfuso Madora of Filippo	"
8	Anfuso Filippo "	"
9	Anfuso Francesco	"
10	Antonelli Albina	"
11	Alessandri Luigia of Angelo	"
12	Azzolini Alessandri of Vincenzo	"
13	Azzolini Carlo	"
14	Azzolini Alfonso	"
15	Autaldi Carolina	"
16	Degli Abati Giulia widow of Marinelli	"
17	Bianchelli Renata	"
18	Bottai Luigi	"
19	Bottai Maria	"
20	Bonivento Vittoria	"
21	Biagi Bruno of Ferdinando	"
22	Baiolla Giorgio of Giovanni	"
23	Brizzi Antonietta of Enza	"
24	Della Basile Maria	"
25	Bottai Giuseppe	"
26	Baiolla Giovanni of Ricciotti Dario	"
27	Cicca Emilia	"
28	Ciliberto Evclina	"
29	Cappolletti Fedora	"
30	De Cesaris Lilliana in Sparvelli	"
31	De Cesaris Luciana di Ulderico	"
32	Cerè Enza of Luigi	"
33	De Cesaris Ulderico of Giovanni	"
34	Figaia Maria Olga Margherita	"
35	Federzoni Luigi	"
36	Tarinacci Roberto of Michele	"

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- 3 Anuso Filippo of Alfio
- 4 Azzolini Vincenzo of Alfonso
- 5 Arpino Maria
- 6 Aronise Angela widow of Luotta
- 7 Anuso Amadoro of Filippo
- 8 Anuso Filippo "
- 9 Anuso Francesco
- 10 Antonelli Albina
- 11 Alessandri Luigia of Angelo
- 12 Azzolini Alessandri of Vincenzo
- 13 Azzolini Carlo "
- 14 Azzolini Alfonso "
- 15 Autaldi Carolina
- 16 Degli Abati Giulia widow of Marinelli
- 17 Bianchelli Renata
- 18 Bottai Luigi
- 19 Bottai Maria
- 20 Bonivento Vittoria
- 21 Biagi Bruno of Ferdinando
- 22 Baiella Giorgio of Giovanni
- 23 Brizzi Antonietta of Enca
- 24 Della Basile Maria
- 25 Bottai Giuseppe
- 26 Baiella Giovanni of Ricciotti Dario
- 27 Cicca Emilia
- 28 Ciliberto Evolina
- 29 Cappelletti Fedora
- 30 De Cesaris Lilians in Sparveli
- 31 De Cesaris Luciana di Ulderico
- 32 Carè Enca of Luigi
- 33 De Cesaris Ulderico of Giovanni
- 34 Figalia Maria Olga Margherita
- 35 Federzoni Luigi
- 36 Marinacci Roberto of Michele
- 37 Del Panto David of Bernardino
- 38 Del Panto Massimo "
- 39 Grandi F. Paolo of Dino
- 40 Grandi Simonetta of Dino
- 41 Grandi Dino of Lino
- 42 Igliori Ulisse
- 43 De Lezzara Maria of Francesco
- 44 La Pera Vitalisimo of Antonio

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No.	Individuals or firms	Town
45	La Pera Vittorio of Antonio	Roma
46	La Pera Alfonso "	"
47	La Pera Anna Luisa of Antonio	"
48	La Pera Riccardo "	"
49	La Pera Antonio di Francesco	"
50	Manfredi Marcella	"
51	Miglioramento Agrario (Soc. A.I.)	"
52	Massari Ines	"
53	Morini Rosa	"
54	Marenghi Giuseppina of Eugenio	"
55	Marinelli Giuseppe	"
56	Marinelli Reme Rinaldo of Giuseppe	"
57	Marinelli Giacomo of Giuseppe	"
58	Monechini Adelo	"
59	Mancini Bruno of Ittore	"
60	Mancini Maria in Restuccia	"
61	Mancini Carlo of Bruto	"
62	Mancini Ugo of Bruto	"
63	Mancini Ittore of Bruto	"
64	Mancini Angelo "	"
65	Mancini Alberto "	"
66	Mancini Giulio "	"
67	Petrinici Elvira	"
68	Piovani Anna	"
69	Rossoni Edmondo	"
70	Ricci Renato of Ernesto	"
71	Riccardi Raffaele of Nazareno	"
72	Ricci Giulio Cosara of Renato	"
73	Riccardi Elena of Raffaele	"
74	Riccardi Maurizio of Raffaele	"
75	Starace Lohillo of Luigi	"
76	Vaselli Romolo	"
77	Vaselli Mario	"
78	Vaselli Erberto	"
79	Vaselli Giuseppe	"
80	Vezzani Giulio and Ghera Giovanni	" (Soc. Fet.)
81	Vezzani Giulio	"
82	Martinesi F.lli Luigi, Cosimo, Teodoro, Ines, Marazza Tomaso-Martinesi	Brindisi

50			
51	Miglioramento	Arario (Sec. J.I.)	"
52	Massari	Ines	"
53	Morini	Losa	"
54	Marenghi	Ginsoppina of Eugenio	"
55	Marinelli	Giuseppe	"
56	Marinelli	Beno Hinaldo of Giuseppe	"
57	Marinelli	Giorgio of Giuseppe	"
58	Menecchini	Idolo	"
59	Mancini	Bruno of Ettore	"
60	Mancini	Maria in Restuccia	"
61	Mancini	Carlo of Bruto	"
62	Mancini	Ugo of Bruto	"
63	Mancini	Ettore of Bruto	"
64	Mancini	Angelo "	"
65	Mancini	Alberto "	"
66	Mancini	Giulio "	"
67	Petrinici	Elvira	"
68	Piovani	Anna	"
69	Rossoni	Edmondo	"
70	Ricci	Renato of Ernesto	"
71	Riccardi	Raffaele of Nazareno	"
72	Ricci	Giulio Cesare of Renato	"
73	Riccardi	Elona of Raffaele	"
74	Riccardi	Maurizio of Raffaele	"
75	Staraco	Chillo of Luigi	"
76	Vasselli	Romolo	"
77	Vasselli	Mario	"
78	Vasselli	Erberto	"
79	Vasselli	Giuseppe	"
80	Vezzani	Giulio and Ghera Giovanni	" (Sec. Fat.)
81	Vezzani	Giulio	"
82	Martinesi	F.lli Luigi, Cosimo,	Brindisi
	Teodoro,	Anna,	"
83	Marazza	Tomaso-Martinuzzi	"
	Teodoro-	Mitolo Nicolo	"
84	Mitolo	Nicola-Martinuzzi	"
	Teodoro-	Marazza Tommaso	"
85	Barattolo	Giuseppe	Napoli
86	Borriello	Biagio	"
87	Gianturco	Vincenzo	"
88	Hiver	Alessandro	"
89	De Luca	Franz	"
90	Lauro	Chille	"
91	Mancuso	Domenico	"

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(Passages marked with a line at the side are for information only)

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No.	Individuals of Firms	Town
92	Milone Fabio	Napoli
93	Orgera Giovanni	"
94	Piscitelli F.lli Luigi, Angelo, Armando, Attilio, Gennaro	"
95	Picone Francesco	"
96	Saraceno Eduardo	"
97	Sansanelli Nicola	"
98	Tecchio Vincenzo	"
99	Iannelli Mario of Giuseppe	Salerno
100	Grandi Dino of Lucio	"
101	D'Lessio Anna Maria of Augusto	Bari
102	Immobiliare Adriatica (Soc. S.I.A.)	Bari
103	Lorusso Elisabetta	"
104	La Rocca Antonio of Lorenzo	"
105	La Rocca Beatrice of Antonio	"
106	La Rocca Elisabetta of Antonio	"
107	La Rocca Lino of Antonio	"
108	La Rocca Lorenzo of Antonio	"
109	La Rocca Rosa of Antonio	"
110	Trizio Maria of Nicola	"
111	Interlandi Telesio of Giovanni	Messina
112	Curatolo Pietro of Giacomo	Muro
113	Ticca Ing. Gianni	"
114	Melotti-Ferri wife of Federzoni Luigi	Roma
115	Federzoni Anna in Sciacca	Roma
116	Federzoni Maria Gaetana	"
117	Federzoni Elena	"
118	Patrimoniale Fabbricati terreni (S.I.A.)	"
119	Centrale Immobili (Soc.)	"
120	Albergo Russia (S.I.A.)	"
121	Immobiliare Meridionale (S.I.A.)	"
122	Lavori Edili and Marittimi (S.I.I.)	"
123	Imprese Coloniali (S.I.A.)	"
124	Vaselli Survizi and Lavori Pubblici (S.I.A.)	"
125	Vaselli Agricola (S.I.A.)	Roma
126	Bonifica Italiana (S.I.A.)	"
127	Vaselli Gestione Pianta and Fiori (S.I.A.)	"
128	Gestione Agricola Italiana (S.I.A.)	"
129	Cerè Enza	"

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96	Saraceno Eduardo	"	"
97	Sansanelli Nicola	"	"
98	Tecchio Vincenzo	"	"
99	Iannelli Marie of Giuseppe	Salerno	"
100	Grandi Dino of Lucio	"	"
101	D'Allesio Anna Maria of Augusto	Bari	"
102	Immobiliare Adriatica (Soc. S.I.A.)	Bari	"
103	Lorusso Elisabetta	"	"
104	La Rocca Antonio of Lorenzo	"	"
105	La Rocca Beatrice of Antonio	"	"
106	La Rocca Elisabetta of Antonio	"	"
107	La Rocca Lino of Antonio	"	"
108	La Rocca Lorenzo of Antonio	"	"
109	La Rocca Rosa of Antonio	"	"
110	Crizio Maria of Nicola	Messina	"
111	Interlandi Telesio of Giovanni	Muro	"
112	Caratolo Pietro of Giacomo	"	"
113	Ticca Ing. Gianni	"	"
114	Melotti-Ferri wife of Federzoni Luigi	Roma	"
115	Federzoni Anna in Sciacca	"	"
116	Federzoni Maria in Sciacca	"	"
117	Federzoni Elena	"	"
118	Patrimoniale Fabbrianti Terreni (S.A.)	"	"
119	Centrale Immobili (Soc.)	"	"
120	Albergo Russia (S.A.)	"	"
121	Immobiliare Meridionale (S.A.)	"	"
122	Lavori Edili and Marittimi (S.A.I.)	"	"
123	Imprese Coloriali (S.A.)	"	"
124	Vaselli Sarvizi and Lavori Pubblici (S.A.)	Roma	"
125	Vaselli Agricola (S.A.)	"	"
126	Bonifica Italiana (S.A.)	"	"
127	Vaselli Gestione Piante and Fiori (S.A.)	"	"
128	Gestione Agricola Italiana (S.A.)	"	"
129	Corè Enza	"	"
130	Del Fante David	"	"
131	Del Fante Massimo	"	"
132	Graziani Rodolfo of Filippo	Prosinone	"
133	Serrac Maria Carolina	Roma	"
134	De Vecchi of Val Cismon Cesare Maria	Viterbo	"
135	Ardeno Carmelo of Fortunato	Agrigento	"
136	Galetto Girolamo of Mario	"	"
137	Guzzo Giovanni of Salvatore	"	"
138	Lodico Onofrio of Francesco	"	"

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(Passegers marked with a line at the side are for information only)

No.	Individuals or Firms	Town
139	Lodico Francesco of Francesco	Agrigento
140	Di Marsciano Arnanno	"
141	Moncade Ugo of Filippo	"
142	Moto Campa nella Alfonso of Giuseppe	"
143	Morello Vincenzo of Vincenzo	"
144	Guidi Rachele	Rome
145	Mussolini Benito	"
146	Mussolini Anna Maria	"
147	Mussolini Vittorio	"
148	Mussolini Romano	"
149	Mussolini Guido of Vittorio	"
150	Mussolini Adria of Vittorio	"
151	Mussolini Terina of Bruno	"
152	Petacci Francesco Severio	"
153	Petacci Marcello	"
154	Petacci Clara	"
155	Petacci Miriam	"
156	Riberti Gina	"
157	Ciano Galazzo	"
158	Ciano Mussolini Edda	"
159	Ciano Fabrizio	"
160	Ciano Raimonda	"
161	Tamburini Tullio	"
162	Turolo Elia	"
163	Persichetti Giuseppe Palmira in Petacci "	"
164	Picone Francesco of Alfonso	Benevento
165	D'Alessio Anne Maria	Foggia
166	La Rocca Antonio	"
167	La Rocca Lorenzo	"
168	Parinacci Roberto of Michele	Littoria
169	Bonmartini Maria of Francesco	Salerno
170	Graziani Vanda of Rodolfo	Frosinone
171	D'Urso Clemente of Giuseppe	Potenza
172	D'Urso Rodolfo of Giuseppe	"
173	Lodico Francesco of Francesco	Agrigento
174	Ferraboston (S.I.)	Reggio Calabria
175	Marcianò Agostinelli Gaetano of Filippo	"
176	Marcianò Agostinelli Maria of Filippo	"
177	Marcianò Agostinelli Paolo of Filippo	"
178	Picca Giovanni Maria of Francesco	Sassari
179	Caradonna Eusebio of Giulio	Toggia

146	Mussolini Anna Maria	"
147	Mussolini Vittorio	"
148	Mussolini Romano	"
149	Mussolini Guido of Vittorio	"
150	Mussolini Adria of Vittorio	"
151	Mussolini Marina of Bruno	"
152	Petacci Francesco Savurio	"
153	Petacci Marcello	"
154	Petacci Clara	"
155	Petacci Miriam	"
156	Riberti Gina	"
157	Ciano Galvazzo	"
158	Ciano Mussolini Edda	"
159	Ciano Fabrizio	"
160	Ciano Reimonda	"
161	Tamburini Tullio	"
162	Turolo Elio	"
163	Persichetti Giuseppe Palmira in Petacci "	"
164	Picone Francesco of Alfonso	Benvento
165	D'Alessio Anna Maria	Foggia
166	La Rocca Antonio	"
167	La Rocca Lorenzo	"
168	Farinacci Roberto of Michelo	Litteria
169	Bonmartini Maria of Francesco	Salerno
170	Graziani Vanda of Rodolfo	Frosinone
171	D'Urso Clemente of Giuseppe	Potenza
172	D'Urso Rodolfo of Giuseppe	"
173	Ledico Francesco of Francesco	Grigento
174	Ferrobeton (S.J.)	Reggio Calabria
175	Marciano Agostinelli Gaetano of Filippo	"
176	Marciano Agostinelli Maria of Filippo	"
177	Marciano Agostinelli Paolo of Filippo	"
178	Picca Giovanni Maria of Francesco	Sassari
179	Caradonna Eugenio of Giulio	Foggia
180	Società Armamento Pugliese	Bari
181	Saraceno Eduardo of Pascuale	Salerno
182	D'Amato Paolo of Enrico	Catania
183	Tobino Eduardo of Salvatore	"
184	Federici and Iglioni (Soc.)	Roma
185	Interlandi Telesio Varisto of Giovanni	Roma
186	Interlandi Cesare of Telesio	Roma
187	Nobile Maria Concetta of Gaetano	"

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No.	Individuals or Firms	Town
188	Caroselli Ubaldo	Aquila
189	Guarino Giuseppe of Cronzo	Locco
190	Grassi Nerina of Francesco	"
191	De Pandis Fantalea of Giovanni	"
192	Pellegrino Cronzo of Giovanni	"
193	Sabella Giuseppe of Salvatore	"
194	Scardis Angelo of Angelo	"
195	Starace Vincenzo of Luigi	"
196	D'Albora Medeo of Domenico	Napoli
197	Cantella Saverio of Mariano	"
198	Cerfi Alberto of Salvatore	"
199	Friagnani Giuseppe of Anselmo	"
200	Gallo Luigi of Gabriele	"
201	Limoncelli Antonio of Domenico	"
202	Montagna Giulio Cesare	"
203	Palomba Adolfo of Pascualo	"
204	Orgora Giovanni	"
205	Savastano Francesco of Giuseppe	S. Maria di Capua Vetere
206	Cenci Odone	"
207	Varani Umberto of Giuseppe	Ragusa
208	Laganà Saverio	"
209	Surace Antonio of Vincenzo	Roggio Calabria
210	Cerazza Vincenzo of Giorgio	"
211	Cristalli Maria of Pietro	Matera
212	D'Andrea Massimiliano of Serafino	"
213	Mirra Pasquale of Fedole	Salerno
214	Mussolini Bruno of Benito	"
215	Vinciguerra Vincenzo	Roma
216	Campanile Francesco	Caltanissetta
217	Di Giovanni Antonio of Vincenzo	"
218	Trigona Ferdinando	"
219	Aquedotto of Palermo (S.A.)	"
220	Tredi of Bianchi Francesco of Washington	Palermo
221	Boccadifuoco Francesco of Giovanni	Roscaro
222	Boccadifuoco Domenico	"
223	Boccadifuoco Arturo	"
224	Boccadifuoco Giovanni of Francesco	"
225	Boccadifuoco Michele of Domenico	"
226	Boccadifuoco Giovanni of Arturo	"

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192	Sabella Giuseppe of Salvatore	"	
193	Scardia Angelo of Angelo	"	
194	Starace Vincenzo of Luigi	"	
195	D'Albora Amodeo of Domenico	Napoli	
196	Cantella Saverio of Mariano	"	
197	Carli Alberto of Salvatore	"	
198	Frignani Giuseppe of Ansalao	"	
199	Gallo Luigi of Gabriele	"	
200	Limonecilli Antonio of Domenico	"	
201	Montegna Giulio Cesare	"	
202	Palomba Adolfo of Pascuale	"	
203	Orgera Giovanni	S.Maria di Capua Vetere	
204	Savastano Francesco of Giuseppe	"	
205	Canci Odone	Ragusa	
206	Varani Umberto of Giuseppe	"	
207	Laganà Saverio	Roggio Calabria	
208	Surace Antonio of Vincenzo	"	
209	Corazza Vincenzo of Giorgio	Matera	
210	Cristalli Maria of Pietro	"	
211	D'Andrea Massimiliano of Serafino	Salerno	
212	Mirra Pasquale of Fedolo	"	
213	Mussolini Bruno of Bonito	Roma	
214	Vinciguerra Vincenzo	Caltanissetta	
215	Campanile Francesco	"	
216	Di Giovanni Antonio of Vincenzo	"	
217	Trigona Ferdinando	"	
218	Lequedotte of Palermo (S.I.)	Palermo	
219	Trodi of Bianchi Francesco of Washington	Pescaro	
220	Boccadifuoco Francesco of Giovanni	Siracusa	
221	Boccadifuoco Domenico	"	
222	Boccadifuoco Arturo	"	5030
223	Boccadifuoco Giovanni of Francesco	"	
224	Boccadifuoco Michele of Domenico	"	
225	Boccadifuoco Giovanni of Arturo	"	
226	Boccadifuoco Elvira of Francesco	in	
227	Boccadifuoco	"	
228	Giacarà Giuseppe of Francesco	in	
	Boccadifuoco	"	
	Manganiello Emilio	Roma	
229	"Stella Marina" Soc. Anonima	"	
230	"Astro" Soc. Anonima	"	
231	Iurora Romana Soc. Anonima	"	
232	Morgegni Manlio of Andrea, eredi and	"	
233	Leggitari	"	
	Fozzoli Bice widow Morgagni	"	
234	Agenzia Stefani Soc. Anonima	"	
235		"	

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(Passages marked with a line at the side are for information only)

No.	Individuals or firms	Town
236	Immobiliare Propaganda S...	Roma
237	Giudice Rosina in Varani	Ragusa
238	Pucci Maria Cristina of Francesco	Cosenza
239	Tucci Pasquale of Francesco	"
240	Mascione Mario of Pasquale	Sassari
241	Geradina (S.i.I.)	Siracusa
242	De Salvi Luigia or Romeo	Cristiano
243	Velari Michele of Antonio	"
244	Pilli Carla Paolo of Raimondo	"
245	Bocchini Arturo of Ciriaco	Benevento
246	Martinesi Luigi, Cosimo, Teodoro of Luigi	Benevento Brindisi
247	Marazza Tommaso	"
248	Mitolo Nicola	"
249	Castelli Michele	Bari
250	D'Oro Antonio of Pietro	Caltanissetta
251	Cordova Nichola of Francesco	"
252	Panopinto Salvatore of Giuseppe	"
253	Panopinto Maria of Giuseppe	"
254	Panopinto Francesca of Giuseppe	"
255	Barbagallo Giuseppa of Nicolò	"
256	Vinciguerra Maria Anna of Vincenzo	"
257	Vinciguerra Felice of Vincenzo	"
258	Vinciguerra Nicolò Lucio of Vincenzo	"
259	Calogero Cassandra of Enrico	"
260	Campanile Alfonso of Francesco	"
261	Campanile Enrico	"
262	Campanile Sebastiano	"
263	Campanile Ivano	"
264	Campanile Michela	"
265	Tetrantoni Michela	"
266	Barrile Silvia of Enrico	"
267	Trigona Costanza of Ferdinando	"
268	Trigona Anna Maria	"
269	Trigona Francesca Paola	"
270	Giarrizzo Berongario of Angelo	"
271	Gaetani Rosaria of Berongario	Caltanissetta
272	Giarrizzo Luigi of Angelo	"
273	Giarrizzo Tommaso	"
274	D'Urso Clemente of Giuseppe	Lagonegro

242	De Salvi Luigia or Romeo	Cristiano
243	Velari Michele of Antonio	"
244	Fili Carla Paolo of Reimondo	"
245	Bocchini Arturo of Ciriaco	Benevento
246	Martinesi Luigi, Cosimo, Teodoro of Luigi	Brindisi
247	Marazza Tommaso	"
248	Mitolo Nicola	"
249	Castelli Michelo	Bari
250	D'Oro Antonio of Pietro	Caltanissetta
251	Cordeve Nichola of Francesco	"
252	Panepinto Salvatore of Giuseppe	"
253	Panepinto Maria of Giuseppe	"
254	Panepinto Francesca of Giuseppe	"
255	Barbagallo Giuseppa of Nicolò	"
256	Vinciguerra Maria Anna of Vincenzo	"
257	Vinciguerra Felice of Vincenzo	"
258	Vinciguerra Nicolò Lucio of Vincenzo	"
259	Calogero Cassandra of Enrico	"
260	Campanile Alfonso of Francesco	"
261	Campanile Enrico	"
262	Campanile Sebastiano	"
263	Campanile Iveno	"
264	Campanile Michela	"
265	Petrantoni Michela	"
266	Barrile Silvia of Enrico	"
267	Trigona Costenza of Ferdinando	"
268	Trigona Anna Maria	"
269	Trigona Francesca Paola	"
270	Giarrizzo Berengario of Angelo	"
271	Gactani Rosaria of Berengario	Caltanissetta
272	Giarrizzo Luigi of Angelo	"
273	Giarrizzo Tommaso	"
274	D'Urso Clemente of Giuseppe	Lagonegro
275	D'Urso Rodolfo	"
276	Serene Adolchi of Giuseppe	Aquila
277	Roga Nullo Anter of Tertulliano	Roma
278	Fasso Patrizia of Giorgio	"
279	Rossoni Itale of Edmondo	"
280	Maraviglia Maurizio	Viterbo
281	Ticca Francesco of Giovanni Maria	Nuoro
282	Ticca Giuseppe of Francesco	"
283	Murgia Francesca of Giovanni Antonio	"
284	Tredici Vittorio of Giovanni	Cagliari

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(Passages marked with a line at the side are for information only)

No.	Individuals or Firms	Town
285	Scarsmucci .do and family	Grossoto (int.)
286	Righetto Lucia in Giardini	Catania (Int.)
287	Giardini Giov. Battista of Vincenzo	" "
288	Giardini Carmela Lucia of Giov.	" "
289	Battista	Bari
290	Zinni Vincenzo of Natale	Macerata
291	Vizzardelli Giulio	" "
292	Paras Domenico	" "
293	Grasselli Casimiro	" "
294	Paolatti Gino of Aurelio	" "
295	Alessandroni Mario of Nazareno	" "
296	Bonsorvizi Carlo of Adolfo	" "
297	Cingolani Ezio of Luigi	" "
298	Demuro Beniamino	Cagliari (Trib.)
299	Corazza Iir Giorgio of Vincenzo	Matera
300	Corazza Iola	" "
301	Corazza Maria	" "
302	Corazza Rosanna	" "
303	Corazza Maria Teresa	" "
304	Corazza Gian Franco	" "
305	Lazzari Marino of Giuseppe	" "
306	Trivisani Renato of Giuseppe	" "
307	Montuori Maria of Lucchino	Catania (Trib.)
308	Loranti Giuseppe of Michele	" "
309	Zangara Vincenzo of Letterio	" "
310	Zangara Ignazio	" "
311	Di Stefano Emanuele of Francesco	Ragusa (Trib.)
312	Romano Attilio of Alfonso	Brindisi (Trib.)
313	Ditta P.lli Costantino of Saverio	Bari (Trib.)
314	Arontoni Alessandro of Luigi-Eredi	Roma
315	Caromassi Alodia of Ferdinando	" "
316	widow Protonda	" "
317	De Amicis of Vincenzo	" "
318	De Amicis Lamberto	" "
319	De Amicis Vincenzo of Angelo	" "
320	Antonini Augusta in De Amicis	" "
321	Società Agricola "Vaselli"	Viterbo
322	Ph. ...	Grossoto

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286	Battista	Bari	"
289	Zinni Vincenzo of Natale	Macerata	"
290	Vizzardelli Giulio	"	"
291	Baras Domenico	"	"
292	Grasselli Casimiro	"	"
293	Paolatti Gino of Lucilio	"	"
294	Paolatti Gino of Mazarano	"	"
295	Alessandrani Mario of Mazarano	"	"
296	Bonsarvizi Carlo of Dolfo	"	"
297	Bonsarvizi Carlo of Luigi	"	"
298	Cingolani Ezio of Luigi	Cagliari (Trib.)	"
299	Damuro Beniamino	Matera	"
300	Corazza Pir Giorgio of Vincenzo	"	"
301	Corazza Iole	"	"
302	Corazza Mario	"	"
303	Corazza Rosanna	"	"
304	Corazza Maria Teresa	"	"
305	Corazza Gian Franco	"	"
306	Lazzari Marine of Giuseppe	Catania (Trib.)	"
307	Trovisani Renato of Giuseppe	"	"
308	Montuori Maria of Lucchino	"	"
309	Loranti Giuseppe of Michele	"	"
310	Zangara Vincenzo of Letterio	"	"
311	Zangara Ignazio	"	"
312	Di Stefano Emanuele of Francesco	Ragusa (Trib.)	"
313	Romano Attilio of Alfonso	Brindisi (Trib.)	"
314	Ditta F.lli Costantino of Saverio	Bari (Trib.)	"
315	Arontoni Alessandro of Luigi-Eredi	Roma	"
316	Capomasi Alodia of Ferdinando	"	"
317	widow Prudente	"	"
318	De Amicis/De Vincenzo	"	"
319	De Amicis Lamberto	"	"
320	De Amicis Vincenzo of Angelo	"	"
321	Antonini Augusta in De Amicis	"	"
322	Società Agricola "Vaselli"	Viterbo	"
323	Rum Armando	Grossoto	"
324	Scanni Francesco	"	"
325	Corucci Dino	"	"
326	Barbieri Giuseppe	"	"
327	Chelli Vito	"	"
328	Pellegrini Ettore	"	"
329	Mancitti Dino	"	"
330	Vecchioni Biagio	"	"

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(Passages marked with a line at the side are for information only)

No.	Individuals or Firms	Town
328	Bonvicini Rolando	Grosseto
329	Ciri Ettore	"
330	Sensini Goffredo	"
331	Fucini Inigo	"
332	Sorani Renato Nino	"
333	Nelli Venanzio	"
334	Maestrini Angelo	"
335	Gaggioli Fulvio	"
336	Faglia Bruno	"
337	Forci Faustino	"
338	Bagnani Silvio	"
339	Signorini Serafino	"
340	Barberini Emilio	"
341	Arzenti Orlando	"
342	Cardonelli Costantino	"
343	Giusti Arturo	"
345	Bonini Zenone	"
346	Balbo Italo (Credi)	"
347	Mistretta Antonino	"
348	Osio Giovanni	"
349	Fazzi Livio	"
350	Iascucci Arturo	"
351	Gobbini Pietro	"
352	Tosi Angelo	"
353	Pellegrino Elia and Tommaso	Bari
354	Murso Enzo of Cesare	Ragusa
355	Pecorelli Renato	Firenze
356	Benelli Ruggiero and Sons	"
357	Berta Francesco	"
358	Seviene Giuseppe	"
359	Bini Otello and Gastone	"
360	Bini Umberto and Natalo	"
361	Carità Mario	"
362	Cataldo Lotito	"
363	Coprini Alberto	"
364	Cya Carlo	"
365	Della Ghvardesca Giuseppe	"
366	Della Nave Emilio	"
367	De Pazzi Gori and Troia	"
368	Domini Vincenzo	"
369	Donzelli Carlo	"

(Trib.)

334	Capellini Luigi	"	"	"
335	Gaggioli Tullio	"	"	"
336	Foglia Lango	"	"	"
337	Forci Faustino	"	"	"
338	Bagnani Silvio	"	"	"
339	Signorini Serafino	"	"	"
340	Barberini Ennio	"	"	"
341	Armentani Orlando	"	"	"
342	Cardoselli Costantino	"	"	"
343	Gisetti Arturo	"	"	"
344	Bonini Zenone	"	"	"
345	Balbo Italo (eredit)	"	"	"
346	Mistretta Antonino	"	"	"
347	Osio Giovanni	"	"	"
348	Fazzi Livio	"	"	"
349	Lascucci Arturo	"	"	"
350	Gobbini Pietro	"	"	"
351	Tosi Angelo	"	"	"
352	Collegriano Elia and Tommaso	"	"	"
353	Musco Enzo of Cesaro	Bari	"	"
354	Recchia Renato	Ragusa	"	"
355	Benelli Ruggiero and Sons	Firenze	"	"
356	Berta Francesco	"	"	"
357	Bevione Giuseppe	"	"	"
358	Bini Otello and Gastone	"	"	"
359	Bini Umberto and Matelo	"	"	"
360	Carità Mario	"	"	"
361	Cataldo Lotito	"	"	"
362	Coprini Alberto	"	"	"
363	Cys Carlo	"	"	"
364	Della Gherardesca Giuseppe	"	"	"
365	Della Neve Emilio	"	"	"
366	De Fazzi Gori and Fresa	"	"	"
367	Denzini Vincenzo	"	"	"
368	Donzelli Carlo	"	"	"
369	Domini Amerigo	"	"	"
370	Favi Egidio	"	"	"
371	Fera Saverio	"	"	"
372	Galgeni Renato	"	"	"
373	Gambeggiani Lorenzo	"	"	"
374	Luchini Alberto	"	"	"
375		"	"	"

(Trib.)

CONFIDENTIAL

CONFIDENTIAL
APPENDIX I
(Passages marked with a line at the side are for information only)

No.	Individuals or Firms	Town
376	Luconi Gino and Sons	Piromze (Trib.)
377	Martelloni Giovanni	"
378	Meschieri Gino	"
379	Milanesi Francesco	"
380	Morelli Giuseppe	"
381	Mannotti Carlo	"
382	Nerbini B.rs	"
383	Onofri Onorio	"
384	Orlandini Guglielmo	"
385	Perroni Compagni Dino	"
386	Pistolozzi Siro	"
387	Puccioni Bruno	"
388	Ricceri Luigi	"
389	Ricci Crisolini Giovanni	"
390	Sbraci Metello and Oscar	"
391	Sbraci Vasco	"
392	Valgiusti Piero	"
393	Vallecchi Attilio	"
394	Varrocchi Giuseppe	"
395	Prabbolini Gildo	"
396	Veroli Remo	Lacortia
397	Boscheri Francesco Saverio	Ancona
398	Baroffio Luigi	"
399	Maravalle Indovico	"
400	Martinelli Renato	"
401	Messrs B.rs De Bellis Saverio and Raffaele	Bari
402	Sisto Simon	"
403	Viterbo Michele	"
404	Teofoli Dr. Pasco of Lamberto and wife Sbarretti Brigida of Domenico Terzi	"
405	Rossetti Donnico of Sebastiano	"
406	Faustini Junio of Francesco	"
407	Faustini Pietro "	"
408	Bongauri Ezio Alvaro of Augusto	"
409	Chiaranti ..vv. Roberto of Pietro Antonio	"
410	Checconi Ing. Alcide of Pietro	"
411	Cruciani Romeo of Innocenzo	"
412	Buzzi Giulio of Giuseppe	"

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381	Larrotti Carlo	"	"
382	Nerbini B.re	"	"
383	Onofri Onorio	"	"
384	Orlandini Guglielmo	"	"
385	Perroni Cominci Dino	"	"
386	Pistolezzi Siro	"	"
387	Puccioni Bruno	"	"
388	Ricceri Luigi	"	"
389	Ricci Crisolini Giovanni	"	"
390	Sbraci Metello and Oscar	"	"
391	Sbraci Vasco	"	"
392	Valgiusti Piero	"	"
393	Vallecchi Attilio	"	"
394	Varrocchi Giuseppe	"	"
395	Frabbolini Gildo	"	"
396	Veroli Remo	Lacorata	"
397	Bosdari Francesco Saverio	Ancona	"
398	Beroffio Luigi	"	"
399	Maravalle Ludovico	"	"
400	Martinelli Renato	"	"
401	Messrs B.re De Bellis Saverio and Raffaele	Bari	"
402	Sisto Simone	"	"
403	Viterbo Michele	"	"
404	Teofoli Dr. Fosco of Lamberto and wife Sbarretti Brigida, of Demenica Torini	"	"
405	Rossetti Domenico of Sebastiano	"	"
406	Faustini Guido of Francesco	"	"
407	Faustini Pietro "	"	"
408	Bonanni Ezio Ilvaro of Augusto	"	"
409	Chiarsanti avv. Roberto of Pietro Antonio	"	"
410	Checcoli Ing. Alcide of Pietro	"	"
411	Cruciani Romeo of Innocenzo	"	"
412	Buzzi Giulio of Giuseppe	"	"
413	Battistelli avv. Carlo of Ezio	"	"
414	Coppo Prof. Alberto of Cesare	"	"
415	Tornicioni Dr. Terso of Annibale "	"	"
416	Simibaldi Bernardino of Ettore	"	"
417	Pistola Vasco of Vincenzo	"	"
418	Filori Giuseppe	"	"
419	Giaccanelli Ing. Renato of Marino	"	"
420	Serafini Riccardo of Virgilio	"	"

5628

CONFIDENTIAL

CONFIDENTIAL
-20-
APPENDIX
(Passages marked with a line at the side are for information only)

No.	Individuals or Firms	Town
421	Nascani Anastasio of Andrea	Terni (Trib.)
422	Lianetti Matteo of Michele	Bari
423	Lianetti Giovanna of Matteo	"
424	Lianetti Giulia	"
425	Lianetti Michele	"
426	Centaurio Giovanna	"
427	Stella Italia	"
428	Consorzio or Syndicato Agricolo Pugliese (S...) the President Elia Pelleggrino personally	"
429	Di Chio Maria of Felice in Pelleggrino	"
430	Di Chio Maria of Sebastiano in Pelleggrino	Bari
431	Di Perna Lorenzo of Leonardo	"
432	Di Perna Adriana of Lorenzo	"
433	Di Perna Matilde	"
434	Di Perna Olga of Lorenzo	"
435	Di Perna Leonardo	"
436	Baldanza Imenilde of Alberto in Di Perna	"
437	Palmieri Francesco of Natale	"
438	Palmieri Vincenzo of Francesco	"
439	Palmieri Natale	"
440	Palmieri Anna	"
441	Minista Fortunata of Ferdinando in Palmieri	"
442	Molini Pelleggrino S... the President Elia Pelleggrino personally	"

File 25A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478708

15 March 1945

AC/14754/PS

SUBJECT : Defascism Returns
TO : Civil Affairs Section

1. With reference to DF/613/OA dated 9 March, 1945.

2. Enquiries have been made of the Examining and Epuration Committees of the Ministry of Interior, Fire Service - Agents of Public Security, and Ministry of War, CG.RR., and the following observation are forwarded for your information.

3. (a) Fire Service: Examining Committee
The work of this Committee for the month of February shows approximately 10% of cases examined. (This shows the best results of the Committees under review). Up to the beginning of this year, the work of the Committee was not so well organised as now, and although there have been two whole months in which improved results could have been shown, difficulties of transport and communications have been experienced, and preliminary enquiries take longer. An assurance has been given that the work will progress quicker from now onward.

(b) Epuration Committee
This Committee meets twice weekly and disposes of all cases presented to them. They comment that their work is delayed by waiting for the papers of referred cases, after they have been dealt with by the Examining Committee. The papers have to go from the Examining Committee through the High Commission for Epuration, then to the Fire Service Epuration Committee. Three cases were shown where it took one month for the papers to reach the Fire Epuration Committee after being dealt with by the Examining Committee.

-2-

4. (a) Agents of Public Security - Examining Committee.

The progress of work of this Committee shows only 2%, but it is dealing with a larger number of cases, which naturally involves more correspondence and clerical work. They state that now, that a substantial amount of preliminary detail has been completed, the progress will improve.

(b) Epuration Committee

The President of this Committee is very concerned with his lack of work! When told that at the present rate, his work would not be completed for about 2 years, he replied that 4 years would be nearer the mark. He states that he has discussed this matter with the Officials of the High Commission for Epuration, and represented that there is too much delay in his receipt of cases to work on, after they have been referred by the Examining Committee to the High Commission. The only excuse offered by the High Commission is that they have a total of some 12,000 cases, of all branches of the administration, to deal with.

5. (a) CC. RR. - Examining Committee

Although the compilation of the returns has been carefully explained, it was found that this Committee were not doing themselves justice on the Returns, and that in some instances cases had been examined and completed, but were not being included on the fortnightly returns. These are cases in which, after examination, there was no evidence to justify the cases being referred to the Epuration Committee. The papers were being held in abeyance until the end of April, in case a denunciation was received up to that date. The figures in Col. C should therefore show an appreciable increase in future.

(b) Epuration Committee

The President of this Committee was very voluble on the delay he is experiencing in his work. His chief complaint was on lack of transport ^{and} communications. He particularly wanted to be provided with transport an permission to enter Army areas to make enquiries on the spot, interviewing witnesses, etc, but when told that this was impracticable, and that enquiries could be made

-3-

by local officers, he replied that such correspondence is the cause of the delay being experienced.

Observations

6. (a) It would appear that there is too much delay, perhaps not necessarily deliberate obstruction having regard to the number (12,000 is quoted) of cases to be dealt with, in the office of the High Commission for Epuration, (ie) between the Examining Committees and the Epuration Committees.

(b) Each case normally involves considerable enquiries being made, which results in correspondence between the various Committees with Prefects, through ANG channels in some cases, and enquiries by CC.RR. and Questori agents. This is further hampered by current transfers of officials, loss or destruction of records, slowness of communications, and perhaps in some measure by the inherent "domani" complex of the Italian character. The desire to show complete judicial correctness and to avoid any miscarriage of justice was particularly noticeable in the CC.RR. Epuration Committee. This is understandable when it is remembered that an official's career is at stake, and in a country where denouncing is so easy and frequent, but perhaps not always actuated by the best motives.

(c) All the Officials interviewed appear keen and anxious to get on with their work, but each was as anxious that the difficulties they are experiencing should be brought to the notice of AC, HQ., and they gave the assurance that they are working as fast as possible.

(d) It is felt that in spite of the excuses put forward, a little better progress will be made in future, as the result of the recent interviews. This S/C keeps in constant contact with the various Committees with which it is concerned, and gives whatever assistance and advice possible.

JWC 5625
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

RP/wg

24A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478800

13 March 1945

AC/14754/PS

SUBJECT : Defascism.

TO : Civil Affairs Section. 23A

1. With reference to DF/68/CA dated 6 March 1945.
2. With regard to officials of the Central Administration of Agents of Public Security and CC.FR. all cases have been examined.
3. In the case of the Fire Brigade, only 2 cases out of a total of 13 remain to be finally cleared. These 2 cases are in course of examination, and it is anticipated that they will be completed within this week.

J
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

HP/G. *AK*

5024

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

14750
23A
Ext : 469
9 Mar 45
ca 4A
al

Ref DF/6B/CA

SUBJECT : Defascism - Returns

TO : Public Safety S/C —

- 1 The following is noticed on comparison of your defascising return for Feb with that for Jan.
- 2 That during the month (col c) the scrutiny of the papers of only 56 men was completed, an average of only two per day. At this rate of progress it would take a further 10 months to complete the scrutiny of personnel shown in col b. This rate of progress is not considered satisfactory. Will you please ascertain why so little progress was made and obtain an assurance that considerably greater expedition will be shown in future.
- 3 That during the month (col e) only 13 cases were heard by the Eparation Commissions. This also is considered quite unsatisfactory. At this rate it would take over 3 years to dispose of the cases. Will you please obtain an assurance that the rate will be considerably speeded up.

S.H. White
S.H. WHITE Lt Col
for VP CA Section

AB/or

TO	INC	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
POLICE		
SEC. & REG.		
RECORDS		
COMM. OFFICER	18	21/3
CLERK		
CLERK		

Lu 25a

5623

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DW/CA/DA

SUBJECT : Defascism

TO : Sec Distribution

6 Mar 45

1. Every effort will be made to ensure that the fortnightly reports reach this office by the 8th and 2nd of every month at the latest. This allows Ministries five days to compile their report and Sub-Commissions three days to aggregate the returns they receive.
2. This section has to compile its monthly report by the 10th and unless the returns are complete by the 8th this Section cannot compile its return.
3. Further, these reports are of very little value unless they are promptly received. The law as it stands at present is that the last day for initiating proceedings for officials of the Central Administration is the 15th Mar and as at 31 Jan only 25 % had been investigated (all returns not yet in) it is obvious that an extension of time is necessary.
4. It is probable that the present time limit will be extended by another month - but that is only two fortnightly periods. If progress over such a short time is to be watched information must reach this Section quickly. No effective action is possible either with Ministries by Sub-Comms or with the Government by this Section if we are not in possession of up-to-date information.

W. H. H. H. H.
for G.S. UNION Brig,
VP CA Section

DISTRIBUTION:-

TO	FILE	D/S
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
POLICE		
LIC. & REG.		
PRISONS		
ADM. OFFICER		
SECRETARY		
CHIEF CLERK		

Econ Sec (2)
Agrl S/C
Commerce S/C
Finance S/C
Pub Works S/C
Transport S/C

Pol Sec
Air S/C
Army S/C
Naval S/C
Comms S/C
IRA

Checked with Ministries
9.3.45. See 24

HEAD OFFICE ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

21A

2 March 45

Ref DE/SE/CL

SUBJECT : Defascising Reports
TO : See Distribution

- 1 The fortnightly progress report forms have been slightly altered. Copies of the revised forms (both Italian and English) can be obtained from the Chief Clerk Civil Affairs Section.
- 2 With the exception of the introduction of columns (i & k) the alterations are in detail only with the purpose of clarifying points of difficulty and the instructions at the foot of the forms have been re-written for the same purpose.
- 3 In Columns i & k will be entered only the figures of the Court of Appeal which REVERSE the previous finding of the first hearing. The object of this is so that the total number of dismissals may be obtained (by deducting Col (i) from (f) and adding (k)).
- 4 The New form will be taken into use forthwith. Returns already rendered for 29 Feb need not be re-written, but no returns for 15 Mar will be made on the old form either by Ministries or Sub-Commissions.

[Signature]
G.R. URJONI Brig,
CP CA Section

DISTRIBUTION :-

CP CA Sec
Educ S/C
Local Govt S/C
Legal S/C
Pub Saf S/C
File GAS

Econ Sec (2)
Agri S/C
Commerce S/C
Finance S/C
Pub Works S/C
Transport S/C

Pol Sec
Air S/C
Army S/C
Naval S/C
Comms S/C
ERS

New forms delivered & explained to A.P. Jiro & cetera : 6/3/45

TO	INIT	DATE
DIRECTOR	<i>[Signature]</i>	4/3
DEPUTY DIRECTOR		
EXEC. OFFICER		4/3
PROCL		5621
LIC. & REG.		
PRISONS	<i>RWD</i>	6/3/45
ADM. OFFICER		4/3
SECURITY		
CHIEF CLERK		

374

Public Safety S/C

20A

HEADQUARTERS ARMED FORCES
APO 394
CIVIL AFFAIRS SECTION

Ref. DM/62/CA

20 Feb 45

SUBJECT : Defection Returns

TO : See distribution

The following fortnightly returns are now overdue. May the rendition of these returns be expedited please.

Agriculture S/C	15 Jan 45 and 15 Feb 45
Legal S/C	15 Jan 45
Commerce S/C	30 Jan 45 and 15 Feb 45
Communications S/C	15 Jan 45, 30 Jan 45 and 15 Feb 45
Education S/C	15 Jan 45, 30 Jan 45 and 15 Feb 45
Finance S/C	30 Dec 44 and 15 Feb 45
Land Forces S/C	30 Jan and 15 Feb 45
Public Works & U.S./C	15 Feb 45
Transportation S/C	30 Jan and 15 Feb 45
Political Sec	30 Dec 44, 30 Jan 45 and 15 Feb 45
Air S/C	30 Dec 44, 15 Feb 45
Navy S/C	15 Jan 45, 30 Jan 45 and 15 Feb 45
Public Relations Branch	15 Jan 45 and 15 Feb 45
Public Safety S/C	15 Feb 45



H. WHITE Lt Col
For VP CA Section

Distribution :

Agriculture S/C	Public Works & U. S/C
Legal S/C	Transportation S/C
Commerce S/C	Political Sec
Communications S/C	Air S/C
Education S/C	Navy S/C
Finance S/C	Public Relations Branch
Land Forces S/C	Public Safety S/C

COL CHEPAIN	Ind. 5/3
COL YOUNG	
LT COL WICKS	
MAJ LUCAS	
MAJ WILSON	
MAJ HANCOCK	
MAJ BALANCE	
MAJ PAVEL	

RS
19A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

14754

10 Feb 45

DE/3.11/CA

SUBJECT: Provs Civil Eparation

TO: POs Toscana, Abruzzi-Marche, Lazio-Umbria Regions
(Scale NRS 4; HQ 2)

cc.

1. From enquiries received, it is apparent that there is no clear conception of what is included in "Provincial" Eparation for which Regional and Provincial officers in AMG territory are responsible.
2. The procedure as to eparation is laid down in DL 139 as amended or added to by DL 257, 285, 420 all of 1944 and DL 2 of 1945, all of which have been extended to AMG territory. The officials and bodies appointed as laid down in those decrees are responsible for carrying out eparation in accordance with those laws and with the directives issued from time to time by the HQ. But of these officials those working in AMG territory have a dual responsibility. Just as a Prefect or Questore is responsible to AMG for carrying out Italian law in his jurisdiction, so are eparation officers responsible to AMG for carrying out the law as to eparation.
3. It must be constantly borne in mind that Italian legislation sets up two forms of Eparation Commissions (a) Central (b) Provincial. The broad distinction as to who is eparable by a Central and who by a Provincial Commission is not always easy but the broad distinction is, that the cases of all Government servants (however low in grade and wherever employed) are decided centrally as are the cases of employees of all concerns of national, as opposed to only local, importance. The only persons whose cases are decided by a provincial commission (in the strict sense) are employees of concerns of purely local interest. It should be noted that the distinction rests upon the standing of the employing body and has nothing to do with the location of the place of employment or where the employee resides. In case of doubt the view of the responsible Italian official should be accepted.
4. It is the responsibility of AMG officers to see that the provincial commissions tackle the eparation of the purely local concerns. The first problem is, that in many cases the commissions do not yet exist. Where this is the case he will see that the investigatory work nevertheless goes on and that cases are prepared so that there shall be no delay on that score when the commission is appointed.

5619

TO	NO	DATE
COL CHAPMAN		13/2
COL YOUNG		15/2
LT COL WILCOX		15/2
MAJ LUCKHAY		15/2
MAJ WILSON		16/2
MAJ HANBURY		17/2
MAJ BALLANCE		17/2
CAPT PIWEL		18/2
MAJ T. K.		15/2

- 2 -

5 The principal cause of the delay in appointing provincial commissions is the requirement that a judge shall sit on all commissions, nearly 150 commissions (mostly central) have already been appointed and so many magistrates have been withdrawn from normal work that the administration of justice is being interfered with, so a halt has had to be called. Nearly 100 more commissions are required to meet central and provincial requirements. It is hoped that the appointment of commissions will soon be resumed.

6 It should be noted that in addition to Provincial Commissions properly so called, Central Commissions have the power to sit in divisions which may sit provincially, (but still as part of the central machine). They have jurisdiction over one or more provinces for the purpose of dealing more conveniently with the operation of government departments which have in that area a large number of employees in scattered offices. This power is intended to exercise especially for the transportation, communication and education services. Where such divisions sit in AMG territory AMG is responsible for seeing that they do their jobs.

7 The HC is represented at the Provincial level by a Delegate who in addition to other duties is a liaison officer to keep the HC informed on local conditions. AMG officers can properly make representations to him as to the need for the appointment of commissions, the rate at which work is being done or the fact that certain persons have not been dealt with. The delegate is also responsible for supervising the work of the local commissions and for conducting local investigations. He stands to the work of operation in the same position as the Prefect does to the work of Local Government. So that his functions may be understood, a summary of the instructions under which he works is attached. Close liaison should be maintained with him.

BY COMMAND OF THE CHIEF COMMISSIONER :

R. G. Upjohn
G. R. UPJOHN Brig
VP CA Section,
DCOS AG.

DISTRIBUTION (for information) :

RC Emilia Region
RC Piemonte Region
RC Liguria Region
RC Lombardia Region
RC Venesia Region
DCCAG 15 Army Gr
SCAG AMG 6 Army
SCAG AMG 5 Army
PRB

RC Sicilia Region
RC Sardegna Region
RC Southern Region
CA Section
Local Govt S/C
Legal S/C
Public Safety S/C
Educ S/C
Communications S/C

Econ Section
Agric S/C
Commerce S/C
Finance S/C
Public Works S/C
Transp. S/C
Air S/C
Land Forces
Naval S/C

Circular No 4 of 7 Jan 45 from the Assistant High Commissioner

VICTIMIAL MEMORATION

1 The HC will be represented in all tribunals by a Delegate responsible for conducting preliminary investigations and preparing cases for submission to extradition commissions. The Delegate should, where possible, have his office in the prefecture and work in close collaboration with the Prefect.

2 He will transmit registers and lists of employees and the information available as to such employees with which the responsible heads of all services are responsible for supplying him.

3 The evidence collected will

a) if it concerns persons extraditable essentially, be submitted to the HC (unless there is a division of an appropriate central extradition commission sitting temporarily, then it will be sent to that commission).

b) if the evidence referred to persons extraditable provisionally it will be forwarded to the appropriate provincial commission; but if a provisional commission has not been established, it will be retained for transmission when the commission has been set up.

4 The Delegate may recommend suspension of the HC if he does not agree with the HC, the Delegate should refer the matter to the HC (in his territory to the appropriate AG officer).

5 The Delegate shall be responsible for such degree of supervision over the work of AG officers as may be necessary to prevent interference, pressure or favour. If any such is detected it will be reported to the HC (in AG territory to the appropriate AG officer).

6 The Delegate will scrutinize decisions of Commissioners sitting provisionally and forward them to the HC within the month. The period within which an appeal must be lodged will commence on the date on which the HC receives the decision concerned; but the Delegate will nevertheless give notice of appeal in all cases where he is of opinion that an appeal should be lodged, leaving the HC to withdraw the appeal if, in his opinion, it is not justified.

7 With the appointment of Delegates in the territories of all provinces local government may be said to have begun. It is essential to be effective it is necessary that the Delegate should be able to call on the collaboration of the Prefect and Sindaco and on the assistance of the democratic parties and of the public. The Prefect will be responsible for replacing Sindaco whose cooperation in operation cannot be relied upon. (in AG territory it will be a good ground for asking AG to direct a Sindaco).

8 It is intended that every AG public operation shall be channelled through the local AG. The public must be encouraged to the issue of public responsibility, it may be encouraged by means of meetings, articles in the press and public notices. All information received from the public must be signed. Its attention will be called to any other denunciations or strikes.

9 Cuffing Commission will be provided over by a magistrate and composed of persons who have little or no connection with the local AG and AG officers who are not related locally because of their honesty and who can be relied upon for justice and impartiality and who are not corruptible by favour or bribes.

5618

There is a provision of an appropriate central expurgation commission sitting provisionally, when it will be sent to that commission.
 2) If the evidence tends to persons opportune, provisionally it will be forwarded to the appropriate provincial committee but if a provincial commission has not been established, it will be retained for transmission when the commission has been set up.

3) The Delegate may request suspension of the Prefect does not agree he will inform the D. Delegate will then refer the matter to the AG (in AG territory to the appropriate officer).

4) The Delegate shall be responsible for such degree of suspension over the work of the Province as may be necessary to prevent interference, pressure or favour. If any such as suggested it will be reported to the AG (in AG territory to the appropriate officer).

5) The Delegate will scrutinize Decisions of Commissions sitting provisionally and forward them to the AG with his comments. The period within which an appeal must be lodged will commence on the date on which the AG receives the decision concerned; but the Delegate will nevertheless give notice of appeal in all cases where in his opinion that an appeal should be lodged, leaving the AG to withdraw the appeal if, in his opinion, it is not justified.

6) With the appointment of Delegation in the interests of all provinces local expurgation may be said to have begun. If expurgation is to be effective it is necessary that the Delegate should be able to rely on the collaboration of the Prefects and Simulaci and on the assistance of the secretarial parties and of the public. The Prefect will be responsible for replacing and/or re-education in operation in expurgation cannot be relied upon. (In AG territory it will be a good ground for asking AG to change a Prefect).

7) It is intended that party and public cooperation shall be channelled through the local P.C.s. The public must become accustomed to the idea of public responsibility. It may be achieved by means of meetings, articles in the press and public notices. All information received from the public must be signed. No attention will be paid to every one denunciations or intrigues.

8) Judging Commissions will be created over by a committee and composed of persons the Party is able to do so. The committee will be localities 5618 localities. The are extremely hostile because of their honesty and who can be relied upon for justice and integrity and who are not corruptible by favour or bribes may be excluded. Delegates and Prefects of the community will forward the names of any such persons they will appointed to the AG.

9) The object of having Provincial Expurgation Commissions appointed by the Prefect of the Council of Ministers is to include such persons and authority all previously suggested over held. Commissions are classified but must already done will be examined and utilized if it complies with the law and the corresponding regulations.

10) The Delegates, though mainly the representative of the AG for Expurgation, will also supervise work of the other three branches of Sanctions against Nazism.

1811

MEMORANDUM ADMIN COMMISSION
LPO 304
CIVIL AFFAIRS SECTION

14774

Ref: DNY 3.22/04

SUBJECT: De-Faction - 65 25

TO: Sub Distribution

18/10

1 Feb 45

cc.

attached are a number of three directives which the IC for this section has issued on the subject of a situation which are issued for the information of Regional and Provincial Offices and Sub-Comms so that they can advise their constituents, for which they are responsible in ABC territory, proceeds along the correct lines.

BY CONSULT OF THE CHIEF COMMISSIONER

[Handwritten signature]

S.A. URGENT LPO
VP. CA Section
DODJ AC

DISTRIBUTION:

- IC Foreign Region
- IC Latin America
- IC Central-South Region
- IC
- CA Section
- IC Section
- IC Section
- IC Section

- Public Safety S/O
- Local Govt S/O
- Local S/O
- Comms S/O
- Public Works S/O
- Finance S/O
- Agrio S/O

- Air S/O
- Army S/O
- Navy S/O
- Communications S/O
- Transportation S/O
- Other S/O

Provincial 1 (Main Office of Division); Provinces 2; Sub-Comms 2.

Copy for info: IC Southern Region
IC Sicilia Region
IC Santiago Region

...the number of these divisions which are for the purpose of the ... the subject of ... which are issued for the ... of ... and ... of ... and ... to that they can ... the ... for which they are responsible in ... territory, ... along the ... lines.

BY COMMAND OF THE CHIEF COMMISSIONER

Handwritten signature

C. F. ...
VP of ...
...

DISTRIBUTION :-

- RC ... Region
- RC ... Region
- RC ... Region
- CA Section
- ...
- ...
- ...

- Public Safety S/O
- Local Govt S/O
- Local S/O
- ...
- Public Works S/O
- ...
- ...

- Air S/O
- Army S/O
- Naval S/O
- Communications S/O
- Transportation S/O
- Edue S/O

... (also ... of Division); ... 2; ... 2.

- Copies for info : 10 ... Region
- 10 ... Region
- 10 ... Region

5617

TO	UNIT	DATE
COL. CHAPMAN
COL. YOUNG
LT. COL.
MAJ.
MAJ.
MAJ.
MAJ.
CAPT.
...

ARTICLES IN TO BE/5.22/24 of 1 Feb 45

- 1. Circular 1 of 20 44S. From the NY to 1. Ministers
- 2. Members of Juggling Commissioners

Explicit and expound difficulties and appears inconsistencies in the text of IL 159. References concerning 4 are to Article of IL 159 those beginning's are to the corresponding sections of DC 95.

4 12 (2) and 4 13 - 8 2(b). Two degrees of improper performance are recognized. The first includes the more gross cases of favoritism, where the preference is personal and with no shadow of justification, and the second where there may be colourable justification and there is a preference rather because of camaraderie of a group than of the individual as such.

4 13-8 2(c) is intended to cover every form of bias incompetence and corruption and several examples are given.

4 14-8 2(a) is intended to apply to those who were in fact "aquadrates", "antecrois" etc. and not to those whom titles were awarded as honorary distinctions because they were actually qualified, competent, etc. but if an honorary title was solicited, this exception does not apply. It is the article intended to apply to persons who were transferred to the "Hill" and "Blow" because the unit to which they belonged was so transferred, except where the transfer was in fact with a request made by them.

4 16-8 3(b) The expression "distinguished" is defined as having accomplished something particularly notable and useful. The test is suggested of whether the man is of a highest type, who has done what he did in good faith and in sincere in his service and not a mere fire-eater who will serve wherever they have a prospect of success.

4 Section is couched against conviction too easily the claim of self styled patriots and of being too easily satisfied by claims that acts of little true importance should exempt persons from punishment for a long period past. A similar caution is sounded against speculating too readily the excuse of unusual public persons.

4 17-8 2(a) does not deal with collaboration with the Germans, that can only be dealt with under Art 51 but if such collaboration imports the collaboration with the Reichsmarine Government, Art 17 will apply. Collaboration does not include such cases as civil servant receiving of his post and carrying on with his job, the continuation of administration is a matter of public life. If adverse interest had been intended, 5616 is a case illustrating all civil service regulations sufficient. Collaboration is not meant and have actively resisted the Republic's Government, etc. of the transfer of persons or property to the care of by propaganda.

The pleading of allegiance refers to the oath of fidelity and loyalty. These are cases of extreme and irregularities are recognized.

11. 159. References concerning 4 are to articles of IL 125 to 128 and 129 to 132. The corresponding sections of 50 15.

1 4 12 (c) and 4 13 - 8 2(b). The degree of improper punishment was recognized. The first includes the wife's case cases of favoritism, which the preference is personal and with an order of justification, and the second where there may be colorable justification and there is a preference rather because of membership of a group than of the individual as such.

2 4 13-8 2(c) is intended to cover every form of bias (incompetence and favoritism and several examples are given.

3 4 14-8 2(d) is intended to apply to those who vote in fact "squadrista", "venturista" etc, and not to those who are titled as honorary directors in fact because they were not in fact, sculptors, etc, but if an honorary title was solicited, this exemption does not apply. Nor is the article intended to apply to persons who were transferred to the militia "on blood" because the unit to which they belonged was so transferred, except there the transfer was in accord with a request made by them.

4 4 15-5 4(b) The expression "relationship" is defined as having accomplished something voluntarily (stable and useful). The test is suggested of whether the act is of an honest type, and not just that he did in good faith and in sincere and his beliefs and not a mere hire-server who will serve whoever may have a purpose (advantage).

5 4 17-5 2(a) does not deal with collaboration with the Germans, that can only be dealt with under 4 5; but if such collaboration results also collaboration with the Republican Government, 4 17 will apply. Collaboration does not include such cases as a civil servant remaining in his post and carrying on his job, the continuation of administration in a state of modern life. If no formal dismissal had been intended, 5016 dismissing all civil servants would have sufficed. Collaborators are those who have actively assisted the Republican Government, e.g. by the transfer of property to the north or by propaganda.

The pleading of allegiance refers to the oath of fidelity (in loyalty). Three grades of extinguishing citizenship are recognized.

c) actual imprisonment, violence etc or that it might be fairly assumed that there was coercion and the act is a free act. In such cases no punishment at all should be awarded as to freedom is proved, but the severity of actual threats of arrest, carriage or other coercive means. The degree of excuse would vary according to the circumstances of the threat both as to the type of danger threatened and the reasonableness of the fear that the threat would actually be carried out.

d) threats merely of dismissal, in which case the degree of excuse would vary with the degree of fear in which the employee and his family, who find themselves. Here follows a large number of paragraphs dealing with details of administration. They refer to arts 18-22 of IL 139 and are of an interest to all submissions.

e) actual imprisonment, violence etc or that it might be fairly assumed that there was coercion and the act is a free act. In such cases no punishment at all should be awarded as to freedom is proved, but the severity of actual threats of arrest, carriage or other coercive means. The degree of excuse would vary according to the circumstances of the threat both as to the type of danger threatened and the reasonableness of the fear that the threat would actually be carried out.

f) threats merely of dismissal, in which case the degree of excuse would vary with the degree of fear in which the employee and his family, who find themselves. Here follows a large number of paragraphs dealing with details of administration. They refer to arts 18-22 of IL 139 and are of an interest to all submissions.

g) actual imprisonment, violence etc or that it might be fairly assumed that there was coercion and the act is a free act. In such cases no punishment at all should be awarded as to freedom is proved, but the severity of actual threats of arrest, carriage or other coercive means. The degree of excuse would vary according to the circumstances of the threat both as to the type of danger threatened and the reasonableness of the fear that the threat would actually be carried out.

h) threats merely of dismissal, in which case the degree of excuse would vary with the degree of fear in which the employee and his family, who find themselves. Here follows a large number of paragraphs dealing with details of administration. They refer to arts 18-22 of IL 139 and are of an interest to all submissions.

i) actual imprisonment, violence etc or that it might be fairly assumed that there was coercion and the act is a free act. In such cases no punishment at all should be awarded as to freedom is proved, but the severity of actual threats of arrest, carriage or other coercive means. The degree of excuse would vary according to the circumstances of the threat both as to the type of danger threatened and the reasonableness of the fear that the threat would actually be carried out.

j) threats merely of dismissal, in which case the degree of excuse would vary with the degree of fear in which the employee and his family, who find themselves. Here follows a large number of paragraphs dealing with details of administration. They refer to arts 18-22 of IL 139 and are of an interest to all submissions.

MEMORANDUM FOR THE RECORD

Circular No. 2 of 8 Sep. From the last 80 to 1. Ministers
2. Members of Judging Commissions

While the first circular dealt with the letter of the law, this deals more with its spirit. The general intention is to remove prominent fascists quickly (so that those left may fight more in their posts and the purged officials may continue to reconstruct the stable foundation) and at the same time to cause as little bitterness as possible.

1 The law is political; unless severity will be harmful, the spirit should prevail over the letter. The aim is not to punish (punishment is dealt with by Part I of H. 159) but to remove the corrupt and to re-build an honest serious and diligent service. The expression "willingly to serve the state" means more than once and is the best to be applied.

2 The persons to be removed are those who are corrupt and intellectual. Two classes are distinguished, those who regard an office as a means of enrichment and who buy and sell (whether or not for money) favors and take improper profits or other advantages and corrupt the State. The second class are those who have been ignorant or regressive or violent, those who have shown extreme selfishness and have coerced or taken the liberty of others. Persons of both such classes should be removed even though their faction is not obvious.

3 Other cases should be treated more tolerantly; the object is to get a clean and honest administration. The argument that all fascists are tainted and should be removed is not accepted. Those who were conscientious and honest are still such and may be worthy of retention. A converted fascist need not necessarily be removed if the conversion is honest and not pretended.

4 The types of fascists to be tentatively dealt with are discussed. Squadrists, autocratic etc who are still of low grade, etc men who joined the party in its early days and is still of low grade cannot have been a very great fascist. Cases of persons in receipt of small salaries should be carefully considered especially where dismissal will condemn them and their families to complete destitution. It is considered better that a few unfortunates should escape their deaths rather than many should suffer more than is deserved. The socialist is not to be removed solely as such, but only if took part in the corruptness of the fascist regime.

5 Further that in the conduct of the individual after the 8 Sep 43. Those who then voluntarily reassociated themselves with and assisted the Republican Government must be dismissed, but those who only did so under direct pressure or because of the economic necessity of retaining their appointments, may be treated less harshly.

6 Suspension prior to trial shall not influence the hearing; suspensions are frequently ordered on evidence available at the time, which may later prove false or capable of explanation. Cases of persons suspended should be given priority of hearing.

7 The HC will not hesitate to request the suitable cases that **5615** treatment is deserved and will just as readily request against decisions of Tribunal Commissions which do not observe, to the prejudice of the accused, the spirit of the above instructions.

prevail over the latter. The aim is not to punish (punishment is dealt with by Part I of M. 159) but to remove the corrupt and to re-build an honest, serious and diligent service. The expression 'authority to serve the state' means that they should be in the fact to be applied.

2 The persons to be removed are those who are corrupt and intolerant. The disease are distinguished, those who regard an office as a means of enrichment and who may and will (whether or not for money) favour and take improper profits or other advantages and corrupt and bribe. The second class are those who have been intolerant or repressive or violent, those who have shown extreme partiality and have abused or abused the liberty of others. Persons of both such classes should be removed even though their intention is not obvious.

3 Their names should be treated more leniently; the object is to get on a clean and honest administration. The argument that all fascists are tainted and should be removed is not accepted. Those who were opportunistic and honest are still such and may be worthy of retention. A convicted fascist need not necessarily be removed if the conviction is honest and not pretended.

4 The types of ex-fascists to be leniently dealt with are discussed. Squadrista, Intermittent etc who are still of low grade. A man who joined the party in its early days and is still of low grade cannot have been a very ardent fascist. Cases of persons in receipt of small salaries should be carefully considered especially where considered with common sense and their families to complete satisfaction. It is considered better that a firmness should be shown in their interests rather than they should suffer more than is deserved. The ex-fascist is not to be removed merely in such, but only if took part in the corruption of the fascist regime.

5 A further test is the conduct of the individual after the 3 Sep 43. Those who have voluntarily reassociated themselves with and assisted the Republican Govt must be dismissed, but those who only did so under duress should be because of the economic necessity of retaining their appointments, may be offered lesser punishment.

6 Suspension prior to trial shall not influence the hearing; suspensions are frequently ordered on evidence available at the time, which may later prove false or capable of explanation. Cases of persons suspended should be given priority of hearing.

7 The HC will not hesitate to suggest in suitable cases that 5615 Commission is deserved and will just as readily report against decisions of 5615 Commissions which do not observe, to the prejudice of the accused, the spirit of the above instructions.

8 Commissions are urged to work expeditiously to reduce as quickly as possible that unsettled period when people do not know what their limits are and certainty what staff they will be retaining. While they should temper justice with mercy, by an exercise of sound judgment and political understanding they will assist in the results of their country.

MEMORANDUM FOR THE MEMBERS OF JUDICIAL COMMISSIONS

Circular No 3 of 26 Oct. From the 11th to 13th of 1979. (This was originally circulated on 24 Oct.)

1. Disciplinary sanctions of lesser importance include deprivation of pension and loss of rank or honorifics. But, they should not be imposed without regard to the effect they will have. The intention is to build up the service. It will generally be inadvisable to order the reduction of allowances and salaries. This but only where appropriate and where discontent and does not assist to maintain the service. Nor the same reason a temporary suspension is inadvisable and delays the service from returning to normal. (Suspensions should only be ordered when adequate grounds existers present).

Censure is generally the most appropriate lesser sanction.

2. It may cause the pension to be the only source of income. It is inadvisable to create a desperate situation by ordering forfeiture of a pension which also reflects adversely upon the ability of the citizen to pay. Such decisions will not assist to restore the country. Deprivation of pension is justified in cases where there has been improper enrichment through the more serious cases of collaboration with the Republican Govt. In other cases the economic result on the family must be considered, here there are no other means to be generally inadvisable.

3. In considering cases of "substantial" penalty for articles 4, 12(1)-5 2(a) of 20 25 see also of which the penalty is more to be given weight whether it be in the number of the subjects or in private conversation, whether by book or a written never intended to be published. The offence consists of the course of conduct, not in one ill considered episode.

4. Coll. articles 4, 17-5 2(a) includes not only intentional and continued support or assistance of the Republican Govt, but also things like which are or are believed to be of assistance to that Govt whether the event is in relation or is only intended to influence the attitude or conduct of others towards it.

The office or position of the offender is therefore of importance in determining the course of seriousness with which the offence should be regarded.

5. Coll. article 16 & 17 - 5 2(a) and 3(b) that previous conduct should be considered and less severe action applied, on the ground that persons who were apparently collaborating with the Republican Govt have in fact been engaging in that effort, used particularly careful investigation not only to the nationality of the persons called upon but also to the circumstances and reliability of the persons calling the statements. Many such concepts pertaining to the individuals, articles, books and other publications have been shown to be quite worthless. The only body authorized to issue such statements is the Ministerial Committee and only documents issued by that body should be accepted in evidence.

6. Material removed from office by 113 (a) is considered as suspended, the nature of that crime should be reported (and may be advised to take that they should be done) so that it may be decided whether they are to be dismissed or not. Employees may have already been out of work for a considerable time. Until such decision has been reached they shall receive (and from the date of actual suspension) salary without allowance for the same as if they were employed. (Circular No 15 of 24 Oct. 1979) notified to relevant.

7. A suspended official who is "suspended" shall not be restricted in his employment until the time for appeal against the decision has lapsed. (Circular No 15 of 24 Oct. 1979) notified to relevant.

5614

16B

DECLASSIFIED

Decree amending Decree No. DL 159, 257 & 255

The Italian version of this decree is the only authoritative text. The version herein is not a literal translation; its object is to inform officers conveniently of the provisions contained in the Decree. Officers are referred to the Italian text for all points of detail or matters of procedure or details.

Amendments to DL 159	Arts 1-5 & 14
Amendments to DL 257	" 6-14
Amendments to DL 255	" 12-14
Comments	" 15

AMENDMENTS TO DL 159

- Art 46 of DL 159 of 27 July 1944 shall be replaced by the following:

It provides for the operation of this Decree a High Commission for functions against Fascism is hereby created.

The High Commissioner shall be appointed by resolution of the Council of Ministers; while so employed/shall act as a judicial magistrate of the first grade. He shall be assisted by an Assistant Commissioner and by a Deputy Assistant Commissioner in each of the four branches of his jurisdiction.

Whenever the office of the High Commissioner shall be vacant or be shall be absent or unable to carry out his duties the said functions shall be exercised by a Board consisting of the four Assistant High Commissioners under the presidency of the President of the Council of Ministers.

The Assistant High Commissioner and the Deputy Assistant High Commissioner shall be appointed by the President of the Council of Ministers; while so employed they shall rank respectively as magistrates of the third and fourth grades.

Sufficient magistrates and officials are requested by name shall be assigned to the office of the High Commissioner and judicial Police including Carabinieri, Public Security, Officers and Police Guards shall be placed at his disposal. The Secretariat shall be under the control of a Secretary General and persons not belonging to the Civil Service may be employed therein.

The High Commissioner and his subordinate officers may call upon the judicial police for assistance and the latter will carry out their orders.
- The first part of art 4 of DL 159 of 27 July 44 shall be replaced by the following:

Any person who for Fascist reasons or, by taking advantage of the political situation created by Fascism has committed acts of particularly gravity which, while not constituting offenses, are contrary to the rules of moral rectitude or of political probity, shall be subject to the loss of suffrage rights, active or passive, for a period not exceeding 10 years, or temporarily disqualification from holding public office or to loss of political rights for a period of not more than 10 years.

Any person who has held a leading position in the fascist party shall be subject to loss of suffrage rights. The leading positions to which shall apply will be notified by Decree of the President of the Council of Ministers.

5812

Administrative directed to apply over the Provincial Commissions referred to

- 1 Art 40 of DL 159 of 27 July 1944 shall be replaced by the following:-
 "to provide for the operation of this law a High Commission for Promotions against Fascism is hereby created.
 The High Commissioner shall be appointed by resolution of the Council of Ministers; while so employed shall rank as a judicial magistrate of the first grade. He shall be assisted by an Assistant Commissioner and by a Deputy Assistant Commissioner in each of the four branches of his jurisdiction.
 Whenever the office of the High Commissioner shall be vacant or he shall be absent he shall carry out his duties the said functions shall be exercised by a body consisting of the four Assistant High Commissioners under the presidency of the President of the Council of Ministers.
 The Assistant High Commissioners and the Deputy Assistant High Commissioner shall be appointed by the President of the Council of Ministers; while so employed they shall rank respectively as magistrates of the third and fourth grades.
 Sufficient magistrates and officials as suggested by laws shall be assigned to the office of the High Commissioner and judicial police including Carabinieri, Public Security, Gendarmes and Finanze Guards shall be placed at his disposal. The Secretariat shall be under the control of a Secretary General and persons not belonging to the Civil Service may be employed therein.
 The High Commissioner and his subordinate officers may call upon the judicial police for assistance and the latter will carry out their orders".
- 2 The first part of art 8 of DL 159 of 27 Jul 44 shall be replaced by the following:-
 "Any person who for fascist reasons or, by taking advantage of the political situation created by fascism has committed acts of particular gravity which, while not constituting offences, are contrary to the rules of moral rectitude or of political probity, shall be subject to the loss of suffrage rights, active or passive, for a period not exceeding 10 years, or temporarily disqualification from holding public office or to loss of political rights for a period of not more than 10 years.
 Any person who has held a leading position in the fascist party shall be subject to loss of suffrage rights. The leading positions to **5612** shall apply will be notified by decree of the President of the Council of Ministers".
- 3 Magistrates directed to provide over the Provincial Commissions referred to in art 5 of DL 159 of 27 July 1944 shall be appointed by the President of the Council of Ministers after consultation with the Minister of Justice and the High Commissioner for Promotions against Fascism.
- 4 The following paragraph shall be added to art 44 of DL 159 of 27 Jul 44:-
 "Persons in judicial positions may also be awarded to fascist apologists under art 12 (1) when the offence has not been sufficiently serious to render the guilty person unworthy of serving the State".
- 5 The Central Commission referred to in art 30 of DL 159 of 27 Jul 44 shall consist of four divisions, each of which shall consist of a Divisional President, two retired or serving judicial or administrative magistrates, two officials of the Central Administration and two members designated by the High Commissioner for Promotions against Fascism.
 The President of the Central Commission shall provide for the allocation of work among the various divisions and may preside over the meetings of any of them.

AMENDMENTS TO DL 257

6 Without prejudice to the continued application of the first paragraph of art 1 of DL 257 of 14 Oct 44, the time limit mentioned in the first paragraph of art 2 of DL 159 of 27 July 1944 shall be extended by three months for the territories referred to in the administrative order to the date of this decree. But in the case of officials of the State Control Administration the extension shall be for one month only.

7 The time limit laid down in the last para of art 1 of DL 257 of 14 Oct 44 for announcing decisions of the Executive Commission may be extended to 60 days.

8 The time limit laid down in the 2nd para of art 2 of DL 257 of 14 Oct 44 is extended to 30 days.

9 The personnel referred to by the last para of art 3 of DL 257 of 14 Oct 44 may in lieu of the means of punishment now mentioned in the last para of art 3, request the application of the law of 22 Nov 1940 No 587, according to the last part of the said article.

Any such request must be made within 15 days from the announcement of the decree of punishment.

10 The advertisement in any newspaper as the marked by art 3 of DL 257 of 14 Oct 44 and by art 9 of the present decree shall be replaced by the political State Archives in accordance with the aforementioned decree No 257.

11 Where a case was referred to any Tribunal before the date of DL 257 of 14 Oct 44 and by art 9 of the present decree shall be referred to the Tribunal in accordance with the provisions of art 9 of DL 257 of 14 Oct 44, shall run from the date the decree came into force.

AMENDMENTS TO DL 265

12 Art 17 of DL 265 of 27 Oct 44 shall be modified to read as follows:-

"In cases provided for in the present law, but that with three delegates of the High Commission for questions against Foreigners, shall be responsible for preparing the trial the cases against employees which are to be referred to an Executive Commission".

13 The following para shall be added to the 2nd para of art 20 of DL 265 of 27 Oct 44:-

"Whenever any enemy charged with bringing any register considered that it has sufficient evidence to justify application proceedings against any person in the register it shall immediately inform them to the appropriate Commission which shall, before commencing any proceedings, notify the High Commission thereof. The High Commission may, if he so wishes, initiate own proceedings himself".

14 The modification of law made by the Executive Commission of first instance by the High Commission for questions against Foreigners, in accordance with art 20 of DL 159 of 27 July 1944, shall be suspended by all the papers and documents of the trial to which in addition refer.

CONCLUSION

15 The present decree shall become effective on the day of its publication in the Official Gazette of the Kingdom.

The President of the Council shall be notified on Dec. 30 December 1944.

5611

The King's Bench Bill from by the 2nd part of art 2 of Decree 257 of 11 Oct 44
No entered to 20 4/55.

The personnel referred to by the 1st part of art 3 of Decree 257 of 11 Oct 44
may in view of the increase of punishable acts under the 1st part of art 3,
request the application of the law of 20 May 1940 No 587, according to the 1st
part of the said article.

Any such request must be made within 15 days from the promulgation of the
decree of ratification.

10 The advantages of an irrevocable nature granted by art 3 of Decree 257 of
11 Oct 44 and by art 9 of the present decree shall be applied also to retired State
attorneys in accordance with the above-mentioned decree of 27.

11 Where a case was referred to the High Commission prior to Decree 257 according
to the effect of the 1st part of the amending of the finding under the 2nd part of
art 1 of Decree 257 of 11 Oct 44, shall run from the date the decree came into force.

ARTICLE 20 Dec 285

12 art 17 of Decree 27 Oct 44 shall be modified to read as follows:-
"The court presides the President, together with three delegates of the High
Commissioner for relations with the Parliament, shall be responsible for preparing for
trial the cases against employees which are to be referred to an Expert Commission".

13 The following text shall be added to the 2nd part of art 20 of Decree 285 of
27 Oct 44:-

"Whenever any agency charged with keeping any register considers that it has
sufficient evidence to justify operations proceedings against any person on the
register it shall immediately inform him to the appropriate Commission which
shall, before suspending any proceeding, notify the High Commissioner thereof.
The High Commissioner may, if he so wishes, initiate such proceedings himself".

14 The notification of the finding by the Nigerian Commission of first instance
to the High Commissioner for Nigerian Criminal Justice, in accordance with art 2
of Decree 27 of 27 July 1944, shall be accompanied by all the papers and documents
of the kind to which the Decree refers.

5611

COMMENTARY

15 The present Decree shall become effective on the day of its publication in
the Official Gazette of the Kingdom.

The provision of art 7 shall be effective as from 20 December 1944.

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Notes of a Meeting
of
Sub-Commission Representatives

20 Jan 45

28/3.10/64

- 1. Attention was drawn to the new Decree No 2 of 1945 which extended the time for the completion of proceedings of the first four grades to 29 Jan and for the initiation of proceedings in other cases of persons operable currently by one month to the 29 Feb 45 for those operable provincially by three months to the 29 Apr.

Orig. UNION stated that it did not seem likely that matters could be finished within the time limits in the new decree and that further extensions might be needed.

Sub-Commissions should however make an effort, to get proceedings finished within these new time limits.

- 2. Orig. UNION referred to SMOCKHAWK's report on the whole six months and informed Sub-Commissions that the report was interesting and was available for perusal but was too long to take copies of.

IRB undertook to condense and issue it in the Weekly Bulletin. The report contains certain statistics which had been extracted and simplified for information so that Sub-Commissions could see what the High Commissioner said of their respective Ministries. Sub-Commissions were pointed out a number of inconsistencies compared to their returns. He also referred to the directives which had been sent by the H C to Operating Commissions, which on the whole appeared excellent. A commission was being prepared and would be circulated.

- 3. Sub-Commissions were informed that the new W/RO who had replaced SMOCKHAWK was E. SMITH and that he intended to visit his two towns places. A proposal which had been put forward by him was to get up sections of ministerial commissions to sit provincially particularly to deal with employees engaged in the transport, communications and educational services. To effect this it might be necessary to amend article 25 of H. 159 so that time limits should run in all territory.

- 4. It was agreed that it was undesirable to put 60 15 into operation in any area to which H. 159 had been extended.

Objection should not be made to actions taken by the H C except in consultation with G. Section. Where operation was proposed against an area and some work for the war effort, the appropriate action was to **5610** but this might be taken into consideration under article 16 of H. 159.

- 5. Most Sub-Commissions now found that they could only get the information required by the fortnightly returns from their Ministry and not from the Operation Commission. The original instruction had been that Operation Commissions should

provide the information. Sub-Commissions should not arrange for the personnel branch of the ministry concerned to provide this information. A directive to this effect has been issued.

7 List 'A', Executive Memorandum No 67 was under revision. It was noted that it contained no reference at all to senior personnel of services for which certain sub-commissions were responsible. Sub-Commissions should consider whether any appointments should be included. It was intended that the list should be exclusive and apply only to the senior appointments which it was essential should be non-fascist. Any amendments proposed should be submitted within 5 days.

8 The following points by sub-commissions were raised:-

- a) The proposed re-employment by the Italian Government of persons suspended by MSS. In some districts some persons had not been suspended for over a year and the Italian Government now desired to re-employ them, and though it was considered desirable that such persons should appear before an appointment commission before they were re-employed. This was a matter of high policy which would have to be decided at a higher level.
- b) Public Safety was instructed to see that its returns included figures as to the senior grades of CC IR officers. Prison personnel should be aggregated with the Min. of Justice's figures. Col WHITE to coordinate between Public Safety and Land Forces sub-commissions.
- c) It was suggested that a provincial commission was sitting in Naples and dealing with University professors contrary to the wishes of the Minister of Education. Education are instructed to make further enquiries.
- d) There was no objection to Finance sub-commission continuing to handle the figures relating to Insurance Companies.
- e) A further supply of revised pro forms are required.

DISTRIBUTION: -

Vz. G. Sec	Exec Sec	Pol Sec
Gen S/S	Asst S/O	Asst S/O
Local Govt S/O	Comms S/O	Army S/O
Legal S/O	Finance S/O	Naval S/O
Pub Sec S/O	Pub Works S/O	Comms S/O
File S/S	Transport S/O	HRD

Mr. G. Sec							
Mr. Asst S/O							
Mr. Local Govt S/O							
Mr. Legal S/O							
Mr. Pub Sec S/O							
Mr. File S/S							
Mr. Exec Sec							
Mr. Asst S/O							
Mr. Comms S/O							
Mr. Finance S/O							
Mr. Pub Works S/O							
Mr. Transport S/O							
Mr. Pol Sec							
Mr. Asst S/O							
Mr. Army S/O							
Mr. Naval S/O							
Mr. Comms S/O							
Mr. HRD							

1/16/47
J. G. Sec

44

19 Jan 43

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DE/62/62

SUBJECT : Defaulter - Portmugally Return

20 : See Distribution

56A (14732 word)

Reference DE/62/62 of 5 Sep 42.

1 As a result of the course in which the internal administrative details of Separation Sub-Commissions has developed the original instruction that Defaulter returns should be compiled by the Separating Sub-Commissions themselves is no longer either practicable or convenient. Sub-Commissions will therefore arrange that these returns will in future be compiled by the personnel branch of Ministries.

2 They will explain to Ministries that col c and d of the Form relate only to action within the Ministry. Under Art 2 of DL 285 each Minister is charged with the duty of forwarding to the M a list of employees liable to separation together with the evidence against them. This requires methodical enquiry by the Minister into the record of every employee. In col e and f should be recorded the progress which the Minister makes in this investigation. That, for instance, he has examined the records of 250 employees and has referred 50 of such cases to the Evacuation Commission (or High Commissioner). The Minister does not comply with Art 2 if he merely deals with persons denounced to him. It is obvious that when the Minister has investigated the record of every one of his employees the figure in col e will then agree with that in col b.

3 The rest of columns c and f refer only to the proceedings of the Evacuation Commission which they report to the personnel branch of the Ministry after every session. The Ministry should therefore have no difficulty in saying for instance that the total number of cases heard is 20 and that dismissed was numbered in 10 cases.

4 Similarly in the case of bodies other than Ministries, but the returns will in such cases be compiled by the appropriate personnel branch and the above instructions will be read as if referred to Ministry and Minister related to the concern itself and the appropriate responsible officer.

5609

S.H. WHITE Lt Col
for VC CA Section

DISTRIBUTION:

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- Air S/C
- Nav S/C

1 As a result of the merger in which the internal administrative details of various Sub-Commissions has developed the original instruction that Defending returns should be compiled by the Executive Sub-Commissions themselves is no longer either practicable or convenient. Sub-Comms will therefore errand that these returns will in future be compiled by the personnel branch of Ministries.

2 They will explain to Ministers that col c and d of the form r.1.6 only apply to within the Ministry. Under art 2 of DL 285 each Minister is charged with the duty of reporting to the HC a list of employees liable to operation together with the evidence against them. This requires methodical enquiry by the Minister into the record of every employee. In col e and d should be recorded the progress which the Minister makes in this investigation. That, for instance, he has examined the records of 250 employees and has referred 50 of such cases to the Employment Commission (or High Commissioner). The Minister does not comply with art 2 if he merely deals with persons denounced to him. It is obvious that when the Minister has investigated the record of every one of his employees the figure in col a will then agree with that in col b.

3 The next two columns e and f refer only to the proceedings of the Examination Commission which they report to the personnel branch of the Ministry after every session. The Ministry should therefore have no difficulty in saying for instance that the total number of persons heard is 30 and that dismissed was recorded in 20 cases.

4 Similarly in the case of bodies other than Ministries, but the returns will in such cases be compiled by the appropriate personnel branch and the above instruction will be read as if references to Ministry and Ministers related to the concern itself and the appropriate responsible officer.

[Handwritten signature]
S. H. WHITE Lt Col
For VP CA Section

5609

DISTRIBUTION:

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- Army S/C
- Air S/C
- Navy S/C
- Communications S/C
- Transportation S/C

MINISTRY ETC.	Epara. Coursno.	Persons submitted for Epuration			DISPOSITIONS			Total	DECISIONS				
		GRADES		TOTAL	By AHC		Ordered by Min.		Dismissal		L'Esprit		
		I-IV:Lower			Rqstd:	Made			No.	%	No.	%	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
Council of Ministers	6	86	148	234	34	6	1	41	32	30%	59	56%	
Foreign Affairs	1	49	40	89	13	4	3	20	1	7%	3	20%	
Ind. Comm. & Labour	3	16	205	219	111	84	-	195	21	40%	22	41%	
Agriculture	2	7	58	65	21	6	57	74	5	36%	7	50%	
Public Works	1	2	6	10	18	-	117	135	29	21%	48	35%	
Justice & Grace	4	81	271	352	49	34	-	83	29	41%	16	22%	
Finance	5	6	34	40	90	8	13	114	2	67%	-	-	
Treasury	3	1	79	80	11	3	62	78	25	28%	46	47%	
War	3	71	93	114	105	63	29	199	2	5%	7	19%	
Navy	3	24	32	56	17	2	-	19	5	12%	123	30%	
Air Force	2	34	347	383	200	3	1	204	28	26%	16	16%	
Public Instruction	4	121	104	225	83	74	79	236	54	23%	118	51%	
Italian Affair	2	12	-	12	-	-	-	-	-	-	-	-	
Interior	3	118	1350	1468	423	254	100	777	27	15%	97	56%	
Communications	4 & 76/68	5	78	83	20	20	1925	1963	94	6%	643	39%	
U/Secy Press & Inform.	1	3	146	149	-	-	-	-	10	43%	13	43%	
Controlled or Dependant Bodies	71	13	925	938	-	-	-	-	-	-	-	-	
Commune & Province of IGMS	1	-	536	536	28	11	489	524	10	23%	29	65%	
Professional Men Corps of GGN	3	634	4386	4960	43	24	-	69	-	-	(14)	remov	
Royal House	1	-	-	-	-	-	-	-	-	-	50	100%	
Bodies Controlled by the War Ministry	-	-	-	-	-	-	28	28	17	25%	57	70%	
" " " Ministry of Comm.	-	-	-	-	-	-	2	2	-	-	-	-	
" " " under Min. of Ind. Comm. & Labour.	-	-	-	-	-	-	-	-	120	100%	105	42%	
" " " " " Comm. & Public Works.	-	-	-	-	-	-	-	-	21	25%	57	68%	
		124	1481	6782	10063	1258	600	2907	4765	587	1461	144%	

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No.	Persons submitted for Expiration			By ARO			Total	DECISIONS						Total	
	By ARO		TOTAL	Ordered		Total		Dismissal		Sanctions		Acquittals			Total
	By ARO	By ARO		By Min.	By Min.			No.	%	No.	%	No.	%		
	(b)	(c)	(d)	(e)	(f)	(g)		(h)	(i)	(j)	(k)	(l)	(m)		(n)
6	86	178	234	34	6	1	41	32	30%	59	56%	15	14%	106	
1	49	40	89	19	4	3	26	1	7%	3	26%	11	73%	15	
3	14	205	219	111	84	-	195	21	40%	22	41%	10	19%	53	
2	7	55	65	11	6	57	74	5	36%	7	50%	2	14%	14	
4	2	8	10	18	-	117	135	29	21%	48	35%	59	43%	136	
4	61	271	332	89	34	-	83	27	41%	16	22%	26	37%	71	
5	6	34	40	90	6	16	114	2	67%	-	-	1	33%	3	
7	1	79	80	11	5	62	78	25	28%	46	47%	24	24%	96	
9	71	93	114	105	65	29	197	2	5%	7	19%	28	76%	37	
3	24	32	56	17	2	-	19	5	1%	122	30%	277	69%	404	
2	94	349	385	200	3	1	204	28	26%	16	16%	58	57%	102	
4	121	104	225	83	74	79	236	54	29%	118	64%	14	7%	166	
3	118	1350	1468	423	254	100	777	27	1%	97	36%	50	29%	174	
706	5	78	83	20	20	1903	1963	94	6%	643	39%	915	56%	1652	
1	3	146	149	-	-	-	-	10	43%	10	43%	3	13%	23	
71	13	925	938	-	-	-	-	-	-	-	-	-	-	-	
1	-	536	536	28	11	489	528	10	23%	28	65%	5	12%	43	
6	834	4326	4560	45	24	-	69	-	-	(14 removed from the lists)	-	-	-	-	
2	-	-	-	-	-	-	-	-	-	50	100%	-	-	50	
1	-	-	-	-	-	28	28	12	25%	57	74%	1	1%	77	
War Ministry	-	-	-	-	-	2	2	-	-	-	-	-	-	-	
Ministry of Commerce, Cons. & Labour.	-	-	-	-	-	-	-	120	48%	105	42%	25	10%	250	
& Public Works.	-	-	-	-	-	-	-	21	25%	57	68%	6	7%	84	
24	1481	8782	10063	1253	600	2907	4765	587	-	1441	11%	1530	-	3578	

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14C

(9035)

ORDER AS TO THE OPERATION OF FASCIST OFFICIALS AND EMPLOYEES

See 120

1 PERSONS TO WHOM THIS ORDER APPLIES.
 Officials and employees of the following bodies shall be subject to proceedings under this Order:-
 a) Civil State administrations, when in subordination
 b) Local authorities and other public bodies and institutions
 c) Special concerns operating under public authorities or having the public character recognized by the State or controlling public utility undertakings or concerns having national wide interests.

2 CATEGORIES OF PERSONS.
 The following persons shall be suspended from service:-
 a) Any person who has been convicted of serving the State either by having participated actively in the political life of Fascism or by having shown himself a consistent apologist of Fascism and particularly if he has so acted when holding high office.
 b) Any person who has obtained an appointment or promotion through favoritism of the Party or of Fascist officials of high rank.
 c) Any person who has been guilty of fascist bias or corrupt practices.
 d) Any person who has held the position of syndicate, or syndicate, or entrepreneur, or *capo di partito*, or *capo di sezione*, or who has been an officer of the Fascist militia.
 e) Any person who after the 8th September 1943 moved to North Italy with or has pledged allegiance to or had in any way collaborated with the Republican fascist government.

3 APPOINTMENTS OF OFFICIALS.
 a) Not later than 3 days after the coming into operation of this Order in any locality the Provincial Commissioner shall appoint a Commission of Integrity, composed of Integrity and non Fascist persons to carry out the provisions of this Order within the locality and shall give public notice of the appointment. If the Commission and the members of its office, the Provincial Commissioner shall consist of a President who shall be designated by the Provincial Commissioner and of such other members as the Provincial Commissioner may appoint. A Commission may sit in separate sections.
 b) Any person appointed to the Commission whether as President or member thereof may at any time be removed by the Provincial Commissioner.

4 NOTIFICATION OF ORDER.
 a) Not later than 7 days after the coming into operation of this Order the Head of each administration and undertaking included in Article 1 of this Order shall give notice to all officials and employees of that administration or undertaking employed in that locality that the provisions of this Order have come into operation in that locality, and shall give notice to all officials and employees of that administration or undertaking to give such notice shall not afford a defence to any person charged with non-compliance with the provisions of this Order. Provided that the omission to include in Article 1 of this Order, or the omission to give such notice shall not afford a defence to any person charged with non-compliance with the provisions of this Order.

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2. UNFITNESSES OF PERSONS.

- The following persons shall be suspended from service:-
- a) Any person who has shown that he is unworthy of serving the State either by having participated actively in the political life of freedom or by having shown himself a consistent opponent of Fascism and particularly if he has acted when holding high office.
 - b) Any person who has obtained an appointment or promotion through favoritism of the Party or of Fascist officials of high rank.
 - c) Any person who has been guilty of fascist acts of corrupt practices.
 - d) Any person who has held the position of squad leader, or escuadrillero, or cameraman, or arcajo au fort, or other fascist title, or who has been an officer of the fascist militia.
 - e) Any person who after the 8th September 1943 moved to North Italy with or has pledged allegiance to or has in any way collaborated with the Republican Fascist government.

3. APPOINTMENTS OF COMMISSIONERS.

- a) Not later than 3 days after the coming into operation of this Order in any locality the Provincial Commissioner shall appoint a Commission of Investigation consisting of five members in order to carry out the provisions of this Order within the locality and shall give public notice of the appointment of the Commission and the exercise of its office.
- b) Such Commission shall consist of a President who shall be designated by the Provincial Commissioner and of four other members as the Provincial Commissioner may appoint. A Commissioner may sit in separate officials.
- c) Any persons appointed to the Commission whether as President or member thereof may at any time be removed by the Provincial Commissioner.

4. REPLICATION OF THE ORDER.

- a) Not later than 7 days after the coming into operation of this Order the Head of each Administration and undertaking included in Article I of this Order and carrying on business in a locality to which this Order applies shall post in the office or places of business one or more copies of this Order and shall give notice to all officials and employees of that administration or undertaking employed in that locality that such locality shall be included in that locality.
- b) This Order has come into operation in that locality.
- c) The particular administration or undertaking is included in Article I of this Order. Provided that the omission by the Head of such administration or undertaking to give such notice shall not afford a defence to a person charged with non-compliance with the provisions of Article 7 of this Order.
- d) Whenever this Order shall come into operation in any locality the Prefect shall cause a copy thereof to be posted in every commune of such locality.

5. LOANMENT OF GOALS, PERSONNEL.

- a) All persons to whom this Order applies are divided into three categories as follows:-
 - i) Category I Immediate, consisting of Civil Service Officials down to Grade VI
 - ii) Category II Officials and employees in the Head Office of any Administration or undertaking who occupy positions as Directors, Managers, or

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Managers, Technical Heads or Senior Technicians, Officials and employees in a Branch Office of any administration or undertaking the occupy positions as Managers or Senior Technicians.

11) Civil Servant, consisting of: Civil Servant Officials of Grade VII to IX (Incl), Officials and employees employed in the Head Office of an administration or undertaking who occupy positions as Assistant or Deputy Manager, or Assistant or Deputy Works Manager, Heads of Departments or Senior Foreman, Officials and employees employed in the Branch Office of any administration or undertaking who occupy positions as Deputy/Assistant Manager, or as Works Manager or Assistant Works Manager, or as Heads of Department or Senior Foreman.

Such persons being officials or employees of Grades I to XII inclusive who are employed under the Ministry of Education and are dependent from Provincial or State level to any of the Regional Commissioner of the Allied Military Government to complete, sign and lodge schedules personnel.

- 12) Category Personnel, consisting of:
 - a) all other officials and employees,
 - b) within 14 days from the date of the coming into operation of this Order each person to whom this Order applies and who is a person included in Category Immediate or Category Postponed as above defined shall complete sign and lodge with the Head of his administration or undertaking a Schedule Personnel in the prescribed form. The Head of such administration or undertaking shall arrange the Schedule Personnel to be received by him into the said two categories, and within 16 days from the coming into operation of this Order shall lodge the same so envisaged with the office of the Commission together with a Schedule Personnel duly completed and signed by himself.
 - c) within 10 days from the date of the coming into operation of this Order the Head of each administration or undertaking will sign and deposit with the Commission a list of all persons being officials or employees in his administration or undertaking who come within the said two categories and a certificate that a Schedule Personnel has been completed and lodged in respect of each such official or employee or a statement to account for the absence thereof.
 - d) Persons to whom this Order applies who are included in category Postponed are not required to complete sign or lodge a Schedule Personnel nor to buy stamps, visa or stamps liable to the terms of this Order without further order made by or on behalf of the Allied Military Government.

6 REVIEW OF SCHEDULE PERSONNEL.

The Commission shall thereupon review such Schedule Personnel together with such other evidence as may be brought before it and shall determine which persons it considers to be liable to suspension in accordance with the provisions of this Order and shall advise.

- a) Upon each of such persons a notice of proposed suspension and
- b) Upon the employer of each of such persons a copy of such notice.

7 OBJECTION TO NOTICES OF PROPOSED SUSPENSION.

Where a notice of proposed suspension is served on any person, such person may within 10 days lodge at the office of the Commission an objection to the notice which shall be in writing and may be accompanied by such statement and documents as it is desired to bring before the Commission.

who are employed under the Ministry of Education and are dependent from Preventive and Security Forces may be ordered by or on behalf of the Regional Commissioner of the Allied Military Government to complete, sign and lodge such personnel.

11) Category Personnel, consisting of:

- b) within 14 days from the date of the coming into operation of this Order each person to whom this Order applies and who is a person included in Category I, II, III or IV shall complete and lodge with the head of his administration or undertaking a Schedule Personnel in the prescribed form. The head of each administration or undertaking shall arrange for the Schedule Personnel to be received by him into the said two categories, and within 14 days from the coming into operation of this Order shall lodge the same so arranged with the office of the Commission together with a Schedule Personnel duly completed and signed by himself.
- c) within 14 days from the date of the coming into operation of this Order the head of each administration or undertaking will sign and deposit with the Commission a list of all persons going to work in his administration or undertaking and come within the said two categories and a certificate that a Schedule Personnel has been completed and lodged in respect of each such official or employee or a statement to account for the absence thereof.
- d) Persons to whom this Order applies who are included in Category I, II, III, IV or V shall complete and lodge a Schedule Personnel and do they otherwise become liable to the terms of this Order without further order need by or on behalf of the Allied Military Government.

6. REVIEW OF SCHEDULE PERSONNEL.

The Commission shall thereupon review each Schedule Personnel together with such other evidence as may be brought before it and shall determine which persons it considers to be liable to suspension in accordance with the provisions of this Order and shall serve:

- a) Upon each of such persons a notice of proposed suspension and
- b) Upon the employer of each of such persons a copy of such notice.

7. NOTICES OF PROPOSED SUSPENSION.

Where a notice of proposed suspension is served on any person, such person may within 14 days lodge at the office of the Commission an objection thereto which shall be in writing and may be accompanied by such statement and documents as it is desired to bring before the Commission.

8. PROCEEDINGS ON OBJECTIONS.

a) The Commission shall consider the objection and shall, unless it is of opinion that the objection is frivolous, proceed to investigate and hear the objection in accordance with the rules provided therein. At such hearing the person by whom the objection was lodged shall have the right to appear in person or by an advocate and to show cause why he should not be suspended.

b) At such proceeding the Commission shall take into account among other matters:-

- i) That any person who has after the 5th September 1943 distinguished himself in the struggle against the Germans may be excused from suspension, and
- ii) That any person mentioned in Article II (d) hereof may be excused from suspension if he has not in fact been guilty of any fascist participation or improper conduct.

9 DECISIONS OF COMMISSION.

At the expiration of 10 days from the service of a notice of proposed suspension the Commission shall to every case in which no objection has been lodged make a suspension order against the person named in the notice.

In every case in which an objection has been lodged the Commission shall after the consideration and where necessary the hearing of the objection either

- 1) sustain the objection and order that the notice of proposed suspension be cancelled, or
- 2) dismiss the objection and make a suspension order against the person by whom the objection was lodged.

Copy of the order will in every case be served upon the person in respect of whom the order is made and on his employer.

10 EFFECT OF A SUSPENSION ORDER

A suspension order made against any person suspends that person from the date of the order from any office or employment with any administration or undertaking mentioned in Article 1 of this Order.

No person who has been suspended as the result of a suspension order may subject to Article 12 of this Order be employed or re-employed thereafter by the same or by any other administration or undertaking included in Article 1 of this Order without further order of the Commission.

11 SALARY OF PERSONS SUSPENDED.

Any person against whom a suspension order is made shall during the period of his suspension receive for his support his basic salary without any further allowances.

12 NO APPEAL FROM DECISIONS OF COMMISSIONS.

1) No set aside or order made, issued or made by a Commission in pursuance of the orders of this Order shall be open to appeal and all such sets aside and orders shall be final and binding unless and until a Commission appointed under Art. 159 for the purging of the administration shall otherwise direct.

2) Nothing in this Order shall be construed as an order made in pursuance of Article 12 of this Order or made in pursuance of any other provision of this Order which may be used to influence, practice, limit or in any way bind the conduct of any Commission set up under Art. 159 in the consideration of the cases referred to in this Order.

13 MISCELLANEOUS PROVISIONS.

At the hearing of an objection the Commission shall:

- 1) have power to administer oaths
- 2) exercise the powers conferred by Court of Law by Articles 328, 342 and 343 of the Indian Constitution of Power Procedure to the extent necessary for the purposes of this Order.
- 3) have power to make such rules and orders and all such sets aside shall be necessary for the purposes of this Order.

No stamp duty of any kind shall be payable upon any Scheme Form, objection notice, order or other document used or required for the purposes of this Order.

14 OFFENCES.

- 1) Any person who being required under the provisions of this Order to complete, sign, and lodge a Scheme Form, objection notice, order or to sign or to lodge such Scheme Form;
- 2) In any Scheme Form, objection or other document makes any false statement

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a) suspension order made against any person suggests that person from the date of the order from any office or employment with any administration or under terms mentioned in Article I of this Order.

b) No person who has been suspended as the result of a suspension order may subject to Article 12 of this Order be employed or re-employed thereafter by the same or by any other administration or undertakings included in Article 1 of this Order without further order of the Commission.

11 SALARY OF PERSONS SUSPENDED.

Any person against whom a suspension order is made shall during the period of his suspension receive for his support his basic salary without any further allowances.

12 NO APPEAL FROM DECISIONS OF COMMISSIONS.

1) No set notice or order made, issued or made by a Commission in pursuance of or in consequence of this Order shall be open to appeal and all such acts notified and orders shall be final and binding unless and until a Commission appointed under Art. 159 for the purging of the administration shall otherwise direct.

2) Nothing in this Order shall be set aside or annulled or order done thereunder or made in pursuance or consequence thereof may be used to influence, prejudice, limit or in any way bind any conduct of any Commission set up under Art. 159 in the consideration of the case by the Commission.

13 MISCELLANEOUS PROVISIONS.

a) At the holding of an adjourned Commission the Commission shall:

- i) have power to administer oaths
- ii) exercise the powers conferred on a Court of law by Articles 308, 342 and 343 of the Italian Code of Penal Procedure to the extent necessary for the purpose of this Order.
- iii) have power to make such rules as to all such acts as shall be necessary for the purpose of this Order.

b) No staff duty of any kind shall be payable upon any persons, personnel, objection notice, order or other document used or required for the purposes of this Order.

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14 OFFENCES.

a) Any person who

- i) being required under the provisions of this Order to complete, sign, or lodge a schedule, form, or file wither to complete or to sign or to lodge such schedule, form, or file;
- ii) is any person, personnel, objection or other document which any false statement knowing the same to be false;
- iii) gives false evidence before a Commission;
- iv) offers, seeks, gives or receives a bribe in connection with any matter covered by this Order

shall be guilty of an offence and upon conviction by an Allied Military Court may be punished by imprisonment or fine or both as such Court may determine.

15 SAVINGS OF THE POWERS OF THE ALLIED MILITARY GOVERNMENT

Nothing in this Order shall take away from or affect the powers of the Allied Military Government in this territory and these powers may to all times be exercised as if this Order had not been made.

16 EXTENT OF ORDER AND EFFICIENT DATE.

This Order shall come into operation in a Province or part thereof within the Military Government Territory on the date fixed therefor in a separate order of the Principal Commissioner of such Province.

11

GENERAL ORDER NO. 35

45

to the

SUSPENSION

OF

FASCIST OFFICIALS AND EMPLOYEES

WHEREAS it is the policy of the Allied Military Government that persons who were fascists and occupied administrative or representative positions during the fascist regime or have since 6th Sep 43 collaborated with the Republican Fascist Government shall be removed from Office

AND WHEREAS the Italian Government has undertaken such removal and has enacted Decree No 159 of 27 July 44 and further implementing decrees for that purpose

AND WHEREAS it is the intention of the Allied Military Government that such-

to the
SUSPENSION
OF

FASCIST OFFICIALS AND EMPLOYEES

WHEREAS it is the policy of the Allied Military Government that persons who were fascists and occupied prominent or representative positions during the fascist regime or have since 8th Sep 43 collaborated with the Republican Fascist Government shall be removed from Office

AND WHEREAS the Italian Government has undertaken such removal and has issued L.L. No 159 of 27 July 44 and further implementing decrees for that purpose

AND WHEREAS it is the intention of the Allied Military Government that without prejudice to the operation of the said decrees the suspension from office of all persons affected shall be as follows forthwith,

CA 960

26 Nov 44

14274 130
HEADQUARTERS ALLIED COMMISSION
APO 3M
CIVIL AFFAIRS SECTION

14 Jan 45

Comments to Decree's New ILL 139 - 257 - 285

COL CAMPBELL	13/1
COL YOUNG	13/1
LTCO. W. G. ...	13/1
MAJ ...	13/1
MAJ HANCOCK	13/1
MAJ BAL. ...	13/1
CAPT. POWELL	13/1
CHIEF ...	13/1

The enclosed hereby is almost purely administrative; it affects certain minor assignments to the principal divisions, fills in certain gaps in the rules of procedure; items of which seem to be of very great importance except the extension of time, all cases of this kind for the first four grades have been extended by 30 days to the end of January.

Art 6 extends the ordinary time limits by 3 months except for civil warrants of the central government, in which case it is one month only.

- Art 1 varies slightly the set up of the High Commission.
- Art 2 varies slightly certain less important Tribunal orders.
- Art 3 directs the method of appointment of the Chairman of certain Tribunals.
- Art 4 permits lesser punishment than death in certain cases.
- Art 5 provides for the Central Commission sitting in four divisions.
- Art 6 extends the time limit for the commencement of proceedings under Art 139 by 3 months (except for civil warrants of the central Govt, in which case the extension is 1 month only).
- Art 7 extends the time limit for conclusion of proceedings against the first four grades by 30 days to 29 Jan.
- Art 8 extends the time limit for compulsory retirement of the first four grades by 30 days to 29 Jan.
- Art 9 varies slightly details as to pensions of persons compulsorily retired.
- Art 10 adds a proviso to the State to those entitled to the advantages of being classed as dependents.
- Art 11 varies the date from which the time limits in certain cases shall run.
- Art 12 varies slightly the responsibility for presenting cases to go before provincial commissions.
- Art 13 provides those responsible for keeping professional registers to notify provincial commissions if they have in their possession sufficient evidence to justify proceedings.
- Art 14 requires return of papers to the High Commission at the end of proceedings.
- Art 15 sets out amendments of the provisions of Article 7 - 30 Dec.

BY ORDER OF THE CHIEF OF THE ALLIED COMMISSION:

Handwritten signature

5605
C.D. ...
1000 15

DISTRIBUTION :

13 - General
13 - Liaison Section
13 - Liaison Region
13 - Liaison S/C
13 - Liaison S/S

Art 6 states the ordinary Miss. Miss. by 3 months - except for civil servants of the central government, in which case it is 30 months only.

- Art 1 varies slightly the set up of the Adm Commission.
- Art 2 varies slightly certain laws important financial crimes.
- Art 3 directs the method of appointment of the Chairman of certain Commissions.
- Art 4 permits lesser punishment than allowed in certain cases.
- Art 5 provides for the Central Commission acting in four divisions.
- Art 6 extends the time limit for the commencement of proceedings under D. 100 by 3 months (except for civil servants of the central Govt, in which case the extension is 1 month only).
- Art 7 extends the time limit for conclusion of proceedings against the first four grades by 30 days to 22 Jan.
- Art 8 extends the time limit for completion of the first four grades by 30 days to 22 Jan.
- Art 9 varies slightly details as to pensions of persons compulsorily retired.
- Art 10 adds a proviso that State to have authority to the advantages of being classed as irremovable.
- Art 11 varies the date from which the time limits in various cases shall run.
- Art 12 varies slightly the responsibility for preparing cases to go before provincial commissions.
- Art 13 requires those responsible for lodging professional registers to notify government commissions if they are in their possession sufficient evidence to justify proceedings.
- Art 14 requires return of papers to the High Commission at the end of proceedings.
- Art 15 date of commencement, viz of publication: except Art 7 - 30 Dec.

BY ORDER OF THE CHIEF OF ISSUERS:

(Signature)

5605
C.P. DESAI
V.P. Ch. Section
SECRET

BO Teaching Region
 BC Emilia Region
 BG Piemonte Region
 BO Liguria Region
 BC Lombardia Region
 BS Venezia Region
 SCAC Ind. Army
 SCAG Ind. Army
 SM

Public Safety S/C

Scale of Distinction

System 4 (incl heads of divisions); in Values 2; Sub-Column 2.

BO Emilia Region
 BC Lombardia Region
 BG Piemonte Region
 BO Liguria Region
 BC Lombardia Region
 BS Venezia Region
 SCAC Ind. Army
 SCAG Ind. Army
 SM

Direzione S/C
 Public Works S/C
 Finance S/C
 Justice S/C
 Air S/C
 Army S/C
 Naval S/C
 Communications S/C
 Transportation S/C
 Education S/C

1385
16A
see
1385

Decree amending Decree No. 159 of 27 July 1944

- 1 Art. 43 of Decree No. 159 of 27 July 1944 shall be replaced by the following:

"To provide for the operation of this Decree a High Commission for action against Fascism is hereby created. The High Commissioner shall be appointed by resolution of the Council of Ministers and for the duration of his office shall rank as a judicial magistrate of the first grade.

He shall be assisted by an Assistant Commissioner and by a Deputy Assistant Commissioner in each branch of his jurisdiction. The Assistant High Commissioner or, in his absence, the Deputy Assistant High Commissioner may, in his own branch, act for the High Commissioner for actions against Fascism, should the latter be prevented from acting.

The Assistant High Commissioner and the Deputy Assistant High Commissioner shall be nominated by the High Commissioner and appointed by the President of the Council of Ministers and for the duration of their office shall rank respectively as assistants of the third and fourth grades.

Sufficient magistrates for officials, to be requested by name, shall be assigned to the office of the High Commissioner; a group of judicial police composed of Carabinieri, Public Security Officers and Police Guards shall be placed at the disposal of the Commissioner. Persons not belonging to the Civil Service may be employed in the Secretariat.

The High Commissioner and his subordinate officers may call upon the judicial police for assistance and the latter will carry out their orders."
- 2 The first part of art. 5 of Decree No. 159 of 27 July 1944 shall be replaced by the following:

"Any person who for Fascist purposes or, by taking advantage of the political situation created by Fascism has committed acts of particular gravity which, while not constituting offenses, are contrary to the rules of moral rectitude or of political probity, shall be subject to the loss of suffrage rights, active or passive, for a period not exceeding 10 years, or temporarily disqualification from holding public offices or to loss of political rights for a period of not more than 10 years.

Any person who has held a leading position in the Fascist party shall be subject to loss of suffrage rights. The leading positions to which this shall apply will be notified by decree of the President of the Council of Ministers."
- 3 Magistrates directed to practice over the provincial commissions referred to in art. 3 of Decree No. 159 of 27 July 1944 shall be appointed by the President of the Council of Ministers after consultation with the Minister of Foreign Affairs and Justice and the High Commissioner for actions against Fascism.
- 4 The following paragraphs shall be added to art. 15 of Decree No. 27 Jul 44:

"Larger disciplinary penalties may also be awarded to ~~2004~~ applicants under art. 12 (1) when the offence has not been sufficiently serious to render the guilty person unworthy of serving the State."
- 5 The Central Commission referred to in art. 25 of Decree No. 27 Jul 44 shall consist of four members, one of which shall consist of a Divisional President, two retired or retired judicial or administrative magistrates, two officials of

prevented from voting.

The Assistant High Commissioner and the Deputy Assistant High Commissioner shall be nominated by the High Commissioner and appointed by the President of the Council of Ministers and for the duration of their office shall rank respectively as registrars of the third and fourth grades.

Sufficient magistrates and officials, to be requested by name, shall be assigned to the office of the High Commissioner, a group of judicial police composed of Carabinieri, Public Security Officers and Finance Guards shall be placed at the disposal of the Commission. Persons not belonging to the Civil Service may be employed in the Secretariat.

The High Commissioner and his subordinate officers may call upon the judicial police for assistance and the latter will carry out their orders.

The first part of art. 3 of ILL 159 of 27 July 1944 shall be replaced by the following:-

"Any person who for fascist reasons or, by taking advantage of the political situation created by the fact that he committed acts of particular gravity which, while not constituting offences, are contrary to the rules of moral conduct or of political probity, shall be subject to the loss of suffrage rights, active or passive, for a period not exceeding 10 years, or temporarily disqualification from holding public office or to loss of political rights for a period of not more than 10 years.

Any person who has held a leading position in the fascist party shall be subject to loss of suffrage rights. The leading positions to which this shall apply will be decided by Council of the President of the Council of Ministers.

Magistrates attached to provinces over the Provincial Commissions referred to in art. 3 of ILL 159 of 27 July 1944 shall be appointed by the President of the Council of Ministers after consultation with the Minister of Finance and Justice and the High Commissioner for Education against Fascism.

The following paragraph shall be added to art. 14 of ILL 159 of 27 July 1944: "Lesser disciplinary penalties may also be imposed to render the under art. 12 (1) when the offence has not been sufficiently serious to render the guilty person unworthy of serving the State."

The Central Commission referred to in art. 26 of ILL 159 of 27 July 1944 shall consist of four divisions, each of which shall consist of a Provincial Prosecutor, two retired or serving judges or administrative magistrates, two officials of the Central Administration, two members designated by the High Commissioner for Sanctions against Fascism.

The President of the Central Commission shall provide for the allocation of work among the various divisions and may preside over the meetings of any of them.

Without prejudice to the continued application of the first paragraph of art. 1 of ILL 257 of 11 Oct 44, the time limit contained in the first paragraph of art. 25 of ILL 159 of 27 July 1944 shall be extended by three months for the territories restored to Italian administration prior to the entry of this decree. But in the case of officials of the state central administration the extension shall be for six months only.

- 7 The time limit laid down by the last part of art. 1 of ILL 257 of 11 Oct 44 for submitting applications of the Examination Commission may be extended to 60 days.
- 8 The time limit laid down by the last part of art. 2 of ILL 257 of 11 Oct 44 is extended to 50 days.
- 9 The personnel referred to by the last part of art. 3 of ILL 257 of 11 Oct 44 may in lieu of the presence of possible eligible persons under the last part of art. 3, request the application of the law of 29 May 1940 no 582, according to the last part of the said article.
Any such request must be made within 15 days from the communication of the degree of retirement.
- 10 The advantages of an indemnity as provided by art. 3 of ILL 257 of 11 Oct 44 and by art. 3 of the present decree shall be applied also to retired State attorneys in accordance with the above-mentioned article No 257.
- 11 There shall also be referred to any Examination Commission prior to ILL 257 coming into effect the time limit for the composing of the ranking under the last part of art. 1 of ILL 257 of 11 Oct 44, shall also from onwards the same come into force.
- 12 Art. 17 of ILL 255 of 27 Oct 44 shall remain valid as follows:
"It shall provide the Prefect, together with three delegates of the High Commissioner for Rectifiable Equilibrium, shall be responsible for preparing for trial the cases against employees who are to be referred to an Separation Commission."
- 13 The following text shall be added to the last part of art. 20 of ILL 255 of 27 Oct 44:-
"Whenever any remedy merged with existing any register concerns that it has sufficient evidence to justify initiation proceedings against any person on the register it shall immediately inform the appropriate Commission which shall, before commencing any proceedings, notify the High Commissioner thereof. The High Commissioner may, if he so wishes, initiate such proceedings himself."
- 14 The notification of its findings by the Examination Commission of first instance to the High Commissioner for Rectifiable Equilibrium, in accordance with art. 20 of ILL 155 of 27 July 1944, shall be accompanied by all the papers and documents of the tract to which the notification refers.
- 15 The present decree shall become effective on the day of its publication in the Official Gazette of the Kingdom.
The provision of art. 7 shall be effective as from 30 December 1944.

- 10 The advantage of an irrevocable status granted by art. 9 of Bill 257 of 11 Oct 44 can be art. 9 of the present decree shall be applied also to former State attorneys in accordance with the provisions of art. 257.
- 11 Where it is referred to any provision of the Commission prior to Bill 257 coming into effect the time limit for the launching of the fixing report shall be art. 1 of Bill 257 of 11 Oct 44, which runs from the date the case came into force.
- 12 art. 17 of Bill 257 of 27 Oct 44 shall be modified to read as follows: "In every province the President, together with three delegates of the High Commission for motions against persons, shall be responsible for preparing for trial the cases which must be referred to the Commission as provided by art. 20 of Bill 257 of 27 Oct 44." The following shall be added to the 2nd part of art. 20 of Bill 257 of 27 Oct 44: "Whenever any agency charged with carrying out the Commission's duties has sufficient evidence to justify a motion against a person or the President it shall immediately transmit them to the appropriate Commission which shall, before commencing any proceedings, notify the High Commission of its interest. The High Commission may, if he so wishes, initiate such proceedings himself."
- 13 The notification of its fixing by the Commission shall be first instance to the High Commission for motions against persons, in accordance with art. 20 of Bill 257 of 27 Oct 44, shall be accompanied by all the reports and documents of the trial to which the motion refers.
- 14 The present decree shall become effective on the day of its publication in the Official Gazette of the Kingdom.
- 15 The provision of art. 7 shall be effective, as from 30 December 1944.

14 Jan 45

Att. No. 2 of 4 JAN 42

AMERICAN BUREAU

NO. 111 101, 257 & 305

The Italian version of this document is the only authentic text. The text herein is not a literal translation; its object is to inform officers, subsequently of the provisions contained in the Decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or details.

SECRET

AMERICAN EXPRESS

NO. 111, 115, 157 & 205

The Italian version of this document is the only authoritative text. The 70711040000 is not a license, but a job; its object is to insure officers' compliance of the provisions contained in the Report.

Officers are referred to the Italian text for all details of state or nature of procedure or discipline.

11/15/50

Ch. S. 4

15/11/50

5603

127A

OFFICE OF THE CHIEF OF STAFF
APO 394

ADMINISTRATIVE INSTRUCTIONS PERTAINING TO GENERAL ORDER NO. 25.

1. While many fascists who occupied prominent positions during the Fascist regime have been removed, many others are still remaining in positions described in General Order No. 25. Most Order came out the plan for expelling the remaining persons of this general category. However, that Order in no way prevents the suspension or dismissal of any person by a member of the Allied Military Government as hereafter.

2. The General Order is to be administered by separate commissions composed of Italians. They will be appointed by Provincial Commissions. They will be chosen primarily on the ground that they are clear of all fascist taint, and they will also be men of good character, standing and ability. They need not be residents of the locality for which the particular Commission is appointed.

3. Each Commission will require an adequate staff and the Provincial Commissions or must see that an adequate staff is secured. The members of the staff must be free of fascist taint.

4. The salaries of members of a Commission and their staff shall unless otherwise ordered by the Allied Military Government be paid out of the funds of the Prefecture and shall be as follows :-

The President of each Commission shall be paid the salary with allowances of an Italian judicial official of the 4th grade.

Other members of each Commission shall be paid the salary with allowances of an Italian judicial official of 5th grade.

Members of staff shall be paid a salary with allowances not exceeding that of an employee of the Italian Government performing comparable work.

5. A Commission, if it thinks fit, may sit in separate divisions and each of such divisions will have powers of the Commission itself. The President of a Commission will, if so ordered by the Regional Commissioner, select one or more of such sections for the investigation of officials or employees employed by any particular Ministry or Administration or undertaking and especially officials or employees of the Ministry of Education. The President of each Commission will appoint one member of the Commission to be Deputy President and one or more members as Vice Presidents. The Deputy President shall preside over the Commission in the absence of the President and the Deputy President or a Vice-President shall preside over a separate section. The appointment of a Deputy President and Vice-Presidents shall be subject to the approval of the Provincial Commissioner. Any vacancy occurring will be filled, if necessary, in the same manner as the original appointments.

6. Normally the Commission or a Section thereof should sit as **5002** at not more than 5 per hour than 3.

7. The absence of a member of the Commission from any sitting shall not invalidate the proceedings of the Commission provided that the number sitting is not reduced below 3.

8. Procedure under Article VI of the General Order shall be in private. The Commissions will bear the decision in each case on a fair review of the facts appearing in the records before them and any other evidence in the possession of the Commission.

3. Each Commission will require an adequate staff and the provincial Delegation must see that an adequate but not excessive staff is secured. The members of the staff must be free of financial taint.

4. The salaries of members of a Commission and their staff shall remain other-wise ordered by the Allied Military Government as paid out of the funds of the Delegation and shall be as follows :-

The President of each Commission shall be paid the salary with allowances of an Italian judicial official of the 4th grade.
Other members of each Commission shall be paid the salary with allowances of an Italian judicial official of 5th grade.

Members of staff shall be paid a salary with allowances not exceeding that of an employee of the Italian Government performing comparable work.

5. A Commission, if it thinks fit, may sit in separate sections and each of such sections will have powers of the Commission itself. The President of a Commission will, if so ordered by the Regional Commissioner, either one or more of such positions to the investigation of officials or employees employed by any particular ministry or administration or undertaking and especially officials or employees of the Ministry of Education. The President of each Commission will appoint one member of the Commission to be Deputy President and the other may be an Vice President. The Deputy President shall preside over the Commission in the absence of the President and the Deputy President or a Vice-President shall preside over a separate section. The appointment of a Deputy President and Vice-President shall be subject to the approval of the Provincial Commissioner. Any vacancy occurring will be filled, if necessary, in the same manner as the original appointment.

6. Notwithstanding the Commission or a Section thereof should sit as **5602** or not more than 5 per hour than 3.

7. The absence of a member of the Commission from any sitting shall not invalidate the proceedings of the Commission provided that the number sitting is not reduced below 3.

8. Procedure under article VI of the General Order shall be in private. The Commissions will have its decision in each case on a fair review of the facts appearing from the Scheda Personale and from other evidence in the possession of the Commission.

9. In every case in which the Commission decides that a Member of proposed suspension shall be served, the Commission shall decide and shall state in the notice the grounds of such proposed suspension.

These grounds shall be stated in sufficient detail to enable the person affected to prepare his objection thereon.

10. Unless otherwise directed by the Provincial Commissioner or some other officer delegated by him, every hearing of an objection by a Commission shall be open to the public.

11. On the hearing of an objection both oral and documentary evidence shall be admitted save that the Commission shall never at any time or at any stage of any proceedings under the General Order receive in evidence or take cognizance of anonymous communications.

Where the person objecting wishes to give evidence in person he shall be permitted to do so, and he and the Commission may call such other relevant evidence as they think fit.

All questions to the person lodging the objection and to other witnesses giving evidence before the Commission will be put only through the President of the Commission or Section.

12. The Commission will not appoint any person to carry out functions analogous to a "Public Minister".

13. Any person may denounce another to whom the General Order applies. The denunciation must be in writing and sworn to before it can be received by the Commission. Hearing on a denunciation shall be had as in any other case.

14. If a person has previously been dismissed or suspended from employment in an administration or undertaking by the Allied Military Government on the sole ground that he had fascist connections, such person may lodge at the office of the Commission appointed for the locality a Scheda Personale duly completed and signed by him. With the approval of the Provincial Commissioner, the Commission may proceed with the case by hearing on the papers filed by such person as on an objection. In the event of the Commission finding that he is in fact not objectionable as a fascist and would not have been suspended on such grounds alone if he had still been employed at the time of the commencement of the General Order, the Commission may, with the consent of the Provincial Commissioner, order that he be restored to the position originally held by him or to such other position for which he may have applied or may later apply, and with the consent of the Provincial Commissioner may order that he be paid the whole or some part of such salary as he would have been entitled to receive had he remained in office.

15. If a person lodging a Scheda Personale under the requirements of the General Order has been appointed to a position by Allied Military Government the particular Commission shall not proceed with the case or enter an order of suspension of such person without the consent of the appropriate Provincial Commissioner.

16. As to persons included in categories Immediate and Routine, the General Order applies without distinction of grade, rank or salary. Nevertheless Commissions will initially concentrate on officials and employees occupying the more important positions in those categories.

In reviewing Scheda Personnel, serving notices of proposed suspensions, hearing objections thereto, and making orders thereon Commissions will, save in exceptional cases, complete all proceedings in respect of persons in category Immediate before commencing proceedings in respect of persons in category Routine.

17. If a suspension order is made against a person whom the Provincial Commissioner considers to be engaged in essential work and to be irreplaceable, the Provincial Commissioner may require the Commission to order the reinstatement of such employee until a suitable replacement is obtained.

12. The Commission will not appoint any person to carry out functions analogous to a "Publico Ministro".

13. Any person may denounce another to whom the General Order applies. The denunciation must be in writing and sworn to before it can be received by the Commission. Hearing on a denunciation shall be had as in any other case.

14. If a person has previously been dismissed or suspended from employment in an administration or undertaking by the Allied Military Government on the sole ground that he had fascist connections, such person may lodge at the office of the Commission appointed for the locality a Scheda Personale duly completed and signed by him. With the approval of the Provincial Commissioner, the Commission may proceed with the case by hearing on the papers filed by such person as on an objection. In the event of the Commission finding that he is in fact not objectionable as a fascist and would not have been suspended on such grounds alone if he had still been employed at the time of the commencement of the General Order, the Commission may, with the consent of the Provincial Commissioner, order that he be restored to the position originally held by him or to such other position for which he may have applied or may later apply, and with the consent of the Provincial Commissioner may order that he be paid the whole or some part of such salary as he would have been entitled to receive had he remained in office.

15. If a person lodging a Scheda Personale under the requirements of the General Order has been appointed to a position by Allied Military Government the particular Commission shall not proceed with the case or enter an order of suspension of such person without the consent of the appropriate Provincial Commissioner.

16. As to persons included in categories Immediate and Routine, the General Order applies without distinction of grade, rank or salary. Nevertheless Commissions will initially concentrate on officials and employees occupying the more important positions in those categories.

In reviewing Scheda Personali, serving notices of proposed suspensions, hearing objections thereto, and making orders thereon Commissions will, save in exceptional cases, complete all proceedings in respect of persons in category Immediate before commencing proceedings in respect of persons in category Routine.

17. If a suspension order is made against a person whom the Provincial Commissioner considers to be engaged in essential work and to be irreplaceable, the Provincial Commissioner may require the Commission to order the reinstatement of such employee until a suitable replacement is obtained.

18. The Commission shall have power, from time to time and at any time,

- a. to make rules, for the purpose of giving effect to the provisions of the General Order or these instructions;
- b. to amend or revoke such rules, and to make rules in place thereof; and
- c. to publish such rules as for the time being are in force, the contents of which shall be available for inspection by the public.

All such rules or amendments shall be subject to the approval of the Provincial Commissioner.

19. While certain specific things are prescribed in the General Order for things to be done, a Commission has the right to extend the time whenever in its

judgment it is necessary to do so. However, such extensions of time should not be given as a regular course as it is highly important that this work should proceed as rapidly as possible.

20. Each Commission must keep full and accurate records and shall keep all "Schedule Personnel", objections, denunciations, notices, statements and documents lodged at its offices and copies of all notices and orders served and made by it in such manner that they can easily be found, and shall dispose of all such records in such manner as the Provincial Commissioner shall direct. All such records shall at all times be open for the inspection of the Provincial Commissioner.

21. Copies of forms required for the full purposes of the General Order are attached and will be used by all Commissions without substantial change.

- a. SCHEDULE PERSONNEL
- b. NOTICE OF PROPOSED SUSPENSION
- c. NOTICE OF HEARING
- d. SUSPENSION ORDER
- e. ORDER SUSPENDING OBJECTION
- f. CERTIFICATE OF SERVICE

For the Supreme Allied Commander and Military Governor:

Ellery W. Stone
 ELLERY W. STONE,
 Colonel, USAF,
 Chief Civil Affairs Officer.

November 1944.

5601

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478800

9 January, 1945.

AC/14754/PB

SUBJECT : Defacement - Grade I - IV Officials.
TO : Civil Affairs Section.

With reference to letters ~~DF/38/CA~~, dated 30
December 1944, and 6 January 1945, there are no Grade I - IV
Officials in the agencies with which this Sub-Commission is
concerned.

JW
JOHN W. CHAPMAN
Colonel, I.A.G.P.
Director Public Safety
Sub-Commission.

BP/G.

BR
5585

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DE/GA/GA

5 Jan 45

SUBJECT : Defascism - Fortnightly returns

TO : Staff S/C Air S/C
 Legal S/C Land F. S/C
 Law Govt S/C Naval S/C
 Pub Ser S/C ✓ FBI

Reference DE/GA/AS of 5 Sep.

1 The following amendments will be made to the report forms

a) English Form (as to both)

i) Heading of Col d.

delete "suspensions"

insert "referred"

ii) Footnote

delete "for instance"

delete concerning "suspensions ordered" incl -
to end of sentence

insert "cases referred to Espionage Commission"

b) Italian Form

i) Titolo della colonna d

cancellare "sospensioni"

inserire "rinvii"

ii) Nota

cancellare "per esempio"

cancellare cominciando da "delle sospensioni disposte"
fino alla fine del periodo

inserire "dei rinvii alla Commissione di Espionage"

2 Please notify the Ministries to amend the forms accordingly and ask them to be good enough to make new returns for the period ending 31 Dec showing the total "rinvii" instead of "sospensioni".

S.H. WHITE Lt Col
for OSO GA Sec

5586

4043

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

12 January 1945

10/1475A/PS

SUBJECT : Epuration.

TO : Ministry of Interior, Commission for Epuration of P.S. Officials.

With reference to the Epuration of Agents of Public Security and officials of Public Security.

The attached pro forma gives the situation of progress of the Epuration of Agents and Officials as compiled by this Headquarters in consultation with Mr. TARDONCHI and Dr. FANTOZZI, and from figures supplied by them, for the period ending 31 December, 1944. Please confirm that this return is correct.

A further supply of forms on which to submit your fortnightly returns are enclosed herewith. Will you please amend the wording as indicated, and complete the figures accordingly. All columns should be completed either by figures or a "NIL".

Column "B" will show the total strength of each grade in service. Columns "C" and "D" will be cumulative, and will show the total number dealt with under that heading since Epuration commenced.

It is pointed out that all investigations must be completed by 28 January 1945, and that the hearing of the cases must be completed by 28 April, 1945.

Copy on 14643/17/2

J
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission

JP/jaf

5387

SCHEDULEQ. B.

Grade III

General Teddeo Orlando Army *2/1/45* Clear
 General Angelo Carica *1st Lt.* Clear

Grade IV

General Giuseppe PISCHÉ *Col.* Referred
 " Giuseppe DE MARINIS " Referred
 " Alfredo FERRARI " *0-16*
 " Carlo BACCI " *0-16*
 " Filippo CARUSO " Referred

No indication that any of the above have been dealt with by the Expiration Committee.

Agents of Public Security

Grade III

Dr FERRARI Cleared by Committee for Grace & Justice.

Grade IV

Dr ROSSI Cleared by Committee for Local Government.

Guardia di Finanza

Grade III

General AYEROLINO Cleared by Committee for Ministry of War.

Grade IV

General POLI Dealt with by Committee for Ministry of Finance.
 Time extended.

Prisons

Grade IV

Commandatore MESSALIMY Cleared by Committee for Grace & Justice.

5389

Forest Guards

Grade IV

General AUGUSTA

Time extended.
Dealt with by Committee for
Ministry of Agriculture.

MB. Jui - Nothing between I and II

5588

Notes of a Meeting
of
Sub-Committee Representatives

DP/3.10/0A.

3 Jan 45

- 1 Sub-Committee were asked to see that the following errors in compilation of returns did not recur
 - a) Submission of Ministerial returns to CA Sec; the only returns to be submitted by Sub-Committee are the aggregated returns; one from each Sub-Committee in respect of Govt Employees and non Govt Employees, unless approval for separate returns in respect of a particular service or group of concerns has been obtained.
 - b) Only the classifications in the form will be used. If an employment is not precisely described, it will be included in the class whose grade is most nearly equivalent. No figures are required in respect of employments of lower grades than those mentioned.
 - c) Column b will include the estimated total number of employees to whom DIL 199 at present applies. It will increase as further territory is taken over.
 - d) Column c and d refer to the preliminary ministerial investigation, as this is completed column (c) should become identical with (b) remaining with the senior grades and working downwards.
 - e) The description suspension will be done away with, ~~as referred~~ i.e. referred to the question committee for consideration.
- 2 DIL 139 provides that all cases must be initiated prior to 29 Jan, that is to say that by 29 Jan col c should be the same as col b. As in very few cases col b and c correctly correlated, Sub-Committee may have very little idea of how much remains to be done. They should obtain new and correct figures for the 30 Dec and submit them at the earliest. There is only one further return before the 29 Jan to enable Sub-Committee to observe progress. Correspondence of Col (c) with (b) should begin in the senior grades and progress downwards.
- 3 Sub-Committee should also obtain the new figure for Col (d) namely the number of persons "referred" and about 15 Jan will obtain from Ministries an assurance that the cases of all persons included therein have been or will be referred to the appropriate Expiration Commission on or before the 28 Jan.
- 4 The hearing of the cases themselves must all be completed on or before 28 Jan. By that date col (c) should agree with col (d). Correspondence should be in with senior grades and work downwards.
- 5 As further territory is taken over, the numbers in col (b) will increase, for such persons new time limits of course are in the same way that 5/5a are now checking up that all cases are dealt with within the statutory six months so must similar arrangements be made then.

employment or lower grades than those contained in Column b will include the estimated total number of employees to whom Bill 159 of present applies. It will increase as further territory is taken over.

a) Column c will refer to the preliminary ministerial investigation, as this is completed column (c) should become identical with (b) ~~concerning~~ with the senior grades and working conditions. ~~and referred~~

e) The appropriate suspension will be done away with, ~~with~~ the word referred i.e. referred to the Extension Commission for consideration.

2 Bill 159 provides that all cases must be initiated prior to 29 Jan, that is to say that by 29 Jan col c should be the same as col b. As in very few cases are col b and c correctly completed, Sub-Comms can have very little idea of how much remains to be done. They should obtain new and correct figures for the 30 Dec and submit them at the earliest. There is only one further return before the 29 Jan to enable Sub-Comms to observe progress. Con-
 dependence of Col (c) with (b) should begin in the senior grades and progress onwards.

3 Sub-Comms should also obtain the row figure for Col (d) namely the number of persons 'referred' and about 15 Jan will obtain from Ministries an assurance that the cases of all persons included therein have been or will be referred to the appropriate Executive Commission on or before the 28 Jan.

4 The hearing of the cases themselves must all be completed on or before 28 Apr. By that date col (d) should agree with col (c). Cases which should begin with senior grades and work downwards.

5 In further territory is taken over, the numbers in col (b) will increase, for such persons new time limits to cease and in the same way that S/Cs are not checking up that all cases are dealt with within the statutory six months so must similar arrangements be made then.

5584

DISTRIBUTION:-

- VP CA Sec
- Min: 3/3
- Local Govt: 2/0
- Legal: 1/0
- Public: 1/0
- Sub-Comms: 1/0

- Home Sec
- Agri: 3/0
- Commerce: 5/0
- Finance: 3/0
- Pub Works: 1/0
- Transport: 5/0

- Pol Sec
- Law: 3/0
- Army: 5/3
- Navy: 2/0
- Grants: 3/0
- RAF

10

DR. CHEPMAN

YD:

HEADQUARTERS ALIEN COMMISSION
APP 394
CIVIL AFFAIRS SECTION

Ref: DF/3/CA

SUBJECT: Defection - Grades I-IV Officials.

TO: Education S/C Army S/C
 Legal S/C Naval S/C
 Public Safety S/C PRB
 Economic Section

COL CHAPMAN, & JBR 15.	
COL YOUNG	
LT COL WICK	
MAJ LUCKY	
MAJ WILSON	13/45
MAJ HANCOCK	
MAJ BALLANCE	
CAPT POWELL	
CHIEF CLERK	

Reference DF/3.10/CA para 2, dated 30 Dec 44.

It is requested that the summary called for, which was not produced at the meeting on 9 Jan 45 be submitted to this office as soon as possible.

S.H. WHITE, Lt Col.
for VP CA Section

5383

1/10/45

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

14754
A

Ref DF/3.10/CA

30 Dec 44

SUBJECT : Defection - Meetings.

TO : Eduo S/C Air S/C
 Legal S/C Land P. S/C
 Loc Govt S/C Naval S/C
 Pub Ser S/C HRS

1. A Meeting to discuss the compilation of reports will be held in room 56 (not 58), Fifth floor at 0900 on Wednesday 3 Jan. The attendance of your representative is requested. Please bring specimen report form with you.
2. The time limit for the compilation of proceedings against officials of the first four grades (and equivalent rank in the State Railways) expired on 30 Dec. Will your representative please bring with him a summary in the following form

	Sub Comm	
Grade 1-4 Officials	cleared	-
	dismissed	-
	time extended	-
Total Grade 1-4 Officials		-

S.H. WHITE Lt Col
for CSC CA Sec.

DR. G.P. SMITH		
Q. YOUNG		
LT. COL. WILCOX		
MAJ. LUCKMAN		
MAJ. WILSON		
MAJ. HANBURY		
MAJ. BALANCE		
CAPT. POWELL		
CHIEF CLERK		

5582

to handle
juste
DF/GA/AS - 8 Sept
To see me on return from Florence 1/3/45

644

HEADQUARTERS ARMY COMMISSION
 AND JCA
 CIVIL AFFAIRS SECTION

14754
OPH

Day/CA

15 Jan 47

SUBJECT: Defections - Fortnightly Returns.

TO : See Distribution.

Defection Reports for the period ending 30 Dec 46 are now overdue. All Sub-Commissions please expedite the rendering of these returns.

[Signature]
 J. H. WHITE Lt Col,
 for CSO CA Section

DISTRIBUTION :

- | | | | |
|---------------|-----|-------------------------|-----|
| Signature | S/C | Asst | S/C |
| Com. Secy | S/C | P. Safety | S/C |
| Executive | S/C | Finance | S/C |
| Publ. Affairs | S/C | Transport. | S/C |
| Adm. | S/C | Navy | S/C |
| Comm. Inst. | S/C | Public Relations Branch | |
| Local Govt. | S/C | Pol Section | |

TO	INIT	DATE
COL. CHAPMAN		17/1
COL. YOUNG		
LT COL WICK		
MAJ LUCKY		
MAJ WILSON		
MAJ HUBBY		
MAJ BALLANCE		
CAPT PIWEL		
CHIEF CLERK		

5582

HEADQUARTERS ALLIED COMMISSION
400 394
CIVIL AFFAIRS SECTION

10/75/4 GA
15 Jan 45

DH/3-10/10

SUBJECT : Defection - Meeting
TO : See Distribution

- 1 A meeting to discuss Defection will be held in room 50, fifth floor at 0900 hours on Sat 21 Jan. The attendance of your representative is requested.
- 2 The following matters will be discussed or dealt with:-
 - a) Progress under IL 257
 - b) Progress under IL 159
 - c) Effect of new Decree IL 2 of '45
 - d) Difficulties and Problems.

[Signature]
A.A. HITE Lt Col,
for DD C. Section

DISTRIBUTION :-

Genl Sec	Genl Sec
Legal S/O	Asst S/O
Lab Sect S/O	Finance S/O
Pub Sec S/O	Pay S/O
Asst S/O	Trans S/O
Lang R. S/O	Comm S/O
Nevel S/O	Int Sec
HR	File S/O
VP of Sec	

TO	DATE	DATE
COL. CHAPMAN	16/1/45	
COL. YOUNG		
LT. COL. WILSON		
MAJ LUCKMAN	17/1/45	
MAJ WILSON	5/1/45	
MAJ HANBURY		
MAJ BALLANCE		
CAPT POWEL		
CHIEF CLERK		

File

YA

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 178708

12 January 1945

AG/1475473

SUBJECT : Defascism.
TO : Civil Affairs Section

see 4A

With reference to your letters DF/38/CA dated 30 Dec 44 and 6 Jan 45, herewith particulars of Grade I to IV officials in agencies with which this Sub-Commission is concerned:-

Cleared: 4
Dismissed: NIL
Time extended: 9

JA
BT
JOHN W. CHAPMAN
Colonel, J. G. D.
Director Public Safety
Sub-Commission.

NR

Enclosures

BR/au.

5590

10A

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HEADQUARTERS ALLIED COMMISSION
BY 394
OFFICE OF CHIEF OF STAFF

REF/DE/2.4.43.

28 November 1944

SUBJECT: Evacuation in occupied territory.

TO: Regional Commissioners, Lazio-Tuscia, Abruzzi Marche, Toscana, Emilia, Liguria, Piemonte, Lombardia and Venetia Regions.

1. In view of the strong anti-fascist feeling which is likely to prevail in Northern Italy you may find it necessary to ensure that to satisfy the public that evacuation and the removal from office of suspected persons are proceeding as quickly as possible.

2. Evacuation is being undertaken by the Italian Government under P.L.L. 159 and subsequent decrees. Moreover in June 1944 an agreement was made between the Italian Government and AC that AC would leave this work to the Government and would not operate an independent scheme of their own. However, the Italian Government has experienced many delays in working their scheme in Southern Italy and you may find it desirable in the North to ensure more rapid progress. With this in view General Order No. 35 has been prepared which provides for the suspension of fascists through Provincial Commissions.

This order follows the lines of the Italian Government Scheme and does not therefore infringe the spirit of the June agreement. Moreover the Italian Government has been informed of and has welcomed the Order. It is, however, important that the Order if put into operation should be enforced in its entirety so as to ensure uniformity throughout all Regions. The Order will be put into operation at the discretion of Provincial Commissioners but such discretion will not be exercised without the previous consent of HQ AC.

3. The Order is in no way intended to prevent the suspension or the trial of any person from office by a member of the Allied Military Government or heretofore. The system of operation, however, will be employed by any Regional or Provincial Commissioner or any other member of the Allied Military Government except under Executive Measure No. 67 and 76 and/or this General Order.

4. It is important that the work under the Order should be done by the Italians themselves, but great care must be taken that the evacuation proceedings shall not become the basis of vindictive or unfair action by any Commission or persons connected with it. These proceedings must not be allowed to become witch hunts. Close supervision will be necessary particularly in the initial stages.

It is very important that Commissions concentrate on the officials of high grades. Experience so far under the Italian Government Scheme has shown that the tendency is to pursue the small men occupying low grade and unimportant posts, and to pass over the more important officials.

Article V of the Order is designed to meet this problem but Provincial Commissioners must ensure that even within this provision but routine the officials and employees are considered in order of importance. It is normally desirable for

5594

1. In view of the strong anti-fascist feeling which is likely to prevail in Northern Italy you may find it necessary to ensure as to satisfy the public that Spontaneous and the removal from office of suspected persons are proceeding as quickly as possible.

2. Spuration is being undertaken by the Italian Government under D.L. 159 and subsequent decrees. However in June 1944 an agreement was made between the Italian Government and AS that AS would leave this work to the Government and would not operate an independent system of their own. However, the Italian Government has experienced many delays in working their scheme in Southern Italy and you may find it desirable in the North to ensure more rapid progress. With this end in view General Order No. 35 has been prepared which provides for the suspension of fascists through Provincial Commissions.

This Order follows the lines of the Italian Government Order and does not therefore infringe the spirit of the June agreement. However the Italian Government has been informed of and has welcomed the Order. It is, however, important that the Order if put into operation should be enforced to its entirety so as to ensure uniformity throughout all Regions. The Order will be put into operation at the discretion of Regional Commissioners but such discretion will not be exercised without the previous consent of HQ AF.

3. The Order is in no way intended to prevent the suspension or dismissal of any person provided by a member of the Allied Military Government in heretofore. No system of suspension, however, will be employed by any Regional or Provincial Commissioner or any other member of the Allied Military Government except under Executive Memoranda No. 67 and 76 and/or this General Order.

4. It is important that the work under the Order should be done by the Italians themselves, but great care must be taken that the suspension proceedings shall not become the basis of vindictive or unfair action by any Commission or persons connected with it. These proceedings must not be allowed to become a witch hunt. Close supervision will be necessary particularly in the initial stages.

It is very important that Commissions concentrate on the officials of high grades. Experience so far under the Italian Government Scheme has shown that the tendency is to pursue the small men occupying low grade and unimportant posts, and to pass over the more important officials.

Article V of the Order is designed to meet this problem but Provincial Commissioners must ensure that even within categories immediate and routine the officials and employees are considered in order of importance.

It is normally desirable for school personnel to be separated as quickly as possible. Regional Commissioners will, therefore, if so advised by the Regional Educational Officer, make an order for the section of Provincial Commissions to devote themselves to these officials.

In no circumstances will any attempt be made to commence suspension proceedings against persons in category postponed without the previous consent of HQ AF.

5. Generally, it is not to be expected that Commissions will be set up in Army areas unless they become static and the Particular SCAG shall so approve.

6. In some Provinces it may not be possible to find locally enough commissioners or commission staffs with the requisite qualifications. While it is preferable to employ local personnel this is not obligatory and any Italian may be appointed even though he resides in another province or region, provided he

5594

possesses the requisite qualifications.

7. Heavy suspensions of persons in important positions in administrations or undertakings performing services essential to the Allied Forces may easily cause disruption of this work unless acceptable substitutes are immediately available. The civil administration and the judiciary may suffer likewise from such action. Therefore, particular care must be taken to avoid any such disruptions. Your attention is drawn to par. 17 of the Administrative Instructions in this respect.

8. In appointing Commissions only 5 or 3 members should be appointed for each Commission or for each Section when it is contemplated that a Commission will sit in Sections. Where vacancies occur they should not be filled unless it is necessary to do so.

9. Commissions when appointed must proceed speedily with their work and if any member thereof is not performing satisfactory service such member should be removed.

10. When the Order is to become operative in a certain locality the Provincial Commissioner should see that the Order and the separate order fixing the commencement date are posted together a sufficient time in advance of the commencement date and at the requisite places to give the public and all persons concerned reasonable advance notice. A suggested form of Provincial Order is attached.

11. The contents of this communication should be made available to officers of Allied Military Government who will perform services in connection with these Commissions, but NOT to the Italians.

12. Attached hereto are copies, in English and Italian, of General Order No. 35 and the Administrative Instructions. The Administrative Instructions which cover details of procedure, are for the use of members of the Commissions as well as members of the Allied Military Government. They are not in any way secret, but it is not thought necessary that they should be publicly posted.

BY Command of Commodore STONE:

M. S. LUSH
M. S. LUSH,
Brigadier,
Chief of Staff.

CO. LIAISON TO ... CA Sec
DOM Sec
POLIT Sec
LOC GOVT Sec

Head S/C
Comoros S/C
Public Works S/C
Finance S/C
Air S/C
Army S/C
Naval S/C
Communications S/C

Administrative S/C

Your attention is drawn to par. 17 of the Administrative Instructions in this respect.

8. In appointing Commissions only 5 or 3 members should be appointed for each Commission or for each Section when it is contemplated that a Commission will sit in Sections. Where vacancies occur they should not be filled unless it is necessary to do so.

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By Command of Commodore STONE:

M. S. LUSH
M. S. LUSH,
Brigadier,
Chief of Staff.

- CO. 1st TO 4th CA
- Dec
- Zoon Sec
- Polit Sec
- 1st Cvt S/C
- Legal Sec
- ECMO 5 Army
- ECMO 6 Army
- ECMO 8 Army
- Min S/C
- Commerce S/O
- Public Works S/O
- Finance S/O
- Agrio S/O
- Air S/C
- Army S/O
- Naval S/O
- Communications S/O
- Transportation S/O

NOTE: Italian copies are in the press and will be forwarded later under separate cover.

ORDER FIXING DATE OF COMMENCEMENT OF GENERAL ORDER No. _____

Provincial }
Order No. }

I,, Provincial Commissioner for the
Province of do hereby order and direct that General
Order No. 35 shall commence and become operative in the Province/Localities of
..... beginning as of 0001 hours on the day of 1944.

Dated :

Signed :

.....
(Provincial Commissioner)

1 Nov 44

REF DE/5.9/GA

Decree

for providing for

the Rapid Promotion of Senior Officials.

The Italian version of this decree is the only authoritative text. The version below is not a literal translation; its object is to inform officers conveniently of the provisions contained in the decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or dispute. The brackets indicate additions to the original text made to clarify the meaning.

The time limit (for the commencement of promotion proceedings) against civil or military employees of the first four grades or against officials of corresponding rank in the employ of the State Railways shall in lieu of that contained in Art 25 of DL 159/44 be 30 days from the coming into force of this decree.

The Commission (of first instance) to which an application proceeding concerning any such person (has been referred) shall communicate its decision to the High Commissioner and to the "defendant" within 30 days from the day on which the case was referred to it. An appeal under Art 20 of DL 159/44 from any such decision shall be lodged by the High Commissioner within 10 days and by the defendant within 3 days of the communication (to them respectively) of such decision. The General Commission shall give priority of hearing to appeals concerning such persons.

The President of the Council of Ministers (PCM) may on the application of the President of the Promotion Commission on being satisfied that the exceptional complexity of the investigation (of any particular case) so requires extend the time limit (for hearing) contained in the last preceding paragraph as may be requisite up to (a maximum of) a further 30 days.

Within 60 days from the coming into force of this decree the PCM having heard the appropriate Minister or on the request of the person concerned may place any civil or military State employee of the first four grades or an official of corresponding rank in the employ of the State Railways in retirement. Such power shall be exercisable even if the official belongs to an "irrevocabile" class or after promotion proceedings have been commenced.

The military personnel to whom this article applies shall be given the status provided for by the laws in force.

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...proceeding article shall, if they

The Italian version of this decree is the only authoritative text. The version below is not a literal translation; its object is to inform officers conveniently of the provisions contained in the decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or detail. The brackets indicate additions to the original text made to clarify the meaning.

1 The time limit (for the commencement of execution proceedings) against civil or military employees of the first four grades or against officials of corresponding rank in the employ of the State Railways shall in lieu of that contained in Art 25 of Dec. 159/44 be 30 days from the coming into force of this decree.

The Commission (of first instance) to which an execution proceeding concerning any such person (has been referred) shall communicate its decision to the High Commissioner and to the "defendant" within 30 days from the day on which the case was referred to it. An appeal under Art 26 of Dec. 159/44 from any such decision shall be lodged by the High Commissioner within 10 days and by the defendant within 3 days of the communication (to them respectively) of such decision. The Central Commission shall give priority of hearing to appeals concerning such persons.

The President of the Council of Ministers (RSM) may on the application of the President of the Execution Commission on being satisfied that the exceptional complexity of the investigation (of any particular case) so requires extend the time limit (for hearing) contained in the last preceding paragraph to any be requisite up to (a maximum of) a further 30 days.

2 Within 60 days from the coming into force of this decree the RSM having heard the appropriate Minister or on the request of the person concerned may place any civil or military State employee of the first four grades or an official of corresponding rank in the employ of the State Railways in retirement. Such power shall be exercisable even if the official belongs to an "irremovable" class or after Execution proceedings have been commenced.

The military personnel to whom this article applies shall be given the status provided for by the laws in force.

3 All persons retired under the last preceding article shall, if they are "irremovable", be entitled to add a period of ten years and other personnel so retired five years to their service to count for pension. Provided nevertheless that the service to count for pension hereunder shall not exceed forty nor be less than twenty years.

For the purpose of this article, the following personnel shall be considered to be "irremovable": members of the Judiciary; of the Council of State; of the Court of Accounts and professors of Universities. Where the first paragraph of this article is not applicable the provisions of Law 587/40 shall apply.

4 The High Commissioner for Defectionism (HCD) shall be notified of every order for retirement made under Art 2 and where he is of opinion

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The having (of any case referred heretofore) shall be (continued)
in accordance with the provisions contained in the 159/14 and Art 1 hereof.

5 As regards State employees residing in any territory which, on the date on which this decree comes into force, has not been referred to Italian Administration, the time limits contained in para 1 of Art 1 and in Art 2 shall run from the date on which DL 159/14 and this decree become effective in such territory.

When, following the liberation of any territory not now liberated, any important evidence is discovered against any State employees which could not (previously) have come to the knowledge of the Ignation Commission, the ICA may, provided that the time limits contained in para 1 of this Art are not exceeded, by decree order that Art 1 of this decree shall apply to such case even though the time limits prescribed (in that Art) have expired.

In similar circumstances the ICA may within the time limits of the para 1 of this Art submit for decision cases to which Art 1 hereof applies.

When employees residing outside the National Territory the time limits referred to in para 1 hereof shall run from the cessation of hostilities.

Where there is obvious evidence that employees, within the provisions of paras 1 and 4 of this Art are actively collaborating or have collaborated with the so-called republican fascist government, proceedings for expatriation or for forfeiture of pension under Art 4 may be commenced before the time limits of this Article commence to run and without allowing the time for the preparation of the defense which is allowed by para 1 of Art 19 of DL 159/14.

6 Appeals through neither administrative nor judicial channels shall be allowed against decisions under Art 2 hereof or on award of forfeiture of pension under Art 4 hereof except on grounds of incompetence of the (naming) commission.

7 Until the expiration of the Public Administration has been completed, the ICA shall be notified of all proposals as to promotions and appointments to the first four grades of State employees or to offices of corresponding rank in the State Railway Service.

The ICA may, within ten days of receiving such notification state his reasons for opposing the proposed promotion or appointment. When any Ministry does not propose to accept the view of the ICA, the matter shall be referred to the Council of Ministers for decision. Except where para 2 of Art 5 applies personnel appointed in accordance with the provisions of this Article shall not be subject to further expatriation.

8 This decree shall come into force on the 1 Nov 44.

that (a case is given and that) para 2 of Art 22 of DML 159/44 may apply he may refer the case to the (appropriate) Pardon Commission for decision as to whether or not the "defendants" pension shall be forfeited. An Egyptian commission may, as an alternative, (to its powers under Art 22) order forfeiture of any increase to which the "defendants" would otherwise be entitled under Art 3 hereof.

An order as to loss of pension or of any increase shall take effect on the first day of the month following the decision of the Central Commission (in the case of an appeal) or (where there is no appeal) the first of the month following the day on which the decision of the Commission of first instance becomes unappealable.

The hearing (of any case referred hereunder) shall be (conducted) in accordance with the provisions contained in DML 159/44 and Art 4 hereof.

As regards State employees residing in any territory which, on the date on which this decree came into force, has not been restored to Italian Administration, the time limits contained in para 1 of Art 4 and in Art 2 shall run from the date on which DML 159/44 and this decree became operative in such territory.

When, following the liberation of any territory not now liberated, any important evidence is discovered against any State employee which could not (previously) have come to the knowledge of the Egyptian Commission, the COM may, provided that the time limits contained in para 1 of this Art are not exceeded, by decree order that part 1 of this decree shall apply to such cases even though the time limits prescribed (in that Art) have expired.

In similar circumstances the HD may within the time limits of the para 1 of this Art submit for decision cases to which Art 4 hereof applies.

When employees reside outside the National Territory the time limits referred to in para 1 hereof shall run from the cessation of hostilities.

Where there is obvious evidence that employees, within the provisions of para 1 and 4 of this Art are actively collaborating or have collaborated with the so-called republican Fascist government, proceedings for expatriation or for forfeiture of pension under Art 4 may be commenced before the time limits of this Article commence to run and without allowing the time for the preparation of the defense which is allowed by para 1 of Art 19 of DML 159/44.

Appeals through neither administrative nor judicial channels shall be allowed against decisions under Art 2 hereof or an award of forfeiture of pension under Art 4 hereof except on grounds of incompetence of the (relevant) commission.

Until the operation of the Public Administration has been completed, the HD shall be notified of all proposals as to promotions and appointments to the first four grades of State employees or to offices of corresponding rank in the State Railway Service.

The HD may, within ten days of receiving such notification state

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DE/5.9/CA

31 Oct 44

SUBJECT : Defascism.

TO : See Distribution.

no copy

Herewith two copies of the translation referred to in para 3
of DE/5.9 of 26 Oct 44.

[Signature]
L. WHITE Lt Col,
for VP CA Section

DISTRIBUTION :-

CA Sec	Aggie S/C	R.C. Emilia Region
Eccon Sec	Air S/C	R.C. Toscana Region
Polit Sec	Army S/C	R.C. Sardinia Region
Local Govt S/C	Naval S/C	R.C. Venezia Region
Legal Sec	Communications S/C	R.C. Piemonte Region
Educ S/C	Transportation S/C	R.C. Liguria Region
Commerce S/C	SGO 5 Army	R.C. Lombardia Region
Public Works S/C	SGO 6 Army	R.C. Lazio Region
Finance S/C	R.C. Abruzzi Marche Reg.	R.C. Sicilia Region
		R.C. Southern Region

5596

Form No. 35 f

COMMISSION FOR REPARATION FOR

Certificate of Service.

I,
(name)
of
(address)

hereby declare

(1) that on the day of 1944 I did serve

- a. Notice of Proposed Suspension
- a. Notice of Hearing
- a. Suspension Order
- an Order sustaining objection

of which a copy is attached

hereto on
(Name of person affected)

of

by { handing it to him personally

{ leaving it at

and

(ii) that on the day of 1944 I did also serve a copy

of the same document on
(employing administration or undertaking)

by { handing it to

{ leaving it at

5597

of
(address)

hereby declare

(1) that on the _____ day of _____ 1944 I did serve

- a. Notice of Proposed Suspension
- a. Notice of Hearing
- a. Suspension Order
- an Order sustaining objection

of which a copy is attached

hereto on
(names of person affected)

of

by { handing it to him personally

{ leaving it at

and

(11) that on the _____ day of _____ 1944 I did also serve a copy

of the same document on
(employing administration or undertaking)

5597

by { handing it to

{ leaving it at

Dated the _____ day of _____ 1944.

.....
(signature of server)

.....
Office held by server: employee of
Commission : (M. CC etc)

Form No. 35 d

COMMISSION FOR EXAMINATION FOR

SUSPENSION ORDER

TO
(person suspended)

of
(private address)

1. THIS NOTICE that with effect from the date of this Order
you are **SUSPENDED** from your office or employment as
..... with or under (state nature of
employment) (state name of employing administration, or
.....
undertaking)

2. The reasons for making this order are that
.....
.....
.....
.....

5598

Dated the ____ day of _____ 194__

of
(private address)

1. THIS NOTICE that with effect from the date of this Order
you are SUSPENDED from your office or employment as
..... with or under (state nature of
employment) (State name of employing administration or
.....
undertaking)

2. The reasons for making this order are that
.....
.....
.....
.....

5598

Dated the ___ day of _____ 194__

.....
President of the Commission

Copy to
(employing administration or undertaking)

.....
(address)

FORM No. 35(a)

COMMISSION FOR EPURATION

ORDER SUSPENDING OBJECTION

The Commission for the Epuration above mentioned, having considered the objection entered by (objector)

ORDER

that the notice of proposed suspension served against him and dated shall be cancelled and that no action shall be taken in respect of the office or employment held by the said (name) (address)

With or under (state name of employing administration or undertaking)

Date :
Signed:

(President of the Commission)

Copy to (employing administrator or undertaking)

(address)

Form No. 35(b)

COMMISSION FOR REGULATION

NOTICE OF PROPOSED SUSPENSION

TO
(Name)
.....
(Address)

1. TAKE NOTICE that the Commission for Regulation has under consideration the PROPOSAL that you be SUSPENDED from the office or employment which you now hold with
(name of employing administration or undertaking)

2. AND FURTHER TAKE NOTICE that the grounds upon which the Commission is considering this proposal are :-

3. AND FURTHER TAKE NOTICE that you have the right within 10 days of the service upon you of this notice to put forward an objection in writing which should state the reasons why you consider that such proposal should not be put into effect. You may attach to your objection any documents you wish.

4. AND FURTHER TAKE NOTICE that unless you put forward such objection within such time and lodge the same with this office at
....., this Commission will proceed forthwith to make against you an order suspending you from your said office or employment.

Date :

Signed :

5599

(Secretary of the Commission)

Copy to:
(employing administration or undertaking)

1. TAKE NOTICE that the Commission for Expiration has under consideration the PROPOSAL that you be SUSPENDED from the office or employment which you now hold with
(name of employing administration or undertaking)

2. AND FURTHER TAKE NOTICE that the grounds upon which the Commission is considering this proposal are :-

3. AND FURTHER TAKE NOTICE that you have the right within 10 days of the service upon you of this notice to put forward an objection in writing which should state the reasons why you consider that such proposal should not be put into effect. You may attach to your objection any documents you wish.

4. AND FURTHER TAKE NOTICE that unless you put forward such objection within such time and lodge the same with this office at
....., this Commission will proceed forthwith to make against you an order suspending you from your said office or employment.

Date :

Signed :

5599

(Secretary of the Commission)

Copy to: _____
(employing administration or undertaking)

_____ (address)

Form No. 35

COMMISSION FOR THE REFORMATION

NOTICE OF HEARING

TO
(name)

.....
(address)

1. You are hereby notified that the hearing of your case will take place at the office of the Commission, Via on the day of 1944 at hours.

2. You are at liberty to appear at the said hearing with or without an attorney and to be heard by the Commission. At the said hearing you may call such witnesses and produce such documents as are relevant to the case as you may desire.

3. In default of appearance by you, the Commission will proceed to consider your objection in your absence.

Date :

Signed

6628

.....
(Secretary of the Commission)

Form No. 35 (a)

COMMISSION FOR EVALUATION,

SCHEDA PERSONALE

(To be completed personally by the party concerned in accordance with provisions of General Order No.)

1. Surname Name Paternity
- Maternity Place and date of birth
- Place of residence
- Profession Present condition
2. Date and place of entering the fascist party,
 Sansepolcrista? Squadrista? Fascista?
 Marcia su Roma? Sciarpa littoria?
3. Have you been a member of the Fascist Government? of the Grand
 Fascist Council? of the special Tribunale for the defense of the
 State?
4. Have you been a member of the Accademia d'Italia and in what status?
5. Have you been President, Vice President or Managing Secretary of any corporation,
 confederation, federation, or syndicate union?
6. Have you been National Secretary or Vice Secretary, a member of the National
 Directory, or a national inspector of the fascist party?
7. If you have been a member of the Senate of the Kingdom give the date of your ap-
 pointment to Senator and the date on which you took the oath, setting out in full
 your functions, duties, or public offices administrative or commercial.
8. Have you been a fascist deputy or a national councillor and for what legislature
 or period?
9. Have you been federal secretary or a vice secretary, administrator **5600** federal
 vice secretary, a member of the federal directory or federal inspector or zone
 inspector, a "fiduciario" of the sectional fascist group in the Capital
 of a province (when, where and for how long)?
10. Have you occupied any of the following positions in the fascist party?
 a. A position of authority in the CIL?
 b. A position of authority in the CUE?
 c. Any other office in the party?

- 2. Date and place of entering the fascist party.....
 Sensepolonista?..... Squadrista?..... Fascista?..... Ante Marcia?.....
 Marcia su Emma?..... Sciappa idittoria?.....
- 3. Have you been a member of the Fascist Government?..... of the Grand
 Fascist Council?..... of the special Tribunal for the Defense of the
 State?.....
- 4. Have you been a member of the local Benia d'Italia and in what status?.....
- 5. Have you been President, Vice President or Managing Secretary of any corporation,
 confederation, federation, or syndicate union?
- 6. Have you been National Secretary or Vice Secretary, a member of the National
 Directory, or a national inspector of the fascist party?.....
- 7. If you have been a member of the Senate of the Kingdom give the date of your ap-
 pointment to Senator and the date on which you took the oath, setting out in full
 your functions, duties, or public offices administrative or commercial.....
- 8. Have you been a fascist deputy or a national councillor and for what legislature
 or period?.....
- 9. Have you been federal secretary or a vice secretary, administrator, **5600** federal
 vice secretary, a member of the federal directory or federal inspector or zone
 inspector, a "fiduciario" of the sectional fascist group in the Capital
 of a province (when, where and for how long)?.....
- 10. Have you occupied any of the following positions in the fascist party?
 a. A position of authority in the GIL?
 b. A position of authority in the GUP?
 c. Any other office in the Party?.....
- 11. Have you been President, vice president or Rector (Governor) of a Province
 (when, where and for how long)?.....
- 12. Have you been Podestà, vice-Podestà, Consultore, Commissario by royal appoint-
 ment or by appointment by Prefetto, of any Capital of a Province
 (when, where and for how long)?.....

- 13. Have you been President or a member of the Central Court or of the federal commission for fascist party discipline (when, where and for how long)?.....
- 14. Have you been Podesta', Commissario by royal appointment or by appointment of the Prefect, of any comune with a population of more than 50,000 inhabitants (according to the last census)?.....
- 15. Have you been a fascist political secretary (when, where and for how long)?.....
- 16. Have you been Provincial fiduciaria of women fascists (when, where and for how long)?.....
- 17. Set out below any other offices national, provincial, or communal, governmental, or para-statal held by you since 1924.....

- 18. Have you been a director or chief editor of any political periodicals or daily papers? (which ones, where and when)?.....

- 19. Have you been a professional journalist, political writer and what has been your journalistic activity since 31 January 1925?.....

- 20. Have you ever made a radio political broadcast?.....
- 21. Set out your chief sources of income during the fascist regime.....

- 22. Have you done military service?.....
 a. In what arm?.....
 b. Where?.....
 c. What was your last rank?.....
 d. Where did you do your service?.....
 e. Were you a volunteer in the Spanish Civil War?.....
 f. Were you a volunteer in the East African Campaign?.....
 g. North African Campaign?..... Russian Campaign?.....
 h. Have you enjoyed any exemption from military service?.....
 i. For what reasons?.....

- how long?)
17. Set out below any other offices national, provincial, or occasional, governmental, or para-statal held by you since 1921.

 18. Have you been a director or chief editor of any political periodicals or daily papers? (which ones, where and when).

 19. Have you been a professional journalist, political writer and what has been your journalistic activity since 3rd January 1925?

 20. Have you ever made a radio political broadcast?

 21. Set out your chief sources of income during the fascist regime.

 22. Have you done military service?
 a. In what arm?
 b. Where?
 c. What was your last rank?
 d. Where did you do your service?
 e. Were you a volunteer in the Spanish Civil War?
 f. Were you a volunteer in the East African Campaign?
 g. North African Campaign?
 h. Russian Campaign?
 i. Have you enjoyed any exemption from military service?
 j. For what reasons?
 23. Have you been a member of the permanent service of the fascist militia and in what branch and for how long?
 24. Have you received any German decoration of honor and what was the circumstance for which you were decorated?

 Date
 25. Where were you and how were you employed on 8 September 1943?

 26. Where have you been and how have you been employed since 8 September 1943?

 I declare that all that I have stated above is the truth

Date

Signature of person making declaration.....

