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Revise

26th May, 1943.

Draft Armistice with Italy (for use in the event of Italy suing for an armistice whilst the war with Germany continues.)

Whereas the Royal Italian Government and the Italian Supreme Command acknowledges that the Italian forces have been totally defeated and that Italy can no longer carry on the war against the United Nations and have accordingly requested an armistice.

And whereas the United Nations are willing to lay down the conditions on which they are prepared to suspend hostile measures against Italy provided that their military operations against Germany and her allies are not obstructed, and that Italy does not assist these Powers in any way:

....., on behalf of the Supreme Command of the United Nations, duly authorized to that effect, on the one part, and

....., representing the Supreme Command of the Italian Armed Forces, and duly authorized to that effect by the Royal Italian Government,

on the other part,

have agreed to conclude a General Armistice in the following terms:-

1. Italian participation in the war in all theatres will cease immediately. There shall be no opposition to landings or other operations of the sea, land and air forces of the United Nations.

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2. The Italian Supreme Command will give full information concerning the disposition and condition of all Italian military, naval, and air forces wherever they are situated.

3. Italian land sea and air forces will proceed to and remain in existing barracks, camps or ships, pending directions from the United Nations as to their future status and disposal. Exceptionally, such naval personnel shall proceed to shore establishments as the United Nations ^{may} direct.

4. The Italian armed forces will be accorded the honours of war; that is to say, formations will retain their standards, officers will retain their swords, pistols and twelve rounds of ammunition per pistol, other ranks will retain their small arms and side arms with five rounds of ammunition per rifle. Ammunition so retained will be kept in bulk with units as directed by the United Nations.

5. Italian armed forces will within periods to be laid down by the United Nations, withdraw from all areas notified to the Italian Government by the United Nations and proceed to areas to be specified by the United Nations. Such movement of Italian armed forces will be carried out in conditions to be laid down by the United Nations and in accordance with the orders to be issued by them. All Italian officials will similarly leave the areas notified, except any who may be permitted to remain by the United Nations. Those permitted to remain will comply with the instructions of the United Nations.

6. No requisitioning, seizures or other coercive measures shall be effected by Italian armed forces or officials in regard to persons or property in the areas notified under Article 6.

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7. Italian warships auxiliaries and transports will be assembled in ports to be specified by the United Nations. * Certain of them may be employed under the authority of the United Nations for making safe the waters round Italy and for convoying supplies etc., and for this purpose will retain such armament as the United Nations may direct: the remainder will be dealt with as prescribed by the United Nations.

8. Italian aircraft of all kinds will not leave the ground or water, except as directed by the United Nations. If absent from their bases they will be at once recalled and will not thereafter leave except as so directed.

9. Without prejudice to the provisions of Articles 15 17 and 31 below, all merchant ships, fishing or other craft, of whatever flag in Italian territory or waters, and all civil aircraft of whatever nationality in Italian territory will, pending verification of their identity and status, be prevented from leaving.

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

/11.

* Note. If at the date of the armistice the whole of the Italian fleet has been assembled in Allied ports, this sentence would read:- "Italian warships will remain in the ports where they are at present assembled, subject to any instructions which may be issued by the United Nations."

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11. Arms and war material in excess of the limits to be prescribed by the United Nations will be placed in stores under such control as the United Nations may direct. The Italian Government will furnish lists of quantities of all such arms and war material showing their location. The ultimate disposal of these arms and war materials will be prescribed by the United Nations.

12. There shall be no destruction of or damage to arms or war material, power-stations, rail, road, port or other installations, or in general, public or private property of any kind.

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

14. In order to assist in reconstruction work etc., the demobilisation of Italian armed forces in excess of such establishments as shall be notified will take place as prescribed by the United Nations.

15. Italian merchant shipping and fishing and other small craft, including those at sea or in neutral or Axis ports, will be made available in good condition by the competent Italian authorities at such places and for such purposes and periods as the United Nations may prescribe. Transfer to enemy or neutral flags is prohibited. Crews shall remain on board. Any existing options to repurchase or re-acquire or to resume control of Italian or former Italian vessels sold or otherwise transferred or chartered during the war shall forthwith be exercised, and the above provisions shall apply to all such

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vessels and their crews.

16. The United Nations, desiring so far as possible to mitigate the suffering of the Italian people, will endeavour to provide for their essential economic needs so far as circumstances permit; but they reserve the right to recover the cost of supplies and transport for the purpose from the Italian Government. It is to the interest of the Italian Government and people to ensure that the necessary ships and equipment are made available in good and serviceable condition, together with their crews.

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

18. Italian radio stations may not broadcast news or messages prejudicial to the United Nations. The United Nations will institute such censorship of press and publications and supervision of telecommunications as may be necessary, and, at their discretion, may take over radio, cable and

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other intercommunications stations.

19. The United Nations will require to occupy certain parts of Italian territory. The territories of areas concerned will from time to time be notified by the United Nations, and all Italian armed forces will thereupon withdraw from such territories or areas in accordance with the instructions issued by the United Nations. The provisions of this Article are without prejudice to those of Article 2 above.

20. In the territories or areas referred to in Article 19 all naval, military and air installations, power stations, all ports and harbours, all transport installations or facilities as may be required by the United Nations will be made available in good condition by the competent Italian authorities with the personnel required for working them. The Italian Government will also supply, free of cost, such other local resources or services as the United Nations may require.

21. Without prejudice to the provisions of the present Armistice, the United Nations will exercise all the rights of an occupying Power in the territories or areas referred to in Article 18. The Italian administrative and public services will continue to function in so far as may be authorised by the United Nations Supreme Command, and under its control.

22. The warships, auxiliaries and merchant vessels and aircraft in the service of the United Nations will have the right freely to use the territorial waters around and the

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air over Italian territory.

23. Members of the armed forces and officials of the United Nations will have the right of passage in or over Italian territory and will be afforded all the necessary facilities and assistance in performing their functions.

24. The Italian authorities will make available in non-occupied Italian territory such transport facilities of all kinds as may be required by the United Nations, including free transit for their war material and supplies; and will comply with instructions issued by the United Nations regarding the use and control of airfields, ports, inland transport systems and vehicles, power stations and public utility services, and connected repair and construction facilities.

25. It is an absolute condition of the forbearance shown and the help afforded by the United Nations that the Italian Government and people should abstain from all action detrimental to the success of the United Nations operations and carry out all orders given by the United Nations.

26. The Italian Government will supply free of cost such Italian currency as the United Nations may require and will withdraw free of cost and redeem in Italian currency all holdings of currencies if so issued by the United Nations and will hand over the currencies so withdrawn to the United Nations. The Italian Government will take such measures as may be required by the United Nations for the control of banks and businesses in Italian territory and the purchase or sale of foreign exchange, and for the regulation of trade and production, and will comply with any instructions issued by the United Nations regarding these matters.

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27. There shall be no financial, commercial or other intercourse with or dealings with or for the benefit of countries at war with any of the United Nations or territories occupied by such countries.

28. Relations with countries at war with any of the United Nations, or occupied by any such country, will be broken off. Italian diplomatic and consular officials accredited to or serving on missions with any such country will be recalled. Diplomatic and consular officials of such countries will be dealt with as the United Nations may prescribe.

29. Italian subjects will not take service with any of the countries referred to in Article 28, nor will they proceed to any place for the purpose of undertaking work for any such country. Those at present ^{so} serving or working will be recalled if the United Nations so direct.

30. The military, naval and air personnel and material and the merchant shipping, fishing and other craft and the civil aircraft, of any country which is still at war with any of the United Nations and which has not entered into an armistice convention with the latter, or which is occupied by any such country, remain liable to attack or seizure wherever found in or over Italian territory or waters.

31. The warships, auxiliaries and transports of such countries in Italian ports and the military, naval and civil aircraft of any such country (or occupied country) in or over Italian territory will, pending further instructions, be prevented from leaving.

The merchant shipping, fishing and other craft of any such country or occupied country will pending further instructions be prevented from leaving.

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The military, naval and air personnel and the civilian nationals of any such country or occupied country in Italian territory will be prevented from leaving and will be interned pending further instructions.

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

The Italian Government will comply with any instructions given by the United Nations concerning the internment, custody or subsequent disposal, utilization or employment of any of the above mentioned persons, vessels, aircraft, material or property.

32. (War Criminals.)

33. All Fascist organisations, including all branches of the Fascist Militia (MVSN), the Secret Police (OVRA) and Fascist Youth Organisations will be disbanded in accordance with the directions of the United Nations, except any such organisations or parts thereof as may be specified by the United Nations.

34. All Italian laws involving discrimination on grounds of race, religion or political opinions will be rescinded.

35. Prisoners of war belonging to the forces of the United Nations and other nationals of the United Nations, including Abyssinian subjects, in the hands of the Italian Government will be handed over to representatives of the United Nations or otherwise dealt with as the United Nations may direct. Persons of whatever nationality including Albanians who have been placed under restriction, detention or sentence (including sentences in absentia) on account of their dealings or sympathies with the United Nations will be released under the direction of the United Nations. The Italian Government will take such steps as

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the United Nations may direct to safeguard the persons and property of foreign states and nationals.

36. Such provisions as to restitution and reparation as may be required during the Armistice period.

37. The Italian Government will carry out such measures as disarmament and demilitarisation as may be notified by the United Nations during the Armistice period.

38. The Italian Government will supply all information and provide all documents required by the United Nations for the execution of the present Armistice.

39. The Italian Government will pass and enforce such legislative and administrative measures as may be necessary for the execution of the present Armistice. Italian military and civil authorities will comply with any instructions issued by the United Nations for the same purpose.

40. The term "the United Nations" in the present Armistice includes the Armistice Commission referred to in Article 42, the Supreme Command of the United Nations, and any other authority which the United Nations may designate for the purpose.

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

42. An Armistice Commission appointed by the United Nations will regulate and control the execution of the present Armistice.

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Any disagreement as to the interpretation or execution of the present Armistice will be decided by the Armistice Commission, whose decision will be final.

43. The Italian Government will send a delegation to the headquarters of the Armistice Commission to represent Italian interests and to transmit the order of the Commission to the competent Italian authorities.

44. The present armistice shall be confirmed by the Royal Italian Government. It will enter into force..... hours after the instrument of Confirmation has been received at....., and hostilities between the United Nations and Italy will cease in all theatres of war at that time. It will remain in operation until the coming into force of the Peace Treaty with Italy.

45. The present armistice may be denounced by the United Nations with immediate effect if the Italian Government does not fulfil the obligations under it, or, as an alternative, the United Nations may penalise contravention of it by measures, appropriate to the circumstances, such as the extension of the areas of military occupation, or air or other punitive action.

Signed on theat..... (hour).....(time) at(place), in English and Italian, the English text being authentic. (signatures)

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