

SAN MARINO

REPRESENTATIONS BY SAN MARINO REGARDING BOMBING OF ITS TERRITORY BY ALLIED PLANES; INSTRUCTIONS BY THE DEPARTMENT OF STATE RECOGNIZING NEUTRALITY OF SAN MARINO

860A.01/7-144 : Telegram

The Acting Representative to the Provisional Government of the French Republic at Algiers (Chapin) to the Secretary of State

ALGIERS, July 1, 1944—3 p. m.

[Received 11:05 p. m.]

2223. From Murphy.¹ Consul General San Marino at Rome has made representations through British Legation Holy See regarding alleged recent bombing of San Marino territory and claiming that hitherto the strictly neutral attitude of the Republic in the present conflict has been universally recognized. I would be grateful for advice as to the position of San Marino, whether or not we are at war and whether I am correct in assuming that we should not entertain representations of this nature directly from the Consul General on the grounds that the Italian Foreign Office is the proper channel of communication for matters concerning the Republic. [Murphy.]

CHAPIN

740.0011 EW 1939/6-2944 : Telegram

The Secretary of State to the Consul General at Naples (Brandt)

WASHINGTON, July 4, 1944.

305. For Kirk.² The following telegram from Bern³ is repeated for your information.

"Milan *Corriere* 28th attributes following appeal dated June 27 to San Marino Foreign Ministry.

"This morning at 11 a. m. and 1 p. m. Anglo-American aircraft in four waves bombed capital and surroundings of our small unarmed Republic which lives in peace and harmony. This sudden inexplicable bombardment, completely unjustified since our small state has maintained strictest and proven neutrality, has caused so far 35 dead many wounded and considerable property damage.

Supported by 16 centuries of glorious history of free and independent existence by moral recognition from all nations and international law which guarantees

¹ Robert D. Murphy, U.S. Political Adviser on the staff of the Supreme Allied Commander, Mediterranean Theater.

² Alexander C. Kirk, American representative, with rank of Ambassador, on the Advisory Council for Italy.

³ Telegram 4139, June 29.

our peaceful existence and neutrality we protest against this violent act and damages sustained therefrom. Simultaneously we solemnly declare no military installations arms or ammunition depots are on our territory, no belligerent troops are stationed therein, or pass in transit, and we appeal either directly or through our Legations and Consulates by this proclamation to other neutral nations, requesting them in a spirit of mutual protection and defense, to intervene with Allied Commands toward discontinuing offensive action against Republic of San Marino'.

"Neo-Fascist editorial comment states this sharp protest proves no Axis military installations or troops are present in Republic and as usual alleged attack thereon by Allied aircraft 'arose from cold-blooded desire to bomb and destroy without considering most elementary rules of international rights'".

HULL

860A.01/7-744 : Telegram

The Secretary of State to the Consul General at Naples (Brandt)

WASHINGTON, July 7, 1944—2 p. m.

324. For Kirk. Murphy has reported that the Consul General of San Marino at Rome has made representations through the British Legation to the Holy See regarding the alleged recent bombing of San Marino. He inquired concerning the position of San Marino and whether we should entertain representations of this nature directly from the Consul General or through the Italian Foreign Office.

The Department repeated to him its recent telegram to you ⁴ concerning the relations of San Marino with the United States and United Kingdom. He was further informed that prior to the outbreak of war the American Consul at Florence has traditionally been the United States representative to the Republic of San Marino. Since the Republic of San Marino has been generally recognized by this Government as an independent state (see extradition treaty between U.S. and San Marino, proclaimed June 12, 1908 ⁵) the Department knows of no reason why we should not entertain representations directly from the accredited representative of the Republic.

HULL

860A.01/7-144 : Telegram

The Secretary of State to the Acting Representative to the Provisional Government of the French Republic at Algiers (Chapin)

WASHINGTON, July 7, 1944—3 p. m.

2128. For Murphy. Your 2223 July 1, 3 p. m. In reply to a question of ACC ⁶ concerning the relations of the Republic of San Marino

⁴ See *infra*.

⁵ Signed January 10, 1906; for text, see *Foreign Relations*, 1908, p. 710.

⁶ Allied Control Commission for Italy.

with the US and UK Governments the Department sent the following telegram ⁷ to Kirk:

Paraphrase: In connection with the repatriation of consular personnel in this country, the Government of San Marino on January 29, 1942 informed the Swiss Government that it was not "in a state of war with U.S. America" and that for this reason it could not assume the expense of repatriation. A telegram of February 6, 1942 ⁸ from the Legation at Bern conveyed this information to the Department. The Department has held that a state of war does not exist between Republic San Marino and the U.S. on the basis of this official notification and lack of other information to the contrary. Concerning the United Kingdom, the Government of San Marino transmitted a message to the British Government through US facilities, during the time the United States was protecting British interests in Italy, to the effect that the Republic of San Marino had not declared war on the United Kingdom. The British Foreign Office can undoubtedly confirm the receipt of this communication. *End of paraphrase.*

Prior to the outbreak of war the American Consul at Florence has traditionally been the United States representative to the Republic of San Marino. Since the Republic of San Marino has been generally recognized by this Government as an independent state (see extradition treaty between U.S. and San Marino, proclaimed June 12, 1908), the Department knows of no reason why we should not entertain representations directly from the accredited representative of the Republic.

Please inform Tittmann ⁹ of the above and report details surrounding alleged bombing of the City of San Marino.

HULL

740.0011 European War 1939/7-744 : Telegram

The Acting Representative to the Provisional Government of the French Republic at Algiers (Lawton) to the Secretary of State

ALGIERS, July 7, 1944—5 p. m.
[Received 6:03 p. m.]

2307. From Murphy. The CinC ¹⁰ has requested advice at the instance of General Eaker ¹¹ regarding the status of the Republics of San Marino and Andorra and the Principalities of Monaco and Liechtenstein. General Eaker is particularly desirous of knowing

⁷ Telegram 306, July 4.

⁸ Telegram 426, not printed.

⁹ Harold H. Tittmann, Assistant to Myron C. Taylor, Personal Representative of President Roosevelt to Pope Pius XII.

¹⁰ Commander in Chief, Gen. Dwight D. Eisenhower.

¹¹ Lt. Gen. Ira C. Eaker, U.S. Army, Air Commander in Chief of Mediterranean Allied Air Force.

whether German troops and matériel passing through those states could be attacked from the air. Admiral Cunningham¹² also points out that Monaco is of capital importance because in addition to the port it is on the main road and railroad from Italy to France. Department's guidance is requested. [Murphy.]

LAWTON

860A.01/7-944 : Telegram

The Acting Representative to the Provisional Government of the French Republic at Algiers (Lawton) to the Secretary of State

ALGIERS, July 9, 1944—9 p. m.
[Received July 10—1:30 p. m.]

2345. From Murphy. I have informed SAC¹³ and MAAF¹⁴ of substance your 2128 July 7, 3 p. m. I should appreciate your confirmation whether Department concurs in view of British Foreign Office stated in a telegram just received by British Resident Minister¹⁵ that if territory of San Marino is being used by enemy there is no reason to abstain from military action against it.

The Foreign Office cable further states that as regards action to be taken when Allied armies arrive on frontier of San Marino and when it becomes included in area of liberated Italy the British Government consider that Allied Military Government should only be set up if local government has ceased to exist or is clearly a puppet of the enemy and if a neutral government cannot be got to function.

Sent to Department, repeated as 39 to Naples. [Murphy.]

LAWTON

860A.01/7-1044 : Telegram

The Consul General at Naples (Brandt) to the Secretary of State

NAPLES, July 10, 1944—11 a. m.
[Received 3:01 p. m.]

374. From Kirk. British High Commissioner for Italy¹⁶ has now informed ACC (Department's 306, July 4¹⁷) that Great Britain has never declared war on San Marino but has not formally recognized its neutrality. Foreign Office, therefore, considers that treatment of San Marino should depend on whether it is still independent and neutral or has puppet government set up by Germans or Fascist

¹² Adm. John Henry Dacres Cunningham, British Allied Naval Commander, Mediterranean Theater.

¹³ Supreme Allied Commander.

¹⁴ Mediterranean Allied Air Force.

¹⁵ Harold Macmillan.

¹⁶ Sir Noel Charles.

¹⁷ See telegram 2128, July 7, 3 p. m., to Algiers, and footnote 7, pp. 291 and 292, respectively.

Italians and whether its territory is being used by them for military purposes. Foreign Office also considers that AMG¹⁸ should be set up in San Marino only if local government has ceased to exist or is clearly enemy puppet and if neutral government cannot be got to function.

In reply to inquiry from Acting Chief Commissioner ACC¹⁹ as to attitude of American Government in premises, I have informed him of statement contained in Department's 306, July 4 to effect that Department has considered that a state of war does not exist between the United States and San Marino and in Department's 324, July 7 that the United States has generally recognized San Marino as an independent state, and added that I was not in a position to state my Government's views on additional points raised in foregoing communication of British High Commissioner.

As this entire question has been handled in Rome I have been transmitting paraphrases of Department's messages referred to above and copy of Department's 305, July 4, to Tittmann and Reber²⁰ in Rome.

Repeated to Algiers. [Kirk.]

BRANDT

740.0011 EW 1939/7-744 : Telegram

The Secretary of State to the Acting Representative to the Provisional Government of the French Republic at Algiers (Lawton)

WASHINGTON, July 10, 1944—9 p. m.

2162. The following refers to Murphy's 2307, July 7, and is being repeated to Kirk.

The status of San Marino was described in the Department's 2128, July 7. Neither the Republic of Andorra nor Principality of Liechtenstein has been occupied or used by the enemy as far as is known. Therefore, they have the same neutral status as Spain and Switzerland which they respectively border. If the neutrality of any of these states is violated by the enemy, the military authorities must of course take whatever counter-measures are required. However, you should impress upon them the highly unfortunate repercussions of any unwarranted attack.

Monaco has been considered enemy-occupied territory since November 1942.

HULL

¹⁸ Allied Military Government.

¹⁹ Capt. Ellery Stone, U.S.N.R.

²⁰ Samuel Reber, Vice President of Political Section, Allied Control Commission for Italy.

860A.01/7-944 : Telegram

The Secretary of State to the Acting Representative to the Provisional Government of the French Republic at Algiers (Chapin)

WASHINGTON, July 14, 1944—2 p. m.

2192. For Murphy. Your 2345, July 9, 9 p. m. Department agrees with Foreign Office that AMG should not be established within the Republic of San Marino unless the local Government has ceased to exist and if a neutral government cannot be made to function.

Sent to Algiers, repeated to Naples for Kirk with reference to his 374, July 10, 11 a. m.

HULL

740.0011 E.W. 1939/7-1344 : Airgram

The Secretary of State to the American Representative on the Advisory Council for Italy (Kirk)

WASHINGTON, July 20, 1944—3 p. m.

A-5. Department's 305, July 4, summarizing Bern's 4139, June 29. The following is Bern's 4459 of July 13:

"Communication addressed to me by San Marino Consulate General in Bern dated July 3, 1944, stated it was presenting to me personally, under instructions from Secretary of State for Foreign Affairs, accompanying note from its government protesting against bombardment of San Marino June 26. Approach to me I was told was due to temporary absence of representative of San Marino in the United States.

"Note which is signed by Secretary of State and dated June 26, 1944, is in translation identical with quotation in my 4139, June 29.

"Covering communication from Consulate General added that it had also been directed to bring following particulars to my attention:

"(A) Signs worded as follows: 'Neutral state of republic San Marino—German troops forbidden to transit or to stop here' have been posted at frontier by German Command at instance of this Secretariat. No German unit has ever entered Republic, no armored or military vehicle has ever passed through here and there is no installation here of military character.

"(B) In governmental organization political imprint is now that of concentration of group of good citizens carrying on work of conservation inspired by Republic's democratic traditions. German Command and Italian Government itself noting strictly neutral attitude of our small state have never requested or counseled any act or proposal incompatible therewith.

"(C) Neutrality San Marino duly notified to all belligerent nations and no exception was taken thereto. In fact some episodes may be cited in confirmation thereof: burial with solemn honor of two English aviators who perished in flying accident and fell on our territory.

"(D) Once more collectively carrying out mission in most critical period of humanity San Marino has generously opened its heart and

doors to thousands upon thousands of women and children from cities along Adriatic seaboard severely hit by war so much so that it can be considered a large community of sufferers taken into hospitals private homes and public centers.

“(E) Any repetition of bombing would cause great harm to unarmed persons who have already greatly suffered from misfortune, without any pretense of striking anything of military character.”

Inform Murphy.

HULL