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OMICS

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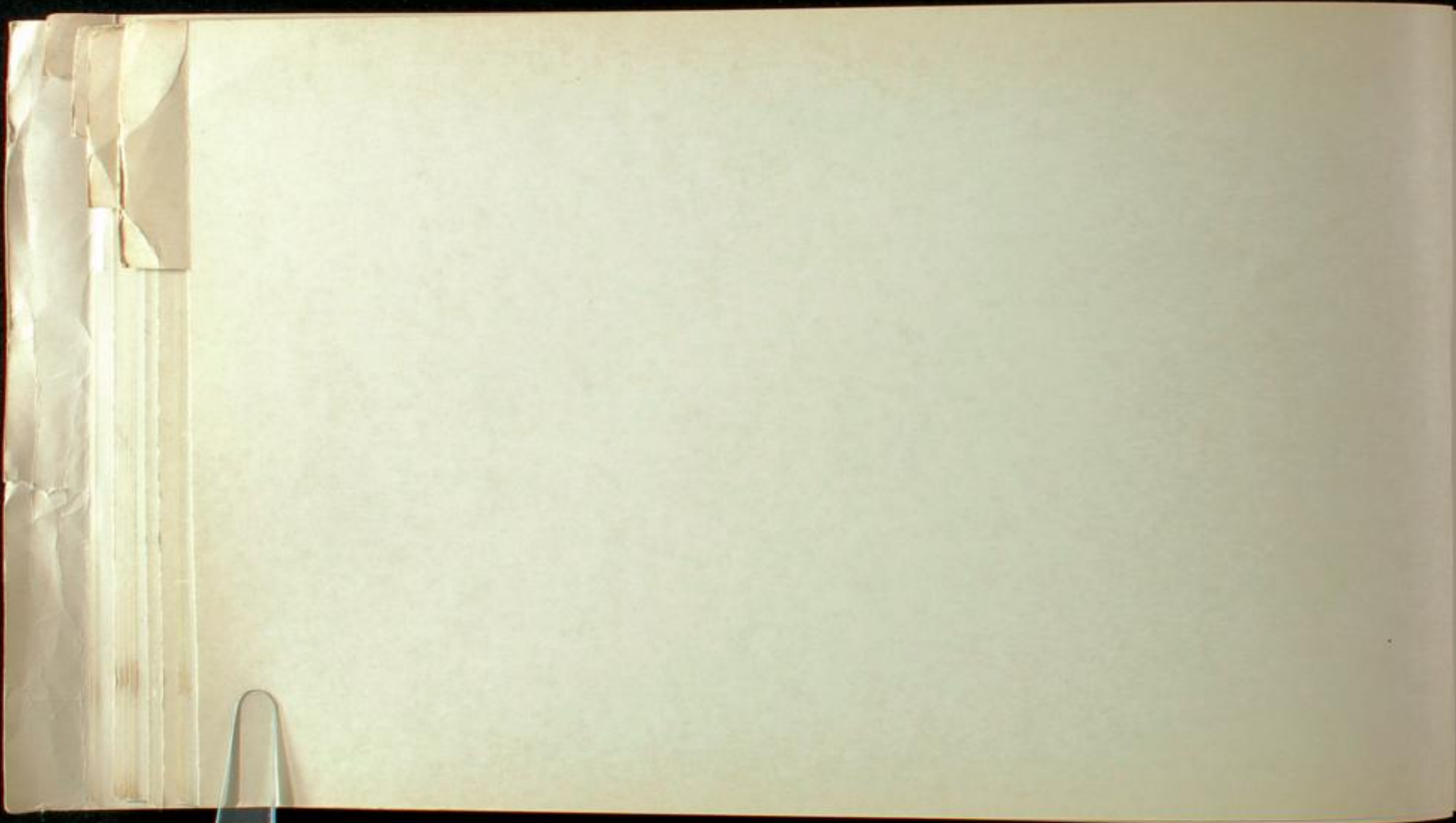
POPUL-  
ATION

REPAR-  
TIONS

TREATIES

MISCEL-  
LANEOUS

INDEX



PART III

DEMOCRATIZATION

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
TIONS

TREATIES

MISCELL-  
ANEOUS

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: DEMOCRATIZATION

ATLANTIC CHARTER

August 14, 1941

Freedom from Fear and Want

Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all men in all the lands may live out their lives in freedom from fear and want; (Sixth principle)

Freedom of Movement

Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance; (Seventh principle)

TEHRAN CONFERENCE

November 1943

Statement to effect that we will seek active participation of all nations to eliminate tyranny, slavery, oppression and intolerance

We shall seek the cooperation and active participation of all nations, large and small, whose peoples in heart and in mind are dedicated, as are our own peoples, to the elimination of tyranny and slavery, oppression and intolerance. We will welcome them as they may choose to come into the world family of democratic nations.

YALTA CONFERENCE

†† February 1945

Reaffirmation of Principles of Atlantic Charter

By this declaration we reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations and our determination to build, in cooperation with other peace-loving nations, world order under law dedicated to peace, security, freedom and the general well-being of all mankind.

In issuing this declaration, the three powers express the hope that the Provisional Government of the French Republic may be associated with them in the procedure suggested.

Statement of Intention Not to Destroy German People, but to Secure Them a Place in the Comity of Nations after Extirpation of Nazism and Militarism

It is not our purpose to destroy the people of Germany, but only when Nazism and militarism have been extirpated will there be hope for decent life for Germans and a place for them in the comity of nations.

POTSDAM AGREEMENT

2 August 1945

Part 3, Statement on Intention to Offer German People the Opportunity for Reconstruction of their Life on Democratic and Peaceful Basis.

It is not the intention of the Allies to destroy or enslave the German people. It is the intention of the Allies that the German people be given the opportunity to prepare for the eventual reconstruction of

their life on a democratic and peaceful basis. If their own efforts are steadily directed to this end, it will be possible for them in due course to take their place among the free and peaceful peoples of the world.

P. III. A. iv. To prepare for the eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany.

Future German Judicial System

P. III. A.7 The judicial system will be reorganized in accordance with the principles of democracy, of justice under law, and of equal rights for all citizens without distinction of race, nationality, or religion.

Measures for Decentralization of Political Structure and the Development of Local Responsibility

P. III. A.9 The administration of affairs in Germany should be directed towards the decentralization of the political structure and the development of local responsibility. To this end:

- (i) local self-government shall be restored throughout Germany on democratic principles and in particular through elective councils as rapidly as is consistent with military security and the purposes of military occupation;
- (ii) all democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany;

## SUBJECT: DEMOCRATIZATION

- (iii) representative and elective principles shall be introduced into regional, provincial, and state (Land) administration as rapidly as may be justified by the successful application of these principles in local self-government;
- (iv) for the time being, no central German government shall be established. Notwithstanding this, however, certain essential central German administrative departments, headed by State Secretaries, shall be established, particularly in the field of finance, transport, communications, foreign trade, and industry. Such departments will act under the direction of the Control Council.

Statement on Control of German Education to Assure Elimination of Nazi and Militaristic Doctrines

P. III. A.7 German education shall be so controlled as completely to eliminate Nazi and militarist doctrines and to make possible the successful development of democratic ideas.

Freedom of Speech, Press and Religion

P. III A10 Subject to the necessity of maintaining military security, freedom of speech, press, and religion shall be permitted, and religious institutions shall be respected. Subject likewise to the maintenance of military security, the formation of free trade unions shall be permitted.

DENAZI-  
FICA-  
TIONECON-  
OMICS

FINANCE

GOVERN-  
MENTPOPUL-  
ATIONREPAR-  
TIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

SUBJECT: DEMOCRATIZATION. Legal

DATE: 20 September 1945

LAW NO. 1  
 REPEALING OF NAZI LAWS

The Control Council enacts as follows:  
 ARTICLE I

1. The following laws of a political or discriminatory nature upon which the Nazi regime rested are hereby expressly repealed, together with all supplementary and explanatory laws, ordinances and decrees:-

(a) Law concerning the Relief of Distress of the Nation and the Reich (Gesetz zur Beseitigung der Not des Volkes und des Reiches) of 24 March, 1933, RGBl. I/41.

(b) Law for the reconstitution of Officials (Gesetz zur Wiederherstellung des Berufsbeamtums) of 7 April, 1933, RGBl. I/175.

(c) Law for the amendment of the Provisions of Criminal Law and Procedure (Gesetz zur Aenderung von Vorschriften des Strafrechts und des Strafverfahrens) of 24 April, 1934, RGBl. I/341.

(d) Law for the Protection of National Symbols (Gesetz zum Schutze der nationalen Symbole) of 19 May, 1933, RGBl. I/265.

(e) Law against the creation of Political Parties (Gesetz gegen die Neubildung von Parteien) of 14 July, 1933, RGBl. I/479.

(f) Law on Plebiscites (Gesetz ueber Volksabstimmung) of 14 July, 1933, RGBl. I/479.

(g) Law for securing the Unity of Party and State (Gesetz zur Sicherung der Einheit von Partei und Staat) of 1 December, 1933, RGBl. I/1016.

(h) Law concerning insidious attacks against the State and the Party and for the protection of the Party Uniform and insignia (Gesetz gegen heimtueckische Angriffe auf Staat und Partei und zum Schutze der Parteiuniform) of 20 December, 1934, RGBl. I/1269.

(j) Reich Flag Law (Reichsflagengesetz) of 15 September, 1935, RGBl. I/1145.

(k) Law for the protection of German Blood and German Honour (Gesetz zum Schutze des deutschen Blutes und der deutschen Ehre), of 15 September, 1935, RGBl. I/1146.

(l) Reich Citizenship Law (Reichsbuergergesetz) of 15 September, 1935, RGBl. I/1146.

(m) Prussian Law concerning the Gestapo (Preussisches Gesetz ueber die Geheime Staatspolizei) of 10 February, 1936, G.S. 21.

(n) Hitler Youth Law (Gesetz ueber die Hitlerjugend) of 1 December, 1936, RGBl. I/993.

(o) Ordinance against support for the camouflage of Jewish Businesses (Verordnung gegen die Unterstuetzung der Tarnung Juedischer Gewerbetriebe) of 22 April, 1938, RGBl. I/404.

(p) Ordinance for the reporting of Property of Jews (Verordnung ueber die Anmeldung des Vermoegens von Juden) of 26 April, 1938, RGBl. I/414.

(q) Law concerning the alteration of the trade regulations for the Reich (Gesetz zur Aenderung der Gewerbeordnung fuer das Deutsche Reich) of 1 July, 1938, RGBl. I/823.

(r) Second Carrying out Ordinance of the Law concerning the changing of Family Names and Christian Names (Zweite Verordnung zur Durchfuehrung des Gesetzes ueber die Aenderung von Familiennamen und Vornamen) of 17 August, 1938, RGBl. I/1044.

(s) Ordinance concerning the Passports of Jews (Verordnung ueber Reisepässe von Juden) of 5 October, 1938, RGBl. I/1342.

(t) Ordinance for the elimination of Jews from economic life (Verordnung zur Ausschaltung der Juden aus dem deutschen Wirtschaftsleben) of 12 November, 1938, RGBl. I/1580.

(u) Police Ordinance concerning the appearance of Jews in Public (Polizeiverordnung ueber das Auftreten der Juden in der Oeffentlichkeit) of 28 November, 1938, RGBl. I/1676.

(v) Ordinance concerning proof of German Descent (Verordnung ueber den Nachweis deutschbluetiger Abstammung) of 1 August, 1940, RGBl. I/1063.

(w) Police Ordinance concerning the marking of Jews (Polizeiverordnung ueber die Kennzeichnung der Juden) of 1 September, 1941, RGBl. I/547.

(x) Ordinance concerning the employment of Jews (Verordnung ueber die Beschaeftigung von Juden) of 31 October, 1941, RGBl. I/675.

(y) Decree of the Fuehrer concerning the legal status of the NSDAP (Erlaess des Fuehrers ueber die Rechtsstellung der NSDAP) of 12 December, 1942, RGBl. I/733.

(z) Police Ordinance concerning the identification of male and female workers from the East on Reich Territory (Polizeiverordnung ueber die Kennlichmachung der im Reich befindlichen Ostarbeiter und Arbeiterinnen) of 19 June, 1944, RBBl. I/147.

2. The abrogation of the above mentioned laws does not revive any law enacted subsequent to 30 January, 1933, which was thereby repealed.

## ARTICLE II

No German enactment, however or whenever enacted, shall be applied judicially or administratively in any instance where such application would cause injustice or inequality, either (a) by favouring any person because of his connection with the National Socialist German Labor Party, its formations, affiliated associations, or supervised organizations, or (b) by discriminating against any person by reason of his race, nationality, religious beliefs, or opposition to the National Socialist German Labour Party or its doctrines.

ALLIED CONTROL COUNCIL, BERLIN, 1945

37

SUBJECT: DEMOCRATIZATION, Legal

DATE: 20 September 1945

ARTICLE III

Any person applying or attempting to apply any law repealed by this Law will be liable to criminal prosecution.

Done at Berlin 20 September 1945

(CONL/P(45)40)

B. L. MONTGOMERY  
Field-Marshal

DWIGHT D. EISENHOWER

V. D. SOKOLOVSKY

L. KOELTZ

DENAZI-  
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ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

SUBJECT: DEMOCRATIZATION, Legal

DATE: 30 October 1945

LAW NO. 1REORGANIZATION OF THE GERMAN JUDICIAL SYSTEM

The Control Council, in accordance with its Proclamation to the German people, dated 20 October 1945, deciding that the German judicial system must be reorganized on the basis of the principles of democracy, legality and equality before the law of the citizens, without distinction of race, nationality or religion, enacts as follows:

ARTICLE I

Reorganization of the German Courts, will in principle, take place in conformity with the Law concerning the Structure of the Judiciary of 27 January 1877, Edition of 28 March 1924 (RGBl 1/299). The following system of ordinary courts is to be reestablished: Amtsgerichte, Landgerichte, and Oberlandesgerichte.

ARTICLE II

The Jurisdiction of Amtsgerichte and Landgerichte in civil and criminal cases will in general be determined in conformity with the law in force on 30 January 1933; however, the civil jurisdiction of the Amtsgerichte will be extended to claim of a value not exceeding RM 2000.

The Landgerichte will have appellate jurisdiction over decisions of the Amtsgerichte.

The Oberlandesgerichte will have no original jurisdiction but will have final appellate jurisdiction over decisions of the Landgerichte in civil cases; they will have the right of review on questions of law (Revision) over decisions of Amtsgerichte and Landgerichte in criminal cases as provided by law.

ARTICLE III

Jurisdiction of German Courts shall extend to all cases both civil and criminal with the follow-

ing exceptions:

(a) Criminal offenses committed against the Allied Occupation Forces;

(b) Criminal offenses committed by Nazis or any other persons against citizens of Allied nations and their property, as well as attempts directed towards the re-establishment of the Nazi regime, and the activity of the Nazi organizations;

(c) Criminal offenses involving military personnel of Allied Forces or citizens of Allied nations;

(d) Other selected civil and criminal cases withdrawn from the Jurisdiction of German Courts, as directed by the Allied Military Command;

(e) When an offense committed is not of such a nature as to compromise the security of the Allied Forces, the Military Command may leave it to the Jurisdiction of German Courts.

ARTICLE IV

To effect the reorganization of the judicial system, all former members of the Nazi Party who have been more than nominal participants in its activities and all other persons who directly followed the punitive practices of the Hitler regime must be dismissed from appointments as Judges and prosecutors and will not be admitted to these appointments.

ARTICLE V

In carrying out this law, it is left to the discretion of the Military Command gradually to bring the jurisdiction of German courts into conformity with this law.

ARTICLE VI

This law will come into force from the date of its promulgation. The Military Commanders of Zones are charged with its execution.

Done at Berlin 30 October 1945

/s/ F. Koenig  
/t/ F. KOENIG  
General de Corps d'Armee

/s/ G. Zhukov  
/t/ G. ZHUKOV  
Marshal of the Soviet Union

/s/ Dwight D. Eisenhower  
/t/ DWIGHT D. EISENHOWER  
General of the Army

/s/ B. L. Montgomery  
/t/ B. L. MONTGOMERY  
Field Marshal

(CONL/P(45)50)

SUBJECT: DEMOCRATIZATION, Legal

DATE: 20 October 1945

PROCLAMATION NO. 3

FUNDAMENTAL PRINCIPLES OF JUDICIAL REFORM

By the elimination of the Hitler tyranny by the Allied Powers the terrorist system of Nazi Courts has been liquidated. It is necessary to establish a new democratic judicial system based on the achievements of democracy, civilization and justice. The Control Council therefore proclaims the following fundamental principles of judicial reform which shall be applied throughout Germany.

I

Equality before the Law

All persons are equal before the law. No person, whatever his race, nationality or religion, shall be deprived of his legal rights.

II

Guarantees of the Rights of the Accused

1. No person shall be deprived of life, liberty or property without due process of law.
2. Criminal responsibility shall be determined only for offenses provided by law.
3. Determination by any court of any crime "by analogy" or by so-called "sound popular instinct", as heretofore provided in the German Criminal Code, is prohibited.
4. In any criminal prosecution the accused shall have the rights recognized by democratic law, namely the right to a speedy and public trial and to be informed of the nature and cause of the accusation, the right to be confronted with witnesses in his favor and the right to have the assistance of counsel for his defense. Excessive or inhuman punishments or any not provided by law will not be inflicted.
5. Sentences on persons unjustly convicted under the Hitler Regime on political, racial or religious grounds must be quashed.

III

Liquidation of Extraordinary Hitler Courts

The People's Court, Courts of the NSDAP and Special Courts are abolished and their re-establishment prohibited.

IV

Independence of the Judiciary

1. Judges will be independent from executive control when exercising their functions and owe obedience only to the law.

2. Access to judicial functions will be open to all who accept democratic principles without account of their race, social origin or religion. The promotion of judges will be based solely on merit and legal qualifications.

V

Justice will be administered in Germany in accordance with the principles of this proclamation by a system of Ordinary German Courts.

Done at Berlin 20 October 1945

/s/ P. Koenig  
/t/ P. KOENIG

/s/ G. Zhukov  
/t/ G. ZHUKOV

/s/ Dwight D. Eisenhower  
/t/ DWIGHT D. EISENHOWER

/s/ B. H. Robertson  
/t/ B. H. ROBERTSON  
Lt. General,  
for B. L. Montgomery

(CONL/P(45)50)

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

SUBJECT: DEMOCRATIZATION, Education

DATE: 25 June 1947

DIRECTIVE NO. 34  
BASIC PRINCIPLES FOR DEMOCRATIZATION  
OF EDUCATION IN GERMANY

The Control Council approves the following principles and transmits them to the Zone Commanders and to the Allied Kommandatura, Berlin, for their guidance:

1. There should be equal educational opportunity for all.
2. Tuition, textbooks and other necessary scholastic material should be provided free of charge in all educational institutions fully supported by public funds which cater mainly for pupils of compulsory school age; in addition, maintenance grants should be made to those who need aid. In all other educational institutions, including universities, tuition, textbooks, and necessary material should be provided free of charge together with maintenance grants for those in need of assistance.
3. Compulsory full-time school attendance should be required for all between the ages of six and at least fifteen - and thereafter, for those pupils not enrolled in full-time educational institutions, at least part-time compulsory attendance up to the completed age of eighteen years.
4. Schools for the compulsory periods should form a comprehensive educational system. The terms "elementary education" and "secondary education" should mean two consecutive levels of instruction, not two types or qualities of instruction which overlap.
5. All schools should lay emphasis upon education for civic responsibility and a democratic way of life, by means of the content of the curriculum, textbooks and materials of instruction, and by the organization of the school itself.

6. School curricula should aim to promote understanding of and respect for other nations and to this end attention should be given to the study of modern languages without prejudice to any.

7. Educational and vocational guidance should be provided for all pupils and students.

8. Health supervision and health education should be provided for all pupils and students. Instruction will also be given in Hygiene.

9. All teacher education should take place in a university or in a pedagogical institution of university rank.

10. Full provision should be made for effective participation of the people in the reform and organization as well as in the administration of the educational system.

Done at Berlin on 25 June 1947.

P. MOIRET  
Major General

M. I. DRATVIN  
Lieutenant General

F. A. KEATING  
Major General

B. H. ROBERTSON  
Lieutenant General

(CGRC/P(47)135 Final)

ALLIED CONTROL COUNCIL, BERLIN, 1946

41

SUBJECT: DEMOCRATIZATION, Political

DATE: 3 June 1946

DIRECTIVE NO. 31

PRINCIPLES CONCERNING THE ESTABLISHMENT OF  
FEDERATIONS OF TRADE UNIONS

The Control Council directs as follows:

Article I

Subject to the conditions stated in Article II of this Directive, Zone Commanders shall permit -

- (1) the creation in each zone of industrial federations of trade unions so that local trade unions in each branch of industry may be united;
- (2) Zonal inter-union federations of trade unions so that the representatives of all trade unions in the zone may meet periodically at inter-union conferences to settle questions of organization and functioning of trade unions.

Article II

1. The Trade Unions must be developed and organized on a democratic basis.
2. The organization of Trade Union federations must result from the freely expressed desires of union membership.
3. Unions which are not industrial trade unions shall not be excluded from inter-union federation provided they are not acting contrary to Allied Control Authority policy.

Article III

The pace of development of Trade Union Zonal federations shall be determined by the appropriate Zone Commander when he is satisfied that there exists a real desire among trade union members to federate.

Article IV

This Directive is effective upon the date of signature.

Done at Berlin 3 June 1946.

L. KOELTZ  
General de Corps d'Armee  
M.I. GRATVIN  
Lieutenant General  
LUCIUS D. CLAY  
Lieutenant General  
B.H. ROBERTSON  
Lieutenant General

CORC/P(46)193(Final)

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FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

SUBJECT: DEMOCRATIZATION. Political

DATE: 12 October 1946

DIRECTIVE NO. 40POLICY TO BE FOLLOWED BY GERMAN POLITICIANS AND  
THE GERMAN PRESS

## THE CONTROL COUNCIL DIRECTS AS FOLLOWS:

1. With due consideration to the necessity for maintaining military security, the German democratic parties and the German press shall be allowed to discuss freely German political problems. Comments on the policy of the Occupying Powers in Germany are allowed. The publication in the German press of factual information on world events, including informative articles taken from the foreign press, is also allowed.

2. Members of German political parties and the German press must refrain from all statements and from the publication or reproduction of articles which:

- (a) contribute towards the spreading of nationalistic, pan-Germanic, militarist, fascist or anti-democratic ideas;
- (b) spread rumors aimed at disrupting unity amongst the Allies, or which cause distrust and a hostile attitude on the part of the German people towards any of the Occupying Powers;
- (c) embody criticism directed against the decisions of the Conferences of the Allied Powers on Germany or against the decisions of the Control Council;
- (d) appeal to Germans to take action against democratic measures undertaken by the Commanders-in-Chief in their zones.

3. Offenders will be prosecuted for any breach of this Directive.

Done at Berlin, on the 12th day of October 1946

E. NOIRET, General de Division

P. A. KUROCHKIN, Colonel General

LUCIUS D. CLAY, Lieutenant General

G. W. E. J. ERSELINE, Major General  
for S. H. ROBERTSON, Lieutenant  
General

CGRC/P(46)315 (Final)

ALLIED CONTROL COUNCIL, BERLIN, 1946

43

SUBJECT: DEMOCRATIZATION, Political

DATE: 13 May 1946  
10 August 1946

ORDER NO. 4

CONFISCATION OF LITERATURE AND MATERIAL OF A NAZI AND MILITARIST NATURE

Bearing in mind the danger presented by the National Socialist doctrine, and in order to eradicate as soon as possible National Socialist, Fascist, Militarist and Anti-Democratic ideas in all forms in which they found expression throughout Germany.

THE CONTROL COUNCIL ORDERS AS FOLLOWS:

1. All owners of circulating libraries, bookshops, bookstores and publishing houses to hand over to the Military Commandants or other Representatives of the Allied Authorities within two months of the date of publication of this order:

(a) All books, pamphlets, magazines, files of newspapers, albums, manuscripts, documents, maps, plans, song and music books, cinematographic films and magic lantern slides (including everything intended for children of all ages), the contents of which include Nazi propaganda, including Nazi "racial" theories and incitements to aggression, as well as those containing propaganda directed against the United Nations;

(b) Everything which contributes to military training and education or to the maintenance and development of war potential, including school text books and teaching material for all types of military educational institutions, as well as various instructions, directions, statutes, maps, diagrams, plans, etc. for all types of troops and branches of the services.

2. All former state and municipal libraries, directors of universities and heads or directors of other higher educational establishments and secondary schools or all institutions for scientific research presidents, presidents of academies, all scientific and technical societies and asso-

ciations, and also directors of elementary and partial secondary schools and gymnasia, to remove in the same period from the libraries in their charge all Nazi and military literature enumerated in paragraph 1, and having collected it in complete order in specially allocated places, together with the relevant cards from the card index system of the library, to hand them over to the representatives of the Military Kommandatura or other Allied Authorities.

3. The responsibility for the complete handing over within the prescribed time limit of the above-mentioned literature and material rests with the holders of such literature and materials as well as with Burgomasters and local authorities.

4. Control over the execution of the present order will be exercised by the military commandants or other representatives of the military authority of the Occupying Powers.

5. All publications and material mentioned in this order shall be placed at the disposal of the Military Zone Commanders for destruction.

Done at Berlin, the 13th day of May 1946.

/s/ B. H. ROBERTSON  
/t/ B. H. ROBERTSON  
Lieutenant General

/s/ L. Koeltz  
/t/ L. KOELTZ  
General de Corps d'Armee

/s/ M. I. DRATVIN  
/t/ M. I. DRATVIN  
Lieutenant General

/s/ Lucius D. Clay  
/t/ LUCIUS D. CLAY  
Lieutenant General

AMENDMENT TO ORDER NO. 4

CONFISCATION OF LITERATURE AND MATERIAL OF A NAZI AND MILITARIST NATURE

THE CONTROL COUNCIL ORDERS AS FOLLOWS:

Control Council Order No. 4 is hereby amended by the addition of the following paragraph:

\*6. In the interests of research and scholarship, the Zone Commanders (in Berlin the Kommandatura) may preserve a limited number of copies of documents prohibited in paragraph 1. These documents will be kept in special accommodation where they may be used by German scholars and other German persons who have received permission to do so from the Allies, only under strict supervision by the Allied Control Authority.

The Zone Commanders will inform one another through Control Council channels concerning the quantity and titles of these documents, the place where they are preserved and the purposes for which they are being used.\*

Done at Berlin, the 10th day of August 1946.

/s/ Joseph T. McHarney  
/t/ JOSEPH T. McHARNEY, General

/s/ Sholto Douglas  
/t/ SHOLTO DOUGLAS  
Marshal of the Royal Air Force

/s/ F. Koenig  
/t/ F. KOENIG  
General d'Armee

/s/ V. Sokolovsky  
/t/ V. SOKOLOVSKY  
Marshal of the Soviet Union

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ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

REATIES

MISCEL-  
LANEOUS

INDEX

SUBJECT: DEMOCRATIZATION, Political

DATE: 25 June 1947

DIRECTIVE NO. 55INTERZONAL EXCHANGE OF PRINTED MATTER AND FILMS

1. In accordance with the decision of the Council of Foreign Ministers at Moscow to facilitate further development of the democratic German press, and in order to establish in all of Germany a free exchange of information and democratic ideas, the Allied Control Authority authorizes the free exchange of newspapers, magazines, periodicals, films and books published in the different zones of occupation and in Berlin.

2. This exchange shall not be limited by Zone Commanders except by the requirements of military security, the needs of the occupation, the necessity of ensuring that Germany carries out her obligations to the Allies and the necessity of preventing a resurgence of national socialism and militarism. Each Zone Commander will retain the right to take such measures as he may deem necessary against any publications or any persons who violate these provisions, subsequently informing the Allied Control Authority of his action; he shall in addition have the right if he so chooses, to raise the question of the application of such measures before the appropriate body of the Allied Control Authority - the Information Committee of the Political Directorate.

3. This exchange of information and democratic ideas shall not be subject to any pressure of any sort, administrative or economic, on the part of the Central Government or Land Governments.

Done at Berlin on the 25th day of June 1947.

R. NOIRET, Major General

M. I. DRATVIN, Lieutenant General

F. A. KEATING, Major General

B. H. ROBERTSON, Lieutenant General

DRAFT INSTRUCTION BY THE POLITICAL DIRECTORATE TO THE INFORMATION COMMITTEE FOR THE IMPLEMENTATION OF THE DIRECTIVE RELATING TO THE INTERZONAL EXCHANGE OF NEWSPAPERS AND FILMS

In order to ensure the full implementation of Directive No. 55 the Information Committee shall, if requested by one of its members, promptly institute quadripartite investigation of any alleged interference with the free exchange of information and democratic ideas in Germany. A report of the investigation shall be forwarded to the Political Directorate in case of disagreement over the alleged violation and corrective action to be taken.

"CORC/P(47)42(final)"

SUBJECT: DEMOCRATIZATION, Manpower

DATE: 12 October 1945

DIRECTIVE NO. 14  
Amended (1)<sup>1</sup>

ALLIED WAGE POLICY

The Control Council directs as follows:

1. During the period of occupation, Germany shall be treated as a single economic unit. To this end, common policies shall be established in regard to wages, prices and rationing.

2. Military government will direct German authorities to maintain the current controls over wages. These controls will be exercised by the designated German labor offices to accomplish the purposes of this directive.

3. To implement the above basic policy, current wage rates, including price rates, overtime rates, and incentive plans will be maintained and enforced except as provided herein: -

- a. No discrimination will be made in the application of wage rates to any groups or individuals on account of race, creed, political affiliation or opinion.
- b. Bonuses or other compensations paid for war risks will be discontinued.
- c. New rates may be established when, because of a change of product, a change in materials used, or for similar reasons, the previously established wages are no longer appropriate. The new rates shall correspond as closely as possible to the current rates prevailing for similar work, and shall take into consideration the previous normal earnings of the employees affected.
- d. Wages fixed on a time-rate basis shall be adjusted to correspond to the number of hours actually spent at work.
- e. The wages of women and minors may be raised to the same level as paid to men

for identical work with identical productivity.

f. Wages in certain industries can be increased or decreased if necessary to correct maladjustments or eliminate inequities. Such industries will be designated by the Allied Control Authority who will also determine the limits of permissible deviation from current wage rates, and if considered necessary fix a date before which the new rates shall not become effective. Employers and trade unions may then negotiate new tariffs within the aforesaid limits under the supervision of the appropriate German authorities. Copies of the new tariffs will be deposited with the Allied Control Authority within 15 days of their becoming effective.

g. Increase to bring wages up to 50 Pfg. per hour will be permitted for workers who receive less than that amount and whose earnings are not adequately supplemented by free meals, lodging or other prerequisites, or are not compensated by a very low cost of living.

h. Zone Commanders may re-define industrial areas as employed for purposes of wage control, where justified by changes in economic conditions.

All changes in the Tariff Orders relating to e., g., and h. of the present paragraph shall be reported to the Manpower Directorate.

4. Trade unions may negotiate with employers or employers' associations concerning wage adjustments that are permitted by the above policies. However, no changes in rates shall be made without the approval of the German labor offices.

5. The German authorities shall be instructed as representative and free trade unions and employers' associations come into being, to form consultative bodies to advise on wage matters.

6. Military government authorities may review, rescind or modify the actions of German labor offices acting as wage control agencies and will require them to comply with this directive or other Allied policies.

7. Military government will require the German authorities to review the relative levels of wages in different localities and industries and to recommend to the Allied authorities what changes are required as a result of movements of population and the change over to a peacetime economy, and to submit, after consultation with representatives of employers and workers, recommendations for a simplification of the German wage system.

8. The introduction of new systems of rates of pay for labor must not increase average wages.

Done at Berlin 12 October 1945

V. D. SKROLOVSKY  
Army General

B. H. ROBERTSON  
Lieutenant General

L. KOEHLZ  
General de Corps d'Armee

LUCIUS D. CLAY  
Lieutenant General

<sup>1</sup> Amended 15 Sept. 1945 by adding 4 new subparagraphs. Ed.

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

DATE: 17 January 1946

SUBJECT: DEMOCRATIZATION, Manpower

ORDER NO. 1REGISTRATION OF THE POPULATION OF EMPLOYABLE AGE,  
REGISTRATION OF UNEMPLOYED AND THEIR PLACEMENT  
AT WORK

The Control Council orders as follows:

METHOD OF DOCUMENTATION FOR GERMANY AS A WHOLE

1. The registration of employed and unemployed workers and their placement in work shall be carried out by the Labor Offices. All persons capable of work between the ages of 14 to 65 for men and 15 to 50 for women shall be registered.

REGISTRATION OF GAINFULLY OCCUPIED PERSONS

2. All gainfully occupied persons (Erwerbspersonen) shall register at the local Labor Offices. However, those who show proof of having registered since 8 May 1945 need not register again except as directed by the Labor Offices.

3. Registration of gainfully occupied persons shall be carried out by the Labor Offices on the basis of documents establishing their place of work, qualifications, present occupation and other necessary particulars.

4. The Labor Office will give each gainfully occupied person a certificate that he has been registered. Gainfully occupied persons will receive food ration cards on the basis of such certificates. Those who do not possess such certificates shall lose the right to receive food ration cards.

REGISTRATION OF THE UNEMPLOYED

5. All unemployed persons of employable age, and all persons seeking work must register at the Labor Offices. Those who show proof of having registered since 8 May 1945 need not register again except as directed by the Labor Offices.

6. The registration of persons referred to in paragraph 5 at the Labor Offices will be carried out upon presentation of appropriate documents showing trade, special qualifications, age, present domicile and other necessary particulars.

7. Each unemployed person registered at a Labor Office will be given a registration card. This card must be presented by the unemployed person periodically at the Labor Office for checking, at such times as the Labor Office may require.

8. When the unemployed person is placed in work, his registration card shall be retained at the Labor Office and, in lieu thereof, a certificate as provided in paragraph 4 issued to him.

9. Unemployed persons will receive food ration cards upon presentation of their registration cards. Unemployed persons who fail to register will lose the right to receive food ration cards.

REGISTRATION OF PERSONS INCAPABLE OF  
OR EXEMPT FROM WORK

10. All persons within the age limits specified in paragraph 1, who are incapable of work through mental or physical disability, must, either personally or through a representative, present to the Labor Office appropriate documents proving they are incapable of work. Such documents will be retained at the Labor Offices.

11. The decision that a person is temporarily or permanently incapable of work can only be made by a certified doctor. A Medical Commission will give the final decision, if the Labor Offices so direct.

12. All persons capable of work within the age limits specified in paragraph 1 such as University and other students, etc., who are unemployed

for reasons outside their control, must, nevertheless, register with the Labor Offices and present appropriate documents establishing their right to a release from working.

13. All persons referred to in paragraphs 10 and 12 above will be given a certificate of release from working by the Labor Office upon presentation of appropriate documents.

14. Persons referred to in paragraphs 10 and 12 above will receive food ration cards upon presentation of the certificate of release from working granted by the Labor Office.

PLACEMENT OF UNEMPLOYED IN WORK

15. The placement of unemployed in work shall be carried out by the Labor Offices according to applications made by employers.

16. All employers requiring Labor must apply exclusively to the appropriate Labor Office. The employment of unemployed persons or transfer of employees from one place of work to another is forbidden unless done through the Labor Office.

17. Employers are required to notify the Labor Office of all dismissals on the same day they occur, except that, in case of mass dismissals, the employer must give preliminary notice to the Labor Office in order that that Labor Office may place such workers in other employment.

18. In case of necessity the Labor Office has power to place persons in work by compulsory direction.

19. Unemployed persons who find employment on their own initiative, or employees who transfer from one place of work to another without the permission of the Labor Office, as well as all unemployed persons who disobey compulsory directions to work, will be liable to punishment as provided in this order and to loss of the right

ALLIED CONTROL COUNCIL, BERLIN, 1946

47

SUBJECT: DEMOCRATIZATION, Manpower

DATE: 17 January 1946

to obtain food ration cards.

PENALTIES

20. Any person violating or failing to observe any of the provisions of this order shall be liable to criminal prosecution in either German or Military Government Courts and, upon conviction, shall be punished.

(a) in the case of employers, by a monetary fine not exceeding 10,000 Marks or imprisonment not exceeding one year, or both, and

(b) in the case of all others, by a monetary fine not exceeding 1,000 Marks or imprisonment not exceeding three months, or both.

This Order will become effective upon promulgation.

Done at Berlin on 17 January 1946

Promulgated 1,00 hours, 22 January 1946

B. H. ROBERTSON  
Lieutenant General

L. KCELTE  
General de Corps d'Armee

LUCIUS B. CLAY  
Lieutenant General

V. D. SOKOLOVSKY  
Army General

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: DEMOCRATIZATION, Manpower

DATE: 10 April 1946

CONTROL COUNCILWORKS COUNCILSLAW NO. 22

The Control Council enacts as follows:

## Article 1

The organization and activities of Works Councils (Betriebsräte) to represent the professional, economic and social interests of the workers and employees in each individual enterprise are hereby permitted throughout Germany.

## Article 2

1. A Works Council for an enterprise shall consist only of persons actually working in that enterprise.

2. No official of the former German Labor Front (Deutsche Arbeitsfront) or former member of the Nazi Party shall be a member of a Works Council.

## Article 3

1. Members of Works Councils shall be elected by democratic methods. Voting shall be by secret ballot.

2. No person may hold office as a member of a Works Council for more than one year without re-election.

## Article 4

1. Workers and employees of an enterprise may form a Preparatory Committee for the purpose of making recommendations with regard to the composition of the Works Council and the conduct of the election of members thereof. These recommendations shall be subject to the approval by the majority of the workers and the employees of the enterprise.

2. Recognized Trade Unions may participate in the formation of Preparatory Committees and in the organization of elections to Works Councils, and may propose candidates for Works Councils from among workers and employees of the enterprise concerned.

## Article 5

1. Works Councils may have as their basic functions any of the following matters relating to the protection of the interests of the workers and employees of an enterprise except insofar as these matters are governed by or are subject to any restriction by regulations having the force of law:

(a) Negotiations with employers on the application of collective agreements and of internal regulations to individual enterprises.

(b) Negotiations of agreements with the employers regarding factory regulations for the protection of labor, including such matters as safety precautions, medical facilities, factory hygiene, working conditions, rules for engagements, dismissals, and settlement of grievances.

(c) Submission of proposals to the employer for the improvement of methods of work and organization of production for the purpose of avoiding unemployment.

(d) Investigation of grievances and discussion thereof with the employer; assistance to the workers, employees and Trade Unions in the preparation of cases for submission to factory inspectors, social insurance and labor protection authorities, labor courts and other agencies for settling labor disputes.

(e) Cooperation with the authorities in the prevention of all war production and in the denazification of public and private enterprises.

(f) Participation in the creation and management of social works designed for the welfare of the workers of an enterprise, including nurseries, medical assistance, sports, etc.

2. Each Works Council shall determine its specific functions and procedure within the limits set forth in this law.

## Article 6

1. A Works Council or its representatives shall be entitled to meet within the enterprise, and to have access to the employer or his nominated representative for the purpose of discussing matters falling within the competence of the Works Council.

2. The employer shall submit periodically to the Works Council all information necessary to enable the latter to carry out its basic functions.

3. The matters on which the employer shall submit reports to the Works Council and the hours and dates of meetings shall be the subject of an agreement between the Works Council and the employer. This agreement may provide, as a method of information, for the attendance of representatives of the Works Council at meetings of the supervisory body of the enterprise.

## Article 7

Works Councils shall carry out their functions in cooperation with the recognized Trade Unions.

## Article 8

In addition to their regular meetings, Works Councils shall give a full report of their activities at least once every quarter to a general meeting of the workers and employees concerned.

ALLIED CONTROL COUNCIL, BERLIN, 1946

49

SUBJECT: DEMOCRATIZATION, Manpower

DATE: 10 April 1946

Article 9

No employer shall hinder the establishment of a Works Council in his enterprise, or interfere with its activities, or discriminate against the members of the Works Council.

Article 10

Military Government authorities may dissolve any Works Council if its activities are directed against the aims of the occupation or are in conflict with the provisions of this law.

Article 11

The provisions of this law shall also apply to Works Councils which were in existence prior to the date of its coming into force.

Article 12

All German laws conflicting with this law are repealed or amended in conformity with the provisions of this law.

Article 13

This law shall come into force on the date of its publication.

Done at Berlin the 10th day of April 1946

/s/ Joseph T. McNarney  
/t/ JOSEPH T. McNARNEY  
General

/s/ Montgomery  
/t/ MONTGOMERY OF ALAMEIN  
Field Marshal

/s/ P. Koenig  
/t/ P. KOENIG  
General de Corps d'Armee

/s/ V. Sokolovsky  
/t/ V. SOKOLOVSEY  
Army General

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DENAZI-  
FYCA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED  
SUBJECT:

DEMOCRATIZATION, Land Reform (Part I, I, 3., CFM/47/W/148)

ORIGIN: Dfg. &amp; Spec. Comm.

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>The Control Council</p> <p>(1) shall ensure the carrying out and completion of land reforms in all zones of occupation in Germany in 1947.</p> <p>(Page 2: CFM/47/W/148)</p> <p>-----</p>				
ACTION TAKEN BY CFM: Referred to Control Council as Directive for Action				

FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED

AGREED SUBJECT:

DEMOCRATIZATION, Free Exchange of Information (Part I, I, 3., CFM/47/M/148)

ORIGIN: DFG. & Spec. Comm.

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>The Control Council</p> <p>(2) shall establish in all of Germany a free exchange of information and democratic ideas by all media, this exchange to be limited only by the requirements of military security, the needs of the occupation, the necessity of ensuring that Germany carries out her obligations to the Allies and the necessity of preventing the resurgence of National Socialism and militarism. This exchange should not be subject to any pressure of any sort, administrative or economic, on the part of the Central Government or of the Laender Governments.</p> <p>(Pages 2 &amp; 3: CFM/47/M/148)</p> <hr/> <p><u>Note:</u></p> <p>The Control Council implemented this CFM Directive in the form of Control Council Directive #65 entitled "INTERZONAL EXCHANGE OF PRINTED MATTER AND FILMS".</p> <p>(see page 44)</p>				

ACTION TAKEN BY CFM: Referred to Control Council as Directive for Action

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

REALTIES

MISCELLANEOUS

INDEX

52

# FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED

UNAGREED

SUBJECT: DEMOCRATIZATION, Supervision of Elections (Part I, II, 2. (a), CFM/47/W/146 & CFM/47/W/132)

ORIGIN: Dfg. & Spec. Comm.

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p>The Control Council</p> <p>1. shall ensure quadripartite supervision and inspection of elections throughout Germany as a whole.</p>	<p><u>US, UK and FRENCH PROPOSAL</u></p> <p>(Page 3; CFM/47/W/132)</p>		<p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegation proposes-</p> <p>The Control Council</p> <p>1. shall ensure throughout Germany the quadripartite supervision and inspection of elections to the all-German parliament. The forms of supervision and inspection shall be determined in due time by the Control Council.</p> <p>(Pages 3 &amp; 4; CFM/47/W/132)</p>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information and Study</p>				

FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED

UNAGREED

SUBJECT: DEMOCRATIZATION, Basic Human Rights (Part I, II, 2. (b), CFM/47/M/148 & CFM/47/M/132)

ORIGIN: DFC. & Spec. Comm.

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US PROPOSAL</u></p> <p>The US Delegation proposes:-</p> <p>4 (a) shall ensure that any future constitution for Germany as a whole and, through the Zone Commanders, that every state (Land) constitution in Germany contains specific and effective guarantees (1) of the rights of the individual regardless of race, sex, language or creed, including freedom of religion, freedom from arbitrary search, seizure and arrest, freedom of speech, assembly and association, freedom of movement and communication, the equality of all before the law and the courts, equal rights for education and of access to all employments, and also effective guarantees for freedom of the press and radio, and for independence of the judiciary.</p> <p>(b) shall ensure that these provisions as well as the other provisions of any future constitution shall not be construed to affect powers reserved to the Control Council to maintain military security or to assure the carrying out by Germany of her obligations to the Allies or to prevent a revival of Nazism or militarism.</p> <p>(Pages 5 &amp; 6; CFM/47/M/132)</p>	<p><u>UK and FRENCH PROPOSAL</u></p> <p>The French and UK Delegations propose:-</p> <p>4 (a) shall ensure that any future constitution for Germany as a whole and, through the Zone Commanders, that every state (Land) constitution in Germany contains specific and effective guarantees:</p> <p>(1) of the rights of the individual regardless of race, sex, language or creed, including freedom of religion, freedom from arbitrary search, seizure and arrest, freedom of speech, assembly and association, freedom of movement and communication, equality of all before the law and the courts, equal rights for education and of access to all employments, and also effective guarantees for freedom of the press and radio, and for independence of the judiciary.</p> <p>(2) that the exercise of these fundamental democratic rights of the individual set out above shall not be employed for the reestablishment of Nazism and militarism in any form.</p> <p>(b) shall ensure that the exercise of these fundamental democratic rights of the individual shall not prejudice military security or the discharge by Germany of her international obligations and shall study the possibility of including a clause on the latter point in the German constitution.</p> <p>(Pages 4 &amp; 5; CFM/47/M/132)</p> <p>Soviet Proposal (Cont'd)</p> <p>lity security. This provision shall not be included either in the German constitution or in the constitutions of the Laender.</p> <p>(Page 6; CFM/47/M/132)</p>		<p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegation proposes:-</p> <p>4(a) shall ensure that any future constitution for Germany as a whole and, through the Zone Commanders, that every state (Land) constitution in Germany contains specific and effective guarantees of the rights of the individual regardless of race, sex, language or creed, including freedom of religion, freedom from arbitrary search, seizure and arrest, freedom of speech, assembly and association, freedom of movement and communication, the equality of all before the law and the courts, equal rights for education and of access to all employments and also effective guarantees for freedom of the press and radio and for independence of the judiciary.</p> <p>(b) the fundamental democratic rights of the individual mentioned in para.4(a) shall not be used to the detriment of the implementation by Germany of her obligations to the Allied Powers nor for any attempt to revive Nazism or militarism in any form.</p> <p>These provisions should be included in the all-German constitution and in the constitutions of the Laender.</p> <p>(c) the Control Council shall ensure that these fundamental democratic rights of the individual mentioned in para.4(a) shall not be used to the detriment of the requirements of mi-</p>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information and Study</p>				
<p>NOTE: No agreement was reached by the Control Council as of 1 Febr 48</p>				

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

REALITIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

RESTRICTED

DEMOCRATIZATION, Political Parties &amp; Trade Unions (Part I, II, 2.(c), CFM/47/M/146 &amp; CFM/47/M/93)

ORIGIN: DFG. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	FR	SOVIET
	<u>US POSITION</u>	<u>UK POSITION</u>	<u>FRENCH POSITION</u>	<u>SOVIET POSITION</u>
The Council of Foreign Ministers confirms the principle of free development and activities of democratic political parties and free trade unions in Germany.....  (Page 4; II, 1., CFM/47/M/93)	.....even on an all-German basis.  (Page 4; II, 1., CFM/47/M/93)	.....even on an all-German basis. (Same as US position)  (Page 4; II, 1., CFM/47/M/93)	..... within the frame of the Leander.  (Page 4; II, 1., CFM/47/M/93)	.....even on an all-German basis. (Same as US position)  (Page 4; II, 1., CFM/47/M/93)
	<u>US and UK POSITION</u>			<u>SOVIET PROPOSAL</u>
	Political parties shall be competitive in character, constituted by voluntary associations of citizens in which the leaders are responsible to the members, and with no party enjoying a privileged status. Trade unions shall be subject to the same principle of responsible leadership, and any federation of trade unions shall not impair the financial and organizational autonomy of member unions.  (Page 4; II, 1., CFM/47/M/93)			The questions pertaining to the relations between a trade union federation and its members are internal affairs of the trade unions.  (Pages 4 & 5; II, 1., CFM/47/M/93)
ACTION TAKEN BY CFM: Referred to Control Council for Information and Study				

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

55

UNAGREED  
SUBJECT:

DEMOCRATIZATION, Electoral Procedure (Part I, II, 2. (d), CFM/47/M/148 &amp; CFM/47/M/93)

ORIGIN: DTG. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>To ensure that elections throughout Germany as a whole are carried out on the democratic principles of universal equal and direct suffrage and the secret ballot....</p> <p>(Page 5; II, 2., CFM/47/M/93)</p> <p>-----</p>				<p><u>SOVIET PROPOSAL</u></p> <p>.... and on the system of proportional representation.</p> <p>(Page 5; II, 2., CFM/47/M/93)</p> <p>-----</p>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information and Study</p>				

DENAZI-  
FICA-  
TIONECON-  
OMICS

FINANCE

GOVERN-  
MENTPOPUL-  
ATIONREPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

RESTRICTED

DEMOCRATIZATION, Freedom of Movement (Part I, II, 2. (e), CFM/47/W/148 &amp; CFM/47/W/93)

ORIGIN: Dfg. &amp; Spec. Com.

FOUR POWER POSITION

US

UK

FR

SOVIET

The Committee (Special Committee of CFM) has not discussed proposals for freedom of movement throughout Germany inasmuch as this matter is closely connected with the whole problem of economic unity on which decisions are awaited from the Council of Foreign Ministers.

(Page 5: II.3., CFM/47/W/93)

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ACTION TAKEN BY CFM: Referred to Control Council for Information and Study.

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

RESTRICTED

DEMOCRATIZATION, Education (Part I, II, 2. (f), CFM/47/M/148 &amp; CFM/47/M/93)

ORIGIN: DFG. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>The Delegations could not agree to the desirability of a new Directive on this matter, (Education) nor upon its form.</p> <p>(Page 5: II.4., CFM/47/M/93)</p>				

ACTION TAKEN BY CFM: Referred to Control Council for Information and Study

DENAZI-  
FICA-  
TIONECON-  
OMICS

FINANCE

GOVERN-  
MENTPOPUL-  
ATIONREPAR-  
ATIONS

REATIES

MISCEL-  
LANEOUS

INDEX

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

56 CFM  
 AGREED  
 SUBJECT:

Lead Before

ORG. CODE DEMCO/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):  DATE:	PAPER(S): OCBG/M/47/27  DATE: 2 June 1947  <u>1st Action</u>  THE MEETING:  (269) (d) agreed to refer Instruction (1) to the Economic Directorate with instructions to render Progress Reports to the Coordinating Committee on July 1st, October 1st, and December 31st, 1947.  (Page 2; OCBG/M/47/27)	PAPER(S):  DATE:	PAPER(S):  DATE:	PAPER(S):  DATE:

STATUS AS OF: 1 Febr 48: Reports have been rendered periodically

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM UNAGREED SUBJECT:	Supervision of Elections			ORG. CODE	DEMOC/3
CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP	
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): CCBC/M/47/27</p> <p>DATE: 2 June 1947</p> <p style="text-align: center;"><u>1st Action</u></p> <p>THE MEETING:</p> <p>(269) (2) agreed to refer the Disagreed Questions (Appendix A, Part I, paragraph II) to the various Directorates and Zone Commanders, as enumerated below, on the understanding that Directorates would discuss any of these Disagreed Questions at the request of any single member.</p> <p>Item 2 (a) (Supervision of Elections) to the Internal Affairs and Communications Directorate.</p> <p style="text-align: center;">(Page 4; CCBC/M/47/27)</p>	<p>PAPER(S): DIAC/M/47/24 (Revise)</p> <p>DATE: 20 June 1947</p> <p style="text-align: center;"><u>2nd Action</u></p> <p>THE MEETING:</p> <p>(263) (1) took note that the Soviet and U.S. Delegations had expressed the desire to reopen the discussion of the Disagreed Points on Democra-tisation, which appear in Part I, paragraph 2, point 2, sub-paragraphs (a), (d), (e) and (f) of Appendix A to COMC/P(47)121 (CFM(47)M/148 and CFM(47)M Forty Second Meeting). This discussion shall be entrusted to the Committees mentioned below, who should submit their reports by 20 July:</p> <p>points (a) and (d) to the Civil Administration Com-mittee.</p> <p style="text-align: center;">(Page 7; DIAC/M/47/24/ Revise)</p> <p style="text-align: center;">DIAC/M/47/29 12 August 1947</p> <p style="text-align: center;"><u>5th Action</u></p> <p>The Soviet Delegation intro-duced the document agreed in Civil Administration Committee under a new title, adding the words "For the German Central Parliament". The French Dele-gation (See Page 2, DEMOC 3/A)</p>	<p>PAPER(S): DIAC/CAC/M/47/13</p> <p>DATE: 30 June 1947</p> <p style="text-align: center;"><u>3rd Action</u></p> <p>THE MEETING:</p> <p>(66) agreed to begin consider-ation of quadripartite super-vision of elections throughout Germany (at the next meeting).</p> <p style="text-align: center;">(Page 6; DIAC/CAC/M/47/13)</p> <p style="text-align: center;">-----</p> <p>DIAC/CAC/M/47/14 Revise 15 July 1947</p> <p style="text-align: center;"><u>4th Action</u></p> <p>THE MEETING:</p> <p>(71) (1) agreed that, in accor-dance with the views expressed at the session of the Council of Foreign Ministers concern-ing the necessity for estab-lishing a commission for the supervision and inspection of elections in the whole of Ger-many, and in connection with pertinent instructions contain-ed in CFM/47/M/93 (DIAC/Memo/47/186 Revise), it is neces-sary to create such a commis-sion.</p> <p>(2) instructed the Deputies to draft regulations for the Commission, taking as a basis (see Page 2, DEMOC 3/A)</p>	<p>PAPER(S):</p> <p>DATE:</p>	
STATUS AS OF:					

DENAZI-FICA-TION

ECON-OMICS

FINANCE

GOVERN-MENT

POPUL-ATION

REPAR-ATIONS

REATIES

MISCEL-LANEOUS

INDEX

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM UNAGREED SUBJECT: Supervision of Elections		ORG. CODE DISMOG/3	
CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE SUBCOMMITTEE / WP
PAPER(S):  DATE:	PAPER(S):  DATE:	<p>PAPER(S): DATE: (5th Action, Con't)</p> <p>gation could not discuss the document on this basis, and the British Delegation felt the Soviet alteration reflected the disagreement on this subject at the Council of Foreign Ministers.</p> <p>THE MEETING: (329) agreed to defer consideration until the next meeting of the Directorate.  (page 8; DIAC/M/47/29)</p> <p>----- DIAC/M/47/30 22 August 1947 DIAC/P/47/182/1 31 July 1947</p> <p><u>6th Action</u></p> <p>All members supported their positions as recorded in Minute 329 of DIAC/M/47/29 and on the suggestion of the Soviet Member:</p> <p>THE MEETING: (342) agreed to withdraw DIAC/P/47/182/1 from the Agenda.  (Page 2; DIAC/M/47/30)</p> <p>-----</p>	<p>PAPER(S): DATE: (4th Action, Con't)</p> <p>the available documents on this question, the experience of the work of the informal inspection party of the Civil Administration Committee on elections, the elections in Berlin, and the opinions expressed at the Committee meeting.</p> <p>(3) (a) instructed the Secretariat to inform the Directorate of Internal Affairs and Communications of the decision in (71) (1) above; (b) reached unanimous agreement on the necessity for working out instructions regarding the supervision and inspection of elections on the whole of Germany on all levels; (c) agreed to submit a report on this question to the Directorate within a month.</p> <p>(Page 3; DIAC/OAC/M/47/14 Rev)</p> <p>(see Page 1, 5th Action)</p> <p>-----</p>
STATUS AS OF: 1 Febr 48: No agreement was reached by the Allied Control Authority			

ALLIED CONTROL COUNCIL, BERLIN, 1947

UNAGREED  
SUBJECT:

Political Parties & Trade Unions

ORIGIN: DEMOC/5

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>DPOL/M/47/22 14 Aug 1947 OORC/P/46/111 - 4th Revise/1 8 Sep 1947</p> <p>At its 86th Meeting on the 14 August 1947 the Political Directorate agreed to inform the Coordinating Committee that it had withdrawn this item from its Agenda, having been unable to reach agreement owing to divergent opinion on two basic problems; amalgamation of political parties on a national basis and the political activities of German public servants.</p> <p>The points of view of the various Delegations in the Political Directorate on this subject are as follows:-</p> <p>(Page 1; OORC/P/46/111 - 4th Revise/1)</p> <hr/> <p>ACTION TAKEN: None</p>	<p><u>US POSITION</u></p> <p>The U.S. Member took the position that any agreement on the amalgamation of political parties on a national basis must go hand in hand with agreement on principles for the democratization of political parties throughout Germany.</p> <p>(Page 2; OORC/P/46/111 - 4th Revise/1)</p> <hr/>	<p><u>UK POSITION</u></p> <p>The British Member stated that the British delegation sees no necessity for any directive on this subject at the present moment, nor does it consider that it would be possible to agree upon a satisfactory directive in view of the fact that it has not proved possible to reach agreement upon such basic issues as the interzonal amalgamation of political parties and the degree of political activity to be allowed to the police and public servants. Moreover, the British delegation would be unable to agree to so great a step toward the political unification of Germany unless it were also accompanied by the essential corollary of economic unity, and the total removal of zonal barriers and restrictions of movement.</p> <p>(Page 2; OORC/P/46/111 - 4th Revise/1)</p> <hr/>	<p><u>FRENCH POSITION</u></p> <p>The French Member stated that he could not agree to a fusion of political parties on a national basis, no change of position having been taken by his Government. Except for the articles pertaining to such fusion, the French delegation is not opposed to precise directives regulating uniformly in all Zones the organization and activity of democratic parties. With this reservation, the French delegation was therefore ready to examine the Soviet and U.S. drafts.</p> <p>(Page 2; OORC/P/46/111 - 4th Revise/1)</p> <hr/>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Member stated that in its approach to the question of the activities of political parties the Soviet delegation has always taken as a point of departure the necessity of unconditional compliance with the decisions of the Potsdam Conference, of which Item 11, paragraph 9, section "A", reads as follows: "All democratic political parties shall be authorized and fostered throughout Germany and shall be granted the rights of assembly and public discussion." For this reason, the Soviet delegation was unable to associate itself with the point of view of the French delegation on desiring to limit the activity of parties to the framework of the separate zones. Nor could it agree with the proposal of the U.S. and British delegations to restrict the political activities of public servants and the police. It considers that the approval of such measures would be a blow to one of the major Allied aims in Germany, namely, the reconstruction of German political life on a democratic basis.</p> <p>(Pages 1/2; OORC/P/46/111 - 4th Revise/1)</p> <hr/>

DENAZIFICATION  
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FINANCE  
GOVERNMENT  
POPULATION  
REPARATIONS  
TERRITORIES  
MISCELLANEOUS  
INDEX

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

62  
CFM  
UNAGREED  
SUBJECT:

Electoral Procedure

ORG. CODE DEMOC/6

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP
PAPER(S):	PAPER(S): CCRG/M/47/27	PAPER(S): DIAC/M/47/24 (Revise)	PAPER(S): DIAC/CAC/M/47/13	PAPER(S):
DATE:	DATE: 2 June 1947	DATE: 20 June 1947	DATE: 30 June 1947	DATE:
	<u>1st Action</u>	<u>2nd Action</u>	<u>3rd Action</u>	
	THE MEETING	THE MEETING	THE MEETING	
	<p>(269) (f) agreed to refer the Disagreed Questions (Appendix A, Part I, paragraph II) to the various Directorates and Zone Commanders, as enumerated below, on the understanding that Directorates would discuss any of these Disagreed Questions at the request of any single member.</p> <p>Item 2 (d) (Electoral Procedure) to the Internal Affairs and Communications Directorate.</p> <p style="text-align: center;">(Page 4: CCRG/L/47/27)</p> <hr/> <p>CCRG/M/47/42    24 Sept 1947 CCRG/P/47/26/1    19 Sept 1947</p> <p style="text-align: center;"><u>2nd Action</u></p> <p>The Chairman proposed to avoid further unprofitable discussion by taking note of the paper which was still disagreed in the Directorate. The American and French Delegates agreed to the proposal. The Soviet Delegate expressed regret that the other delegations were not prepared to</p> <p style="text-align: center;">(See Page 2 of DEMOC/6A)</p>	<p>(263) (1) took note that the Soviet and U.S. Delegations had expressed the desire to reopen the discussion of the Disagreed Points on Democratization, which appear in Part I, paragraph 2, point 2, sub-paragraphs (a), (d), (e) and (f) of Appendix A to CCRG/P(47)121 (CFM(47)M/148 and CFM(47)M Forty Second Meeting). This discussion shall be entrusted to the Committees mentioned below, who should submit their reports by 20 July:</p> <p>points (a) and (d) to the Civil Administration Committee.</p> <p style="text-align: center;">(Page 7: DIAC/M/47/24/ Revise)</p> <hr/> <p>DIAC/M/47/27    22 July 1947</p> <p style="text-align: center;"><u>3rd Action</u></p> <p>THE MEETING: (297) (1) agreed to meet the request of the Civil Administration Committee; (2) instructed the Duty Secretary to request the Allied</p> <p style="text-align: center;">(See Page 2 of DEMOC/6A)</p>	<p>(66) agreed to begin consideration of the question... of the establishment of democratic elections; at the same time to request the Coordinating Committee, through the Directorate of Internal Affairs and Communications, to return to the Committee the document, CCRG/P/47/28.</p> <p style="text-align: center;">(Page 6: DIAC/CAC/M/47/13)</p> <hr/> <p>DIAC/CAC/M/47/14 Revise 15 July 1947 DIAC/CAC/P/47/11 15 July 1947</p> <p style="text-align: center;"><u>4th Action</u></p> <p>The U.S. Delegate proposed that two laws on electoral procedure be drawn up; one on the procedure to be adopted for elections to the central legislative body of Germany and one on that for Land and local government elections.</p> <p style="text-align: center;">THE MEETING</p> <p>(72) (1) agreed to postpone discussion of DIAC/CAC/P/47/11</p> <p style="text-align: center;">(See Page 2 of DEMOC/6A)</p>	
STATUS AS OF:				

CFM  
UNAGREED  
SUBJECT: Electoral Procedure

ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

63

ORG. CODE DBMCC/6

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP
PAPER(S): DATE:	PAPER(S): DATE: (9th Action; Con't)  support the draft law submitted by the Soviet Delegation. On the Chairman's proposal.  THE MEETING:  (474) agreed to note CORC/P/47/28/1.  (Page 4; CORC/M/47/42)  (see Page 3; 10th Action) -----	PAPER(S): DATE: (5th Action; Con't)  Secretariat to return CORC/P/47/28, Appendix A, to the Civil Administration Committee.  (Page 3; DIAC/M/47/27) ----- DIAC/M/47/29 12 August 1947 DIAC/P/47/194 31 July 1947  <u>7th Action</u>  THE MEETING:  (336) postponed consideration of DIAC/P/47/194 until its next meeting.  (Page 12; DIAC/M/47/29) ----- DIAC/M/47/30 22 August 1947  <u>8th Action</u>  The Chairman felt that the Directorate should except the impossibility of reaching agreement on this matter, which, in his opinion, could only be attained as a result of a change in policy at the highest levels.  THE MEETING:  (343) agreed to instruct the Duty Secretary to forward a  (see Page 3 of DBMCC/6A)	PAPER(S): DATE: (4th Action; Con't)  until the next meeting; (2) to briefly inform the Directorate of Internal Affairs and Communications of the proposed action on the question of the law on electoral procedure.  (Page 5; DIAC/CAC/M/47/14 Rev)  (See page 1; 5th Action) ----- DIAC/CAC/M/47/15/1 25 Jul 1947 DIAC/CAC/P/47/11 15 Jul 1947  <u>5th Action</u>  No agreement was reached on any point of the Soviet draft on this subject and.  THE MEETING:  (77) agreed to refer the draft law concerning elections to legislative bodies and self-governing bodies in Germany to the Directorate of Internal Affairs and Communications and to report at the same time the points of view expressed by the various delegations in the Civil Administration Committee and to ask for instructions (DIAC/CAC/Memo/47/16 Revise)  (Page 5; DIAC/CAC/M/47/15/1) -----	PAPER(S): DATE:

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MISCEL-  
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INDEX

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM  
UNAGREED  
SUBJECT:

Electoral Procedure

ORG. CODE DRAC/6

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S): DATE:	PAPER(S): DATE:	PAPER(S): DATE: (8th Action; Con't)  Memorandum to the Allied Sec- retariat setting forth the views of the various delega- tions in regard to the draft law on electoral procedure, requesting them to inform the Coordinating Committee accord- ingly.  (Page 2; DIAC/M/47/30)  (see Page 1; 9th Action) ----- DIAC/M/47/33 26 Sept 1947  <u>10th Action</u>  (376) (3) the Coordinating Committee had noted the dis- cussion of the Directorate on this question.  (Page 2 ; DIAC/M/47/33) -----	PAPER(S): DATE:	PAPER(S): DATE:
STATUS AS OF: 1 Fabr 48: No further action				

CFM  
UNAGREED  
SUBJECT:

ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

66

Freedom of Movement

ORG. CODE DEMOC/7

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):	PAPER(S): CCRC/M/47/27	PAPER(S): DIAC/M/47/24(Revise)	PAPER(S): DIAC/Memo/47/186 DIAC/APSC/M/47/14	PAPER(S):
DATE:	DATE: 2 June 1947	DATE: 30 June 1947	DATE: 24 June 1947 3 July 1947	DATE:
	<u>1st Action</u>	<u>2nd Action</u>	<u>3rd Action</u>	
	<p>THE MEETING</p> <p>(269) (f) agreed to refer the Disagreed Questions (Appendix A, Part I, paragraph II) to the various Directorates and Zone Commanders, as enumerated below, on the understanding that Directorates would discuss any of these Disagreed Questions at the request of any single member.</p> <p>Item 2 (e) (Freedom of Movement) to the Internal Affairs and Communications Directorate.</p> <p>(Page 4; CCRC/M/47/27)</p>	<p>THE MEETING</p> <p>(263) (1) took note that the Soviet and U.S. Delegations had expressed the desire to reopen the discussion of the Disagreed Points on Democratization, which appear in Part I, paragraph 2, point 2, sub-paragraphs (a), (d), (e) and (f) of Appendix A to CCRC/P(47)121 (CFM(47)M/148 and CFM(47)M Forty Second Meeting). This discussion shall be entrusted to the Committees mentioned below, who should submit their reports by 20 July:</p> <p>point (e) to the Public Safety Committee.</p> <p>(Page 7; DIAC/M/47/24/Revise)</p>	<p>THE MEETING</p> <p>(80) took note of the document (DIAC/Memo/47/186), and reserved the right of each Delegation to raise this matter in the future.</p> <p>(Page 4; DIAC/APSC/M/47/14)</p> <p>-----</p> <p>DIAC/APSC/Memo/47/32 19 July 1947</p> <p>DIAC/M/47/27 24 July 1947</p> <p style="text-align: center;"><u>4th Action</u></p> <p>307. (2) The Public Safety Committee had informed the Directorate, by DIAC/APSC/Memo/47/32, that the question of Democratization - "Freedom of Movement", was noted by the Committee and that each member had reserved the right to raise this question in the future.</p> <p>(Page 10; DIAC/M/47/27)</p> <p>-----</p>	

STATUS AS OF: No further action as of 1 Febr 48

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REATHES

MISCEL-  
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INDEX

66

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SUBJECT:

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

ORG. CODE DEMOC/8

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): CGRC/M/47/27</p> <p>DATE: 2 June 1947</p> <p><u>1st Action</u></p> <p>THE MEETING</p> <p>(269) (f) agreed to refer the Disagreed Questions (Appendix A, Part I, paragraph II) to the various Directorates and Zone Commanders, as enumerated below, on the understanding that Directorates would discuss any of these Disagreed Questions at the request of any single member.</p> <p>Item 2 (f) (Education) to the Internal Affairs and Communications Directorate.</p> <p>(Page 4: CGRC/M/47/27)</p> <hr/>	<p>PAPER(S): DIAC/M/47/24(Revise)</p> <p>DATE: 30 June 1947</p> <p><u>2nd Action</u></p> <p>THE MEETING</p> <p>(263) (1) took note that the Soviet and U.S. Delegations had expressed the desire to reopen the discussion of the Disagreed Points on Democratization, which appear in Part I, paragraph 2, point 2, sub-paragraphs (a), (d), (e) and (f) of Appendix A to CGRC/P(47)121 (CFM(47)M/148 and CFM(47)M Forty Second Meeting). This discussion shall be entrusted to the Committees mentioned below, who should submit their reports by 20 July:</p> <p>point (f) to the Allied Education Committee.</p> <p>(Page 7: DIAC/M/47/24/Revise)</p> <hr/>	<p>PAPER(S): DIAC/Memo/47/186 (Rev.) DIAC/ABC/M/47/11</p> <p>DATE: 30 June 1947 30 July 1947</p> <p><u>3rd Action</u></p> <p>72.</p> <p>... The French Member drew the attention of the Committee to DIAC/Memo(47)186 - revise, from which it appeared that the Committee was not supposed to submit any reply but only take note of the Directorate's memorandum.</p> <p>THE COMMITTEE agreed:</p> <p>(72) to take note of DIAC/MEMO(47)186, revise.</p> <p>(Page 11; DIAC/ABC/M/47/11)</p> <hr/>	<p>PAPER(S):</p> <p>DATE:</p>

STATUS AS OF 1 Febr 48: No further action

ALLIED CONTROL COUNCIL, BERLIN, 1947

67

AGREED  
SUBJECT:

Interzonal Exchange of Printed Matter and Films

ORIGIN: DEMOC/2

FOUR POWER AGREEMENT	US	UK	FR	SOVIET	
<p>5th Action CCRC/M/47/29 19 June 1947</p> <p>THE MEETING</p> <p>(110)(a) approved the draft Directive, together with the draft Instruction for the Information Committee:</p> <p>(b) instructed the Allied Secretariat to prepare the Directive for signature at its next Meeting and to inform the Political Directorate of Conclusion (a) above.</p> <p>(Page 5; CCRC/M/47/29)</p>		<p>DPL/Memo/47/41 30 May 1947</p> <p><u>FOUR POWER AGREEMENT</u></p> <p><u>Draft Directive to Zone Commanders</u></p> <p>1. In accordance with the decision of the Council of Foreign Ministers at Moscow to facilitate further development of the democratic German press, and in order to establish in all of Germany a free exchange of information and democratic ideas, the Allied Control Authority authorizes the free exchange of newspapers, magazines, periodicals, films and books published in the different zones of occupation and in Berlin.</p> <p>2. This exchange shall not be limited by Zone Commanders except by the requirements of military security, the needs of the occupation, the necessity of ensuring that Germany carries out her obligations to the Allies and the necessity of preventing a resurgence of national socialism and militarism. Each Zone Commander will retain the right to take such measures as he may deem necessary against any publications or any persons who violate these provisions, subsequently informing the Allied Control Authority of his actions; he shall in addition have the right, if he so chooses, to raise the question of the application of such measures before the appropriate body of the Allied Control Authority - the Information Committee of the Political Directorate.</p> <p>3. This exchange of information and democratic ideas shall not be subject to any pressure of any sort, administrative or economic, on the part of the Central Government or Land Government.</p> <p><u>Instruction to the Information Committee</u></p> <p>In order to ensure the full implementation of Directive No. .... the Information Committee shall, if requested by one of its members, promptly institute quadripartite investigation of any alleged interference with the free exchange of information and democratic ideas in Germany. A report of the investigation shall be forwarded to the Political Directorate in case of disagreement over the alleged violation and corrective action to be taken.</p>			

ACTION TAKEN: See above

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

