

R E S T R I C T E D

**SUMMARY OF MULTIPARTITE  
AGREEMENTS & DISAGREEMENTS  
ON GERMANY**

PREPARED BY CFM SECRETARIAT, CIVIL ADMINISTRATION DIVISION  
OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U S)

R E S T R I C T E D

D 7

14/AM/1

INTERNATIONALER  
SUCHDIENST  
3548 AROLSUN (Walded)

Ad. bes. 20

## FOREWORD

The documents dealing with quadripartite administration of Germany have become both numerous and complex. They have been agreed upon over an extended period of time and have emanated from governmental, Foreign Minister, and Control Council levels.

As a consequence many of the documents are today difficult to obtain. Furthermore, there is no single reference work in which all of the materials have been organized according to subject matter.

Persons working with documents on Germany, therefore, find them in diverse, confused, and often an incomplete state. This volume has been published in order to assist in remedying this difficulty. While intended primarily for OMGUS Divisions, it may also be useful to Washington agencies concerned with the German problem. It is possible that it will also prove of some assistance to journalists and scholars who may also be working in this field.

This volume has been prepared by Mr. Alexander R. Forest, Chief of the CFM Secretariat for OMGUS, who is responsible for the selection, editing and presentation of the materials. A valuable contribution was made by Miss Martha E. Gelker of the CFM Secretariat, who assumed responsibility for the vast mechanical operation involved in the production of this Summary.

The final drafts have been reviewed by the appropriate functional Divisions of OMGUS, and have also been carefully reviewed by Mr. James Riddleberger, Director of the Office of Political Affairs, to the end that the completed document may serve the purposes of not only those Divisions but also the State Department.

*Edward H. Litchfield*

EDWARD H. LITCHFIELD  
Director

Civil Administration Division

Berlin, Germany  
15 February 1948

## EXPLANATORY REMARKS

### 1. CATEGORIES OF DOCUMENTS USED

The materials used in this Summary which document by subject matter the most significant aspects of the occupation of Germany, can be divided into four categories according to their origin.

a. Agreements which emerged from international conferences held by the heads of government of the states concerned.

b. The Declaration of Surrender and the Statements regarding Germany by the governments of the four occupying powers, signed by the Commanders-in-Chief prior to the inauguration of the Control Council.

c. Statements which emanated from Foreign Ministers Conferences and Council of Foreign Ministers (CFM) sessions.

d. Basic Control Council Legislation and Control Council action still pending on matters referred to it by the Council of Foreign Ministers (CFM), Moscow, session.

Categories "b", "c", and "d" are composed of quadripartite documents. Those in category "a" are tripartite with the exception of the Atlantic Charter which was drawn up by President Roosevelt and Prime Minister Churchill. At Yalta, however, the Soviet Union accepted the provisions of this Charter as the guiding principles to be followed in shaping the political future of Europe, thus making it, to all intents and purposes, a tripartite document.

### 2. INTERNATIONAL AGREEMENTS

Documents falling under this heading as used in this Summary, are those in categories "a" and "b". They start with the Atlantic Charter which sets out the

general humanitarian principles which today, almost three years after the termination of hostilities, should apply to all countries. The Yalta Declaration outlines the general ideas for the treatment of Germany. The Declaration of Surrender embodies the assumption of supreme authority by the Commanders-in-Chief and sets forth the detailed provisions of the demilitarization of Germany concomitant with the surrender of the Wehrmacht.

The Statements by the Commanders-in-Chief (dated 5 June 1945) represent the documentary basis for the occupation of Germany; delineate the physical division of Germany into four zones and the City of Berlin into four sectors, and define the control machinery for Germany which has remained essentially unchanged. Although proclaimed by the Commanders-in-Chief, these statements represent agreements by the governments of the four occupying powers.

Finally, the Potsdam Agreement represents a more concrete formulation of policy to govern the quadripartite occupation of Germany. It should be noted that this Agreement is not binding on France who was not a signatory at Potsdam. A few pertinent statements contained in the declarations emanating from the Moscow Tripartite Foreign Ministers Conference and the Teheran meeting are also included.

### 3. CONTROL COUNCIL LEGISLATION

Control Council legislation is mainly based on the Declaration of Surrender and the Potsdam Agreement.

This legislation, consisting of a considerable number of Control Council laws, directives, orders, instructions and enacted papers covers certain major fields of government. Rather than reproduce all these documents - a process which could easily obscure

## EXPLANATORY REMARKS

fundamental issues and extend this Summary into several volumes - only the basic legislation, chosen with the assistance of the OMGUS Divisions concerned, has been presented. Control Council legislation is a continuous operation. However, the essential laws that govern Germany today on a quadripartite basis were formulated and promulgated mostly during the first two years of occupation. They may be found in this Summary.

#### 4. COUNCIL OF FOREIGN MINISTERS (CFM) PAPERS.

The absence of comprehensive Control Council legislation in the spheres of governmental structure, political parties and trade unions, electoral procedure, reparations and economic questions, reflects the difficulties encountered in reaching quadripartite agreement on these vital subjects. The same difficulties account for the numerous disagreements appearing in the Council of Foreign Ministers (CFM) papers on the same subjects.

These documents also show the principal differences between the four powers:

a. in their interpretation of the Potsdam Agreement, and

b. in their views regarding the future political developments in Germany transcending the scope of the provisions of the Potsdam Agreement which, of necessity, was designed for a period of transition only.

The documents emanating from the CFM, Moscow, 1947, session which are included in this Summary represent quadripartite reports of the Deputies for Germany to the Council and were approved by it.

The CFM papers pertaining to the London, 1947, session, in absence of quadripartite reports, had to be compiled solely on the basis of the Minutes prepared by the U.S. Delegation during the Conference. Consequently, they lack the stamp of official quadripartite approval. It should also be noted that the "Drafting Committee" mentioned in the London papers was never appointed by the Council.

With regard to Germany, the London meeting covered only questions relating to the preparation of the German peace treaty and certain subjects in the field of economics and reparations. Therefore, no London quadripartite agreements or disagreements on the political organization of Germany and on the other problems covered by the Moscow Conference will be found. Attention is drawn to the fact that in all CFM (Moscow and London) papers reproduced here, "The position of each delegation with respect to each proposal is dependent upon reaching agreement as a whole on the related problems of the level of industry, reparations and the treatment of Germany as an economic unit" (page 8, Part II, CFM/47/M/148).

#### 5. CONTROL COUNCIL ACTION ON CFM SUBJECTS

Certain agreed and unagreed subjects emanating from the Council of Foreign Ministers (CFM), Moscow, 1947, Conference were referred for action, consideration and study, or information, to the Control Council in Berlin.

Of the agreed CFM subjects, a few resulted in quadripartite legislation, while others were disagreed at the Control Council level. On certain unagreed subjects, negotiations, until now inconclusive, are still being pursued.

Such negotiations, involving the peregrination of subjects from one level of the Control Council machinery to the other without leading to any reconciliation of

EXPLANATORY REMARKS

views, result in the accumulation of a considerable amount of documents. It would serve no useful purpose to reproduce these documents for each subject in this category.

For this reason, Control Council action on only a few selected unagreed items was included in this volume in order to present typical examples, rather than to burden the Summary with the inclusion of the entire record of negotiations lacking any significance. However, when such record of Control Council action is not presented as a separate document, a footnote on the corresponding Council of Foreign Ministers, Moscow, paper indicates the present status.

It should be noted that a considerable number of unagreed subjects was never taken up by the Control Council.

6. NOMENCLATURE

Although the official original documents refer to the "Crimea Conference" or the "Crimea Conference Communiqué", and to the "Report on the Tripartite Conference of Berlin" or the "Berlin Protocol" - at international conferences the former is usually mentioned, orally and in writing, as the Yalta Conference or just Yalta, while the latter has been firmly established in common usage as the "Potsdam Agreement". In order to avoid confusion arising from the fact that, for example, a section entitled "Berlin Protocol Statements" should contain references to the "Potsdam Agreement" only, the now established nomenclature (Yalta Conference and Potsdam Agreement) has been used throughout.

7. GENERAL REMARKS

Since this Summary presents all the materials grouped around specific subject matters, only pertinent articles contained in international agreements are included in each section. In order to enable the study of the complete texts, the most important documents are included in their entirety in the Miscellaneous Section of the volume. This Section also contains, next to certain CFM papers, a chronology of the international conferences mentioned in this Summary and the agenda of the two CFM meetings devoted to the German problem. Within each Section, the documents are grouped in categories, according to their origin. The categories, in turn, are arranged in a chronological manner. A Subject Index with cross references has been added at the end of the volume in order to enable easy orientation.

*Alexander R. Forest*  
ALEXANDER R. FOREST  
Chief

Council of Foreign Ministers Secretariat  
Civil Administration Division

Berlin, Germany  
16 February 1948

TABLE  
OF  
CONTENTS

BOUND-  
ARIES

DEMIL-  
ITARI-  
ZATION

DEMOC-  
RATI-  
ZATION

DECRYPT-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

PAR-  
TITIONS

STATES

TELE-  
COMMUNIC-  
ATIONS

EX

2



T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
Foreword.....	1		
Explanatory Remarks.....	11		
<u>PART I</u>		<u>BOUNDARIES (cont'd)</u>	
<u>BOUNDARIES</u>			
<u>ATLANTIC CHARTER</u>			
<u>First Principle</u>			
Renouncing Territorial or other Aggrandizement.....	1	The Four Zones of Occupation of Germany .....	1
<u>Second Principle</u>		The Occupation of Greater Berlin.....	1
Stating that Territorial Changes should Conform with Freely Expressed Wishes of Peoples Concerned.....	1	<u>POTSDAM AGREEMENT</u>	
<u>YALTA CONFERENCE</u>		City of Koenigsberg & Adjacent Area.....	2
German Polish Frontier.....	1	Western Frontiers of Poland.....	2
Occupation & Control.....	1	<u>CONTROL COUNCIL LEGISLATION</u>	
<u>DECLARATION REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF FRANCE</u>		Control Council Law #46	
Determination of Boundaries.....	1	Abolition of the State of Prussia.....	3
		<u>CFM, MOSCOW, 1947</u>	
		Liquidation of Prussia.....	4
		Present and Future Territorial Division.....	5

BOUNDARIES

DEMILITARIZATION

DEMOCRATIZATION

DEMOCRATIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

PARLIONS

STATES

SCIENTIFIC

EX

TABLE OF CONTENTS

	<u>Page No.</u>		<u>Page No.</u>
<u>BOUNDARIES (cont'd)</u>		<u>DEMILITARIZATION (cont'd)</u>	
<u>ALLIED CONTROL AUTHORITY, BERLIN, 1947</u>		<u>POTSDAM AGREEMENT</u>	
Present and Future Territorial Division (under discussion).....	6	Demilitarization.....	9
<u>PART II</u>		Disposal of German Navy and Merchant Marine	9
<u>DEMILITARIZATION</u>		<u>CONTROL COUNCIL LEGISLATION, BERLIN</u>	
<u>ATLANTIC CHARTER</u>		<u>Control Council Law #8</u>	
<u>Eighth Principle</u>		Elimination and Prohibition of Military Training.....	10
Abandonment of the Use of Force and Disarmament of Aggressive Nations.....	7	<u>Control Council Law #14</u>	
<u>YALTA CONFERENCE</u>		Dissolution of the Wehrmacht.....	11
Destruction of German Militarism and Nazism and Disarmament and Disbandment of the German Armed Forces.....	7	<u>Control Council Law #13</u>	
<u>DECLARATION REGARDING THE DEFEAT OF GERMANY, ETC.</u>		Prohibition of the Manufacture, Import, Export, Transport and Storage of War Materials.....	12
Demilitarization.....	7	<u>Control Council Directive #18</u>	
<u>JOINT FOUR-NATION DECLARATION PROCLAIMED IN MOSCOW, OCTOBER 1943</u>		Disbandment and Dissolution of the German Armed Forces.....	15
Joint Action on the Disarmament of the Enemy..	7		
Joint Consultation on Demilitarization.....	7		

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>DEMILITARIZATION (cont'd)</u>		<u>DEMILITARIZATION (cont'd)</u>	
<u>CONTROL COUNCIL LEGISLATION, BERLIN (cont'd)</u>		<u>ALLIED CONTROL AUTHORITY, BERLIN, 1947</u>	
Control Council Directive #22 (as amended by Directive #48)		Instruction to Coordinating Committees Concerning Control Council Directives #20, 22, and 28.....	24
Clearance of Mine Fields and Destruction of Fortifications, Underground Installations and Military Installations in Germany.....	17	Liquidation of Category I War Plants.....	25
Control Council Directive #28		Commissions for Checking the Demilitarization of Germany.....	29
Reports on Disposal of German War Material in Germany.....	19	Liquidation of Factories in Categories II, III, and IV.....	31
See also Control Council Directives #24 and #38 under DENAZIFICATION (pp. 70 and 79 respectively).		Disbandment of German Military Formations...	32
<u>CFM, MOSCOW, 1947</u>		Disbandment of Non-German Units and Services	33
Agreed Measures.....	20	<u>PART III</u>	
Liquidation of Factories in Categories II, III & IV	21	<u>DEMOCRATIZATION</u>	
Disbandment of German Military Formations.....	22	<u>ATLANTIC CHARTER</u>	
Disbandment of Non-German Units & Services.....	23	<u>Sixth Principle</u>	
		Freedom from Fear and Want.....	
		34	
		<u>Seventh Principle</u>	
		Freedom of Movement.....	
		34	

BOUNDARIES

DEMILITARIZATION

DEMOCRATIZATION

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REFUGEE PROBLEMS

STATISTICS

UNRESOLVED PROBLEMS

APPENDICES

TABLE OF CONTENTS

	<u>Page No.</u>		<u>Page No.</u>
<u>DEMOCRATIZATION (cont'd)</u>		<u>DEMOCRATIZATION (cont'd)</u>	
<u>TEHRAN CONFERENCE</u>		<u>CONTROL COUNCIL LEGISLATION, BERLIN</u>	
Statement to the Effect that "We will Seek Active Participation of all Nations to Eliminate Tyranny, Slavery, Oppression and Intolerance" .....	34	<u>LEGAL</u>	
<u>YALTA CONFERENCE</u>		<u>Control Council Law #1</u>	
Reaffirmation of Principles of Atlantic Charter.....	34	Repealing of Nazi Laws.....	36
Statement on Intention not to Destroy German People, but to Secure Them a Place in the Comity of Nations after Extirpation of Nazism and Militarism.....	34	<u>Control Council Law #4</u>	
<u>POTSDAM AGREEMENT</u>		Reorganization of German Judicial System...	38
Part 3, Statement on Intention to Offer German People the Opportunity for Reconstruction of their Life on a Democratic and Peaceful Basis.....	34	<u>Control Council Proclamation #3</u>	
Future German Judicial System.....	34	Fundamental Principles of Judicial Reform..	39
Measures for Decentralization of Political Structure and the Development of Local Responsibility.....	34	<u>EDUCATION</u>	
Statement on Control of German Education to Assure Elimination of Nazi and Militaristic Doctrines.....	35	<u>Control Council Directive #54</u>	
Freedom of Speech, Press and Religion.....	35	Basic Principles for Democratization of Education in Germany.....	40
		<u>POLITICAL</u>	
		<u>Control Council Directive #31</u>	
		Principles Concerning the Establishment of Federation of Trade Unions.....	41

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>DEMOCRATIZATION (cont'd)</u>		<u>DEMOCRATIZATION (cont'd)</u>	
<u>POLITICAL (cont'd)</u>		<u>CFM, MOSCOW, 1947</u>	
<u>Control Council Directive #40</u>		Land Reform.....	50
Policy to be Followed by German Politicians and German Press.....	42	Free Exchange of Information.....	51
<u>Control Council Order #4, as amended</u>		Supprvion of Elections.....	52
Confiscation of Literature and Material of A Nazi and Militarist Nature.....	43	Basic Human Rights.....	53
<u>Control Council Directive #55</u>		Political Parties & Trade Unions.....	54
Interpersonal Exchange of Printed Matter & Films..	44	Electoral Procedure.....	55
<u>MANPOWER</u>		Freedom of Movement.....	56
<u>Control Council Directive #14, as amended</u>		Education.....	57
Allied Wage Policy.....	45	<u>ALLIED CONTROL AUTHORITY, BERLIN, 1947</u>	
<u>Control Council Order #3</u>		Basic Human Rights.....	53
Registration of the Population of Employable Age, Registration of Unemployed and Their Placement at Work.....	46	Land Reform.....	58
<u>Control Council Law #22</u>		Supervision of Elections.....	59
Works Councils.....	48	Political Parties and Trade Unions.....	61
		Electoral Procedure.....	62
		Freedom of Movement.....	65
		Education.....	66

BOUND-  
ARIES

DEML-  
TARI-  
ZATION

DEMO-  
RATI-  
ZATION

DEMOCRAT-  
IFICATION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPULA-  
TION

PARTI-  
SIONS

STATES

SELF-  
GOVERN-  
MENT

EX

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>DEMOCRATIZATION (cont'd)</u>		<u>DENAZIFICATION (cont'd)</u>	
<u>ALLIED CONTROL AUTHORITY, BERLIN, 1947 (cont'd)</u>		<u>POTSDAM AGREEMENT (cont'd)</u>	
Interzonal Exchange of Printed Matter & Films.....	67	Punishment of War Criminals and Nazi Leaders...	68
<u>PART IV</u>		Removal of Nazis and Militarists from Public and Semi-Public Office and Positions of Responsibility in Important Private Enterprise.	68
<u>DENAZIFICATION</u>			
<u>ATLANTIC CHARTER</u>		<u>CONTROL COUNCIL LEGISLATION, BERLIN</u>	
<u>Sixth Principle</u>		<u>Control Council Directive #24</u>	
Fledging Destruction of Nazi Tyranny.....	68	Removal from Office and from Positions of Responsibility of Nazis and of Persons Hostile to Allied Purposes.....	70
<u>YALTA CONFERENCE</u>		<u>Control Council Directive #18</u>	
The Intent to Eliminate Nazism in all its Manifestations in Germany.....	68	The Arrest and Punishment of War Criminals, Nazi and Militarists and the Internment, Control and Surveillance of Potentially Dangerous Germans.....	79
<u>DECLARATION REGARDING THE DEFEAT OF GERMANY, ETC.</u>		<u>CFM, MOSCOW, 1947</u>	
Denazification.....	68	Agreed Measures on Denazification.....	92
<u>POTSDAM AGREEMENT</u>		<u>ALLIED CONTROL AUTHORITY, BERLIN, 1947</u>	
Elimination of Nazi Doctrines from German Education.	68	General Discussions on CFM Agreed Measures (see note).....	92
Destruction of National Socialist Party and All its Affiliated and Supervised Associations.....	68	Acceleration of Denazification (see note).....	92
Abolition of Nazi Laws.....	68		

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>DENAZIFICATION (cont'd)</u>		<u>ECONOMICS (cont'd)</u>	
<u>ALLIED CONTROL AUTHORITY, BERLIN, 1947</u>		<u>POTSDAM AGREEMENT</u>	
Completion of Removal of Former Nazis and Militarists (see note).....	92	Elimination of German War Potential.....	93
Employment of Non-Nazis in Judicial Capacities and as Public Prosecutors.....	92	Decentralization of German Economy.....	93
Bringing to Trial of War Criminals, etc. (see note)	92	Concentration on Agriculture and Peaceful Domestic Industries.....	93
Devolving Responsibility upon German Authorities for Carrying Out Provisions of Control Council Directives #24 and 38 (see note).....	92	Treatment of Germany as a Single Economic Unit and Measures Therefor.....	93
<u>PART V</u>		Control of German Economy by Allies for Achieving Allied Aims (Definition of Five Different Aims).....	93
<u>ECONOMICS</u>		Establishment of German Machinery for Administration of Controls.....	94
<u>ATLANTIC CHARTER</u>		Immediate Economic Measures.....	94
<u>Fourth Principle</u>		Disposition of German Owned External Assets.....	94
Access on Equal Terms to Trade and Raw Materials for all States.....	93	<u>CONTROL COUNCIL LEGISLATION, BERLIN</u>	
<u>Fifth Principle</u>		<u>Control Council Law #9</u>	
Improvement of Labor Standards, Economic Adjustment and Social Security.....	93	Providing for Seizure of Property Owned by I.G. Farbenindustrie and Control Thereof.....	95

BOUND-  
ARIES

DEMIL-  
ITARIZ-  
ATION

DEMOC-  
RATI-  
ZATION

DEMILIT-  
ARIZA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

PAR-  
LIAMENTS

STATES

RELIGIOUS

EX

T A B L E O F C O N T E N T S

Page No.

ECONOMICS (cont'd)

CONTROL COUNCIL LEGISLATION, BERLIN (cont'd)

Control Council Law #25 (as amended)

Control of Scientific Research..... 96

Control Council Law #43

Prohibition of the Manufacture, Import, Export, Transport and Storage of War Materials..... 98

Control Council Law #50

Punishment for the Theft and Unlawful Use of Rationed Foodstuffs, Goods and Rationing Documents..... 99

Control Council Directive #22 (as amended by Directive #48)

Clearance of Mine Fields, Destruction of Fortifications, Underground Installations and Military Installations in Germany (See DEMILITARIZATION)..... 17

Control Council Directive #37

Limitation of Characteristics of Ships Other than Fishing and Pleasure Craft left to the Peace Economy of Germany..... 100

Page No.

ECONOMICS (cont'd)

CONTROL COUNCIL LEGISLATION, BERLIN (cont'd)

Control Council Directive #39

Liquidation of German War and Industrial Potential..... 102

Control Council Directive #44

Limitation of Characteristics of Fishing Craft Left to the Peace Economy of Germany... 105

Control Council Directive #45

Limitation of the Technical Characteristics of German Pleasure Craft..... 105

Control Council Directive #47

Liquidation of German War Research Establishments..... 106

Control Council Enacted Papers

Principles for Interim Import-Export Planning (CONL/F/45/32)..... 107

Statement on Price Policy, COBC/F/46/56 as supplemented by DECC/W/46/28, Para 324.... 108

Quadripartite Coordination of Action on Transport (Communications) CONL/F/45/24..... 110

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>ECONOMICS (cont'd)</u>		<u>ECONOMICS (cont'd)</u>	
<u>CFM, MOSCOW, 1947</u>		<u>CFM, LONDON, 1947</u>	
General Reservations.....	111	General Statement.....	125
Common Sharing of Resources.....	112	Application of Para. 14 of Potsdam Agreement.....	127
Export-Import Plan.....	113	Free Movement of Goods within Germany.....	128
Sharing of Import Deficits.....	114	Common Export-Import Program.....	130
Subjection of Resources in German to German Law..	115	Repayment by Germany of Sums Advanced by Controlling Powers.....	132
Occupation Forces and Their Requirements.....	116	Payment by Germany of Occupation Costs.....	134
Freedom of Movement.....	117	Acquisition of Interest in German Enterprises.....	135
Control of the Ruhr.....	118	Subjection of Resources in Germany to German Law.....	136
Annulment of Bizonal Agreement.....	119	Decartelization.....	137
Economic Decentralization and Decartelization....	120	Equitable Distribution of Resources.....	138
Allied Control over Internal Allocations in Germany.....	121	Rehabilitation of German Industry.....	139
Rehabilitation of German Industry.....	122		
Economic Unity 1 .....	123		
Economic Unity 2 .....	124		

BOUNDARIES

DEMILITARIZATION

DEMOCRATIZATION

DEMOCRATIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

PROVISIONS

STATES

UNDEVELOPED

EX

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>PART VI</u>		<u>FINANCE (cont'd)</u>	
<u>FINANCE</u>		<u>CONTROL COUNCIL LEGISLATION, BERLIN 1946 (cont'd)</u>	
<u>POTSDAM AGREEMENT</u>		<u>Control Council Directive #50</u>	
Currency and Banking, Central Taxation and Customs.....	140	Disposition of Property having Belonged to Organizations Listed in Control Council Forfeiture No. 2 and Control Council Law #2 CORC/P/46/281 Final.....	143
<u>CONTROL COUNCIL LEGISLATION, BERLIN 1946</u>		<u>CONTROL COUNCIL LEGISLATION, BERLIN 1948</u>	
<u>Control Council Law #2</u>		<u>Control Council Directive #57</u>	
Termination and Liquidation of the Nazi Organisation CONL/P/45/44.....	141	Disposition of Property Confiscated under Control Council Law No. 10, or Legislation Issued Pursuant to Control Council Directive No. 38 CORC/P/47/226 Final.....	145
<u>Control Council Law #9</u>		<u>CFM, MOSCOW, 1947</u>	
Providing for the Seizure of Property Owned by the I.G. Farbenindustrie & Control Thereof (See ECONOMICS).....	95	Financial Reform.....	147
<u>Control Council Law #10</u>		Financial Unity 1.....	148
Punishment of Persons Guilty of War Crimes, Crimes against Peace and against Humanity CONL/P/45/53 Final.....	142	Financial Unity 2.....	149
<u>Control Council Directive #38</u>		<u>CFM, LONDON, 1947</u>	
Arrest and Punishment of War Criminals, Nazis and Militarists and the Internment, Control and Surveillance of Potentially Dangerous Germans CORC/P/46/301 Final (See DENAZIFICATION).....	75	Financial Reform.....	150

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>PART VII</u>		<u>GOVERNMENT (cont'd)</u>	
<u>GOVERNMENT</u>		<u>POTSDAM AGREEMENT (cont'd)</u>	
<u>ATLANTIC CHARTER</u>		Decentralization of Political Structure, Development of Local Responsibility and Measures Therefor.....	
<u>Third Principle</u>		152	
Right of Peoples to Choose Form of Government.....	151	<u>CFM, MOSCOW, 1947</u>	
<u>YALTA CONFERENCE</u>		<u>Form and Scope of the Provisional Political Organization of Germany</u>	
Coordination, Administration and Control of Government by Central Control Commission..	151	General Reservations.....	153
<u>STATEMENT BY THE GOVERNMENTS OF THE UK, THE US AND THE USSR AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON CONTROL MACHINERY IN GERMANY</u>	151	Central Administrative Agencies (CAA), Establishment and Supervision.....	154
<u>DECLARATION REGARDING DEFEAT OF GERMANY AND ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF UK, US AND USSR AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC</u>	151	CAA, German Executive Committee.....	155
<u>POTSDAM AGREEMENT</u>		CAA, Exclusion of Saar.....	156
Supreme Authority in Government, Uniformity of Treatment of Germans.....	152	CAA, Guidance of Agencies by ACC.....	157
Political Principles.....	152	CAA, Relationship between Zone Commanders and CAA.....	158
		CAA, Functions of.....	159
		Establishment of German Advisory Council (GAC).....	160
		Composition of German Advisory Council..	161

BOUND-  
ARIES

DEMI-  
TARIZ-  
TATION

DEMOC-  
RATI-  
ZATION

DEMI-  
TARIZ-  
TATION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

PAR-  
TIONS

STATES

UNDE-  
TERMINED

TABLE OF CONTENTS

	<u>Page No.</u>		<u>Page No.</u>
<u>GOVERNMENT (cont'd)</u>		<u>POPULATION (cont'd)</u>	
<u>CFM, MOSCOW, 1947 (cont'd)</u>		<u>POTSDAM AGREEMENT</u>	
<u>Form and Scope of the Provisional Political Organization of Germany</u>		Orderly Transfers of German Population.....	174
Functions of German Advisory Council....	162	<u>CONTROL COUNCIL LEGISLATION, BERLIN 1945</u>	
Establishment of Provisional Government.	163	<u>Control Council Enacted Paper</u>	
Functions of Provisional Government.....	164	Recommendations of the Directorate (PWADP) Regarding the Establishment of a Central Tracing Service for United Nations Missing in Occupied Germany CORC/P/45/54.....	175
Basic Principles of Division of Powers between Central Government and Laender Governments.....	165	<u>CONTROL COUNCIL LEGISLATION, BERLIN 1946</u>	
Political Unity 1 .....	167	<u>Control Council Enacted Paper</u>	
Political Unity 2 .....	168	Clarification of the Policy to be followed in Regard to the Return of Refugees to their Former Place of Residence in Germany CORC/P/46/325.....	177
Legal Unity.....	169	<u>Control Council Enacted Paper</u>	
Reservations.....	171	Approved Parts of ACA Report to CFM on Population Transfers CONL/P/47/8 (see Agreed Measures CFM, Moscow, 1947 papers).	178
Powers of Laender Governments.....	172	<u>CFM, MOSCOW, 1947</u>	
<u>PART VIII</u>		Agreed Measures (1).....	184
<u>POPULATION</u>		Agreed Measures (2).....	185
<u>DECLARATION REGARDING THE DEFEAT OF GERMANY, ETC.</u>			
Release of PW's.....	174		

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>POPULATION (cont'd)</u>		<u>POPULATION (cont'd)</u>	
<u>CFM, MOSCOW, 1947 (cont'd)</u>		<u>ALLIED CONTROL AUTHORITY, BERLIN 1947 (cont'd)</u>	
Resettlement of DPs outside Germany.....	186	<u>Population Transfers</u>	
Administration of DP Camps.....	187	Resettlement of DPs outside Germany (see note).....	186
Special Quadripartite Investigations Committee (DP).....	188	Administration of DP Camps (see note)....	187
Suspension of Transfers of Population.....	189	Special Quadripartite Investigating Committee (see note).....	188
Organization of German Emigration.....	190	Suspension of Transfers of Population (see note).....	189
Reference of DP Problem to IRO.....	191	Organization of German Emigration (see note).....	190
Costs of DP Maintenance.....	192	Reference of DP Problem to IRO (see note).....	191
Redistribution of Refugees and Expellees.....	193	Costs of DP Maintenance (see note).....	192
Enlistment of DPs in Units and Services.....	194	Redistribution of Refugees and Expellees (see note).....	193
Return of German PWs to Germany.....	195	Enlistment of DPs in Units and Services (see note).....	194
Transfer of Persons of German Origin (from Austria).....	196	Repatriation of German PWs.....	199
<u>ALLIED CONTROL AUTHORITY, BERLIN 1947</u>		Transfer of Persons of German Origin (from Austria).....	204
<u>Population Transfers</u>			
General.....	197		

BOUNDARIES

DEMILITARIZATION

DEMOCRATIZATION  
DEMOCRATIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

SEPARATIONS

STATISTICS

UNDESIRABLE

EX

TABLE OF CONTENTS

	<u>Page No.</u>		<u>Page No.</u>
<u>PART IX</u>		<u>REPARATIONS (cont'd)</u>	
<u>REPARATIONS</u>		<u>CFM, MOSCOW, 1947 (cont'd)</u>	
(and Level of Post War German Economy)		Rehabilitation of German Industry.....	215
<u>YALTA CONFERENCE</u>		Allocation of Separate Pieces of Equipment...	216
Reparations in Kind from Germany.....	207	Time Limit for Completion of Program.....	217
Establishment of a Commission for the Compensation of Damage.....	207	Deliveries from Current Production.....	218
<u>POTSDAM AGREEMENT</u>		Utilization of Services.....	219
Reparations not to Interfere with the Economic Development of Germany.....	207	Soviet Reparations Claim (includes President Truman's Statement on Reparations).....	220
Agreement on Reparations.....	207	Reactivation of IARC.....	223
Germany to be Treated as Single Economic Unit and Policies Thereof.....	208	Information on Reparations Removals.....	224
<u>CONTROL COUNCIL LEGISLATION, BERLIN 1946</u>		Increase of Production.....	225
Reparations Plan of 27 March 1946.....	209	Compensation of UN Nationals.....	226
<u>CFM, MOSCOW, 1947</u>		<u>CFM, LONDON, 1947</u>	
Reparations, Lists of Plants, etc.....	212	Reparations from Current Production.....	227
Revision of Plan.....	213	Revision of Level of Industry Plan.....	228
Date of Plan Revision.....	214	New List of Reparations Removals.....	229
		acceleration of Plant Removals.....	230

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>REPARATIONS (cont'd)</u>		<u>TREATIES (cont'd)</u>	
<u>CFM, LONDON, 1947 (cont'd)</u>		<u>CFM, LONDON, 1947 (cont'd)</u>	
Information on Removals.....	232	<u>Procedure for the Preparation of the German Peace Treaty, etc. (cont'd)</u>	
<u>PART X</u>		Signature of Treaty.....	240
<u>TREATIES</u>		Entering into Force of Treaty.....	241
<u>CFM, LONDON, 1947</u>		Presentation of Views by Allied States.....	242
<u>Procedure for the Preparation of the German Peace Treaty (based on CFM/47/M/125 (CFM Moscow) as revised by CFM D/L/47/G-78 Revised (Deputies for Germany, CFM London) and Amended by the Control Council during the CFM London Session)</u>		Establishment of Permanent Committees.....	243
Composition of Council.....	233	Composition of Permanent Committees.....	244
Allied States Participating.....	234	Direction of Committees.....	245
Participation of Other Allied Belligerent and Ex-Enemy States.....	235	Appointment of Subcommittees.....	246
Conditions for Convening Peace Conference.....	236	Composition of Subcommittees.....	247
Composition of Conference.....	237	Information and Consultation Conference.....	248
German Participation.....	238	Appointment of Border Commissions.....	250
Drawing up of Final Text.....	239	<u>PART XI</u>	
		<u>MISCELLANEOUS</u>	
		Atlantic Charter.....	251
		Yalta Conference Communique.....	253

BOUNDARIES

DEMILITARIZATION

DEMOCRATIZATION

DENERGIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

T A B L E O F C O N T E N T S

	<u>Page No.</u>		<u>Page No.</u>
<u>MISCELLANEOUS (cont'd)</u>		<u>MISCELLANEOUS (cont'd)</u>	
Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority with Respect to Germany by the Governments of the UK, USA, USSR and the Provisional Government of the French Republic.....	256	Agenda of the Fifth Session of CFM, London, 1947..	273
Statement by the Governments of UK, USA, and the USSR and the Provisional Government of the French Republic on Control Machinery in Germany.....	259	Chronology of International Conferences.....	274
Statements by the Governments of UK, USA and the USSR and the Provisional Government of the French Republic on the Zones of Occupation of Germany.....	259	Index.....	275
Potsdam Agreement.....	260	<u>ABBREVIATIONS</u>	
Limitation of Occupation Forces in Germany		ACA - Allied Control Authority	
CFM, Moscow, 1947.....	268	ACC - Allied Control Council	
Allied Control Authority, Berlin, 1947.....	269	ACC-actn - Allied Control Council Action	
Economic Integration of the Saar		CAA - Central Administrative Agencies	
CFM, London, 1947.....	270	CFM/M - Council of Foreign Ministers, Moscow, 1947 Session	
Agenda of the Fourth Session of CFM, Moscow, 1947.....	271	CFM/L - Council of Foreign Ministers, London, 1947 Session	
		CCL - Control Council, Berlin, Law	
		CCD - Control Council, Berlin, Directive	
		CCO - Control Council, Berlin, Order	
		CCI - Control Council, Berlin, Instruction	
		CCEP - Control Council, Berlin, Enacted Paper	
		DEMIL - Demilitarization	
		DEMOC - Democratization	
		DENAZ - Denazification	
		DP - Displaced Person	
		ECON - Economics	
		FIN - Finance	
		GAC - German Advisory Council	
		GOVT - Government	
		ILRC - Inter-Allied Reparations Commission	
		IRO - International Refugee Organisation	
		POP - Population	
		REP - Reparations	

BOUND-  
ARIES

DEMIL-  
ITARIZ-  
ATION

DEMOC-  
RATI-  
ZATION

DEFINITION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

SEPAR-  
ATIONS

TREATIES

SCEN-  
ARIOS

EX



# INTERNATIONAL AGREEMENTS

**SUBJECT:** BOUNDARIES

ATLANTIC CHARTER

August 14, 1941

Renouncing Territorial or other Aggrandizement (First Principle)

Their countries seek no aggrandizement, territorial or other;

Stating that Territorial Changes Should Conform with Freely Expressed Wishes of Peoples Concerned (Second Principle)

They desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned.

YALTA CONFERENCE

11 February 1945

German-Polish Frontier

The three heads of Government consider that the eastern frontier of Poland should follow the Curson Line, with digressions from it in some regions of five to eight kilometers in favor of Poland. They recognize that Poland must receive substantial accessions of territory in the north and west. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the western frontier of Poland should thereafter await the peace conference.

Occupation and Control

Under the agreed plans the forces of the three Powers will each occupy a separate zone of Germany. Coordinated administration and control has been pro-

YALTA CONFERENCE (cont'd.)

vided for under the plan through a Central Control Commission consisting of the Supreme Commanders of the three Powers with headquarters in Berlin.

It has been agreed that France should be invited by the three Powers, if she should so desire, to take a zone of occupation, and to participate as fourth member of the Control Commission. The limits of the French Zone will be agreed by the four Governments concerned through their representatives on the European Advisory Commission.

DECLARATION REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

5 June, 1945

The Representatives of the Supreme Commands of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, hereinafter called the "Allied Representatives", acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declaration:

Determination of Boundaries

The Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic, will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory.

STATEMENT

BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON THE ZONES OF OCCUPATION IN GERMANY

5 June 1945

The Four Zones of Occupation of Germany

Germany, within her frontiers as they were on 31 December 1937, will, for the purposes of occupation, be divided into four zones, one to be allotted to each Power as follows:

- An eastern zone to the Union of Soviet Socialist Republics;
- A north-western zone to the United Kingdom;
- A south-western zone to the United States of America;
- A western zone to France.

The occupying forces in each zone will be under a Commander-in-Chief designated by the responsible Power. Each of the four Powers may, at its discretion, include among the forces assigned to occupation duties under the command of its Commander-in-Chief, auxiliary contingents from the forces of any other Allied Power which has actively participated in military operations against Germany.

The Occupation of Greater Berlin

The area of "Greater Berlin" will be occupied by forces of each of the four Powers. An Inter-Allied Governing Authority (in Russian, Komsobdura) consisting of four Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly its administration.

DEMILITARIZATION

DEMOCRATIZATION

DEMOCRATIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

SEPARATIONS

STATES

SECURITY

OTHER

## INTERNATIONAL AGREEMENTS

SUBJECT: BOUNDARIES

POTSDAM AGREEMENT2 August 1945City of Königsberg and Adjacent Area

The Conference examined a proposal by the Soviet Government that, pending the final determination of territorial questions at the peace settlement, the section of the western frontier of the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg-Goldap, to the meeting point of the frontiers of Lithuania, the Polish Republic, and East Prussia.

The Conference has agreed in principle to the proposal of the Soviet Government concerning the ultimate transfer to the Soviet Union of the city of Königsberg and the area adjacent to it, as described above, subject to expert examination of the actual frontier.

The President of the United States and the British Prime Minister have declared that they will support the proposal of the Conference at the forthcoming peace settlement.

Western Frontiers of Poland

The following agreement was reached on the western frontier of Poland:

In conformity with the agreement of Poland reached at the Crimea Conference the three Heads of Government have sought the opinion of the Polish Provisional Government of National Unity in regard to the accession of territory in the north and west which Poland should receive. The President of the National Council of Poland and members of the Polish Provisional Government of

National Unity have been received at the Conference and have fully presented their views. The three Heads of Government reaffirm their opinion that the final delimitation of the western frontier of Poland should await the peace settlement.

The three heads of Government agreed that, pending the final determination of Poland's western frontier, the former German territories east of a line running from the Baltic Sea immediately west of Swinemünde, and thence along the Oder River to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier, including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics in accordance with the understanding reached at this conference and including the area of the former free city of Danzig, shall be under the administration of the Polish State and for such purposes should not be considered as part of the Soviet Zone of occupation in Germany.

ALLIED CONTROL COUNCIL, BERLIN, 1947

SUBJECT: BOUNDARIES

DATE: 1 March 1947

LAW NO. 46

ABOLITION OF THE STATE OF PRUSSIA

The Prussian State which from early days has been a bearer of militarism and reaction in Germany has de facto ceased to exist.

Guided by the interests of preservation of peace and security of peoples and with the desire to assure further reconstruction of the political life of Germany on a democratic basis, the Control Council enacts as follows:

ARTICLE I

The Prussian State together with its central government and all its agencies is abolished.

ARTICLE II

Territories which were a part of the Prussian State and which are at present under the supreme authority of the Control Council will receive the status of laender or will be absorbed into laender.

The provisions of this Article are subject to such revision and other provisions as may be agreed upon by the Allied Control Authority, or as may be laid down in the future Constitution of Germany.

ARTICLE III

The State and administrative functions as well as the assets and liabilities of the former Prussian State will be transferred to appropriate laender, subject to such agreements as may be necessary and made by the Allied Control Authority.

ARTICLE IV

This law becomes effective on the day of its signature.

Done at Berlin on 25 February 1947.

P. KOENIG  
General d'Armes

V. SOKOLOVSKY  
Marshal of the Soviet Union

LUCIUS D. CLAY  
for JOSEPH T. MACNAMEE  
General

B.H. ROBERTSON  
for SHELTO DOUGLAS  
Marshal of the Royal  
Air Force

The date of publication is 1 March 1947  
at 1800 hours.

CONL/P(47)10 Final  
25 February 1947

DEMIL-  
ITARIZ-  
ATION

DEMOC-  
RATI-  
ZATION

DEMILI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

SPAR-  
TIONS

EATIES

SCOL-  
LEDUS

DEX

4

FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED

RESTRICTED

SUBJECT:

LIQUIDATION OF PRUSSIA (Part IV, CFM/47/W/148)

ORIGIN: Dep. f. Germ.

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>The Council of Foreign Ministers confirmed at its last Meeting on 10 March 1947 the Control Council Law on the Liquidation of Prussia.</p> <p>The Deputies recommend that this decision be notified to the Control Council.</p> <p>(Page 15, CFM/47/W/148)</p> <hr style="border-top: 1px dashed black;"/>				

ACTION TAKEN BY CFM: *Approved*

FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

RESTRICTED

TERRITORIAL REORGANIZATION, Present & Future Territorial Division, (Part I, II, 4. (a), CFM/47/M/148 & CFM/47/M/93)

ORIGIN: DrG. & Spec. Com.

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p>The Council of Foreign Ministers directs the Control Council for Germany:</p> <p>1. To establish a precise definition of the administrative and territorial division of Germany as of 1 May, 1947, indicating the existing territorial boundaries of lands and provinces.</p> <p>2. To ensure that in the future all territorial changes in Germany are made only in accordance with an agreed decision of the Allied Control Council.</p> <p>(Page 5; CFM/47/M/93)</p>	<p><u>US RESERVATION</u> (re: paragraph 2)</p> <p>Contingent upon agreement being reached on the establishment of provisional Government.</p> <p>(Page 5; para. 2., CFM/47/M/93)</p>	<p><u>UK RESERVATION</u> (re: paragraph 1)</p> <p>The UK Delegation considers that this recommendation is closely linked with the second under this heading and cannot be accepted in isolation.</p> <p>(Page 5; para. 1, CFM/47/M/93)</p>	<p><u>FRENCH PROPOSAL</u> (re: paragraph 2)</p> <p>To study the present boundaries of the Leader and to examine the desirability of making modifications. All proposals on this question will be presented to the Council of Foreign Ministers at its next session.</p> <p>(Page 5; para. 2., CFM/47/M/93)</p>	

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

DEMIL-  
ITARIZ-  
ATION

DEMOC-  
RATIZ-  
ATION

DEMAGE-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

SPAR-  
TIONS

STATES

SOEL-  
NEEDS

SEX

6

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM  
UNAGREED  
SUBJECT:

Present &amp; Future Territorial Division

ORG. CODE TER/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):  DATE:	PAPER(S): COEC/M/47/27  DATE: 2 June 1947  <u>1st Action</u>  <b>THE MEETING:</b>  (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.  Item 4(a) (Definition of Administrative & Territorial Divisions) and (b) (Future Territorial Changes) to the Coordinating Committee.  (Page 4; COEC/M/47/27)	PAPER(S):  DATE:	PAPER(S):  DATE:	PAPER(S):  DATE:
STATUS AS OF: 1 February 1948: No action taken by the Control Council.				

DEML-  
ITARI-  
ZATION

DEMOC-  
RATI-  
ZATION

DEMOCRAT-  
IFICATION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

SEPAR-  
ATIONS

TREATIES

SCHEM-  
ATICS

INDEX



## INTERNATIONAL AGREEMENTS

7

SUBJECT: DEMILITARIZATION

ATLANTIC CHARTERAugust 14, 1941Abandonment of Use of Force and Disarmament of Aggressive Nations

Eighth Principle, they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

YALTA CONFERENCE11 February 1945Destruction of German Militarism and Nazism and Disarmament and Disbandment of the German Armed Forces

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; eliminate or control all German industry that could be used for military production; bring all war criminals to justice and swift punishment and exact reparation in kind for the destruction wrought by Germans; wipe

out the Nazi Party, Nazi laws, organizations, and institutions; remove all Nazi and militarist influences from public offices and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world.

JOINT FOUR-NATION DECLARATION MADE IN MOSCOW  
IN OCTOBER 1945

Statement to effect that: Countries at war with a common enemy will act together in all matters of surrender and disarmament of that enemy.

2. That those countries at war with a common enemy will act together in all matters relating to the surrender and disarmament of that enemy.

After termination of hostilities these countries will not employ military forces within territories of other states except after joint consultation.

6. That after the termination of hostilities they will not employ their military forces within the territories of other states except for the purposes envisaged in this declaration and after joint consultation.

DECLARATION REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

5 June, 1945

The Representatives of the Supreme Commands of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, hereinafter called the "Allied Representatives", acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declaration: -----

In virtue of the supreme authority and powers thus assumed by the four Governments, the Allied Representatives announce the following requirements arising from the complete defeat and unconditional surrender of Germany with which Germany must comply:

## ARTICLE 1

Germany and all Germany military, naval and air authorities and all forces under German control shall immediately cease hostilities in all theatres of war against the forces of the United Nations on land, at sea and in the air.

## ARTICLE 2

a) All armed forces of Germany or under German control, wherever they may be situated, including land, air, anti-aircraft and naval forces, the S.S., S.A. and Gestapo, and all other forces or auxiliary organizations equipped with weapons, shall be completely disarmed, handing over their weapons and equipment to local Allied Commanders or to officers designated by the Allied Representatives.

DEMOCRATIZATION

DEMOCRATIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

PARTITIONS

STATISTICS

SECURITIES

DEX

## INTERNATIONAL AGREEMENTS

SUBJECT: DEMILITARIZATION

b) The personnel of the formations and units of all the forces referred to in paragraph a) above shall, at the discretion of the Commander-in-Chief of the Armed Forces of the Allied State concerned, be declared to be prisoners of war, pending further decisions, and shall be subject to such conditions and directions as may be prescribed by the respective Allied representatives.

c) All forces referred to in paragraph a) above, wherever they may be, will remain in their present positions pending instruction from the Allied Representatives.

d) Evacuation by the said forces of all territories outside the frontiers of Germany as they existed on the 31st December, 1937, will proceed according to instructions to be given by the Allied Representatives.

e) Detachments of civil police to be armed with small arms only, for the maintenance of order and for guard duties, will be designated by the Allied Representatives.

## ARTICLE 3

a) All aircraft of any kind or nationality in Germany or German-occupied or controlled territories or waters, military, naval, or civil, other than aircraft in the service of the Allies, will remain on the ground, on the water or aboard ships pending further instructions.

b) All German or German-controlled aircraft in or over territories or waters not occupied or controlled by Germany will proceed to Germany or to such other place or places as may be specified by the Allied representatives.

## ARTICLE 4

a) All German or German-controlled naval ves-

sels, surface and submarine, auxiliary naval craft, and merchant and other shipping, wherever such vessels may be at the time of this Declaration, and all other merchant ships of whatever nationality in German ports, will remain in or proceed immediately to ports and bases as specified by the Allied representatives. The crews of such vessels will remain on board pending further instructions.

b) All ships and vessels of the United Nations whether or not title has been transferred as the result of prize court or other proceedings, which are at the disposal of Germany or under German control at the time of this Declaration, will proceed at the dates and to the ports or bases specified by the Allied representatives.

## ARTICLE 5

a) All or any of the following articles in the possession of the German armed forces or under German control or at German disposal will be held intact and in good condition at the disposal of the Allied representatives, for such purposes and at such times and places as they may prescribe:

I. All arms, ammunition, explosives, military equipment, stores and supplies and other implements of war of all kinds and all other war materials

II. All naval vessels of all classes, both surface and submarine, auxiliary naval craft and all merchant shipping, whether afloat, under repair or construction, built or building;

III. All aircraft of all kinds, aviation and anti-aircraft equipment and devices;

IV. All transportation and communications facilities and equipment, by land, water, or air;

V. All military installations and establishments, including airfields, seaplane bases, ports and naval bases, storage depots, permanent and temporary land and coast fortifications, fortresses and other fortified areas, together with plans and drawings of all such fortifications, installations and establishments;

VI. All factories, plants, shops, research institutions, laboratories, testing stations, technical data, patents, plans, drawings and inventions, designed or intended to produce or to facilitate the production or use of the articles, materials and facilities referred to in sub-paragraphs I, II, III, IV, and V above or otherwise to further the conduct of war.

b) At the demand of the Allied representatives the following will be furnished:

I. The labor, services and plant required for the maintenance or operation of any of the six categories mentioned in paragraph a) above; and

II. Any information or records that may be required by the Allied representatives in connection with the same.

c) At the demand of the Allied representatives all facilities will be provided for the movement of Allied troops and agencies, their equipment and supplies, on the railways, roads and other land communications or by sea, river, or air. All means of transportation will be maintained in good order and repair, and the labor, services and plant necessary therefor will be furnished....

## ARTICLE 13

a) In the exercise of the supreme authority with respect to Germany assumed by the Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics,

## INTERNATIONAL AGREEMENTS

9

## SUBJECT: DEMILITARIZATION

and the Provisional Government of the French Republic, the four Allied Governments will take such steps, including the complete disarmament and demilitarization of Germany, as they deem requisite for future peace and security.

POTSDAM AGREEMENT2 August 1945Demilitarization

III. The purpose of this agreement is to carry out the Crimea declaration on Germany. German militarism and Nazism will be extirpated and the Allies will take in agreement together, now and in the future, the other measures necessary to assure that Germany never again will threaten her neighbors or the peace of the world.

III. A. 3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

- (i) The complete disarmament and demilitarization of Germany and the elimination or control of all German industry that could be used for military production. To these ends:
  - (a) All German land, naval, and air forces, the S.S., S.A., S.D., and Gestapo, with all their organizations, staffs, and institutions, including the General Staff, the Officers' Corps, Reserve Corps, military schools, war veterans' organizations, and all other military and quasi-military organizations, together with all clubs and

associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;

- (b) All arms, ammunition, and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition, and implements of war shall be prevented.
- (ii) To convince the German people that they have suffered a total military defeat and that they cannot escape responsibility for what they have brought upon themselves, since their own ruthless warfare and the fanatical Nazi resistance have destroyed German economy and made chaos and suffering inevitable.

Disposal of German Navy and Merchant Marine

The Conference agreed in principle upon arrangements for the use and disposal of the surrendered German fleet and merchant ships. It was decided that the three Governments would appoint experts to work out together detailed plans to give effect to the agreed principles. A further joint statement will be published simultaneously by the three Governments in due course.

DEMOCRATIZATION

DEMOCRATIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

PARTITIONS

TERRITORIES

SCENARIOS

INDEX

SUBJECT: DEMILITARIZATION

DATE: 30 November 1945

LAW NO. 8ELIMINATION AND PROHIBITION OF MILITARY TRAINING

The Control Council enacts as follows:

## ARTICLE I

All activity of any organization, group of persons or individual which teaches directly or indirectly the theory, principles, technique or mechanics of war or prepares the participants for any war activity is hereby prohibited and declared illegal.

## ARTICLE II

All military educational institutions are declared illegal and will be closed immediately.

## ARTICLE III

All war veterans' organizations and all organizations or groups which tend to perpetuate the German military tradition are prohibited and shall be immediately disbanded.

## ARTICLE IV

The use by any German of military or Nazi uniforms, insignia, flags, banners or tokens or of military or civil decorations, and the employment of distinctive Nazi or military salutes or greetings are prohibited; all other symbolic means of expressing the Nazi spirit are prohibited. No awards of civil or military decorations, honors or medals may be made or received.

## ARTICLE V

Any evasion of the prohibitions of this law under the guise of sport or gymnastics is prohibited.

## ARTICLE VI

Military and civil parades and military

formations of any kind are prohibited. In exceptional cases and only in so far as expressly permitted by authority of the Military Command civil parades may be allowed.

## ARTICLE VII

Any propaganda or agitation, whether conducted in writing or orally or by any other method, which is aimed at keeping alive, reviving or promoting the military or Nazi spirit and institutions, or to glorify war, is prohibited.

## ARTICLE VIII

Any person violating any provision of this law shall be liable to criminal prosecution.

## ARTICLE IX

This Law becomes effective 1 December, 1945.

Note - Temporarily the present law does not apply, in so far as wearing of uniform and discipline are concerned, to certain individuals formerly belonging to the German Armed Forces who are awaiting disbandment or are working for, or by orders of Allied Zone Commanders, with the knowledge of the Control Council.

Done at Berlin, 30 November, 1945.

G. ZISLICH

Marshal of the Soviet Union

J. T. McHARNEY

General

B. L. MONTGOMERY

Field Marshal

P. KOENIG

General de Corps d'Armee

ALLIED CONTROL COUNCIL, BERLIN, 1946

11

SUBJECT: DEMILITARIZATION

DATE: 20 August 1946

LAW NO. 24

DISSOLUTION OF THE WEHRMACHT

The Control Council, in accordance with Proclamation No. 2, Section I paragraph 1, of 20th September 1945, enacts as follows:

ARTICLE I

The German War Ministries: Oberkommando der Wehrmacht (OKW), Oberkommando des Heeres (OKH), Reichsluftfahrtministerium (RLM), and Oberkommando der Kriegsmarine (OKM), all German land, naval and air forces, with all their organizations, staffs, and institutions, including the general staff, the officers corps, reserve corps, military schools, war veterans organizations, and all other military and quasi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, are hereby considered disbanded, completely dissolved and declared illegal.

ARTICLE II

The maintenance, formation and reconstitution of any of the agencies or organizations enumerated in Article I under any name or form whatsoever, and the taking over of all or any of the functions of such agencies or organizations in the future by other agencies in prohibited and declared illegal.

ARTICLE III

All legislation is hereby repealed concerning the organization of the armed forces and quasi-military organizations, and also all laws, orders, instructions, decrees, regulations, ordinances, military criminal and military criminal procedure codes and other legislative measures which concern military service, the registration of those liable thereto, training, administration, disciplinary rights, property, uniforms, decorations, the legal status and privileges of military and ex-military personnel and members of quasi-military organizations and their families.

ARTICLE IV

All property of whatever nature owned by the organizations enumerated in Article I of this Law is subject to confiscation by order of the Zone Commander.

ARTICLE V

Any person violating or attempting to violate any of the provisions of this Law shall be liable to criminal prosecution before a Military Government Court and such punishment, including the death penalty, as the court may direct.

ARTICLE VI

This Law becomes effective on the day of publication.

Done at Berlin the 20th day of August 1946.

JOSEPH T. McNARNEY  
General

SHULTS DOUGLAS  
Marshal of the Royal Air Force

R. NOIRRET  
General de Division  
for P. KGENIC, General d'Armee

V. SOKOLOVSKI  
Marshal of the Soviet Union

DEMOCRATIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

SEPARATIONS

TERRITORIES

UNEMPLOYMENT

OTHER

## ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: DEMILITARIZATION

DATE: 20 December 1946

## LAW NO. 43

PROHIBITION OF THE MANUFACTURE, IMPORT, EXPORT,  
TRANSPORT AND STORAGE OF WAR MATERIALS

In order to prevent the rearming of Germany, the Control Council enacts as follows:

## ARTICLE I

1. The manufacture, import, export, transport and storage of the war materials specified in Schedule A annexed hereto are prohibited. All existing stocks of such materials shall be destroyed, removed or converted to essential peacetime uses as soon as possible, according to the instructions of the appropriate Zone Commander (in Berlin, the appropriate Sector Commander).

2. Museum specimens and specimens of historic value are excluded from the provisions of Paragraph 1 of this Article.

3. The expression "war materials" specified in Schedule A includes components, accessories and spare parts of such materials, which are specially designed for military use.

## ARTICLE II

The manufacture, import, transport and storage of the war materials specified in Schedule B annexed hereto shall be permitted only with the authority and under the control of the appropriate Zone Commander. The manufacture of the materials in this Schedule shall provide only for essential peacetime requirements; existing stocks of the materials in excess of such requirements shall be destroyed or removed according to the instructions of the appropriate Zone Commander. The export of materials specified in Schedule B may be permitted by authorization of the appropriate body of the Allied Control Authority.

## ARTICLE III

The following materials shall be deemed to be within Schedule A, insofar as manufacture is concerned, and within Schedule B, insofar as import,

transport, and storage are concerned:

(a) Arms and ammunition destined for authorized internal security services, and for other authorized purposes:

(b) Cryptographic machines and devices for cipher work for use in civil and authorized internal security services.

## ARTICLE IV

1. Any person, organization, or group of persons, owning or controlling any existing stocks of the materials specified in Schedule A or Schedule B, shall file a written declaration of such materials with the appropriate Zone Commander within 90 days after the effective date of this Law.

2. Any person being aware of the existence of such stocks which have not been declared to the appropriate Zone Commander shall himself declare them.

## ARTICLE V

At the request of the interested Occupation Powers, the prohibited materials listed in Schedule A may, as an exception, be listed in Schedule B by the Allied Control Authority, or by a body acting on their behalf, in cases where it will appear that such materials are destined for peacetime requirements and not designed specially for war purposes and are not dangerous in themselves.

## ARTICLE VI

1. Any person violating, or attempting to violate any of the provisions of this Law or of any regulations hereunder shall be liable to prosecution before a Military Government Court and upon conviction shall be subject to the following punishment with or without confiscation of his property in whole or in part:

(a) Imprisonment (Gefängnis) for a term not exceeding five years;

(b) Hard Labor (Zuchthaus) for a term of not less than one year and not more than fifteen years;

(c) In serious cases, hard labor for life, or death.

2. Any organization violating, or attempting to violate any of the provisions of this Law or of any regulations hereunder shall be liable to prosecution before a Military Government Court and upon conviction shall be dissolved and its property confiscated by order of the Court.

## ARTICLE VII

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

Done at Berlin 20 December 1946

JOSEPH T. McNARNEY  
General

SHOLTO DOUGLAS  
Marshal of the Royal Air Force  
P. A. KUROCHKIN  
Colonel General

For V. SOKOLOVSKY  
Marshal of the Soviet Union  
P. KENIG  
General d'Armes

-----  
SCHEDULE A

## GROUP I

(a) All weapons including atomic means of warfare or apparatus of all calibres and natures capable of projecting lethal or destructive projectiles, liquids, gases or toxic substances, their carriages and mountings.

(b) All projectiles for the above and their means of projection or propulsion. Examples of means of propulsion are cartridges, charges, etc.

(c) All military means of destruction such as grenades, bombs, torpedoes, mines, depth mines, depth and demolition charges and selfpropelled

ALLIED CONTROL COUNCIL, BERLIN, 1946

13

SUBJECT: DEMILITARIZATION

DATE: 20 December 1946

charges.

(d) All military cutting or piercing weapons, (in French: white arms), (in Russian: cold arms), such as bayonets, swords, daggers and lances.

GROUP II

(a) All vehicles specially equipped or designed for military purposes such as tanks, armored cars, tank-carrying trailers, armored railway rolling stock, etc.;

(b) Armor of all types for military purposes;

(c) Harness specially designed for military purposes.

GROUP III

(a) (I) Range-finding apparatus of all kinds for military purposes;

(II) Aiming, guiding, and computing devices for fire control;

(III) Locating devices of all kinds (particularly all devices for radio direction finding and all devices for radio detection);

(IV) Instruments for assisting observation of fire or for the remote control of all moving objects.

(b) All signalling and inter-communication equipment and installations specially designed for war purposes; all apparatus for radio interference.

(c) Searchlights with mirror diameter of more than 45 cms.

(d) Optical instruments of all kinds specially designed or intended for war purposes.

(e) Survey and cartographic equipment and instruments of all kinds specially designed for war purposes. Military maps and equipment for using them.

(f) Military engineering tools, machinery and equipment such as special bridging material.

(g) Personal military equipment and uniforms, and military insignia and decorations.

(h) Cryptographic machines and devices used for cipher purposes.

(i) All camouflage and dazzle devices.

Any of the materials listed in GROUP III, except for electronic devices such as radar, radiogoniometric and similar equipment, that have a normal peacetime use and are not specially designed for military use, are excluded from the provisions of paragraph 1, Article I of the Law.

GROUP IV

(a) Warships of all classes. All ships and floating equipment specially designed for servicing warships. All ships with characteristics exceeding those required for normal peacetime uses; or designed or constructed for conversion into warships or for military use.

(b) Special machinery, equipment and installations which in time of peace are normally used solely in warships.

(c) Submersible craft of all kinds; submersible devices of all kinds, designed for military purposes. Special equipment pertaining to these craft and devices.

(d) All military landing devices.

(e) Material, equipment and installations for the military defense of coasts, harbors, etc.

GROUP V

(a) Aircraft of all types, heavier or lighter than air; with or without means of propulsion, including kites, captive balloons, gliders, and model aircraft, and all auxiliary equipment, including aircraft engines and component parts, accessories, and spare parts specifically designed for aircraft use.

(b) Ground equipment for servicing, testing, or aiding the operation of aircraft, such as catapults, winches and beacons; material for the rapid preparation of airfields, such as landing mats;

special equipment used in conjunction with air photography; excluding, however, from the provisions of paragraph 1, Article I, of this Law any such equipment and materials for landing fields and air beacons that have a normal peacetime use and are not specifically designed for military use as listed in Schedule B.

GROUP VI

All drawings, specifications, designs, models and reproductions directly relating to the development, manufacture, testing or inspection of the war material, or to experiments or research in connection with war material.

GROUP VII

Machinery and other manufacturing equipment and tooling used for the development, manufacture, testing or inspection of the war material defined in this Schedule, and not capable of conversion to peacetime production.

GROUP VIII

(a) The following War Chemicals:

High explosives, with the exception of those listed in Schedule B Group VIIIa.

(NOTE: By "high explosives" is meant organic explosives used as fillings for shells, bombs, etc.)

Double base propellants (i.e., Nitrocellulose propellants containing nitroglycerine, diethyleneglycol dinitrate or analogous substances).

Single base propellants for any weapons except sporting weapons.

Nitroguanidine.

Poison war gases (including liquids and solids customarily included in this term) with the exception of those listed in GROUP VIIIb of Schedule B.

Rocket Fuels:

Hydrogen peroxide of above 37% concentration

Hydrazine hydrate

Methyl nitrate

DEMOCRATIZATION

DEMOCRATIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

EPARTMENTS

EATIES

SCIENCE

DEX

DATE: 20 December 1946

## SUBJECT: DEMILITARIZATION

Highly toxic products from bacteriological or plant sources (with the exception of those bacteriological and plant products which are used for therapeutic purposes).

(b) All special means for individual and collective defense used in peace exclusively by the armed forces, such as protective masks against toxic or lethal devices used for war, detection apparatus, etc.

## GROUP IX

All apparatus, devices and material specially designed for training and instructing personnel in the use, handling, manufacture or maintenance of war material.

## SCHEDULE B

## GROUP I

(a) Demolition charges used for public works, mines, quarries, etc. and their auxiliaries including explosives used for industrial purposes.

(b) Explosive appliances for industrial and agricultural use, such as railway fog signals, life saving rockets and equipment, devices specially designed for the humane killing of livestock, etc., and their accessories and means of operation.

(c) Sporting weapons ammunition for sporting weapons.

## GROUP II

Non-cemented armor necessary for industrial purposes.

## GROUP IV

Speed-boats.

## GROUP V

(a) Equipment and materials for landing fields and air beacons which have a normal peacetime use and are not specially designed for military use.

## GROUP VIII

War Chemicals which are nevertheless required

for peace economy.

## (a) High explosives:

Trinitrotoluence  
Tetryl  
Pentaerythritol tetranitrate  
Picric acid  
Dinitrotoluence  
Nitroglycerine  
Initiating explosives  
Nitrocellulose  
Single-base propellants for sporting

weapons

## (b) Potential Poison War Gases:

Chlorine  
Phosgene  
Hydrocyanic acid  
Chlorinated ketones  
Halogenated carboxylic acids and their

esters

Cyanogen halides  
Lachrymatory halogen derivatives of hydro-

carbons

## (c) Other Chemicals:

Hydrogen peroxide having a concentration of 37% or less  
Liquid oxygen  
Activated carbons  
White Phosphorus  
Incendiary compositions, e.g. Thermites  
Smoke-producing substances, e.g.: titanium tetrachloride and silicon tetrachloride.

# ALLIED CONTROL COUNCIL, BERLIN, 1945

**SUBJECT:** DEMILITARIZATION

**DATE:** 12 November 1945

DIRECTIVE NO. 18

DISBANDMENT AND DISSOLUTION OF THE GERMAN ARMED FORCES

The Control Council directs as follows:

1. Members of the former Wehrmacht and affiliated para-military forces, including officials and prisoners of war, will be demobilized within the limitations imposed by consideration of:
  - a) The demands of Allied Nations for German labor,
  - b) The fact that War Criminals, Suspected War Criminals and Security Suspects are subject to detention until their guilt is proved,
  - c) The necessity for detaining Potentially Dangerous Officers of the former Wehrmacht and para-military organizations.
2. Disbandment of the German Prisoners of War will be methodically organized and controlled. Each individual will be formally discharged from Camps and issued with a Discharge Certificate. The form to be used as Discharge Certificate will be circulated to Zone Commanders.
3. Personnel of the former German Wehrmacht will be discharged into that zone of Germany in which their previous home was situated, in accordance with the provisions of the attached Appendix 'A'.
- Regulations and Principles relating to Inter-zone Transfer of German Prisoners of War.
4. Former German Wehrmacht personnel whose previous home was in Berlin may be discharged in Berlin by arrangement between the Zone Commander who holds them and the Kommandatura of Berlin. No other discharges into Berlin

Area will take place.

5. With respect to those held in Germany, Non-Germans, except Austrians, will be repatriated as rapidly as practicable. This repatriation will not be deferred because of employment on Allied work projects. No formal discharge should be required except in the case of Austrians whose transfer to Austria will be effected in accordance with current arrangements with National elements of the Allied Control Council for Austria.
6. The following provisions will apply to Prisoners of War held outside Germany:
  - a) Prisoners of War held outside Germany will eventually be returned to the Zone of Germany occupied by the Power under whose control they are held, in order to be later dispatched to the Zone of their former domicile.
  - b) This movement will be carried out at the convenience of the Power concerned provided that no inter-Allied agreement with respect to reparations labor is thereby contravened.
  - c) The movement of Prisoners of War held outside Germany by Allied Nations, other than the four Occupying Powers, will be subject to negotiations between the National Government concerned and the Allied Control Council. The Control Council will obtain from the respective National Government statistical data on Prisoners of War.
  - d) Upon return to Germany, Prisoners of War will be demobilized in accordance with standard demobilization procedure.

- e) Arrangements for the return to their respective countries of non-German Prisoners of War held outside Germany may be made by the Governments of the Allied Powers directly with the Government whose nationals are concerned.

7. All ex-Wehrmacht personnel who have been demobilized to Germany must, on arrival at their place of residence, register within 48 hours with their local civil authorities. Those who fail to register within the appropriate time will be punished.

8. Stragglers and deserters from the former German forces in the several zones will be directed by each Zone Commander to report at a convenient time to appropriate assembly points, in order that they may be issued with documents, and disposed of in accordance with this policy. Any such persons not reporting will be apprehended and punished.

9. Special efforts will be made to preserve from destruction and take under Allied control records, books, plans, documents, papers, files and other information and data which belonged to, or had been controlled by the former Wehrmacht and affiliated para-military organizations.

Such information and data will be utilized as desirable during demobilization and disposed of under the direction of the Control Council in such a way as to make them permanently unavailable to the German Government.

10. All particulars required by the Control Council for demobilization purposes will be specified to the Zone Commanders.

DEMOCRATIZATION

DEMILITARIZATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

SEPARATIONS

EATIES

SCHEMES

DEX

DATE: 12 November 1945

SUBJECT: DEMILITARIZATION

Done at Berlin, 12 November 1945

V. SOKOLOVSKY  
Army GeneralLUCIUS D. CLAY  
Lieutenant GeneralB.H. ROBERTSON  
Lieutenant GeneralL. KOELTZ  
Général de Corps d'Armée

## APPENDIX 'A'

REGULATIONS AND PRINCIPLES RELATING TO INTERZONE  
TRANSFER OF GERMAN PRISONERS OF WAR

1. Nothing in the provision listed below will affect the use of German prisoners of war by the four Powers, as labor for rehabilitation and reparations purposes.

2. Members of the former German Wehrmacht should be discharged into that zone of Germany in which their previous home was situated.

3. Former German Wehrmacht personnel held at present in zones other than those in which their previous home was situated may be exchanged between zones in accordance with detailed arrangements to be made direct between Zone Commanders concerned.

4. These arrangements should be based on the following principles:

- a) Exchanges will be controlled as regards total numbers, rate of exchange, method of movement and place of exchange.
- b) The transferring nation will furnish the receiving nation with a nominal roll of the prisoners handed over in each case, showing name, rank, place of

domicile and such other details as may be agreed between the Zone Commanders concerned. In addition a Discharge Certificate will be issued in respect of each prisoner, and copies of it will be circulated to all Zone Commanders.

- c) Exchanges will be in principle and as far as possible on a one-for-one basis; the disposal of the balance of prisoners remaining after this exchange of equal numbers will be a matter for agreement between the Zone Commanders concerned.
- d) In order to enable adequate administrative arrangements for reception to be made, exchanges of sick and wounded and service women will be effected separately.
- e) Movement of former Wehrmacht personnel between zones will have a lower priority than the movement of displaced persons.
- f) Pending agreement as to their disposal, former German Wehrmacht personnel who are war criminals, security suspects, officers of the General Staff Corps, other potentially dangerous German Wehrmacht officers, or in automatic arrest categories will be excluded from these exchanges.
- g) It is obligatory for the Certificate of Demobilization to be printed in two languages: in that of the Occupying Power and in German. All additions in handwriting must likewise be in the two languages.
- h) In each Zone all demobilization certificates must be numbered in a separate serial numbering for each camp.

ALLIED CONTROL COUNCIL, BERLIN, 1945

SUBJECT: DEMILITARIZATION

DATE: 5 December 1945

DIRECTIVE NO. 22

AMENDED (1)<sup>1</sup>

CLEARANCE OF MINEFIELDS AND DESTRUCTION OF FORTIFICATIONS, UNDERGROUND INSTALLATIONS AND MILITARY INSTALLATIONS IN GERMANY

In order forever to prevent Germany from utilizing the fortifications, underground structures, military installations and other installations constructed, adapted or readily capable of adoption for war purposes located in Germany, and in order to ensure the security of Allied Occupational Forces the Control Council directs as follows:

1. All minefields will be cleared and all fortifications, underground structures, military installations and other installations specified in Appendix 'A' will be completely destroyed.

The work will be devised and conducted in a manner to disrupt the German defense system in as short a time as possible, particularly by completely destroying all elements of defense on certain main routes.

Appendix 'A' attached is a list of structures or installations which will be considered as constructed, adapted, or readily capable of adaptation for war purposes. This list can at any time be modified or added to.

Mine clearance and these destructions will be carried out by Zone Commanders, in the order of priority indicated in Appendix 'A' and within the time limits set out below, counted from the date of signature of the present directive.

2. The operations specified in Priority I should be completed in a maximum period of 18 months and these in Priority II in a period of a further 4 years. Every effort must be directed towards completing the work in not more than 5 1/2 years from the date of confirmation of the present decision by the Control Council.

3. The object is to destroy all these installations and constructions in the shortest period practicable.

The Zone Commanders will shorten these periods as far as possible and will give their units instructions indicating the shortest time-limits possible.

4. The Commander of each Zone of Occupation shall furnish the Allied Control Authority with a report on the progress of the work on a form which will be distributed later.

The reports of the Zone Commanders must be submitted by 30 June and 31 December of each year.

Done at Berlin 5 December 1945

LUCIUS D. CLAY  
Lieutenant General  
S.H. ROBERTSON  
Lieutenant General  
L. KOEHLTZ  
Général de Corps d'Armée  
V.D. SKOKLOVSKY  
Army General

<sup>1</sup>Amended to include report form, Appendix 'B', promised in paragraph 4, B4.

APPENDIX 'A'

PRIORITY SCHEDULE FOR DEMOLITIONS

PRIORITY I.

- (a) Minefields and other explosive obstacles, as well as other obstacles, which were used as obstructions on Allied lines of communication.
- (b) Destruction of the major defensive constructions, particularly the main permanent fortifications, anti-tank obstacles,

etc. in such a manner as to disrupt the defensive system of fortified regions throughout Germany. Destruction of obstacles in areas where they constitute a potential threat to the oceanic forces.

- (c) Complete destruction of all underground airfield facilities.
- (d) Complete destruction of all pens for submarines and E and R-boats.

PRIORITY II.

- (a) Complete destruction of all remaining defensive constructions, including permanent constructions, Naval Bases, fortifications, depots of war materials, anti-tank obstacles and dragon's teeth, pill-boxes, permanent artillery positions, etc., which are not mentioned in Priority I.
- (b) Special weapon installations, V-1, V-2, and other weapons.
- (c) Complete destruction of coast defenses, including obstacles and minefields.
- (d) Complete destruction of fighter control and radar installations for the control of planes from the ground, surplus to Allied requirements.
- (e) Complete destruction of airfields and seaplane bases, surplus to Allied requirements.
- (f) Complete destruction of all AA installations.
- (g) Complete destruction of all underground factories (exclusive of equipment therein) and all underground depots and underground workshops. Where such factory, depot or workshop is installed in a mine, all destruction will, if possible, be confined to the factory, workshop or depot itself, and the productive capacity of the mine

DEMOCRATIZATION  
DEMOCRATIZATION  
ECONOMICS  
FINANCE  
GOVERNMENT  
POPULATION  
SEPARATIONS  
STATES  
SCENARIOS  
DEX

DATE: 8 December 1945

## SUBJECT: DEMILITARIZATION

- will not be destroyed.
- (h) Complete destruction of all military and public air-raid shelters.
  - (i) Destruction of all underground cables, as well as surface lines of communication and radio stations, not required by the Allies and surplus to the authorized requirements of the German civil population.
  - (j) All Naval, Army and Air Force research or proving ground stations, after complete scientific examination.
  - (k) War material Depots, surplus to Allied requirements.
  - (l) All strategic bulk PCL storage installations.
  - (m) Complete destruction, at the discretion of the Zone Commander concerned, of all Naval, Military or Air Force structures not mentioned in the above paragraphs.
-

SUBJECT: DEMILITARIZATION

DATE: 26 April 1946

DIRECTIVE NO. 28

AMENDED (2)

REPORTS ON DISPOSAL OF GERMAN WAR MATERIAL IN GERMANY

The Control Council directs as follows:

1. The destruction or disposal of captured or surrendered German war material located in Germany will be completed as expeditiously as possible.

2. The Commander of each Occupation Zone of Germany will furnish to the Allied Control Authority a progress report on the disposal of German war material to include the following information:

- a. Total war material found to date.
- b. Amounts of war material destroyed or otherwise disposed of during the period covered by the report.
- c. Cumulative amounts of war material destroyed or otherwise disposed of to date.
- d. Balance of war material for destruction or disposal.

3. Reports will be submitted every six months on the 30th of June and 31st of December as of the 1st of June and 1st of December respectively, in the form shown in Appendix "A" attached.

Done at Berlin, the 26th day of April 1946.

LUCIUS D. CLAY  
Lieutenant General

B. H. ROBERTSON  
Lieutenant General

L. KOELTZ  
General de Corps d'Armee

M. I. DRATVIN  
Lieutenant General

Note: See also Control Council Directives No. 24 and 38 on Denazification.

DEMOCRATIZATION

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

SEPARATIONS

STATISTICS

UNEMPLOYMENT

OTHER

AGREED SUBJECT:	RESTRICTED			ORIGIN: Drg. & Spec. Coms.
FOUR POWER AGREEMENT	U.S.	U.K.	FR.	SOVIET
<p>The Control Council (1) shall accelerate the work of destruction of German Military materiel and the demolition of all the Military establishments and installations intended for carrying on war on land, on sea and in the air, in accordance with the programme already in progress by the Allied Control Council under directives 22 and 28 as amended, which looks forward to the completion of this work by 31st December 1948, if possible;</p> <p>(2) shall complete the plan for the liquidation of the plants constructed especially for the production of war materials (Category I prior to July 1st, 1947);</p> <p>(3) shall effectively complete the liquidation of factories in Category I before 30th June, 1948</p> <p>(4) shall verify with the aid of quadripartite commissions the operations for the liquidation of war potential provided for in the preceding paragraphs.</p> <p>(Pages 1 &amp; 2; CFM/47/M/148)</p> <p>-----</p> <p><u>NOTE</u></p> <p>The recommendations and decisions confirmed or taken by the Council of Foreign Ministers are transmitted to the Control Council for Germany and to the Commanders-in-Chief of the occupation forces of Germany for appropriate action within their spheres of competence.</p> <p>(Page 4; CFM/47/M/148)</p>		<p><u>UK RESERVATION ON (3)</u></p> <p>The UK Delegation states that it can accept the above date (30 June 1948) but reserves the right to report to the Control Council if difficulties arise in the completion of the task by the date established and to request an extension should this prove necessary.</p> <p>(Page 2; CFM/47/M/148)</p> <p>-----</p>		
ACTION TAKEN BY CFM: Referred to Control Council for Action.				

FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: DEMILITARIZATION, Liquidation of Factories in Categories II, III & IV (Part I, II, (a), CFM/47/M/148 & Para. (4), CFM/47/M/132) ORIGIN: DFG. & Spec. Comm.

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENT

US and UK PROPOSAL

FRENCH and SOVIET PROPOSAL

The Control Council

shall effectively complete the liquidation of the other factories or workshops constituting a marked war potential (Categories II, III & IV, with the exception of plants maintained temporarily for the needs of the German economy under conditions determined or to be determined by the Control Council) at the earliest practicable date after adoption of the revised plan for reparations and the post-war level of German economy. The date shall be agreed by the Control Council.

(Page 2; Para. (4); CFM/47/M/132)

The Control Council

(a) shall complete within a period of three months after the definite establishment of the Reparations and the Level of Industry Plan for post-war German economy and at the latest by October 31st, 1947, the formulation of a liquidation plan applicable to other plants or factories constituting a marked war potential (Categories II, III & IV). This plan shall provide for exceptions in the case of plants temporarily maintained for the needs of German economy or the disposition of which could depend on final decisions regarding the level of industry: It shall be established independently of the detailed plan for reparations;

(b) shall liquidate effectively the plants or factories in Categories II, III & IV nine months after the approval of the liquidation plan provided for in Paragraph (a) above.

(Page 2; Para. 4 (a)&(b), CFM/47/M/132)

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

DEMOCRATIZATION  
DEMOCRATIZATION  
ECONOMICS  
FINANCE  
GOVERNMENT  
POPULATION  
REPARATIONS  
STATISTICS  
UNRESOLVED  
OTHER

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: DEMILITARIZATION, Disbandment of German Military Formations (Part I, II, (b), CFM/47/M/148 &amp; Para. (6), CFM/47/M/132)

ORIGIN: DrG. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<u>NO AGREEMENT</u>	<u>US POSITION</u>	<u>UK POSITION</u>	<u>FRENCH POSITION</u>	<u>SOVIET PROPOSAL</u>
	<p>The US Delegation states that there are no German Military formations in the US Zone. Almost all Germans remaining in labor units are now in process of discharge.</p> <p>(Page 3: CFM/47/M/132)</p>	<p>The UK Delegation states that there are no German Military formations in the British Zone. The position regarding existing German labour units is given in Document CFM/47/M/65.</p> <p>(Page 3: CFM/47/M/132)</p>	<p>The French Delegation states that there are no German Military formations in the French Zone. It agrees with the Soviet proposal but suggests the adoption of the date 31st December 1947.</p> <p>(Page 2: CFM/47/M/132)</p>	<p>The Soviet Delegation proposes to disband and fully eliminate by 1 June 1947 all remaining German Military Formations including auxiliary units.</p> <p>(Page 2: CFM/47/M/132)</p>
		<p>CFM/47/M/65      26 March 1947</p> <p><u>STATEMENT BY HEAD OF UK DELEGATION</u> <u>ON THE DIENSTGRUPPEN</u></p>		
		<p>Although the existence and employment of these Dienstgruppen in the British Zone is not contrary to the provisions of the Potsdam Agreement, it has been the intention throughout of His Majesty's Government to replace the Germans serving in the Dienstgruppen with civilian labour under contract. This process has been steadily carried out. It is the intention of His Majesty's Government to complete this process by the 31st December, 1947, by which time it is hoped that the Dienstgruppen will have disappeared, and civilian labour under contract will be employed in its place. It may not, however, be possible to complete this process by the date given so far as concerns those Dienstgruppen who are employed in sweeping mines at sea, and also approximately 5,000 who are engaged on important tasks of a skilled nature for which the provision and training of replacements may not be complete until the early months of 1948. Those engaged in minesweeping will, however, be disbanded as soon as their tasks are completed, and the others as soon as suitable replacements are available. Should these exceptions in fact make it impossible to complete dissolution of the Dienstgruppen by 31st December, notification on this will be given by the United Kingdom Representative on the Allied Control Council to his colleagues.</p>		
ACTION TAKEN BY CFM: Referred to Control Council for Information and Study				

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

SUBJECT: DEMILITARIZATION, Disbandment of Non-German Units and Services (Part I, II, (c), CFM/47/M/148 &amp; Para. 7., CFM/47/M/132)

ORIGIN: DrG. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p><u>NO AGREEMENT</u></p>	<p><u>US POSITION</u></p> <p>The US Delegation is unable to accept the Soviet proposal.</p> <p>(Page 3; CFM/47/M/132)</p> <hr style="border-top: 1px dashed black;"/>	<p><u>UK POSITION</u></p> <p>The UK Delegation has no proposal to make. It will study the French proposal.</p> <p>(Page 3; CFM/47/M/132)</p> <hr style="border-top: 1px dashed black;"/>	<p><u>FRENCH PROPOSAL</u></p> <p>The French Delegation proposes:</p> <p>shall disband all Military formations which have been or may be constituted in Germany from non-German Nationals. The employment of DP's for various services in the interest of the occupation authorities (such as guard, maintenance and labor duties) is authorized on the condition that these persons are not grouped into formations of a military nature.</p> <p>(Page 3; CFM/47/M/132)</p> <hr style="border-top: 1px dashed black;"/>	<p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegation proposes:</p> <p>shall disband and fully eliminate all remaining and newly formed units, staffs, guard services and other organizations as well as training and assembly camps made up of non-German nationals, which, under the decision of the Control Council are to be dissolved and repatriated.</p> <p>(Page 3; CFM/47/M/132)</p> <hr style="border-top: 1px dashed black;"/>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information and Study.</p>				

DEMOCRATIZATION

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARTITIONS

TREATIES

MISCELLANEOUS

INDEX

24  
CFM  
AGREED  
SUBJECT:

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

Desilitarization - CONL - Directives No. 22 & No. 28 -

ORG. CODE    DEMIL/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): COAC/M/47/27</p> <p>DATE: 2 June 1947</p> <p><u>1st Action</u></p> <p>THE MEETING:</p> <p>(269) (b) agreed to pass the instructions to the Combined Services Directorate and at the same time to instruct the Directorate that if at any time it felt that delays might involve the risk of the instructions not being carried out it should inform the Coordinating Committee.</p> <p>(Page 2; COAC/M/47/27)</p> <hr/>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>

STATUS AS OF: No executive action as of 1 Feb 1948

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM AGREED SUBJECT:	Liquidation of Category I War Plants			ORG. CODE	DEMIL/1
CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP	
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): CCRC/M/47/26</p> <p>DATE: 17 May 1947</p> <p style="text-align: center;"><u>1st Action</u></p> <p>The third matter for which a completion date of 1st July had been set, was a direction to complete the Plan for Liquidation of Category I War Plants and he (the CHAIRMAN) proposed that this direction should be referred to the Economic Directorate for action on the basis of the text available to the British. The text is as follows:</p> <p>*The Control Council is to complete the Plan for the Liquidation of the Plants constructed especially for the production of war materials (Category I) prior to 1st July 1947.*</p> <p>THE MEETING:</p> <p>(263) agreed with the CHAIRMAN's proposal.</p> <p style="text-align: center;">(Page 11; CCRC/M/47/26)</p> <hr style="border-top: 1px dashed black;"/> <p>CCRC/M/47/27      2 June 1947</p> <p style="text-align: center;"><u>2nd Action</u></p> <p>Regarding paragraph (2), which concerned the Plan for the Liquidation of Plants in</p> <p style="text-align: center;">(see Page 2 of DEMIL/1A(2/3))</p>	<p>PAPER(S): DECO/M/47/27</p> <p>DATE: 10 July 1947</p> <p style="text-align: center;"><u>3rd Action</u></p> <p>(211) THE DIRECTORATE</p> <p>(a) agreed to approve with amendments the report of the Committee for the Liquidation of German War Potential regarding the liquidation of Category I plants, DECO/P(47)120 (See DECO/P(47)120/1), and to forward it for confirmation by the Coordinating Committee in accordance with CCRC/M(47)26, Minute 263.</p> <p>(b) agreed to draw the attention of the Coordinating Committee to the fact that the implementation of the decision taken by the Council of Foreign Ministers at the Moscow Conference to complete the liquidation of war plants in Category I by 30 June 1948 will require, in many cases, urgent measures towards allocation of equipment and/or removal of it by the recipient nations or on behalf of the recipient nations.</p> <p>(c) agreed to request the Coordinating Committee to call the attention of the Zone Commanders to the importance of clearing buildings</p> <p style="text-align: center;">(see Page 2 of DEMIL/1A(2/3))</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>	

STATUS AS OF:      No conclusive action as of 1 Febr 1948

DEMOCRATIZATION  
 DEMOCRATIFICATION  
 ECONOMICS  
 FINANCE  
 GOVERNMENT  
 POPULATION  
 REPARTITIONS  
 TREATIES  
 MISCELLANEOUS  
 INDEX

CFM  
AGREED  
SUBJECT:

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

ORG. CODE DEMIL/1

Liquidation of Category I War Plants				
CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):	PAPER(S):	PAPER(S):	PAPER(S):	PAPER(S):
DATE:	DATE:	DATE: (3rd Action cont'd)	DATE:	DATE:
	(2nd Action cont'd)	of war plants in Category I which are subject to destruction in accordance with the approved plans for liquidation, from the use of same for occupation requirements, so that they might be destroyed according to the decision of the Council of Foreign Ministers by 30 June 1948.		
	Category I, he (the CHAIRMAN) said that all action which could for the moment be taken had been taken.			
	THE MEETING:			
	(269) (a) approved these observations of the CHAIRMAN without discussion.	(d) agreed to draw the attention of the Coordinating Committee to the fact that the final drafting of liquidation plans for 75 plants in the U.S. Zone and 58 plants in the British Zone (as stated in paragraph 2(B) of DECO/P (47)120) is being delayed pending decision by the Coordinating Committee on the interpretation of paragraphs 2 and 3 of Section II of Directive No. 39 pertaining to the destruction of buildings.		
	(Page 1; COCC/M/47/29) (See 2nd Action, Page 1)			
	Appendix "A" to COCC/P(47)169			
	24 July 1947			
	COCC/M/47/35 30 July 1947			
	<u>4th Action</u>			
	THE MEETING:	(e) noted the reservation of the Soviet member as recorded in the discussion above.		
	(385) agreed	(f) noted the amendments made by the British and French delegations as stated in the discussion above.		
	(a) to approve the Economic Directorate's agreed plans for liquidating plants in Category I. Of these there are: 171 plants in the Soviet Zone, 139 plants in the British Zone, 52 plants in the U.S. Zone, and 43 plants in the French Zone;			
	(see Page 3 of DEMIL/1A(2/3)	(Page 2; DECO/M/47/27)		

STATUS AS OF: No conclusive action as of 1 Feb 1948

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

27

CFM  
AGREED  
SUBJECT:

Liquidation of Category I War Plants

ORG. CODE DEMIL/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p> <p>(4th Action cont'd)</p> <p>(b) to point out to the Economic Directorate that it had not met the time limit of 1 July 1947 set by the Council of Foreign Ministers in their decision regarding the preparation of the plan for the liquidation of plants in Category I, and to instruct the Directorate to complete the preparation of the entire plan in the shortest possible time;</p> <p>(c) to instruct the Economic Directorate:</p> <p style="padding-left: 20px;">(i) to submit within two weeks a report on the reasons for the deletion by the British Delegation of 86 plants in Category I which had been contained in the consolidated list of plants in Category I and had been indicated by the British Delegation in the report of the Control Council to the Council of Foreign Ministers;</p> <p style="padding-left: 20px;">(ii) to accelerate the preparation of the report on the reasons for which one or another Delegation had retained some of the buildings of Category I plants, the re-</p> <p style="text-align: center;">(see Page 4 of DEMIL/1A(2/3))</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>

STATUS AS OF: No conclusive action as of 1 Febr 1948

DEMOCRATIZATION  
 DENAZIFICATION  
 ECONOMICS  
 FINANCE  
 GOVERNMENT  
 POPULATION  
 REPARATIONS  
 STATISTICS  
 MISCELLANEOUS  
 INDEX

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

SUBJECT:

Liquidation of Category I War Plants

ORG. CODE DEMIL/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP
PAPER(S):	PAPER(S):	PAPER(S):	PAPER(S):	PAPER(S):
DATE:	DATE: (4th Action cont'd)	DATE:	DATE:	DATE:
	<p>tion of which had not been approved by the other representatives in the Directorate; at the same time to submit for approval the agreed plans on these plants:</p> <p>(iii) to submit for approval the liquidation plan for the Krupp Essen plant included in the list of Category I plants:</p> <p>(d) to instruct the Directorate of Reparations, Deliveries and Restitution to consider as a matter of urgency the question of Category I plants, the liquidation of which depended on reparations, and to evaluate in first priority the plants indicated in Appendices G, H, and I, the valuation of these plants to be completed by 1 October 1947.</p> <p>(e) to draw the attention of the Zone Commanders to the necessity for discontinuing on time the utilization for Occupation needs of buildings of Category I plants subject to destruction in accordance with the approved plans to that they can be destroyed by 30 July 1948 in accordance with the decision of the Council of Foreign Ministers. (Pages 10/11)</p>			
STATUS AS OF:	NO CONCLUSIVE ACTION AS OF 1 JULY 1948			

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

29

**CFM  
AGREED  
SUBJECT:**

Commission for Checking the Demilitarization of Germany

ORG. CODE DEMIL/1

CONTROL COUNCIL	COORDINATING COMMITTEE	CS/ECON DIRECTORATES	COMMITTEE
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): <u>CGRC/M/47/27</u></p> <p>DATE: 2 June 1947</p> <p style="text-align: center;"><u>1st Action</u></p> <p><b>THE MEETING:</b></p> <p>(273) agreed</p> <p style="padding-left: 20px;">(a) to refer the matter to the Combined Services Directorate and the Economic Directorate for joint study, firstly, to consider the question of the advisability of appointing a Joint Commission for the Control of Demilitarisation of Germany, and, secondly, to make recommendations for its terms of reference, taking the French Memorandum as a basis for discussion;</p> <p style="padding-left: 20px;">(b) to appoint the Chairman of the Combined Services Directorate to be Chairman of the joint meetings of the Combined Services Directorate and the Economic Directorate.</p> <p style="text-align: center;">(Page 16; <u>CGRC/M/47/27</u>)</p> <hr style="border-top: 1px dashed black;"/> <p><u>CGRC/M/47/31</u>      5 July 1947</p> <p style="text-align: center;"><u>3rd Action</u></p> <p><b>THE MEETING:</b></p> <p>(342) approved the decisions taken on 24 June 1947 at the (See Page 2 of <u>DEMIL/1A(4)</u>)</p>	<p>PAPER(S): <u>DOCS/M/47/13</u> <u>DECC/M/47/28</u></p> <p>DATE: 25 June 1947</p> <p style="text-align: center;"><u>2nd Action</u></p> <p><b>THE DIRECTORATES:</b></p> <p>(1) agreed</p> <p style="padding-left: 20px;">(a) to forward as a report to the Coordinating Committee the text appended to these Minutes,</p> <p style="padding-left: 20px;">(b) that the names of the Delegates to the Working Party, established in accordance with the agreed text (one or two from each Occupying Power), would be forwarded to the Secretariat of the Combined Services Directorate, who would convene this Working Party as soon as possible.</p> <p style="text-align: center;">(Page 2 of above document)</p>	<p>PAPER(S):</p> <p>DATE:</p> <p style="text-align: center;">Appendix 'A' to <u>DOCS/M/47/13</u> : <u>DECC/M/47/28</u></p> <p>The Combined Services Directorate and Economic Directorate, meeting together on 24th June, 1947, in accordance with instructions from the Coordinating Committee, agreed as follows:</p> <ol style="list-style-type: none"> <li>1. In order to ensure the uniformity of views and the coordination necessary for the checking of demilitarisation of Germany, the two Directorates should meet periodically in order to examine the common questions.</li> <li>2. The Combined Services and the Economic Directorates remain responsible, each in their own field, for organising the checking of demilitarisation of Germany.</li> <li>3. Particularly, the instructions to the inspecting teams would be confirmed or established by each of the two Directorates and submitted at a future joint meeting of these Directorates for coordination.</li> <li>4. A Working Party would be appointed by the Combined Services and Economic Directorates in order to determine the general outline of common questions, the machinery of joint meetings, and the procedure to be followed for examining and resolving questions common to the two Directorates.</li> <li>5. The Working Party mentioned in paragraph 4 above will report on its work to a future joint meeting of the two Directorates.</li> </ol>

**STATUS AS OF:**

No conclusive action as of 1 Feb 1948

DEMOCRATIZATION  
 DEMILITARIZATION  
 ECONOMIC  
 FINANCE  
 GOVERNMENT  
 POPULATION  
 REPARTITIONS  
 REARMS  
 UNRESOLVED

30

CFM  
AGREED  
SUBJECT:

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

Commission for Checking the Demilitarisation of Germany

ORG. CODE DEMIL/1

CONTROL COUNCIL	COORDINATING COMMITTEE	CS/ECCN DIRECTORATES	COMMITTEE	SUBCOMMITTEE /WP
PAPER(S):  DATE:	PAPER(S):  DATE: (2nd Action cont'd)  Joint Meeting of the Combined Services and Economic Directorates, and instructed the Directorates actively to continue their work in regular joint Meetings.  (Page 3; CORC/M/47/31)	PAPER(S):  DATE:	PAPER(S):  DATE:	PAPER(S):  DATE:
STATUS AS OF: No conclusive action as of 1 Feb 1946				

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

31

**CFM  
UNAGREED  
SUBJECT:**

Liquidation of Factories in Categories II, III & IV

ORG. CODE DBAIL/2

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):  DATE:	PAPER(S): CCRC/M/47/27  DATE: 2 June 1947  <p style="text-align: center;"><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 1(a) (Liquidation of Factories in Categories II, III &amp; IV) to the Economic Directorate.</p> <p style="text-align: center;">(Page 4; CCRC/M/47/27)</p> <hr style="border-top: 1px dashed black;"/>	PAPER(S):  DATE:	PAPER(S):  DATE:	PAPER(S):  DATE:

**STATUS AS OF:** no conclusive action as of 1 Febr 1948

- DEMOCRATIZATION
- DENAZIFICATION
- ECONOMICS
- FINANCE
- GOVERNMENT
- POPULATION
- REPARATIONS
- TERRITORIES
- MISCELLANEOUS
- INDEX

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM  
UNAGREED  
SUBJECT:

Disbandment of German Military Formations

ORG. CODE DDC/11/3

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):  DATE:	PAPER(S): GCRC/M/47/27  DATE: 2 June 1947  <u>1st Action</u>  THE MEETING:  (260) (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.  Item 1(b) (German Military Formations) to the Combined Services Directorate.  (Page 4; GCRC/M/47/27) <hr/>	PAPER(S):  DATE:	PAPER(S):  DATE:	PAPER(S):  DATE:
STATUS AS OF: No conclusive action as of 1 Febr 1948				

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

33

CFM  
UNAGREED  
SUBJECT:

Disbandment of Non-German Units & Services

ORG. CODE DBMIL/4

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): CCRC/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) (r) 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 1(c) (Non-German Units and Services) to the Combined Services Directorate.</p> <p style="text-align: center;">(Page 4: CCRC/M/47/27)</p> <hr style="border-top: 1px dashed black;"/>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>

STATUS AS OF:

No conclusive action as of 1 Febr 1948

DEMOCRATIZATION

DENAZIFICATION

ECONOMICS

FINANCE

GOVERNMENT

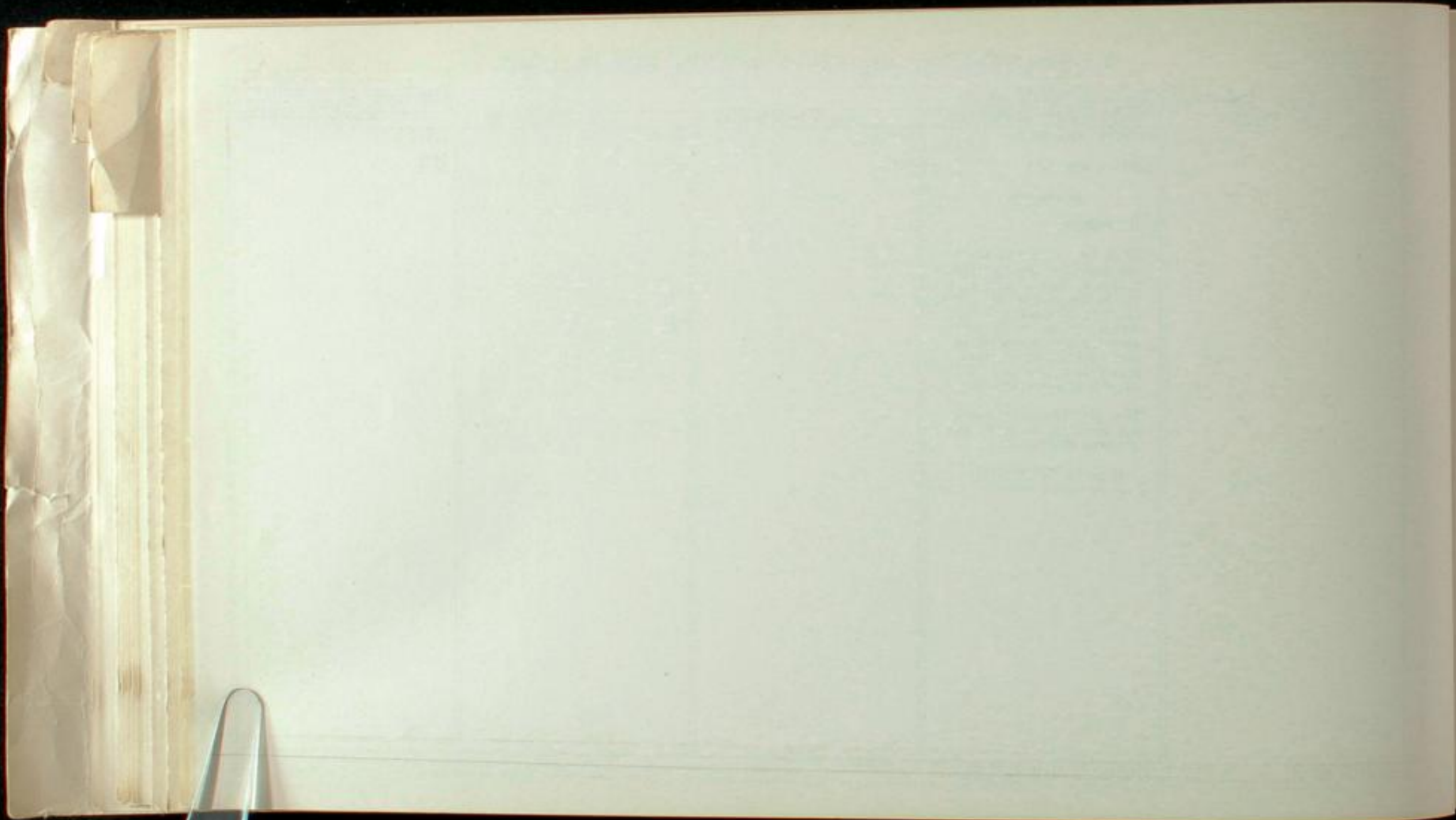
POPULATION

REPARATIONS

TERRITORIES

MISCELLANEOUS

INDEX



DEMOC-  
RATI-  
ZATION

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

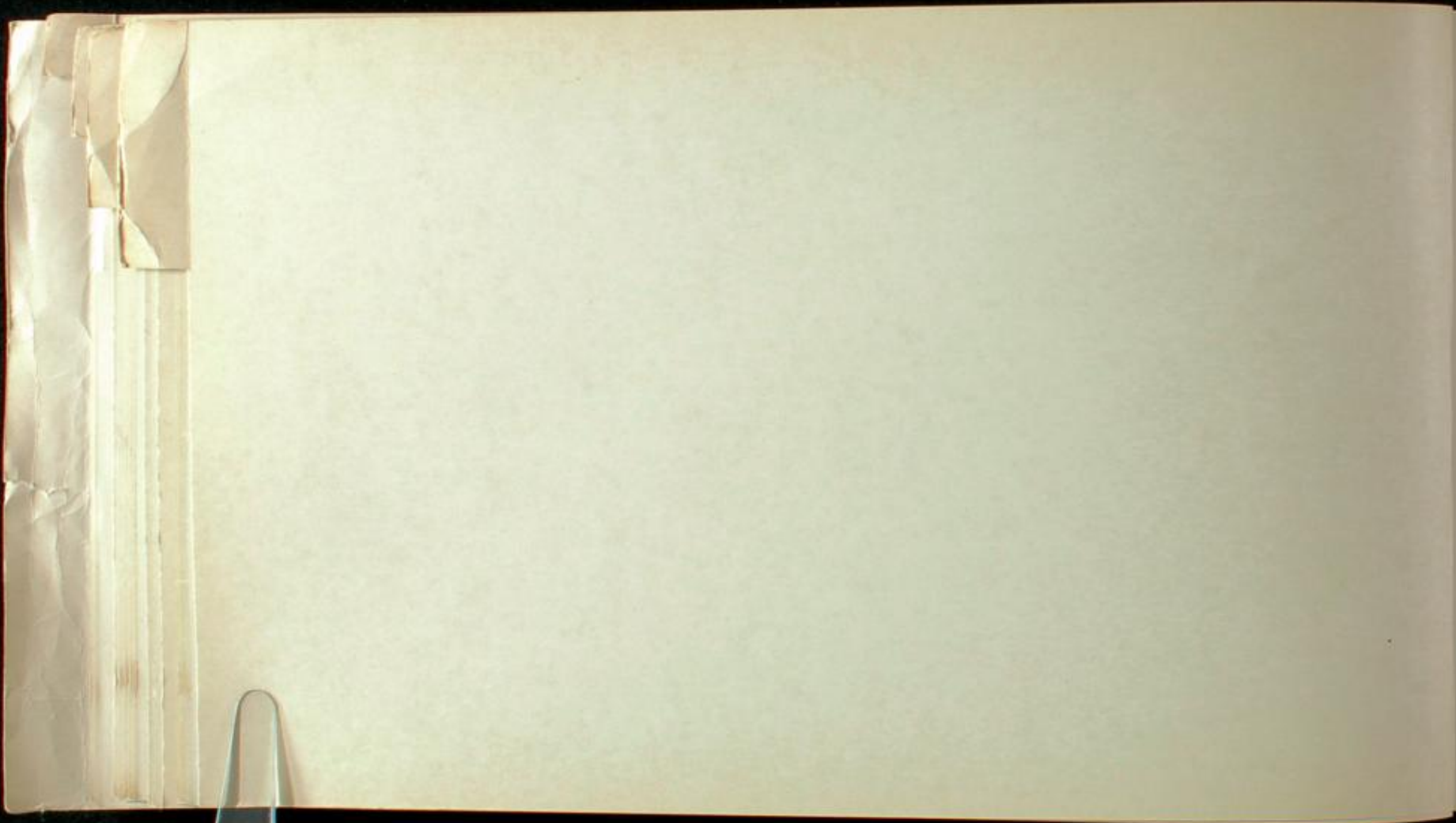
POPUL-  
ATION

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 Kenntlichmachung 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-  
FICA-  
TION

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)

DENAZI-  
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

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

REATIES

MISCEL-  
LANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1947

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)"

ALLIED CONTROL COUNCIL, BERLIN, 1945

45

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

CONL/P/(46)25(Final)

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

US

UK

FR

SOVIET

The Control Council

(1) shall ensure the carrying out and completion of land reforms in all zones of occupation in Germany in 1947.

(Page 2: CFM/47/W/148)

-----

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

FOURTH SESSION OF CFM, MOSCOW, 1947

51

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>				
<p>ACTION TAKEN BY CFM: Referred to Control Council as Directive for Action</p>				

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

REATIES

MISCEL-  
LANEOUS

INDEX

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

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

ORIGIN: Dfg. &amp; Spec. Comm.

FOUR POWER POSITION	US	UK	FR	SOVIET
<u>NO AGREEMENT</u>		<u>US, UK and FRENCH PROPOSAL</u>		<u>SOVIET PROPOSAL</u>
	<p>The Control Council</p> <p>1. shall ensure quadripartite supervision and inspection of elections throughout Germany as a whole.</p>	<p>(Page 3; CFM/47/W/132)</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>
ACTION TAKEN BY CFM: Referred to Control Council for Information and Study				

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 & Trade Unions (Part I, II, 2.(c), CFM/47/M/146 & 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: DFG. &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)

-----

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 11) 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 style="text-align: center;">DIAC/CAC/M/47/14 Revise</p> <p style="text-align: right;">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>	PAPER(S):  DATE:
STATUS AS OF: 1 Febr 48: No agreement was reached by the Allied Control Authority				

ALLIED CONTROL COUNCIL, BERLIN, 1947

62

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  
ECONOMICS  
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
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S): COFC/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) (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: COFC/L/47/27)</p> <hr/> <p>COFC/M/47/42    24 Sept 1947 COFC/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>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 Democratization, which appear in Part I, paragraph 2, point 2, sub-paragraphs (a), (d), (e) and (f) of Appendix A to COFC/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:</p> <p>(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>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 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.</p> <p>COFC/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>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>	<p>PAPER(S):</p> <p>DATE:</p>
<p>STATUS AS OF:</p>				

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:

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:

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

DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

REATHES

MISCEL-  
LANEOUS

INDEX

66

CFM  
UNAGREED  
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



DENAZI-  
FICA-  
TION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

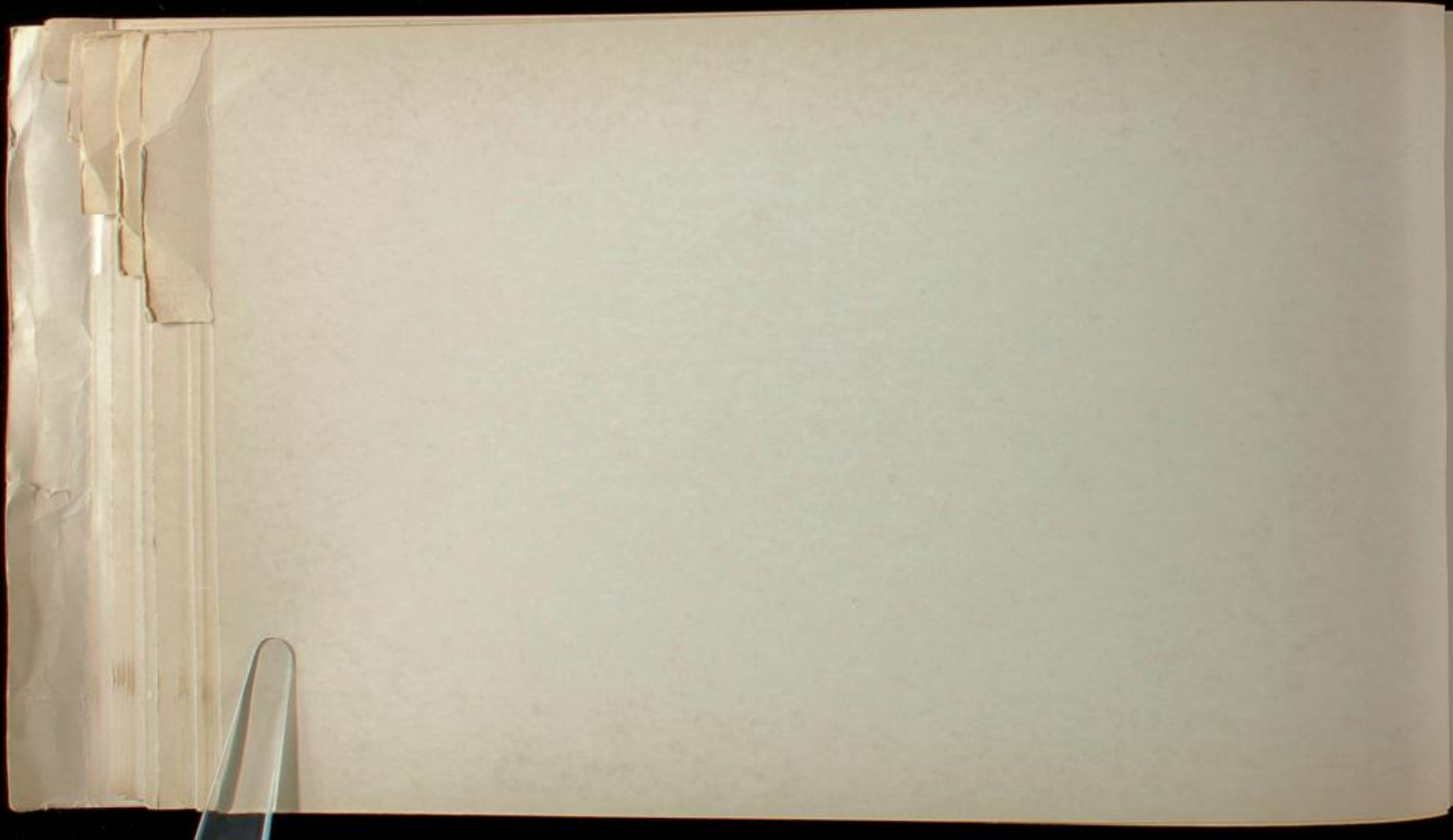
POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX



PART IV

DENAZIFICATION

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: DENAZIFICATION

ATLANTIC CHARTER  
August 14, 1941Pledging Destruction of Nazi Tyranny:

Sixth Principle: 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 the men in all the lands may live out their lives in freedom from fear and want.

YALTA CONFERENCE  
11 February 1945The Intent to Eliminate Nazism in all its Manifestations in Germany

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; eliminate or control all German industry that could be used for military production; bring all war criminals to justice and swift punishment and exact reparation in kind for the destruction wrought by Germans; wipe out the Nazi Party, Nazi laws, organizations, and institutions; remove all Nazi and militarist influences from public offices and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world.

DECLARATION REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

5 June 1945

The Representatives of the Supreme Commands of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, hereinafter called the "Allied Representatives", acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declarations: .....

Denazification  
ARTICLE 11

a) The principal Nazi leaders as specified by the Allied Representatives, and all persons from time named or designated by rank, office or employment by the Allied Representatives as being suspected of having committed, ordered or abetted war crimes or analogous offences, will be apprehended and surrendered to the Allied Representatives. ....

POTSDAM AGREEMENT  
2 August 1945Elimination of Nazi Doctrines from German Education

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

Destruction of National Socialist Party and all its Affiliated and Supervised Associations

To destroy the National Socialist Party and its affiliated and supervised organizations, to dissolve all Nazi institutions, to ensure that they are not revived in any form, and to prevent all Nazi and militarist activity or propaganda.

Abolition of Nazi Laws

All Nazi laws which provided the basis of the Hitler regime or established discrimination on grounds of race, creed, or political opinion shall be abolished. No such discriminations, whether legal, administrative, or otherwise, shall be tolerated.

Punishment of War Criminals and Nazi Leaders

War criminals and those who have participated in planning or carrying out Nazi enterprises involving or resulting in atrocities or war crimes shall be arrested and brought to judgment. Nazi leaders, influential Nazi supporters, and high officials of Nazi organizations and institutions and any other persons dangerous to the occupation or its objectives shall be arrested and interned.

Removal of Nazis and Militarists from Public and Semi-Public Office and Positions of Responsibility in Important Private Enterprise

All members of the Nazi Party who have been more than nominal participants in its activities and all other persons hostile to Allied purposes

## INTERNATIONAL AGREEMENTS

69

SUBJECT: DENAZIFICATION

shall be removed from public and semi-public office, and from positions of responsibility in important private undertakings. Such persons shall be replaced by persons who, by their political and moral qualities, are deemed capable of assisting in developing genuine democratic institutions in Germany.

-----

ECON-  
OMICS

FINANCE

GOVERN-  
MENTPOPUL-  
ATIONREPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

DATE: 12 January 1946

SUBJECT: DENAZIFICATION

## DIRECTIVE NO. 24

REMOVAL FROM OFFICE AND FROM POSITIONS OF RESPONSIBILITY OF NAZIS AND OF PERSONS HOSTILE TO ALLIED PURPOSES

The Control Council directs as follows:

## 1. SUBJECT

The Tripartite Conference of Berlin included among the purposes of the occupation of Germany: the removal from public and semi-public office and from positions of responsibility in important private undertakings of all members of the Nazi Party who have been more than nominal participants in its activities, and all other persons hostile to Allied purposes. Such persons shall be replaced by persons who, by their political and moral qualities, are deemed capable of assisting in developing genuine democratic institutions in Germany.

## 2. DEFINITIONS

- a) Persons are to be treated as "more than nominal participants in Party activities" and as "hostile to Allied purposes" when they have:
- I. held office and otherwise been active at any level from local to national in the Party and its subordinate organizations or in organizations which further militaristic doctrines,
  - II. authorized or participated affirmatively in any Nazi crimes, racial persecutions or discriminations,
  - III. been avowed believers in Nazism or racial and militaristic creeds, or
  - IV. voluntarily given substantial moral or material support or political assistance of any kind to the Nazi Party or Nazi officials and leaders.
- b) The term "public office" shall include all officials, civil servants or employees in governmental and municipal service, and members of

governing bodies of political parties, trade unions and other public organizations excepting employment of such minor importance that the incumbent or appointee is not placed in a position to endanger Allied interests or commit acts hostile to Allied principles and purposes by reason of this employment. The effect of this definition is to require as a minimum the investigation of all persons in public employment above that of ordinary labor. By ordinary labor is meant work or service, whether skilled, unskilled, or clerical, in an inferior position in which the worker does not act in any supervisory, managerial or organizing capacity whatsoever, or participate in hiring or discharging others, or in setting employment or other policies.

c) The term "semi-public office" and "positions of responsibility in important private undertakings" shall include policy-making or executive positions and personnel officers in:

- I. civic, economic and labor organizations,
- II. corporations and other organizations in which the German Government, or its subdivisions, had a major financial interest,
- III. important industrial, commercial, agricultural and financial institutions, and
- IV. the Press, publishing houses and other agencies disseminating news and propaganda.

In the field of private and parochial education, the term shall include teachers as well as policy-making or executive officials in such institutions.

d) The terms "important industrial, commercial, agricultural and financial institutions" shall include all such institutions directly supervised, utilized or controlled by Military Government and all industrial, mining, public utility, and commercial enterprises, combines and cartels which, by virtue of their capitalization,

number of employees, type of products produced or services rendered, are important factors in the German economy or in the economy of the region or community in which they operate.

It is most important to carry out the denazification of industry with the utmost vigor, and the smallness of the enterprise shall be no reason for failure to denazify.

In the discretion of occupational authorities, the removal and exclusion of Nazis and militarists from less important industrial, commercial, agricultural and financial establishments, business, retail shops, occupations, professional practices and licensed trades is authorized.

e) The term "removal" as used herein shall mean to discharge the person forthwith and summarily and to terminate his influence and direct or indirect participation in the organization or concern with which he was associated. In the case of a profession or trade, the term "removal" shall mean to disqualify and restrict the individual from practicing the profession or trade in other than a private capacity in which he does not act in any supervisory, managerial, or organizing capacity whatsoever or participate in hiring or discharging others or in setting employment or other policies.

f) The names of persons removed and the reasons for their removal will be passed at the appropriate level to Property Control Officers (or corresponding Military Government authorities), who will take action in accordance with pertinent military Government laws and orders, to effect the immediate blocking and control of their property.

Persons removed from public office will not be entitled to the benefit of any pension or other civil service rights.

## 3. SCOPE

The term "removal" in the passage of the Potsdam Declaration here quoted is to be understood to

SUBJECT: DENAZIFICATION

DATE: 12 January 1946

include "exclusion".

The standards to be applied and instructions for action are, therefore, to be considered to refer to the exclusion of Nazis and of other persons hostile to Allied purposes from office and from positions of responsibility no less than to their removal from such office and positions.

4. RESPONSIBILITY

The removal and exclusion of Nazis and of other persons hostile to Allied purposes is the general responsibility of the Division or Branch employing the persons concerned or considering them for employment, acting on the advice and with the assistance of Public Safety. The view of Public Safety, recorded after consultation with C.I., shall be decisive and shall override considerations of administrative expediency, convenience or even necessity.

5. REVIEW OF CASES

If it is felt that a mistake has been made in the application of this directive by the removal or exclusion from office of a particular individual, review of his case may be requested by the Branch or Division concerned, and the latter may submit the case for further consideration to Military Government, acting in consultation with Public Safety and C.I., at Zonal H.Q.; in the case of Greater Berlin Area, to the Kommandatura; and in the case of the staffs and employees of Central Agencies, to the Control Council.

When there is positive evidence, supported by investigation, that an individual is not more than a nominal Nazi and is not a militarist and is not hostile to the Allied Cause, he may be retained in office in spite of the mandatory clauses contained in this directive.

6. DISCRETIONARY REMOVAL AND EXCLUSION

Between those whose removal and exclusion from office and positions of responsibility is laid down as compulsory in paragraph 10 below and those

who have not participated at all in any Nazi activity, there is a mass of Germans, the extent and quality of whose association and participation, as well as their past and present motives, are in doubt and require careful investigation.

Discretion to employ such people or to leave them in occupation of their office or position of importance is left to Divisions and Branches acting under the advice of Public Safety, to be recorded after consultation with C.I. The retention of persons in discretionary categories shall be based only on the non-availability of other suitable personnel and will continue only until other suitable personnel will become available. Points for guidance in assessing the respective reliability of such discretionary cases are given in para. 11 below.

7. FURTHER REVIEW OF CASES RETAINED OR NEWLY APPOINTED

All retentions of Germans in office or in positions of importance as well as new appointments shall be regarded as provisional only and subject to future review.

This particularly applies to discretionary cases retained in employment. These shall be subject to further scrutiny once the original vetting of serving officials and candidates for new employment have been completed, both in the light of such new records as may have become available and of the individual's attitude and conduct since his retention or appointment.

Even officials whom Military Government may have newly appointed because their freedom from Nazi-ideology or hostility to the Nazi regime had been established cannot therefore be regarded as necessarily in sympathy with a continued Allied occupation or its purpose.

Responsibility for such further inquiry rests upon all Divisions and Branches as well as upon Public Safety and C.I.

8.

a) The terms of this directive are subject to immediate implementation so far as any Central German Administration is concerned.

b) In the Zones, in view of the urgent necessity for producing rapidly and in maximum quantities such commodities as food, fuel and building material which are required, not only for German economy, but also for that of other European countries, Zone Commanders may postpone the immediate removal of an individual providing:

I. the temporary retention of the individual is, in the opinion of the Zone Commander, essential, and

II. that the individual was not an important member of the Nazi Party and played no more than a nominal part in its activities and is not hostile to the Allied purposes, and that

III. the individual is removed as soon as practical.

c) Individuals retained under sub para. b) above will only be so retained for their specialist knowledge. In no case will an individual be retained who has been appointed to the position he holds purely for political (Nazi Party) reasons.

9.

Persons removed from public and semi-public office, or from the governing bodies of political parties, trade unions and other public organizations, or from positions of responsibility in important private undertakings, as defined in the provisions of para. 2 of this directive, pursuant to the policies enumerated in this directive, will not be employed in any other Zone of Occupation in any such positions as defined in the provisions of para. 2 of this directive, except in cases of revision requested under para. 5 above.

General and statistical information on Denazification in the various zones shall be presented

ECONOMICS  
FINANCE  
GOVERNMENT  
POPULATION  
REPARATIONS  
TREATIES  
MISCELLANEOUS  
INDEX

DATE: 12 January 1946

## SUBJECT: DENATIFICATION

to the Control Council semi-annually, the first report to cover the period to 1 July 1946. These reports shall be submitted within 30 days following semi-annual periods.

## 10. COMPULSORY REMOVAL AND EXCLUSION CATEGORIES

1. War criminals i.e. individuals on the War Crimes List of the United Nations War Crimes Commission, on any special C.I. List, or suspected War Criminals.

## 2. The NSDAP.

a) All persons who at any time have been officials or officers of the NSDAP, or who have at any time occupied any post or authority in the NSDAP, from local NSDAP units to the National Headquarters.

b) All members of the NSDAP who joined the party or were accepted for membership before compulsory membership in the party was instituted in 1937, or who have otherwise been more than nominal participants in activities of the NSDAP.

c) All members of the NSDAP who were selected and transferred to the Party after 4 years service in the Hitler Jugend and upon attaining the age of 18.

3. Reference sub para. 2 (e) above, in particular individuals who have at any time been officials of the Party Organizations named below:

I. Party Chancery (Partei-Kanzlei) (including Hauptarchiv der NSDAP)

II. Fuehrer's Chancery (Kanzlei des Fuehrers der NSDAP)

III. National Socialist Organization of Germans Abroad (Auslandsorganisation der NSDAP)

IV. Offices in Germany of the National Union of German Elements Abroad (Volkbund für das Deutschtum in Ausland)

V. Party Scrutiny Commission for the Protection of National Socialist Literature (Partei-

entliche Prüfungskommission zum Schutze des nationalsozialistischen Schrifttums)

VI. Office of the Reich Treasurer of the Party (Reichsschatzmeister der NSDAP)

VII. Office of the Reich Organization Leader (Reichsorganisationsleiter der NSDAP)

VIII. Office of the Fuehrer's Commissioner for the Supervision of the Whole Intellectual and Ideological Training and Education of the Party (Beauftragter des Fuehrers für die Überwachung der gesamten geistigen und weltanschaulichen Schulung und Erziehung der NSDAP)

IX. Office of the Reich Propaganda Leader of the Party (Reichspropagandaleiter der NSDAP)

X. Office of the Reich Leader for the Press (Reichsleiter für die Presse) together with the publishing houses such as the Zentralverlag der NSDAP (formerly the Franz Eher Verlag) owned by the Party and controlled by it

XI. Office of the Reich Press Chief of the Party (Reichspresseschef der NSDAP)

XII. Head Office for Public Health (Hauptamt für Volksgesundheit)

XIII. Head Office for Public Welfare (Hauptamt für Volkswohlfahrt)

XIV. Reich Office for the Agrarian Population (Reichsamt für das Landvolk)

XV. Head Office for Technology (Hauptamt für Technik)

XVI. Head Office for Teachers and Educational Personnel (Hauptamt für Erzieher)

XVII. Head Office for Local Government (Hauptamt für Kommunalpolitik)

XVIII. Head Office for Officials (Hauptamt für Beamte)

XIX. Head Office for all German Folkdom Questions (Hauptamt für alle Volkstumsfragen)

XX. Racial-Political Office of the Party (Rassenpolitisches Amt der NSDAP)

XXI. Office of Genealogical Research (Amt für Sippenforschung)

XXII. Colonial Office of the Party (Kolonialpolitisches Amt der NSDAP)

XXIII. Foreign Office of the Party (Ausienpolitisches Amt der NSDAP)

XXIV. Reichstag Delegation of the NSDAP (Reichstagsfraktion der NSDAP)

XXV. Reich Women's Leadership (Reichsfrauenführung)

XXVI. Head Office for War Victims (Hauptamt für Kriegsopfer)

XXVII. Reich Youth Administration (Reichsjugendführung)

XXVIII. Reich Legal Office for the Party (Reichsrechtsamt)

XXIX. Reich Leadership of German Students (Reichsstudentenführung)

## FORMATIONS OF THE NSDAP:

4. The Schutzstaffel (SS); Officers and NCOs of the Waffen SS and all members of the other branches of the SS.

5. The Sturmabteilungen (SA); Officers and NCOs of the SA at any time and all members who joined the SA prior to 1 April 1933.

6. Hitler-Jugend (HJ) (including the Bund deutscher Mädel); Officers and NCOs of the Hitler-Jugend and of the Deutsches Jungvolk at any time.

With respect to positions in the field of Education and Information Services - all leaders at any time of the Hitler-Jugend and the Deutsches Jungvolk.

7. NSD Studentenbund (NSDStB); Officers at any time of this formation.

ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: DENAZIFICATION

DATE: 12 January 1946

8. NS Dozentenbund (NSDoB): Officers at any time of this formation.

9. NS Frauenchaft (NSF): Officers at any time of this formation.

10. NS Kraftfahrerkorps (NSEK): Officers at any time of this organization.

11. NS Fliegerkorps (NSFK): Officers at any time of this organization.

AFFILIATED ORGANIZATIONS:

All officials at any time of the following organizations:

12. Reichsbund der Deutschen Beamten (Civil Servants' Organization).

13. Deutsche Arbeitsfront (DAF) (German Labor Front), including Gemeinschaft "Kraft durch Freude". The following DAF factory officials will also be removed: Betriebschmann, Betriebswart, and Betriebswalter.

14. NS Volkswohlfahrt (NSV) (Welfare Organization), including NS Reichsbund der Deutschen Schwestern.

15. NS Kriegsofferversorgung (NSKOV) (War Victims' Organization).

16. NS Bund Deutscher Technik (NSBDT) (Technicians' Organization).

17. NS Deutscher Ärztebund (NSDÄB) (Doctors' Organization).

18. NS Lehrerbund (NSLB) (Teachers' Organization).

19. NS Rechtswahrerbund (NSRB) (Lawyers' Organization).

SUPERVISED ORGANIZATIONS:

All officials at any time of the following organizations:

20. Deutsches Frauenwerk (Women's Organization).

21. Reichsbund Deutscher Familie (League of the German Family).

22. NS Reichsbund für Leibestübungen (Physical Training Organization).

23. NS Altherrenbund (Old Students' Association).

24. Deutsche Studentenschaft (German Students' Organization).

25. Deutscher Dozentenbund (Association of German University Professors and Lecturers).

26. Reichs-Dozentenchaft (Reich Organization of German University Professors and Lecturers).

27. Deutscher Gemeindegag (Association of Communes).

OTHER NAZIFIED ORGANIZATIONS:

28. Reichsarbeitsdienst (RAD) (Labor Service): Officers at any time down to and including the ranks of Feldmeister (men) and Maidenführerin (Women).

All officials at any time of the following:

29. Volksbund für das Deutschtum im Ausland (VDA) (Association of Germans Abroad).

30. Reichskolonialbund (Colonial League).

31. Reichsluftschutzbund (A.R.F. League).

32. Deutsche Jägerschaft (Hunters' League).

33. Reichskulturkammer and subsidiary bodies (Reichsschrifttumskammer, Reichspressekammer, Reichsrundfunkkammer, etc.) (Reich Chamber of Culture).

34. Institut zur Erforschung der Judenfrage (Institute for the Investigation of the Jewish Question).

35. Kameradschaft USA (Comrades' League USA).

36. Ibero-Amerikanisches Institut (Ibero-American Institute).

37. Wehrdienst.

38. Deutscher Fichte-Bund (Fichte Association).

39. Deutsches Auslandsinstitut (DAI).

40. Staatsakademie für Rassen- und Gesundheitspflege (Academy for Race and Health Culture).

41. Deutsche Akademie, Munich.

42. Osteuropäisches Institut (East European Institute).

43. Amerika-Institut.

44. Werberat der deutschen Wirtschaft (Publicity Council of German Economy).

NAZI HONORS:

Recipients of the following Party Decorations:

45. National Socialist Order of Blood of 9th November 1923 (Nationalsozialistischer Blutorden von 9. November 1923).

46. Insignia of Honor for the first 100 000 members (Ehrenzeichen für Mitglieder unter Nr. 100 000).

47. Coburg Badge (Coburger Abzeichen).

48. Nuremberg Party Convention Badge of 1929 (Nürnberger Parteitagabzeichen von 1929).

49. Badge of the SA Convention at Braunschweig of 1931 (Abzeichen von SA-Treffen Braunschweig 1931).

50. Gold Hitler Youth Badge (Goldenes HJ-Abzeichen).

51. Nazi Party Service Badges (NSDAP-Dienstauszeichnungen).

52. District Insignia of Honor of the Nazi Party (Gau-Ehrenzeichen der NSDAP).

CIVIL SERVANTS:

Any person who has been appointed to any of the following positions since 30 January 1933 and any person who was an incumbent on that date and survived the successive Nazi purges which followed:

ECONOMICS  
FINANCE  
GOVERNMENT  
POPULATION  
REPARATIONS  
TREATIES  
MISCELLANEOUS  
INDEX

SUBJECT: DENATIFICATION

DATE: 12 January 1946

53. Reich Ministers, State Secretaries, Ministerial Directors and their Deputies, Ministerial "Dirigenten", Generalreferenten, officials of former German Embassies, Consulates and Missions beginning with the position of "Attaché" and higher, all personnel employed in foreign countries since 1 January 1933 by the German Intelligence Service or by any organization or out-station dependent upon or controlled by it, and all other officials of a rank higher than "Referent" or its equivalent in Reich Ministries.

Reich Ministries are defined as the following:

- a) The High Command of the Armed Forces (OKW) including the High Commands of the Army (OKM), Navy (OKN), and Air Force (OKL).
- b) The Foreign Office.
- c) The Ministries of:

Armaments and War Production,	
Labor,	Propaganda,
Economics,	Interior,
Food and Agriculture,	
Science and Education,	
Transport,	Justice,
Finance,	Posts,
Air,	Ecclesiastical Affairs.

d) The Ministry for the occupied Eastern Territories (Reichsministerium für die besetzten Ostgebiete).

54. Heads and their Deputies, Delegates, Commissioners and all other officials of rank higher than "Referent" or its equivalent of the following Reich authorities:

Reich Plenipotentiary for Total War Effort (Reichsbevollmächtigter für den totalen Kriegseinsatz).

Reich Commissioner for Strengthening German Folkdom (Reichskommissar für die Festigung deutschen Volkstums).

Commissioner General for Medical and Health

Services (Generalkommissar für das Sanitäts- und Gesundheitswesen).

Reich Housing Commissioner (Reichswohnungskommissar).

Reich Commissioner for Security for the German People and/or Commissioner General for Internal Defence (Generalkommissar für die innere Verteidigung).

Reich Commissioner for Shipping (Reichskommissar für Seeschifffahrt).

Inspector General for Water and Power (Generalinspektor für Wasser und Energie).

Inspector General for Motor Transportation (Generalinspektor für das Kraftfahrzeugwesen).

Reich Commissioner for Administration of Enemy Property (Reichskommissar für die Behandlung feindlichen Vermögens).

Reich Youth Leader (Reichsjugendführer).  
Head of the Reichsstelle für Raumordnung (Reich Office for Regional Planning).

Delegates for the Four Year Plan and Division Chiefs in the Four Year Plan Office (Beauftragte für den Vierjahresplan).

Inspector General for German Roads (Generalinspektor für das Strassenwesen).

Forestry Office (Reichsforstamt).

55. Heads and their Deputies and all other officials of a rank higher than "Referent" or its equivalent of the following Reich Institutions:

Reich Committee for Public Health Services (Reichsausschuss für Volksgesundheit).

Reich Office for Social Insurance (Reichsversicherungsamt).

Supreme Court of Honor and Discipline of the German Labor Front (Oberster Ehren- und Disziplinshof - DAF).

Reich Archives (Reichsarchiv).

Supreme Auditing Court of the Reich (Rechnungshof des Deutschen Reiches).

56. All Officials of the Reich Ministry of Public Enlightenment and Propaganda and heads of its

regional offices and subsidiary agencies down to and including Kreis level. In addition, all officials of Nazi Agencies who have written propaganda of a primarily political nature.

57. High Officials (Minister, Chief Adjutant, State Secretary, Heads and Deputy Heads of Departments and Agencies and all other officials of a rank higher than "Referent" or its equivalent) of the Reich Ministry for Armaments and War Production including Chairmen of the "Hauptauschüsse" and "Ringe".

58. Members of the German Reichstag or Preussischer Staatsrat after 1st January 1934.

59. Reich Trustees of Labor and Special Trustees of Labor (Reichstreuhänder der Arbeit and Sondertreuhänder der Arbeit).

60. The following officials of the Reich Food Estate (Reichsährstand):

1. all Landesbauernführer and their Deputies,
2. all Heads of Central and Regional Marketing Associations (Hauptvereinigungen und Wirtschaftsverbände),
3. all Kreisbauernführer and
4. all Heads of Landes- and Regierungsforstämter.

61. Gau Housing Commissioners (Gauwohnungskommissare) and their Deputies.

62. Commissioned Officers and NCOs of the "Stoßtruppen" and/or "Werkacharen".

63. Rectors of Universities and Curators, Heads of Teachers' Training Colleges and Heads of Institutions of University Level.

64. Ministers, State Secretaries and Ministerial Directors of German Länder (States).

65. Provincial Presidents (Oberpräsidenten), Reich Governors (Reichsstatthalter) and their Departmental Heads.

66. Regierungspräsidenten or Landeskommisare

ALLIED CONTROL COUNCIL, BERLIN, 1946

75

SUBJECT: DENAZIFICATION

DATE: 12 January 1946

(in Land Baden).

57. Landräte.

58. All Urban and Rural Mayors (Oberbürgermeister und Bürgermeister).

59. Police Presidents and Directors (Polizeipräsidenten und Polizeidirektoren) commissioned officers of the Technische Nothilfe (Technical Emergency Corps); Police Officers above the rank of Lieutenant or equivalent; all members of the Administrative Police (Verwaltungspolizei) serving with the Secret State Police (Gestapo) and with the SD (Security Service of the SS).

70. All Officers and other personnel at any time of the Militärisches Amt (formerly Abwehramt) and of the Reichssicherheitshauptamt (RSHA) and out-stations and dependent organizations, and of Uniformed, Criminal, Secret, and other Police and related Forces and Services who are subject to mandatory arrest will be compulsorily removed and permanently excluded from office and from positions of importance. In addition, all personnel employed in foreign countries since 1 January 1933 by the German Intelligence Service or by any organization or out-station dependent upon or controlled by it will be removed and excluded from office and from positions of importance.

71. The Plenipotentiary for the Employment and Distribution of Labor (General-Bevollmächtigter für den Arbeitseinsatz); the Special Commissioner for Agricultural Labor; the Reich Labor Inspectorate; the Reich Allocation Engineer (Reichseinsatzingenieur).

72. Deutsche Reichsbank: President, Vice-presidents, and all other members of the Reichsbank Directorate (Direktorium), all members of the Advisory Board (Beirat), and all Reichsbank Directors (Direktoren).

73. Chief Regional Finance Officials (Oberfinanzpräsidenten).

74. Armament Inspectors (Rüstungsinspektoren); Armament Commissioners (Rüstungsobmänner); Army District Deputies (Wehrkreisbeauftragte); District Labor Allocation Engineers (Bezirksarbeitsinsatzingenieure); Building Delegates (Baubevollmächtigte); Policy-making officials of the Gau Economic Chambers and the Gau Economic Consultants of the NSDAP (Gauwirtschaftsberater).

BUSINESS OFFICIALS:

75. All individuals who have accepted Nazi Honors (para. 45-52 ante) or who have held any of the following positions since 30 January 1933:

76. Head of the National Economic Chamber (Reichswirtschaftskammer) and his subordinates down to President or Chairman of a Gau Economic Chamber (Gauwirtschaftskammer) or affiliated Economic Chamber (Wirtschaftskammer).

77. Chairman, President, Deputy or Business Manager of a Reichsgruppe (These are Reichsgruppen der gewerblichen Wirtschaft - National Groups of Industrial Economy - Industry, Handicrafts, Trade, Insurance, Power and the Tourist Industry, representing the whole industrial economy of the country except transport and agriculture), Chairman, President, Deputy or Business Manager of the Reichsvereinigungen (Reich Associations) in both cases including Main Committees, Special Committees, Main Rings and Special Rings.

78. Chairman, President or Deputy of a National Transport Group (Reichsverkehrsruppe).

79. Chairman, all members of the Board of Directors, and leading executives of a Corporation in which the Reich has, or has had at any time since 30 January 1933, an interest representing actual or working control; Chairman, all members of the Board of Directors and leading executives of a Corporation in which the NSDAP or any of its subsidiary organizations has, or has had at any time since 30 January 1933, an interest representing actual or working control.

80. Wehrwirtschaftsführer (War Economy Leader).  
81. Reich Commissioners having jurisdiction over a raw material or industry (e.g. Reichsbeauftragte für Kohle, Reichsbeauftragte für Eisen, etc.), as well as policy-making officials of the "Reichsstellen" and "Bewirtschaftungsstellen".

MILITARY SERVICE:

82. Persons who have at any time been members of the German General Staff Corps.

83. Persons who have been National Socialist indoctrination Officers (NS-Führungsoffiziere).

ORGANIZATIONS IN OCCUPIED TERRITORY:

84. Persons who have been chiefs of military or of civil administration in countries and territories occupied by Germany, or who have headed main functional or regional divisions thereof, and Military Commandants and their Deputies in cities and small townships.

85. Officials of the RUK (Rüstungs- und Kriegsproduktion - Reich Ministry of Armaments and War Production).

86. Officials of the Rohstoffhandlungsgesellschaft (ROGES - Raw Material Trading Company).

LAWYERS:

87. All persons who have been engaged or employed at any time in any of the following appointments or activities:

- a) Akademie für Deutsches Recht: President, Vice-President, Directors, Treasurer.
- b) Gemeinschaftslager Hans Kerrl: Commandants and all instructors in Hauptamts.
- c) Volkgerichtshof: All judges, the Ständedirektor, the Oberreichsanwalt, and all other prosecutors.

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

DATE: 12 January 1946

## SUBJECT: DENATIFICATION

- d) Sondergerichte:  
All presiding and other permanent judges and prosecutors.
- e) Party SS and SA Courts:  
All judges, prosecutors and officials.
- f) Standgerichte:  
All presiding judges and prosecutors.
88. All persons who have been employed or engaged in any of the following appointments or activities at any time since 1 March 1933:
- a) Reichsgericht:  
President, judges of the Special Senate and all prosecutors.
- b) Reichsjustizprüfungsamt:  
President, Vice-President, Leiter und Mitglieder im Hauptamt der Prüfungsstelle.
- c) Oberlandesgerichte:  
All Presidents, Vice-Presidents and Generalstaatsanwälte.
- d) Landgerichte:  
All Presidents and Oberstaatsanwälte.
- e) Hereditary Farm Courts:  
President and Vice-President of the Reichserbhofgericht and the President and Vice-President of the Landeserbhofgericht in Celle.
- f) Disciplinary Courts (Dienststrafkammern) for legal personnel:  
The President of any disciplinary court; the members of the Supreme Disciplinary Senate of the Reichsgericht.
- g) Reichsverwaltungsgericht:  
President, Vice-President and all presidents of Senates.
- h) Reichsfinanzhof:  
President and Vice-President.
- l) Reichsarbeitsgericht:  
President and Deputy.

- j) Reichsversicherungsamt:  
President and Deputy.
- k) Reichsverorgungsgesetz:  
President and Vice-President.
- l) Reichsrechnungshof:  
President and all Judges.
- m) Professional Chambers:  
The Presidents, Vice-Presidents and all officials of the Reichsnotarkammer, Reichspatentamt, Reichsrechtswissenschaftsakademie and Reichsrechtsanwaltskammer; all members of the Supreme Honor Courts, relating to these professions; the President of the Notarkasse.
- n) Personnel Officials:  
All Personalreferenten at Reichsjustizministerium and all Courts.
- o) Reichspatentamt:  
President, Vice-President.
89. The personnel listed in this sub-paragraph are to be suspended and not re-employed unless there is positive evidence in their favor:
- a) Ministry of Justice:  
All Ministerialdirigenten (unless they are deputies to the Ministerialdirektoren), and Ministerialräte who have presided over a Department.
- b) Prüfungsämter:  
All members not covered by para. 88 b) above.
- c) Disciplinary Courts for Legal Personnel:  
All members not covered by para. 88 f) above.
- d) All lawyers who have held regular employment in the Legal Advice Bureau of the DAF or have been admitted to appear before Labor Courts of first instance.
- e) Professional Chambers and Honor Courts relating to legal personnel:  
All members not covered by para. 88 l) and m) above.

- f) Oberstes Fideikommissgericht (Entailed Estates Court):  
President, Vice-President.
- g) Oberlandesgerichte:  
All Oberstaatsanwälte.
- h) Schifffahrtsobergerichte:  
All Presidents, Vice-Presidents.
- i) Oberpräsidium:  
President, Deputy-President.
- j) Amtgerichte:  
All dienstaufsichtsführende Richter.
- k) Hereditary Farm Courts:  
All judges of the Reichserbhofgericht, and the Landeserbhofgericht in Celle not covered by para. 88 e) above.
- l) Reichsverwaltungsgericht:  
All members not covered by para. 88 g) above.
- m) Reichsfinanzhof:  
Presidents of Senates.
- n) Reichsarbeitsgericht:  
Presidents of Senates.
- o) Any persons who were either
1. Staatssekretär, Ministerialdirektor, or their deputies, or
  2. employed or engaged in the appointments or activities specified in paragraph 88 above during the period between 1 January 1933 and 8 May 1945.
90. High ranking officials of the Organization Todt (Einsatzleiter and upwards).
91. Any national of any of the United Nations who has committed offences against his national law in support of the German war effort or any such national who has assumed or been granted German citizenship after the date of entry of his former native country into a state of war with Germany.

ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: DENAZIFICATION

DATE: 12 January 1946

92. Members of non-German native administrations (Quislings), and members of non-German Nazi or Fascist parties who may have assumed or been granted German citizenship after 1st April 1933.

93. All members of the Staffs of Concentration Camps.

94. Persons who have held the office of Vertrauenslehrer (or Jugendwarter before 1937) in any type of school.

95. Persons who have denounced or contributed to the seizure of opponents of the Nazi regime.

96. Persons who have instigated or perpetrated acts of violence against political or religious opponents of the Nazi regime.

97. Persons employed in disseminating Nazi or Fascist ideology.

98. Persons who have been officials, teachers, or pupils at any time in National Political Educational Institutes (Nationalpolitische Erziehungsanstalten - NAFOLAS or NPEA), Adolf Hitler Schools (Adolf-Hitler-Schulen) or Ordensburgen.

99. Any person who has been previously removed or excluded from office or employment by any Zone Commander.

11. GUIDE TO DISCRETIONARY REMOVALS OR EXCLUSIONS

The eradication of nazism and militarism will require the elimination and exclusion from any positions of control or influence of persons likely to perpetuate an undemocratic tradition. In addition to the persons coming within categories listed in paragraph 10 and therefore subject to compulsory removal, the following types should be closely examined:

a) Career officers of the German Armed Forces including the former Reichswehr.

b) Persons who represent Prussian Junker tradition. These persons are difficult to define

correctly. Information as to any individual, however, which shows him to have been a member of an aristocratic Prussian or East Prussian, Pommeranian, Silesian or Mecklenburg family, or of one which is the owner of extensive property in Prussia, or that he was a member of any of the elite German University Students Corps (such as the Bonner Borussia or all corps belonging to the Kösener SO), or a member of any of the East Prussian or Silesian Landmannschaften, should be given careful consideration; such individuals are likely to merit removal or exclusion as they are likely to perpetuate the German militaristic tradition.

12. DISCRETIONARY REMOVAL AND EXCLUSION CATEGORIES

The list given hereunder should be consulted in determining whether or not persons not included under para. 10 above or otherwise prescribed fall within the category of strong Nazi sympathizers or persons hostile to Allied purposes:

a) Members (other than conscripts) of the Waffen-SS.

b) Persons who have been candidates for membership in any of the branches of the SS.

c) Persons who joined the SA on or after 1 April 1933.

d) Members of the Hitler Jugend and Bund Deutscher Mädel who joined the HJ before 25 March 1939.

e) NCOs of the RAD below the rank of Feldmeister (men) and Maidenführerin (women).

f) Nominal members of the NSDAP who joined the Party after 1 May 1937 and persons who have been candidates for membership of the NSDAP.

g) Persons who have benefited by acceptance or transfer of property incidental to spoliation of occupied countries, aryansation, or confiscation of property on political, religious or racial

grounds.

h) Persons who have had exceptionally rapid promotions in civil service, education or the press since 30 January 1933.

i) Persons who have been employed in policy-making or executive positions in the military or civil administration of German occupied territories and who are not covered by para. 10 above.

j) Persons who have made substantial contributions to the Party (sums large in themselves or large in proportion to the means of the individual in question). In this connection it should be noted that contributions to German political parties, including the NSDAP, were frequently made by companies, cartels, etc., and prominent sympathizers with the Party may have used this method rather than that of personal subscription to support the Party.

k) Persons who were members of other political parties or organizations in Germany which ultimately provided support for the National Socialist Party at the time of its coming into power (e.g. Hugenberg's Harzburger Front Group of the Deutschnationale Volkspartei, the Stahlhelm and the Kyffhäuserbund).

l) Persons holding high positions in the German Red Cross, particularly if they were appointed since 1933. Leading posts in this organization have been given only to men and women considered reliable by the Nazis.

m) Persons belonging to the "German Christian Movement" (Deutsche Christen-Bewegung). This organization consists mainly of Nazis who claim to be Protestant Christians and who have managed, with the help of the NSDAP, to gain a majority control of the administrative machinery of the German Evangelical Church. Membership of this organization indicates Nazi sympathy.

n) Persons belonging to the "Neo-Fagan Movement" (Deutsche Glaubensbewegung). This organiza-

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

DATE: 12 January 1946

SUBJECT: DENAZIFICATION

tion was composed of Nazi sympathizers frank enough to admit Nazism and Christianity are irreconcilable. Membership of this organization raises strong presumption of Nazi sympathy.

c) Members of the NSKK, and the NSFK, NSDAP, NSDAP and NSF.

d) Recipients of the Spanish Cross, the Austrian Commemoration Medal, the Sudeten Commemoration Medal, the Menel Commemoration Medal, the Danzig Cross, the SA Military Badge, or Reich Labor Services Badges of Merit.

e) Parents who have permitted any of their children to attend National Political Educational Institutes (Nationalpolitische Erziehungsanstalten) - NAFOLAS or NPEA, Adolf Hitler Schools (Adolf-Hitler-Schulen) or Ordensburgen.

f) Persons who have received financial favoritism from the Nazis.

g) Persons who, through Nazi influence, escaped military service or actual service at the front.

h) Lawyers to whom the criteria mentioned in Category "C" of Appendix 1 of Section 1 of the Technical Manual for Legal and Prison Officers (2nd edition) apply.

i) Officials of important industrial, commercial, agricultural and financial institutions having the titles of "General director", "Direktor", "Präsident", "Vize-Präsident", "Geschäftsführer", "Betriebsführer", "Betriebsleiter", "Betriebsobmann", "Betriebschef", or their equivalents; policy-making technical personnel such as "Chefingenieur", "Oberingenieur", "Betriebsingenieur", etc.; all members of the "Vorstand", and "Aufsichtsrat"; all persons with the power to hire and dismiss employees.

j) Near relatives of prominent Nazis should not be employed.

#### 19. PRINCIPLES GUIDING DISCRETION IN REMOVING AND EXCLUDING INDIVIDUALS

The guiding principle in all these cases must be whether the person under examination has or has not been more than a nominal participant in the activities of the Nazi Party, in the light of the definition in paragraph 2 of this directive. In cases of doubt persons will not be employed or left in occupation of their office if others are available who are politically more reliable but administratively somewhat less suitable. Such persons will, wherever possible, be given only posts of minor responsibility until they have proved themselves to be politically reliable. It is essential that the head executive German officials at the levels of Provinz, Regierungsbezirk and Kreis should be confirmed anti-Nazi even if this entails the employment of persons less well qualified to discharge their administrative duties.

Done in Berlin on 12 January 1946.

B. H. ROBERTSON  
Lieutenant General

L. KOELTZ  
Général d'Armée

V. SKOLOVSKY  
Army General

OLIVER P. ECHOIS  
Major General

for LUCIUS D. CLAY  
Lieutenant General

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

DIRECTIVE NO. 38

THE ARREST AND PUNISHMENT OF WAR CRIMINALS, NAZIS AND MILITARISTS AND THE INTERNMENT, CONTROL AND SURVEILLANCE OF POTENTIALLY DANGEROUS GERMANS

The Control Council directs as follows:

PART I

1. OBJECT

The object of this paper is to establish a common policy for Germany covering:

a) The punishment of war criminals, Nazis, Militarists, and industrialists who encouraged and supported the Nazi Regime.

b) The complete and lasting destruction of Nazism and Militarism by imprisoning and restricting the activities of important participants or adherents to these creeds.

c) The internment of Germans, who, though not guilty of specific crimes are considered to be dangerous to Allied purposes, and the control and surveillance of others considered potentially so dangerous.

2. REFERENCES

- a) Potsdam Agreement, Sec. III, Para. 3, I(e)
- b) Potsdam Agreement, Sec. III, Para. 3, III
- c) Potsdam Agreement, Sec. III, Para. 5
- d) Control Council Directive No. 24
- e) Control Council Law No. 10, Article II, Para. 3 and Article III, Paras. 1 and 2.

3. THE PROBLEM AND GENERAL PRINCIPLES

It is considered that in order to carry out the principles established at Potsdam, it will be necessary to classify war criminals and potentially dangerous persons into five main categories and to establish punishments and sanctions appropriate to each category. We consider that the composition of categories and the nature of penalties and sanctions should be agreed in some detail but without limiting in any way the full dis-

cretion conferred by Control Council Law No. 10 upon Zone Commanders.

4. A clear definition of Allied policy with regard to the obviously dangerous as well as to only potentially dangerous Germans is required at this time in order to establish uniform provisions for disposing of these persons in the various Zones.

5. CATEGORIES AND SANCTIONS

Composition of categories and sanctions are treated in detail in Part II of this Directive. They shall be applied in accordance with the following general principles:

a) A distinction should be made between imprisonment of war criminals and similar offenders for criminal conduct and internment of potentially dangerous persons who may be confined because their freedom would constitute a danger to the Allied Cause.

b) Zone Commanders may, if they so desire, place an individual in a lower category on probation, with the exception of those who have been convicted as major offenders on account of their guilt in specific crimes.

c) Within the categories, Zone Commanders will retain discretion to vary the sanctions if necessary to meet the requirements of individual cases within the limits laid down in this Directive.

d) The classification of all offenders and potentially dangerous persons, assessment of sanctions and the review of cases will be carried out by agencies to be designated by the Zone Commanders as responsible for the implementation of this Directive.

e) The Zone Commanders and tribunals will have the authority to upgrade or downgrade individuals between categories. Zone Commanders may, if they wish, use German tribunals for the purpose of classification, trial and review.

f) In order to prevent persons dealt with under this Directive avoiding any of the consequences of the Directive by moving to another Zone, each Zone Commander will ensure that the other Zones know and understand the methods employed by him in endorsing the identity documents of classified individuals.

g) To implement this Directive, it is recommended that each Zone Commander will issue Orders or Zonal Laws conforming in substance to the provisions and principles of this Directive in his own Zone. Zone Commander will supply each other with copies of such Laws or Orders.

h) Provided that such Zonal Laws are in general conformity with the principles here set forth, full discretion is reserved to the individual Zone Commanders as regards their application in detail in accordance with the local situation in their respective Zones.

i) In Berlin the Allied Kommandatura will have the responsibility for implementing the principles and provisions of this Directive and will issue such regulations and orders as are required for that purpose. Whatever discretion in the implementation of this Directive is left to Zone Commanders will be exercised by the Allied Kommandatura in Berlin.

j) Apart from the categories and sanctions set forth in Part II of this Directive, persons who committed war crimes or crimes against peace or humanity as defined in Control Council Law No. 10, will be dealt with under the provisions and procedures prescribed by that Law.

ECON-  
OMICS  
  
FINANCE  
  
GOVERN-  
MENT  
  
POPUL-  
ATION  
  
REPAR-  
ATIONS  
  
TREATIES  
  
MISCEL-  
LANEOUS  
  
INDEX

SUBJECT: DENATIFICATION

DATE: 12 October 1946

PART IIARTICLE 1CRIMES OF PERSONS RESPONSIBLE

In order to make a just determination of responsibility and to provide for imposition (except in the case of 5. below) of sentences the following groupings of persons shall be made:

1. Major offenders;
2. Offenders (activists, militarists, and profiteers);
3. Lesser offenders (probationers);
4. Followers;
5. Persons exonerated. (Those included in the above categories who can prove themselves not guilty before a tribunal).

ARTICLE 2  
MAJOR OFFENDERS

Major Offenders are:

1. Anyone who, out of political motives, committed crimes against victims or opponents of national socialism;
2. Anyone who, in Germany or in the occupied areas, treated foreign civilians or Prisoners of War contrary to International Law;
3. Anyone who is responsible for outrages, pillaging, deportations, or other acts of brutality, even if committed in fighting against resistance movements;
4. Anyone who was active in a leading position in the NSDAP, one of its formations or affiliated organizations, or in any other national socialist or militaristic organization;
5. Anyone who, in the government of the Reich, the Leader, or in the administration of formerly occupied areas, held a leading position which could have been held only by a leading national socialist or a leading supporter of the national socialist tyranny;
6. Anyone who gave major political, economic,

propagandist or other support to the national socialist tyranny, or who, by reason of his relations with the national socialist tyranny, received very substantial profits for himself or others;

7. Anyone who was actively engaged for the national socialist tyranny in the Gestapo, the SD, the SS, or the Geheime Feld- or Grenz-Polizei;

8. Anyone who, in any form whatever, participated in killings, tortures, or other cruelties in a concentration camp, a labor camp, or a medical institution or asylum;

9. Anyone who, for personal profit or advantage, actively collaborated with the Gestapo, SD, SS or similar organizations by denouncing or otherwise aiding in the persecution of the opponents of the national socialist tyranny;

10. Any member of the High Command of the German Armed Forces so specified;

11. In Part I of Appendix 'A' a list of categories of persons is given who, because of the character of the crimes allegedly committed by them, shown in paras. 1-10 of this Article, as well as the positions occupied by them, will be carefully investigated and, if the results of the investigation necessitate a trial, must be brought to trial as major offenders and punished if found guilty.

ARTICLE 3  
OFFENDERSA. ACTIVISTS

1. An activist is:

1. Anyone who, by way of his position or activity, substantially advanced the national socialist tyranny;
2. Anyone who exploited his position, his influence or his connections to impose force and utter threats, to act with brutality and to carry out oppressions or otherwise unjust measures;

3. Anyone who manifested himself as an avowed adherent of the national socialist tyranny, more particularly of its racial creeds.

II. Activists are in particular the following persons, insofar as they are not major offenders:

1. Anyone who substantially contributed to the establishment, consolidation or maintenance of the national socialist tyranny, by word or deed, especially publicly through speeches or writings or through voluntary donations out of his own or another's property or through using his personal reputation or his position of power in political, economic or cultural life;

2. Anyone who, through national socialist teachings or education, poisoned the spirit and soul of the youth;

3. Anyone who, in order to strengthen the national socialist tyranny, undermined family and marital life disregarding recognized moral principles;

4. Anyone who in the service of national socialism unlawfully interfered in the administration of justice or abused politically his office as judge or public prosecutor;

5. Anyone who in the service of national socialism agitated with incitement or violence against churches, religious communities or ideological associations;

6. Anyone who in the service of national socialism ridiculed, damaged or destroyed values of art or science;

7. Anyone who took a leading or active part in destroying trade unions, suppressing labor, and misappropriating trade union property;

8. Anyone who, as a provocateur, agent or informer, caused or attempted to cause, institution of a proceeding to the detriment of others because of their race, religion or political opposition to national socialism or because of violation of national socialist rules;

ALLIED CONTROL COUNCIL, BERLIN, 1946

81

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

9. Anyone who exploited his position or power under the national socialistic tyranny to commit offences, in particular, extortions, embezzlements and frauds;

10. Anyone who by word or deed took an attitude of hatred towards opponents of the NSDAP in Germany or abroad, towards Prisoners of War, the population of formerly occupied territories, foreign civilian workers, prisoners or like persons;

11. Anyone who favored transfer to service at the front because of opposition to national socialism.

III. An activist shall also be anyone who after 8 May 1945 has endangered or is likely to endanger the peace of the German people or of the world, through advocating national socialism or militarism or inventing or disseminating malicious rumors.

B. MILITARISTS

I. A Militarist is:

1. Anyone who sought to bring the life of the German people into line with a policy of militaristic force;

2. Anyone who advocated or is responsible for the domination of foreign peoples, their exploitation or displacement; or

3. Any who, for these purposes, promoted armament.

II. Militarists are in particular the following persons, insofar as they are not major offenders:

1. Anyone who, by word or deed, established or disseminated militaristic doctrines or programs or was active in any organization (except the Wehrmacht) serving the advancement of militaristic ideas;

2. Anyone who before 1935 organized or participated in the organization of the systematic training of youth for war;

3. Anyone who, exercising the power of command, is responsible for the wanton devastation, after the invasion of Germany, of cities and country places;

4. Anyone without regard to his rank who as a member of the Armed Forces (Wehrmacht), the Reich Labor Service (Reichsarbeitsdienst), the Organization Todt (OT), or Transport Group Speer, abused his official authority to obtain personal advantages or brutally to mistreat subordinates;

5. Anyone whose past training and activities in the General Staff Corps or otherwise has in the opinion of Zone Commanders contributed towards the promotion of militarism and whom the Zone Commanders consider likely to endanger Allied purposes.

C. PROFITEERS

I. A profiteer is:

Anyone who, by use of his political position or connections, gained personal or economic advantages for himself or others from the national socialistic tyranny, the rearmament, or the war.

II. Profiteers are in particular the following persons, insofar as they are not major offenders:

1. Anyone who, solely on account of his membership in the NSDAP, obtained an office or a position or was preferentially promoted therein.

2. Anyone who received substantial donations from the NSDAP or its formations or affiliated organizations;

3. Anyone who obtained or strove for advantages for himself or others at the expense of those who were persecuted on political, religious or racial grounds, directly or indirectly, especially in connection with appropriations, forced sales, or similar transactions.

4. Anyone who made disproportionately high profits in armament or war transactions.

5. Anyone who unjustly enriched himself in connection with the administration of formerly occupied territories;

D. In Part II of Appendix 'A' a list of categories of persons is given who, because of the character of the crimes allegedly committed by them, shown in this Article, paragraphs A, B and C, will be carefully investigated and, if the results of the investigation necessitate a trial, must be brought to trial as offenders and punished if found guilty.

ARTICLE 4  
LESSER OFFENDERS  
PROBATIONERS

I. A lesser offender is:

1. Anyone including former members of the Armed Forces who otherwise belongs to the groups of Offenders but because of special circumstances seems worthy of a milder judgment and can be expected according to his character to fulfill his duties as a citizen of a peaceful democratic state after he has proved himself in a period of probation.

2. Anyone who otherwise belongs to the group of followers but because of his conduct and in view of his character will first have to prove himself.

II. A lesser offender is more particularly:

1. Anyone who, born after the first day of January 1919, does not belong to the group of major offenders, but seems to be an offender, without however having manifested despicable or brutal conduct and who can be expected in view of his character to prove himself;

2. Anyone, not a major offender, who seems to be an offender but withdrew from national socialism and its methods, unqualifiedly and manifestly, at an early time.

3. In Part III of Appendix 'A' a list of

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

categories of persons is given who will be carefully investigated and, if there is evidence of guilt in accordance with the provisions of paras. I and II of this Article, will be charged as lesser offenders and punished if found guilty.

ARTICLE 5  
FOLLOWERS

I. A follower is:

Anyone who was not more than a nominal participant in, or a supporter of, the national socialist tyranny.

II. Subject to the standard, a follower is more particularly:

1. Anyone who as a member of the NSDAP or of one of its formations, except the NF and HJ, did no more than pay membership fees, participate in meetings where attendance was obligatory, or carry out unimportant or purely routine duties such as were directed for all members;

2. Anyone, not a major offender, an offender, or a lesser offender, who was a candidate for membership in the NSDAP but had not yet been finally accepted as a member.

3. Anyone being a former member of the Armed Forces who, in the opinion of the Zone Commander, is liable by his qualification to endanger Allied purposes.

ARTICLE 6  
EXCORPORATED PERSONS

An excorporated person is:

Anyone who, in spite of his formal membership or candidacy or any other outward indication, not only showed a passive attitude but also actively resisted the national socialist tyranny to the extent of his powers and thereby suffered disadvantages.

ARTICLE 7  
SANCTIONS

In accordance with the extent of responsibility

the sanctions set forth in Art. 8-11 shall be imposed in just selection and gradation, to accomplish the exclusion of national socialism and militarism from the life of the German people and reparation of the damage caused.

ARTICLE 8  
SANCTIONS AGAINST MAJOR OFFENDERS

I. Major Offenders having committed a specific war crime will be liable to the following sanctions:

a) Death.

b) Imprisonment for life or for period of five to fifteen years, with or without hard labor.

c) In addition, any of the sanctions listed in Paragraph II of this Article may be imposed.

II. The following sanctions may be imposed upon other Major Offenders:

a) They shall be imprisoned, or interned for a period not exceeding 10 years. Internment after 8 May 1945 can be taken into account. Disabled persons will be required to perform special work in accordance with their capability.

b) Their property may be confiscated. However, there shall be left to them an amount necessary to cover the bare existence after taking into consideration family conditions and earning power.

c) They shall be ineligible to hold any public office, including that of notary or attorney.

d) They shall lose any legal claims to a pension or allowance payable from public funds.

e) They shall lose the right to vote, the capacity to be elected, and the right to be politically active in any way or to be members of a political party.

f) They shall not be allowed to be members of a trade union or a business or vocational association.

g) They shall be prohibited for a period of not less than ten years after their release:

1. To be active in a profession or, independently, in an enterprise of economic undertaking of any kind, to own a share therein or to supervise or control it.

2. To be employed in any dependent position, other than ordinary labor.

3. To be active as teacher, preacher, editor, author, or radio commentator.

b) They are subject to restrictions as regards living space and place of residence, and may be enlisted for public works service.

4) They shall lose all licenses, concessions and privileges granted them and the right to keep a motor vehicle.

ARTICLE 9  
SANCTIONS AGAINST OFFENDERS

1. They may be imprisoned or interned for a period up to ten years in order to perform reparation and reconstruction work. Political internment after 8 May 1945 can be taken into account.

2. Their property may be confiscated (as a contribution for reparation), either as a whole or in part. In case the property is confiscated in part, capital goods (Sachwerte) should be preferred. The necessary items for daily use shall be left to them.

3. They shall be ineligible to hold any public office, including that of notary or attorney.

4. They shall lose any legal claims to a pension or allowance payable from public funds.

5. They shall lose the right to vote, the capacity to be elected, and the right to be politically active in any way or to be members of a political party.

6. They shall not be allowed to be members of a trade union or business or vocational association.

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

7. They shall be prohibited, for a period of not less than five years after their release:
- To be active in a profession or, independently, in an enterprise or economic undertaking of any kind, to own a share therein or to supervise or control it.
  - To be employed in any dependent position, other than ordinary labor.
  - To be active as a teacher, preacher, editor, author, or radio commentator.
8. They are subject to restriction as regards living space and place of residence.
9. They shall lose all licenses, concessions and privileges granted them and the right to keep a motor vehicle.
10. Within the discretion of Zone Commanders sanctions may be included in zonal laws forbidding offenders to leave a Zone without permission.

ARTICLE 10  
SANCTIONS AGAINST LESSER OFFENDERS

If the finding of the tribunal places an individual in the category of lesser offenders, he may be placed on probation. The time of probation shall be at least two years but, as a rule, not more than three years. To which group a person responsible hereunder will be finally allocated will depend on his conduct during the period of probation. While on probation, the following sanctions will apply:

- They shall be prohibited, during the period of probation:
  - To operate an enterprise as owner, partner, manager or executive, supervise or control an enterprise or to acquire any enterprise in whole or in part, or any interest or share therein, in whole or in part.
  - To be active as teacher, preacher, author, editor or radio commentator.

2. In the event the lesser offender is the owner of an independent enterprise, or any share therein, at the time of his classification, his interest in such enterprise may be blocked.

3. The term enterprise as used in paragraph 1a) and 2 of this Article need not include small undertakings of craftsmen, retail shops, farms and like undertakings, having less than 20 employees.

4. Property values, acquisition of which rested upon use of political connections or special national socialist measures such as organization and armament shall be confiscated.

5. For the period of probation additional sanctions, taken from those set forth in Article 11 hereof may be imposed, with just selection and modification, more particularly:

- Restrictions in the exercise of an independent profession, and prohibition to train apprentices.
- In respect of civil servants: Reduction of retirement pay, retirement or transfer to an office with lesser rank or to another position with reduction of compensation, rescission of promotion, transfer from the civil service relationship into that of a contractual employee.

6. Internment in a labor camp or confiscation of the whole property may not be ordered.

7. Within the discretion of Zone Commanders sanctions may be included in zonal laws forbidding the lesser offenders to leave a Zone without permission.

8. Within the discretion of Zone Commanders sanctions may be included in zonal laws denying them the capacity to be elected and the right to be politically active in any way or to be members of a political party. They may also be denied the right to vote.

9. They may be required to report periodically to the police in the place of their residence.

ARTICLE 11  
SANCTIONS AGAINST FOLLOWERS

The following sanctions against followers may be applied at the discretion of the Zone Commanders:

- They may be required to report periodically to the police in the place of their residence.
- They will not be permitted to leave a Zone or Germany without permission.
- Civilian members in this category may not stand for election at any level but may vote.
- In addition, in the case of civil servants, retirement or transfer to an office with lesser rank or to another position, possibly with reduction of compensation or rescission of a promotion instituted while the person belonged to the NSDAP, may be ordered. Corresponding measures may be ordered against persons in economic enterprises including agriculture and forestry.
- They may be ordered to pay single or recurrent contributions to funds for reparations. When determining contributions, the follower's period of membership, the fees and contributions paid by him, his wealth and income, his family conditions and other relevant factors shall be taken into consideration.

ARTICLE 12  
EXGNERATED PERSONS

No sanction will be applied against persons declared to be exonerated by a tribunal.

ARTICLE 13

Persons in the categories defined in Articles 2 to 6 above who are guilty of specific war crimes or other offences may be prosecuted regardless of their classification under this Directive. Imposing of Sanctions under this Directive

ECONOMICS  
FINANCE  
GOVERNMENT  
POPULATION  
REPARATIONS  
TREATIES  
MISCELLANEOUS  
INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1946

DATE: 12 October 1946

SUBJECT: DENAZIFICATION

shall not bar criminal prosecutions for the same offense.

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

R. NOIRET,  
Général de Division

P. A. KUROCHKIN,  
Colonel General

LUCIUS D. CLAY,  
Lieutenant General

G. W. B. J. ESKINE,  
Major General  
for B. H. ROBERTSON  
Lieutenant General

## APPENDIX 'A'

## PART I

The following is a list of categories of persons who, because of the character of the crimes allegedly committed by them, shown in paras. 1-10 of Article 2 of Part II of this Directive, as well as the positions occupied by them, will be carefully investigated and, if the results of the investigation necessitate a trial, must be brought to trial as major offenders and punished if found guilty.

A. The German Secret Service including Abwehramter (military intelligence offices)

1. All executive officials of the Reichsministerium (RSHA or National Department of Security), its organizations and offices directly supervised by RSHA.

2. All officials of the Geheime Feldpolizei (GFP) down to and including the rank of Feld-

Polizeidirektor.

3. All executive officials of the Research Office of the Reich Air Ministry.

B. The Security Policy (Sipo).

1. All members of the Geheime Staatspolizei (Gestapo).

2. Executive officials of the Grenzpolizei-Kommissariate (Grenko).

3. All executives of the Main Offices (Leitstellen) and Offices (Stellen) of the Criminal Police (Kriminalpolizei).

C. The Ordnungspolizei (Orpo).

1. All officials of the following branches of police since 1935 down to and including the rank of colonel or equivalent:

- a) Schutzpolizei (Schupo)
- b) Gendarmerie (Gend)
- c) Wasserschutzpolizei (SW)
- d) Luftschutzpolizei (L.Schupo)
- e) Technische Nothilfe.

D. The NSDAP.

1. All office holders of the NSDAP down to and including the office of Amtleiter of the Kreisleitung.

2. All members of the Corps of Political Leaders of the Party down to and including the rank of political Einsatzleiter and all members of the training staffs of the Ordensburgen, Schulungsburgen, Adolf-Hitler-Schulen and Nationalpolitische Erziehungsanstalten.

3. All members of the Reichstagsfraktion of the NSDAP before 30 January 1933.

4. The following office holders of the Reich Food Estate (Reichsnährstand):

- a) all Landesbauernführer and their deputies;
- b) all leaders of the Hauptvereinigungen

und Wirtschaftsverbände;

- c) all Kreisbauernführer;
- d) all leaders of the Landesforstämter.

5. Officials of the Gauwirtschaftskammern who were charged with political coordination on behalf of the Party.

6. Gauwirtschaftsberater.

E. The Organizations of the NSDAP.

1. The Waffen-SS - All officers down to and including the rank of Sturmbannführer (Major), all members of the Totenkopfverbände and all SS-Helferinnen and SS-Kriegshelferinnen in Konzentrationslagern (SS Women auxiliaries and SS women auxiliaries of war in concentration camps).

2. Allgemeine SS - All officers down to and including the rank of Untersturmführer.

3. SA - All officers down to and including the rank of Sturmbannführer.

4. HJ - All officers down to and including the rank of Bannführer and equivalents in the HJ and all members of the "Schnellkommandos" (HJ-Streifendienst) under the control of the SS, who were born prior to 1 January 1919.

5. NSKK - All officers down to and including the rank of Standartenführer.

6. NSFK - All officers down to and including the rank of Standartenführer.

7. NS-Deutscher Studentenbund - All executive office holders of the Reichsstudentenführung and the Gaustudentenführungen.

8. NS-Dozentenbund - All executive office holders at Reich and Gau levels.

9. NS-Frauenenschaft - All executive office holders at Reich and Gau levels.

F. Affiliated Organizations of the NSDAP.

1. Deutsche Arbeitsfront.

ALLIED CONTROL COUNCIL, BERLIN, 1946

85

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

- a) All executive officials of the DAF in the Central Office of the DAF.
  - b) All executive officials of the DAF in the Kriegshauptarbeitsgebieten I, II, III and IV.
  - c) All members of the Oberster Ehren- und Disziplinarhof.
  - d) All executive officials of the DAF-Gauverwaltung, Auslandsorganisation.
2. NS-Volkswohlfahrt - All executive office holders down to and including the Department Heads at Reich level.
  3. NS-Kriegsopferversorgung - All office holders down to and including the Department Heads at Reich level.
  4. NS-Bund Deutscher Technik - All office holders down to and including the Department Heads at Reich level.
  5. Reichsbund der Deutschen Beamten - All office holders down to and including the Department Heads at Reich and Gau levels.
  6. NS-Deutscher Agrarbund - All office holders down to and including the Department Heads at Reich and Gau levels.
  7. NS-Lehrerbund - All office holders down to and including Department Heads at Reich and Gau levels.
  8. NS-Rechtswahrerbund - All office holders down to and including Department Heads at Reich and Gau levels.
- G. Supervised Organizations of the NSDAP.
1. NS-Altherrenbund - All members of the Fuehrerkreis down to Gau level.
  2. Reichsbund Deutscher Familie - All executive office holders at Reich level.
  3. Deutscher Gemeindegast - Executive office holders of the Deutscher Gemeindegast.

4. NS-Reichsbund fuer Leibesuebungen - Reichssportfuehrer and all Sportbereichsfuehrer.
- H. Other Nazi Organizations.
1. Reichsarbeitsdienst (RAD) - All officers down to and including the rank of Oberstarbeitsfuehrer as far as men are concerned, and down to and including the rank of Stabsoberruehrerin as far as women are concerned.
  2. Reichskolonialbund - All executive officials of the Colonial Political Office in the Reichsleitung of the NSDAP.
  3. Volksbund fuer das Deutschtum im Ausland (VDA) - All officials in Reich and Gau Offices since 1935 within Germany and all Volksgruppenfuehrer and Landesgruppenfuehrer outside Germany.
  4. NS-Reichskriegerbund (Kyffhaeuserbund) - All officials down to and including the Gaukriegerfuehrer.
  5. Reichskulturkammern - All presidents, vice-presidents and managers. All members of the Reichskulturrat, of the Reichskultursekretariat and Pressdirektorate.
  6. Deutscher Fichtebund - All executive officials.
  7. Reichssicherheitsdienst - All officials down to and including the rank of Dienststellenleiter.
- I. The Nazi Party Decorations.
1. NS-Blutorden - (Of 9 November 1923) - All holders.
  2. Badge of honor for members under Number 100 000 (Golden Party Badge) - All holders.
  3. NSDAP - Service-Medals - All holders of Class I (25 years of service).
- K. Government Officials.

Note: The classifications indicated apply only to those persons who were appointed to any of the

positions listed after 30 January 1933, or who were incumbents in such positions on that date who survived the successive Nazi purges which followed.

1. All political officials including Reichminister, Staatsminister, Staatssekretäre, Reichsstatthalter and Oberpräsidenten and officials, leaders, deputies or commissioners of a corresponding rank.
  2. All former German ambassadors since 30 January 1933.
  3. All officials down to and including the rank of Ministerialdirektor in Reich offices or of an equally high rank in Government offices which existed before 30 January 1933; all officials down to and including Ministerialrat in Reich or Government offices which were created after 30 January 1933 for the fulfillment of new tasks and also in those which had been established in countries and territories formerly occupied or ruled by Germany.
  4. All officials who occupied one of the following positions since 1934.
    - a) Reichsbevollmaechtigtter, Sonderbevollmaechtigtter,
    - b) Reichskommissar,
    - c) Generalkommissar,
    - d) Generalinspekteur,
    - e) Beauftragter und Wehrkreisbeauftragter,
    - f) Reichstreuhänder der Arbeit, Sonderstreuhänder der Arbeit,
    - g) Generalreferent.
- L. The German Armed Forces and Militarists.
1. NS-Fuehrungsoffiziere - All full-time NS-Fuehrungsoffiziere down to and including division in the OKW, OKH, OKM, OKL and OKF.
  2. General Staff Officers - All officers of the

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: DENATIFICATION

DATE: 12 October 1946

German General Staff who since 4 February 1938 belonged to the Wehrmachtsführungstab of the GKW, GKM, GKM, or GKL.

3. Heads and Deputy Heads of Military and Civil administration of countries and territories formerly occupied by Germany.

4. All former officers of the Freikorps "Schwarze Reichswehr".

M. Private Business and Professions.

1. Wehrwirtschaftsführer - All 'Wehrwirtschaftsführer' who were appointed after 1 January 1938.

2. Wirtschaftskammern (Economic Chambers) - All executives and deputy executives of Reichs- and Gewirtschaftskammern.

3. Reichsgruppen der Gewerblichen Wirtschaft (Reich Groups of Trade and Industry) - All chairmen, presidents and deputy executives.

4. Reichsverkehrgruppen (Reich Traffic Groups) - All chairmen, presidents and deputy executives.

5. Wirtschaftsgruppen (Economic Groups) - All chairmen, presidents and deputy executives at Reich level.

6. Reichsvereinigungen (Reich Associations) - All chairmen, presidents and deputy executives.

7. Werberat der Deutschen Wirtschaft (Advertising Council of German Economy) - All presidents and managing directors.

8. Reichskommissare (Reich Commissioners) - All those responsible for raw material and industrial supply.

N. Jurists.

1. President and Vicepresident of the Academy of German Law;

2. Commanders and all fulltime executives of the Gemeinschaftslager Hanna Kerrl;

3. All judges, the Oberreichsanwalt and all public prosecutors as well as the office manager of the Volksgerichtshof;

4. All judges, public prosecutors and officials of the Party, SS and SA courts;

5. President and Vicepresident of the Reichsjustizprüfungsamt;

6. Presidents of the

- a) Reichsgericht,
- b) Reichsarbeitsgericht,
- c) Reichserbhofgericht,
- d) Reichsarbeitsgesundheitsgericht,
- e) Reichsfinanzhof,
- f) Reichsverwaltungsgericht,
- g) Reichslehrengerichtshof,
- h) Reichsrechtsanwaltskammer,
- i) Reichsanotarkammer,
- j) Reichspatentanwaltskammer,
- k) Reichskammer der Wirtschaftsprüfer.

7. Presidents of the Oberlandesgerichte who were appointed after 31 December 1938.

8. Oberreichsanwalts, Reichsanwalts and Generalstaatsanwälte, of the Oberlandesgerichte appointed after 31 March 1939.

9. Vicepresidents of the

- a) Reichsarbeitsgericht,
- b) Reichserbhofgericht,
- c) Reichsarbeitsgesundheitsgericht,
- d) Reichsverwaltungsgericht.

10. Chairmen

- a) of the Sonderamt of the Reichsgericht,
- b) Personalreferenten of the Reichsjustizministerium.

O. Other Groups of Persons.

1. War Criminals.

2. All persons who have denounced opponents of National Socialism or who have in any way con-

tributed to their arrest or who have induced or used force against political or religious opponents of the National-Socialistic tyranny.

3. Commissioned officers of Stosstrupps and Werkstätten within business establishments.

4. Rectors of universities and chairmen of the board of curators, heads of teacher's training colleges and heads of institutions of university level since 1934 insofar as they have been members of the NSDAP or its formations and all such persons appointed since 1938 irrespective of Party affiliation.

#### PART II

The following is a list of categories of persons who, because of the character of the crimes allegedly committed by them, shown in Article 3, paragraphs A, B and C, of Part II of this Directive will be carefully investigated and, if the results of the investigation necessitate a trial, must be brought to trial as offenders and punished if found guilty.

A) The German Secret Service including Abwehrämter (military intelligence offices).

1. All officers and other personnel of the RSHA, its organizations and offices directly supervised by RSHA, if not included in the category of Major Offender.

2. All officials of the Geheime Feldpolizei who are not included in the category of Major Offender.

3. All persons who since 30 January 1933 were engaged in their countries by the German Secret Service including Abwehr or any other organization or branch under the control or supervision of the German Secret Service.

B) The Security Police (Sipo).

1. All persons who have been members of the Grenzpolizei since 1 June 1937, if not included

ALLIED CONTROL COUNCIL, BERLIN, 1946

87

SUBJECT: DENAZIFICATION

DATE: 17 October 1946

in the category of Major Offender.

2. All officials of the Criminal Police down to and including the rank of the Kriminalkommissar if not included in the category of Major Offender.

3. All executive officials of the Mail Censor Offices (Briefpruefungstellen) if not included in the category of Major Offender.

C) The Ordnungspolizei (Orpo).

1. All commissioned police officers (Schutzpolizei, Gendarmerie, Wasserschutzpolizei, Luftschutzpolizei, Technische Nothilfe, Feuerschutzpolizei, Verwaltungspolizei, Kolonialpolizei, Sonderpolizei, Hilfspolizei) who were promoted after 30 January 1933 or who, whether promoted or not, remained in office after 31 December 1937 in spite of successive purges.

2. All commissioned police officers who have served as such at any time in one of the territories formerly occupied by Germany in any fighting formation (Einsatzgruppe or Einsatzkommando) or the Sipo or the SD.

3. All members of the Verwaltungspolizei who had been assigned to Gestapo and SD.

D) The NSDAP.

1. All office holders and officials of the NSDAP (alaried and honorary posts) down to the lowest rank in the party offices (main and subordinate offices) as well as institutions and academies which were founded by the NSDAP.

2. All members of the Corps of Political Leaders who are not included in the category of Major Offender.

3. All members of the 'Reichstagsfraktion' of the NSDAP who are not included in the category of Major Offender.

4. All members of the NSDAP who joined prior to 1 May 1937.

5. All members of the NSDAP who after 4 years

of service with the 'Hitler-Jugend' and after having reached the age of 18 had been selected for admission into the party.

6. All members of the NSDAP regardless of the entrance date who were members of the following organizations:

- a) Reichspressekammer,
- b) Reichsrundfunkkammer,
- c) Deutsche Akademie Kuenstler,
- d) Deutsche Christenbewegung,
- e) Deutsche Glaubensbewegung,
- f) Institut zur Erforschung der Judenfrage,
- g) Kameradschaft USA,
- h) Osteuropaisches Institut (seit 1935).
- i) Staatsakademie fuer Rassen- und Gesundheitspflege.

7. All regular officers of the 'Wehrmacht' who became members of the NSDAP including such officers who were members of the NSDAP before entering the Wehrmacht but who did not thereafter sever their connections with the NSDAP.

8. All executive officials of the Reich Food Estate (Reichsansehrtand) who are not included in the category of Major Offender, and executives of its 'Regierungsforstaemter'.

E) The Organisation of the NSDAP.

1. Waffen SS - All members not included in the category of Major Offender (except those who were conscripted into this organization unless they were promoted to Unteroffizier after their induction); the personnel of the concentration camps insofar as they are not included in the category of Major Offender.

2. Allgemeine SS and its other Organizations - All members not included in the category of Major Offender, including sponsoring members (foerdernde Mitglieder) who joined as such after 31 December 1938, or who in case of prior joining paid fees of more than RM 10,- per month or who made any other substantial contribution to the SS.

3. SA - All officers down to and including the rank of Unteroffizier, insofar as they have served in the SA in this capacity, if not included in the category of Major Offender, as well as members who joined the SA before 1 April 1933.

4. HJ and BIM - All officers not included in the category of Major Offender down to and including confirmed full-time non-commissioned officers. All officers of the HJ and the Deutsches Jungvolk in the field of education and information and all members of the 'Schnellkommandos' (HJ-Streifendienst) under the control of the SS, who were born after 1 January 1919.

Note: See Appendix 'A', Part I, Section 2 para. 4) regarding major offenders for comparison with this section regarding offenders.

5. NSRY - All officers down to and including the rank of Sturmfuhrer, if not included in the category of Major Offender.

6. NSFK - All officers down to and including the rank of Sturmfuhrer, if not included in the category of Major Offender.

7. NS-Deutscher Studentenbund - All office holders, if not included in the category of Major Offender.

8. NS-Dozentenbund - All office holders, if not included in the category of Major Offender.

9. NS-Frauenschaft - All office holders down to and including Block-Frauenschaftsleiterin, if not included in the category of Major Offender.

F) Affiliated Organizations of the NSDAP.

1. Deutsche Arbeitsfront including 'Kraft durch Freude'.

a) All office holders not included in the category of Major Offender.

b) All executive office holders of the Arbeitswissenschaftliches Institut.

c) All Betriebschmanner, Betriebswarte and

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

DATE: 12 October 1946

SUBJECT: DEMERITIZATION

Betriebswalter in enterprises of the DAF.

2. NS-Volkswachlfahrt - All office holders not included in the category of Major Offender.

3. NS-Kriegsopferversorgung - All office holders not included in the category of Major Offender.

4. NS-Bund Deutscher Technik - All office holders not included in the category of Major Offender.

5. Reichsbund der Deutschen Beamten - All office holders not included in the category of Major Offender.

6. NS-Deutscher Aerztebund - All office holders not included in the category of Major Offender.

7. Reichsbund Deutscher Schwestern - NS-Schwester (brown nurses). All office holders.

8. NS-Lehrerbund - All office holders not included in the category of Major Offender.

9. NS-Rechtswahrbund - All office holders not included in the category of Major Offender.

G) Supervised Organizations of the NSDAP.

1. NS-Altherrenbund - All office holders not included in the category of Major Offender.

2. Reichsbund Deutscher Familie - All office holders not included in the category of Major Offender.

3. Deutscher Gemeindetag - All office holders not included in the category of Major Offender.

4. NS-Reichsbund fuer Leibesuebungen - All office holders not included in the category of Major Offender.

5. All office holders of the following organizations:

- a) Deutsches Frauenwerk,
- b) Deutsche Studentenschaft,
- c) Deutscher Dozentenbund,
- d) Reichsdozentenschaft,
- e) Deutsche Jegerackchaft.

H) Other Nazi Organizations.

1. Reichsarbeitsdienst (RAD) - All officers down to and including the rank of "Feldmeister" of the male unit and "Maidenfuhrerin" of the female unit insofar as they are not included in the category of Major Offender.

2. Reichskolonialbund - All office holders since 1 January 1935 if not included in the category of Major Offender.

3. Volkbund fuer das Deutschtum im Ausland - All office holders appointed since 1 January 1935 if not included in the category of Major Offender.

4. NS-Reichskriegerbund (Kyffhaeuserbund) - All executive officials down to and including the Kreis level.

5. Reichskulturkammern etc. and subordinate offices and branches (Reichsschrifttumkammern, Reichspressekammer, Reichsrundfunkkammer). All office holders if not included in the category of Major Offender.

6. Deutscher Fichtebund - All members if not included in the category of Major Offender.

7. Reichsicherheitsdienst - All members if not included in the category of Major Offender.

8. All office holders of the following institutes:

- a) Institut zur Erforschung der Judenfrage,
- b) Weltdienst,
- c) Deutsche Akademie Muenchen,
- d) Staatsakademie fuer Rassen- und Gesundheitspflege,
- e) Amerika-Institut,
- f) Osteuropaeisches Institut,
- g) Ibero-Amerikanisches Institut,
- h) Deutsches Auslands-Institut.

I) The Nazi Party Decorations.

1. Coburg Badge - All holders.
2. Nuremberg Party Meeting Badge of 1929 - All

holders.

3. Badge of the SA-Meeting Braunachweig of 1931 - All holders.

4. Golden HJ Badge (Golden Hitler Youth Badge) - All holders.

5. NSDAP Service Medals - All holders if not included in the category of Major Offender.

6. Gau Ehrenzeichen of the NSDAP (The Gau Badges of honour) - All holders.

K) Government officials.

1. All officials of the Foreign Office (Embassies, Legations, General Consulates, Consulates and Missions) in the rank of a Ministerialrat or in the position of an attaché.

2. All officials in higher positions who had been promoted to such offices otherwise than by normal advancement after 1 April 1933 and without having professional qualifications.

3. All officials who occupied the following positions since 1934:

- a) Bevollmaechtigtter,
- b) Inspekteur,
- c) Trustees of Labor and of other fields and their deputies,
- d) Kommissar,
- e) Deputies of the holders of titles and positions included in the category of Major Offender,
- f) Reichsinnsetzungenieure and Arbeitseinstellungingenieure,
- g) Obmann including Ruestungsobmann.

4. All members of the German Reichstag or of the Prussian Staatarat since 1 January 1934.

5. All officials of the Reichministerium for Public Information and Propaganda and executives of its Regional offices and auxiliary offices down to and including Kreis level, as well as

ALLIED CONTROL COUNCIL, BERLIN, 1946

89

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

all employees of Nazi offices who participated in political propaganda in word or script.

6. The officials in the Hoehere Dienst of the Reichministerium for Armament and War Production, Kriegsministerium, the Gewohnungskommissare and their deputies.

7. Oberfinanzpraesidenten.

8. Regierungspraesidenten, Landraete und Buergermeister.

L) The German Armed Forces and Militarists.

1. NS-Fuehrungsbeamte - All officers, regardless of whether they were professional or reserve officers, not included in the category of Major Offender.

2. General Staff Officers - All officers serving as General Staff Officers since 4 February 1938 not included in the category of Major Offender.

3. All military and civilian officials with special authority, including heads and deputies of any functional or regional divisions in the military or civil administration of occupied countries and territories, as well as executive officials of RUK (Armament and war production) except those included in the category of Major Offender.

4. All officials of the Raw Material Trade Association (Rohstoffhandelsgesellschaft).

5. Military Commanders and their deputies in cities and townships.

6. Die Wehrmacht - All regular officers of the Deutsche Wehrmacht down to and including the rank of Generalmajor or equivalent rank, provided they were promoted to this rank after 1 June 1936, and all Wehrmacht officials down to the professional rank of Oberst.

7. Organisation Todt(OT). Transportgruppe Speer - All officers down to and including the

rank of "Einsetzleiter".

8. All members of the training staffs and executive officials of the War academies and Kadettenanstalten.

9. All professors, speakers and authors in the field of military science since 1933.

10. All members of the Schwarze Reichswehr and all members of the Freikorps who became members of the NSDAP insofar as they are not included in the category of Major Offender.

M) Private Business and Professions.

1. Wehrowirtschaftsfuehrer - All Wehrowirtschaftsfuehrer appointed by the Ministry of Economics not included in the category of Major Offender.

2. Wirtschaftskammern - All executive officials of Economic Chambers not included in the category of Major Offender.

3. Reichsgruppen der gewerblichen Wirtschaft - All executive officials of the groups, main committees, special committees, main rings and special rings.

4. Reichsverkehrsgruppen - All executive officials of Transportation Groups.

5. Wirtschaftsgruppen - All executive officials of Economic Groups.

6. Reichsvereinigungen (Reich Associations) - All executive officials of the Reichsvereinigungen, including department heads and chairmen, deputies, managers of the main committees, special committees, main rings and special rings.

7. Werberat der Deutschen Wirtschaft (Advertising Council of German Economy) - All executive officials not included in the category of Major Offender.

8. Policy-making officials of the Reich Allocation Offices (Reichsstellen) and subordinate allocation offices (Bewirtschaftungsstellen).

9. Business enterprises including financial institutions in which the Reich, the NSDAP, or any of its formations or affiliated organizations had at any time since 1 April 1933 an interest representing actual or working control - All presidents, members of the boards of supervisors or directors, managing directors and managers.

10. I. Private enterprises in industry, trade, commerce, handicraft, agriculture and forestry, banking, insurance, transportation, etc.:

Enterprises which because of capital invested, the number of their employees, the kind of production, or for any other reason are, of themselves, important and essential:

All proprietors, owners and leaseholders, partners, including shareholders holding a share of more than 25%, chairmen of the executive or supervisory boards, or other persons having a decisive influence on the management, insofar as such persons were members of the NSDAP or of any of its formations, or, without having been members, owed their position to their connections with the NSDAP.

II. Nonprofit enterprises and charitable institutions:

Enterprises which are of great importance because of their size or activity.

All executives, business managers, members of boards of directors and of boards of supervisors, advisers and other persons who have a decisive influence on the business management or perform any supervisory function, insofar as they were members of the NSDAP or of any of its formations, or, without having been members, owed their position to their connections with the NSDAP.

11. Professions (Physicians, lawyers, pharmacists, architects, engineers, artists, authors, journalists and so on):

a) All executives, members of boards of direc-

ECONOMICS

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: DEKAZIFICATION

DATE: 12 October 1946

tors, business managers, executive employees and members of the chambers of professional and social agencies including the court of honor, and all councillors admitted to practice before the Party courts, SA or SS courts.

b) Other members of professions who by reason of their membership in the NSDAP or of any of its formations derived special advantages.

## B) Jurists.

1. Managers and Treasurers of the Akademie fuer Deutsches Recht (Academy for German Law).

2. Chairmen, other regular judges and the regular executives of the public prosecutors office or special courts.

3. Chairmen, judges and public prosecutors of military courts (Standgerichte).

## 4. Presidents and Vicepresidents

- a) of the Reichspatentamt,
- b) of the Reichsversicherungsamt and the Reichsversorgungengericht,
- c) of the Landeserbhofgericht in Celle.

5. Vicepresidents and Senatpresidents of the Reichsgericht who were appointed after 31 December 1938, and regular members of the Oberster Dienststrafsenat of the Reichsgericht.

## 6. Vicepresidents

- a) of the Reichserbgesundheitsgericht,
- b) of the Reichsfinanzhof,
- c) of the Reichsrechtsanwaltskammer,
- d) of the Reichsnotarkammer,
- e) of the Reichspatentanwaltskammer,
- f) of the Reichskammer fuer Wirtschaftspruefer,

and all regular members of the Oberste Ehrengerichtshoefe for lawyers, patent attorneys, notaries and Wirtschaftspruefer.

7. Presidents of the Oberlandesgerichte and Generalstaatsanwalts if not included in the category of Major Offender and Vicepresidents of the

Oberlandesgerichte.

8. Presidents of the Dienststrafkammern for judicial officials.

9. Presidents of the Landesgerichte.

10. Oberstaatsanwalts of the Landgerichte.

11. Personalreferenten of the courts.

12. Full-time executives and regular members of the Pruefungstellen of the Reichsjustispruefungamt.

13. President of the Rechtsanwaltskammer, Notarkammer and Patentanwaltskammer in the districts of the Oberlandesgerichte.

## 14. Presidents and Vicepresidents

- a) of the Fideikommissgericht,
- b) of the Schifffahrtsobergericht,
- c) of the Oberpreisenhof.

15. Presidents and Vicepresidents and regular members of the Courts of Honor of the free professions at Reich and Gau level.

## C) Other Groups of Persons.

1. NOOs of Stosstruppe and Werkescharen within business establishments.

2. Persons who held the office of Vertrauenslehrer or Jugendwarter in any type of school.

3. Rectors of universities and chairmen of the board of curators, heads of teachers' training colleges and heads of institutions of university level appointed since 1934 if not included in the category of Major Offender.

4. All other persons who have propagated the National Socialist or Fascistic "world philosophy".

5. Persons who after 1 April 1933 have applied for or adopted German nationality or acquired same in a way other than by annexation laws or by marriage or adoption.

## PART III

The following is a list of categories of persons who will be carefully investigated and, if there is evidence of guilt in accordance with the provisions of paragraphs I and II of Article 4 of this Directive, will be charged as lesser offenders and punished if found guilty:

1. Applicants for membership in the SS or its formations;

2. Members of SA after 1 April 1933;

3. Members of HJ or BIM prior to 25 March 1939;

4. NOO's of RAD of a rank below Feldmeister or Madenfuhrerin;

5. Members of NSDAP after 1 May 1937 and all Applicants for membership in the NSDAP;

6. Persons who were officials in the field of education or press who received extraordinarily rapid promotion after 1 May 1939;

7. Persons who have profited by acceptance or transfer of property incidental to the spoliation of formerly occupied territories, "Aryanizing" or confiscation of property on political, religious or racial grounds;

8. Persons who have been employed in policy-making or executive positions in the Military or civilian administration of formerly occupied areas;

9. Persons who have made substantial contributions to the Party;

10. Members of political parties or organizations in Germany which supported the seizure of power by the NSDAP, such as the Tannenbergbund, Altdeutscher Verband;

11. Leading officials of the German Red Cross, particularly those who were appointed after 1 January 1933;

12. Members of the Deutsche Christenbewegung and Deutsche Glaubensbewegung;

ALLIED CONTROL COUNCIL, BERLIN, 1946

91

SUBJECT: DENAZIFICATION

DATE: 12 October 1946

13. Members of the NSKK, NSFK, NSDStB, NSDdB, and NSF;

14. Holders of the Spanish Cross, of the Austrian, the Sudetendeutsche and the Memel Commemoration Medal, of the Danzig Cross, of the SA-Wehrsportabzeichen, of the Merit Medal of RAD;

15. Parents or guardians who expressed consent for the education of their children in Nationalpolitische Erziehungsanstalten, Adolf-Hitler-Schulen and Ordenschulen;

16. Persons who gained financial advantages through the NSDAP;

17. Persons who due to National Socialist influence escaped military service or active combat duty;

18. Employees of important enterprises in trade, industry, agriculture or finance with the title Generaldirektor, Direktor, Resident, Vicepresident, Geschäftsfuehrer, Betriebsleiter, and all members of the Board of Directors, the chairman and deputy chairman of the Board of Supervision, Chief engineers and Oberingenieure in so far as they were policy-making technical personnel, and all persons with power to hire and fire employees.

-----

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEUS

INDEX

AGREED SUBJECT:	DENAZIFICATION (Part I, 2., CFM/47/M/145)			ORIGIN: Report of Dep. f. Germ.
FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p><u>NOTE</u></p> <p>The recommendations and decisions confirmed or taken by the Council of Foreign Ministers are transmitted to the Control Council for Germany and to the Commanders-in-Chief of the occupation forces of Germany for appropriate action within their spheres of competence.</p> <p>(Page 41: CFM/47/M/145)</p>	<p style="text-align: center;"><u>FOUR POWER AGREEMENT</u></p> <p>The Control Council is directed</p> <p>(1) To take all appropriate measures to hasten the process of Denazification throughout Germany in accordance with Control Council Directives Nos. 24 and 36.</p> <p>(2) To complete as soon as possible the removal of former active Nazis and militarists from public and semi-public office and from positions of responsibility in important private undertakings and to study the possibility of fixing a date for the completion of this process.</p> <p>(3) To take all measures necessary to ensure that only those individuals are employed in a judicial capacity or as public prosecutors who are considered by reason of their political and moral qualities to be capable of assisting the development of genuine democratic institutions in Germany.</p> <p>(4) To concentrate upon and to hasten the bringing to trial of war criminals, members of Nazi criminal organizations and of active supporters of the Nazi regime, without requiring the indiscriminate trial of the mass of social members of the Nazi Party.</p> <p>(5) To take action in the near future through Zone Commanders to devolve upon the appropriate German authorities responsibility for carrying out Control Council Directives Nos. 24 and 36, by passing the necessary German legislation and to ensure through the Zone Commanders that the effect of the legislation so passed is such as to produce uniform treatment of all former Nazis and militarists corresponding to their degree of responsibility, while at the same time giving the German authorities discretion as to the precise methods by which they carry out this task.</p> <p style="text-align: center;">(Page 2: CFM/47/M/145)</p>		<p><u>NOTE:</u> Extensive negotiations at all levels of the ACA have not yet produced an agreed interpretation of the above five articles.</p> <p style="text-align: right;">1 Febr 1948</p>	
ACTION TAKEN BY CFM: Referred to Control Council as Directive for Action				

ECON-  
OMICS

FINANCE

GOVERN-  
MENT

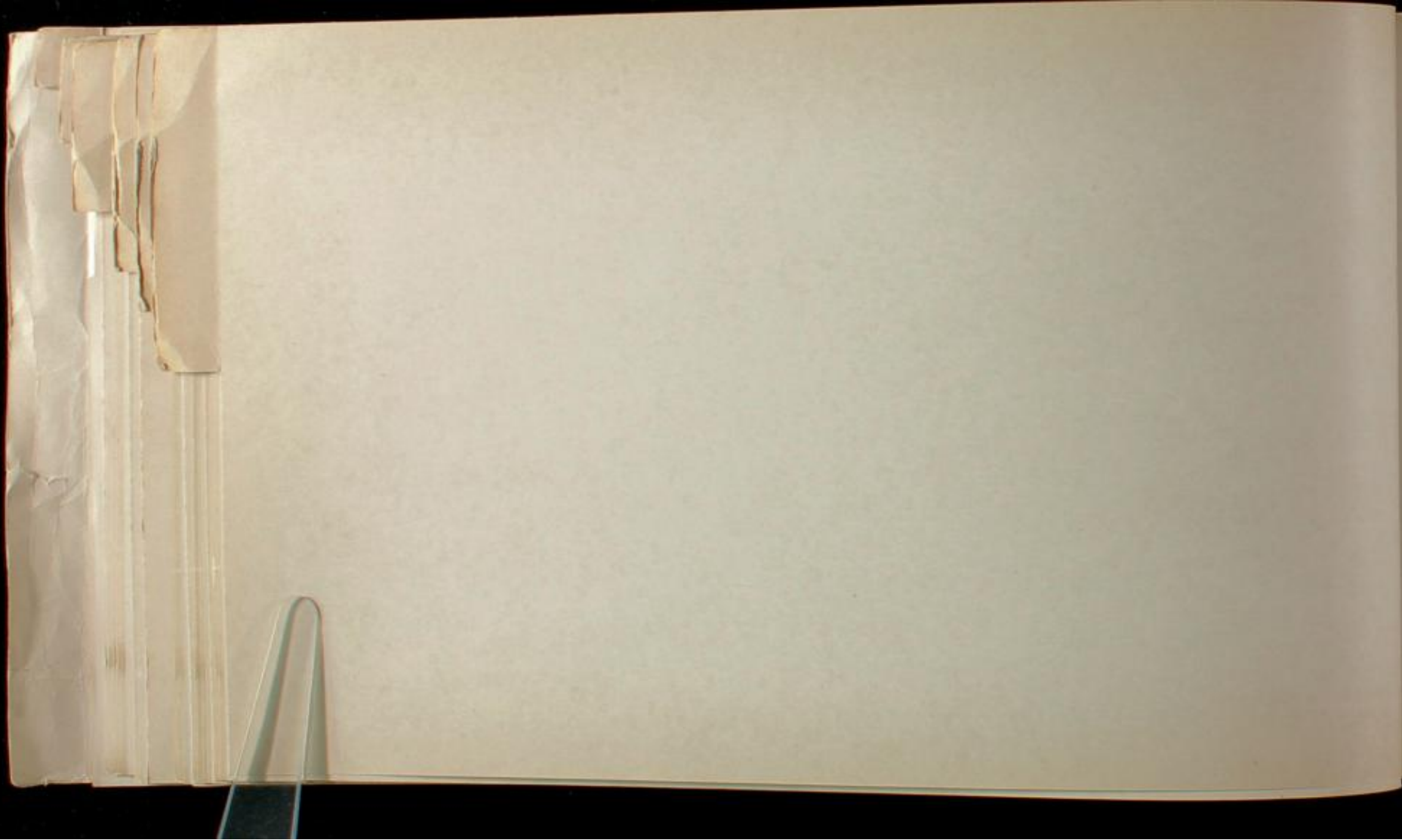
POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX



## INTERNATIONAL AGREEMENTS

93

SUBJECT: ECONOMICS

ATLANTIC CHARTERAugust 14, 1941

Access on Equal Terms to Trade and Raw Materials for all States (Fourth Principle)

Fourth, they will endeavor, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

Improvement of Labor Standards, Economic Adjustment and Social Security (Fifth Principle)

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic adjustment, and social security;

POTSDAM AGREEMENT2 August 1945Part III, BElimination of German War Potential

11. In order to eliminate Germany's war potential, the production of arms, ammunition, and implements of war, as well as all types of aircraft and sea-going ships, shall be prohibited and prevented. Production of metals, chemicals, machinery, and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in Paragraph 15. Pro-

POTSDAM AGREEMENT (cont'd.)

ductive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on Reparations and approved by the Governments concerned or, if not, shall be destroyed.

Decentralization of German Economy

12. At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts, and other monopolistic arrangements.

Concentration on Agriculture and Peaceful Domestic Industries

13. In organizing the German economy, primary emphasis shall be given to the development of agriculture and peaceful domestic industries.

Treatment of Germany as a Single Economic Unit and Measures Therefor

14. 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:

- (a) mining and industrial production and allocation;
- (b) agriculture, forestry, and fishing;
- (c) wages, prices, and rationing;
- (d) import and export programs for Germany as a whole;
- (e) currency and banking, central taxation and customs;
- (f) reparation and removal of industrial war potential;

POTSDAM AGREEMENT (cont'd.)

(g) transportation and communications

In applying these policies, account shall be taken, where appropriate, of varying local conditions.

Control of German Economy by Allies for Achieving Allied Aims (Definition of Five Different Aims)

15. Allied controls shall be imposed upon the German economy but only to the extent necessary:

- (a) to carry out programs of industrial disarmament and demilitarization, of reparations, and of approved exports and imports;
- (b) to assure the production and maintenance of goods and services required to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average living standards not exceeding the average of standards of living of European countries. (European countries mean all European countries excluding the United Kingdom and the Union of Soviet Socialist Republics);
- (c) to ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports;
- (d) to control German industry and all economic and financial international transactions, including exports and imports, with the aim of preventing Germany from developing a war potential and of achieving the other objectives named herein;

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: ECONOMICS

POTSDAM AGREEMENT (cont'd.)

- (e) to control all German public or private scientific bodies, research, and experimental institutions, laboratories, et cetera, connected with economic activities.

Establishment of German Machinery for Administration of Controls

16. In the imposition and maintenance of economic controls established by the Control Council, German administrative machinery shall be created and the German authorities shall be required to the fullest extent practicable to proclaim and assume administration of such controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

Immediate Economic Measures

17. Measures shall be promptly taken:

- (a) to effect essential repair to transport;
- (b) to enlarge coal production;
- (c) to maximize agricultural output; and
- (d) to effect emergency repair of housing and essential utilities.

Disposition of German-Owned External Assets

18. Appropriate steps shall be taken by the Control Council to exercise control and the power of disposition over German-owned external assets not already under the control of United Nations which have taken part in the war against Germany.

ALLIED CONTROL COUNCIL, BERLIN, 1945

95

SUBJECT: ECONOMICS

DATE: 30 November 1945

LAW NO. 9

PROVIDING FOR THE SEIZURE OF PROPERTY OWNED BY I.G. FARBENINDUSTRIE AND THE CONTROL THEREOF

In order to insure that Germany will never again threaten her neighbours or the peace of the world, and taking into consideration that I.G. Farbenindustrie knowingly and prominently engaged in building up and maintaining the German war potential, the Control Council enacts as follows:

Article I

All plants, properties and assets of any nature situated in Germany which were, on or after 8 May, 1945, owned or controlled by I.G. Farbenindustrie A.G., are hereby seized by and the legal title thereto is vested in the Control Council.

Article II

In order to control the seized plants, properties and assets which belonged to I.G. Farbenindustrie, there shall be created a Committee consisting of four Control Officers appointed by the respective Zone Commanders. Policies agreed upon by the Committee on behalf of the Control Council shall be implemented in each Zone by the Zone Commander, acting through his Control Officer.

Article III

The Committee shall accomplish the following ultimate objectives in respect of the plants, properties, assets and activities of I.G. Farbenindustrie A.G.:

- a. Making certain plants and assets available for reparations.
- b. Destruction of certain plants used exclusively for war-making purposes.
- c. Dispersal of ownership of remaining plants and assets.

- d. Termination of cartel relationships.
- e. Control of research.
- f. Control of production activities.

Plants reported by the Committee as available for reparations or for destruction shall be processed through the normal channels.

Article IV

All acts and things heretofore done or performed by the Zone Commanders, and their respective Control Officers in connection with seizing the management, direction and control of I.G. Farbenindustrie A.G. in their respective Zones, are hereby ratified, approved, and confirmed.

Done at Berlin 30 November 1945

(CONL/P(45)62)

(Amended by CONL/M(45)13)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: ECONOMICS

DATE: 29 April 1946

LAW NO. 25CONTROL OF SCIENTIFIC RESEARCH

In order to prohibit for military purposes scientific research and its practical application, to control them in other fields in which they may create a war potential, and to direct them along peaceful lines, the Control Council enacts as follows:

## ARTICLE I

All technical military organizations are hereby dissolved and prohibited. Equipment and buildings of a purely military character shall be destroyed or removed. Equipment and buildings having a possible peace time application may be utilized for that purpose with the permission of Military Government.

## ARTICLE II

1. Applied scientific research shall be prohibited on:
  - a. Any matter of a wholly or primarily military nature; or
  - b. Any of the matters specified in Schedule "A" hereto.
2. Applied scientific research on any of the matters specified in Schedule "B" hereto shall be prohibited unless the written permission of the Zone in which the research establishment is located is first obtained.

## ARTICLE III

1. Fundamental scientific research of a wholly or primarily military nature shall be prohibited.
2. Fundamental scientific research which is not of a wholly or primarily military nature shall be prohibited only insofar as it requires for its conduct installations which, on account of their size or their special or peculiar construction, would be valuable for any applied scientific research of a wholly or primarily military nature.

## ARTICLE IV

1. Scientific research not prohibited by Article II or III of this Law may be conducted only by a research establishment authorized by the appropriate Zone Commander.
2. Subject to the provisions of this Law, the Zone Commander may take all steps, including inspection, and issue all regulations, which he may consider necessary to ensure effective control of the research establishment.

## ARTICLE V

1. Each authorized research establishment shall submit to the appropriate Zone Commander the following reports:
  - a. Technical reports every four months showing details of all its activities, with sufficient data to enable competent persons to verify the correctness of the results reported, together with all publications of the establishment and a complete report listing the title of each problem studied, its scope, possible applied uses, sources of funds, amount of funds expended, and the person in charge, and any other matter required from time to time by the Zone Commander.
  - b. Annual reports in as non-technical language as possible covering all work done in the year.
  - c. A complete statement of the plant, apparatus and equipment existing in the research establishment, as may be required by the Zone Commander.
  - d. A complete statement of accounts upon the demand of the Zone Commander.
2. A research establishment shall file with the Zone Commander a written notification, including a description of the proposed work and its potentialities, before instituting permitted research of the following types:
  - a. Fundamental scientific research on matters specified in Schedule "A"; or

b. Applied scientific research on matters not specified in Schedule "A" or "B".

## ARTICLE VI

1. All research and technical personnel employed in a research establishment shall be registered with the appropriate Zone Commander in accordance with regulations issued by him.
2. Senior officials or scientists who were members of the National Socialist German Workers' Party (N.S.D.A.P.) or members of other Nazi organizations with more than nominal participation in its activities shall be removed and their replacement effected only by persons with suitable political records. Scientific work in general or on the development of weapons in the past shall not, in itself, be regarded as ground for dismissal or other punishment.

## ARTICLE VII

In this Law -

- a. "Applied scientific research" means:
  - (i) research work directed to the conversion to industrial use of any old or new scientific knowledge or principle; or
  - (ii) the conversion to pilot plant or engineering development stage of any results of fundamental scientific research; or
  - (iii) research work directed to the improvement of a known industrial process of manufacture or engineering or to the introduction of a new process of production of any manufactured articles; or
  - (iv) field and other practical trials of new devices and the testing of preproduction models.
- b. "Fundamental scientific research" means research of an exploratory character in any field directed towards the discovery of new knowledge, theories, principles or laws of nature, or of new

ALLIED CONTROL COUNCIL, BERLIN, 1946

27

SUBJECT: ECONOMICS

DATE: 29 April 1946

compounds or materials.

c. "Research establishments" includes any research unit, and any university, Technische Hochschule, institute, industrial company and other agency containing a research unit.

ARTICLE VIII

Without prejudice to the liability of any other person under this Law, the responsibility for compliance therewith shall rest upon any person in charge of the research establishment as well as any person in charge of any unit thereof.

ARTICLE IX

Any person, organization, or group of persons violating any provision of this Law shall be liable to criminal prosecution in a Military Government Court.

ARTICLE X

1. Any person violating any provision of this Law shall be subject to one of the following penalties, with or without confiscation of property, in whole or in part:-

- a. Imprisonment (Gefangnis) for a term not exceeding five years;
- b. Hard labor (Zuchthaus) for a term of not less than one year and not more than fifteen years;
- c. In serious cases, hard labor for life, or death.

2. Any organization or research establishment violating any provision of this Law may be dissolved and its property confiscated, by order of the court.

ARTICLE XI

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

Done at Berlin the 29th day of April 1946.

/s/ Joseph T. McHerney  
/t/ JOSEPH T. McHERNEY  
General

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

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

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

CCNL/P(46)29(Final)  
29 April 1946

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: ECONOMICS

DATE: 20 December 1946

LAW NO. 43PROHIBITION OF THE MANUFACTURE, IMPORT, EXPORT, TRANSPORT AND STORAGE OF WAR MATERIALS

In order to prevent the rearming of Germany, the Control Council enacts as follows:

ARTICLE I

1. The manufacture, import, export, transport and storage of the war materials specified in Schedule A annexed hereto are prohibited. All existing stocks of such materials shall be destroyed, removed or converted to essential peacetime uses as soon as possible, according to the instructions of the appropriate Zone Commander (in Berlin, the appropriate Sector Commander).

2. Museum specimens and specimens of historic value are excluded from the provisions of Paragraph 1 of this Article.

3. The expression "War Materials" specified in Schedule A includes components, accessories and spare parts of such materials, which are specially designed for military use.

ARTICLE II

The manufacture, import, transport and storage of the war materials specified in Schedule B annexed hereto shall be permitted only with the authority and under the control of the appropriate Zone Commander. The manufacture of the materials in this Schedule shall provide only for essential peacetime requirements; existing stocks of the materials in excess of such requirements shall be destroyed or removed according to the instructions of the appropriate Zone Commander. The export of materials specified in Schedule B may be permitted by authorization of the appropriate body of the Allied Control Authority.

ARTICLE III

The following materials shall be deemed to be within Schedule A, insofar as manufacture is concerned, and within Schedule B, insofar as import, transport, and storage are concerned:

(a) Arms and ammunition destined for authorized internal security services, and for other authorized purposes;

(b) Cryptographic machines and devices for cipher work for use in civil and authorized internal security services.

ARTICLE IV

1. Any person, organization, or group of persons, owning or controlling any existing stocks of the materials specified in Schedule A or Schedule B, shall file a written declaration of such materials with the appropriate Zone Commander within 90 days after the effective date of this law.

2. Any person being aware of the existence of such stocks which have not been declared to the appropriate Zone Commander shall himself declare them.

ARTICLE V

At the request of the interested Occupation Powers, the prohibited materials listed in Schedule A may, as an exception, be listed in Schedule B by the Allied Control Authority, or by a body acting on their behalf, in cases where it will appear that such materials are destined for peacetime requirements and not designed specially for war purposes and are not dangerous in themselves.

ARTICLE VI

1. Any person violating, or attempting to violate any of the provisions of this law or of any regulations hereunder shall be liable to prosecution before a Military Government Court and upon conviction shall be subject to the following punishment with or without confiscation of his property in whole or in part:

- (a) Imprisonment (Gefangnis) for a term not exceeding five years;
- (b) Hard labor (Zuchthaus) for a term of not less than one year and not more than fifteen years;
- (c) In serious cases, hard labor for life, or death.

2. Any organization violating, or attempting to violate any of the provisions of this law or of any regulations hereunder shall be liable to prosecution before a Military Government Court and upon conviction shall be dissolved and its property confiscated by order of the Court.

ARTICLE VII

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

Done at Berlin 20 December 1946.

JOSEPH T. MAGNAREY  
General

SHULTO DOUGLAS  
Marshal of the Royal Air  
Force

F. KOENIG  
General de Corps d'Armee

P.A. KUROCHKIN  
Colonel General  
for V. SKOLOVSKY  
Marshal of the Soviet Union

ALLIED CONTROL COUNCIL, BERLIN, 1947

99

DATE: 20 March 1947

SUBJECT: ECONOMICS

LAW NO. 50

PUNISHMENT FOR THE THEFT AND UNLAWFUL USE OF RATIONED FOODSTUFFS, GOODS AND RATIONING DOCUMENTS

In order to protect the rationed foodstuffs reserves and other rationed goods destined for the German population as well as rationing documents the Control Council enacts as follows:

ARTICLE I

Any person engaged in the production, management, transportation or custody of rationed foodstuffs or rationed goods of any kind including those in the process of production or of rationing documents, who steals them or intentionally permits their theft or unlawful wastage or use shall be liable to hard labor (Zuchthaus) for life or for a term of year or to a term of not less than six months imprisonment (Gefängnis) and in any case to a fine of from RM 5,000 to RM 5,000,000.

ARTICLE II

Any person referred to in Article I of this law whose negligence is responsible for the theft or unlawful wastage or use of rationed foodstuff or rationed goods of any kind including those in the process of production or rationing documents shall be liable to imprisonment (Gefängnis) from six months to five years or to a fine of from RM 2,500 to RM 250,000 or both.

ARTICLE III

This law shall come into force on 7 April 1947.  
Done at Berlin on the 20th day of March 1947.

M. I. DRATVIN,  
Lieutenant General  
for V. SKHOLCOVSKY,  
Marshal of the Soviet Union

FRANK A. KEATING,  
Major General  
for LUCIUS D. CLAY  
Lieutenant General

Sir SHOLTO DOUGLAS  
Marshal of the Royal Air Force

P. KOENIG  
General d'Armee

CCRL/P(47)4 Final  
20 March 1947

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: ECONOMICS

DATE: 26 September 1946

DERIVATIVE NO. 37  
LIMITATION OF CHARACTERISTICS OF SHIPS  
OTHER THAN FISHING AND PLEASURE CRAFT  
LEFT TO THE PEACE ECONOMY OF GERMANY

The Control Council directs as follows:-

- The following limitations of the characteristics of coastal shipping and inland waterway craft shall apply to all replacements for ships allocated to the German peace economy. The Control Council will decide how far these limitations shall apply to ships already so allocated.
- The following limitations shall not apply to fishing vessels or pleasure craft of all kinds the limitations of whose characteristics will be the subject of a separate directive.
- (a) Limitations to be applied to Inland Waterway craft:-

Characteristics	Passenger		Tugs		Motor Vessels
	Boats	Flat-bottom	Screw		
Speed - knots	10	10	10	10	
Capacity of lifting gear working load (tons)	2	2	2	2	
Electric power (K.W.)	20	15	15	15	
Freeboard amidships fully loaded in metres	1.8	1.5	1.2	0.3	

Characteristics	Barges	Exceptions
Speed - knots	-	See Note (i)
Capacity of lifting gear working load (tons)	2	Salvage and lifting craft
Electric power (K.W.)	-	See Note (ii)
Freeboard amidships fully loaded in metres	0.3	See Note (iii)

NOTES: (i) Pilot craft and fire-fighting craft will conform to the characteristics prescribed for inland waterway craft except that those under 15 gross registered tons shall be permitted a speed not in excess of 18 knots.

(ii) Refrigerator craft, dredgers, salvage craft, lifting craft and floating cranes shall not be limited with respect to electric power.

(iii) Dredgers, floating cranes, river salvage craft and special craft for river craft maintenance shall not be limited with respect to freeboard.

(b) Limitations to be applied to Coastal Shipping:-

Characteristics	Limitations	Exceptions
Speed	18 knots maximum	See Note (i)
Radius of Action	2,000 miles at economical speed	
Capacity of lifting gear working load (tons)	3	
Electric power (K.W.)	20	See Note (ii)
Gross registered tons	1,500	

Machinery. Ships of 110 ft. or over in length (33.5 metres)

Steam reciprocating engines (Exhaust turbines may be permitted). Fuel to be coal.

Ships under 110 feet in length (33.5 metres)

May be permitted Diesel engines.

NOTES: (i) Pilot craft and fire-fighting craft will conform to the characteristics

prescribed for coastal shipping except that those under 15 gross registered tons shall be permitted a speed not in excess of 18 knots.

(ii) Refrigerator craft, dredgers, salvage craft, lifting craft and floating cranes shall not be limited with respect to electrical power.

4. Frontier Control, Police, Customs and Fishery Protection craft are limited in accordance with Control Council Directive No. 33.

5. When a limitation to speed is laid down in this Directive it shall refer to a ship fully manned, fuelled, stored and provisioned for sea but without cargo.

6. The following installations are prohibited in all ships:-

(a) Fittings and reinforcements lending themselves to the fitting of armament (i.e. artillery, machine guns, etc.) or of military equipment.

(b) All installations relative to aircraft handling (i.e. derricks, ramp, workshops, catapult, etc.)

(c) Special installations permitting the landing on a beach of personnel or material

(d) Special installations permitting the use of the vessel as a supply ship, base ship or repair ship, but certain ships of this type for the assistance of the fishing fleet may be permitted if specifically authorized by the Economic Directorate.

7. The construction of "keel type" barges and of tugs of longitudinal structure for inland waterways, capable of resistance to open sea conditions is prohibited.

8. The design and plans of all craft to be either bought, chartered or acquired for the benefit of the German peace economy shall be examined and

ALLIED CONTROL COUNCIL, BERLIN, 1946

101

SUBJECT: ECONOMICS

DATE: 25 September 1946

approved by the competent Directorate of the Allied Control Authority before they are accepted.  
9. Research into all matters connected with merchant ship design and construction shall be subject to the Control Council Law on scientific research.

Done at BERLIN on the 25th day of September 1946.

B.H. ROBERTSON  
Lieutenant General

R. NOIRET  
General de Division

P.A. KUROCHKIN  
Colonel General

LUCIUS D. CLAY  
Lieutenant General

CORC/P(46)306 (final)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: ECONOMICS

DATE: 2 October 1946

## DIRECTIVE NO. 39

## LIQUIDATION OF GERMAN WAR AND INDUSTRIAL POTENTIAL

The Potsdam decisions call for the liquidation of German war and industrial potential.

The Agencies of the Control Council have worked out a number of regulations with regard to the above problem, in particular regarding the prohibition and limitation of a number of industries (paper COML/P(46)14 and a Plan for Reparations and Level of Post-War German Economy in accordance with the decisions of the Berlin Conference), concerning the prohibition and restriction of production, export, import, transportation and storage of war materials (a draft law is being considered), the liquidation of underground plants (Directive No. 22 of the Control Council), and control over scientific research (Law No. 25 of the Control Council). When all these measures have been actually carried out, the industrial basis for Germany's aggressive war actions will have been destroyed.

The Allied Authorities are faced with the task of implementing these decisions.

In the absence of a general plan of liquidation, practical measures for carrying out these decisions were taken by each zone independently. It is necessary to draw up an overall concrete plan for the systematic liquidation of the war potential showing dates of liquidation insofar as is practicable, and establishing the order of carrying out the work. In order to attain this objective and keep a constant watch on the progress of liquidation of the war and industrial potential, the Control Council directs as follows:

1. That a complete census of that potential be taken with an account of the liquidation already carried out in the zones.
2. That a clearly defined procedure of liquidation be worked out.
3. That the machinery to keep a watch on the

progress of liquidation be established.

## 1. CENSUS

## A) CLASSIFICATION BY CATEGORIES

The census will consist of drawing up complete lists of plants, workshops, industrial installations, etc. (including their laboratories) which wholly or in part constitute a war potential (hereafter all the enumerated items will be called "plants").

Laboratories, in the actual meaning of the word, research institutions, experimental stations, which constitute a war potential, are not taken into account in this memorandum, as their liquidation forms the subject of other documents (Law No. 25).

These lists will contain the following categories of plants:

## CATEGORY I

Plants specially constructed, or principal shops of plants specially constructed, for the production of war materials, specified in Table 1, paragraph "A", of the Plan for Reparations, namely:

1. Tanks and special tank equipment
2. General armament, except tanks
3. Aircraft and special aircraft equipment
4. War explosives and shell filling
5. Poisonous war substances
6. All underground plants

## CATEGORY II

Plants specially constructed, or principal shops of plants specially constructed for the production of materials specified in Table 1, paragraph "A" 2-11, "B" and "C", of the Plan for Reparations, namely:

7. Sea-going ships (not interpreted to include small fishing vessels)
8. Magnesium
9. Primary aluminum and alumina for the purpose of producing aluminum
10. Beryllium

11. Vanadium produced from Thomas slags
12. Radio-active materials
13. Hydrogen peroxide above 4% strength
14. Radio transmitting equipment
15. Heavy tractors above the limits of capacity determined by the Allied Control Authority
16. Heavy machine tools of the sizes and types prohibited by the Allied Control Authority
17. Synthetic gasoline and oil
18. Synthetic rubber
19. Ball and taper roller bearings
20. Synthetic ammonia

## CATEGORY III

Plants specially constructed, or principal shops of plants specially constructed for the production of materials specified in schedule B to a Control Council Law to be published, entitled Law to Prohibit the Manufacture, Import, Export, Transport, and Storage of War Materials, and other materials included in paragraphs 5, 6, 7, and 8 of the Plan for Reparations, as may be determined by the appropriate authority of the Allied Control Authority.

## CATEGORY IV

Peace-time plants, in which was specially installed the special purpose equipment for the production enumerated in Categories I and II, or containing shops which were not principal shops, specially constructed for production enumerated in Categories I and II.

## B) PREPARATION OF LISTS FOR EACH CATEGORY

The lists of plants of Categories I and II shall be prepared by the Committee for the Liquidation of German War Potential which shall keep in close contact with the Industry Committee.

The lists of plants of Categories III and IV shall be prepared by the Industry Committee which shall forward them to the Committee for the Liquidation of German War Potential.

SUBJECT: ECONOMICS

DATE: 2 October 1948

## 2. RULES FOR LIQUIDATION

## A) PRINCIPLES

War plants in Germany must be liquidated, which means that buildings and equipment of those plants must be:

- (a) destroyed, or
- (b) declared available for reparations, or
- (c) left for the peace-time economy in cases where they can be used for the peace-time economy as provided for in paragraphs 3 and 5 below.

When dealing with each category, the following shall be the guiding principles:

## CATEGORY I

1. Materials and equipment, suitable for reparations and not needed in other plants for permitted production in accordance with the Plan for Reparations, should be declared available for reparations and those not suitable for this purpose should be destroyed.

2. (a) All buildings specially adapted for the production of war materials, as well as buildings specially constructed for war purposes (anti-aircraft defense constructions, etc.), shall be destroyed.

(b) However, in cases of urgent necessity, the Zone Commander will have the right to use certain of these buildings for occupation requirements. During the time these buildings are being used, all steps will be taken to avoid the possibility of further utilization of these enterprises for war production. After being used as mentioned above, the buildings must be destroyed.

3. (a) As an exception, buildings of a general type can be converted or kept for peace-time use in manufacturing products or semi-finished products for permitted industries, including their use as warehouses, or can be used by the Zonal authorities for occupation needs.

- (b) This exception may also, in very spe-

cial cases, be extended to equipment on condition it is assured that maintaining this would not render possible without great difficulty, reconverting these into war factories.

4. Embankments, foundations, electric communications, water, sewage, and gas mains, railway sidings and any other means of communications shall be considered in the spirit of the decisions set out in above paragraphs.

5. Underground plants must, in accordance with Control Council Directive No. 22 be blown up or flooded, in order to reduce them to a condition which would render their subsequent utilization impossible.

However, if the plants are situated in mines or in railway tunnels, etc., they may be reduced to a state in which they can be used for peace-time purposes.

## CATEGORY II

Some measures as shown above. However, they may be temporarily suspended in respect of industries provided for in paragraphs B and C of Table 1 of the Plan for Reparations, namely:

1. Synthetic gasoline and oil,
2. Synthetic rubber,
3. Ball and taper roller bearings,
4. Synthetic ammonia.

Production should then be in accordance with the plan. Plants of this type which have not yet begun operation again may do so by a decision of the Zone Commander. The latter shall inform the Control Council on 1 November 1946, and then quarterly thereafter, of the volume of production in each plant in these industries which are operating. The Control Council will have the right to stop the operation of these plants if this is required for security reasons.

## CATEGORY III

The Industry and Fuel Committees have been instructed to draw up lists of plants which are to

be retained in Germany to cover peace-time requirements.

The Industry and Fuel Committees, taking into account the recommendations of the Committee for the Liquidation of German War Potential, must also consider the nature of equipment to be retained, as essential for such production, with a view to eliminating, as far as possible, those types of equipment which constitute a serious war potential.

The part of the plant which is to be retained after removal of reparations or destruction of the prohibited equipment, may be used, by the decision of the Zone Commander, for peace-time purposes, permitted under the Plan for Reparations and the Level of Post War German Economy.

## CATEGORY IV

Equipment selected for the types of production listed in Categories I and II must be considered in the light of the decisions mentioned above for those categories.

## B) LIQUIDATION PROGRAM

After the Committee has received lists of plants in Categories I and II, the Committee for the Liquidation of German War Potential, keeping in close touch with the Industry Committee, will, within the next one or two months, draw up a program for the liquidation of these plants, which are to be destroyed, indicating dates for completion of liquidation as far as is practically possible.

The Zone Commanders may proceed with the destruction of War Plants without waiting to receive the overall plan, and after the removal of equipment declared available on account of reparations. Every possible precaution must be taken to safeguard equipment, and dismantling must be carried out by specialists who shall be instructed at the same time to prepare all the necessary documentary records required for subsequent re-assembly of the equipment.

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

DATE: 8 October 1946

SUBJECT: ECONOMICS

## 5. CONTROL OF EXECUTION

## A) CERTIFICATE OF LIQUIDATION

After the liquidation of each plant, the Zone Commander shall draw up a certificate stating that liquidation has been carried out, and send it to his national delegate in Berlin, who, in his turn, will submit it to the Committee for the Liquidation of German War Potential.

B) The Committee for the Liquidation of German War Potential, which is responsible for keeping account of the liquidation of plants will, for this purpose, draw up a register in which it will enter all the information to be communicated to it on the liquidation of plants.

C) The Committee for the Liquidation of German War Potential, will, at least every three months, submit a report to the Economic Directorate on the work of liquidating the war industry potential in Germany.

D) The Liquidation plan will provide for the immediate organization of Inter-Allied Commissions who will work under directives of the Committee for the Liquidation of War Potential for checking the degree of liquidation and of production of plants in Categories I and II, in all four zones of Germany, and these Commissions, by direct inspection and by other means, will prepare for the Committee for the Liquidation of War Potential information in the form of a report which, after it has been approved, will be submitted to the Economic Directorate for confirmation.

Done at Berlin on the 2nd day of October 1946

R. SCIRET,  
General de Division

G. S. LUYANCHENKO,  
Lieutenant General

LESLIE D. CLAY,  
Lieutenant General

B. R. ROBERTS,  
Lieutenant General

SUBJECT: ECONOMICS

DATE: 4 November 1946

DIRECTIVE NO. 44

LIMITATION OF CHARACTERISTICS OF FISHING CRAFT LEFT TO THE PEACE ECONOMY OF GERMANY

The Control Council orders as follows:

The following limitations to the characteristics of fishing vessels shall apply to all replacements for such ships now possessed by the German peace economy, and to existing ships in so far as the Control Council may decide.

1. Tonnage No vessel shall exceed a size of 400 gross registered tons. The number of vessels which can be permitted of the maximum size or of any intermediate size will be determined from time to time by the Control Council.
2. Machinery Vessels of under 110 feet in length shall be permitted diesel machinery. Vessels over 110 feet in length shall be powered by coal fired steam reciprocating machinery (exhaust turbines permitted).  
No vessel shall be designed to exceed a speed of 13 knots unloaded in calm water.
3. Length The maximum length of any vessel shall be 140 feet (43 metres).
4. Electric Power The maximum permitted electric power shall be 20 k.w.
5. Design and Construction The design and plans of all craft to be either bought, chartered or built for the benefit of the German fishing fleet shall be examined and approved by the competent Directorate of the Allied Control Authority before they are accepted.

Not more than 10 ships of over 250 gross registered tons shall be built to any one design.

6. Gyro Compasses The provision and fitting of gyro compasses or any form of stabilizing gear shall be prohibited.
7. Endurance and Winch Power There shall be no restrictions on the radius of action of any vessel or the power of her winches but any derricks fitted shall be limited to a working load of 3 tons.
8. Echo Sounding Gear The fitting of Sonic Echo Sounding gear is permitted.

Done in Berlin on the 4th day of November 1946.

P.A. KUROCHKIN  
Colonel General  
LUCIUS D. CLAY  
Lieutenant General  
G.W.E.J. ERSKINE  
Major General  
for B.H. ROBERTSON  
Lieutenant General  
C. BAPST  
General de Brigade  
for R.J. NOIRAT  
General de Division  
CORC/P(46)352 Final

DIRECTIVE NO. 45

LIMITATION OF THE TECHNICAL CHARACTERISTICS OF C&M PLEASURE CRAFT

The Control Council directs as follows:

1. The following limitations shall be applied to pleasure craft:

- a. The maximum speed in calm water - 10 knots
- b. Maximum tonnage - 15 gross registered tons
- c. Length between perpendiculars - not more than 13 meters.

2. These limitations shall apply to all vessels of the above category which may be constructed or otherwise acquired by Germany, except insofar as the Control Council may authorize.

3. The speed referred to in this Directive shall apply to vessels fully manned, provisioned, stored and fuelled for going out to sea.

4. Installations and reinforcements permitting the craft to be used for other than pleasure purposes, and in particular for military purposes, are forbidden.

5. This Directive shall come into force on the date of publication.

Done at Berlin the 9th day of November 1946.

P.A. KUROCHKIN  
Colonel General  
P.A. KEATING  
for LUCIUS D. CLAY  
Lieutenant General  
G.W.E.J. ERSKINE  
for B.H. ROBERTSON  
Lieutenant General  
R. NOIRAT  
General de Division

CORC/P(46)350 (final)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: ECONOMICS

## DIRECTIVE NO. 47

## LIQUIDATION OF GERMAN WAR RESEARCH ESTABLISHMENTS

In order to implement Law No. 25 of the Control Council in respect of the liquidation of German War Research Establishments, it is necessary to prepare a concrete plan for carrying out this liquidation.

Control Council Directive No. 22 orders the complete destruction of all Navy, Army and Air Force Research or proving ground stations after complete scientific examination.

Control Council Law No. 25, however, states:

"Equipment and buildings having a possible peace-time application may be utilized for that purpose with the permission of Military Government" (Article 1).

In order to control the liquidation, the Control Council directs:

1. a complete census of the establishments with an account of the liquidation already carried out in the Zone;
2. a clearly defined procedure of liquidation;
3. the establishment of machinery to watch the progress of liquidation.

## I. CENSUS OF WAR RESEARCH ESTABLISHMENTS

## A. Classification of Categories.

The Census should consist of a complete list of war research establishments in the following categories.

1. War research establishments which worked under the control of the German State (for army, navy or air force).
2. Research establishments under the control of industry and erected primarily for war research.
3. Any research establishments not coming with-

in these two categories and erected primarily for war research.

## B. Preparation of lists.

The list of war research establishments should be prepared giving the following information:

1. Name of Establishment
2. Location (or address)
3. Type of research previously carried out
4. Degree to which research facilities have been destroyed or removed.
5. Information indicating the importance of the establishment and the volume of work carried out there.

## II. RULES FOR LIQUIDATION

A. Materials and equipment in war research establishments are the responsibility of the Zone Commander. All specialized equipment must be destroyed or removed. General purpose equipment not needed by the Zone Commander can be used under his control for peaceful research or industrial purposes under the conditions of Law No. 25 and any surplus should be declared for reparations.

Laboratories of war plants are not considered in this paper and must be considered as single units in the war plants in accordance with Control Council Directive No. 39.

- B. 1. All buildings specially adapted for war research shall be destroyed.
2. However, in cases of urgent necessity, the Zone Commander will have the right to use certain of these buildings for Occupational requirements. During the time these buildings are being used, all steps will be taken to avoid the possibility of further utilization of these buildings for war research. After being used as mentioned above, the buildings must be destroyed.

3. If it is possible to convert buildings of a special type to general purpose buildings, this may in exceptional cases be permitted at the discretion of the Zone Commander.

C. Buildings of a general purpose type can be retained for peace-time purposes, for example, permitted peaceful research, office accommodation or dwelling houses.

D. Embankments, foundations, electric communications, water, sewage and gas mains, railway sidings and any other communications and constructions shall be considered in the spirit of the decisions set out in the above paragraphs.

## III. PROGRAMME OF LIQUIDATION AND CONTROL OF EXECUTION

After the Committee for liquidation of War Potential has received lists of war research establishments, the Committee for liquidation of War Potential must immediately start preparation of the liquidation plan, which must be completed not later than a period of a month after the publication of the present directive.

The Zone Commander may proceed with the liquidation of war research establishments without waiting to receive the overall plan.

Inspection teams shall be formed as soon as possible to inspect the war research establishments in the four zones in order to ascertain the degree of liquidation achieved.

Done at Berlin on the 27th day of March 1947.

M. I. DRATVIN Lieutenant General	N. C. D. BROWNJOHN Major General
for P. A. KUROGUEIN Colonel General	for B. H. ROBERTSON Lieutenant General
F. A. KEATING Major General	R. MOIRET Major General

ALLIED CONTROL COUNCIL, BERLIN, 1945

107

SUBJECT: ECONOMICS

DATE: 20 September 1945

ENACTED PAPER ON EXPORTS AND IMPORTS

Para 14, 15 and 19, Part III, Decisions of the Potsdam Tripartite Conference, read as follows:

Para 14: 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...

(a) Import and Export programmes for Germany as a whole.

Para. 15: Allied controls shall be imposed upon the German economy but only to the extent necessary:

(c) To ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones, so as to produce a balanced economy throughout Germany, and reduce the need for imports.

Para. 19: Payment of reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany, the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

1. From the above, it follows that an export and import policy should be established treating Germany as a single economic unit, and in formulating this policy the demand for imports should be kept to a minimum.

Accordingly the Economic Directorate recommends the following:

(a) The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

(b) All goods, merchandise and raw materials, shipped to other countries for this purpose, except those goods, merchandise and raw materials applied in payment of approved reparations, shall be deemed exports.

(c) The imported amount of goods, merchandise and raw materials shall be limited to that indispensable to the economy decided upon for occupied Germany.

(d) The export-import policy shall be approved by the Control Council.

2. Prior to formulation of the export-import policy approved by the Control Council reflecting the requirements of all occupied zones, based on the conditions set forth in para. 1 of the proposal above, the imports into Germany shall be limited to minimum subsistence requirements as determined by each Zone Commander, in accordance with the principles already laid down.

3. Payments for both imports and exports of goods, merchandise, and raw materials shall be made in US dollars or other foreign currency acceptable to the Control Council or its designated and fully empowered agency, at prices to be sanctioned by the Control Council or its designated and fully empowered agency.

4. Pending the formulation of the export-import plan, which is to be approved by the Control Council in accordance with Paragraph 2, the proceeds from export should be credited to a Special Account of the Control Council and shall be used for payment of imports of each respective zone. Payment for imports into one Zone for the account of exports from another may be made only on the decision of the Control Council or as may be agreed between any Zone Commanders. In the preparation of an export-import plan, the exports and imports of each Zone made before the time of completion thereof will be taken into consideration.

The export-import plan shall be submitted for consideration before 31 October 1945. If the plan is not approved by that date, these interim arrangements shall be reviewed.

5. The Directorate of Economics, in conjunction with the Finance and Reparations Directorate, should submit to the Coordinating Committee the plan for the import-export programme for the approval of the Control Council.

6. Provisional prices of export of goods, raw materials and merchandise shall be fixed by the Commander of each Zone pending conditions of final settlement, payments should be made at the rate of not less than 80% of provisional prices.

7. Provisional prices to be fixed by the Zone Commanders should be applied in the first place to all deliveries from 1 August 1945, and should be submitted forthwith to the Coordinating Committee.

8. This paper has been drawn up in consultation with the Finance Directorate who agree.

Done at Berlin 20 September 1945

(COYL/P/45)32

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: ECONOMICS, Statement on Price Policy, CGRC/P(46)56 As Supplemented by DEGC/M(46)28, Para 324

DATE: 6 February 1946

COORDINATING COMMITTEE  
CGRC/P(46)56 - 6 February 1946

Report of Price Policy Committee

1. Legal prices existing in Germany before the occupation were the result of ten years of central control of the German Economy.
2. Since the capitulation the price level in the zones is being maintained, with few exceptions, at the 1934 level. However, in the case of a certain number of goods, as a result of changes in production and transport conditions, costs have risen.
3. Even under the conditions which prevailed before the occupation some of these prices were only adequate to reimburse suppliers for their costs of production after payment of considerable subsidies.
4. Furthermore it is desirable and expedient to reduce the payment of subsidies to a minimum.
5. In the light of these considerations and recognizing the necessity moreover to maintain strict price control, with the smallest possible increase in the cost of living during the period of inflationary danger, the Price Policy Committee recommends the following principles with regard to price policy to the Finance Directorate:-
  - (a) The principle of price control should be maintained.
  - (b) As a rule, on the majority of commodities, prices are to be maintained, for the time being, at the level before occupation.
  - (c) Price increases over the level prevailing on the 9th May 1945 shall only be permitted as an exception where losses are occurring because either:
    - (i) there has been an increase in costs

of production after all methods have been exhausted to eliminate the conditions which may give rise to this increase: or

- (ii) increased taxes have been imposed on the product, other than those assessed on incomes or profits derived from production; or
- (iii) subsidies on production have been withdrawn.
- (d) In individual cases arising under (c) above the price increases permitted shall be no more than is required to cover the average direct costs of production of the aggregate of products of the firm or branch of industry over a reasonable period together with the smallest margin for overheads and profit which may be appropriate having regard to the probable scale of production.
- (e) Pending the establishment of a definitive financial policy for Germany the cumulative effect of all price increases permitted in accordance with (c) and (d) above on the cost of living shall not be so great as to necessitate any adjustment in the present general level of wages.
- (f) The price of commodities which under (c) above require alteration and which, in the opinion of the Economic Directorate, are of such general importance as to affect the general level of prices shall be established by the Allied Control Authority in accordance with the above principles. The list of these commodities will be established by the Economic Directorate. When agreement is reached these prices shall be adopted in every zone. Changes in prices of other commodities would be ordered by the Zone Commander using the

existing German Authorities in such manner as he may determine.

- (g) Existing subsidies should, as a rule, be withdrawn as far as is compatible with (e) and (f) above, having regard to the price increases which would result under (d) above.
- (h) Information on changes in controlled prices, and of changes in the general level of prices in each zone, should be provided to the Allied Control Authority.

DEGC/M(46)28  
11 May 1946

324. LISTS OF GOODS, CHANGES IN THE PRICE OF WHICH REQUIRE THE DECISION OF THE ALLIED CONTROL COUNCIL (DEGC/P(46)158).

After discussion, in the course of which it was pointed out that considerable difficulties resulted from the existing wide divergence of prices in between zones,

(324) THE DIRECTORATE:-

- (a) agreed to establish the following list of goods and supplies, changes in the price of which require the decision of the Allied Control Authorities:-
  1. Pig iron
  2. Steel ingots of all kinds and rolled ferrous metals
  3. Iron ore
  4. Hard coal, coke, brown coal and brown coal briquettes
  5. Oil and oil derivatives
  6. Basic chemicals:
    - (a) Nitrogen - N<sub>2</sub>

ALLIED CONTROL COUNCIL, BERLIN, 1946

109

SUBJECT: ECONOMICS, Statement on Price Policy, CGRO/P(46)96 As Supplemented by DECO/M(46)28, Para 324 (Continued)

DATE: 11 May 1946

- (b) Phosphater -  $P_2O_5$
- (c) Potash -  $K_2O$
- (d) Coal tar (and the products of primary distillation up to  $280^{\circ}$ .)
- (e) Soda ash -  $CO_3Na_2$
- (f) Caustic soda -  $NaOH$
- (g) Sulphuric acid -  $H_2SO_4$
- (h) Calcium carbide -  $CaC_2$
- (i) Chlorine -  $Cl_2$
- (j) Methanol -  $CH_3OH$

- 7. Grain of all types
- 8. Potatoes
- 9. Sugar beets
- 10. Wool
- 11. Raw hides.
- 12. Slaughter cattle
- 13. Electric power and gas.

- (b) agreed to instruct the Sub-Committee on Price Control, through the Trade and Commerce Committee - in view of the fact that the German system of price control had been operated by individual firms - to develop a workable procedure for the approval or disapproval of price increases:
- (c) agreed that the Sub-Committee on Price Control should give consideration, in working out the procedure, to the possibility of controlling prices of agricultural machinery, spare parts and certain other finished products to be determined later.

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: ECONOMICS, Transport

DIRECTORATE OF TRANSPORTQuadripartite Coordination of Action on Transport1. Overall Transport Premise:

That German inland transport by road, rail and water, and coastal shipping shall be re-established only to the degree necessary to satisfy the demands of the Forces of Occupation, other Allied demands and the needs of the accepted German civilian economy.

2. Implementation of Premises:

- a. That, except where especially authorized by the Directorate of Transport, commercial highway traffic be confined to short haul freight and passenger service that cannot be carried by water or rail.
- b. That such Inland Water and Coastal Shipping as may be allocated to meet the needs of Germany as defined in the premise be used as much as possible.
- c. That rail traffic be limited to that necessary to supplement inland waterway and coastal shipping in supplying the total carrier requirements as defined in the premise.

CCSL/P(45)24

## FOURTH SESSION OF CFM, MOSCOW, 1947

111

AGREED

RESTRICTED

SUBJECT: ECONOM. PRINCIPLES, THE LEVEL OF POST-WAR GERMAN ECONOMY AND REPARATIONS PLAN, General Reservations (Part II, CFM/47/M/148) ORIGIN: Dep. f. Germ. &amp; CCRC

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p><u>RESERVATION</u></p> <p>The position of each Delegation with respect to each specific proposal is dependent upon reaching agreement as a whole on the related problems of the level of industry, reparations and the treatment of Germany as an economic unit.</p> <p>(Page 8; Part II, CFM/47/M/148)</p> <p>-----</p>			<p><u>FRENCH RESERVATION</u></p> <p>The French Delegation adds the following reservations: It cannot agree to any settlement of these three questions without prior settlement of the question of the export of coal in conformity with the demands of the French Government. The French Government repeats that it is ready to accept that Germany should be treated provisionally within its present borders as an economic unity without awaiting the determination of the future status of the Ruhr and Rhineland or prejudging the political and economic regime of those regions, and on the condition that the Saar should immediately be incorporated in the economic and monetary sphere of France.</p> <p>(Page 8; Part II, CFM/47/M/148)</p> <p>-----</p>	<p><u>SOVIET RESERVATION</u></p> <p>The Soviet Delegation declares that it approaches the consideration of economic principles in an organic connection with the question of reparations to which, as was stated by the head of the Soviet Delegation, the Soviet Government attaches paramount importance. In considering separate proposals advanced by various delegations concerning economic principles and especially with regard to reparations, the Soviet Delegation sees a series of points on which it can find a common solution of questions, only, however, having in view that it will meet reciprocity in the question of reparations to which it attaches a special importance.</p> <p>(Page 8; Part II, CFM/47/M/148)</p> <p>-----</p>

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED

RESTRICTED

SUBJECT: ECONOMIC PRINCIPLES, Common Sharing of Resources (Part II, I, A. 1., CFM/47/M/148 &amp; Sec. VII, 1., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CCRG

FOUR POWER AGREEMENT

U S

U K

FR

SOVIET

All Delegations are agreed in principle that there should be a sharing of indigenous resources in Germany and that commodities in short supply should be allocated on a basis of uniform rations. Agricultural production shall be maximized and industry reactivated on peaceful lines as soon as possible and imports into Germany shall also be used on a common basis. (Section VII, paragraph 1, CFM/47/M/74).

(Page 8; Part II, I, A. 1.  
CFM/47/M/148)

-----

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

FOURTH SESSION OF CFM, MOSCOW, 1947

113

UNAGREED

RESTRICTED

SUBJECT: ECONOMIC PRINCIPLES, Export-Import Plan (Part II, I. B.(2), CFM/47/M/148 & Sec. VII, 2., CFM/47/M/74)

ORIGIN: Dep.f.Germ. & CCRC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>All Delegations agree in principle that there should be a common export-import plan.</p> <p>(Page 7; Sec. VII, 2. CFM/47/M/74)</p>	<p><u>US and UK PROPOSAL</u></p> <p>The US and UK Delegations believe that the proceeds of all exports from current production and stocks should be used in the first place to pay for imports.</p> <p>(Page 7; 2., CFM/47/M/74)</p>		<p><u>FRENCH RESERVATION TO SOVIET PROPOSAL</u></p> <p>The French Delegation reserves its position on the Soviet proposal until the question of reparations from current production has been examined.</p> <p>(Page 8; 2., CFM/47/M/74)</p>	<p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegation considers that the proceeds from exports must be used also for procurement of imports necessary for securing production of goods for reparations.</p> <p>(Page 8; 2., CFM/47/M/74)</p>

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: ECONOMIC PRINCIPLES, Sharing of Import Deficits (Part II, I B. 3., CFM/47/M/148 &amp; Sec. VII, 3., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CGEC

FOUR POWER POSITION	U S	U K	FR	SOVIET
<u>NO AGREEMENT</u>	<u>US and UK POSITION</u>  The US and UK Delegations express the view that there should be an equitable sharing among the occupying powers of the costs of the occupation of Germany, past, present and future.  (Page 8; 3., CFM/47/M/74)		<u>FRENCH POSITION</u>  The French Delegation states that the common plan for exports and imports, to be implemented in 1948, should provide for equilibrium in the balance of payments. It believes that the future surpluses should cover the authorized costs of occupation, the past deficits of the balance of payments, and such reparations from current production as may result from the study of that question which was requested by the French Delegation.  (Page 8; 3., CFM/47/M/74)	<u>SOVIET POSITION</u>  The Soviet Delegation is of the opinion that only the future relationship between exports and imports can be considered and not the repayment of past and present deficits. Furthermore, the Soviet Delegation considers that the German economy should be established on the principle of a net balance, i.e., not showing any deficit.  (Page 8; 3., CFM/47/M/74)

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

115

SUBJECT: ECON.PRINC'S, Subjection of Resources in Germ. to German Law (Part II, I, B, 5., CFM/47/M/148 &amp; Sec. VII, 5., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>All Delegations agree that foreign-owned property in Germany is subject to German Law and that Allied Control Council approval shall be required in the future for all acquisitions of property in Germany by Foreign States or their nationals.</p> <p>(Page 8; 5., CFM/47/M/74)</p>		<p><u>US, UK and FRENCH POSITION</u></p> <p>The US, UK and French Delegations believe that this provision should be retroactive to the date of the surrender of Germany.</p> <p>(Page 8; 5., CFM/47/M/74)</p>	<p><u>FRENCH RESERVATION</u></p> <p>The French Delegation reserves its point of view in regard to the future regime of Ruhr industries.</p> <p>(Page 8; 5., CFM/47/M/74)</p>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation declares that it is not in agreement with the extension of this provision to past acquisitions of property in Germany which were made in connection with reparations receipts.</p> <p>(Page 8; 5., CFM/47/M/74)</p>
ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)				

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: ECON. PRINCIPLES, Occupation Forces and their Requirements (Part II, I.B.6., CFM/47/M/148 &amp; Sec. VII.6., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; GCRD

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>The proposals of the US Delegation (CFM/47/M/27), Para. B 5 and (CFM/47/M/51) on these subjects are under examination by the other Delegations but the issues involved have not been joined.</p> <p>(Page 9: 6., CFM/47/M/74)</p>	<p><u>US PROPOSALS</u></p> <p><u>1. Para B.5, CFM/47/M/27</u></p> <p>An overall limitation shall be established on the use of indigenous resources by the occupying powers. Within the limitation to be established, requirements of the occupying forces (and organisations of the occupying powers) shall be determined on a common basis by the Allied Control Authority and not by individual Zone Commanders. A plan for the uniform financing and screening of occupation requirements shall be prepared by the Allied Control Council.</p> <p><u>2. Statement by the US Delegation (CFM/47/M/51):</u></p> <p>The Council of Foreign Ministers instructs the Allied Control Council as follows:</p> <p>(1) In order that the German economy may become self-supporting at the earliest possible date and to expedite the availability of products for export, the size of the occupying force and thereby the costs of occupation should be reduced progressively to the minimum consistent with security and with the fulfillment of the Allied objectives.</p> <p>(2) The Allied Control Council will determine the security forces necessary in each Zone of Occupation as of 1 July 1947 and 1 July 1948. It will report its conclusions to the Council of Foreign Ministers not later than 1 June 1947.</p>			
ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)				

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

117

SUBJECT: ECONOMIC PRINCIPLES, Freedom of Movement (Part III B. 7., CFM/47/M/148 &amp; Sec. VII, 7., CFM/47/M/74)

ORIGIN Dep. f. Germ. &amp; CGRC

FOUR POWER POSITION

U S -

U K

F R

S O V I E T

No agreement has been reached on the proposals of the Delegations of the UK and the US (CFM/47/M/47, para.3(b), and CFM/47/M/27, para.5.).

(Page 9: 7., CFM/47/M/74)

US PROPOSAL  
Para.C., CFM/47/M/27 (Page 3)

C. The Allied Control Authority shall eliminate zonal boundaries as political and economic barriers, leaving only lines of demarcation for security troops of the Occupying Powers. To this end and, as a condition for economic unification, the Allied Control Authority shall take measures necessary to assure freedom of movement throughout Germany for both German and Allied personnel and to assure the fundamental freedoms provided in the Berlin Protocol in all parts of Germany without interference by zonal occupation authorities.

UK PROPOSAL  
Para.3(b), CFM/47/M/47 (Page 1)

3. That as part of the plan for economic unity:-

(b) There shall be unrestricted freedom of movement throughout Germany and that the economic barriers between the zones shall be removed.

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: ECONOMIC PRINCIPLES, Control of the Ruhr (Part II, I, B. 8., CFM/47/M/148 &amp; Sec.VII, 8., CFM/47/M/74)

ORIGIN: Dep.f.Gern. &amp; CCRC

FOUR POWER POSITION

U S

U K

F R

SOVIET

All Delegations agree that the authority of the Allied Control Council should extend over the resources of the Ruhr as well as those of all other areas of Germany when economic unity has been attained.

(Page 9; 8., CFM/47/M/74)

This report does not prejudice a separate discussion of the internationalization of the Ruhr at the proper time on the Council of Foreign Ministers agenda.

(Page 9; 8., CFM/47/M/74)

FRENCH POSITION

The French Delegation desires to see this regime established as soon as possible.

(Page 9; 8., CFM/47/M/74)

SOVIET POSITION

The Soviet Delegation considers that a quadripartite control of the Ruhr industrial region which forms the main basis of German militarism must be established, and that this is one of the most important conditions for the solution of the question of the economic unity of Germany.

(Page 9; 8., CFM/47/M/74)

ACTION TAKEN BY CFM: Referred to Control Council For Information; to Deputies for Germany for Study (UK Reservation)

FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED

UNAGREED

SUBJECT: ECONOMIC PRINCIPLES, Annulment of Bizonal Agreement (Part II, I, B.9., CFM/47/W/148 & Sec.VII, 9., CFM/47/W/74)

ORIGIN: Dep.f.Germ. & CGEC

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p><u>NO AGREEMENT</u></p>	<p><u>US and UK POSITION</u></p> <p>The US and UK Delegations state that the agreement will remain in effect until the economic unity of Germany has been achieved.</p> <p>(Page 9: 9., CFM/47/W/74)</p> <hr style="border-top: 1px dashed black;"/>			<p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegation proposes the immediate annulment of the Bizonal agreement between the UK and US Zones of occupation.</p> <p>(Page 9: 9., CFM/47/W/74)</p> <hr style="border-top: 1px dashed black;"/>

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

UNAGREED

SUBJECT: ECON. PRINCIPLES, Econ. Decentralization &amp; Decartelization (Part II, I, B. 10., CFM/47/W/148 &amp; Sec. VII, 10., CFM/47/W/74)

ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>All Delegations are of the opinion that the principles of decartelization and economic decentralization agreed at the Potsdam Conference should be carried out. Complete agreement has not been reached by the four Delegations on concrete measures for the implementation of this program.</p> <p>(Page 9: 10., CFM/47/W/74)</p>		<p><u>UK PROPOSAL</u></p> <p>That measures for the breaking up of concentrations of economic power, as exemplified by cartels, syndicates, trusts and other arrangements, shall be hastened; and that the socialization of certain industries shall be regarded as one method of carrying this out.</p> <p>(Para. 6; CFM/47/W/47)</p>	<p><u>FRENCH PROPOSAL</u></p> <p>The Control Council shall take the following steps in the field of decartelization:</p> <p>(a) establishment of a list of the principal trusts which shall be automatically eliminated in the four zones;</p> <p>(b) determination of the characteristics according to which the other trusts may be brought before a quadripartite liquidation commission;</p>	<p><u>SOVIET POSITION</u></p> <p>In expressing agreement with the above statement, the Soviet Delegation considers the proposal which comes closest to the Potsdam Agreement is contained in the Soviet Draft Proposal Document CFM/47/W/23, Para. 6.</p> <p>(Page 10: 10., CFM/47/W/74) (See below)</p>
<p><u>RELEVANT PARAGRAPH OF POTSDAM AGREEMENT</u></p> <p>12. A. the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic powers as exemplified in particular by cartels, syndicates, trusts and other monopolistic arrangements.</p> <p>(Part III, B., Para 12)</p>			<p>(c) appropriate measures to avoid reconstitution of the trusts which have been liquidated and the creation of new trusts;</p> <p>(d) limitation or elimination of the cartels under the terms provided for by the United Nations economic organizations;</p> <p>(e) exceptions to the rules thus established as regards trusts and cartels under a quadripartite agreement in favor of the undertakings or establishments managed or controlled by the Allies.</p> <p>(Para. IV., 6., CFM/47/W/57)</p>	<p><u>SOVIET PROPOSAL</u></p> <p>(Para. I, 6., CFM/47/W/23, Page 15)</p> <p>To propose to the Control Council that necessary measures be adopted for the taking over of mills and other enterprises from German concerns, cartels and trusts, and for the transfer of these enterprises to the ownership of the German state. Democratic parties and free trade unions of Germany shall be called upon for the carrying out of these measures.</p>
ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)				

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

121

SUBJECT: ECON.PRIN'S, Allied Control over Internal Allocations in Germ. (Part II.I.B.11.,CFM/47/M/148 &amp; Sec.VII.11.CFM/47/M/74)

ORIGIN:Dep.f.Germ. &amp; OCRC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US and UK RESERVATION</u></p> <p>The US and UK Delegations agree with the French proposal in principle with the reservation that detailed arrangements shall preserve a substantial measure of autonomy for the German administrative agencies charged with allocations.</p> <p>(Page 11: 11., CFM/47/M/74)</p>		<p><u>FRENCH PROPOSAL</u></p> <p>To strengthen Allied Control over the distribution and use of coal, power and steel in Germany.</p> <p>(Page 11: 11.,CFM/47/M/74)</p>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation agrees with the French proposal for strengthening Allied Control over the distribution and use of coal, power and steel in Germany. It considers it necessary to add that allocation of coal for internal consumption, for reparations and for export should be exercised through the Allied Control Council. Furthermore, with respect to the supply of coal the problems of internal consumption, reparations and exports are organically interrelated, and their consideration in close relationship forms one of the conditions for securing economic unity for Germany.</p> <p>(Page 11: 11.,CFM/47/M/74)</p>
ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)				

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: LEVEL OF POST-WAR ECON., Rehabilitation of German Industry (Part II, II.B., CFM/47/M/148 &amp; Sec. VIII, A.3., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; COMO

FOUR POWER POSITION

US

UK

FR

SOVIET

NO AGREEMENTUS and UK PROPOSAL

The UK and US Delegations agree that the rehabilitation of German industry shall be effected on a progressive plan, having due regard to the necessity of exporting coal to the liberated countries. In particular, the rate by which steel production is increased shall be determined in relation to the need for coal exports provided that the burden of cost on the occupying powers is not increased as a result of this consideration.

(Page 13; A.3., CFM/47/M/74)

FRENCH RESERVATION

The French Delegation favors this proposal provided that its implementation would be such as to satisfy French claims, formulated as an absolute condition with regard to coal exports.

(Page 13; A.3., CFM/47/M/74)

SOVIET RESERVATION

The Soviet Delegation accepts the UK (and US) proposal with an addition: "it is recognized that deliveries of coal on account of reparations are necessary".

(Page 13; A.3., CFM/47/M/74)

FOURTH SESSION OF CFM, MOSCOW, 1947

123

AGREED

RESTRICTED

SUBJECT:

DIVISION OF POWERS, etc., Powers of Central Government, Economic Unity 1 (Part III, E. 2.c., CFM/47/W/148)

ORIGIN: Dep. f. Germ. & CCSC

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>c. "To ensure the economic unity necessary:</p> <p>(1) The Soviet, French, US and UK Delegations have agreed to place within the competence of the Central Government, customs, foreign trade, import and export control, and weights and measures".</p> <p>(Page 13, E.c.(1), CFM/47/W/148)</p> <hr/> <p><u>NOTE</u></p> <p>The subsequent sub-paragraphs of c. were not agreed.</p> <hr/>				

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: DIVISION OF POWERS, etc., Powers of Central Gov't, Economic Unity 2 (Part III, E.2.c., CFM/47/M/148 &amp; E.2.c., CFM/47/M/121) ORIGIN: Dep. f. Germ. &amp; COMC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US, SOVIET and UK PROPOSAL</u></p> <p>c. (2) The US, Soviet and UK Delegations also have agreed to place within the competence of the Central Government control of certain road and water communications of national importance and of all rail communications and post and telegraph.</p> <p>(3) (a) The US, Soviet and UK Delegations are further agreed to reserve to the Central Government the control of the supply of food, the distribution of food and raw materials in short supply, the planning of industry and the control of labor, wages and prices.</p> <p>(Page 10, c.(2), c.(3), CFM/47/M/121)</p>		<p><u>FRENCH POSITION</u></p> <p>c.(4) (a) The French Delegation states that the powers which would be attributed to the federal authority regarding the elaboration of common measures for transport and for the federal coordination of post and telegraph are enumerated in Document CFM/47/M/41, Chapter 5, Point A, Paragraph 5 for transportation, and Paragraph 6 for post and telegraph.</p>	<p><u>SOVIET PROPOSAL</u></p> <p>See US, Soviet &amp; UK Proposal (Page 10, (2), CFM/47/M/121)</p>
	<p><u>US and UK POSITION</u></p> <p>c. (3) (a) The US and UK Delegations, however, while agreeing that central control of these questions is necessary under the acute economic conditions at present existing in Germany, desires to see the end of these types of control at a later date. They are therefore opposed to the inclusion in the German constitution of provision for the permanent retention by the central government of these controls.</p> <p>(Page 10, (3) (a), CFM/47/M/121)</p>		<p>(b) The French Delegation considers that the present acute economic difficulties in Germany make it unavoidable that certain powers in the economic field should be exercised by central governmental machinery under the authority of the supervision of the Control Council. These powers refer particularly to the supply of food, the distribution of food, coal and power and essential raw materials, the planning of industry and the control of wages and prices. The Control Council shall decide in due course by what German bodies these powers shall be exercised, if at all.</p> <p>(Page 10, c.(4)(a), CFM/47/M/121)</p>	

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

UNAGREED

RESTRICTED

## FIFTH SESSION OF CFM, LONDON, 1947

128

SUBJECT: ECONOMIC PRINCIPLES, General Statement (2, para 16, CFM/47/L/7/18 &amp; 22 and USDEL/47/L/12th M'g, Pages 5, 6, 7 &amp; 8)

ORIGIN: CFM

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>It was agreed that para 16, of the UK text, the Fr amendment, the two Soviet amendments, and the proposal of the US be referred to the Drafting Committee (Page 8, USDEL/47/L/12th M'g)</p> <p><u>NOTE:</u></p> <p>A Drafting Committee was not established by CFM/London.</p>	<p><u>US AMENDMENT</u></p> <p>Delete: "to enable Germany to make good the damage done to the Allies in the War"</p> <p>Substitute: "to enable Germany to complete the reparations program" (Page 6, USDEL/47/L/12th M'g)</p> <hr/> <p><u>US POSITION</u></p> <p>US accepts first Soviet Proposal. (Page 7, USDEL/47/L/12th M'g)</p> <hr/> <p><u>US POSITION</u></p> <p>US agrees to the addition of the French proposal to (c). (Page 6, USDEL/47/L/12th M'g)</p> <hr/>	<p><u>UK PROPOSAL</u></p> <p>Para. 16.</p> <p>It will be the aim of the Controlling Powers during the second phase of the initial control period to complete the elimination of Germany's war potential: to enable Germany to make good the damage done to the Allies in the war; and subject to restrictions required in the interests of security to effect such further restoration of her economy as may be necessary:</p> <p>(a) to achieve as soon as possible a balanced economy which will permit her to pay for her essential imports from the proceeds of exports without external assistance;</p> <p>(b) to repay as soon as possible to the Controlling Powers the sums advanced, since their armies first occupied German territory, on account of the import requirements of the population of Germany and to pay for external occupation costs;</p> <p>(c) to play her part in the restoration of a healthy economy in Europe as a whole. (Page 7, CFM/47/L/7)</p> <hr/>	<p><u>FRENCH POSITION</u></p> <p>French Delegation accepts Soviet proposal. (Page 7, USDEL/47/L/12th M'g)</p> <hr/> <p><u>FRENCH AMENDMENT</u></p> <p>as amendment to, or substitution for, the UK text of (c):</p> <p>"so that Germany may contribute to the restoration of countries, victims of her aggression" (Page 6, USDEL/47/L/12th M'g)</p>	<p><u>1st SOVIET AMENDMENT</u></p> <p>Delete: "It will be the aim of the Controlling Powers during the second phase of the initial control period..." (Page 5, USDEL/47/L/12th M'g)</p> <p>Substitute: "Under the present conditions it will be the aim of the Controlling Powers..."</p> <hr/> <p><u>2nd SOVIET AMENDMENT</u></p> <p>Delete: (in first paragraph of Para 16) "to enable Germany to make good the damage done to the Allies in the war"</p> <p>Substitute: "to ensure the carrying out by Germany of her obligations regarding the making good of damage done to the Allies in the war."</p> <p>The Soviet delegation agrees that the damage should be made good only partially. (Page 7, USDEL/47/L/12th M'g)</p> <hr/> <p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation supports the French Amendment regarding (c). (Page 5, USDEL/47/L/12th M'g)</p> <hr/>

ACTION TAKEN BY CFM: Referred to Drafting Committee

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

ORIGIN: CFM

SUBJECT: ECONOMIC PRINCIPLES, General Statement (S, para 16, CFM/47/L/7/18 2/22 and USDEL/47/L/12th M'g. Pages 5, 6, 7 &amp; 8)

FOUR POWER POSITION	US	UK	FR	SOVIET
		<p style="text-align: center;"><u>UK POSITION</u></p> <p>UK makes reservation on first Soviet Proposal. (Page 7/USDEL/47/L/12th M'g)</p> <p>-----</p>		

ACTION TAKEN BY CFM: Referred to Drafting Committee

FIFTH SESSION OF CFM, LONDON, 1947

127

UNAGREED

RESTRICTED

SUBJECT: ECON. PRINC'S., Application of Para 14 of Potsdam Agr't (CFM/47/L/7 & USDEL/47/L/ 13th M'g)

ORIGIN: CFM

FOUR POWER POSITION

U S

U K

FR

SOVIET

US RESERVATION

US Delegation reserves its position pending further decisions.

(Page 1, USDEL/47/L/ 13th M'g)

UK PROPOSAL

Para. 17.

On or before 1st July, 1947, the Control Council shall agree upon the details of a scheme for:-

(a) the full and immediate application of paragraph 14 of the principles laid down in the Potsdam Agreement, which relates to the treatment of Germany as an economic whole; and

(b) the sharing between the Controlling Powers of the financial burden already incurred by them in the future. The financial principles to give effect to this shall be laid down during the present session of the Council of Foreign Ministers.

(Page 7, CFM/47/L/7)

UK POSITION

UK Delegation not quite ready to study specific figures and countries which are to be left for further study.

(Page 1, USDEL/47/L/ 13th M'g)

FRENCH POSITION

Fr Delegation reminds of its attitude regarding the Saar and insists on a special regime to be established for the Ruhr and the Rhineland.

(Page 2, USDEL/47/L/ 13th M'g)

FRENCH STATEMENT

re: Para 17(G)

Fr Delegation reminds of its statement regarding deficits contained in paper CFM/47/M/99 of 4 April 1947 "Future deficits, if any, should be equitably shared among the Controlling Powers".

This referred to future, not past deficits

(Page 2, CFM/47/L/ 13th M'g)

SOVIET PROPOSAL

re: Para 17(a)

The Control Council shall on \_\_\_\_\_, 1948, (the exact date to be determined later) arrive at an agreement on the details of a plan for the full and immediate application of para 14 of the principles of the Potsdam Agreement concerning the treatment of Germany as an economic whole.

(Page 1, USDEL/47/L/ 13th M'g)

SOVIET PROPOSAL

CFM to study sub-para (b) of para 17 in order to determine what sums and what countries were involved.

(Page 1, USDEL/47/L/ 13th M'g)

ACTION TAKEN BY CFM: Referred to Drafting Committee

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

~~RESTRICTED~~

SUBJECT: ECON. PRINC'S., Free Movement of Goods within Germany (Para 18, CFM/L/7 &amp; USDEL/47/L/ 13th M'g)

ORIGIN: CFM

FOUR POWER POSITION	U.S.	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US POSITION</u></p> <p>US Delegation favors the UK draft and suggests changing the date of 1st July, 1947, to 31 March 1948.</p> <p>It finds the conditions of the Soviet Draft not acceptable. (Page 2, USDEL/47/L/ 13th M'g)</p>	<p><u>UK PROPOSAL</u></p> <p><u>Para. 18.</u></p> <p>In accordance with paragraph 17 above, as from 1st July, 1947, all restrictions on the movement of goods between the different zones of Germany shall be abolished and in pursuance of paragraph 15 (c) of the Potsdam Principles, the resources of each part of Germany and all goods imported into Germany shall be used for the benefit of Germany as a whole. (Page 7, CFM/47/L/7)</p>	<p><u>FRENCH PROPOSAL</u></p> <p>Fr. Delegation agrees to refer to the Deputies for consideration the questions of the free circulation of goods and persons. (Page 3, USDEL/47/L/ 13th M'g)</p> <p><u>FRENCH POSITION</u></p> <p>The Fr. Delegation cannot accept the UK text as it stands, and suggests that account should be taken of the now considered paragraphs 17 &amp; 18 of the French paper CFM/47/M/99, which reads as follows:</p> <p>"Before 1st July 1947, the Control Council shall draw up a detailed scheme for the application of the principle of economic unity, i.e.:</p> <ul style="list-style-type: none"> <li>- the pooling of indigenous resources and of imports;</li> <li>- the establishment of a common import-export programme;</li> <li>- the putting into effect of a financial reform;</li> <li>- the re-establishment of the free movement of goods, capital and persons.</li> </ul>	<p><u>SOVIET PROPOSAL</u></p> <p>Sov. Delegation accepts UK proposal in principle but finds it "indefinite" in wording, and suggests acceptance in principle of para. 18 and of para. 1 of Soviet draft by the Ministers, instructing the Deputies to work out an agreed text. (Page 2, USDEL/47/L/ 13th M'g)</p> <p><u>Text of Soviet Draft</u> (referred to above)</p> <p>"3. With the establishment of central German Departments and of the procedure for the fulfilment by Germany of her reparations and other main obligations international economic barriers shall be abolished and the necessary facilities provided for the free flow of goods throughout all Germany". (Page 2, CFM/47/L/22)</p>
ACTION TAKEN BY CFM: None				

FIFTH SESSION OF CFM, LONDON, 1947

129

UNAGREED

RESTRICTED

SUBJECT: ECON. PRINC'S., Free Movement of Goods within Germany (Para 18, CFM/L/7 & USDEL/47/L/ 13th K'E)

ORIGIN: CFM

FOUR POWER POSITION	U S	U K	FR	SOVIET
			<p style="text-align: center;"><u>FRENCH POSITION</u> (cont'd)</p> <p>At that date, the Saar Territory shall cease to be subject to the authority of the Control Council and its economic and financial attachment to France shall be put into effect.</p> <p>The establishment of economic unity shall in no wise prejudice the future status of the Ruhr and Rhineland.</p> <p>-----</p>	

ACTION TAKEN BY CFM: None

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED		RESTRICTED			ORIGIN: CFM
SUBJECT: ECON. FINANCIAL. Common Export-Import Program (Para 19, CPM/47/L/7 & USDEL/47/L/13th M'g)					
FOUR POWER POSITION	U S	U K	FR	SOVIET	
	<u>US POSITION</u>	<u>UK PROPOSAL</u>	<u>FRENCH PROPOSAL</u>	<u>SOVIET AMENDMENT</u>	
	US Delegation accepts UK proposal (with all amendments) (Page 8, USDEL/47/L/13th M'g)	<u>Para. 19</u> A common export-import programme for Germany as a whole shall be drawn up with effect from 1st July, 1947. As soon as the appropriate Central German Administration has been established it shall take over this task. This programme, which will allow for the equitable distribution of indigenous resources throughout Germany, shall be designed to achieve as soon as possible a sufficient balance of exports over imports and thus fulfil the objectives set out in paragraph 15 above. It shall take into account the need to maximise coal production and agricultural output, improve housing conditions and restore the transport system. The export-import programme shall be subject to the approval of the Controlling Powers. (Pages 7 & 8, CPM/47/L/7)	The Fr Delegation agrees to refer the drafting of this part of the text to the Drafting Committee. (Page 7, USDEL/47/L/13th M'g)	Delete next to last sentence commencing "It shall take..... transport system". Substitute "It shall take into account the need to increase coal production, to develop the peace time branches of industry including the production of goods for the German population and for export to other countries, agricultural output, improve housing conditions and restore the transport system." (Page 7, USDEL/47/L/13th M'g)	
			<u>FRENCH PROPOSAL</u>	<u>SOVIET POSITION</u>	
			The Fr Delegation suggests inclusion of sentence stating that the Central Administrative Agencies will be under the supervision of appropriate quadripartite bodies of the Allied Control Authority (in conformity with section A(1)(b) of CPM/D/L/47/G.80). (Page 7, USDEL/47/L/13th M'g)	The Soviet delegation states that the UK proposal was acceptable. (Page 8, USDEL/47/L/13th M'g)	
			<u>FRENCH POSITION</u>		
			The Fr Delegation accepts the UK proposal (with all amendments) (Page 8, USDEL/47/L/13th M'g)		
		<u>UK AMENDMENT TO SOVIET AMENDMENT</u>			
		UK Delegation suggests adding to Soviet amendment the phrase: "Subject to the agreed level of industry, and proposes that exact wording will be worked out by the			
<u>NOTE:</u>					
Although, on the surface, the minutes of the meeting show considerable measure of agreement on para 19, there are not enough clear indications as to the acceptance of the principal amendments. For this reason this paragraph is not included under "Agreed Subjects".					
ACTION TAKEN BY CFM: Referred to Drafting Committee					

FIFTH SESSION OF CFM, LONDON, 1947

131

UNAGREED

RESTRICTED

SUBJECT: ECON. PRINC'S., Common Export-Import Program (Para 19, CFM/47/L/7 & USDEL/47/L/ 13th M'g)

ORIGIN: CFM

FOUR POWER POSITION	U S	U K	FR	SOVIET
		<p><u>UK AMENDMENT TO SOVIET AMENDMENT</u> (cont'd)</p> <p>drafting committee, also suggest change of date. (Page 7, USDEL/47/L/13th M'g)</p> <hr/> <p><u>UK POSITION</u></p> <p>UK Delegation states (re: 2nd Fr Proposal) that it assumes that appropriate German Agencies would take over upon their establishment in accordance with CFM agreement. (Pages 6 &amp; 7, USDEL/47/L/13th M'g)</p> <hr/>		

ACTION TAKEN BY CFM: Referred to Drafting Committee

FINANCE

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: BOEN PRINC'S., Repayment by Germany of Sums advanced by Controlling Powers (Para 20, CFM/47/L/7 & USDEL/47/L/13th & 14th M'g)

ORIGIN: CFM

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENT

US PROPOSAL

UK PROPOSAL

FRENCH POSITION

SOVIET PROPOSAL

The US Delegation states that para 20 is acceptable with the following amendments:

Para 20.

The Fr Delegation is not in a position to determine any particular date for the establishment of a Central German Government.

Since, in the opinion of the Sov Delegation, para 20 contains doubtful points, it suggests to refer the whole question to the Deputies. (Page 11, USDEL/47/L/ 13th M'g)

Substitute "Provisional German Government for the words "Appropriate German Central Administration".

The repayment of sums advanced by the Controlling Powers on account of the import requirements of the population of Germany shall be the first charge on Germany's foreign exchange resources after her essential needs have been met. The Controlling Powers will furnish the appropriate German Central Administration with an agreed statement, as of the 30th June, 1947 of any sums owing to them under this head. In computing the amounts due to them they will give full credit to Germany for all exports or proceeds of exports which they have received from German current production and stock, whether or not these exports were taken in the first instance under the head of reparation. This statement shall be furnished by the 30th September, 1947.

(Page 8, USDEL/47/L/ 13th M'g)

FRENCH POSITION  
on Soviet Counterproposal as Amended.

SOVIET COUNTERPROPOSAL

Substitute in the second and third sentences the date "31 March 1946" for the dates "30th June, 1947" and "30th September, 1947". (Page 8, USDEL/47/L/13th M'g)

US POSITION

The Fr Delegation states it requires study of proposal prior to establishing a priority of payments.

for Para 20.

The US Delegation sees no point in referring this unresolved matter to the Deputies.

"The sums advanced by the Controlling Powers to cover the needs of the German population in imports are to be covered at the expense of German resources in foreign currency and goods after her current needs have been satisfied. These sums shall be considered to be debts which are due from Germany to the Controlling Powers, and the method for their payment shall be determined in the Peace Treaty".

(Page 11, USDEL/47/L/13th M'g)

(Page 2, USDEL/47/L/ 14th M'g)

(Page 2, USDEL/47/L/ 14th M'g)

UK PROPOSAL

SOVIET AMENDMENT TO COUNTERPROPOSAL

The UK Delegation suggests change of dates in para 20. (Page 8, USDEL/47/L/ 13th M'g)

Reword the first part of the amendment as follows:

ACTION TAKEN BY CFM: None

FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: ECON. PRINC'S., Repayment by Germany of Sums Advanced by Controlling Powers (Para 20, CFM/47/L/7 & USDEL/47/L/15th & 14th M'g's) (cont'd) ORIGIN: CFM

FOUR POWER POSITION	U S	U K	FR	SOVIET
		<p style="text-align: center;"><u>UK STATEMENT</u></p> <p>Accounts will have to be submitted by 31 March, 1948, instead of by 30 September, 1948, to a German Central Administration or a German Provisional Government, depending on which will have been established by that time. (Pages 8 &amp; 9, USDEL/47/L/15th M'g)</p> <p>-----</p>		<p style="text-align: center;"><u>SOVIET AMENDMENT TO COUNTERPROPOSAL (cont'd)</u></p> <p>"The sums advanced by the Controlling Powers to cover the needs of the German population in imports are to be paid as a first charge on Germany's resources in foreign currency and goods, etc." (Page 2, USDEL/47/L/14th M'g)</p> <p>-----</p>

ACTION TAKEN BY CFM: None

- FINANCE
- GOVERNMENT
- POPULATION
- REPARATIONS
- TREATIES
- MISCELLANEOUS
- INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED  
SUBJECT:

REPERATIONS

ECON. PRINC'S. Payment by Germany of Occupation Costs (Para 21, CFM/47/L/7 &amp; USEDL/47/L 14th M'g)

ORIGIN: CFM

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENTUS POSITION

The US Delegation has no proposal to offer on par 21.  
(Page 3, USEDL/47/L/14th M'g)

-----

UK PROPOSALPara 21.

The Controlling Powers shall also furnish to the appropriate German Central Administration agreed statements of their external occupation costs. These sums shall be regarded as debts due from Germany to the Controlling Powers, ranking for repayment after the sums mentioned in Paragraph 20 and the manner of their repayment shall be determined in the Peace Treaty.  
(Page 5, CFM/47/L/7)

-----

SOVIET AMENDMENT

The Soviet Delegation proposes to delete the word "also" in the first sentence, and the words "ranking for payment after the sums mentioned in Para 20" in the second sentence.  
Page 3, USEDL/47/L/14th M'g

-----

US & UK POSITION

The US & UK Delegations accept the first Soviet amendment to delete the word "also" in the first sentence.  
(Page 3, USEDL/47/L/14th M'g)

-----

US POSITION

The establishment of equal priority between the matters raised in paragraphs 21 and 20 is not acceptable to the US Delegation. Priority should be given expenses borne by US in supplying food and related items for German population in US Zone  
(Page 3, USEDL/47/L/14th M'g)

Note: Para. 22 is contained in "Reparations" section of this volume.

ACTION TAKEN BY CFM: None

UNAGREED  
SUBJECT:

RESTRICTED

FIFTH SESSION OF CFM, LONDON, 1947

130

ECON. PRIN'S., Acquisition of Interest in German Enterprises (Para 23, CFM/47/L/7 & USDEL/47/L/ 14th M'g)

ORIGIN: CFM

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENT

US POSITION

The US Delegation accepts the proposal contained in para 23.

(Page 7, USDEL/47/L/ 14th M'g)

UK PROPOSAL

Para 23.

The acquisition of any interest in an enterprise in Germany by any foreign power or its nationals after 5th May, 1945, shall only be valid if approved by the Control Council. The Control Council shall pass the legislation required to give effect to this provision.

(Page 8, CFM/47/L/7)

UK STATEMENT

The UK Delegation cannot accept the Soviet amendment in regard to reparations.

(Page 8, USDEL/47/L/ 14th M'g)

FRENCH STATEMENT

The Fr Delegation accepts para 23 of the UK text subject to minor drafting changes.

(Page 8, USDEL/47/L/ 14th M'g)

SOVIET PROPOSAL

The Soviet Delegation proposes the following addition to the first sentence:

"which shall not refer to acquisitions made on account of reparations according to the Potsdam Agreement"

and also the following addition to paragraph 23:

"in accordance with paragraph 15 (d) of the Potsdam Agreement, control shall be established in regard to all economic and financial international operations, and operations regarding the unlawful transfer of German property to foreign owners shall be declared null and void."

(Pages 7 & 8, USDEL/47/L 14th M'g)

NOTE:

Para 22 is included in the section on REPARATIONS.

ACTION TAKEN BY CFM: None

FRANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: ECOC. FRINC'S., Subjection of Resources in Germany to German Law (Para 24, CFM/47/L/7 &amp; USDEL/47/L/14th M'g)

ORIGIN: CFM

FOUR POWER POSITION	U S	U K	FR	SOVIET
<u>NO AGREEMENT</u>		<u>UK PROPOSAL</u>  Para 24.  All property, rights and interests in Germany owned or acquired by any foreign power or its nationals shall remain subject to the law in force in Germany applicable to property generally, but such Powers and their nationals shall possess all the rights under German law pertaining to their property, rights and interests. Any enterprises so owned or acquired shall remain a part of the economic resources of Germany. The foregoing shall be subject to such exceptions as may be agreed by the Control Council in respect of the property of the Occupying Forces, the Allied Control Authority and its members. (Page 8, CFM/47/L/7) ----- <u>Note:</u>  Para 25, dealing with Financial Reform is included in the Finance Section of this Summary. -----	<u>FRENCH POSITION</u>  The Fr Delegation agrees to accept para 24 of the UK draft. (Page 9, USDEL/47/L/14th M'g) -----	<u>SOVIET PROPOSAL</u>  To delete the second sentence; to add to the end of the first sentence after "property, rights and interests" the words:  "which shall not lead to a deterioration of the status of property which went over to the Controlling Powers in accordance with the Potsdam Agreement".  With the above amendments the Soviet Delegation is ready to accept the UK text of para 24. (Page 9, USDEL/47/L/14th M'g) -----
ACTION TAKEN BY CFM: None				

FIFTH SESSION OF CFM, LONDON, 1947

187

RESTRICTED

AGREED  
SUBJECT:

ECON. PRINC'S., Decartelisation, (Para 26, CFM/47/L/7 & USDEL/47/L, 14th & 15th M'gs)

ORIGIN: CFM

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p><u>Paragraph 26</u></p> <p>The appropriate German authorities shall put forward as soon as possible for the approval of the Control Council proposals in regard to the breaking up of concentrations of economic power as exemplified by cartels, syndicates, trusts and other monopolistic arrangements. Proposals for the public ownership of certain industries shall be regarded as one method of carrying out this provision, provided such proposals represent the free choice of the German people.</p> <p>(Pages 9 &amp; 12, USDEL/47/L 14th M'g)</p> <p>-----</p> <p>NOTE: Para 26 is included in the section on FINANCE.</p> <p>-----</p>			<p><u>FRENCH RESERVATION</u></p> <p>The Fr Delegation reserves its position pending final drafting.</p> <p>(Page 12, USDEL/47/L/ 14th M'g)</p> <p>-----</p>	

ACTION TAKEN BY CFM: None

- FINANCE
- GOVERNMENT
- POPULATION
- REPARATIONS
- TREATIES
- MISCELLANEOUS
- INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

AGREED

RESTRICTED

SUBJECT: ECON. PRINC'S.,

Equitable Distribution of Resources (Para 26 bis, USDEL/47/L 15th M'g. Pages 1 &amp; 2)

ORIGIN: CFM

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p>Paragraph 26 bis.</p> <p>The Allied Control Council shall provide that specific amounts of percentages of the German output of products of key importance to European economic recovery such as coal, coke and power, be exported. It shall take any measure it may consider necessary to ensure that the German organization responsible for distribution shall distribute such resources properly within Germany as between the various Länder and industrial priorities. (Pages 1 &amp; 2, USDEL/47/L/ 15th M'g)</p> <p>-----</p>				

ACTION TAKEN BY CFM: None

FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT:

REPARATIONS, ETC., Rehabilitation of German Industry (Para 28, CFM/47/L/7 & USDEL/47/L/15th W'g)

ORIGIN: CFM

FOUR POWER POSITION	U S	U K	FR	SOVIET
<u>NO AGREEMENT</u>	<p><u>US POSITION</u></p> <p>The US Delegation accepts the French proposal. (Page 5, USDEL/47/L/ 15th W'g)</p> <p>-----</p>	<p><u>UK PROPOSAL</u></p> <p>Para. 28</p> <p>The rehabilitation of German industry shall be effected on a progressive plan having due regard to the necessity of exporting coal to the liberated countries. In particular the rate by which steel production is increased shall be determined in relation to the need for coal exports provided that the burden of cost on the occupying powers is not increased as a result of this consideration. (Page 9, CFM/47/L/7)</p> <p>-----</p>	<p><u>FRENCH PROPOSAL</u></p> <p>The Fr Delegation proposes the following text for para 28: "The increase of German industrial activity shall be carried out progressively in such a way that the reconstruction of Germany does not enjoy priority over the reconstruction of the democratic countries of Europe". (Page 5, USDEL/47/L/15th W'g)</p> <p>-----</p>	<p><u>SOVIET POSITION</u></p> <p>The Sov Delegation doubts whether the French proposal will bring about any change of policy in the Western Zones. (Page 5, USDEL/47/L/ 15th W'g)</p> <p>-----</p>

ACTION TAKEN BY CFM: No Decision

FINANCE

GOVERNMENT

POPULATION

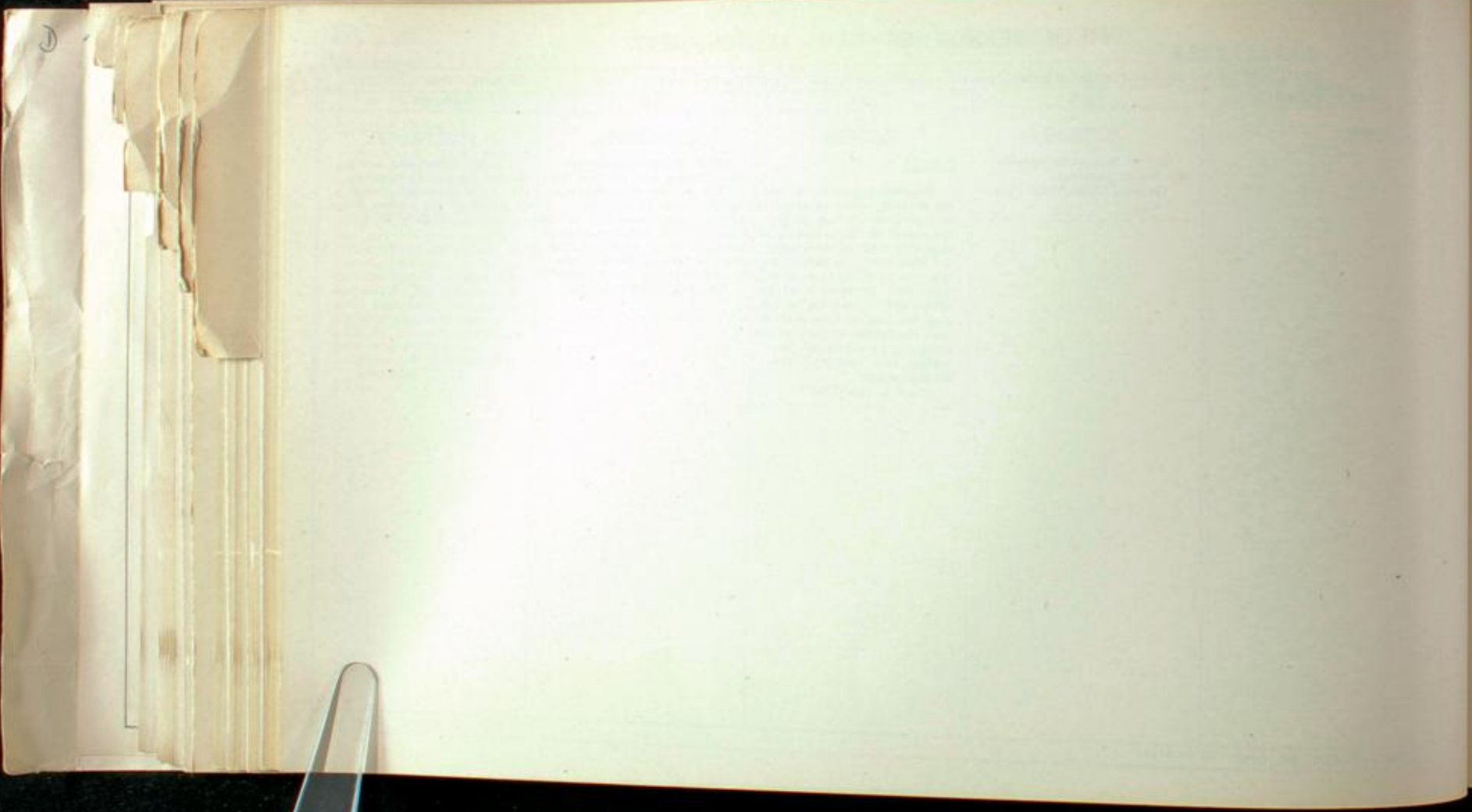
REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

1



FINANCE

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX



PART VI

F I N A N C E

GOVERN-  
MENT

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

SUBJECT: FINANCE

POTSDAM AGREEMENT2 August 1945Currency and Banking, Central Taxation and CustomsPART III, B. 14

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: .....

(e) currency and banking, central taxation and customs; ....

In applying these policies, account will be taken, where appropriate, of varying local conditions

-----

SUBJECT: FINANCE

DATE: 10 October 1945

LAW NO. 2

PROVIDING FOR THE TERMINATION AND LIQUIDATION OF THE NAZI ORGANIZATIONS

The Control Council enacts as follows:

ARTICLE I

1. The National Socialist German Labor Party, its formations, affiliated associations and supervised agencies, including para-military organizations and all other Nazi institutions established as instruments of party domination are hereby abolished and declared illegal.

2. The Nazi organizations enumerated in the attached Appendix, or which may be added, are presently abolished.

3. The reforming of any of the organizations named herein, whether under the same or different name is forbidden.

ARTICLE II

All real estates, equipments, funds, accounts, records and other property of the organizations abolished by this law are confiscated. Confiscation is carried out by Military Commands; general directives concerning the distribution of the confiscated property are given by the Control Council.

ARTICLE III

Until such time as the property mentioned is actually placed under the control of the Military Commands all officers and other personnel, including administrative officials and others accountable for such property are held personally responsible for taking any action necessary to preserve intact all such property and for complying with the orders of the Military Commands regarding such property.

ARTICLE IV

Any person violating any provision of this law shall be liable to criminal prosecution.

Done at Berlin 10 October 1945 (OONL/P(45)144)

APPENDIX 'A' to  
OONL/P(45)144

1. Nationalsozialistische Deutsche Arbeitspartei
2. Partei-Kanzlei
3. Kanzlei des Fuehrers der NSDAP
4. Auslandsorganisation
5. Volkbund fuer das Deutschtum im Ausland
6. Volksdeutsche Mittelstelle
7. Parteiatische Pruefungskommission zum Schutze des NS-Schrifttums
8. Reichsorganisationsleiter der NSDAP
9. Reichsschatzmeister der NSDAP
10. Beauftragter des Fuehrers fuer die Ueberwachung der gesamten seelischen und weltanschaulichen Schulung und Erziehung der NSDAP
11. Reichspropagandaleiter der NSDAP
12. Reichsleiter fuer die Presse, und Zentralverlag der NSDAP (Zher Verlag)
13. Reichspressechef der NSDAP
14. Reichsamt fuer das Landvolk
15. Hauptamt fuer Volksgesundheit
16. Hauptamt fuer Erzieher
17. Hauptamt fuer Kommunalpolitik
18. Hauptamt fuer Beamte
19. Beauftragter der NSDAP fuer alle Volkstumsfragen
20. Rassenpolitisches Amt der NSDAP
21. Amt fuer Sippenforschung
22. Kolonialpolitisches Amt der NSDAP
23. Ausserpolitische Amt der NSDAP
24. Reichstagsfraktion der NSDAP
25. Reichsfrauenfuehrung
26. NSD-Ärztebund
27. Hauptamt fuer Technik
28. NS-Bund Deutscher Technik

29. NS-Lehrerbund
30. Reichsbund der Deutschen Beamten
31. Reichskolonialbund
32. NS-Frauenenschaft
33. NS-Reichsbund Deutscher Schwestern
34. Deutsches Frauenwerk
35. Reichsstudienfuehrung
36. NSD-Studentenbund
37. Deutsche Studentenschaft
38. NSD-Dozentenbund
39. NS-Rechtswahrerbund
40. NS-Altherrenbund der Deutschen Studenten
41. Reichsbund Deutsche Familie
42. Deutsche Arbeitsfront
43. NS-Reichsbund fuer Leibbesetzungen
44. NS-Reichskriegerbund
45. Reichskulturkammer
46. Deutscher Gemeindegang
47. Geheime Staatspolizei
48. Deutsche Jagdenschaft
49. Sachverstandigenbeirat fuer Bevoelkerungs- und Rassenpolitik
50. Reichsausschuss zum Schutze des Deutschen Blutes
51. Winterhilfswerk
52. Hauptamt fuer Kriegspfer
53. NSKKV (NS-Kriegspferversorgung)
54. SA (Sturmabteilungen), including the SA-Wehrmannschaften
55. SS (Schutzstaffeln), including all Waffen-SS, the SD (Sicherheitsdienst) and all offices combining command over the police and SS
56. NSKK (NS-Kraftfahrerkorps)
57. NSFK (NS-Fliegerkorps)
58. HJ (Hitler-Jugend) including its subsidiary organizations
59. RAD (Reichsarbeitsdienst)
60. OT (Organisation Todt)
61. THNO (Technische Nothilfe)

NOTE: Control Council Law No. 2 dealing also with FINANCE is listed under "ECONOMICS", page 96.

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: FINANCE

DATE: 20 December 1945

CONTROL COUNCIL LAW NO. 1020 December 1945Punishment of Persons Guilty of War Crimes  
Against Peace and Against Humanity

(CONC/P(48)10 Final)

The only pertinent reference contained in this Law deals with the confiscation of property belonging to persons guilty of War Crimes against Peace and against humanity.

---

ALLIED CONTROL COUNCIL, BERLIN, 1947

143

SUBJECT: FINANCE

DATE: 29 April 1947

CONTROL COUNCIL

Directive No. 50

29 April 1947

Disposition of Property Having Belonged to Organizations Listed in Control Council Proclamation No. 2 and Control Council Law No. 2

The Control Council, in accordance with Section 1 of Control Council Proclamation No. 2 and Control Council Law No. 2, directs as follows:

ARTICLE I

Except as provided by Article IX of this directive, all property in Germany of whatever nature having belonged to the Nazi organizations and to the military and para-military organizations referred to in Section 1 of Control Council Proclamation No. 2 and Article 1 and the Appendix to Control Council Law No. 2 shall be disposed of as provided by this directive.

ARTICLE II

1. Title to property not subject to disposal or use under Article VIII having belonged to a trade union, cooperative, political party or any other democratic organization before it became the property of any organization referred to in Article I hereof, shall be retransferred to such organization provided that it is authorized and its activities are approved by the appropriate Zone Commander.

2. Where retransfer of title to property cannot be made because no existing organization is completely identical with the organization which was the former owner of the property,

title to such property shall be transferred to a new organization or organizations whose aims are found by the Zone Commander to be similar to those of the former organization.

ARTICLE III

Property, not subject to disposal or use under Article VIII formerly devoted to relief, charitable, religious or humanitarian purposes, shall be disposed of or used so as to preserve its former character if consonant with democratic principles and shall be transferred to the organization or organizations formerly holding title thereto or to a new organization or organizations provided, in the latter case, that the Zone Commander finds that the aims and the purposes of the new organization or organizations are similar to those of the old organization and conform to the principle of the democratization of Germany, or shall, at the discretion of the Zone Commander, be transferred to the Land or Provinces subject to the same conditions with respect to disposition or use.

ARTICLE IV

Property transferred in accordance with Articles II and III above shall be transferred without charge except that the Zone Commanders may, within their discretion, require the transferee to pay or to assume liability for any or all debts or for any accretion in value of the property in accordance with the same principles as are established in the case of property subject to restitution within Germany to victims of Nazi persecution.

ARTICLE V

1. Title to property not subject to disposal or use under Article VIII or to restoration or transfer pursuant to the provisions of Articles II and III hereof, or which is rejected by organizations

referred to in Articles II and III hereof, shall be transferred by the Zone Commander on behalf of the Allied Control Authority to the Government of the Land or Province in which it is located.

2. The government of the Land or Province may hold and use the property or transfer its use to any administrative district (Kreis or Bezirk) or to a municipality (Gemeinde) within its jurisdiction. The use to which the property is put must fall within the competence of the holder or the transferee and must not be in the opinion of the Zone Commander an improper use of the property.

3. The government of the Land or Province where the property is situated shall, pursuant to this directive and to the regulations of the Zone Commander, sell any property not sold and used in accordance with paragraph 2 of this Article. The net proceeds of any such sale shall be accounted for in the budget of the Land or Province concerned.

4. The government of the Land or Province shall, regardless of whether it holds, transfers, or sells the property in accordance with the provisions of this Article, remain responsible for insuring that the property is not used for any purpose which the Zone Commander finds to be inappropriate.

5. Specific charges and encumbrances, whether incurred prior or subsequent to confiscation under Control Council Law No. 2, on properties transferred under this Article shall devolve on the receiving Land or Province up to an amount not exceeding the value of the property transferred.

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

SUBJECT: FINANCE

DATE: 29 April 1947

CONTROL COUNCILDirective No. 50 (cont'd.)

6. A Land or Province shall accept a contingent liability for such of the debts of any organization whose property it receives under this Article as are ultimately determined to be payable under principles to be established by the Allied Control Authority. This liability shall never exceed the value of the property received by the Land or Province from the said organization, taking into account any encumbrances on that property. The debts to be paid by the Land or Province under this paragraph shall include only the balance which remains after all other funds of the organization have been utilized in the payment of its debts. Such balance of indebtedness shall be distributed amongst all Lands and Provinces proportionately to the value of the property of such organization received by each Land or Province, but it shall not be required that this liability shall be discharged until further directions shall have been issued by the Allied Control Authority, nor that any debt shall be discharged in violation of any principle established by the Allied Control Authority and particularly debts shall not be paid in such manner as to compensate the supporters of the Nazi party and regime.

ARTICLE VI

Zone Commanders, and in Berlin, Sector Commanders, shall take measures to ensure the disposition and the use of the property in accordance with this Directive.

ARTICLE VII

Title to property located in Berlin will be transferred to the administrative districts (Verwaltungsbezirke) and be disposed of according

to the same principles as are herein prescribed for property in the rest of Germany. For this purpose, the powers given to Zone Commanders in regard to property in other parts of Germany will in Berlin be exercised by the respective Sector Commanders. The functions, powers and liabilities placed upon the government of a Land or Province in regard to property in other parts of Germany will in regard to property in Berlin devolve upon the respective administrative districts, (Verwaltungsbezirke).

ARTICLE VIII

1. The Zone Commander shall destroy property, subject to being destroyed as war potential, designate for reparations property subject to reparations, use for the purposes of occupation property subject to such use and restitution,

a. to the government concerned, property subject to restitution under the Allied Control Authority definition of restitution,

b. property of victims of Nazi persecution;

in the same way as similar property which is not the property of any organizations referred to in Article I hereof.

2. In order to accomplish the purposes of this Article, the Zone Commander may, at any time, set aside or modify any transactions or measures with respect to property transferred pursuant to this Directive, which he deems inconsistent with the purpose and spirit of this Directive.

ARTICLE IX

The following categories of property are exempt from the operation of this Directive:

- (1) securities, cash accounts and monetary claims of the organizations referred to in Article I; these properties shall remain blocked until further decision of the Allied Control Authority;
- (2) property formerly owned by enemy, other than German, nationals or organizations;
- (3) property of the Reich, including property of Reich organizations; covered by Section I of Proclamation No. 2;
- (4) property of insurance companies connected with the Deutsche Arbeitsfront.

ARTICLE X

This directive shall come into force on the day of its signature.

Done at Berlin on 29 April 1947.

F. A. KEATING  
Major General

N. C. D. BROWNJOHN  
Major General  
for S. H. ROBERTSON

P. NOHRT  
Major General

F. A. KURCHIKIN  
Colonel General

CORC/P(46)281 Final  
29 April 1947.

# ALLIED CONTROL COUNCIL, BERLIN, 1948

(145)

SUBJECT: FINANCE

DATE: 15 January 1948

DIRECTIVE NO. 57

DISPOSITION OF PROPERTY CONFISCATED UNDER CONTROL COUNCIL LAW NO. 10 OR LEGISLATION ISSUED PURSUANT TO CONTROL COUNCIL DIRECTIVE NO. 38

Pursuant to Control Council Law No. 10 and Control Council Directive No. 38, the Control Council directs as follows:

ARTICLE I

All property in Germany of whatever nature arising from the confiscation of property suffered by persons under Control Council Law No. 10 or legislation issued pursuant to Control Council Directive No. 38, shall be disposed of as provided by this Directive.

ARTICLE II

1. Title to property not subject to disposal or use under Article IX having belonged to a trade union, cooperative, political party, or any other democratic organization before it became the property of any person referred to in Article I hereof shall be transferred to such organization provided that it is authorized and its activities are approved by the appropriate Zone Commander.

2. Where retransfer of title to property cannot be made because no existing organization is completely identical with the organization which was the former owner of the property, the title to such property shall be transferred to a new organization or organizations whose aims are found by the Zone Commander to be similar to those of the former organization.

ARTICLE III

Property not subject to disposal or use under Article IX formerly devoted to relief, charitable,

religious or humanitarian purposes, shall be disposed of or used so as to preserve its former character if consonant with democratic principles, and for this purpose shall be transferred to the organizations formerly holding title thereto or to a new organization or organizations on condition that, in the latter case, the Zone Commander finds that the aims and purposes of these organizations are similar to those of the old organization and conform to the principle of the democratization of Germany or may, at the discretion of the Zone Commander, be transferred to the Laender or Provinces, subject to the same conditions with respect to disposition or use.

ARTICLE IV

Property transferred in accordance with article II and III above shall be transferred without charge, except that the Zone Commanders may, within their discretion, require that the transferee pay or assume liability for any or all debts or any accretion in value of the property in accordance with the same principles as are established in the case of property subject to restitution within Germany to victims of Nazi persecution.

ARTICLE V

1. Title to property not subject to disposal or use under Article IX or to restoration or transfer pursuant to the provisions of Articles II and III hereof, or which is rejected by organizations referred to in Articles II and III hereof shall be transferred to the Government of the Land or Province in which it is located.

2. The Government of the Land or Province may hold and use the property or transfer its use to any administrative district (Kreis or Bezirk) or to a municipality (Gemeinde) within its jurisdiction. The use to which the property is put must fall within the competence of the holder or the transferee and must not be in the opinion of the Zone Commander an

improper or unauthorized use of the property.

3. The Government of the Land or Province where the property is situated shall, pursuant to this Directive and to the regulations of the Zone Commander, sell any property not held and used in accordance with paragraph 2 of this Article. The net proceeds of any such sale shall be accounted for in the budget of the Land or Province concerned, to be expended in a manner which, in the opinion of the Zone Commander, is not an improper or unauthorized use of the proceeds.

4. The Government of the Land or Province shall, regardless of whether it holds, transfers, or sells the property in accordance with the provisions of this Article, remain responsible for insuring that the property is not used for any purpose which the Zone Commander finds to be inappropriate.

5. When title to the property is transferred to the Land or Province,

a. Specific charges and encumbrances, whether incurred prior or subsequent to confiscation, on properties transferred under this Article shall devolve on the receiving Land or Province up to an amount not exceeding the value of the property transferred, and

b. The receiving Land or Province shall accept liability for the debts of any person whose property it receives under this Article provided, however, that this liability shall not exceed the value of the property of such person received by the Land or Province, taking into account any encumbrances on that property and provided further that in the case of partial confiscation of property no liability for debts, under this paragraph, shall attach until creditors have exhausted all remedies against the person whose property was partially confiscated. The total of such payments of debts of a person for which it has accepted responsibility, shall ultimately be borne by the Governments of the Land or Provinces

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1948

SUBJECT:

FINANCE

DATE: 15 January 1948

receiving the property proportionately to the value of the property of such person received by each Land or Province, but it shall not be required that this liability shall be discharged until further directions shall have been issued by the Allied Control Authority, nor that any debts shall be discharged in violation of any principle established by the Allied Control Authority and particularly debts shall not be paid in such manner as to compensate the supporters of the Nazi Party and Regime.

## ARTICLE VI

The Zone Commander and in Berlin, Sector Commanders, shall take measures to ensure the disposition and use of the property in accordance with this directive.

## ARTICLE VII

Title to property located in Berlin will be transferred to the administrative districts (Verwaltungsbezirke) and shall be disposed of according to the same principles as are herein prescribed for property for the rest of Germany. For this purpose, the powers given to the Zone Commanders will in Berlin be exercised by the respective Sector Commanders. The functions, powers, and obligations placed upon the Government of a Land or Province will in regard to property in Berlin devolve upon the respective administrative districts. (Verwaltungsbezirke).

## ARTICLE VIII

1. When an order involving confiscation of property has been made against any person either by a tribunal empowered under Control Council Law No. 10 or under procedure lawfully established under Control Council Directive No. 38, the following course shall be observed in each of the four zones:

a. When an order of this kind has been made and has become final, a copy of it shall be transmitted to each of the four zones and sectors,

annexing an inventory describing the property of the convicted person in each of the four zones so far as it is known to it.

b. On receipt of this copy and the inventory, copies thereof will be transmitted to all the Land Governments in whose jurisdiction any property of the person subject to the order is situated.

c. The Land Government or Governments concerned shall proceed forthwith to confiscate the property. In the event of partial confiscation of property any Land or Province within the area of original jurisdiction shall take the proper percentage of property from the person's property within its jurisdiction and each other Land or Province outside such area in which other property of the person is located shall have the right under the above rules to confiscate up to the same proportion of his property under its jurisdiction.

2. When the order imposes a fine, that fine will, in the first instance, be levied upon property situated in the Land or Province in which the order has been passed; in the second instance, it will be levied on the property in any other Land or Province of the Zone in which the order has been passed. If any balance remains unpaid, it will be levied in the Land or Province in which the largest amount of the property of the person subject to the order is situated, notice of such fine and of the property of the person convicted being transmitted to the other zones and sectors in the same manner as provided by section 1 a. above.

3. Nothing in this Article shall prevent the person against whom an order has been made from being subjected to further penalties by a new order based on new charges and evidence.

4. All accruals under sub-sections (1) - (3) of this Article shall be treated as if they were property governed by Article II, III, V and IX of this directive.

## ARTICLE IX

1. The Zone Commander shall destroy property subject to being destroyed as war potential, designate for reparations property subject to reparations, use for the purposes of occupation property subject to such use, and restitute:

a. to the Government concerned, property subject to restitution under the Allied Control Authority definition of restitution;

b. property of victims of Nazi persecution, in the same way as similar property not included among that of the persons referred to in Article I of this Directive.

2. In order to accomplish the purpose of this Article, the Zone Commander may at any time, set aside or modify any transactions or measures with respect to property transferred pursuant to this Directive, which he deems inconsistent with the aims and spirit of this Directive.

## ARTICLE X

The present Directive comes into force from the date of signature.

Done at Berlin, the 15th day of January 1948.

F. C. D. BROWNJOHN  
Major General

H. NOIRET  
General de Division

G. S. LUVIACHENKO  
Lieutenant General  
for M. I. DRATVIN  
Lieutenant General

GEORGE P. HAYS  
Major General

FOURTH SESSION OF CFM, MOSCOW, 1947

147

AGREED

RESTRICTED

SUBJECT:

ECONOMIC PRINCIPLES, Financial Reform (Part II, B. 4., CFM/47/M/148 & Sec. VII. 4., CFM/47/M/74)

ORIGIN: Dep. f. Germ. & CGRC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>All Delegations are agreed that financial reform shall be effected throughout Germany as soon as possible.</p> <p>(Page 8; 4., CFM/47/M/74)</p> <hr/>				<p><u>SOVIET RESERVATION</u></p> <p>The agreement of the Soviet Delegation is based upon acceptance of the principle that the plan for financial reform must provide the funds necessary for reparations and costs of occupation.</p> <p>(Page 8; 4., CFM/47/M/74)</p> <hr/>

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT:

DIVISION OF POWERS, etc., Powers of Central Gov't, Financial Unity 1 (Part III, E.d.CFM/47/M/148 &amp; E.d.CFM/47/M/121)

ORIGIN: Dep. F, Germ. &amp; CGEC

FOUR POWER POSITION	U S	U K	F R	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>SOVIET, US and UK PROPOSAL</u></p> <p>d. (1) The Soviet, US and UK Delegations have agreed to the following text:-</p> <p>"The issue of currency and coinage; certain powers for the coordination of banking; the national public debt; certain powers of taxation to be agreed; foreign exchange control."</p> <p>(Page 11, d. (1), CFM/47/M/121)</p>		<p><u>FRENCH PROPOSAL</u></p> <p>d. (2) The French Delegation proposes the following text:-</p> <p>debt of the federal state; certain powers of taxation to be agreed; foreign exchange control. Questions relating to currency and the banking system should rest with a central banking commission consisting of representatives of the central banks of the Länder.</p> <p>(Page 11, d. (2), CFM/47/M/121)</p>	<p><u>SOVIET PROPOSAL</u></p> <p>See Soviet, US &amp; UK Proposal.</p> <p>(Page 11, d. (1), CFM/47/M/121)</p>

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

FOURTH SESSION OF CFM, MOSCOW, 1947

149

AGREED  
SUBJECT:

RESTRICTED

DIVISION OF POWERS, etc., Powers of Central Gov't, Financial Unity 2 (Part III, E.d.(3) CFM/47/M/148)

ORIGIN: Dep. r. Germ. & CCRC

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>d. To ensure financial unity necessary:-</p> <p>(3) *The Soviet, French, US and UK Delegations consider it necessary that the question of a budget for common purposes should also be included within the competence of the Control Government*.</p> <p>(Page 13, d.(3), CFM/47/M/148)</p> <hr/> <p><u>NOTE</u></p> <p>The preceding sub-paragraphs of d. were not agreed. See for the unagreed paragraphs POLCR/19</p> <hr/> <p>The agreement on these points (agreed points of the POLCR series) is subject to the general reservations of the French and US Delegations mentioned in sub-paragraphs e. and f. (POLCR/21). No agreement was reached on the remaining parts of sub-paragraphs e., c. and d.</p> <p>(Page 13, CFM/47/M/148)</p> <hr/>				

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

GOVERNMENT

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: ECON PRINC'S., Financial Reform (USDEL/47/L, 14th M'g)

ORIGIN: CFM

FOUR POWER POSITION

US

UK

FR

SOVIET

NO AGREEMENTUS PROPOSAL

The US Delegation suggests the following amendments to para. 25:

"1. Delete the first sentence and substitute therefor, "There shall be adopted a program for financial reform in Germany by March 31, 1948, to be implemented immediately thereafter".

2. Delete in the second sentence the words, "These proposals", and substitute the words, "this program".

(Page 11, USDEL/47/L/14th M'g)

25.

UK PROPOSAL

The appropriate German Central Administration shall present for the approval of the Control Council proposals for financial reform in Germany. The aim of these proposals shall be to place on a sound basis the German currency, the systems of taxation and banking, the national debt, the foreign exchange rate and the wage and price levels, to diminish the danger of inflation which arises from the present excess of purchasing power, and to provide for an equitable sharing among the German people of the financial burdens of the war and its aftermath.

(Pages 8 & 9, CFM/47/L/7)

UK PROPOSAL

The UK Delegation is prepared to accept the US proposal if the Soviet Delegation would also agree to accept it.

(Page 11, USDEL/47/L/14th M'g)

FRENCH STATEMENT

The Fr Delegation supports fully the amendment submitted by the US Delegation.

(Page 11, USDEL/47/L/14th M'g)

SOVIET STATEMENT

The Sov Delegation fully agrees with the wording in para 25 of the UK text.

(Page 11, USDEL/47/L/14th M'g)

SOVIET POSITION

The Soviet Delegation will express its final views on the proposal after having studied the written text of the amendment.

(Page 12, USDEL/47/L/14th M'g)

ACTION TAKEN BY CFM: None

GOVERN-  
MENT

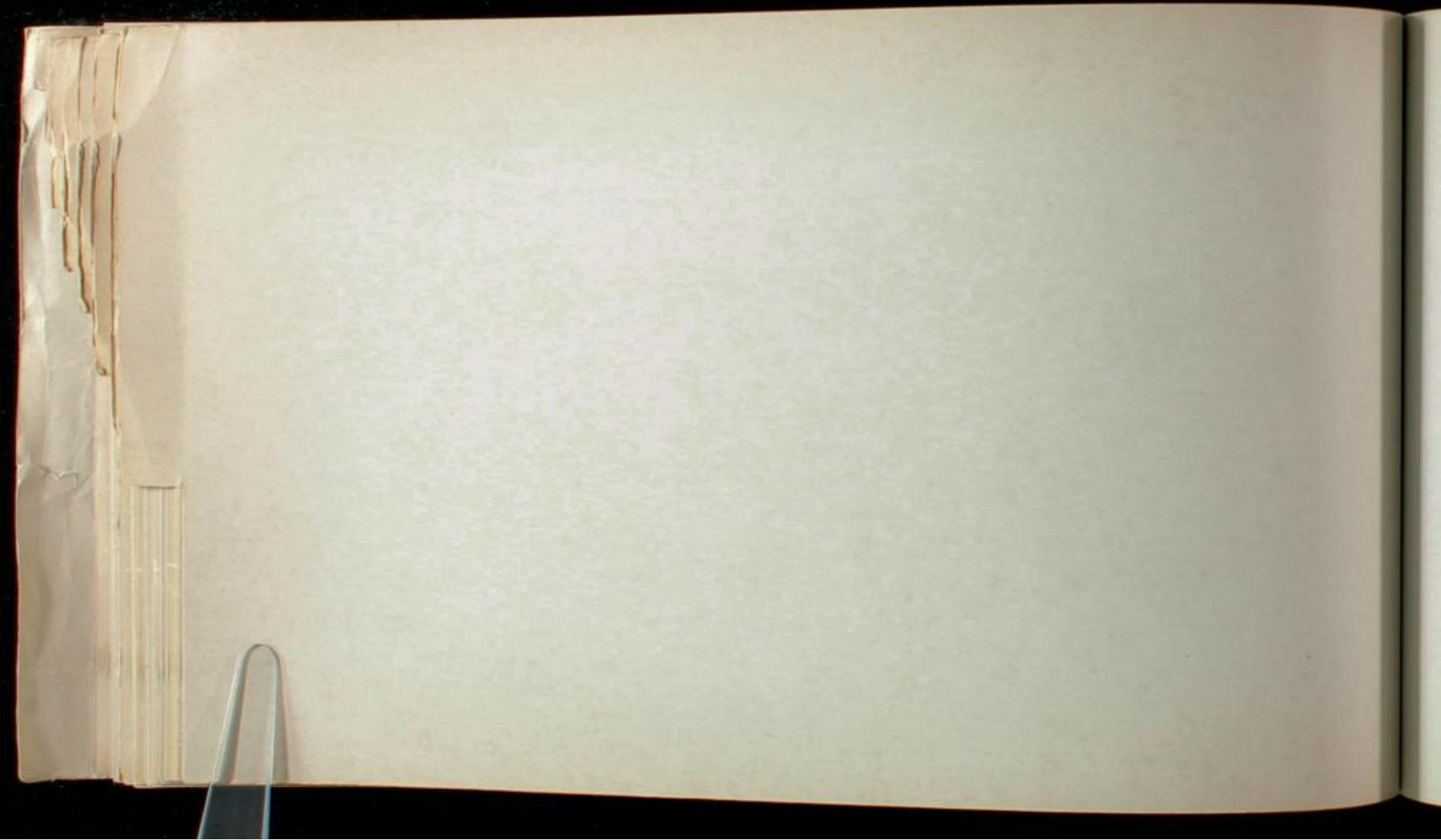
POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX



# INTERNATIONAL AGREEMENTS

SUBJECT: GOVERNMENT

ATLANTIC CHARTER

August 14, 1941

Right of Peoples to Choose Form of Government:

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

YALTA CONFERENCE

11 February, 1945

Coordination, Administration and Control of Government by Central Control Commission

Under the agreed plans the forces of the three Powers will each occupy a separate zone of Germany. Coordinated administration and control has been provided for under the plan through a Central Control Commission consisting of the Supreme Commanders of the three Powers with headquarters in Berlin.

It has been agreed that France should be invited by the three Powers, if she should so desire, to take a zone of occupation, and to participate as fourth member of the Central Commission. The limits of the French zone will be agreed by the four Governments concerned through their representatives on the European Advisory Commission.

STATEMENT BY THE GOVERNMENTS OF THE UK, THE US AND THE USSR AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON CONTROL MACHINERY IN GERMANY

June 5, 1945

Control Machinery in Germany

1. In the period when Germany is carrying out the

basic requirements of unconditional surrender, supreme authority in Germany will be exercised, on instructions from their governments by the British, United States, Soviet, and French Commanders-in-Chief, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole. The four Commanders-in-Chief will together constitute the Control Council. Each Commander-in-Chief will be assisted by a Political Advisor.

2. The Control Council, whose decisions shall be unanimous, will ensure appropriate uniformity of action by the Commanders-in-Chief in their respective zones of occupation and will reach agreed decisions on the chief questions affecting Germany as a whole.

3. Under the Control Council, there will be a permanent Coordinating Committee composed of one representative of each of the four Commanders-in-Chief, and a Control Staff organized in the following Divisions (which are subject to adjustment in the light of experience):

Military; Naval; Air; Transport; Political; Economic; Finance; Reparation, Deliveries, and Restitution; Internal Affairs and Communications; Legal; Prisoners of War and Displaced Persons; Manpower.

There will be four heads of each Division, one designated by each Power. The staffs of the Divisions may include civilian as well as military personnel, and may also in special cases include nationals of other United Nations appointed in a personal capacity.

4. The functions of the Coordinating Committee and of the Control Staff will be to advise the Control Council, to carry out the Council's decisions, and to transmit them to the appropriate German organs, and to supervise and control the day-to-day activities of the latter.

5. Liaison with the other United Nations Governments chiefly interested will be established through the appointment by such governments of military missions

(which may include civilian members) to the Control Council. These missions will have access through the appropriate channels to the organs of control.

6. United Nations organizations will, if admitted by the Control Council to operate in Germany, be subordinate to the Allied control machinery and answerable to it.

7. The administration of the "Greater Berlin" area will be directed by an Inter-Allied Governing Authority, which will operate under the general direction of the Control Council, and will consist of four Commandants, each of whom will serve in rotation as Chief Commandant. They will be assisted by a technical staff which will supervise and control the activities of the local German organs.

8. The arrangements outlined above will operate during the period of occupation following German surrender, when Germany is carrying out the basic requirements of unconditional surrender. Arrangements for the subsequent period will be the subject of a separate agreement.

DECLARATION

REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC  
6 June 1945

The Representatives of the Supreme Commands of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, hereinafter called the "Allied Representatives", acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declaration:

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: GOVERNMENT (CONT'D.)

The Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic, hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any state, municipal, or local government or authority. The assumption, for the purpose stated above, of the said authority and powers does not effect the annexation of Germany.

Article 13

(b) The Allied Representatives will impose on Germany additional political, administrative, economic, financial, military and other requirements arising from the complete defeat of Germany. The Allied Representatives, or persons or agencies duly designated to act on their authority, will issue proclamations, orders, ordinances and instructions for the purpose of laying down such additional requirements, and of giving effect to the other provisions of this Declaration. All German authorities and the German people shall carry out unconditionally the requirements of the Allied Representatives, and shall fully comply with all such proclamations, orders, ordinances and instructions.

POTSDAM AGREEMENT

2 August 1945

Supreme Authority in Government, Uniformity of Treatment of GermansIII, A. Political Principles

1. In accordance with the Agreement on Control Machinery in Germany, supreme authority in Germany is exercised on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic, each in his own

zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the Control Council.

2. So far as is practicable, there shall be uniformity of treatment of the German population throughout Germany.

Decentralization of Political Structure, Development of Local Responsibility and Measures Therefor

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;
- (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.

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

153

AGREED

SUBJECT: FORM &amp; SCOPE OF THE PROVISIONAL POLITICAL ORGANIZATION OF GERMANY, General Reservation (Part III, CFM/47/M/148)

ORIGIN: Dep. f. Germ. &amp; COMC

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p><u>GENERAL RESERVATION</u></p> <p>All Delegations agree that any decision on the political organization of Germany is conditional upon the prior establishment of German economic unity. (Page 11, Part III, CFM/47/M/148)</p> <p>-----</p> <p>The general Reservation stated above applies to all subjects under the POLOR Series.</p> <p>-----</p> <p><u>NOTE</u></p> <p>All subsequent subjects of the POLOR series fall under the general heading of FORM &amp; SCOPE OF THE PROVISIONAL POLITICAL ORGANIZATION OF GERMANY.</p>				
ACTION TAKEN BY CFM: Referred for Study to Deputies for Germany				

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED

RESTRICTED

SUBJECT: CENTRAL ADMINISTRATIVE AGENCIES, Establishment &amp; Supervision of (Part III, A, CFM/47/M/148 &amp; A.1, CFM/47/M/121)

ORIGIN: Dep. f. Germ. &amp; COMO

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p>A. 1. All Delegations agree to accept the following text-</p> <p>(a) The Control Council is directed to institute in the shortest possible time Central Administrative Agencies dealing with those matters requiring central decision in the fields laid down in the Potsdam Agreement as well as for food and agriculture.</p> <p>(c) Central Administrative Agencies will be under the supervision and direction of the appropriate quadripartite bodies of the Allied Control Authority. When the German Provisional Government has been established new arrangements for control are envisaged.</p> <p>(Page 1, A.1., CFM/47/M/121)</p>			<p><u>FRENCH RESERVATIONS</u></p> <p>The French Delegation accepts these two paragraphs [1(a) &amp; 1(b)] only on condition that agreement is reached on paragraphs 2 and 3.</p> <p>(Page 11, Part III, A, CFM/47/M/148)</p>	
ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study				

## FOURTH SESSION OF CFM, MOSCOW, 1947

150

UNAGREED  
SUBJECT:

RESTRICTED

CENTRAL ADMINISTRATIVE AGENCIES, German Executive Committee (Part III, A, CFM/47/W/148 &amp; A.2., CFM/47/W/121)

ORIGIN: Dep. f. Ger. &amp; CGRC

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENTUS, UK and FRENCH POSITION

A. 2. The US, UK and French Delegations accept the following text:-

"Each Department will be under the management of a German Executive Committee, consisting of representatives of the different Länder, with a chairman holding executive authority (to implement) the decisions of the majority of the Committee."  
(Page 1: A. 2., CFM/47/W/121)

US and UK POSITION

The US and UK Delegations prefer the deletion of the words shown in brackets and the substitution therefor of the words "subject to".  
(Page 1: A. 2., CFM/47/W/121)

SOVIET POSITION

The position of the Soviet Delegation on the question of the management of Central Departments is defined in Part III, paragraph 9 (10) of the decisions of the Berlin Conference. So far as questions of detail are concerned, they should be referred for consideration of the Control Council.  
(Page 1: A. 2., CFM/47/W/121)

Part III, paragraph 9, IV of the POTSDAM AGREEMENT

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 fields of finance, transport, communications, foreign trade and industry. Such Departments will act under the direction of the Control Council.

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

UNAGREED

SUBJECT: CENTRAL ADMINISTRATIVE AGENCIES, Exclusion of Saar (Part III, A., CFM/47/M/148 &amp; A. 3., CFM/47/M/121)

ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER POSITION	U S	U K	F R	SOVIET
<p><u>NO AGREEMENT</u></p>		<p><u>UK POSITION</u></p> <p>The UK Delegation can accept this proposal insofar as the Saar is concerned but reserves its position with regard to the Ruhr and the Rhineland. (Page 2; A.3., CFM/47/M/121)</p>	<p><u>FRENCH PROPOSAL</u></p> <p>A.3. The French Delegation proposes the following text:-</p> <p>*The above provisions do not apply to the Saar territory and do not prejudice the future regime of the Ruhr and the Rhineland*. (Page 1 &amp; 2; A.3., CFM/47/M/121)</p>	

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

FOURTH SESSION OF CFM, MOSCOW, 1947

157

AGREED  
SUBJECT:

RESTRICTED

CENTRAL ADMINISTRATIVE AGENCIES, Guidance of Agencies by ACC (Part III, A., CFM/47/M/148 & A.4., CFM/47/M/121)

ORIGIN: Dep. F. Germ. & GRC  
SOVIET

FOUR POWER AGREEMENT	U.S.	U.K.	FR	SOVIET
<p>4. All Delegations have accepted the following text:-</p> <p>"The Allied Control Council will issue directives necessary for the guidance of these agencies including directives specifying the administrative functions to be allocated to Central Administrative Agencies and those to be allocated to the authorities of the Leader.</p> <p>The Central Administrative Agencies shall issue in their respective fields instructions and directives to the competent authorities in the Leader".</p> <p>(Page 2; A., CFM/47/M/121)</p> <hr/>				

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

POPULATION  
REPARATIONS  
TREATIES  
MISCELLANEOUS  
INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: CENT. ADM. AGENCIES, Relationship Between Zone Commanders and CAA (Part III, A., CFM/47/M/148 &amp; A., 5., CFM/47/M/121)

ORIGIN: Dep. r. Germ. &amp; CGRC

FOUR POWER POSITION

US

UK

FR

SOVIET

NO AGREEMENTUS, UK and FRENCH POSITION

A. 5. The US, UK and French Delegations agree that the relationship between the Zone Commanders and the Central Administrative Agencies should be defined as follows:-

"The Zone Commanders shall have the right to be informed as to the activities of the Central Administrative Agencies in their respective zones. They shall, however, issue no instructions to them save

- (a) as agents of the Control Council,
- (b) in the event of a threat to the security of the occupation forces".

(Page 2; A. 5., CFM/47/M/121)

SOVIET POSITION

A. b. The Soviet Delegation proposes that the relationship between the Zone Commanders and the Central Administrative Agencies be defined as follows:-

"The Zone Commanders, each in his own zone, being guided by the necessity for ensuring the fulfilment by Germany of her obligations to the Allies, the maintenance of the security of the occupation forces and the observance of the instructions of the Control Council in accordance with the policy of the Four Powers with respect to Germany, shall exercise general supervision and control of the activities of the Central Administrative Agencies on the basic questions.

"In cases where the directives of the Central Administration run counter to the directives and instructions of the Control Council, the Zone Commanders, after informing the Control Council, shall have the right to suspend the execution of these directives, and the Control Council will make the final decision on the matter involved".

(Page 2; A. b., CFM/47/M/121)

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

UNAGREED  
SUBJECT:

RESTRICTED

FOURTH SESSION OF CFM, MOSCOW, 1947

159

CENTRAL ADMINISTRATIVE AGENCIES, Functions of (Part III, A., CFM/4/M/148 & A., S., CFM/4/M/121)

ORIGIN: Dep. 1. Germ. & CERC

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENT

US and UK POSITION

A. S. The US and UK Delegations also believe that the functions of the Central Administrative Agencies should be understood as follows:-

"The functions of these executive agencies shall extend over the whole of Germany; their agents and any Allied supervisory staff shall be free to travel throughout Germany. It should be brought home to the German people that while these agencies will operate under the policy direction of the Control Council they will have full executive responsibility for the management of the economy of Germany".

(Page 3; A. S., CFM/4/M/121)

POPUL-  
ATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

## FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED  
SUBJECT:

RESTRICTED

GERMAN ADVISORY COUNCIL, Establishment of (Part III, S.L., CFM/4//N/148 & S.L., CFM/4//N/121)

ORIGIN: Dep. r. Germ. &amp; CGRC

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p>S.L. All Delegations agree that a German Advisory Council will be established within three months of the creation of German Central Administrative Agencies. (Page 3; S. L., CFM/4//N/121)</p> <hr/>			<p><u>FRENCH RESERVATION</u></p> <p>The agreement of the French Delegation to this text is conditional on the final determination of the frontiers of Germany having been settled by that date. (Page 11; S. CFM/4//N/148)</p> <hr/>	
<p>ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study</p>				

UNAGREED  
SUBJECT:

RESTRICTED

FOURTH SESSION OF CFM, MOSCOW, 1947

161

GERMAN ADVISORY COUNCIL, Composition of (Part III, B. 2., CFM/47/M/148 & B. 2., CFM/47/M/121)

ORIGIN: Dep. f. Germs. & CGRC

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENT

US, UK and FRANCE PROPOSAL

SOVIET POSITION

B. 2. The UK, US and French Delegations propose the following:-

"The German advisory Council shall consist of three representatives of each Land chosen by the Landtag so as to represent as nearly as possible the division of democratic political opinion in that Land.

The Advisory Council will consult the political parties and the trade unions and may consult any other organizations representative of German public opinion existing in any part of Germany."

(Page 3 & 4; B. 2., CFM/47/M/121)

The Soviet Delegation proposes the following text:-

"The German Advisory Council should consist of an equal number of representatives of democratic parties and of the Landtag, and also of representatives of the free trade unions and other large anti-Nazi organizations.

(Page 4; B. 2., CFM/47/M/121)

US POSITION

The US Delegation prefers the deletion of the word "will" and the substitution of the word "may".

(Page 4; B. 2., CFM/47/M/121)

FRANCE POSITION

The French Delegation prefers the deletion of the word "will" and the substitution of the word "may".

(Page 4; B. 2., CFM/47/M/121)

UK, US and FRANCE POSITION

The UK, US and French Delegations have assumed that if a Landtag should choose representatives on a basis which did not represent the division of political opinion in the Land, the Control Council and the Zone Commander would take corrective action.

(Page 4; B. 2., CFM/47/M/121)

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

## FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED

RESTRICTED

SUBJECT: GERMAN ADVISORY COUNCIL, Functions of (Part III, S. 3., CFM/47/W/148 &amp; S. 3., CFM/47/W/121)

ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER AGREEMENT

U S

U K

FR

SOVIET

3. \* All Delegations are agreed that the German Advisory Council shall advise the Control Council on the general aspects of the work of the Central Administrative Agencies. This Advisory Council will also have as its task to work out within the framework of general principles laid down by the Control Council the details of a provisional constitution. The principles referred to will conform to such directives on the subject as may be issued by the Council of Foreign Ministers".  
(Page 12; S. 3., CFM/47/W/148)

US STATEMENT

The US Delegation makes the following statement regarding this and subsequent parts of this report. The US Delegation has agreed to the preparation of a provisional constitution on the understanding that it shall be general in nature and shall contain no more than the minimum required to operate the provisional government for the short time needed for the preparation of a permanent constitution.

(Page 12; S. 3., CFM/47/W/148)

SOVIET POSITION

The Soviet Delegation in agreeing with paragraph 3 considers that the Control Council will define a more concrete form and procedure of consultation on the part of the Advisory Council.

(Page 12, S. 3., CFM/47/W/148)

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

RESTRICTED

PROVISIONAL GOVERNMENT, Establishment of (Part III, C., CFM/4//M/148 & C., CFM/4//M/121)

ORIGIN: Dep. f. Germ. & CGEC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NOTE</u></p> <p>The Committee was unable to reach agreement on the proposals submitted by the UK Delegation at the 22nd Meeting of the Council of Foreign Ministers.</p> <p>The main issue remains whether elections to the provisional government are desirable or not. The position of the Delegations is as follows:- (Page 5; C., CFM/4//M/121)</p>	<p><u>US POSITION</u></p> <p>The US Delegation does not believe that elections to the provisional government are necessary. See the US reservation set forth in paragraph 3 (3) above. (Page 5; C., CFM/4//M/121)</p> <p><u>US RESERVATION</u></p> <p>The US Delegation makes the following reservation to this and subsequent parts of this report. The US Delegation has agreed to the preparation of a provisional constitution on the understanding that it shall be general in nature and shall contain no more than the minimum required to operate the provisional government for the short time needed for the preparation of a permanent constitution. In its view, such a provisional "constitution" could well take the form of a charter or directive from the Control Council, leaving the development of a detailed permanent constitution to the deliberative processes of an elected constitutional assembly and to final ratification by the people. Thus, a stable permanent government on an elected basis could be established within a period of one year from the establishment of the provisional government. (Page 4; S.J., CFM/4//M/121)</p>	<p><u>UK POSITION</u> (same as Soviet Pos.)</p> <p>The provisional constitution and any recommendations of the advisory body on this question shall be submitted to the Control Council for its approval and in accordance with the provisional constitution, as approved by the Control Council, elections to the German Parliament shall be held and a provisional government formed to operate the provisional constitution. (Page 5; C., CFM/4//M/121)</p>	<p><u>FRENCH POSITION</u></p> <p>The provisional constitution and all recommendations on this question made by the consultative council will be submitted for the approval of the Control Council. When the provisional constitution has been approved by the Control Council, parliamentary institutions will be instituted and a provisional government will be established on the basis of the provisions of this constitution. (Page 5; C., CFM/4//M/121)</p>	<p><u>SOVIET POSITION</u> (same as UK Position)</p> <p>The provisional constitution and any recommendations of the advisory body on this question shall be submitted to the Control Council for its approval and in accordance with the provisional constitution, as approved by the Control Council, elections to the German Parliament shall be held and a provisional government formed to operate the provisional constitution. (Page 5; C., CFM/4//M/121)</p>

ACTION TAKEN BY CFM:

Referred to Deputies for Germany for Study

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: PROVISIONAL GOVERNMENT, Functions of (Part III, D., CFM/4//N/148 &amp; D., CFM/4//M/121)

ORIGIN: Dep. I. Germ. &amp; CFC

FOUR POWER POSITION

US

UK

FR

SOVIET

NOTE

During the discussion of this subject it became apparent that there were two separate issues involved. The first was the question of the functions of the provisional government and the second the question of the relationship between the provisional government and the Control Council. Insofar as the Delegates expressed opinions on these subjects, they are set forth below:-

(Page 5; D., CFM/4//N/121)

UK and US POSITION

The UK and US Delegation propose the following text:-

\*The provisional central government, when established, shall:-

- (i) exercise, subject to the control of the Control Council, legislative powers in the field assigned to it;
- (ii) supervise the execution of any such legislation by the appropriate authority and of any instructions of the Control Council in the field for which the provisional central government is competent;
- (iii) initiate the processes of framing a permanent democratic constitution\*.

They consider that the nature and degree of the control referred to in sub-paragraph (i) above, remains to be settled.

(Pages 5 &amp; 6, D., CFM/4//N/121)

FRENCH POSITION

The provisional government shall assume the functions assigned to it by the constitution under the control of the Control Council, without prejudice to the powers reserved in certain matters to the Control Council and to the general authority assumed by the four powers in the declaration of surrender of June 5, 1945.

(Page 6; D., CFM/4//M/121)

SOVIET POSITION

1. The provisional German government will assume the powers of the Central Administrative Agencies.

2. The provisional government will be charged with functions defined in the provisional all-German constitution.

3. The provisional German government will be charged as its basic tasks with the eradication of the remnants of German militarism and fascism, the implementation of comprehensive democratization of Germany and the carrying out of measures designed to rehabilitate German economy, and also the unconditional fulfillment of Germany's obligations to the Allied States, as well as with the preparation of the draft of a permanent German constitution, which shall be adopted by the German people and on the basis of which a permanent German government will be formed.

4. The provisional German government will act under the control of the Control Council which shall give directives to the German government on basic questions of its activity.

(Page 6; D., CFM/4//M/121)

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

185

SUBJECT: DIVISION OF POWERS BETWEEN PROV. CENTRAL GOV'T & LAENDER GOV'TS, The basic principle of (Part III, E.1., CFM/47/M/148)	ORIGIN: Dep. f. Germ. & COMC			
FOUR POWER POSITION	U S	U K	FR	SOVIET
<p><u>NOTE</u></p> <p>The Coordinating Committee was unable to reach unanimous agreement on this question. (Page 7, E., CFM/47/M/121)</p> <hr/> <p><u>US POSITION</u></p> <p>The US Delegation believes that the question of the division of powers between the Laender and a permanent Central Government should be left to a constitutional convention elected by the German people according to electoral laws adopted by the several Laender; the action of this constitutional convention will be subject, of course, to the approval of the Allied Control Council, and to ratification by the German people not later than one year after the establishment of the provisional government. If this is to be a democratic constitution, only the most general instructions should be imposed upon its framers. If we write the constitution for the German people, that constitution will not have the popular support necessary to the stability of any constitutional government. We should agree here to no more than the general requirement that such powers as police, internal security, culture, education and religious affairs shall not be delegated to the Central Government. (Pages 748, E., CFM/47/M/121)</p>	<p>The US, UK and French Delegations accepted the following text:-</p> <p>"All powers shall be vested in the Laender except such as are expressly delegated to the Central Government". (Page 7, E., CFM/47/M/121)</p> <hr/> <p><u>US POSITION</u></p> <p>The US Delegation believes that the question of the division of powers between the Laender and a permanent Central Government should be left to a constitutional convention elected by the German people according to electoral laws adopted by the several Laender; the action of this constitutional convention will be subject, of course, to the approval of the Allied Control Council, and to ratification by the German people not later than one year after the establishment of the provisional government. If this is to be a democratic constitution, only the most general instructions should be imposed upon its framers. If we write the constitution for the German people, that constitution will not have the popular support necessary to the stability of any constitutional government. We should agree here to no more than the general requirement that such powers as police, internal security, culture, education and religious affairs shall not be delegated to the Central Government. (Pages 748, E., CFM/47/M/121)</p>	<p><u>US, UK and FRENCH POSITION</u></p> <p>The US, UK and French Delegations accepted the following text:-</p> <p>"All powers shall be vested in the Laender except such as are expressly delegated to the Central Government". (Page 7, E., CFM/47/M/121)</p> <hr/> <p><u>FRENCH POSITION</u></p> <p>The French Delegation also considers that in addition to the administration of subjects which come within their own competence, the Laender should be exclusively responsible for the administration within their respective territories of federal legislation and for the organization in these territories of the recruiting and operation of the public services functioning under federal direction. (Page 7, E., CFM/47/M/121)</p> <hr/> <p><u>SOVIET REMARK</u></p> <p>The remark of the Soviet Delegation regarding the last part of the above statement of the US Delegation: The Soviet Delegation considers that the Central German Government cannot remove from itself the responsibility to</p>	<p><u>FR</u></p> <hr/> <p><u>FRENCH POSITION</u></p> <p>The French Delegation also considers that in addition to the administration of subjects which come within their own competence, the Laender should be exclusively responsible for the administration within their respective territories of federal legislation and for the organization in these territories of the recruiting and operation of the public services functioning under federal direction. (Page 7, E., CFM/47/M/121)</p> <hr/> <p><u>SOVIET REMARK</u></p> <p>The remark of the Soviet Delegation regarding the last part of the above statement of the US Delegation: The Soviet Delegation considers that the Central German Government cannot remove from itself the responsibility to</p>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation considers that when dividing the functions between the Central German and the Laender Governments it is necessary to proceed from the liquidation of the Hitlerite centralization of State administration which destroyed the Landtage and the autonomous administration of the Laender so that the decentralized administration that existed prior to the advent of the Nazi regime shall be re-established, with the revival of the Landtage and of two all-German Chambers.</p> <p>The Soviet Delegation considers that such a provisional German Government must be established that, while guaranteeing Germany's political and economic unity, it can at the same time assume responsibility for fulfilling Germany's obligations to the Allied States. (Page 7, E., CFM/47/M/121)</p> <hr/> <p><u>SOVIET REMARK</u></p> <p>The remark of the Soviet Delegation regarding the last part of the above statement of the US Delegation: The Soviet Delegation considers that the Central German Government cannot remove from itself the responsibility to</p>
ACTION TAKEN BY CFM:	Referred to Deputies for Germany for Study			

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

UNAGREED  
SUBJECT:

RESTRICTED

DIVISION OF POWERS BETWEEN PROV. CENTRAL GOV'T &amp; LANSDER GOV'TS, The basic principle of (Part III, E.1, CFM/4//M/142)

ORIGIN: Dep. r. Uerm. &amp; CCSD

FOUR POWER POSITION	U S	U K	FR	SOVIET
				(PCLCH/13, cont'd)  the Allied Powers for guaranteeing State security in Germany, but that the Landder Governments should also have their powers in matters of State security on the basis of laws and directives of the Central Government, and the executive guidance of the work of the police should be in the hands of the Landder Governments. (Page 8, E., CFM/4//M/121)

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

AGREED

RESTRICTED

FOURTH SESSION OF CFM, MOSCOW, 1947

167

SUBJECT: DIVISION OF POWERS, etc., Powers of Central Gov't, Political Unity I (Part III, E.P.a. CFM/47/W/148 & E.P.c. CFM/47/W/147) ORIGIN: Dep't. Germ. & CURC

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
Introductory paragraph:				
<p>The Soviet, UK, US and French Delegations agree that: The Central Government shall be competent to adopt legislative and executive measures in order to ensure the unity necessary in the following fields:-</p>				
<p>a. to ensure the political unity necessary. (Pages 12415, 2.a. CFM/47/W/148)</p>				
<u>NOTE:</u>				
<p>The rest of this sub-paragraph was not agreed. See POLGR/15 for the unagreed part.</p>				

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

POPULATION  
REPARATIONS  
TREATIES  
MISCELLANEOUS  
INDEX

UNAGREED

RESTRICTED

SUBJECT: DIVISION OF POWER, etc., Powers of Central Gov't, Political Unity 2 (Part III, E.2.a., CFM/4//M/148 &amp; E.2.a., CFM/47/M/121) ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<u>NO AGREEMENT</u>	<p align="center"><u>S O V I E T, U S and U K P O S I T I O N</u> (a. To ensure the political unity necessary:)</p> <p>1. The Provisional German Government shall, on German territory, have legislative and executive powers on matters of the fulfillment by a Central Government of its obligations to the Allies, foreign policy, conclusion and fulfillment of international treaties, citizenship, naturalization, emigration and immigration, extradition of criminals.</p> <p align="center">(Page 8, E.2.a., CFM/4//M/121)</p>	<p align="center"><u>U K S T A T E M E N T</u> (re: Soviet Reservation on Police)</p> <p>In this connection, the UK Delegation wishes to stress that the police forces should be decentralized and that the central government should hold only restricted and clearly specified responsibilities or coordination in the field of criminal investigation. (Page 8, E.2.a., CFM/4//M/121)</p>	<p align="center"><u>F R E N C H P O S I T I O N</u> (on Police)</p> <p>The French Delegation considers that there should be no federal police. A certain coordination on technical lines may appear necessary as regarding criminal research essentially limited to the establishment and maintenance of a central criminal registrar, without implying the creation of any federal police. (Page 9, E.2.a., CFM/4//M/121)</p> <p align="center"><u>F R E N C H P O S I T I O N</u></p> <p>a.(2) General conditions of naturalization for foreigners, subject to the principle that every German possesses citizenship in one of the German states and must comply with the necessary conditions in this respect:</p> <p>Immigration, emigration and extradition of criminals.</p> <p>Foreign affairs and implementation of treaties insofar as these questions come under the competence of the Central Government. The States shall have the right to negotiate and conclude international agreements with foreign powers in matters which come under their competence (for instance, frontier, some agreements, local trade, technical and cultural agreements) and to exchange diplomatic representatives. (Page 9, E.2.a., CFM/47/M/121)</p>	<p align="center"><u>S O V I E T P O S I T I O N</u> see under Soviet, US &amp; UK. (Page 8, E.2.a., CFM/4//M/121)</p> <p align="center"><u>S O V I E T R E S E R V A T I O N</u></p> <p>The Soviet Delegation considers that the provisional Central German Government should also have powers on matters of state security, with executive authority over the police forces existing with the Laender Governments. (Page 8, E.2.a., CFM/4//M/121)</p>

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

FOURTH SESSION OF CFM, MOSCOW, 1947

169

RESTRICTED

AGREED  
SUBJECT:

DIVISION OF POWERS, etc., Powers of Central Government, Legal Unity (Part III, E., 2.b., CFM/47/M/148)

ORIGIN: Dep. f. Germ. & CGEC

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>d. To ensure the legal unity necessary:</p> <p>(1) The Soviet, French, US and UK Delegations consider that the Council of Foreign Ministers should define the extent to which the Central German Government should be responsible for ensuring legal unity. They have therefore accepted the following text:-</p> <p>fundamental principles of criminal, civil and commercial law; copyrights, patents and trademarks; negotiable instruments, wills of lading and other documents of title of goods.</p> <p>(Page 13, E.2.b., CFM/47/M/148)</p>				

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM:

Referred to Deputies for Germany for Study

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT:

DIVISION OF POWERS etc., Powers of Central Gov't., Economic Unity 2 (Part III, E.2.c., CFM/47/M/148 &amp; E.2.c. CFM/47/M/121)

ORIGIN: Dep. f. Germ. &amp; CCEC

FOUR POWER POSITION

U.S.

U.K.

FR

SOVIET

EXTRACT FROM CFM/47/M/41  
Chapter 6, Point A

- Para. 5 a) The Superior Council of Transports, made up of technicians of the various branches of transport, representing the government of the States, shall have as its purpose:
- to assure, subject to the approval of the governments of the States, in what shall concern their respective territories, the coordination of the technical regulations in force in the States in the matter of transport;
  - to elaborate plans of transport of common interest to the States;
  - to act as an agency of conciliation in disputes between States in the matter of transport;
  - to serve as an intermediary between the governments of the States and the federal authorities in what shall concern the negotiation and execution of international agreements in the matter of transport.
- b) The Federal Railroad Committee, composed of the representatives of the governments of the States, possibly aided by representatives of the networks, shall have as its duty:
- to coordinate and approve time-tables involving several networks;
  - to study and suggest all measures likely to harmonize tariffs that are of general interest;
  - to put into effect inter-network agreements on exchanges of equipment.
- Para. 6 P.T.T. - The Minister of Posts, Telegraphs and Telephones shall have under his authority the federal direction of the posts and the federal direction of telecommunications.
- It shall be his duty:
- a) to coordinate the technical development of the networks of telecommunications;
  - b) to unify and approve the postal and telegraph tariffs;
  - c) to work out all useful regulations in the matter of posts and money agreements;
  - d) to assure the functioning of a central compensation office among States for the posts, and of a central office of compensation among States for telecommunications;
  - e) to act as an agency of conciliation in disputes arising between States.

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

## FOURTH SESSION OF CFM, MOSCOW, 1947

171

AGREED

RESTRICTED

SUBJECT: DIVISION OF POWERS, etc., Powers of Central Gov't, Reservations (Part III, E. &amp; F., CFM/47/M/148 AE. &amp; Bd. CFM/47/M/121)

ORIGIN: Dep. f. Germ. &amp; CC&amp;C

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
	<p style="text-align: center;"><u>GENERAL RESERVATION OF THE US DELEGATION</u></p> <p>f. The agreement by the US Delegation to the definition of the powers of a Provisional Central Government in the preceding paragraphs is subject to the understanding that the constitution of a Provisional Government will come before the Allied Control Council for review, and to the reservation that such a constitution, when viewed as a whole, shall not contravene the provision of the Potsdam Agreement with respect to decentralisation and the development of local responsibility.</p> <p>In addition, the functions of police, internal security, culture, education and religious affairs shall not be delegated to a Central Government, and an independent judiciary shall be provided to safeguard the integrity of the Laender and the basic rights of the individual. The powers of taxation assigned to the Provisional Central Government shall not be such as to impair the authority and means of the Laender to raise appropriate revenues.</p> <p>(Pages 11&amp;12: f., CFM/47/M/121)</p>		<p style="text-align: center;"><u>GENERAL RESERVATION OF THE FRENCH DELEGATION</u></p> <p>a. The French Delegation states that the powers stated as being within the competence of a Central Government in the preceding paragraphs may not in fact be attributed to this Government in their entirety by the provisional constitution. Their detailed enumeration in this statement represents only a definition of the maximum powers which the constitution may eventually give the Central Government.</p> <p>(Page 11: e., CFM/47/M/121)</p>	
ACTION TAKEN BY CFM:	Referred to Deputies for Germany for Study			

POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: DIVISION OF POWERS, etc., Powers of Leader Governments, (Part III, E. 3., CFM/47/M/148 &amp; E. 3., CFM/47/M/121)

ORIGIN: Dep. 1, Germ. &amp; CGRC

FOUR POWER POSITION	US	UK	FR	SOVIET
<u>NO AGREEMENT</u>		<u>US, UK and FRANCE POSITION</u>		<u>SOVIET POSITION</u>
		<p>b. All powers not specifically delegated to the Central Government are vested in the Leader.</p> <p>(Page 12, 3. p., CFM/47/M/121)</p>		<p>e. The Government of the Leader shall enjoy in their respective territories and in the conditions normal to an autonomous government, legislative and executive powers in the following questions:</p> <p>(1) Administration and territorial divisions; Administrative management of the Leader, public security in conformity with the laws and directives of the national German government; the judicial system and court procedure; criminal and civil law on the basis of the national German legislation.</p> <p>(2) Public Education and Cultural Development, Public health, the regulation of conditions of work; public and social insurance; public relief.</p> <p>(3) Internal commerce; budget; local industry and transportation; mines, water resources and agriculture.</p> <p>(Page 12, 3. p., CFM/47/M/121)</p>
		<u>EXTRACT FROM THE WEIMAR CONSTITUTION</u>		<u>SOVIET STATEMENT</u>
		<p>Art. 6 The Reich has exclusive legislative power over:</p> <ol style="list-style-type: none"> <li>1. Relationships with foreign countries.</li> <li>2. Colonial affairs.</li> <li>3. Citizenship, freedom of travel, immigration, emigration, extradition.</li> <li>4. Military organization.</li> <li>5. Coinage.</li> <li>6. Customs, as well as the unification of the customs and trade area, and freedom of commerce.</li> <li>7. The post and telegraph system, including the telephone system.</li> </ol>		<p>c. The Soviet Delegation feels it necessary to retain para. 5 of this document taking into account the experience of the Weimar Constitution, particularly articles 6, 7 and 12.</p> <p>(Page 12, 3., c., CFM/47/M/121)</p>
		<p>Art. 7 The Reich has legislative power over:</p> <ol style="list-style-type: none"> <li>1. Civil law.</li> <li>2. Criminal law.</li> <li>3. Judicial procedure, including the execution of penalties and official aid among authorities.</li> <li>4. Passports and police regulations governing foreigners.</li> <li>5. Poor relief and care of vagrants.</li> <li>6. The regulation of the press, association, and assembly.</li> <li>7. Population policy, and the protection of maternity, infancy, childhood, and youth.</li> <li>8. Public health, veterinary practice, and the protection of plants against diseases and pests.</li> <li>9. The labor law, insurance, and the protection of laborers and employees, as well as labor bureaus.</li> <li>10. The establishment of occupational representative bodies for the domain of the Reich.</li> <li>11. Provision for war veterans and their survivors.</li> <li>12. The right of expropriation.</li> <li>13. The socialization of natural resources and economic undertakings, as well as the production, manufacture, distribution, and price regulation of economic goods for the general economy.</li> </ol>		
ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study				

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

173

SUBJECT:

DIVISION OF POWERS, etc., Powers of Leader Governments. (Part III, E. 3., CFM/47/W/148 &amp; E. 3., CFM/47/W/121)

ORIGIN: Dep. f. Germ. &amp; CGEC

FOUR POWER POSITION	U S	U K	FR	SOVIET	
	<p><u>EXTRACT FROM THE WEIMAR CONSTITUTION (cont'd)</u></p> <p>14. Commerce, weights and measures, the issuing of paper money, the banking system, and the exchange system.</p> <p>15. Traffic in foodstuffs and luxuries, as well as objects of everyday necessity.</p> <p>16. Industry and mining.</p> <p>17. Insurance.</p> <p>18. Ocean navigation, deep sea and coast fishing.</p> <p>19. Railways, internal navigation, traffic by means of power-driven vehicles by land, by water, and in the air, as well as the construction of highways, insofar as general traffic and national defense are concerned.</p> <p>20. Theaters and cinemas.</p> <p>Art. 12 So long and so far as the Reich does not make use of its legislative power, the states retain the right of legislation. This does not hold for the exclusive legislative power of the Reich.</p> <p>The national government possesses a right of veto in respect to state laws which refer to the subjects of Article 7, no. 13, insofar as the general welfare in the Reich is affected thereby.</p>				

ACTION TAKEN BY CFM: Referred to Deputies for Germany for Study

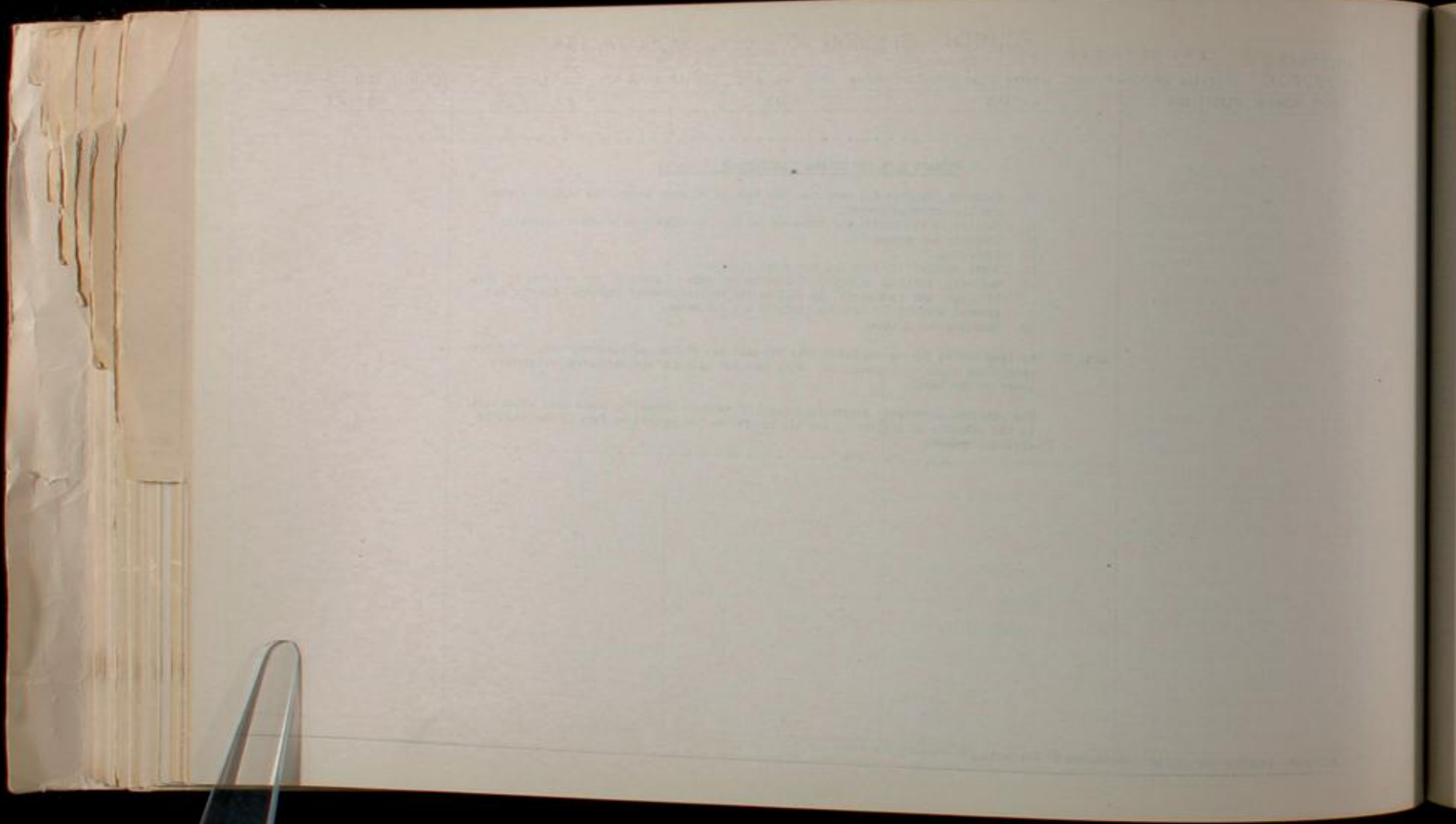
POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX



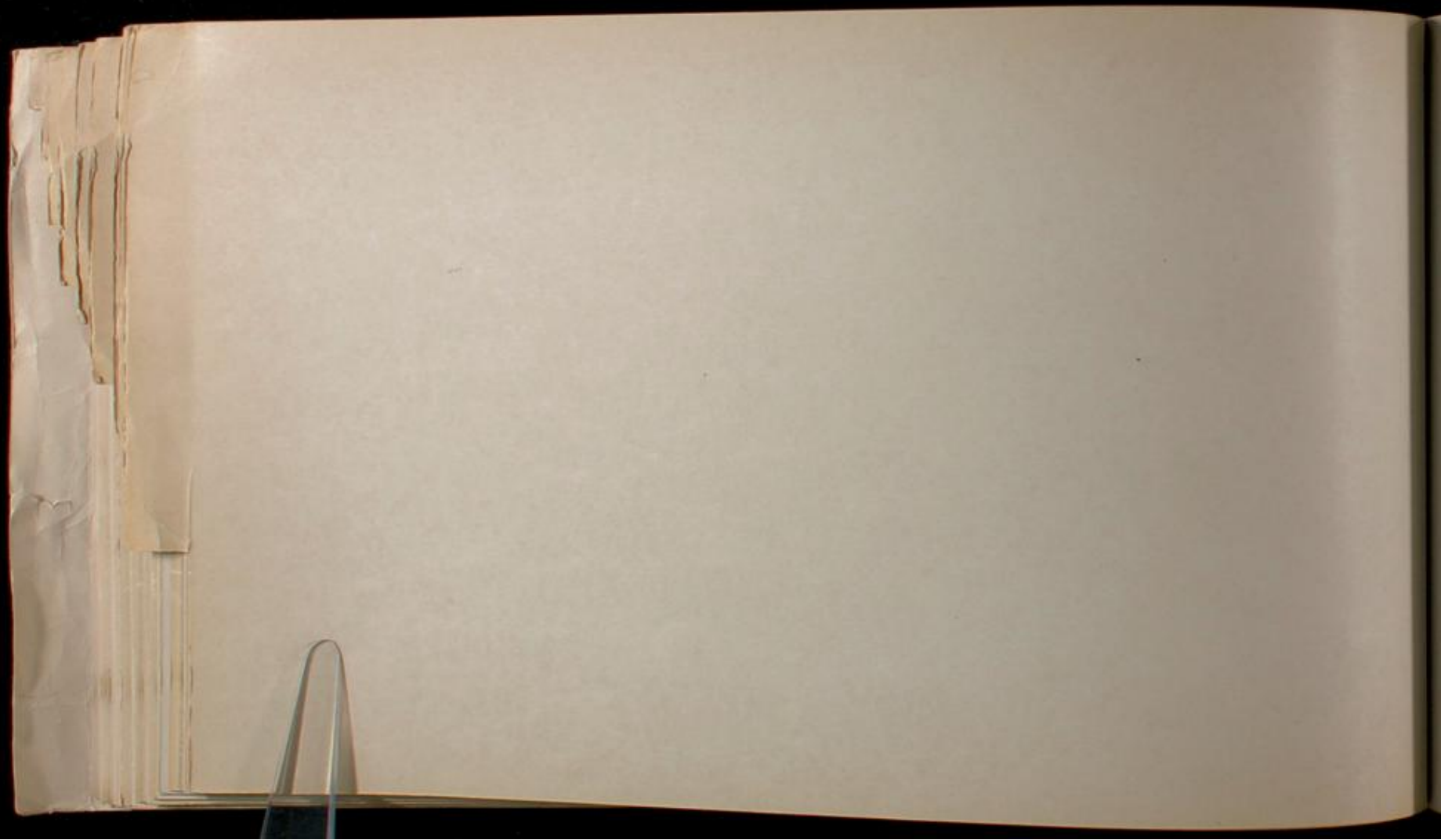
POPULATION

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX



PART VIII

POPULATION

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: POPULATION

DECLARATION REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

5 June, 1945

The Representatives of the Supreme Commands of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, hereinafter called the "Allied Representatives", acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declaration:

Release of Prisoners of War

## ARTICLE 6

a) The German authorities will release to the Allied Representatives, in accordance with the procedure to be laid down by them, all prisoners of war at present in their power, belonging to the forces of the United Nations, and will furnish full lists of these persons, indicating the places of their detention in Germany or territory occupied by Germany. Pending the release of such prisoners of war, the German authorities and people will protect them in their persons and property and provide them with adequate food, clothing, shelter, medical attention and money in accordance with their rank or official position.

b) The German authorities and people will in like manner provide for and release all other nationals of the United Nations who are confined, interned or otherwise under restraint, and all other persons who may be confined, interned or otherwise under restraint for political reasons or as a result of any War action, law or regulation which discrim-

inates on the ground of race, colour, creed or political belief.

c) The German authorities will, at the demand of the Allied Representatives, hand over control of places of detention to such officers as may be designated for the purpose by the Allied Representatives.

POTSDAM AGREEMENT

2 August 1945

Orderly Transfers of German Population

The Conference reached the following agreement on the removal of Germans from Poland, Czechoslovakia, and Hungary:

The three Governments, having considered the question in all its aspects, recognize that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia, and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.

Since the influx of a large number of Germans into Germany would increase the burden already resting on the occupying authorities, they consider that the Allied Control Council in Germany should in the first instance examine the problem with special regard to the question of the equitable distribution of these Germans among the several zones of occupation. They are accordingly instructing their respective representatives on the Control Council to report to their Governments as soon as possible the extent to which such persons have already

entered Germany from Poland, Czechoslovakia, and Hungary, and to submit an estimate of the time and rate at which further transfers could be carried out, having regard to the present situation in Germany.

The Czechoslovak Government, the Polish Provisional Government, and the Control Council in Hungary are at the same time being informed of the above, and are being requested meanwhile to suspend further expulsions pending the examination by the Governments concerned of the report from their representatives on the Control Council.

ALLIED CONTROL COUNCIL, BERLIN, 1945

175

SUBJECT: POPULATION

DATE: 17 September 1945

CONTROL COUNCIL

DIRECTORATE OF PRISONERS OF WAR AND DISPLACED PERSONS

RECOMMENDATIONS OF THE DIRECTORATE REGARDING  
THE ESTABLISHMENT OF A CENTRAL TRACING SERVICE  
FOR UNITED NATIONS' MISSING IN OCCUPIED  
GERMANY

Note: This paper has been coordinated with the Political, Military and Internal Affairs and Communications Divisions of the four National Elements of the Allied Authority and they concur therein.

Objectives.

1. Recommended that the following should be the objectives of the Tracing Service:-

- (a) to search for and trace military and civilian missing of the United Nations;
- (b) to establish, where possible, the fate of those missing who cannot be found alive;
- (c) to locate, collect and preserve all available records regarding displaced persons in Germany;
- (d) to serve as a link to bring interested persons into communication with each other.

National Tracing Bureau.

2. Recommended that each interested United Nation that has not already established a National Tracing Bureau within its own national boundaries should be invited to establish such a Bureau, which should receive all initial enquiries concerning missing of its own nationality.

Zonal Search Bureaux.

3. Recommended:

- (a) that these Bureaux (which are already established in each Zone) should assume responsibility for instituting searches in their own Zones, including searches on all enquiries passed to them by the Central Tracing Bureau;
- (b) that each Zonal Bureau should operate under the complete jurisdiction of its own Zone Commander subject only to the general policies of the Allied Control Council and the Central Tracing Policy Board. (see below)

Central Tracing Bureau.

4. Recommended:

- (a) that the Allied Control Council should be requested to invite UNRRA to place the Central Tracing Bureau and Associated Central Records Office, which it is already operating, at the Council's disposal to be operated by UNRRA under policies and directives issued by the Central Tracing Policy Board;
- (b) that the Central Bureau should operate as a central clearing house between the Zonal and National Bureaux and not as an executive body; it should not, therefore, issue policies and directives to the Zonal Bureaux, this being the task of the Central Tracing Policy Board.

Search Parties.

5. Recommended:

- (a) that the Central Tracing Bureau should not have search parties under its own jurisdiction;
- (b) that each Zone Commander should agree where, upon the recommendation of the Central Tracing Policy Board, he considers it necessary and desirable, to admit into his Zone either Liaison Officers or special teams of the other United Nations.
- (c) that such Liaison Officers or teams should work in conjunction with, and under the control of, the search organization of the receiving Zone Commander.

Routing of Enquiries.

6. Recommended:

- (a) that every enquiry should be addressed initially to the National Tracing Bureau of the country of which the person being enquired for is a national; or, in the absence of a National Tracing Bureau, to the Government concerned;
- (b) that, in the case of doubtful or unknown nationality, the enquiry should be addressed initially to the Central Tracing Bureau;
- (c) that, if the National tracing Bureau (or Government) is unable to answer the enquiry, it should be forwarded on to the Central Tracing Bureau;
- (d) that, if the Central Tracing Bureau is itself unable to answer, the enquiry should be sent to the appropriate Zonal Bureau for a search to be instituted; or, if the appropriate Zone is unknown, it should be sent to all Zonal Bureaux;

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1945

SUBJECT: POPULATION (Continued)

DATE: 17 September 1945

- (e) that the answer to an enquiry should pass in reverse through the same channels, with the proviso that, where facilities exist, a copy of the answer may be sent direct to the enquirer.

Records.

## 7. Recommended:

- (a) that each Zone Commander should agree to make available to the Central Tracing Bureau all information, including records (originals or copies) uncovered in his Zone which concerns other nationals;
- (b) that each United Nation should be invited to make available to the Central Tracing Bureau all information, including records (originals or copies), uncovered within its national boundaries which concerns other nationals;
- (c) that the Allied Control Council should be requested to ask other countries which are not included in the United Nations to make available the records in which the Central Tracing Policy Board is interested;
- (d) that the Central Tracing Bureau should retain in its Central Records office only those records which, owing to their nature, cannot be decentralised; and that all other records should be passed to the National Tracing Bureau concerned.

Location of Central Tracing and Zonal Search Bureaux.

## 8. Recommended:

- (a) that the Central Tracing Bureau should be in a suitable place where signal and

road communications and accommodations are available;

- (b) that the Central Tracing Policy Board should carry out a joint reconnaissance as soon as possible to decide, in conjunction with Q Branch and Signals, the exact location;

- (c) that the four Zonal Bureaux should be situated as near as possible to the Central Bureau.

Control of Tracing Service.

## 9. Recommended:

- (a) that there should be established a Central Tracing Policy Board consisting of one representative of each of the four Military Governors;
- (b) that the Board should be responsible for:
- (i) determining the policies regarding the tracing of missing or displaced persons and the collection and use of records pertaining to such persons;
  - (ii) coordinating the work of the four Zonal Search Bureaux;
  - (iii) controlling, by the issue of directives, the policies to be followed by the Central Tracing Bureau.

10. The above mentioned organization as a whole would be under control of the Prisoners of War and Displaced Persons Directorate.

Approved at Berlin 17 September 1945  
(COM/P(45)24)

ALLIED CONTROL COUNCIL, BERLIN, 1946

177

SUBJECT: POPULATION

DATE: 17 October 1946

COORDINATING COMMITTEE

CLARIFICATION OF THE POLICY CONCERNING THE RETURN OF REFUGEES TO THEIR PLACES OF FORMER RESIDENCE IN GERMANY

1. On 22nd September 1946, at its NINTH MEETING, the Coordinating Committee considered the broad question of control of population movements. After hearing several rapporteurs and after discussions concerning refugees in Germany and other countries, the Coordinating Committee decided, according to the English and French languages text, that those Germans who have a domicile in Germany but are now displaced from Germany should be returned to their homes, but according to the Russian language text this decision reads: "that Germans who are living in Germany, but are displaced persons, will be returned to their former domiciles" (Conclusion 115 P) CCRC/M(46)9. It was further decided that such transfers should take place at points and at rates agreed by each Zone Commander.

2. At the SIXTY-THIRD MEETING of the Coordinating Committee held on the 8th July 1946, a further consideration of this problem of returning German refugees now outside Germany to their former homes led to a decision that the Directorate of Prisoners of War and Displaced Persons should obtain all necessary information from the countries concerned, and based on that information prepare a provisional plan for submission to the Coordinating Committee for approval (Conclusion (368) CCRC/M(46)34).

3. The Directorate of Prisoners of War and Displaced Persons now finds itself in a predicament where the Soviet Member interprets the Coordinating Committee decisions so as to prohibit any one Zone Commander from accepting any German refugees from outside Germany into his respective zone until the provisional plan, as directed, is approved by the Coordinating Committee, while

the British, French and United States Members of the Directorate interpret the decision as to require a plan being submitted for all such persons as may become known to the Allied Control Authority for Germany, but at the same time permitting each Zone Commander to accept from countries outside Germany, Germans who formerly had a domicile in his occupied Zone of Germany to return to it at such time as the Zone Commander considers propitious.

4. In view of both the situations described above and the most recent decision of the Coordinating Committee (Conclusion (483), CCRC/M(46)44), instructing the Directorate to study the whole population transfer problem, the Directorate of Prisoners of War and Displaced Persons requests that the Coordinating Committee approve the recommendations made in the following paragraph in order to clarify one of the important policies bearing on a comprehensive study of the whole problem.

5. The Directorate requests that the following principle be approved; that Germans, who formerly were bonafide residents of what is now one of the Four Occupied Zones of Germany, and who fled from their homes because of war, shall be permitted to return to their normal place of former residence at times and at rates established by the Commander of the zone to which such persons wish to return, regardless of where these German refugees may now be living. In the application of this principle there shall be no interference with the implementation of the plan of resettling Germans from Austria, Hungary, Czechoslovakia and Poland according to the plan of the Control Council dated 20th November 1946, and with the exchange between the Four Occupied Zones, of refugees and discharged ex-Wehrmacht members.

6. In forwarding this letter the Soviet Member of the Directorate could not agree to paragraph 5

above unless the word "provided" was substituted for the words "it is understood" in line 7 of the English text.

Approved at Berlin 17 October 1946 CCRC/P(46)225

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1947

SUBJECT: POPULATION

DATE: 17 February 1947

CONL/P(47)8

REPORT TO THE COUNCIL OF FOREIGN MINISTERS FROM  
THE ALLIED CONTROL COUNCIL FOR GERMANYSECTION VII - POPULATION TRANSFERSPart 1 Prisoners of WarA. United Nations' Prisoners of War(1) Statement of Problem

During the latter stages of the war and immediately after the capitulation of Germany there were found in Germany approximately 1,796,827 United Nations Prisoners of War in the area of the armies operating under SBAEP and the area conquered by the Soviet armies.

(2) Task of the Allied Control Authority

The problem for the Allied Control Authority was to continue the policy of the Allied Armies of returning United Nations Prisoners of War to the control of the Military Authorities of the countries concerned with the minimum delay. The task of the Allied Control Authority was also to provide them with necessary medical treatment and supplies.

(3) Work Accomplished

Total number of United Nations' Prisoners of War who have been repatriated from Germany up to January 1st, 1947, and total number remaining to be transferred out of Germany are shown in attached Appendix "A".

(4) Agreements Already Reached

None

(5) Unilateral Statements

The Soviet Member proposes the following recommendation: All United Nations' Prisoners of War, without exception, who are still in Germany, must be handed over to the Military Authorities of the nations concerned not later than 1st May 1947.

The British Member does not support this recommendation.

B. Enemy and Ex-Enemy Prisoners of War(1) Statement of Problem

Until 1 October 1945 all responsibility for dealing with ex-members of the German Armed Forces was a responsibility of the Military Directorate. From that date, Prisoners of War and Displaced Persons Directorate was allotted responsibility for co-ordination of the movements involved with the repatriation of these enemy and ex-enemy prisoners of war.

(2) Task of the Allied Control Authority

When policy decisions involving the movements required for the repatriation of these releasable prisoners of war have been taken in the Army Directorate, the Directorate of Prisoners of War and Displaced Persons implements such movements through its executive agency, the Combined Repatriation Executive (C.R.X.)

(3) Quadripartite agreements

- (1) CONTROL COUNCIL DIRECTIVE NO. 18 ON DEMOBILIZATION AND DISOLUTION OF GERMAN ARMED FORCES  
CORC/P(45)114 Revised Appendix "A" Approved by CORC/M (45)20, Conclusion (263)

- (11) RETURN TO GERMANY OF GERMAN MILITARY INTERNEES NOW IN NEUTRAL COUNTRIES  
CORC/P(45)159 Approved by CORC/M(45)22, Conclusion (295)

- (11) CONTROL OF MOVEMENTS OF POPULATION (Inter-Zonal Exchange of German ex-Wehrmacht)  
CORC/P(45)72 Approved by CORC/M(45)3, Conclusion (117)

(4) Work Accomplished

Total number of ex-members of the German Armed Forces and ex-enemy Prisoners of War, moved up to January 1st, 1947, by C.R.X., is shown in attached statistics (Appendix "B").

(5) Agreements Already Reached

None

(6) Unilateral Statements

(1) The British Member considers that the Allied Control Council should be given information without delay by the Governments concerned as to the numbers of enemy and ex-enemy prisoners of war held outside Germany and remaining to be repatriated; the zones in which they were previously domiciled; and the rate at which it is intended to make them available for repatriation, so that the Council can make plans for their reception in Germany. The Council should estimate the rate of which prisoners of war can be absorbed into Germany.

(11) The U.S. Member supports the British statement in full.

ALLIED CONTROL COUNCIL, BERLIN, 1947

179

SUBJECT: POPULATION

DATE: 17 February 1947

Part 2 United Nations Displaced Persons

(1) Statement of Problem

Up to and after the German capitulation the Allied Armies liberated a large number of United Nations Displaced Persons in Germany, and collected these people gradually into Assembly Centers, provided them with food and shelter, and repatriated them as rapidly as conditions permitted, to their home countries.

(2) Task of Allied Control Authority

The policy followed by the Allied Control Authority has been to continue to provide care and maintenance for these Displaced Persons, whose total number registered in the Zones on 1 August 1945 had been estimated at 1,508,907, but increased later to 3,620,630, pending their repatriation which remains the primary objective.

The U.S. Member supports the above statement with the addition of the words "and/or resettlement" after the word "repatriation".

(3) Quadrupartite agreements

(i) ESTABLISHMENT OF A UNITED NATIONS MISSING PERSONS TRACING SERVICE  
 CORC/P(45)54 approved by CORC/M(45)8, Conclusion (106)

(ii) CONDUCT OF SEARCHES BY THE GERMAN AUTHORITIES IN CONNECTION WITH UNITED NATIONS CITIZENS  
 CORC/P(45)164 approved by CORC/M(45)22, Conclusion (299)

(iii) TIME-TABLE FOR THE IMPLEMENTATION OF THE POTSDAM AGREEMENT  
 CORC/P(45)69 approved by CORC/M(45)16, Conclusion (122)

(iv) CENSUS AND REGISTRATION OF UNITED NATIONS CHILDREN IN GERMANY  
 CORC/P(45)79 approved by CORC/M(46)12 Conclusion (132)

(v) RESPONSIBILITY OF THE PRISONERS OF WAR AND DISPLACED PERSONS DIRECTORATE FOR THE IMPLEMENTATION OF POTSDAM AGREEMENT.  
 CORC/P(45)59 approved by CORC/M(46)8 Conclusion (88)

(vi) CARE AND MAINTENANCE OF GRAVES OF UNITED NATIONS PERSONS  
 DPOW/P(45)41 Revised approved by DPOW/M(45)11 Conclusion (88)

(vii) TREATMENT OF NON-GERMANS ENTERING GERMANY  
 CORC/P(45)36 approved by CORC/M(46)6 Conclusion (89)

(4) Work Accomplished

(i) Appendix "C" to this report shows, by Zone and nationality, the numbers of Displaced Persons belonging to United Nations or Non-Enemy nations who had been up to 1 January 1947, repatriated or resettled, or who on that date remained in the different Zones of Occupation.

(ii) Appendices "D" (British report), "E" (French report), "F" (Soviet report) and "G" (U.S. report) show separately for each zone, action accomplished up to 1 January 1947 concerning:

- Tracing of United Nations nationals including all documents affecting them.
- Care and maintenance of graves of United Nations nationals.

- Census and registration of all property and belongings of United Nations Displaced Persons.

(5) Agreements Already Reached

(i) Accredited representatives of interested nations whose citizens are still in camps and assembly centers allotted to Displaced Persons should have the right to visit these places when accompanied by Officers of the occupation forces for the purpose of conferring with these persons.

(ii) All propaganda directed against United Nations interests or against repatriation will be forbidden in Displaced Persons Camps.

(iii) Distribution of newspapers, magazines and pamphlets published and printed in the countries of which Displaced Persons are citizens shall be allowed in Displaced Persons Camps. The exhibition of films produced in their native countries shall be permitted in Displaced Persons Assembly Centers after approval by proper Allied Control Authority agencies. These Displaced Persons shall also be allowed unrestricted use of international communications facilities to correspond with their relatives and acquaintances in their home countries. The accredited repatriation Liaison Officers of the United Nations may carry between the Zones and their home countries letters from United Nations Displaced Persons.

(iv) Organizations established for carrying on the humanitarian task of tracing missing United Nations Displaced Persons and Prisoners of War should be continued, and that such organizations should continue to instruct German Authorities to furnish all necessary facilities required by such organizations.

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1947

SUBJECT: POPULATION

DATE: 17 February 1947

(v) Arrangements should continue for the census and registration of all property and belongings of United Nations Displaced Persons and that the German Authorities should be instructed to continue to give all possible assistance towards the legitimate return of this property with the minimum of delay.

(vi) Arrangements should be continued for the repatriation of the remains of deceased United Nations nationals upon request of the countries concerned and that the German Authorities should be instructed to continue to grant all necessary facilities for such purposes.

(vii) Arrangements should continue for the care and maintenance by the German Authorities of the graves of United Nations nationals who died in Germany.

(6) Unilateral Statements

(i) The U.S. Member emphatically opposes the incomplete statement of policy contained in paragraph (2) above in that DPOW/P(45)2 Revised clearly shows that it has been the unanimous intention of the Directorate that non-repatriable United Nations Displaced Persons are to be resettled. The U.S. Member further recommends that German Authorities be required to recognize the preferential status accorded by the Allied Control Authorities to United Nations Displaced Persons who still remain in Germany pending repatriation or resettlement, and that the German authorities be required to ensure that no discriminatory actions against these persons by Germans are tolerated.

The French and British Members support this recommendation. The Soviet Member does not.

(ii) The Soviet Member considers it wrong to resettle Soviet Displaced Persons in Germany or in other countries far away from their home country, and therefore recommends to propose to the U.S., British and French occupation authorities that they should give the utmost assistance to facilitate the repatriation of Soviet citizens, and that the German authorities should be required to render all possible assistance for the speediest return of these people to their home country.

The U.S. and British Members do not agree with this recommendation.

The French Member points out in this respect that the French occupation authorities carry out the provisions of the Franco-Soviet Agreement signed in Moscow on the 29th June 1945.

(iii) The U.S. Member recommends that the Germans as a result of having incited and participated in both racial and political persecution, be required to accord reasonable immunity and haven to those persons, regardless of nationality, who have suffered such abuse and are now in Germany or who enter Germany seeking refuge.

The British and Soviet Members do not support this recommendation.

(iv) The French Member considers it undesirable - except for certain special cases - that Displaced Persons who have valid reasons for not returning to their native country be permanently resettled in Germany, on account of the demographic increase and economic conditions in Germany.

The U.S. Member supports this statement.

The Soviet Member supports this recommendation but objects to the exceptions mentioned therein.

(v) The British Member recommends that such United Nations Displaced Persons as are permitted to remain in Germany should be assured by the German Authorities adequate rights and protection including the right of work without discrimination and the right to repatriation in due course.

The U.S. and French Members support this recommendation.

The Soviet Member does not support this recommendation.

(vi) The U.S. Member recommends that German authorities be required to facilitate the resettlement of those United Nations Displaced Persons and of persecutees who are unable or are unwilling to return to their native lands for reasons which are considered valid by such international organizations as may be established, and to ensure that conditions prerequisite to emigration are kept liberal, that physical installations necessary thereto are provided and that ultimate responsibility of United Nations in these matters is recognized.

The French Member supports this recommendation.

The Soviet Member does not support this recommendation.

(vii) The Soviet Member recommends that:

(a) No war criminals or persons who in any way collaborated with enemies of the United Nations should be regarded as Displaced Persons. They must all be handed over under guard

ALLIED CONTROL COUNCIL, BERLIN, 1947

181

SUBJECT: POPULATION

DATE: 17 February 1947

to the Military authorities of the nations concerned not later than 1 May 1947.

(b) All Soviet displaced persons now living in camps and other inhabited places in the British, U.S. and French Zones of occupation of Germany must be returned to their country of origin not later than 1 May 1947.

(c) The Administration and staff of Displaced Persons Camps must be composed in the first place of representatives of the nations of which the displaced persons are citizens.

The French Member points out, in this respect, that the French authorities of occupation carry out the terms of the Franco-Soviet Agreement signed in Moscow on the 29th June 1945.

The British and U.S. Members do not support the above recommendation except the first sentence of the sub-paragraph under the heading of (a). They recommend that persons, of whom it can be satisfactorily proved that they are war criminals or had collaborated with the enemies of the United Nations, should not be regarded as Displaced Persons. In their view the acceptance of labor in German agriculture or economic employment, or the refusal to accept repatriation should not be construed as collaboration for this purpose.

(viii) The Soviet Member, while accepting as agreed the recommendation concerning the visiting of Displaced Persons Camps, considers it essential, however, to state in this paragraph that in his opinion accredited representatives should have the right not only to interview

Displaced Persons, but also to check the lists of these persons, as well as their index cards and personal documents which are in the possession of the camps' administrative staff.

The U.S., British and French Members do not support this recommendation.

Part 3 Enemy and Ex-Enemy Displaced Persons

(1) Statement of Problem

During the period when the Allied Armies were in control, a certain number, which cannot now be verified, of Displaced Persons of enemy and ex-enemy nationality were found in Germany and collected under control. They were afforded shelter, aid and maintenance until their repatriation should be possible.

(2) Task of Allied Control Authority

This policy has been continued since 30 August 1945, when the Allied Control Authority took over this responsibility. The policy has been, up to now, to repatriate these people whenever transportation and facilities were made available.

(3) Quadripartite Agreements

CONTROL OF MOVEMENTS - CORC/P(45)72,  
OF POPULATION approved by CORC/M  
(45)9, Concl.(11)

(4) Work Accomplished

Numbers of enemy and ex-enemy Displaced Persons who have been repatriated up to January 1st 1947 and those who remained in the Zones of

Occupation on that date, are shown in Appendix "B" to this report.

(5) Agreements Already Reached

None

(6) Unilateral Statements

The U.S. Member recommends that the nationals of enemy (except Germany) or ex-enemy countries be deprived of any status which may cause them as a group to become the responsibility of either the German authorities or the Occupying Authorities. Such persons should live as individual aliens in Germany, subject to all laws of the community. Their countries of origin should be required to authorize their return.

The French and British Members support this recommendation.

The Soviet Member does not support it.

Part 4 German Refugees

(1) Statement of Problem

Throughout the war large numbers of German nationals, normally domiciled in Germany were displaced from their home areas to other parts of Germany or to adjacent countries as a result of the war. In addition, some countries held numbers of Germans whose presence they considered obnoxious.

(2) Task of Allied Control Authority

Large numbers of these people returned either to their home area or moved to other areas of Germany throughout 1945, and this movement could never be completely controlled. Towards

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

DATE: 17 February 1947

SUBJECT: POPULATION

the end of 1945 the Allied Control Authority established a system of getting under some form of control the movements of such of these refugees who required return to their home areas.

The movements of Germans in this category (Refugees) have presented very serious problems and it has not as yet proved possible to return all of them to their former domiciles. A large proportion of the housing, accommodation, particularly in the congested parts of Germany was destroyed or damaged during the latter stages of the war and many of the industries which formerly provided these people with a livelihood do not now function. The problem of returning German refugees from outside Germany is still far from complete; the exact number of these persons outside Germany has not yet been determined, a factor which further complicates the problem.

(3) Quadrupartite agreements

- (i) CONTROL OF MOVEMENT OF POPULATION COAC/P(45)72 approved by COAC/M(45)9, Conclusion (115)
- (ii) PROPOSED AGREEMENTS CONCERNING THE EXCHANGE OF GERMAN REFUGEES IN GERMANY AND AUSTRIA ON A ONE FOR ONE BASIS. COAC/P(45)116 approved by COAC/M(45)15, Conclusion (197)
- (iii) CLARIFICATION OF THE POLICY TO BE FOLLOWED IN REGARD TO THE RETURN OF REFUGEES TO THEIR FORMER PLACE OF RESIDENCE IN GERMANY. COAC/P(45)325 approved by COAC/M(45)55, Conclusion (584)

- (iv) RECALL OF GERMAN OFFICIALS AND OBNOXIOUS GERMANS FROM NEUTRAL COUNTRIES. COAC/P(45)26 approved by COAC/M(45)5 Conclusion (48)
- (v) TRANSFER INTO GERMANY OF GERMAN MINORITIES FROM COUNTRIES NOT REFERRED TO IN THE POTSDAM AGREEMENT. COAC/P(46)108 studied under COAC/M(46)18, Conclusion (184)
- (vi) RECALL AND REPATRIATION OF GERMAN OFFICIALS, AGENTS AND OTHER OBNOXIOUS GERMANS. COAC/P(46)42 approved by COAC/M(46)6 Conclusion (72)
- (vii) MEASURES FOR PREVENTING THE SPREAD OF INFECTIOUS DISEASES FROM ONE ZONE INTO ANOTHER DURING EXCHANGE OF EMIGRANTS. COAC/P(46)72 approved by COAC/M(46)11 Conclusion (12E)

(4) Work Accomplished

Attached statistics indicate number of:

- (i) German Refugees exchanged between Zones (Appendix "I")
- (ii) Obnoxious Germans and former German officials returned from abroad (Appendix "J")
- (iii) German refugees repatriated from abroad (Appendix "K")

(5) Agreements Already Reached

German Authorities are required to continue to accept back into Germany her nationals, including obnoxious Germans, from United Nations

countries who demand the repatriation of such persons. The rate of acceptance for such persons will continue to be determined by the respective Zone Commanders.

(6) Unilateral Statements

The U.S. Member recommends that responsibility for transfers of German Refugees within Germany be delegated to German Authorities, and that free resettlement within Germany of such persons be permitted, disregarding Zone of former residence.

The British Member supports this recommendation.

The French and Soviet Members do not support it.

Part 5. Transfer of German Population (Expellees)(1) Statement of Problem

Under the terms of Section XIII of the Potsdam Agreement, the German population, or elements thereof, to be moved from Poland, Hungary and Czechoslovakia were to be transferred into Germany. The subsequent Control Council plan implementing the former agreement included the transfer of the German minority from Austria into Germany.

(2) Task of the Allied Control Authority

The numbers of these expellees to be transferred (6,850,000) were based on estimates accepted by the Allied Control Authority.

ALLIED CONTROL COUNCIL, BERLIN, 1947

183

SUBJECT: POPULATION

DATE: 17 February 1947

(3) Quadrupartite Agreements

- (1) PLAN FOR THE TRANSFER OF GERMAN POPULATIONS TO BE MOVED FROM AUSTRIA, CZECHOSLOVAKIA, HUNGARY AND POLAND INTO THE FOUR OCCUPIED ZONES OF GERMANY  
 COML/P(46)57 approved by COML/M(45)12, Conclusion (102)
- (11) TRANSFER INTO GERMANY OF GERMAN MINORITIES FROM COUNTRIES NOT REFERRED TO IN THE POTSDAM AGREEMENT  
 COML/P(46)108 studied under COML/A(45)18, Conclusion (184)
- (111) TIMETABLE FOR THE IMPLEMENTATION OF THE POTSDAM AGREEMENT  
 COML/P(45)69, approved by COML/A(45)15, Conclusion (122)

(4) Work Accomplished

Numbers of German expellees transferred into Germany (in accordance with the approval plan of the Control Council and outside this plan) are shown in Appendix "L".

(5) Agreements Already Reached

None

(6) Unilateral Statements

(1) The British Member states that the effects of the forced transfer of large numbers of German expellees into the devastated British/U.S. occupied parts of Germany are producing a situation which is potentially most dangerous. This is caused partly by the fact that these transfers are being completed while the agreement to treat Germany as an economic whole has

not been fulfilled although it is a necessary corollary to these transfer measures.

The British Member considers that the adjustment of the overcrowding of the British and U.S. occupied parts of Germany is a matter which should be seriously considered in the preparation of any Peace Treaty.

The U.S. Member supports this recommendation.

The Soviet and French Members do not support this recommendation.

(11a) The French Member points out that the procedure for the transfer of the German minority in Austria to the French Zone of Germany is contained in an agreement which was unanimously approved by the Directorate (EPOW/M(45)12 Conclusion (99). Acting on this agreement, the Allied Secretariat, in the name of the Allied Control Authority in Germany, sent a letter to the Allied Commission in Austria (ASAC(45)2, dated 8th January 1946), according to which the French Zone of Occupation in Germany agrees to receive those Germans who normally reside in Austria and who had not acquired Austrian nationality before 15th March, 1938.

The U.S. Member supports this statement.

(11b) The Soviet Member considers incomplete the statement made by the French Member in paragraph (6) (11a) of the present Part 5 as regards conditions of transfer of German minorities from Austria to the French Zone. The French delegate refers only to initial documents relating to this question; whereas on receipt of a second letter from the Allied Commission in Austria this problem was again

considered at meetings of the Directorate and the Coordinating Committee. The latter took no final decision and referred all documents to the Legal Directorate for a clarification of points which had arisen during discussion.

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

RESTRICTED

AGREED  
SUBJECT:

POPULATION TRANSFERS, (Part I, I, 4., (1), CFM/47/M/148)

ORIGIN: Dir. &amp; Spec. Com.

FOUR POWER AGREEMENT

US

UK

FR

SOVIET

FOUR POWER AGREEMENT

(1) The Council of Foreign Ministers confirms the agreements reached by the Allied Control Council for Germany recorded in Section VII, Part 2, paragraph 5, of its Report under the title United Nations Displaced Persons as follows:

(a) Accredited representatives of interested nations whose citizens are still in camps and assembly centres allotted to Displaced Persons should have the right to visit these places when accompanied by officers of the occupation forces for the purpose of conferring with these persons:

(b) All propaganda directed against United Nations interests or against repatriation will be forbidden in Displaced Persons Camps:

(c) Distribution of newspapers, magazines and pamphlets published and printed in the countries of which Displaced Persons are citizens shall be allowed in Displaced Persons Camps. The exhibition of films produced in their native countries shall be permitted in Displaced Persons Assembly Centres after approval by proper Allied Control Authority Agencies. These Displaced Persons shall also be allowed unrestricted use of international communications facilities to correspond with their relatives and acquaintances in their home countries. The accredited repatriation Liaison Officers of the United Nations may carry between the Zones and their home countries letters from United Nations Displaced Persons:

(d) Organisations established for carrying on the humanitarian task of tracing missing United Nations Displaced Persons and Prisoners of War shall be continued and that all such organisations should instruct German authorities to furnish all necessary facilities required by such organisations:

(e) Arrangements should continue for the census and registration of all property and belongings of United Nations Displaced Persons and that the German Authorities should be instructed to continue to give all possible assistance towards the legitimate return of this property with the minimum of delay:

(f) Arrangements should be continued for the repatriation of the remains of deceased United Nations nationals upon request of the countries concerned and that the German Authorities should be instructed to continue to grant all necessary facilities for such purposes.

(g) Arrangements should continue for the care and maintenance by the German Authorities of the graves of United Nations nationals who died in Germany.

NOTE

The recommendations and decisions confirmed or taken by the Council of Foreign Ministers are transmitted to the Control Council for Germany and to the Commanders-in-Chief of the occupation forces of Germany for appropriate action within their spheres of competence.

(Page 4; CFM/47/M/148)

(Pages 3 &amp; 4; CFM/47/M/148)

ACTION TAKEN BY CFM: Referred to Control Council for Action

AGREED

SUBJECT: POPULATION TRANSFERS (Part I, I, 4. (2), CFM/47/M/148)

ORIGIN: DRG. &amp; Spec. Comm.

FOUR POWER AGREEMENT	U.S.	U.K.	FR.	SOVIET
	<p><u>FOUR POWER AGREEMENT</u></p> <p>(2) Council of Foreign Ministers agrees upon the following principles with reference to United Nations Displaced Persons in Germany and to population transfers.</p> <p>(a) Any war criminals found in Displaced Persons Camps are to be turned over under guard to the Military Command of the countries concerned upon the request and upon production of satisfactory evidence that the individuals whose transfer is requested are in fact war criminals;</p> <p>(b) All "Committees", "Centres", and other similar organisations which may be found to be engaged in activities hostile to the interests of any of the Allied Powers will be immediately disbanded;</p> <p>(c) The voluntary repatriation of Displaced Persons who are now in Germany will be accelerated;</p> <p>(d) Control Council shall study further the whole question of the transfers of population into Germany with a view to directing to the areas best able to receive them those populations whose transfer to Germany may be decided in the future. Account shall be taken in this study of the situation existing in each Zone.</p> <p>(Page 4; CFM/47/M/148)</p>			
<p><u>NOTE</u></p> <p>The recommendations and decisions confirmed or taken by the Council of Foreign Ministers are transmitted to the Control Council for Germany and to the Commanders-in-Chief of the occupation forces of Germany for appropriate action within their spheres of competence.</p> <p>(Page 4; CFM/47/M/148)</p>				
<p>ACTION TAKEN BY CFM: Referred to Control Council for Action</p>				

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## RESTRICTED . FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

SUBJECT: POPULATION TRANSFERS, Resettlement of DP's outside Germany (Part I, II, 3.(a), CFM/47/M/146 &amp; II, CFM/47/M/93)

ORIGIN: DfG. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>(a) Resettlement outside Germany of persons whom it has been impossible to repatriate shall be encouraged....</p> <p>(Page 5: CFM/47/M/93)</p>	<p><u>US RESERVATION</u></p> <p>.... to the extent that provision is made therefor.</p> <p>(Page 5: CFM/47/M/93)</p>		<p><u>FRENCH and SOVIET PROPOSAL</u></p> <p>Permanent settlement of Displaced Persons on German territory shall not be authorized.</p> <p>(Page 5: CFM/47/M/93)</p>	

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

NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948

FOURTH SESSION OF CFM, MOSCOW, 1947

157

UNAGREED SUBJECT: **RESTRICTED** POPULATION TRANSFERS, Administration of EP Camps (Part I, II, 3. (b) CFM/47/M/148 & II. (b.) CFM/47/M/93) **ORIGIN** Drg. & Spec. Comm.

FOUR POWER POSITION	U S	U K	FR	SOVIET
<u>NO AGREEMENT</u>		<u>US, UK and FRENCH POSITION</u> The US, UK and French Delegations did not agree with this proposal. (Page 6; (b), CFM/47/M/93)		<u>SOVIET PROPOSAL</u> To provide that the administration of the Camps for Displaced Persons shall consist primarily of the representatives of states whose citizens are among the Displaced Persons. (Page 6; (b), CFM/47/M/93)

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Control Council for Information and Study **NOTE:** No conclusive action taken by the Control Council as of 1 Feb. 1948.

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: POPULATION TRANSFERS, Special Quadripartite Investigations Committee (Part I, II, 3.(c) CFM/47/W/148 &amp; II(c)CFM/47/W/93) DRIGIN DFO. &amp; Spec. Comm.

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US, UK and FRENCH POSITION</u></p> <p>The US, UK and French Delegations did not agree with this proposal.</p> <p>(Page 6; (c), CFM/47/W/93)</p> <hr style="border-top: 1px dashed black;"/>			<p><u>SOVIET PROPOSAL</u></p> <p>To form a special Quadripartite Committee for investigating the situation in Camps for Displaced Persons located in the American, British and French Zones of occupation, in order to ascertain the desire and intention of these persons to return to their homeland.</p> <p>(Page 6; (c), CFM/47/W/93)</p> <hr style="border-top: 1px dashed black;"/>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information and Study NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.</p>				

FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: POPULATION TRANSFERS, Suspension of Transfers of Population (Part I, II, 3.(d), CFM/47/M/148 & II, (a), CFM/47/M/93)

ORIGIN: DTG. & Spec. Comm.

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US and UK POSITION</u></p> <p>The US and UK Delegations did not agree with this proposal. The US and UK Delegations, however, are prepared to examine sympathetically these French proposals.</p> <p>(Page 6:(d), CFM/47/M/93)</p>		<p><u>FRENCH PROPOSALS</u></p> <p>(1) No new transfer of German-speaking populations shall be effected in addition to those already decided upon by previous agreements.</p> <p>(2) Insofar as the consent of the states concerned can be obtained, the transfer still to be executed under the Potsdam Agreements shall be suspended.</p> <p>(Page 6:(d), CFM/47/M/93)</p>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation did not agree with this French proposal.</p> <p>(Page 6: (d), CFM/47/M/93)</p>

ACTION TAKEN BY CFM:

Referred to Control Council for Information and Study NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: POPULATION TRANSFERS, Organization of German Emigration (Part I, II, 3, (e), CFM/47/W/146 &amp; II, (e), CFM/47/W/93)

ORIGIN: Dfg. &amp; Spec. Comm.

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p><u>NO AGREEMENT</u></p>	<p><u>US and UK POSITION</u></p> <p>The US and UK Delegations did not agree to this proposal. The US and UK Delegations, however, are prepared to examine sympathetically this French proposal.</p> <p>(Page 6; (e), CFM/47/W/93)</p>		<p><u>FRENCH PROPOSAL</u></p> <p>(e) German emigration shall be organized. To this end a conference of the qualified representatives of the four occupying powers shall be convoked before July 1st, 1947 in Paris. To the extent that it shall deem useful, this conference can invite representatives of other states and in particular those which are in a position to receive German emigrants into their territory.</p> <p>(Page 6; (e), CFM/47/W/93)</p>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation did not agree to this French proposal.</p> <p>(Page 6; (e), CFM/47/W/93)</p>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information and Study</p>				
<p>NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.</p>				

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

191

SUBJECT: POPULATION TRANSFERS, Reference of DP Problem to IRO (Part I, II, 3 (c), CFM/47/M/148 &amp; II, (z), CFM/47/M/93)

ORIGIN: DFG. &amp; Spec. Com.

FOUR POWER POSITION

US

UK

FR

SOVIET

NO AGREEMENTUS PROPOSAL  
(Based on CFM/47/M/19)

That the whole problem of Displaced Persons be not discussed in detail by the Council of Foreign Ministers, but be referred to the I.R.C.

(Page 6; (r), CFM/47/M/93)

UK POSITION

The UK Delegation supports the I.R.C., but reserves its position on this particular proposal, pending the assumption by the I.R.C. of its responsibilities in Germany.

(Page 7; (z), CFM/47/M/93)

FRENCH POSITION

The French Delegation cannot agree to this proposal in its present form. It indicates, however, that the I.R.C. as soon as it starts to function in Germany will receive all facilities to function effectively in the French Zone.

(Page 7; (s), CFM/47/M/93)

SOVIET POSITION

The Soviet Delegation does not agree to this proposal, considering that the question of resettlement and redistribution of the Displaced Persons which fall under the competence of the Control Council in Germany are included within the competence of the Council of Foreign Ministers and that there is no reason to exclude these questions from the competence of the CFM and ACC. On the contrary, the IRO cannot deal with such questions. According to the terms of reference of the IRO (which is attached to the UNO) to which the Soviet Government has not adhered, only purely humanitarian and not political aims fall under the competence of this organization, as has been officially stated by the founders of the organization.

(Page 6a7; (r), CFM/47/M/93)

CFM/47/M/19  
15 March, 1947

Statement by the Head of the US Delegation

DISPLACED PERSONS

The problem of displaced persons in Germany was not included on the Agenda for this session as agreed in New York but was discussed in the Report of the Allied Control Council. It involves one of the most tragic consequences of the war. The people and Government of the United States have, for the sake of humanity and civilization, the most direct and intense interest in the speedy rehabilitation and resettlement of these human beings caught in the baneweb of war. Many evidences of the sympathetic view which the American Government and people take of their problems have already been given.

The attitude of the United States Government on this difficult problem is well-known. The matter has been extensively debated in the United Nations where Mrs. Roosevelt at both the London and New York meetings of the General Assembly expressed the policy of the American Government. There is nothing in the Report of the Allied Control Council which has led us to change that attitude. The Soviet charges made here were largely made there, and answered there.

As a result of decisions taken in the United Nations, of which all governments represented in this Council are members, progress is being made toward the establishment of the International Refugee Organization. The United States Government is giving its full support to this effort to mitigate the sufferings of thousands of helpless victims of the war. It is the hope of the US Delegation that rapid progress will follow in establishing the International Refugee Organization, and further that it will be successful in its efforts to solve this problem.

The International Refugee Organization has been founded to find a solution for this difficult problem. If the Council attempts to deal with it here, it may complicate rather than help the efforts of the International Refugee Organization.

ACTION TAKEN BY CFM: Referred to Control Council for Information and Study. NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: POPULATION TRANSFERS, Costs of DP Maintenance (Part I, II, 3, (g), CFM/47/M/148 &amp; II (g), CFM/47/M/93)

ORIGIN: Dfg. &amp; Spec. Comm.

FOUR POWER POSITION	US	UK	FR	SOVIET
<u>NO AGREEMENT</u>		<u>US, UK and FRENCH POSITION</u> The US, UK and French Delegations do not agree to this (Soviet) proposal. (Page 7: (g), CFM/47/M/93)		<u>SOVIET PROPOSAL</u> In view of the fact that each occupation power had the opportunity to complete in full the repatriation of Displaced Persons and Refugees to their countries of origin after the capitulation of Germany, it should be prohibited to charge any expenses incurred for the maintenance of Displaced Persons and Refugees to German account or to the account of occupation forces as of January 1, 1947. (See CFM/47/M/85). (Page 7: (g), CFM/47/M/93)
	<u>US POSITION</u> The US Delegation points out that in its opinion the pressure on the German economy would be more effectively relieved by stopping influx of additional transfers into Germany. (Page 7: (g), CFM/47/M/93)			

ACTION TAKEN BY CFM: Referred to Control Council for Information and Study. NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

153

SUBJECT: POPULATION TRANSFERS, Redistribution of Refugees and Expellees (Part I, II, 3(b), CFM/47/W/148 &amp; II, (b), CFM/47/W/93)

ORIGIN: DFG. &amp; Spec. Com.

FOUR POWER POSITION

U S

U K

F R

S O V I E T

NO AGREEMENTUS POSITION

The US Delegation accepts this proposal.

(Page 7: (b), CFM/47/W/93)

UK PROPOSAL

The Control Council shall study the possibility of a redistribution of refugees and expellees already transferred to the various zones of Germany, in order to effect a more equitable and a more even settlement. A German Commission shall be established to study this question. This Commission shall be accorded freedom of action and of movement throughout Germany as a whole and shall be responsible for the implementation of its own recommendations subject to the rights of the Governments of the Länder being safeguarded and subject to the general supervision of the Control Council.

(Page 7: (b), CFM/47/W/93)

FRENCH POSITION

The French Delegation does not accept this proposal.

(Page 7: (b), CFM/47/W/93)

SOVIET POSITION

The Soviet Delegation accepts this proposal.

(Page 7: (b), CFM/47/W/93)

ACTION TAKEN BY CFM: Referred to Control Council for Information and Study. NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED

UNAGREED

SUBJECT: POPULATION TRANSFERS, Enlistment of DP's in Units &amp; Services (Part I, II, 3.(j), CFM/47/M/148 &amp; II.(j), CFM/47/M/93)

ORIGIN: DRG. &amp; Spec. Comm.

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>All Delegations agree that the decision on this question will depend on the decision which may be taken on the corresponding point in the Section on Demilitarisation.</p> <p>(Page 8: (j), CFM/47/M/93)</p> <hr/>				<p><u>SOVIET PROPOSAL</u></p> <p>To forbid any kind of enlistment whatever of Displaced Persons in semi-military organizations (guard units, guard companies, etc.) now in existence or being formed on the territory of the Western Zones of Germany, and to release those Displaced Persons who already belong to such organizations.</p> <p>(Page 7: (j), CFM/47/M/93)</p> <hr/>

ACTION TAKEN BY CFM: Referred to Control Council for Information and Study NOTE: No conclusive action taken by the Control Council as of 1 Feb. 1948.

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

195

AGREED  
SUBJECT:

Return of German Prisoners of War to Germany (CFM/47/M 42nd Meeting &amp; CFM/47/M/153)

ORIGIN: CFM

FOUR POWER AGREEMENT

U S

U K

FR

SOVIET

1. German prisoners of war located in the territory of the Allied Powers and in all other territories will be returned to Germany by December 31, 1948.

2. The repatriation of German prisoners of war will be carried out in accordance with a plan which will be worked out by the Control Council not later than July 1st of this year.

(page 1, CFM/47/M/153)

referred to Control Council for action

ACTION TAKEN BY CFM:

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

AGREED

RESTRICTED

SUBJECT: Transfer of Persons of German Origin (from Austria) (CFM/47/W/35th Meeting &amp; CFM/47/W/159)

ORIGIN: CFM

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p>At its 39th Meeting the Council of Foreign Ministers instructed in accordance with CFM/47/W/159 the Allied Control Council for Germany to determine the conditions necessary for the resettlement in Germany of persons to be transferred from Austria in accordance with Art. 16/Bis of the draft Treaty for the reestablishment of an independent democratic Austria.</p> <p>-----  <b>ARTICLE 16 bis</b>  <b>Transfer of Persons of German Origin</b>          (Reichsdeutsche and Volksdeutsche)</p> <p>1. Austria undertakes to complete within the period determined by the Control Council for Germany, the transfer from Austria of German nationals (Reichsdeutsche) who are subject to transfer to Germany in accordance with existing inter-Allied agreements, including decisions of the Control Council for Germany.</p> <p>2. Austria also undertakes to cooperate in carrying out the plans made or to be made by the Control Council for Germany for the transfer to Germany of Volksdeutsche whose transfer is provided for by existing inter-Allied agreements, including decisions of the Control Council for Germany.</p> <p>3. The provisions of this Article shall not apply to persons who fall within the categories of exemption approved by the Allied Commission for Austria.</p> <p>(Page 1: Attachment to CFM/47/W/159)</p>				
ACTION TAKEN BY CFM:	Referred to Control Council for Action			

CFM  
AGREED  
SUBJECT:

RESTRICTED

ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

197

Population Transfers, General

ORG. CODE #OTRA/162

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S): CCBL/M/47/12 DATE: 3 June 1947  <u>2nd Action</u>  Marshal SOKOLOVSKY wished to add an additional item to the decision of the Coordinating Committee, namely to request Zone Commanders to submit periodic reports to the Control Council on the implementation of the agreed decisions of the Council of Foreign Ministers on the question of Displaced Persons.  Marshal DOUGLAS said that he was prepared to accept the Soviet proposal in principle but that the Meeting should request the Coordinating Committee to consider in what form and how often these reports should be rendered.  THE MEETING:  (56) agreed:  (a) to note the action taken by the Coordinating Committee; and  (b) to accept Marshal SOKOLOVSKY's proposal in principle, and to request the Coordinating Committee to consider in what form and how	PAPER(S): CCRC/M/47/27 DATE: 2 June 1947  <u>1st Action</u>  The Meeting next considered the instructions concerning Population Transfers (Part I, paragraph 1, item 4).  The CHAIRMAN said that these instructions were intended for Commanders in Chief of Occupation Forces to take appropriate action within their spheres of competence, and that it was implicitly recognized that the administration of Displaced Persons camps was the responsibility of Zone Commanders. He proposed, however, that item 4, Instruction (2)(d) should be referred to the Prisoners of War and Displaced Persons Directorate who should consult with other Directorates on this matter - more especially with the Manpower Directorate.  THE MEETING:  (269)(e) agreed:  (1) to refer item 4, Instructions (1) and (2)(a), (2)(b) and (2)(c) to the Zone Commanders;	PAPER(S): DATE:	PAPER(S): DATE:	PAPER(S): DATE:

STATUS AS OF: - - -

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX



ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

CFM  
AGREED  
SUBJECT:

RESTRICTED

Repatriation of German Prisoners of War

ORG. CODE PRIS/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP
PAPER(S):	PAPER(S): CRC/M/47/26	PAPER(S): DPCL/M/47/18	PAPER(S):	PAPER(S):
DATE:	DATE: 17 May 1947	DATE: 17 June 1947	DATE:	DATE:
	<p style="text-align: center;"><u>1st Action</u></p> <p>.....</p> <p>The second matter concerned the plan to be drawn up for the absorption into the German economy of all prisoners of war in the territory of the Allied Powers and in all other territories to be repatriated by December 31st, 1948. The preparation of this plan by the Control Council by 1st July was dependent upon the agreement of the Foreign Ministers that the controlling Powers should furnish to the Control Council not later than 1st June 1947 their plans for the repatriation to Germany of the German members of the former German Armed Forces and Auxiliary Services now under their control. The British Delegation had already taken action with its Government to obtain this plan and be trusted that his colleagues would do likewise. Until these plans were received from the respective Governments he considered it would be premature to instruct the appropriate Directorates to prepare a draft of the Control Council plan to be ready by 1st July.</p>	<p style="text-align: center;"><u>4th Action</u></p> <p>THE DIRECTORATE</p> <p>(145) (a) decided to address the note contained in Appendix B to the governments of Belgium, Luxembourg, The Netherlands, Poland, Czechoslovakia, Yugoslavia, Denmark, Greece, Norway and Italy.</p> <p>The French government was charged with sending these communications to the governments concerned through the normal diplomatic channels.</p> <p style="text-align: center;">(Page 4; DPCL/M/47/18)</p> <hr/> <p>Appendix B to 16 June 1947 DPCL/M/47/18</p> <p style="text-align: center;">ALLIED CONTROL AUTHORITY POLITICAL DIRECTORATE</p> <p>NOTE TO THE GOVERNMENTS OF BELGIUM, LUXEMBOURG, THE NETHERLANDS, POLAND, CZECHOSLOVAKIA, YUGOSLAVIA, DENMARK, GREECE, NORWAY AND ITALY CONCERNING THE REPATRIATION OF GERMAN PRISONERS OF WAR.</p> <p>*The French Government, acting in the name of the Allied</p>		

STATUS AS OF:

REPARATIONS

TREATIES

MISCELLANEOUS

INDEX

CFM  
AGREED  
SUBJECT:

RESTRICTED

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

ORG. CODE FRIG/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p> <p>[1st Action cont'd]</p> <p>.....</p> <p>THE MEETING:</p> <p>(263) agreed with the CHAIRMAN's proposal.</p> <p>(Pages 10/11; COAC/M/47/26)</p> <p>COAC/M/47/27      2 June 1947</p> <p><u>2nd Action</u></p> <p>General HEATING referred to the discussion of the Coordinating Committee under Any Other Business on the above subject at its 121st Meeting on the 7th May 1947 (COAC/M/47/25) (-Minute 263) calling for the submission of the relevant plans by 1 June 1947. He submitted the U.S. Plan to the Coordinating Committee for transmission to the Control Council and asked his Colleagues if their plans were yet ready.</p> <p>General TRATVIN replied that the Soviet plan was now being drafted and would be ready in the near future.</p>	<p>PAPER(S):</p> <p>DATE:</p> <p>(Appendix B to DPCL/M/47/18 cont'd)</p> <p>Control Authority for Germany, has the honor to bring the following to the attention of the Government of _____:</p> <p>*The Council of Foreign Ministers decided during its meeting in Moscow that German prisoners of war held on the territory of Allied Powers or on any other territory shall be repatriated to Germany before 31st December 1948.</p> <p>*The Council of Foreign Ministers decided, furthermore, that the repatriation of German prisoners of war will be carried out according to a plan to be elaborated by the Control Council by July 1, 1947 at the latest.</p> <p>*The Allied Control Authority for Germany would be grateful to the Government of _____ if it would submit to it as early a date as possible all relevant data needed to set up this plan.*</p> <p>(See 5th Action)</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>
STATUS AS OF:				

CFM  
AGREED  
SUBJECT:

RESTRICTED

ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

201

Repatriation of German Prisoners of War

CONTROL COUNCIL		COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	ORG. CODE PRIS/1
					SUBCOMMITTEE /WP
PAPER(S):	PAPER(S):	PAPER(S): DOCS/S20/47/169 DOCS/M/47/18	PAPER(S):	PAPER(S):	PAPER(S):
DATE:	DATE:	DATE: 28 Aug. 1947 31 Aug. 1947	DATE:	DATE:	DATE:
	(2nd Action cont'd)	<u>9th Action</u>			
	General HAPST stated that he was not yet in possession of his plan.	THE DIRECTORATE:			
	General ROBERTSON said that the British figures were now available and would be submitted immediately to the Allied Secretariat.	(L22) agreed to postpone the discussion until a future meeting when the French and British Delegations will be in a position to discuss this subject.			
	(Page 32; OCRO/M/47/27)	(Page 7; DOCS/M/47/18)			
	OCRO/M/47/28 9 June 1947				
	<u>3rd Action</u>				
	THE MEETING:				
	(301) instructed the Political Directorate to inform all the United Nations which might be holding German prisoners of war that their repatriation plans should be forwarded to the Control Council as soon as possible.				
	(Page 20; OCRO/M/47/28)				
	(See 4th Action)				

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

STATUS AS OF: ---

100

CFM  
AGREED  
SUBJECT:

RESTRICTED

## ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

ORG. CODE PR15/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):  DATE:	PAPER(S): CCRC/W/47/29  DATE: 19 June 1947  <u>5th Action</u>  THE MEETING:  (320) agreed that the Allied Secretariat should keep the repatriation plans for German prisoners of war sent in by the U.S. and British Delegations until it had received the other plans.  (Page 20; CCRC/W/47/29)  ----- CCRC/W/47/30      26 June 1947  <u>6th Action</u>  THE MEETING:  (336) agreed to instruct the Allied Secretariat to report to the Foreign Ministers on the delay which had occurred in the preparation of a repatriation plan for German prisoners of war.  (Page 14; CCRC/W/47/30)  ----- CCRC/W/47/32      5 July 1947  <u>7th Action</u>  349. The Soviet Representative stated that the Soviet plan for the repatriation of	PAPER(S):  DATE:	PAPER(S):  DATE:	PAPER(S):  DATE:
STATUS AS OF: ---				

CFM  
AGREED  
SUBJECT:

RESTRICTED

ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

003

Repatriation of German Prisoners of War

ORG. CODE III/1

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP
PAPER(S): DATE:	PAPER(S): DATE: <p>(7th Action cont'd)</p> <p>German PW's to Germany was in the possession of the Allied Secretariat.</p> <p>(Page 15: OORC/M/47/31</p> <p>----- OORC/M/47/35      30 July 1947</p> <p><u>8th Action</u></p> <p>390. The French Representative stated that the plan for the repatriation of German PW's under the control of the French Government would be handed in to the Allied Secretariat the following day.</p> <p>(Page 20: OORC/M/47/35)</p> <p>----- (See 9th Action)</p> <p>-----</p>	PAPER(S): DATE:	PAPER(S): DATE:	PAPER(S): DATE:

STATUS AS OF: 1 February 1948: No conclusive action yet taken by the Control Council.

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

204

CFM  
AGREED  
SUBJECT:

RESTRICTED

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

Transfer of Persons of German Origin (from Austria)

ORG. CODE POTRA/12

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
PAPER(S):	PAPER(S): CGC/P/47/121	PAPER(S): DPO/M/47/13	PAPER(S):	PAPER(S):
DATE:	DATE: 21 May 1947	DATE: 29 August 1947	DATE:	DATE:
	<p style="text-align: center;"><u>1st Action</u></p> <p>At its 39th Meeting the Council of Foreign Ministers instructed in accordance with CGC/47/W/159 the Allied Control Council for Germany to determine the conditions necessary for the re-settlement in Germany of persons to be transferred from Austria in accordance with Article 16 bis of the draft Treaty for the re-establishment of an independent democratic Austria.</p> <p style="text-align: center;">(Page 7; CGC/P/47/121)</p>	<p style="text-align: center;"><u>3rd Action</u></p> <p>THE MEETING</p> <p>(122) agreed to send a communication to the Allied Commission for Austria asking how many persons, they think, are eligible for transfer to Germany under Article 16 Bis of the draft Peace Treaty for Austria (Appendix "B", CGC/P/47/121).</p> <p style="text-align: center;">(Page 7; DPO/M/47/13)</p>		
	<p>Appendix "B" to CGC/P/47/121</p> <p style="text-align: center;">ARTICLE 16 bis <u>Transfer of Persons of German Origin</u> <u>(Reichsdeutsche und Volksdeutsche)</u></p> <p>1. Austria undertakes to complete, within the period determined by the Control Council for Germany, the transfer from Austria of German nationals (Reichsdeutsche) who are subject to transfer to Germany in accordance with existing inter-Allied agreements, including decisions of the Control Council for Germany.</p>			

STATUS AS OF: - - -

CFM  
AGREED  
SUBJECT:

RESTRICTED

ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

206

Transfer of Persons of German Origin (from Austria)

ORG. CODE PC/BA/12

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE /WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p> <p>(1st Action cont'd)</p> <p>2. Austria also undertakes to co-operate in carrying out the plans made or to be made by the Control Council for Germany for the transfer to Germany of Volkdeutsche whose transfer is provided for by existing inter-Allied agreements, including decisions of the Control Council for Germany.</p> <p>3. The provisions of this Article shall not apply to persons who fall within the categories of exemption approved by the Allied Commission for Austria.</p> <hr/> <p>COBC/M/47/27      2 June 1947</p> <p><u>2nd Action</u></p> <p>69. Regarding ... Instructions on the determination of conditions necessary for the Resettlement in Germany of certain persons from Austria under Article 16/Bis of the Draft Treaty of Austria, he (the Chairman) considered that these instructions should be forwarded to the Prisoners of War and Displaced Persons Directorate for submission of</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>

STATUS AS OF:

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX

100

CFM  
AGREED  
SUBJECT:

RESTRICTED

# ALLIED CONTROL AUTHORITY ACTION, BERLIN, 1947

Transfer of Persons of German Origin (from Austria)

ORG. CODE PCTRA/12

CONTROL COUNCIL	COORDINATING COMMITTEE	DIRECTORATE	COMMITTEE	SUBCOMMITTEE / WP
<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p> <p>(2nd Action cont'd)</p> <p>recommendations in consultation with the Manpower Directorate.</p> <p>THE MEETING:</p> <p>(269) (a) approved these observations of the CHAIRMEN without discussion.</p> <p>(Page 1; CCBC/M/47/27)</p> <hr/> <p>(See Action 3)</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>	<p>PAPER(S):</p> <p>DATE:</p>
<p>STATUS AS OF: 1 February 1948: No conclusive action yet taken by the Control Council.</p>				

REPAR-  
ATIONS

TREATIES

MISCEL-  
LANEOUS

INDEX



## INTERNATIONAL AGREEMENTS

207

SUBJECT: REPARATIONS and Level of Post War German EconomyYALTA CONFERENCE  
11 February 1945Reparations in Kind from Germany

..... and exact reparation in kind for the destruction wrought by Germans: .....

Establishment of a Commission for the Compensation of Damage

We have considered the question of the damage caused by Germany to Allied Nations in this war, and recognized it as just that Germany be obliged to make compensation for the damage in kind to the greatest extent possible. A Commission for the Compensation of Damage will be established. The Commission will be instructed to consider the question of extent and methods for compensating damage caused by Germany to the Allied countries. The Commission will work in Moscow.

POTSDAM AGREEMENT  
2 August 1945Reparations not to Interferewith the Economic Development of Germany

## P. III. B.

19. Payment of reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany, the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stock shall be available in the first place for payment for such imports.

The above clause will not apply to the equipment and products referred to in paragraphs 4 (a) and 4 (b) of the Reparations Agreement.

Agreement on Reparations

In accordance with the Crimea decision that Germany be compelled to compensate to the greatest possible extent for the loss and suffering that she has caused to the United Nations and for which the German people cannot escape responsibility, the following agreement on reparations was reached:

1. Reparation claims of the U.S.S.R. shall be met by removals from the zone of Germany occupied by the U.S.S.R. and from appropriate German external assets.
2. The U.S.S.R. undertakes to settle the reparation claims of Poland from its own share of reparations.
3. The reparation claims of the United States, the United Kingdom, and other countries entitled to reparations shall be met from the Western Zones and from appropriate German external assets.
4. In addition to the reparations to be taken by the U.S.S.R. from its own zone of occupation, the U.S.S.R. shall receive additionally from the Western Zones:
  - (a) fifteen percent of such usable and complete industrial capital equipment, in the first place from the metallurgical, chemical, and machine manufacturing industries, as is necessary for the German peace economy and should be removed from the Western Zones of Germany, in exchange for an equivalent value of food, coal, potash, zinc, timber, clay products, petroleum products, and such other commodities as may be agreed upon;
  - (b) ten percent of such industrial capital equipment as is unnecessary for the German peace economy and should be removed from the Western

TREATIES

MISCELLANEOUS

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: REPARATIONS and Level of Post War German Economy

Items, to be transferred to the Soviet Government on reparations account without payment or exchange of any kind in return.

Removals of equipment as provided in (a) and (b) above shall be made simultaneously.

5. The amount of equipment to be removed from the Western Zones on account of reparations must be determined within six months from now at the latest.

6. Removals of industrial capital equipment shall begin as soon as possible and shall be completed within two years from the determination specified in paragraph 5. The delivery of products covered by 4 (a) above shall begin as soon as possible and shall be made by the U.S.S.R. in agreed installments within five years of the date hereof. The determination of the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparations shall be made by the Control Council under policies fixed by the Allied Commission on Reparations, with the participation of France, subject to the final approval of the Zone Commander in the Zone from which the equipment is to be removed.

7. Prior to fixing of the total amount of equipment subject to removal, advance deliveries shall be made in respect of such equipment as will be determined to be eligible for delivery in accordance with the procedure set forth in the last sentence of paragraph 6.

8. The Soviet Government renounces all claims in respect of reparations to shares of German enterprises which are located in the Western Zones of occupation in Germany as well as to German foreign assets in all countries except those specified in paragraph 9 below.

9. The Governments of the U.K. and the U.S.A. renounce their claims in respect to reparations

to shares of German enterprises which are located in the Eastern Zone of occupation in Germany, as well as to German foreign assets in Bulgaria, Finland, Hungary, Rumania, and Eastern Austria.

10. The Soviet Government makes no claims to gold captured by the Allied troops in Germany.

Germany to be treated as Single Economic Unit and policies thereof.

P. III. B. 14

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 .....

(f) reparation and removal of industrial war potential;

In applying these policies, account will be taken, when appropriate, of varying local conditions.

# ALLIED CONTROL COUNCIL, BERLIN, 1946

209

**SUBJECT: REPARATIONS**

**DATE: 27 March 1946**

REPORT FROM THE DIRECTORATE OF ECONOMICS TO  
THE COORDINATING COMMITTEE REGARDING THE PLAN  
FOR REPARATIONS AND THE LEVEL OF POST-WAR  
GERMAN ECONOMY IN ACCORDANCE WITH THE BERLIN  
PROTOCOL

(Approved by the Control Committee on 27 March 1946)

1. In accordance with the Berlin Protocol the Allied Control Council is to determine the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparations. The guiding principles regarding the Plan for Reparations and the level of the post-war German Economy, in accordance with the Berlin Protocol are:

- a. Elimination of the German war potential and the industrial disarmament of Germany.
- b. Payment of reparations to the countries which had suffered from German aggression.
- c. Development of agriculture and peaceful industries.
- d. Maintenance in Germany of average living standards not exceeding the average standard of living of European countries (excluding the United Kingdom and the Union of Soviet Socialist Republics).
- e. Retention in Germany, after payment of reparations, of sufficient resources to enable her to maintain herself without external assistance.

2. In accordance with these principles, the basic elements of the Plan have been agreed by the Economic Directorate. The assumptions of the Plan are:

- a. That the population of post-war Germany will be 66.5 millions.

- b. That Germany will be treated as a single economic unit.
- c. That exports from Germany will be acceptable in the international markets.

Prohibited Industries

- 3. In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war, as well as all types of aircraft and sea-going ships, is prohibited and will be prevented.
- 4. All industrial capital equipment for the production of the following items are to be eliminated:

- a. Synthetic gasoline and oil.
- b. Synthetic rubber.
- c. Synthetic ammonia.
- d. Ball and taper roller bearings.
- e. Heavy machine tools of certain types.
- f. Heavy tractors.
- g. Primary aluminum.
- h. Magnesium.
- i. Beryllium.
- j. Vanadium produced from Thomas slags.
- k. Radio-active materials.
- l. Hydrogen peroxide above 80% strength.
- m. Specific war chemicals and gases.
- n. Radio transmitting equipment.

Facilities for the production of synthetic gasoline and oil, synthetic ammonia and synthetic rubber, and of ball and taper roller bearings, will be temporarily retained to meet domestic requirements until the necessary imports are available and can be paid for.

Restricted Industries

Metallurgical Industries

5. Steel

- a. The production capacity of the steel industry to be left in Germany should be 7.5 million ingot tons. This figure to be subject to review for further reduction should this appear necessary.
- b. The allowable production of steel in Germany should not exceed 5.8 million ingot tons in any future year without the specific approval of the Allied Control Council, but this figure will be subject to annual review by the Control Council.
- c. The steel plants to be left in Germany under the above program should, so far as practicable, be the older ones.

6. Non-Ferrous Metals: The annual consumption of non-ferrous metals (including exports of products containing these metals) is fixed at the following quantities:

Copper.....	140,000 tons
Zinc.....	135,000 tons
Lead.....	120,000 tons
Tin.....	8,000 tons
Nickel.....	1,750 tons

Chemical industries

7. a. Basic Chemicals. In the basic chemical industries there will be retained 40% of the 1938 production capacity (measured by sales in 1938 values). This group includes the following basic chemicals: nitrogen, phosphate, calcium carbide, sulphuric acid, alkalis, and chlorine. In addition, to obtain the required quantities of fertilizer for agriculture, existing capacity for the production of nitrogen through the synthetic ammonia process will be retained until the necessary imports of nitrogen are available and can be paid for.

TREATIES

MISCELLANEOUS

INDEX

## ALLIED CONTROL COUNCIL, BERLIN, 1946

SUBJECT: REPARATIONS

DATE: 27 March 1946

b. Other Chemicals. Capacity will be retained for the group of other chemical production in the amount of 70% of the 1936 production capacity (measured by sales in 1936 values). This group includes chemicals for building supplies, consumer goods items, plastics, industrial supplies, and other miscellaneous chemical products.

c. Disagreed Items. Agreements have not yet been reached with regard to the production of dyestuffs, synthetic fibers, and pharmaceuticals. The present position of the various delegations is set forth in TABLE 4, for the decision of higher authority.

Machine Manufacturing and Engineering.

8. a. Machine Tools. For the machine tool industry there will be retained 12½% of 1936 capacity, with additional restrictions on the type and size of machine tools which may be produced. The French delegation considers it necessary to make a reservation that it cannot agree with the figure of 12½% and proposes 8%.

b. Heavy Engineering. In the heavy engineering industries there will be retained 11% of 1936 capacity. These industries produce metallurgical equipment, heavy mining machinery, material handling plants, heavy power equipment (boilers and turbines, prime movers, heavy compressors, and turbo-blowers and pumps).

c. Other mechanical engineering. In other mechanical engineering industries there will be retained 50% of 1936 capacity. This group produces constructional equipment, textile machinery, consumer goods equipment, engineering small tools, food processing equipment, woodworking machines, and other machines and apparatus.

d. Electro-engineering. In the electro-engineering industries there will be retained 80% of 1936 production capacity (based on sales in

1936 values). Capacity to produce heavy electrical equipment is to be reduced to 30% of 1936 production or RM 40,000,000 (1936 value). Heavy electrical equipment is defined as generators and converters, 5000 KW and over; high tension switch gear; and large transformers, 1000 KVA and over. Electro-engineering, other than heavy electrical equipment, includes electric lamps and light fittings, installation materials, electric heating and domestic appliances, cables and wires, telephone and telegraph apparatus, domestic radios, and other electrical equipment. Export of specified types of radio receiving sets is forbidden.

e. Transport Engineering.

- (1) In the automotive industry capacity will be retained to produce annually 50,000 automobiles, including 40,000 passenger cars and 40,000 trucks, and for 4,000 light road tractors.
- (2) Capacity will be retained to produce annually 10,000 motorcycles with cylinder sizes between 50 and 250 cubic centimeters. Production of motorcycles with cylinder sizes of more than 250 cubic centimeters is prohibited.
- (3) In the locomotive industry available capacity will be used exclusively for the repair of the existing stock of locomotives in order to build up a pool of 15,000 locomotives in 1949. A decision will be made later as to the production of new locomotives after 1949.
- (4) Sufficient capacity will be retained to produce annually 30,000 freight cars, 1,300 passenger coaches, and 400 luggage vans.

f. Agricultural Machinery. To permit maximization of agriculture, capacity will be retained for an annual production of 10,000 light agricultural tractors. Existing capacity for the production of other agricultural equipment, estimated at 80% of 1936 levels, is to be retained, subject to restrictions on the type and power of the equipment which may be produced.

g. Spare Parts. In estimating capacities there will be taken into account the production of normal quantities of spare parts for transport and agricultural machinery.

h. Optics and Precision Instruments. Capacity will be retained to produce precision instruments in the value of 340,000,000 RM (1936 value), of which 220,000,000 RM is estimated as required for domestic use and 120,000,000 RM for exports. A further limitation for this industry is possible, subject to the recommendation of the Committee for the Liquidation of German War Potential.

Mining Industries

9. a. Coal. Until the Control Council otherwise decides, coal production will be maximized as far as mining supplies and transport will allow. The minimum production is estimated at 155 million tons (hard coal equivalent), including at least 40 million tons for export. The necessary supplies and services to this end will be arranged to give the maximum production of coal.

b. Potash. The production of potash is estimated at over 100% of the 1936 level.

Electric Power

10. Agreement has not been reached on this matter and the positions of the various delegations are set forth in TABLE 4, for the decision of higher authority.

SUBJECT: REPARATIONS

DATE: 27 March 1946

Other Industries

11. The estimated levels of the following industries have been calculated as shown below as necessary for the German economy in 1949:

a. Rubber. 50,000 tons, including 20,000 tons from reclaimed rubber and 30,000 tons from imports.

b. Pulp, Paper and Printing. 2,129,000 tons, based on 25 kg per head per annum in 1949 plus 400,000 tons for export.

c. Textiles and Clothing Industries. 665,000 tons of fiber, based on 10 kg per head for 1949, including 2 kg for export.

d. Boots and Shoes. 113,000,000 pairs, based on 1.7 pairs per head in 1949 (figure excludes needs of occupying forces).

The U.S. delegate considers that the estimates in this paragraph (Other Industries) are not limitations.

12. Building. No level will be determined for 1949. The industry will be free to develop within the limits of available resources and the licensing system.

13. Building Materials Industries (Excluding Cement). Existing capacity will be retained. Production will be in accordance with building licensing and export requirements. Agreement has not yet been reached on the cement industry and the positions of the various delegations are set forth in TABLE 4, for the decision of higher authority.

14. Other Unrestricted Industries. For the following industries no levels have been determined for 1949. These industries are free to develop within the limitations of available resources. These industries are as follows:

- a. Furniture and woodwork.
- b. Flat glass, bottle and domestic glass.
- c. Ceramics.
- d. Bicycles.
- e. Motorbicycles under 60 cc.
- f. Potash.

General Level of Industry

15. a. In the view of the French and the U.S. delegations it is not practical at this time to calculate the general effect of the reparations removals on the level of the German industry as a whole.

b. In the Soviet and British view the general effect of the plan is the reduction of the level of industry as a whole between 50% and 55% of pre-war capacity of 1938 (without building and building materials industries).

Exports and Imports

16. The following agreement has been reached with respect to exports and imports.

a. That the value of exports from Germany shall be planned as 3 billion RM (1935 value) for 1949, and that sufficient industrial capacity shall be retained to produce goods to this value and cover the internal requirements in Germany in accordance with the Potsdam Declaration.

b. That approved imports will not exceed 3 billion RM (1935 value), as compared with 4.2 billion RM in 1936.

c. That of the total proceeds from exports, it is estimated that not more than 1½ billion RM can be utilized to pay for imports of food and fodder, if this will be required, with the understanding that, after all imports approved by the Control Council are paid for, any portion of that

sum not needed for food and fodder will be used to pay for costs of occupation, and services such as transport, insurance, etc.

Capacities Available for Reparations

17. After the approval of this Plan, the existing capacities of the separate branches of production shall be determined, and a list of enterprises available for reparations shall be compiled.

18. After decisions have been given on the matters now referred to the Coordinating Committee, the Economic Directorate would propose to prepare the final plan embodying those decisions and including a description of the various features of the Plan, such as: disarmament, reparations, post-war German economy, and the German balance of trade.

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED

AGREED

SUBJECT: LEVEL OF POST-WAR GERMAN ECONOMY &amp; REPARATIONS PLAN, Reparations, Lists of plants, etc. (Part II, II, A., CFM/47/W/148)

ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p>The four Delegations agree to direct the Control Council to determine within three months following the completion of the Plan for Reparations and the Level of Post-War German Economy to establish the lists of the plants and the amount of equipment taken away or to be taken away within the four zones as reparations. (Section VIII, paragraph 3, 1., CFM/47/W/74).</p> <p>(Page 9:II,A., CFM/47/W/148)</p> <p>-----</p> <p>-----</p> <p>-----</p>				

ACTION TAKEN BY CFM: Approved, Referred to Control Council for Information

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

213

SUBJECT: LEVEL, etc., Reparations, Revision of Plan (Part II, II.B., CFM/47/M/148 &amp; Sec. VIII, A., 1., CFM/47/M/74)

ORIGIN: Dep. r. Germ. &amp; CGEC

## FOUR POWER POSITION

U S

U K

F R

SOVIET

The four Delegations agree on the necessity of a revision of the plan for reparations and the level of German post-war economy.

(Page 10; B., CFM/47/M/148)

NOTE

The Deputies note that the above text includes an agreement in principle. However, this text is included among the "Unagreed Points" because of the number of specific reservations attached to the manner of implementation of the principle.

(Page 10; B., CFM/47/M/148)

US and UK RESERVATION

The Agreement of the US and UK Delegations pertains only to such changes in the proposed removals of capital equipment as may be necessitated by such revision of the level of industry plan as is agreed.

(Page 12; A.1., CFM/47/M/74)

UK and FRENCH RESERVATION

The UK and French Delegations agree that the guiding principles of this revision should be fixed by the Council of Foreign Ministers.

(Page 12; A.1., CFM/47/M/74)

US POSITION

The US Delegation is not in a position to determine the exact figure for steel production for the time being.

(Page 12; A.1., CFM/47/M/74)

UK PROPOSAL

The UK Delegation considers that annual steel production in Germany should eventually be brought up to ten million tons; and that the limits on the capacity to be left in Germany of other restricted industries shall be subject to upward adjustments; and that the list of prohibited industries shall be reviewed.

(Page 12; A.1., CFM/47/M/74)

FRENCH PROPOSAL

The French Delegation considers that the annual capacity of steel production should be fixed at approximately the figure provided for in March 1946.

(Page 12; A.1., CFM/47/M/74)

SOVIET PROPOSAL

The Soviet Delegation considers that it is necessary to provide for raising the level of German industry, so that the annual production of steel will in the very near future reach ten to twelve million tons.

(Page 12; A.1., CFM/47/M/74)

US and UK POSITION

The US and UK Delegations do not agree to this (second Soviet) proposal.

(Page 12; A.1., CFM/47/M/74)

SOVIET PROPOSAL

The Soviet Delegation feels that this revision should take into account a program of reparations from current production.

(Page 12; A.1., CFM/47/M/74)

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: LEVEL OF POST-WAR ECON., etc., Date of Plan Revision, (Part II, II, B., CFM/47/M/148 &amp; Sec. VIII, A.2., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CIGC

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>The four Delegations agree to direct the Control Council to complete the revision of the plan for Reparations and the level of post-war German economy before July 1, 1947, to set up within a three month period after the completion of this revision lists of factories to be retained in the four zones. The plants thereby made available for reparations shall be immediately closed in the four zones.</p> <p>(Page 12; A.2., CFM/47/M/74)</p>	<p><u>US POSITION</u></p> <p>The US view is that all plants other than those referred to in the lists above are to be removed.</p> <p>(Pages 12&amp;13; A.2. CFM/47/M/74)</p>	<p><u>UK RESERVATION</u></p> <p>The acceptance of the proposed dates by the UK Delegation is dependent upon a satisfactory revision of the plan for reparations and the level of post-war German economy.</p> <p>(Page 13; A.2., CFM/47/M/74)</p>		
ACTION TAKEN BY CFM: Referred to Control Council for information; to Deputies for Germany for Study (UK Reservation)				

UNAGREED

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

210

SUBJECT: LEVEL OF POST-WAR ECON., Rehabilitation of German Industry (Part II, II, B., CFM/47/M/148 &amp; Sec. VIII, A. J., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CGEC

FOUR POWER POSITION

U S

U K

F R

S O V I E T

NO AGREEMENTUS and UK PROPOSALFRENCH RESERVATIONSOVIET RESERVATION

The UK and US Delegations agree that the rehabilitation of German industry shall be effected on a progressive plan, having regard to the necessity of exporting coal to the liberated countries. In particular, the rate by which steel production is increased shall be determined in relation to the need for coal exports provided that the burden of cost on the occupying powers is not increased as a result of this consideration.

The French Delegation favors this proposal provided that its implementation would be such as to satisfy French claims, formulated as an absolute condition with regard to coal exports.

The Soviet Delegation accepts the UK (and US) proposal with an addition: "it is recognized that deliveries of coal on account of reparations are necessary".

(Page 13; A. J., CFM/47/M/74)

(Page 13; A. J., CFM/47/M/74)

(Page 13; A. J., CFM/47/M/74)

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: REPARATIONS, Allocation of Separate Pieces of Equipment (Part II, II, B., CFM/47/W/148 &amp; Sec.VIII, B.2., CFM/47/W/74)

ORIGIN: Dep. f. Germ. &amp; CCRG

FOUR POWER POSITION

US

UK

FR

SOVIET

NO AGREEMENTUK and US RESERVATION

The UK and US Delegations reserve their position.

(Page 13; B.2., CFM/47/W/74)

SOVIET and FRENCH PROPOSAL

The Soviet and French Delegations are of the opinion that the Control Council should be instructed to allocate aside from complete plans, separate pieces of equipment to be taken from the plants that are retained.

(Page 13; B.2., CFM/47/W/74)

ACTION TAKEN BY CFM: Referred to Control Council for information; to Deputies for Germany for Study (UK Reservation)

FOURTH SESSION OF CFM, MOSCOW, 1947

217

UNAGREED

RESTRICTED

SUBJECT: REPARATIONS, Time limit for Completion of Program (Part II, II, B., CFM/47/M/148 & Sec.VIII, B.3., CFM/47/M/74)

ORIGIN: Dep.f.Gern. & CGMC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>The four Delegations agree to fix a time limit for the completion of the program of reparations from industrial capital equipment.</p> <p>(Page 13; B.3., CFM/47/M/74)</p>	<p><u>UK and US PROPOSAL</u></p> <p>The UK and US Delegations consider that this time limit can be fixed only after a study by the Control Council.</p> <p>(Page 13; B.3., CFM/47/M/74)</p>		<p><u>FRANCE PROPOSAL</u></p> <p>The French Delegation suggests December 31, 1948.</p> <p>(Page 13; B.3., CFM/47/M/74)</p>	
	<p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegation considers that this time limit should be fixed by July 1, 1948.</p> <p>(Page 13; B.3., CFM/47/M/74)</p>			
<p>Referred to Control Council for Information; to Deputies for Germany for Study (UK reservation)</p>				

ACTION TAKEN BY CFM:

TREATIES

MISCELLANEOUS

INDEX

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

SUBJECT: REPARATIONS, Deliveries from Current Production (Part II, II, B., CFM/47/M/148 &amp; Sec. VIII, B. 4., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CGEC

FOUR POWER POSITION	U S	U K	FR	SOVIET
<u>SC AGREEMENT</u>		<u>UK and US POSITIVE</u>	<u>FRENCH PROPOSAL</u>	<u>SOVIET PROPOSAL</u>
		The UK and US Delegations do not agree to reparations from current production; they are not authorized to accept a study of the question.  (Page 14; B. 4., CFM/47/M/74)	The French Delegation proposes a Study of a program of reparations from current production, taking into account the repercussions of this program on the amount of German coal available and also on the war potential and the balance of accounts.  (Page 15; B. 4., CFM/47/M/74)	The Soviet Delegation proposes to utilize for the coverage of Reparations annual deliveries of goods from current production.  (Page 13; B. 4., CFM/47/M/74)
				<u>SOVIET POSITIVE</u>
				The acceptance of reparations from current production is an absolute condition of the Soviet Delegation's acceptance of the principle of the economic unity of Germany.  (Page 14; B. 4., CFM/47/M/74)
ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)				

FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: REPARATIONS, Utilisation of Services (Part II, II, B., CFM/47/W/148 & Sec.VIII, B.5., CFM/47/W/74)

ORIGIN: Dep. f. Germ. & CGSC

FOUR POWER POSITION	U S	U K	FR	SOVIET
<u>NO AGREEMENT</u>	<u>UK and US RESERVATION</u> (on Soviet and French Proposals)  The UK and US Delegations reserve their position.  (Page 14; B.5., CFM/47/W/74)		<u>FRENCH PROPOSAL</u>  The French Delegation considers that the Council of Ministers should study the possibility of reparations in services and other items.  (Page 14; B.5., CFM/47/W/74)	<u>SOVIET PROPOSAL</u>  The Soviet Delegation considers that various services should be utilized as coverage for reparations.  (Page 14; B.5., CFM/47/W/74)
	<u>US POSITION</u>  The US Delegation adds that it is opposed to the use of labor for reparations except after trial and sentence of war criminals under due process of law.  (Page 14; B.5., CFM/47/W/74)		<u>FRENCH RESERVATION</u> (on US POSITION)  The French Delegation reserves its position in order to show that a mechanism can be devised to utilize services without loss of individual rights.  (Page 14; B.5., CFM/47/W/74)	

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

TREATIES

MISCELLANEOUS

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

RESTRICTED

REPARATIONS, Soviet Claim (Part II, II, B., CFM/47/M/146 &amp; Sec.VIII, B.6., CFM/47/M/74)

ORIGIN: Dep.f.Germ. &amp; CGEC

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p><u>NO AGREEMENT</u></p>	<p><u>U K and U S POSITION</u></p> <p>Owing to the position taken with regard to reparations from current production, the UK and US Delegations feel that it is unnecessary for them to comment on the sum and time period for reparations.</p> <p>(Page 14; B.6., CFM/47/M/74)</p>		<p><u>FRENCH RESERVATION</u></p> <p>The French Delegation reserves its position pending the completion of the study provided in that proposal on reparations from current production, services and other items.</p> <p>(Page 14; B.6., CFM/47/M/74)</p>	<p><u>S O V I E T P R O P O S A L</u></p> <p>The Soviet Delegation considers that it is necessary to assert reparations for the USSR to the extent of ten billion dollars, and the Soviet Union will satisfy the reparation claims of Poland from its share.</p> <p>The Soviet Delegation considers it necessary to determine that the reparations obligations of Germany must be fulfilled in the course of twenty years counting this period from the date of publication of the decisions of the Berlin Conference of the Three Powers.</p> <p>(Page 14; B.6., CFM/47/M/74)</p> <p><u>S O V I E T S T A T E M E N T</u></p> <p>In connection with the positions of the US and UK Delegations with regard to reparations from Germany, the Soviet Delegation considers it necessary to make the following statement:</p> <p>(See page 221)</p>
<p>ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)</p>				

UNAGREED

RESTRICTED

FOURTH SESSION OF CFM, MOSCOW, 1947

201

SUBJECT: REPARATIONS, Soviet Claim (Part II, II, B., CFM/47/W/145 & Sec. VIII, B. 6., CFM/47/W/74)

ORIGIN: Dep. f. Germ. & CCRC

FOUR POWER POSITION

U.S.

U.K.

FR.

SOVIET

SOVIET STATEMENT

1. At the Yalta Conference the U.S.A. agreed to adopt as a basis for the discussion the proposal that the amount of reparations to the Soviet Union be established at 10 billion dollars. As it can be seen from the Yalta Protocol the American Delegation did not object against discussing the said amount as a basis for the establishment of the volume of reparations to be paid to the Soviet Union. On the contrary, it was agreed to this proposal.
2. It is quite logical, while speaking about the sum of reparations to be established at 10 billion dollars, to determine simultaneously the terms of reparations payment.
3. At the Yalta Conference, as it can be seen from the Protocol issued by it, the United States and United Kingdom Delegations agreed that the annual deliveries of goods from the current production should constitute a source of reparations from Germany. Attempts to base the refusal to make any reparations from the current production on the fact that the Berlin decisions annulled the Yalta agreement cannot of course be considered as founded if only due to the fact that the Berlin decisions state that agreement with regard to reparations was reached in accordance with the decisions of the Crimea Conference, and with the purpose of fulfilling the decisions of this conference with respect to Germany. Such a reference to the Yalta Conference makes unnecessary any mention of different concrete points of the Yalta agreement with regard to reparations. If the Berlin decision contains no mention of reparations from the current production we cannot explain this fact as a rejection of such a principal position with regard to reparations. The question concerning current production was not practically discussed at Berlin. Special attention was paid to the removals of equipment. The Soviet proposals with regard to reparations are justified by moral, political and juridical principles.

The head of the US Delegation has expressed his view on this subject before the Council of Foreign Ministers. (See Document CFM/47/W/30.)

(Pages 15 & 16; B. 6., CFM/47/W/74)

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT:

REPARATIONS, Soviet Claim (Part II, II, B., CFM/47/W/146 &amp; Sec. VIII, B. 6., CFM/47/W/74)

ORIGIN: Dep. f. Germ. &amp; CGRC

FOUR POWER POSITION	US	UK	FR	SOVIET
	<p>CFM/47/W/30 March 18, 1947</p> <p>QUESTIONS RELATING TO GERMANY <u>Reparations</u></p> <p><u>Statement by the US Delegation</u></p> <p>I wish to make completely clear the position that the United States has consistently taken with regard to the relation of the Potsdam Agreement on Reparations to the Yalta Protocol.</p> <p>Immediately on his return from Potsdam, before any question was raised as to the scope or meaning of the Potsdam Agreement or its relation to the Yalta Agreement, President Truman in a public address on August 9, 1945, clearly stated his understanding of the Potsdam Agreement. I will read to you exactly what he said:</p> <p>"At the Crimea Conference a basis for fixing reparations had been proposed for initial discussion and study by the Reparations Commission. That basis was a total amount of reparations of 20 billion dollars. Of this sum, one half was to go to Russia, which had suffered more heavily in the loss of life and property than any other country.</p> <p>"But at Berlin the idea of attempting to fix a dollar value on the property to be removed from Germany was dropped. To fix a dollar value on the share of each nation would be a sort of guaranty of the amount each nation would get - a guaranty which might not be fulfilled. ***</p> <p>"This formula of taking reparations by zones will lead to less friction among the Allies than the tentative basis originally proposed for study at Yalta".</p> <p>In July, 1946, at Paris the question of German reparations was discussed in the Council of Foreign Ministers. At that time Mr. Molotov presented the same arguments regarding the Yalta agreement which he has put forth here.</p> <p>Secretary Byrnes, who was present at the Yalta Conference and who, as Secretary of State, took an active part in working out the Potsdam Agreement on reparations, stated the view and position of the US Government that the Potsdam Agreement took the place of the preliminary agreement reached at Yalta. Secretary Byrnes pointed out the irrefutable fact and I quote from his statement.</p> <p>"The language read by Mr. Molotov showed what Mr. Roosevelt agreed to was only to study as a basis for discussion the Reparations Commission as one of the proposals to be considered by the Commission."</p> <p>The position of the United States Government regarding reparations is that the agreements at Potsdam supersede the preliminary agreements previously reached at Yalta. We will not follow Mr. Molotov in a retreat from Potsdam to Yalta.</p>			
ACTION TAKEN BY CFM:	Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)			

FOURTH SESSION OF CFM, MOSCOW, 1947

125

UNAGREED

RESTRICTED

SUBJECT: REPARATIONS, Reactivation of IARO (Part II, II, B., CFM/47/W/148 & Sec.VIII, A. 7., CFM/47/W/74)

ORIGIN: Dep. f. Germ. & CGEO

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>UK and US POSITION</u></p> <p>The UK and US Delegations do not consider it necessary to reactivate the Inter-Allied Reparations Commission.</p> <p>(Page 16; B.7., CFM/47/W/74)</p>		<p><u>SOVIET &amp; FRENCH PROPOSAL</u></p> <p>The Soviet and French Delegations propose that the Inter-Allied Reparations Commission, consisting of representatives of the UK, US, France and the Soviet Union be reactivated.</p> <p>(Page 15; B.7., CFM/47/W/74)</p>	

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

RESTRICTED

## FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED  
SUBJECT:

REPARATIONS, Information on Removals (Part II, II, B., CFM/47/W/148 &amp; Sec. VIII, B. S., CFM/47/W/74)

ORIGIN: Dep. r. Germ. &amp; CERC

FOUR POWER POSITION

US

UK

FR

SOVIET

SO AGREEMENTUS POSITION

The US Delegation agrees with the UK proposal.

(Page 16; B. S., CFM/47/W/74)

UK PROPOSAL

The UK Delegation proposes that each of the Occupying Powers shall provide for the Council of Foreign Ministers information on the type and amount of reparation removals from its zone up to the present date and regularly thereafter to the Control Council.

(Page 16; B. S., CFM/47/W/74)

FRENCH POSITION

The French Delegation agrees with the UK proposal.

(Page 16; B. S., CFM/47/W/74)

SOVIET POSITION

The UK proposal can be accepted by the Soviet Delegation if agreement is reached on the basic reparations problems.

(Page 16; B. S., CFM/47/W/74)

SOVIET PROPOSAL

At the same time the Soviet Delegation proposes to amend the text as follows:-

"That each of the occupying Powers shall provide for the Council of Foreign Ministers information on the type and amount of reparation removals and receipts from its zone and also the external assets discovered or seized up to the present date and regularly thereafter to the Control Council".

(Page 16; B. S., CFM/47/W/74)

ACTION TAKEN BY CFM: Referred to Control Council for information; to Deputies for Germany for Study (UK Reservation)

## FOURTH SESSION OF CFM, MOSCOW, 1947

200

UNAGREED

RESTRICTED

SUBJECT: REPARATIONS, Increase of Production (Part II, II, B., CFM/47/M/145 &amp; Sec. VIII, B.G., CFM/47/M/74)

ORIGIN: Dep. f. Germ. &amp; CCEC

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>UK, US and SOVIET POSITION</u></p> <p>The UK, US and Soviet Delegations agree, if the determined plan for the delivery of reparations is regularly fulfilled, to consider it possible not to put any obstacles in the way of the increase of production of the German peace-time industry, both for the domestic consumption of Germany and for the development of trade with other countries.</p> <p>(Page 16; B.G., CFM/47/M/74)</p>		<p><u>FRENCH RESERVATION</u></p> <p>The French Delegation reserves its point of view.</p> <p>(Page 16; B.G., CFM/47/M/74)</p>	<p><u>SOVIET POSITION</u></p> <p>(see under UK, US &amp; Soviet)</p>

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for Study (UK Reservation)

TREATIES

MISCELLANEOUS

INDEX

FOURTH SESSION OF CFM, MOSCOW, 1947

UNAGREED

RESTRICTED

SUBJECT: REPARATIONS, Compensation of US Nationals (Part II, II, B., CFM/47/M/145 & Sec.VIII, B.10., CFM/47/M/74)

ORIGIN: Dep.f.Germ. & COMO

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p><u>NO AGREEMENT</u></p>	<p><u>US PROPOSAL</u></p> <p>The US proposes that the Council of Foreign Ministers direct the Deputies to the Foreign Ministers to recommend to the next (fifth) Session of the Council methods for compensation to the United Nations nationals whose property has been or will be removed as reparation or war booty.</p> <p>In no case shall compensation be permitted for United Nations nationals owning interests in German enterprises organized exclusively for war production.</p> <p>(Pages 16&amp;17; B.10, CFM/47/M/74)</p>	<p><u>UK and FRENCH POSITION</u></p> <p>The UK and French Delegations agreed subject to confirmation.</p> <p>(Page 17; B. 10., CFM/47/M/74)</p>		<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation considered that the proposal requires study.</p> <p>(Page 17; B.10, CFM/47/M/74)</p>

ACTION TAKEN BY CFM: Referred to Control Council for Information; to Deputies for Germany for study (UK Reservation)

## FIFTH SESSION OF CFM, LONDON, 1947

227

UNAGREED  
SUBJECT: ECON. PRINC'S. RESTRICTED

Reparations from Current Production (Page 5, CFM/47/L/7 &amp; USDEL/47/L/14th M'g)

ORIGIN: CFM

FOUR POWER POSITION

U S

U K

F R

SOVIET

NO AGREEMENTUS PROPOSAL

The Council should decide that nothing should be taken out of Germany except for a fair, economic value in money, or goods which could be immediately used to sustain German economy.

This decision should stand until further action by the Council or pursuant to a peace treaty, but should not apply to agreed reparation deliveries in capital goods.  
(Page 5, USDEL/47/L/14th M'g)

US PROPOSAL

Use of current production (for reparations) should stop on 1 January 1948 regardless of whether or not a study was to be undertaken.  
(Page 7, USDEL/47/L/14th M'g)

UK PROPOSALPara 22

Until Germany has attained a balanced economy and until the sums referred to in paragraphs 20 and 21 above have been repaid to the Controlling Powers, Germany shall not be called upon to make any reparation deliveries from current production or stocks.

(Page 5, CFM/47/L/7)

UK POSITION

The UK Delegation requests that nothing should have priority to the repayment of matters set out in paragraphs 20 and 21.

(Page 7, USDEL/47/L/14th M'g)

FRENCH POSITION

The Fr Delegation has no objection in principle to this text in its present form, but has certain reservations as regards questions of form in paragraph 22. Suggests study by experts.

(Page 6, USDEL/47/L/14 M'g)

SOVIET POSITION

The Sov Delegation is not prepared to state its views on this question until the appropriate paragraphs on reparations were reached.  
(Page 7, USDEL/47/L/14th M'g)

ACTION TAKEN BY CFM: None

TREATIES

MISCEL-  
LANEOUS

INDEX

128

FIFTH SESSION OF CFM, LONDON, 1947

AGREED

RESOLUTIONS

SUBJECT: REPAR'S & LVL OF IND., Revision of Level of Industry Plan (Form 27, CFM/47/47 & USDEL/47/L/ 15th W'g)

ORIGIN: CFM

FOUR POWER AGREEMENT	US	UK	FR	SOVIET
<p><u>Paragraph 27</u></p> <p>The Controlling Powers confirm the general principles of the Potsdam Agreement on Reparations. Experience has, however, demonstrated that the Level of Industry Plan of March, 1946, on which the extent of reparations deliveries was assessed, requires substantial alteration. The level of industry plan shall therefore be revised so as to meet both the needs of security and the needs of the German economy; Germany shall be left with sufficient capacity to produce eventually 11,500,000 ingot tons of steel per annum (and this shall also be the permissible production of steel in Germany); the limits on the capacity to be left in Germany of other restricted industries shall also be subject to upward adjustment; and the list of prohibited industries shall be reviewed.</p> <p>(Page 9, CFM/47/L/7, and Page 4, USDEL/47/L, 15th W'g)</p> <p>-----</p>				

ACTION TAKEN BY CFM: None

FIFTH SESSION OF CFM, LONDON, 1947

229

UNAGREED  
SUBJECT:

RESTRICTED

REPAR'S & LVL OF IND., New List of Reparations Removals (Para 29, CPM/47/L/7 and USDEL/47/L/ 15th M'g)

ORIGIN: CFM

FOUR POWER POSITION	U S	U K	FR	SOVIET
	<p><u>US PROPOSAL</u></p> <p>The US Delegation suggests to refer para 29 of the UK proposal and para 28 bis. of the French paper to the Drafting Committee, and to change the date 1st July, 1947, to 31 March, 1948. (Pages 6 &amp; 7, USDEL/47/L 15th M'g)</p> <p>-----</p> <p><u>Note:</u></p> <p>The final date is established as 1st March, 1948. (Page 8, USDEL/47/L/ 15th M'g)</p> <p>-----</p>	<p><u>UK PROPOSAL</u></p> <p><u>Para 29.</u></p> <p>A fresh determination of plant and equipment for removal as reparation shall be made by the Control Council, on the basis of the revised Level of Industry Plan, not later than 1st July, 1947. (Page 9, CPM/47/L/7)</p> <p>-----</p>	<p><u>FRENCH PROPOSAL</u></p> <p>(Para 28 bis of CPM/47/M/99)</p> <p>The Control Council, in addition to complete plants, shall allocate separate equipments to be removed from the industries retained. (Page 13, CPM/47/M/99)</p> <p>-----</p>	<p><u>SOVIET POSITION</u></p> <p>The Sov Delegation favors the French proposal and has no objections to a further study of the question. It also agrees to the date of 31 March, 1948, proposed by the US Delegation, and to the reference of the subject to the Drafting Committee. (Page 7, USDEL/47/L/ 15th M'g)</p> <p>-----</p>

TREATIES

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: Referred to Drafting Committee

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

ORIGIN: CFM

SUBJECT: REPAIRS &amp; LIV. OF IND., Acceleration of Plant Removals, (Para 30, CFM/47/L/7 &amp; USDEL/47/L/15th M'g)

FOUR POWER POSITION

U S

U K

FR

SOVIET

The date 15th April, 1948 is to be inserted in para 30. (Page 8, USDEL/47/L/15th M'g)

-----

US PROPOSAL

The US Delegation suggests the following amendment to be added to the last sentence of para 30(b) of the UK text:

"And the liquidation and transfer of all other plants found excess to the revised level of industry, to include those placed in categories 2, 3 and 4, should be pushed vigorously by the Control Council as soon as the revised level of industry has been determined. Dates for completion of delivery of various industrial categories will be fixed by the Control Council".

(Pages 9 & 10, USDEL/47/L 15th M'g)

-----

UK PROPOSAL  
First ProposalPara 30.

The delivery of plant and equipment shall be hastened; and to this end:-

(a) the final list of plant and equipment to be removed from Germany shall be issued by the Control Council not later than 15th August, 1947.

(b) the liquidation of war plants which have been placed in Category I by the Control Council and the valuation, allocation and dismantling of the general purpose equipment in those plants, shall proceed forthwith and shall not be delayed pending the preparation of the revised level of industry plan;

(c) the Control Council shall put in hand measures to hasten the procedure for the valuation, allocation, dismantling and delivery of capital equipment.

(Page 9, CFM/47/L/7)

-----

UK PROPOSAL

The UK Delegation suggests to delete in (a) and substitute it by a blank  
(Page 7, USDEL/47/L/15 M'g)

ACTION TAKEN BY CFM: None

FIFTH SESSION OF CFM, LONDON, 1947

231

UNAGREED  
SUBJECT:

RESTRICTED

REPAR'S & LVL OF IND., Acceleration of Plant Removals (CFM/47/L/28 & USDEL/47/L/16th M'g) (Cont'd)

ORIGIN: CFM

FOUR POWER POSITION

U S

U K

FR

SOVIET

NO AGREEMENT

US POSITION

The US Delegation accepts the revised UK text of para 30. (Page 1, USDEL/47/L/16th M'g)

UK PROPOSAL

(Revised, incorporating US proposal)

Para 30

The delivery of plant and equipment shall be hastened; and to this end -

(a) the final list of plant and equipment to be removed from Germany shall be issued by the Control Council not later than (date)x

(b) the liquidation of war plants which have been placed in Category I by the Control Council and the valuation, allocation and dismantling of the general purpose equipment in those plants shall be effectively completed before 30th June, 1948, subject always to the right of any of the Controlling Powers to report to the Control Council if difficulties arise in the completion of the task by the date established and to request an extension should this prove necessary [C.F. CFM/47/M/148, Part I, Section I, paragraph 1 (5)]. The liquidation and transfer of all other plants found excess to the revised Level of Industry, to include those placed in Categories II, III, and IV, shall be rushed

FRENCH POSITION

The Fr Delegation reserves its position regarding the revised UK proposal.

(Page 1, USDEL/47/L/16th M'g)

UK PROPOSAL (cont'd)

vigorously by the Control Council as soon as the revised Level of Industry has been determined. Dates for the completion of delivery of various industrial categories will be fixed by the Control Council.

(c) the Control Council shall put in hand measures to hasten the procedure for the valuation, allocation, dismantling and delivery of capital equipment.

(d) the Control Council shall verify with the aid of quadripartite commissions the operations for the liquidation of war potential provided for in the preceding paragraphs [C.F. CFM/47/M/148, Part I, Section I, para 1 (4)] (CFM/47/L/28)

SOVIET POSITION

The Sov Delegation requests time to study the various proposals.

(Page 1, USDEL/47/L/16th M'g)

ACTION TAKEN BY CFM: None

TREATIES

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: REPAR'S. &amp; LVL OF IND. Information on Removals (Para 31, CFM/47/L/7 &amp; USDEL/47/L 16th M'g)

ORIGIN: CFM

FOUR POWER POSITION	US	UK	FR	SOVIET
<u>NO AGREEMENT</u>	<p><u>US PROPOSAL</u></p> <p>The US Delegation suggests that the wording:</p> <p>"the information on removals be submitted by 15 December 1948 by each delegation"</p> <p>be inserted in the text.</p> <p>(Page 2, USDEL/47/L/16th M'g)</p> <p>-----</p>	<p><u>UK PROPOSAL</u></p> <p><u>Para. 31</u></p> <p>Each of the Occupying Powers shall provide for the Council of Foreign Ministers information on the type and amount of reparations removals from its zone up to the present date and thereafter regularly to the Control Council.</p> <p>(Page 10, CFM/47/L/7)</p> <p>-----</p>		<p><u>SOVIET PROPOSAL</u></p> <p>The Sov Delegation accepts para 31 of the UK draft and suggests to add the following at the beginning of the sentence: "In connection with a general agreement on the question of reparations,"</p> <p>(Pages 1 &amp; 2 of USDEL/47/L 16th M'g)</p> <p>-----</p> <p><u>SOVIET POSITION</u></p> <p>The Sov Delegation accepts the US amendment provided that the CFM reaches general agreement on the question of reparations by Monday, 15 December 1948.</p> <p>(Page 3, USDEL/47/L 16th M'g)</p> <p>-----</p>
ACTION TAKEN BY CFM:				

TREATIES

MISCEL-  
LANEOUS

INDEX



AGREED

SUBJECT: PROCEDURE, etc., Composition of Council (Part V, CFM/47/X/145 &amp; Part I, 1, CFM/D/L/47/G-75 Rev.)

ORIGIN: Dep. of Germany

FOUR POWER AGREEMENT	U.S.	U.K.	FR.	SOVIET
<p>1. The German Peace Treaty will be prepared by the Council of Foreign Ministers composed for this purpose of the members of the Council representing the Powers signatory to the Act of Military Surrender of Germany.</p> <p>The Council of Foreign Ministers will consult the Governments of the Allied States enumerated in paragraph 2 and of other states mentioned in paragraph 3 on the question of the preparation of the Peace Treaty in the manner laid down in Part II of this document.</p> <p>(Page 1, 1, CFM/D/L/47/G-75 Rev.)</p> <p>-----</p>				

MISCELLANEOUS

INDEX

204

UNCLASSIFIED

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

SUBJECT: PROCEEDINGS, etc., Allied States participating (Part V, CFM/47/M/148 &amp; Part I,2, CFM/47/D/L/47/G-78 Rev.)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	U S	U K	F R	S O V I E T
<p>2. The Allied States mentioned in the foregoing paragraph are the Allied States which are neighbors of Germany and other Allied States which participated with their armed forces in the common struggle against Germany, namely: ...</p> <p>(Page 1,2,CFM/47/D/L/47/G-78 Rev.)</p> <p>-----</p>	<p style="text-align: center;"><u>US &amp; UK PROPOSAL</u></p> <p>... Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, China, Czechoslovakia, Denmark, Greece, India, Luxemburg, the Netherlands, New Zealand, Norway, Pakistan, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa and Yugoslavia.</p> <p>(Page 1,2,CFM/D/L/47/G-78 Rev. and Page 3, USDEL/47/L/5th M'G.)</p> <p>-----</p>		<p style="text-align: center;"><u>FRENCH &amp; SOVIET PROPOSAL</u></p> <p>... [Albania], Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, China, Czechoslovakia, Denmark, Greece, India, Luxemburg, the Netherlands, New Zealand, Norway, Pakistan, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa and Yugoslavia.</p> <p>(Page 1,2, CFM/47/D/L/47/G-78 Rev.)</p> <p>-----</p>	
ACTION TAKEN BY CFM:	None			

AGREED

SUBJECT:

PROCEDURE, etc., Participation of other Allied Belligerent &amp; Ex-enemy States (Part V, CFM/AT/M/148 &amp; CPV/D/L/47/G-78 Rev.)

ORIGIN: Dep. f. Germany

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>5. The Governments of other Allied belligerent States and of ex-enemy States who subsequently participated in the war against Germany on the side of the Allies will, at an appropriate stage in the preparation of the Peace Treaty, be afforded the opportunity to state their views on the German problem, orally or in writing, to the Deputies or to the Council of Foreign Ministers, as the latter may think appropriate.</p> <p>(Page 1, 3, CFM/D/L/47/G-78 Rev.)</p> <p>-----</p>				

ACTION TAKEN BY CFM:

None

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED  
SUBJECT:

PROCEDURE, etc., Conditions for Convening Peace Conference (Part V, CFM/47/M/148 &amp; Part 1, 4, CFM/D/L/47/G-78 Rev)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>4. When the preparation of the draft Peace Treaty is in essentials completed, after due consideration has been given to the views expressed by the Allied States ...</p> <p>(See Soviet proposal)</p> <p>... the Council of Foreign Ministers, consisting of the Foreign Ministers of the Union of Soviet Socialist Republics, the United States of America, the United Kingdom, France ...</p> <p>(See US, UK &amp; French Proposal)</p> <p>... will convene a conference to discuss the draft Treaty.</p> <p>(Pages 1, 2, 4, CFM/D/L/47/G-78 Rev)</p>	<p><u>US POSITION</u></p> <p>US Delegation does not accept this UK formula of the first part of para 4.</p> <p>(Page 3, USDEL/47/L/6th M'g)</p>	<p><u>US, UK &amp; FRENCH PROPOSAL</u></p> <p>... [and China] ...</p> <p>(Page 2, CFM/D/L/47/G-78 Rev)</p>	<p><u>FRENCH POSITION</u></p> <p>French Delegation did not accept this UK formula of the first part of para 4.</p> <p>(Pages 2 &amp; 3 of USDEL/47/L/6th M'g)</p>	<p><u>SOVIET PROPOSAL</u></p> <p>... [and when a Central Government is formed in Germany which will be deemed adequate for the purpose of accepting the said document] ...</p> <p>(Page 2, CFM/D/L/47/G-78 Rev)</p>
<p>ACTION TAKEN BY CFM: None</p>		<p><u>UK PROPOSAL</u></p> <p>(In addition to the text reproduced under columns "FOUR POWER POSITIONS" and "UK")</p> <p>Representatives of the German Government adequate for the purpose of accepting a peace treaty will be given an opportunity of stating their views at the peace conference. The peace treaty will be signed by a German Gov't adequate for the acceptance of this treaty. The peace treaty will also be ratified by Germany.</p> <p>(These additions to stand provided Soviet Proposal reproduced on this page be dropped)</p> <p>(Page 2, USDEL/47/L/5th M'g)</p>		<p><u>SOVIET POSITION</u></p> <p>Soviet Delegation accepted UK formula of first part of para 4.</p> <p>(Pages 3 &amp; 4 of USDEL/47/L/6th M'g)</p>

UNAGREED

SUBJECT: PROCEDURE, etc., Composition of Conference (USDEL/47/L/8th M's, Part I, 4, CFM/5/L/47/5-78 Rev.)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>The Conference will consist of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, France and China, and ...</p> <p>(Page 2, USDEL/47/L/8th M's)</p> <hr/> <p><u>US PROPOSAL</u></p> <p>... [of the Allied States which are neighbours of Germany or which are in a state of war with Germany. All these States will be accorded full and equal rights as members of the conference.]</p> <p>(Page 2, USDEL/47/L/8th M's)</p> <hr/> <p><u>US POSITION</u></p> <p>The US Delegation accepts the UK proposal.</p> <p>(Page 5, USDEL/47/L/8th M's)</p>		<p><u>UK &amp; FRENCH RESERVATION</u></p> <p>The UK and French Delegations reserve their position regarding the composition of the peace conference.</p> <p>(Page 2, 4, USDEL/47/L/8th M's)</p> <hr/> <p><u>UK PROPOSAL</u></p> <p>*The Conference shall consist of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, France, China and of the following Allied States which are neighbours of Germany or which participated with their armed forces in the common struggle against Germany; Albania (for the moment Albania is reserved), Australia, Belgium, Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Denmark, Greece, India, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Poland, Ukrainian Soviet Socialist Republics, the Union of South Africa and Yugoslavia.</p> <p>*The Conference may also invite by a majority vote representatives of other Allied States and of ex-enemy States which subsequently participated with their armed forces in the war against Germany to be associated in the proceedings and to present their views and to participate in the work of any commissions which the conference may set up.</p> <p>(Page 2, USDEL/47/L/8th M's)</p>		<p><u>SOVIET PROPOSAL</u></p> <p>... [of the following Allied States which are neighbours of Germany or which participated with their armed forces in the common struggle against Germany: Albania, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Denmark, Greece, India, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa and Yugoslavia.]</p> <p>(Page 2, USDEL/47/L/8th M's)</p>

ACTION TAKEN BY CFM: None

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: PROCEDURE, etc., German Participation (Part V, CFM/47/M/148 &amp; Part I, 4, CFM/D/L/47/G-78 Rev)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p data-bbox="358 204 465 221"><u>NO AGREEMENT</u></p>	<p data-bbox="639 204 746 221"><u>US PROPOSAL</u></p> <p data-bbox="564 238 831 311">[Responsible representatives of Germany will be given the opportunity to present their views to the Conference.]</p> <p data-bbox="564 328 808 344">(Page 2, CFM/D/L/47/G-78 Rev)</p> <p data-bbox="564 350 831 361">-----</p>	<p data-bbox="921 204 1028 221"><u>UK PROPOSAL</u></p> <p data-bbox="840 238 1116 384">[If at the time of the Conference there exists a German Government adequate for the purpose of accepting a peace treaty, representatives of the German Government will be given an opportunity of expressing their views at this Conference.</p> <p data-bbox="840 406 1116 529">In any event, before a peace treaty is signed by a German Government, representatives of that Government will be given an opportunity of expressing their views on the draft peace treaty.]</p> <p data-bbox="840 552 1093 585">(Pages 2 &amp; 3, CFM/D/L/47/G-78 Rev)</p> <p data-bbox="840 596 1116 608">-----</p>		<p data-bbox="1515 204 1656 221"><u>SOVIET PROPOSAL</u></p> <p data-bbox="1440 238 1716 316">[The German Government will be given an opportunity of stating its views at the Conference.]</p> <p data-bbox="1440 339 1712 356">(Page 2, CFM/D/L/47/G-78 Rev)</p> <p data-bbox="1440 361 1716 372">-----</p>
ACTION TAKEN BY CFM: None				

FIFTH SESSION OF CFM, LONDON, 1947

239

AGREED  
SUBJECT:

RESTRICTED

PROCEDURE, etc., Drawing up of Final Text (Part V, CFM/47/M/148 & USDEL/47/L/7th M'g)

ORIGIN: CFM

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>5. When the work of the Conference is concluded and its recommendations have been considered, the Council of Foreign Ministers, consisting of the representatives of the States which signed the Act of Military Surrender of Germany will draw up the final text of the peace treaty, taking into consideration the recommendations of the peace conference which are supported by a two-thirds vote of those present and voting, and the other recommendations which are supported by a majority of those present and voting at the conference.</p> <p>In this work the Council of Foreign Ministers will consult the Allied States in the manner laid down in Part II of this document.</p> <p>(Page 3,5, CFM/D/L/47/G-78 Rev &amp; Page 11, USDEL/47/L/7th M'g)</p> <p>-----</p>				

MISCELLANEOUS

INDEX

ACTION TAKEN BY CFM: None

RESTRICTED

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

SUBJECT: PROCEDURE, etc., Signature of Treaty (Part V, CFM/47/M/146 &amp; Part I, 6, CFM/D/L/47/0-78 Rev)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>6. The final text of the Peace Treaty thus prepared will be signed by the Representatives of the States represented at the Conference.</p> <p>(Page 3; 6, CFM/D/L/47/0-78 Rev)</p>	<p><u>US POSITION</u></p> <p>Accepts the proposal that "The Peace Treaty will be signed by a German Government adequate for the acceptance of this treaty."</p> <p>(Page 5, USEL/47/L/6th MG)</p> <p><u>US POSITION</u></p> <p>The U.S. Delegation will counter the Soviet, UK &amp; French proposal that "The text of the Peace Treaty will be presented to the other United Nations who are in a state of war with Germany", when agreement had been reached on what the conference would consist of."</p> <p>(Page 5, USEL/47/L/6th MG)</p>	<p><u>UK PROPOSAL</u></p> <p>The Peace Treaty will be signed by a German Government adequate for the acceptance of this treaty.</p> <p>(Same as Soviet Proposal)</p> <p>Page 3; 6, CFM/47/M/125)</p> <p><u>SOVIET, UK &amp; FRENCH PROPOSAL.</u></p> <p>The text of the Peace Treaty will be presented to the other United Nations who are in a state of war with Germany.</p> <p>(Page 3; 6, CFM/47/M/125)</p>	<p><u>FR POSITION</u></p> <p>The French Delegation still reserves its position concerning the UK Proposal until the question of establishing a German government had been solved. "The Peace Treaty, etc."</p> <p>(Page 5, USEL/47/L/6th MG)</p>	
ACTION TAKEN BY CFM: None				

UNAGREED

SUBJECT: PROCEDURE, etc., Entering into Force of Treaty (Part 5, CFM/47/M/148 &amp; Part 1, 7, CFM/D/L/47/G-78 Rev.)

ORIGIN: De. f. Germany

FOUR POWER POSITION	U.S.	U.K.	FR.	SOVIET
<p>7. The Peace Treaty will enter into force immediately after its ratification by the Allied States which signed the Act of Military Surrender of Germany.</p> <p>With respect to each other Allied signatory the Treaty will come into force upon the date of the ratification by that Allied signatory. The peace treaty will also be ratified by Germany.</p> <p>(Page 3, CFM/D/L/47/G-78 Rev)</p>	<p><u>US PROPOSAL</u></p> <p>The German Constitution will contain a clause providing that all powers thereunder shall be exercised subject to and in accordance with the peace settlement agreed upon by and between the Allies.</p> <p>(Page 3, CFM/D/L/47/G-78 Rev.)</p>	<p><u>UK PROPOSAL</u></p> <p>Drafting Committee to examine the exact wording.</p> <p>(Page 3, USDEL/47/L/6th W/c)</p>	<p><u>FR POSITION</u></p> <p>Identical with US Position on constitution to contain clause on peace treaty.</p> <p>(Page 3, CFM/D/L/47/G-78 Rev)</p>	

ACTION TAKEN BY CFM: None

MISCELLANEOUS

INDEX

RESTRICTED

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED  
SUBJECT:

PROCEDURE, etc., Presentation of views by Allied States (Part V, CFM/47/M/148 &amp; Part II, 1, CFM/D/L/47/G-78 Rev)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	US	UK	FR	SOVIET
<p>1. The Council of Foreign Ministers will afford to the representatives of the Allied States full opportunity to present to the Deputies or to the Council of Foreign Ministers, as the latter may think appropriate in writing or orally, any views which they may wish to present on the German problem.</p> <p>Such oral statements will be made in the presence of representatives of others of the Allied States wishing to attend. It will be open to these representatives to make additional comment in writing upon communications from representatives of other Allied States.</p> <p>The Allied States mentioned in the foregoing paragraphs are the Allied States which are neighbours of Germany and other Allied States which participated with their armed forces in the common struggle against Germany, namely:</p> <p>... In addition representatives of States not represented on the Council will be invited to participate in the discussion and study of questions relating to the German Peace Treaty in which they have a direct interest.</p> <p>(Page 4; CFM/47/M/125)</p>				
	<u>US &amp; UK PROPOSAL</u>		<u>FRENCH &amp; SOVIET PROPOSAL</u>	
	<p>... Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, China, Czechoslovakia, Denmark, Greece, India, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa and Yugoslavia.</p> <p>(Page 4; 1, CFM/D/L/47/G-78 Rev and Page 9, USDEL/47/L/6th MG)</p>		<p>... <u>Albania</u>, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, China, Czechoslovakia, Denmark, Greece, India, Luxembourg, the Netherlands, New Zealand, Pakistan, the Union of South Africa and Yugoslavia.</p> <p>(Page 4; 1, CFM/D/L/47/G-78 Rev and Page 9, USDEL/47/L/6th MG)</p>	
ACTION TAKEN BY CFM: None				

RESTRICTED

## FIFTH SESSION OF CFM, LONDON, 1947

242

AGREED  
SUBJECT:

PROCEDURE, etc., Establishment of permanent Committee (Part V, CFM/47/M/145 & Part II, c, CZ/D/L/47/G-78 Rev)

ORIGIN: Dep. for Germany

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>3. The Council of Foreign Ministers will establish for the study of questions relating to the German Peace Treaty four permanent Committees:-</p> <p>(a) Committee on the political and constitutional structure of Germany.</p> <p>(b) Committee on territorial adjustments and related problems.</p> <p>(c) Committee on the economic organization of Germany and reparations.</p> <p>(d) Committee on disarmament and demilitarization.</p> <p>(Page 412, CFM/D/L/47/G-78 Rev)</p> <p>-----</p>				

ACTION TAKEN BY CFM: None

MISCEL-  
LANEOUS

INDEX

FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT: PROCEDURE, etc., Composition of Permanent Committee (Part V, CFM/47/M/145 & Part II, 3, CFM/D/L/47/G-78 Rev)

ORIGIN: Dep. for Germany

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p>3. <u>U.S. PROPOSAL</u></p> <p><u>The permanent Committee will consist of representatives of the Four Powers Members of the Council who will exercise in rotation the chairmanship of the Committee, and also of a convenient number of representatives drawn from the Allied States mentioned in paragraph 1/</u></p> <p>(Page 5:3, CFM/D/L/47/G-78)</p>	<p><u>UK PROPOSAL</u></p> <p><u>The permanent Committee will consist of representatives of the Four Powers Members of the Council and of representatives of such of the Allied States mentioned in paragraph 1 as may decide to be represented thereon. The chairmanship of each Committee will be held in rotation by representatives of the Four Powers.</u></p> <p>(Page 5:3, CFM/D/L/47/G-78)</p> <p>Alternative <u>UK PROPOSAL</u></p> <p>"Each permanent Committee will consist of representatives of the four powers members of the Council, together with a maximum of ten of the Allied States mentioned in paragraph 1 of Part II. These vacancies will be evenly distributed among such of those Allied States as wish to take part by the four powers and the Allied States sitting together for this purpose. If sufficient candidates are not found in every case, it will not be necessary to make up the full number of ten. The Chairmanship in each Committee will be held in rotation by the representatives of the four powers."</p> <p>(Page 5, CFM/D/L/47/G-78 Rev)</p>	<p><u>FRENCH PROPOSAL</u></p> <p><u>The permanent Committee will be composed of the Four Powers Members of the Council. They will invite the Allied States concerned in the problems under consideration to participate in the study and discussion of these problems.</u></p> <p>(Page 4:3, CFM/D/L/47/G-78)</p>	<p><u>SOVIET PROPOSAL</u></p> <p><u>The permanent Committee will consist of representatives of the Four Powers Members of the Council.</u></p> <p>(Page 4:3, CFM/D/L/47/G-78 Rev)</p> <p><u>SOVIET PROPOSAL</u></p> <p>The Soviet Delegate accepts French Proposal.</p> <p>(Page 1, USIHEL/47/L/7th MG)</p>

ACTION TAKEN BY CFM: None

RESTRICTED

## FIFTH SESSION OF CFM, LONDON, 1947

245

AGREED  
SUBJECT:

PROCEDURE, etc., Direction of Committees (Part V, CFM/47/M/145 &amp; Part II, b, CFM/D/L/47/0-78 Rev and Page 3, USDEL/47/1/7th MG)

ORIGIN: CFM

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>4. The work of the Committees will be directed and coordinated by the Deputies. The committees will submit to the Council of Foreign Ministers or to the Deputies reports and recommendations including draft articles of the Treaty. Such reports will reflect any divergencies of view that may have arisen, ... and will include the proposals presented by the Allied States who have participated in the discussions.</p> <p>(Page 5, 4, CFM/D/L/47/0-78 Rev and Page 3, USDEL/47/1/7th MG)</p>				
ACTION TAKEN BY CFM: None				

MISCEL-  
LANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

AGREED

RESTRICTED

SUBJECT: PROCEDURE, etc., Appointment of Sub-Committees (Part V, CFM/47/M/148 &amp; Part II, 5, CFM/D/L/G-78 Rev).

ORIGIN: Dep. for Germany

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>5. Each of the four Committees will appoint sub-committees, as and when necessary, to examine particular questions; the sub-committees will continue to operate as long as is necessary to carry out the work entrusted to them. They will report to the permanent Committees to which they will submit their recommendations and whenever unanimous agreement has not been reached, any divergencies of view that may have been expressed.</p> <p>(Page 5,5, CFM/D/L/G-78 Rev.)</p> <p>-----</p>				
ACTION TAKEN BY CFM: None.				

FIFTH SESSION OF CFM, LONDON, 1947

247

UNAGREED  
SUBJECT:

RESTRICTED

PROCEDURE, etc., Composition of Sub-Committees (Part V, CPM/47/M/148 & Part II, 5, CPM/D/L/G-78 Rev)

ORIGIN: Dep. for Germany

FOUR POWER POSITION	U S	U K	FR	SOVIET
Paragraph 5  <u>NO AGREEMENT</u>		<u>US, UK &amp; FRENCH PROPOSAL</u>  Membership of these sub-committees will be determined in each case by the permanent Committees, which will invite a convenient number of representatives of the Allied States mentioned in paragraph 1 to be represented thereon.  (Page 6;6, CPM/D/L/G-78 Rev)		<u>SOVIET PROPOSAL</u>  The composition of the sub-committees will be analogous to the composition of the permanent committees. The sub-committees may invite representatives of other States to present their views on questions in which they have direct interest.  (Page 8;6, CPM/47/M/125)  <u>SOVIET PROPOSAL</u>  The Soviet Delegation desires to refer paragraph 5 for further study to Deputies for Germany.  (Page 4, USDEL/47/L/7th M'g)

ACTION TAKEN BY CFM: None

MISCELLANEOUS

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED  
SUBJECT:

RESTRICTED

PROCEDURE, etc., Information &amp; Consultation Conference (Part V, CFM/47/M/148 &amp; Part II, 7, CFM/D/L/47/G-78 Rev)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	U S	U K	F R	SOVIET
<p>(Continued)</p> <p>(b) on information and documents communicated to the Allied States under paragraphs 1 and 2 above.</p> <p>In the process of such consultation it will be open to the representatives of the Four Powers to seek the views of the representatives of the Allied States who are Members of the Conference and for the representatives of these Allied States to comment, ask questions and receive answers, in writing or orally, upon any matter treated in the information or documents brought to their knowledge.</p> <p>(Pages 6, 7, CFM/D/L/47/G-78 Rev)</p> <p>The chairmanship of the Conference will be held in turn by the representatives of the Four Powers. They will act in concert, in the Conference, according to the instructions which they will receive from the Ministers or the Deputies.</p> <p>The Foreign Ministers will be kept informed of the proceedings of the Information and Consultation Conference by their representatives on this Conference.</p>		<p><u>UK AND FRENCH PROPOSAL</u></p> <p>The Information and Consultation Conference will consist of representatives of the Four Powers, Members of the Council, and of the following Allied States:</p> <p><u>Note by French and UK Delegations</u></p> <p>The French and UK Delegations propose that the total number of States participating in the Information and Consultation Conference should be increased only by a very small number of Allied States which would in any case include Iran.</p> <p>The other Allied belligerent States and ex-enemy States which subsequently participated in the war against Germany on the side of the Allies will be kept informed of the work of the Council in the manner provided in sub-paragraphs (2) and (3) of this Article. These States may transmit to the Conference in writing their observations on the documents communicated to them. They may also ask questions in writing upon any matter treated in these documents.</p>		
ACTION TAKEN BY CFM: None				

FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED  
SUBJECT:

RESTRICTED

PROCEDURE, etc., Information & Consultation Conference (Part V, CFM/47/M/148 & Part II, 7, CFM/D/L/47/G-78 Rev)

ORIGIN: Dep. f. Germany

FOUR POWER POSITION	U S	U K	FR	SOVIET
<p>7. The Council of Foreign Ministers will establish an Information and Consultation Conference of Allied States with the following duties:</p> <p>(1) To keep the Allied States regularly informed on the work of the Council of Foreign Ministers in connection with the preparation of the Peace Treaty;</p> <p>(2) To communicate to the Allied States all the documentation of the Council of Foreign Ministers concerning the preparation of the Treaty (particularly, decisions and directives and also reports of committees and sub-committees, etc.) which may be of use for their information;</p> <p>(3) To communicate to the Allied States with the agreement of the originating Government the memoranda, statements and other documents submitted to the Council of Foreign Ministers;</p> <p>(4) To organize consultation of the representatives of the Allied States;</p> <p>(a) on the questions set forth in the memoranda and oral statements of the representatives of the Allied States relating to the German problem; (Page 6, 7, CFM/L/D/47/G-78 Rev)</p>	<p><u>US PROPOSAL</u></p> <p>[The Information and Consultation Conference will consist of the representatives of the Four Powers, Members of the Council, and of all states at war with Germany and of Allied States which are neighbours of Germany.]</p> <p>(Page 7:7, CFM/D/L/47/G-78 Rev)</p> <hr/>			<p><u>SOVIET PROPOSAL</u></p> <p>[The Information and Consultation Conference will consist of representatives of the Four Powers, Members of the Council, and of the Allied States which are neighbours of Germany or which participated with their armed forces in the common struggle against Germany; namely, Albania, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, China, Czechoslovakia, Denmark, Greece, India, Luxemburg, the Netherlands, New Zealand, Norway, Pakistan, Poland, the Ukrainian Soviet Socialist Republic, the Union of South Africa and Yugoslavia.]</p> <p>(Page 7:7, CFM/D/L/47/G-78 Rev and Page 9, (SDEI/47/L/7th M/G)</p> <hr/>

ACTION TAKEN BY CFM: None

MISCELLANEOUS

INDEX

RESTRICTED

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

SUBJECT: PEACE TREATY Appointment of Border Commissions (Pages 2 &amp; 3, USDEL/47/L/4th M'g &amp; CFM/47/L/12)

ORIGIN: CFM

FOUR POWER POSITION	US	UK	FR	SOVIET
<p><u>NO AGREEMENT</u></p>	<p><u>US POSITION</u></p> <p>The US Delegation states that appointment of Border Commissions to study all proposed changes in pre-war frontiers is a logical and practical step to expedite the preparation of a German peace treaty. (Page 2, USDEL/47/L/4th M'g)</p> <hr/> <p><u>US STATEMENT</u></p> <p>The UK Proposal is acceptable to the US Delegation except as to para 4. The US Delegation would prefer to have para 4 omitted. (Pages 2 &amp; 3, USDEL/47/L/4th M'g)</p>	<p><u>UK PROPOSAL</u></p> <p>*The Deputies for Germany should establish an Allied Commission or Commissions to report on the territorial claims against Germany of the States neighbouring on Germany.</p> <p>*This Commission (These Commissions) should consist of representatives of the four occupying powers and of a convenient number of representatives of those allied states who are neighbours of Germany or who participated with their armed forces in the common struggle against Germany, including the state or states with a direct interest in the particular claim or claims under study.</p> <p>*This Commission (These Commissions) should be empowered to conduct such investigations as may be necessary in order to determine the effects of these claims on Germany. It (They) should report to the Council of Foreign Ministers at its next meeting.</p> <p>*This proposal is subject to the Council of Foreign Ministers reaching agreed decisions at its present meeting on the fundamental German problems under discussion." (CFM/47/L/12)</p>	<p><u>FRENCH PROPOSAL</u></p> <p>The Fr Delegation supports the UK Proposal.</p> <p>(Page 3, USDEL/47/L/4th M'g)</p> <hr/>	<p><u>SOVIET POSITION</u></p> <p>The Soviet Delegation considers it premature to discuss question of setting up Border Commissions. (Page 12, USDEL/47/L/3rd M'g)</p> <hr/>

ACTION TAKEN BY CFM: None

MISCEL-  
LANEOUS

INDEX



## INTERNATIONAL AGREEMENTS

381

SUBJECT: ATLANTIC CHARTER

DATE: August 14, 1945

ATLANTIC CHARTER  
August 14, 1945

President Franklin D. Roosevelt and Prime Minister Winston Churchill met "Somewhere on the Atlantic" early in August, 1941, and issued a joint declaration of the peace aims of the United States and Great Britain - The Atlantic Charter. The official statement, covering the meeting, issued in Washington (Aug. 14) said:

The President of the United States and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, have met at sea.

They have been accompanied by officials of their two governments, including high-ranking officers of their military, naval and air services.

The whole problem of the supply of munitions of war, as provided by the Lend-Lease Act, for the armed forces of the United States and for those countries actively engaged in resisting aggression has been further examined.

Lord Beaverbrook, the Minister of Supply of the British Government, has joined in these conferences. He is going to proceed to Washington to discuss further details with appropriate officials of the United States Government. These conferences will also cover the supply problems of the Soviet Union.

The President and the Prime Minister have had several conferences. They have considered the dangers to world civilization arising from the policies of military domination by conquest upon which the Hitlerite government of Germany and other governments associated therewith have embarked, and have made clear the steps which their countries are respectively taking for their safety in the face of these dangers.

They have agreed upon the following joint declaration:

The President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

FIRST, their countries seek no aggrandizement, territorial or other;

SECOND, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

THIRD, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

FOURTH, they will endeavor, with due respect to their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

FIFTH, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic adjustment and social security;

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 the men in all the lands may live out their lives in freedom from fear and want;

SEVENTH, such a peace should enable all men to traverse the high seas, and oceans without hindrance;

EIGHTH, they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

FRANKLIN D. ROOSEVELT

WINSTON S. CHURCHILL

INDEX

SUBJECT: ATLANTIC CHARTER

DATE: August 14, 1947

The governments of the United States of America, United Kingdom, the Soviet Union and China:

United in their determination, in accordance with the declaration by the United Nations of Jan. 1, 1942, and subsequent declarations, to continue hostilities against those Axis powers with which they respectively are at war until such powers have laid down their arms on the basis of unconditional surrender:

Conscious of their responsibilities to secure the liberation of themselves and the peoples allied with them from the menace of aggression:

Recognizing the necessity of insuring a rapid and orderly transition from war to peace and of establishing and maintaining international peace and security with the least diversion of the world's human and economic resources for armaments:

Jointly declare:

1. That their united action, pledged for the prosecution of the war against their respective enemies, will be continued for the organization and maintenance of peace and security.
2. That those of them at war with a common enemy will act together in all matters relating to the surrender and disarmament of that enemy.
3. That they will take all measures deemed by them to be necessary to provide against any violation of the terms imposed upon the enemy.
4. That they recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.

5. That for the purpose of maintaining international peace and security pending the re-establishment of law and order and the inauguration of a system of general security, they will consult with one another and, as occasion requires, with other members of the United Nations, with a view to joint action on behalf of the community of nations.

6. That after the termination of hostilities they will not employ their military forces within the territories of other states except for the purposes envisaged in this declaration and after joint consultation.

7. That they will confer and co-operate with one another and with other members of the United Nations to bring about a practicable general agreement with respect to the regulation of armaments in the post-war period.

## INTERNATIONAL AGREEMENTS

253

SUBJECT: YALTA CONFERENCE

DATE: February 3-11, 1945

The following statement is made by the Prime Minister of Great Britain, the President of the United States, and the Chairman of the Council of People's Commissars of the Union of Soviet Socialist Republics on the result of the Crimea Conference:

1. Defeat of Germany

We have considered and determined the military plans of the three Allied Powers for the final defeat of the common enemy. The Military Staffs of the three allied Powers have met in daily meetings throughout the Conference. These meetings have been most satisfactory from every point of view and have resulted in closer coordination of the military effort of the three allies than ever before.

The fullest information has been interchanged. The timing, scope, and coordination of new and even more powerful blows to be launched by our armies and air forces into the heart of Germany from east, west, north, and south have been fully agreed and planned in detail.

Our combined military plans will be made known only as we execute them, but we believe that the very close working partnership among the three Staffs attained at this Conference will result in shortening the war. Meetings of the three Staffs will be continued in the future whenever the need arises.

Nazi Germany is doomed. The German people will only make the cost of their defeat heavier to themselves by attempting to continue a hopeless resistance.

2. Occupation and Control

We have agreed on common policies and plans for enforcing the unconditional surrender terms which we shall impose together on Nazi Germany after German armed resistance has been finally crushed. These terms will not be made known until the final defeat of Germany is accomplished.

Under the agreed plans the forces of the three Powers will each occupy a separate zone of Germany. Coordinated administration and control has been provided for under the plan through a Central Control Commission consisting of the Supreme Commanders of the three Powers with headquarters in Berlin.

It has been agreed that France should be invited by the three Powers, if she should so desire, to take a zone of occupation, and to participate as fourth member of the Control Commission. The limits of the French zone will be agreed by the four Governments concerned through their representatives on the European Advisory Commission.

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; eliminate or control all German industry that could be used for military production; bring all war criminals to justice and swift punishment and exact reparation in kind for the destruction wrought by Germany; wipe out the Nazi Party, Nazi laws, organizations, and institutions; remove all Nazi and militarist influences from public offices and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world.

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.

3. Reparation by Germany

We have considered the question of the damage caused by Germany to Allied Nations in this war, and recognized it as just that Germany be obliged to make compensation for the damage in kind to the greatest extent possible. A Commission for the Compensation of Damage will be established. The Commission will be instructed to consider the question of extent and methods for compensating damage caused by Germany to the Allied countries. The Commission will work in Moscow.

4. United Nations Conference

We are resolved upon the earliest possible establishment with our allies of a general international organization to maintain peace and security. We believe that this is essential, both to prevent aggression and to remove the political, economic and social causes of war through the close and continuing collaboration of all peace-loving peoples.

The foundations were laid at Dumbarton Oaks. On the important question of voting procedure, however, agreement was not there reached. The present conference has been able to resolve this difficulty.

We have agreed that a conference of the United Nations should be called to meet at San Francisco, in the United States, on April 25, 1945, to prepare the charter of such an organization, along the lines proposed in the informal conversations at Dumbarton Oaks.

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: YALTA CONFERENCE (CONT'D.)

DATE: February 3-11, 1945

The Government of China and the Provisional Government of France will be immediately consulted and invited to sponsor invitations to the conference jointly with the Governments of the United States, Great Britain and the Union of Soviet Socialist Republics. As soon as the consultation with China and France has been completed, the text of the proposals on voting procedure will be made public.

5. Declaration on Liberated Europe

We have drawn up and subscribed to a Declaration on Liberated Europe. This Declaration provides for concerting the policies of the three Powers and for joint action by them in meeting the political and economic problems of Liberated Europe in accordance with democratic principles. The text of the Declaration is as follows:

The Premier of the U.S.S.R., the Prime Minister of the United Kingdom, and the President of the United States of America have consulted with each other in the common interests of the peoples of their countries and those of Liberated Europe. They jointly declare their mutual agreements to concert during the temporary period of instability in Liberated Europe the policies of their three Governments in assisting the peoples of Europe liberated from the domination of Nazi Germany, and the people of the former Axis satellite States to solve by democratic means their pressing political and economic problems.

The establishment of order in Europe and the rebuilding of national economic life must be achieved by processes which will enable the liberated peoples to destroy the last vestiges of Nazism and Fascism and to create democratic institutions of their own choice.

This is a principle of the Atlantic Charter -- the right of all peoples to choose the form of government under which they will live -- the restoration of sovereign rights and self-government to those people who have been forcibly deprived of them by the aggressor nations.

To foster the conditions in which the liberated peoples may exercise these rights, the three Governments will jointly assist the people in any European liberated State or former Axis satellite State in Europe where, in their judgment, conditions require:

- a) to establish conditions of peace;
- b) to carry out emergency measures for the relief of distressed people;
- c) to form interim Governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of Governments responsive to the will of the people; and
- d) to facilitate where necessary the holding of such elections

The three Governments will consult the other United Nations and provisional authority or other Governments in Europe when matters of direct interest to themselves are under consideration.

When, in the opinion of the three Governments, conditions in any European liberated State or any former Axis satellite State in Europe make such action necessary, they will immediately consult together on the measures necessary to discharge the joint responsibilities set forth in this Declaration.

By this Declaration we re-affirm 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 a 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 themselves in the procedure suggested.

6. Poland

A new situation has been created in Poland as a result of her complete liberation by the Red Army. This calls for the establishment of a Polish Provisional Government which can be more broadly based than was possible before the recent liberation of western Poland. The Provisional Government which is now functioning in Poland should therefore be reorganized on a broader democratic basis with the inclusion of democratic leaders from Poland itself and from Poles abroad. This new government should then be called the Polish Provisional Government of National Unity.

M. Molotov, Mr. Harriman and Sir A. Clark Kerr are authorized as a commission to consult in the first instance in Moscow with members of the present Provisional Government and with other Polish democratic leaders from within Poland and from abroad, with a view to the reorganization of the present Government along the above lines. This Polish Provisional Government of National Unity shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates.

When a Polish Provisional Government of National Unity has been properly formed in conformity with the above, the Government of the U.S.S.R., which now maintains diplomatic relations with the present Provisional Government of Poland, and the Government of the United Kingdom, and the Government of the United States of America will establish diplomatic relations with the new Polish Provisional Government of National Unity and will exchange Ambassadors, by whose reports the respective Governments will be kept informed about

## INTERNATIONAL AGREEMENTS

280

SUBJECT: YALTA CONFERENCE (CONT'D.)

DATE: February 3-11, 1945

the situation in Poland.

The three heads of Government consider that the eastern frontier of Poland should follow the Curzon Line, with digressions from it in regions of five to eight kilometers in favor of Poland. They recognize that Poland must receive substantial accessions of territory in the north and west. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the western frontier of Poland should thereafter await the peace conference.

#### 7. Yugoslavia

We have agreed to recommend to Marshal Tito and Dr. Subasitch that the agreement between them should be put into effect immediately and that a new Government should be formed on the basis of that agreement. We also recommend that as soon as the new Government has been formed it should declare that:

(1) The anti-Fascist Assembly of National Liberation [AVNOJ] should be extended to include members of the last Yugoslav Parliament [Skupschina] who have not compromised themselves by collaboration with the enemy, thus forming a body to be known as a temporary Parliament; and,

(2) Legislative acts passed by the anti-Fascist Assembly of National Liberation will be subject to subsequent ratification by a Constituent Assembly.

There was also a general review of other Balkan questions.

#### 8. Meetings of Foreign Secretaries

Throughout the conference, besides the daily meetings of the heads of Governments and the Foreign Secretaries, separate meetings of the three Foreign Secretaries and their advisers have also been held daily.

These meetings have proved of the utmost value and the conference agreed that permanent machinery should be set up for regular consultation between the three Foreign Secretaries. They will, therefore, meet as often as may be necessary, probably about every three or four months. These meetings will be held in rotation in the three capitals, the first meeting being held in London, after the United Nations' conference on world organization.

#### 9. Unity for Peace as for War

Our meeting here in the Crimea has re-affirmed our common determination to maintain and strengthen in the peace to come that unity of purpose and of action which has made victory possible and certain for the United Nations in this war. We believe that this is a sacred obligation which our Governments owe to our peoples and to the people of the world.

Only with continuing and growing cooperation and understanding among our three countries and among all peace-loving nations can the highest aspirations of humanity be realized -- a secure and lasting peace which will, in the words of the Atlantic Charter, "afford assurance that all the men in all the lands may live out their lives in freedom from fear and want".

It is considered that victory in this war and the establishment of the proposed International Organization will provide the greatest opportunity in all history to create in the years to come the essential conditions of such a peace.

WINSTON S. CHURCHILL  
FRANKLIN D. ROOSEVELT  
J. V. STALIN

-----

## INTERNATIONAL AGREEMENTS

SUBJECT: DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY

DATE: 5 June 1945

## DECLARATION

REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

The German armed forces on land, at sea and in the air have been completely defeated and have surrendered unconditionally and Germany, which bears responsibility for the war, is no longer capable of resisting the will of the victorious Powers. The unconditional surrender of Germany has thereby been effected, and Germany has become subject to such requirements as may now or hereafter be imposed upon her.

There is no central Government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country and compliance with the requirements of the victorious Powers.

It is in these circumstances necessary, without prejudice to any subsequent decisions that may be taken respecting Germany, to make provision for the cessation of any further hostilities on the part of the German armed forces, for the maintenance of order in Germany and for the administration of the country, and to announce the immediate requirements with which Germany must comply.

The Representatives of the Supreme Commands of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, hereinafter called the "Allied Representatives", acting by authority of their respective Governments and in the interests of the United Nations, accordingly make the following Declaration:

The Governments of the United Kingdom, the United States of America and the Union of Soviet

Socialist Republics, and the Provisional Government of the French Republic, hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any state, municipal, or local government or authority. The assumption, for the purpose stated above, of the said authority and powers does not effect the annexation of Germany.

The Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic, will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory.

In virtue of the supreme authority and powers thus assumed by the four Governments, the Allied Representatives announce the following requirements arising from the complete defeat and unconditional surrender of Germany with which Germany must comply:

## ARTICLE 1

Germany and all German military, naval and air authorities and all forces under German control shall immediately cease hostilities in all theatres of war against the forces of the United Nations on land, at sea and in the air.

## ARTICLE 2

a) All armed forces of Germany or under German control, wherever they may be situated, including land, air, anti-aircraft and naval forces, the S.S., S.A. and Gestapo, and all other forces or auxiliary organisations equipped with weapons, shall be completely disarmed, handing over their weapons and equipment to local Allied Commanders or to officers designated by the Allied Representatives.

b) The personnel of the formations and units of all the forces referred to in paragraph a)

above shall, at the discretion of the Commander-in-Chief of the Armed Forces of the Allied State concerned, be declared to be prisoners of war, pending further decisions, and shall be subject to such conditions and directions as may be prescribed by the respective Allied Representatives.

c) All forces referred to in paragraph a) above, wherever they may be, will remain in their present positions pending instruction from the Allied Representatives.

d) Evacuation by the said forces of all territories outside the frontiers of Germany as they existed on the 31st December, 1937, will proceed according to instructions to be given by the Allied Representatives.

e) Detachments of civil police to be armed with small arms only, for the maintenance of order and for guard duties, will be designated by the Allied Representatives.

## ARTICLE 3

a) All aircraft of any kind or nationality in Germany or German-occupied or controlled territories or waters, military, naval or civil, other than aircraft in the service of the Allies, will remain on the ground, on the water or aboard ships pending further instructions.

b) All German or German-controlled aircraft in or over territories or waters not occupied or controlled by Germany will proceed to Germany or to such other place or places as may be specified by the Allied Representatives.

## ARTICLE 4

a) All German or German-controlled naval vessels, surface and submarine, auxiliary naval craft, and merchant and other shipping, wherever such vessels may be at the time of this Declaration, and all other merchant ships of whatever nationality in German ports, will remain in or proceed immediately to ports and bases as speci-

## INTERNATIONAL AGREEMENTS

257

SUBJECT: DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREMACY

DATE: 8 June 1945

fied by the Allied Representatives. The crews of such vessels will remain on board pending further instructions.

b) All ships and vessels of the United Nations, whether or not title has been transferred as the result of prize court or other proceedings, which are at the disposal of Germany or under German control at the time of this Declaration, will proceed at the dates and to the ports or bases specified by the Allied Representatives.

## ARTICLE 5

a) All or any of the following articles in the possession of the German armed forces or under German control or at German disposal will be held intact and in good condition at the disposal of the Allied Representatives, for such purposes and at such times and places as they may prescribe:

I. all arms, ammunition, explosives, military equipment, stores and supplies and other implements of war of all kinds and all other war material;

II. all naval vessels of all classes, both surface and submarine, auxiliary naval craft and all merchant shipping, whether afloat, under repair or construction, built or building;

III. all aircraft of all kinds, aviation and anti-aircraft equipment and devices;

IV. all transportation and communications facilities and equipment, by land, water or air;

V. all military installations and establishments, including airfields, seaplane bases, ports and naval bases, storage depots, permanent and temporary land and coast fortifications, fortresses and other fortified areas, together with plans and drawings of all such fortifications, installations and establishments;

VI. all factories, plants, shops, research institutions, laboratories, testing stations, technical data, patents, plans, drawings and inven-

tions, designed or intended to produce or to facilitate the production or use of the articles, materials and facilities referred to in sub-paragraphs I, II, III, IV and V above or otherwise to further the conduct of war.

b) At the demand of the Allied Representatives the following will be furnished:

I. the labour, services and plant required for the maintenance or operation of any of the six categories mentioned in paragraph a) above; and

II. any information or records that may be required by the Allied Representatives in connection with the same.

c) At the demand of the Allied Representatives all facilities will be provided for the movement of Allied troops and agencies, their equipment and supplies, on the railways, roads and other land communications or by sea, river or air. All means of transportation will be maintained in good order and repair, and the labour, services and plant necessary therefor will be furnished.

## ARTICLE 6

a) The German authorities will release to the Allied Representatives, in accordance with the procedure to be laid down by them, all prisoners of war at present in their power, belonging to the forces of the United Nations, and will furnish full lists of these persons, indicating the places of their detention in Germany or territory occupied by Germany. Pending the release of such prisoners of war, the German authorities and people will protect them in their persons and property and provide them with adequate food, clothing, shelter, medical attention and money in accordance with their rank or official position.

b) The German authorities and people will in like manner provide for and release all other nationals of the United Nations who are confined,

interned or otherwise under restraint, and all other persons who may be confined, interned or otherwise under restraint for political reasons or as a result of any Nazi action, law or regulation which discriminates on the ground of race, colour, creed or political belief.

c) The German authorities will, at the demand of the Allied Representatives, hand over control of places of detention to such officers as may be designated for the purpose by the Allied Representatives.

## ARTICLE 7

The German authorities concerned will furnish to the Allied Representatives:

a) full information regarding the forces referred to in Article 2 a), and, in particular, will furnish forthwith all information which the Allied Representatives may require concerning the numbers, locations and dispositions of such forces, whether located inside or outside Germany;

b) complete and detailed information concerning mines, minefields and other obstacles in movement by land, sea or air, and the safety lanes in connection therewith. All such safety lanes will be kept open and clearly marked; all mines, minefields and other dangerous obstacles will as far as possible be rendered safe, and all aids to navigation will be reinstated. Unarmed German military and civilian personnel with the necessary equipment will be made available and utilised for the above purposes and for the removal of mines, minefields and other obstacles as directed by the Allied Representatives.

## ARTICLE 8

There shall be no destruction, removal, concealment, transfer or scuttling of, or damage to, any military, naval, air, shipping, port, industrial and other like property and facilities and all records and archives, wherever they may be situated, except as may be directed by the Allied

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY

DATE: 5 June 1945

Representatives.

## ARTICLE 9

Pending the institution of control by the Allied Representatives over all means of communication, all radio and telecommunication installations, all radio and telecommunication installations and other forms of wire or wireless communications, whether ashore or afloat, under German control, will cease transmission except as directed by the Allied Representatives.

## ARTICLE 10

The forces, ships, aircraft, military equipment, and other property in Germany or in German control or service or at German disposal, of any other country at war with any of the Allies, will be subject to the provisions of this Declaration and of any proclamations, orders, ordinances or instructions issued thereunder.

## ARTICLE 11

a) The principal Nazi leaders as specified by the Allied Representatives, and all persons from time named or designated by rank, office or employment by the Allied Representatives as being suspected of having committed, ordered or abetted war crimes or analogous offences, will be apprehended and surrendered to the Allied Representatives.

b) The same will apply in the case of any national of any of the United Nations who is alleged to have committed an offense against his national law, and who may at any time be named or designated by rank, office or employment by the Allied Representatives.

c) The German authorities and people will comply with any instructions given by the Allied Representatives for the apprehension and surrender of such persons.

## ARTICLE 12

The Allied Representatives will station forces and civil agencies in any or all parts of Germany

as they may determine.

## ARTICLE 13

a) In the exercise of the supreme authority with respect to Germany assumed by the Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic, the four Allied Governments will take such steps, including the complete disarmament and demilitarization of Germany, as they deem requisite for future peace and security.

b) The Allied Representatives will impose on Germany additional political, administrative, economic, financial, military and other requirements arising from the complete defeat of Germany. The Allied Representatives, or persons or agencies duly designated to act on their authority, will issue proclamations, orders, ordinances and instructions for the purpose of laying down such additional requirements, and of giving effect to the other provisions of this Declaration. All German authorities and the German people shall carry out unconditionally the requirements of the Allied Representatives, and shall fully comply with all such proclamations, orders, ordinances and instructions.

## ARTICLE 14

This Declaration enters into force and effect at the date and hour set forth below. In the event of failure on the part of the German authorities or people promptly and completely to fulfill their obligations hereby or hereafter imposed, the Allied Representatives will take whatever action may be deemed by them to be appropriate under the circumstances.

## ARTICLE 15

This Declaration is drawn up in the English, Russian, French and German languages. The

English, Russian and French are the only authentic texts.

Berlin, 5 June, 1945  
18.00 Hours, Central European Time.

Signed by the Allied Representatives:

DWIGHT EISENHOWER  
General of the Army, USA

ZHUKOV

B. L. MONTGOMERY

J. DE LATRE-TASSIGNY  
Général d'Armée

## INTERNATIONAL AGREEMENTS

269

SUBJECT: STATEMENTS BY THE FOUR OCCUPYING POWERS

DATE: 5 June 1945

STATEMENT BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON CONTROL MACHINERY IN GERMANY.

5 June, 1945.

1. In the period when Germany is carrying out the basic requirements of unconditional surrender, supreme authority in Germany will be exercised, on instructions from their Governments, by the British, United States, Soviet and French Commanders-in-Chief, each in his own zone of occupation, and also jointly, in matters effecting Germany as a whole. The four Commanders-in-Chief will together constitute the Control Council. Each Commander-in-Chief will be assisted by a Political Adviser.

2. The Control Council, whose decisions shall be unanimous, will ensure appropriate uniformity of action by the Commanders-in-Chief in their respective zones of occupation and will reach agreed decisions on the chief questions affecting Germany as a whole.

3. Under the Control Council, there will be a permanent Co-ordinating Committee composed of one representative of each of the four Commanders-in-Chief, and a Control Staff organised in the following Divisions (which are subject to adjustment in the light of experience):

Military; Naval; Air; Transport; Political; Economic; Finance; Reparation, Deliveries and Restitution; Internal Affairs and Communications; Legal; Prisoners of War and Displaced Persons; Manpower.

There will be four heads of each Division, one designated by each Power. The staffs of the Divisions may include civilian as well as military personnel, and may also in special cases include nationals of other United Nations appointed in a personal capacity.

4. The functions of the Co-ordinating Committee and of the Control Staff will be to advise the Control Council, to carry out the Council's decisions and to transmit them to the appropriate German organs, and to supervise and control the day-to-day activities of the latter.

5. Liaison with the other United Nations Governments chiefly interested will be established through the appointment by such Governments of military missions (which may include civilian members) to the Control Council. These missions will have access through the appropriate channels to the organs of control.

6. United Nations organizations will, if admitted by the Control Council to operate in Germany, be subordinate to the Allied control machinery and answerable to it.

7. The administration of the "Greater Berlin" area will be directed by an Inter-Allied Governing Authority, which will operate under the general direction of the Control Council, and will consist of four Commandants, each of whom will serve in rotation as Chief Commandant. They will be assisted by a technical staff which will supervise and control the activities of the local German organs.

8. The arrangements outlined above will operate during the period of occupation following German surrender, when Germany is carrying out the basic requirements of unconditional surrender. Arrangements for the subsequent period will be the subject of a separate agreement.

STATEMENT BY THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON THE ZONES OF OCCUPATION IN GERMANY.

5 June 1945.

1. Germany, within her frontiers as they were on 31st December, 1937, will, for the purposes of occupation, be divided into four zones, one to be allotted to each Power as follows:

an eastern zone to the Union of Soviet Socialist Republics;

a north-western zone to the United Kingdom;

a south-western zone to the United States of America;

a western zone to France.

The occupying forces in each zone will be under a Commander-in-Chief designated by the responsible Power. Each of the four Powers may, at its discretion, include among the forces assigned to occupation duties under the command of its Commander-in-Chief, auxiliary contingents from the forces of any other Allied Power which has actively participated in military operations against Germany.

2. The area of "Greater Berlin" will be occupied by forces of each of the four Powers. An Inter-Allied Governing Authority (in Russian, Komendatura) consisting of four Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly its administration.

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

On July 17, 1945, the President of the United States of America, Harry S. Truman, the Chairman of the Council of People's Commissars of the Union of Soviet Socialist Republics, Generalissimo J.V. Stalin, and the Prime Minister of Great Britain, Winston S. Churchill, together with Mr. Clement A. Attlee, met in the Tripartite Conference of Berlin. They were accompanied by the foreign secretaries of the three Governments, Mr. James F. Byrnes, Mr. V.M. Molotov, and Mr. Anthony Eden, the Chiefs of Staff, and other advisers.

There were nine meetings between July 17 and July 25. The Conference was then interrupted for two days while the results of the British general election were being declared.

On July 28, Mr. Attlee returned to the Conference as Prime Minister, accompanied by the new Secretary of State for Foreign Affairs, Mr. Ernest Bevin. Four days of further discussion then took place. During the course of the Conference, there were regular meetings of the Heads of the Three Governments accompanied by the foreign secretaries, and also of the Foreign Secretaries alone. Committees appointed by the Foreign Secretaries for preliminary consideration of questions before the Conference also met daily.

The meetings of the Conference were held at the Cecilienhof near Potsdam. The Conference ended on August 2, 1945.

Important decisions and agreements were reached. Views were exchanged on a number of other questions and consideration of these matters will be continued by the Council of Foreign Ministers established by the Conference.

President Truman, Generalissimo Stalin, and Prime Minister Attlee leave this Conference, which has strengthened the ties between the three Governments and extended the scope of their collaboration and understanding, with renewed confidence that their governments and peoples,

together with the other United Nations, will ensure the creation of a just and enduring peace.

## II

ESTABLISHMENT OF A COUNCIL OF FOREIGN MINISTERS

The conference reached an agreement for the establishment of a Council of Foreign Ministers representing the five principal Powers to continue the necessary preparatory work for the peace settlements and to take up other matters which from time to time may be referred to the Council by agreement of the governments participating in the Council.

The text of the agreement for the establishment of the Council of Foreign Ministers is as follows:

- (1) There shall be established a Council composed of the Foreign Ministers of the United Kingdom, the Union of Soviet Socialist Republics, China, France, and the United States.
- (2) (1) The Council shall normally meet in London, which shall be the permanent seat of the joint Secretariat which the Council will form. Each of the Foreign Ministers will be accompanied by a high-ranking Deputy, duly authorized to carry on the work of the Council in the absence of his Foreign Minister, and by a small staff of technical advisers.
- (11) The first meeting of the Council shall be held in London not later than September 1, 1945. Meetings may be held by common agreement in other capitals as may be agreed from time to time.
- (3) (1) As its immediate important task, the Council shall be authorized to draw up, with a view to their submission to the United Nations, treaties of peace with Italy, Rumania, Bulgaria,

Hungary, and Finland, and to propose settlements of territorial questions outstanding in the termination of the war in Europe. The Council shall be utilized for the preparation of a peace settlement for Germany to be accepted by the Government of Germany when a government adequate for the purpose is established.

- (11) For the discharge of each of these tasks, the Council will be composed of the Members representing those States which were signatory to the terms of surrender imposed upon the enemy state concerned. For the purpose of the peace settlement for Italy, France shall be regarded as a signatory to the terms of surrender for Italy. Other Members will be invited to participate when matters directly concerning them are under discussion.
- (iii) Other matters may from time to time be referred to the Council by agreement between the Member Governments.
- (4) (1) Whenever the Council is considering a question of direct interest to a State not represented thereon, such State should be invited to send representatives to participate in the discussion and study of that question.
- (11) The Council may adopt its procedure to the particular problem under consideration. In some cases it may hold its own preliminary discussions prior to the participation of other interested States. In other cases, the Council may convoke a formal conference of the State chiefly interested in seeking a solution of the particular problem.

## INTERNATIONAL AGREEMENTS

261

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

In accordance with the decision of the Conference, the three Governments have each addressed an identical invitation to the Governments of China and France to adopt this text and to join in establishing the Council.

The establishment of the Council of Foreign Ministers for the specific purposes named in the text will be without prejudice to the agreement of the Crimea Conference that there should be periodic consultation among the Foreign Secretaries of the United States, the Union of Soviet Socialist Republics, and the United Kingdom.

The Conference also considered the position of the European Advisory Commission in the light of the agreement to establish the Council of Foreign Ministers. It was noted with satisfaction that the Commission had ably discharged its principal tasks by the recommendations that it had furnished for the terms of Germany's unconditional surrender, for the zones of occupation in Germany and Austria, and for the inter-Allied control machinery in those countries. It was felt that further work of a detailed character for the coordination of Allied policy for the control of Germany and Austria would in future fall within the competence of the Allied Control Council at Berlin and the Allied Commission at Vienna. Accordingly, it was agreed to recommend that the European Advisory Commission be dissolved.

## III

GERMANY

The Allied armies are in occupation of the whole of Germany and the German people have begun to atone for the terrible crimes committed under the leadership of those whom, in the hour of their success, they openly approved and blindly obeyed.

Agreement has been reached at this Conference on the political and economic principles of a coordinated Allied policy toward defeated Germany during the period of Allied control.

The purpose of this agreement is to carry out the Crimea declaration on Germany. German militarism and Nazism will be extirpated and the Allies will take in agreement together, now and in the future, the other measures necessary to assure that Germany never again will threaten her neighbors or the peace of the world.

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.

The text of the agreement is as follows:

The Political and Economic Principles to Govern the Treatment of Germany in the Initial Control Period

A. Political Principles

1. In accordance with the Agreement on Control Machinery in Germany, supreme authority in Germany is exercised on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic, each in his own zone of occupation, and also jointly in matters affecting Germany as a whole, in their capacity as members of the Control Council.

2. So far as is practicable, there shall be uniformity of treatment of the German population throughout Germany.

3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

- (1) The complete disarmament and demilitarization of Germany and the elimination or control of all German industry that could be used for military production. To these ends:
  - (a) All German land, naval, and air forces, the S.S., S.A., S.D., and Gestapo, with all their organizations, staffs, and institutions, including the General Staff, the Officer's Corps, Reserve Corps, military schools, war veterans' organizations, and all other military and quasi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;
  - (b) All arms, ammunition, and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition, and implements of war shall be prevented.
- (2) To convince the German people that they have suffered a total military defeat and that they cannot escape responsibility for what they have brought upon themselves, since their own ruthless warfare and the fanatical Nazi resistance have destroyed German economy and made chaos and suffering inevitable.

## INTERNATIONAL AGREEMENTS

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

(iii) To destroy the National Socialist Party and its affiliated and supervised organizations, to dissolve all Nazi institutions, to ensure that they are not revived in any form, and to prevent all Nazi and militarist activity or propaganda.

(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.

4. All Nazi laws which provided the basis of the Hitler regime or established discrimination on grounds of race, creed, or political opinion shall be abolished. No such discrimination, whether legal, administrative, or otherwise, shall be tolerated.

5. War criminals and those who have participated in planning or carrying out Nazi enterprises involving or resulting in atrocities or war crimes shall be arrested and brought to judgment. Nazi leaders, influential Nazi supporters, and high officials of Nazi organizations and institutions and any other persons dangerous to the occupations or its objectives shall be arrested and interned.

6. All members of the Nazi Party who have been more than nominal participants in its activities and all other persons hostile to Allied purposes shall be removed from public and semi-public office, and from positions of responsibility in important private undertakings. Such persons shall be replaced by persons who, by their political and moral qualities, are deemed capable of assisting in developing genuine democratic institutions in Germany.

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.

8. 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.

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;

(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.

10. 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,

B. Economic Principles

11. In order to eliminate Germany's war potential, the production of arms, ammunition, and implements of war, as well as all types of aircraft and sea-going ships, shall be prohibited and prevented. Production of metals, chemicals, machinery, and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in Paragraph 15. Productive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on Reparations and approved by the Governments concerned or, if not, shall be destroyed.

12. At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts, and other monopolistic arrangements.

13. In organizing the German economy, primary emphasis shall be given to the development of agriculture and peaceful domestic industries.

14. 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:

- (a) mining and industrial production and allocation;
- (b) agriculture, forestry, and fishing;

## INTERNATIONAL AGREEMENTS

263

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

- (c) wages, prices, and rationing;
- (d) import and export programs for Germany as a whole;
- (e) currency and banking, central taxation and customs;
- (f) reparation and removal of industrial war potential;
- (g) transportation and communications.

In applying these policies, account shall be taken where appropriate, of varying local conditions.

15. Allied controls shall be imposed upon the German economy but only to the extent necessary:

- (a) to carry out programs of industrial disarmament and demilitarization, of reparations, and of approved exports and imports;
- (b) to assure the production and maintenance of goods and services required to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average living standards not exceeding the average of standards of living of European countries. (European countries mean all European countries excluding the United Kingdom and the Union of Soviet Socialist Republics);
- (c) to ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports;
- (d) to control German industry and all economic and financial international transactions; including exports and

imports, with the aim of preventing Germany from developing a war potential and of achieving the other objectives named herein;

- (e) to control all German public or private scientific bodies, research, and experimental institutions, laboratories, et cetera, connected with economic activities.

16. In the imposition and maintenance of economic controls established by the Control Council, German administrative machinery shall be created and the German authorities shall be required to the fullest extent practicable to proclaim and assume administration of such controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

17. Measures shall be promptly taken:

- (a) to effect essential repair of transport;
- (b) to enlarge coal production;
- (c) to maximize agricultural output; and
- (d) to effect emergency repair of housing and essential utilities.

18. Appropriate steps shall be taken by the Control Council to exercise control and the power of disposition over German-owned external assets not already under the control of United Nations which have taken part in the war against Germany.

19. Payment of reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany, the necessary means

must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stock shall be available in the first place for payment for such imports.

The above clause will not apply to the equipment and products referred to in paragraphs 4 (a) and 4 (b) of the Reparations Agreement.

## IV

REPARATIONS FROM GERMANY

In accordance with the Crimea decision that Germany be compelled to compensate to the greatest possible extent for the loss and suffering that she has caused to the United Nations and for which the German people cannot escape responsibility, the following agreement on reparations was reached:

1. Reparation claims of the U.S.S.R. shall be met by removals from the zone of Germany occupied by the U.S.S.R. and from appropriate German external assets.
2. The U.S.S.R. undertakes to settle the reparation claims of Poland from its own share of reparations.
3. The reparation claims of the United States, the United Kingdom, and other countries entitled to reparations shall be met from the Western Zones and from appropriate German external assets.
4. In addition to the reparations to be taken by the U.S.S.R. from its own zone of occupation, the U.S.S.R. shall receive additionally from the Western Zones:
  - (a) fifteen percent of such usable and complete industrial capital equipment, in the first place from the metallurgical, chemical, and machine manufacturing industries, as is necessary

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

for the German peace economy and should be removed from the Western Zones of Germany, in exchange for an equivalent value of food, coal, potash, zinc, timber, clay products, petroleum products, and such other commodities as may be agreed upon;

- (b) ten percent of such industrial capital equipment as is unnecessary for the German peace economy and should be removed from the Western Zones, to be transferred to the Soviet Government on reparations account without payment or exchange of any kind in return.

Removals of equipment as provided in (a) and (b) above shall be made simultaneously.

5. The amount of equipment to be removed from the Western Zones on account of reparations must be determined within six months from now at the latest.

6. Removals of industrial capital equipment shall begin as soon as possible and shall be completed within two years from the determination specified in paragraph 5. The delivery of products covered by 4 (a) above shall begin as soon as possible and shall be made by the U.S.S.R. in agreed installments within five years of the date hereof. The determination of the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparations shall be made by the Control Council under policies fixed by the Allied Commission on Reparations, with the participation of France, subject to the final approval of the Zone Commander in the Zone from which the equipment is to be removed.

7. Prior to fixing the total amount of equipment subject to removal, advance deliveries shall be made in respect of such equipment as will be determined to be eligible for delivery in accord-

dance with the procedure set forth in the last sentence of paragraph 6.

8. The Soviet Government renounces all claims in respect of reparations to shares of German enterprises which are located in the Western Zones of occupation in Germany as well as to German foreign assets in all countries except those specified in paragraph 9 below.

9. The Governments of the U.K. and the U.S.A. renounce their claims in respect of reparations to shares of German enterprises which are located in the Eastern Zone of occupation in Germany, as well as to German foreign assets in Bulgaria, Finland, Hungary, Rumania, and Eastern Austria.

10. The Soviet Government makes no claims to gold captured by the Allied troops in Germany.

## V

DISPOSAL OF THE GERMAN NAVY AND MERCHANT MARINE

The Conference agreed in principle upon arrangements for the use and disposal of the surrendered German Fleet and merchant ships. It was decided that the three Governments would appoint experts to work out together detailed plans to give effect to the agreed principles. A further joint statement will be published simultaneously by the three Governments in due course.

## VI

RIFT OF LIGHTSOUND AND THE ADJACENT AREA

The Conference examined a proposal by the Soviet Government that, pending the final determination of territorial questions at the peace settlement, the section of the western frontier of the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg-Goldap, to the meeting point of the frontiers of Lithuania, the Polish Republic, and East Prussia.

The Conference has agreed in principle to the proposal of the Soviet Government concerning the ultimate transfer to the Soviet Union of the city of Königsberg and the area adjacent to it, as described above, subject to expert examination of the actual frontier.

The President of the United States and the British Prime Minister have declared that they will support the proposal of the Conference at the forthcoming peace settlement.

## VII

WAR CRIMINALS

The three Governments have taken note of the discussions which have been proceeding in recent weeks in London between British, United States, Soviet, and French representatives with a view to reaching agreement on the methods of trial of those major war criminals whose crimes under the Moscow Declaration of October, 1943 have no particular geographic localization. The three Governments reaffirm their intention to bring those criminals to swift and sure justice. They hope that the negotiations in London will result in speedy agreement being reached for this purpose, and they regard it as a matter of great importance that the trial of those major criminals should begin at the earliest possible date. The first list of defendants will be published before September 1.

## VIII

AUSTRIA

The Conference examined a proposal by the Soviet Government on the extension of the authority of the Austrian Provisional Government to all of Austria.

The three Governments agreed that they were prepared to examine this question after the entry of the British and American forces into the city of Vienna.

## INTERNATIONAL AGREEMENTS

265

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

## IX

Poland

The Conference considered questions relating to the Polish Provisional Government and the western boundary of Poland.

On the Polish Provisional Government of National Unity, they defined their attitude in the following statement:

"We have taken note with pleasure of the agreement reached among representative poles from Poland and abroad which has made possible the formation, in accordance with the decisions reached at the Crimea Conference, of a Polish Provisional Government of National Unity recognized by the Three Powers. The establishment by the British and United States Governments of diplomatic relations with the Polish Provisional Government has resulted in the withdrawal of their recognition from the former Polish Government in London, which no longer exists.

The British and United States Governments have taken measures to protect the interest of the Polish Provisional Government as the recognized government of the Polish State in the property belonging to the Polish State located in their territories and under their control, whatever the form of this property may be. They have further taken measures to prevent alienation to third parties of such property. All proper facilities will be given to the Polish Provisional Government for the exercise of the ordinary legal remedies for the recovery of any property belonging to the Polish State which may have been wrongfully alienated.

## X

CONCLUSION OF PEACE TREATIES AND ADMISSION TO THE UNITED NATIONS ORGANIZATION

The Conference agreed upon the following statement of common policy for establishing, as soon as possible, the conditions of lasting peace after

## victory in Europe:

The three Governments consider it desirable that the present anomalous position of Italy, Bulgaria, Finland, Hungary, and Rumania should be terminated by the conclusion of Peace Treaties. They trust that the other interested Allied Governments will share these views.

For their part, the three Governments have included the preparation of a Peace Treaty for Italy as the first among the immediate important tasks to be undertaken by the new Council of Foreign Ministers. Italy was the first of the Axis Powers to break with Germany, to whose defeat she has made a material contribution, and has now joined with the Allies in the struggle against Japan. Italy has freed herself from the Fascist regime and is making good progress towards the reestablishment of a democratic government and institutions. The conclusion of such a Peace Treaty with a recognized and democratic Italian Government will make it possible for the three Governments to fulfill their desire to support an application from Italy for membership of the United Nations.

The three Governments have also charged the Council of Foreign Ministers with the task of preparing Peace Treaties for Bulgaria, Finland, Hungary, and Rumania. The conclusion of Peace Treaties with recognized democratic Governments in these States will also enable the three Governments to support applications from them for membership of the United Nations. The three Governments agree to examine each separately in the near future, in the light of the conditions then prevailing, the establishment of diplomatic relations with Finland, Rumania, Bulgaria, and Hungary to the extent possible prior to the conclusion of peace treaties with those countries.

The three Governments have no doubt that in view of the changed conditions resulting from the termination of the war in Europe, representatives of the Allied press will enjoy full freedom to report to the world upon developments in Rumania, Bulgaria, Hungary, and Finland.

The three Powers are anxious to assist the Polish Provisional Government in facilitating the return to Poland as soon as practicable of all Poles abroad who wish to go, including members of the Polish Armed Forces and the Merchant Marine. They expect that those Poles who return home shall be accorded personal and property rights on the same basis as all Polish citizens.

The three Powers note that the Polish Provisional Government in accordance with the decisions of the Crimea Conference have agreed to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot in which all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates, and that representatives of the Allied press shall enjoy full freedom to report to the world upon developments in Poland before and during the elections.

"The following agreement was reached on the western frontier of Poland:

In conformity with the agreement of Poland reached at the Crimea Conference the three Heads of Government have sought the opinion of the Polish Provisional Government of National Unity in regard to the accession of territory in the north and west which Poland should receive. The President of the National Council of Poland and members of the Polish Provisional Government of National Unity have been received at the Conference and have fully presented

INDEX

## INTERNATIONAL AGREEMENTS

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

their views. The three Heads of Government reaffirm their opinion that the final delineation of the western frontier of Poland should await the peace settlement.

The three Heads of Government agree that, pending the final determination of Poland's western frontier, the former German territories east of a line running from the Baltic Sea immediately west of Swinemünde, and thence along the Oder river to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier, including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics in accordance with the understanding reached at this conference and including the area of the former free city of Danzig, shall be under the administration of the Polish State and for such purposes should not be considered as part of the Soviet Zone of occupation in Germany.

As regards the admission of other states into the United Nations Organization, Article 4 of the Charter of the United Nations declares that:

- "1. Membership in the United Nations is open to all other peace-loving States who accept the obligations contained in the present Charter, and, in the judgment of the organization, are able and willing to carry out these obligations;
- "2. the admission of any such state to membership in the United Nations will be affected by a decision of the General Assembly upon the recommendation of the Security Council."

The three Governments, so far as they are concerned will support applications for membership from those States which have remained neutral during the war and which fulfill the

qualifications set out above.

The three Governments feel bound, however, to make it clear that they for their part would not favor any application for membership put forward by the present Spanish Government which having been founded with support of the Axis powers, does not, in view of its origin, its nature, its record, and its close association with the aggressor States, possess the qualifications necessary to justify such membership.

#### II TERRITORIAL TRANSFERS

The Conference examined a proposal by the Soviet Government concerning trusteeship territories as defined in the decision of the Crimea Conference and in the Charter of the United Nations Organization.

After an exchange of views on this question, it was decided that the disposition of any former Italian territories was one to be decided in connection with the preparation of a peace treaty for Italy and that the question of Italian territory would be considered by the September Council of Ministers of Foreign Affairs.

#### III REVISED ALLIED CONTROL COMMISSION PROCEDURE IN ROMANIA, BULGARIA AND HUNGARY

The three Governments took note that the Soviet Representatives on the Allied Control Commission in Rumania, Bulgaria, and Hungary have communicated to their United Kingdom and United States colleagues proposals for improving the work of the Control Commission, now that hostilities in Europe have ceased.

The three Governments agreed that the revision of the procedures of the Allied Control Commissions in these countries would be undertaken, taking into account the interests and responsibil-

ities of the three Governments which together presented the terms of armistice to the respective countries, and accepting as a basis the agreed proposals.

#### VIII ORDERLY TRANSFER OF GERMAN POPULATIONS

The Conference reached the following agreement on the removal of Germans from Poland, Czechoslovakia, and Hungary:

The three Governments, having considered the question in all its aspects, recognize that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia, and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and human manner.

Since the influx of a large number of Germans into Germany would increase the burden already resting on the occupying authorities, they consider that the Allied Control Council in Germany should in the first instance examine the problem with special regard to the question of the equitable distribution of these Germans among the several zones of occupation. They are accordingly instructing their respective representatives on the Control Council to report to their Governments as soon as possible the extent to which such persons have already entered Germany from Poland, Czechoslovakia, and Hungary, and to submit an estimate of the time and rate at which further transfers could be carried out, having regard to the present situation in Germany.

The Czechoslovak Government, the Polish Provisional Government, and the Control Council in Hungary are at the same time being informed of the above, and are being requested meanwhile to suspend further expulsions pending

# INTERNATIONAL AGREEMENTS

267

SUBJECT: POTSDAM AGREEMENT

DATE: 2 August 1945

the examination by the Governments concerned of the report from their representatives on the Control Council.

XIV

MILITARY TALKS

During the Conference, there were meetings between the Chiefs of Staff of the three Governments on military matters of common interest.

Approved:

J.V. Stalin

Harry S. Truman

C.R. Attlee

INDEX

## FOURTH SESSION OF CFM, MOSCOW, 1947

RESTRICTED  
 AGREED  
 SUBJECT:

Limitation of Occupation Forces in Germany (CFM/47/W/43rd Meeting & CFM/47/W/158)

ORIGIN: CFM

FOUR POWER AGREEMENT	U S	U K	FR	SOVIET
<p>"Finding it necessary to limit the occupation forces in Germany the Council agreed to suggest that the Allied Control Council in Germany should consider this question and determine the size of armed forces of the USA, United Kingdom, France and the USSR in Germany. The Control Council will report its decision to the Council of Foreign Ministers not later than June 1, 1947".</p> <p>(Page 2: CFM/47/W/158)</p> <hr/>				
<p>ACTION TAKEN BY CFM: Referred to Control Council for Action</p>				

UNAGREED  
SUBJECT:

RESTRICTED

ALLIED CONTROL COUNCIL, BERLIN, 1947

289

Limitation of Occupation Forces in Germany

ORIGIN: CCGCR/1

FOUR POWER POSITION	US	UK	FR	SOVIET
CCRC/M/47/27 2 June 1947 CCRL/P/47/32 29 May 1947	<u>US and UK POSITION</u>		<u>FRENCH and SOVIET POSITION</u>	
The Coordinating Committee agreed to report to the Control Council that it was unable to reach agreement on this subject.	The US and UK Delegation considered that a limitation should be placed on all service personnel in Germany, whether serving with the armed forces or in any other capacity.  (Page 1; CCRL/P/47/32)		The Soviet and French Delegations considered that the limitation should be applied to occupation forces only. The French Delegation was, however, willing to consider the principle of limitation of military personnel employed in administration or in any other capacity.  (Page 1; CCRL/P/47/32)	
The main points of disagreement were as follows:-  (Page 1; CCRL/P/47/32)	<u>US and UK POSITION</u>		<u>FRENCH POSITION</u>	<u>SOVIET PROPOSAL</u>
Last Control Council Action as of 1 February 1947	The US and UK Delegation were not prepared to accept this (Soviet) proposal. These Delegations maintained that the limits to be applied to their respective Zones should be based on population, area, and certain other factors.  (Page 1; CCRL/P/47/32)		The French Delegation was unable to accept the figure proposed by the Soviet Delegation for the French Zone and required a higher number. In view of the difference of opinion between the Soviet and the UK and US Delegations, the figure for the French Zone was not discussed.  (Page 1; CCRL/P/47/32)	The Soviet Delegation proposed the following figures:  Soviet Zone 200,000 United States and British Zone combined 200,000 French Zone 50,000.  (Page 1; CCRL/P/47/32)
CCRL/P/47/32 29 May 1947 CCRL/M/47/12 3 June 1947				
<u>7th Action</u>				
<u>THE MEETING:</u>  (55) agreed that each Delegation would advise its Government of the state reached in discussion by the Control Council, and that when each of the Delegations received additional instructions from their respective Governments, the Control Council could resume further consideration of the matter.  (Page 7; CCRL/M/47/12)				
<u>ACTION TAKEN:</u> Delegations have advised their Governments of state reached in Control Council negotiation.				

INDEX

## FIFTH SESSION OF CFM, LONDON, 1947

UNAGREED

RESTRICTED

SUBJECT:

Economic Integration of the Saar (USDEL/47/L/3rd &amp; 4th M'g)

ORIGIN:

FOUR POWER POSITION	US	UK	FR	SOVIET
	<p align="center"><u>US POSITION</u></p> <p>The US Delegation supports the economic integration of the Saar into the French Economy.</p> <p align="center">(Page 3, USDEL/47/L/4th M'g)</p> <p align="center">-----</p>	<p align="center"><u>UK POSITION</u></p> <p>The UK Delegation supports the economic integration of the Saar into the French Economy.</p> <p align="center">(Page 3, USDEL/47/L/4th M'g)</p> <p align="center">-----</p>	<p align="center"><u>FRENCH PROPOSAL</u></p> <p>The French Delegation requests the Council of Foreign Ministers to recognize the incorporation of the Saar into the French Economy.</p> <p align="center">(USDEL/47/L/3rd M'g)</p> <p align="center">-----</p>	<p align="center"><u>SOVIET POSITION</u></p> <p align="center">No comment</p> <p align="center">(Page 3, USDEL/47/L/4th M'g)</p> <p align="center">-----</p>
ACTION TAKEN BY CFM: None				

## COUNCIL OF FOREIGN MINISTERS

AGENDA FOR THE FOURTH SESSION OF THE COUNCILMOSCOW 1947

The Council of Foreign Ministers has decided:

- I To convene its next meeting for consideration of German and Austrian problems at Moscow on March 10, 1947.
- II To approve the following agenda:
1. Consideration of a Report to be supplied by the Allied Control Council for Germany, which shall deal with the following subjects:
    - a. Work of the Control Council since its creation on the following points: demilitarization, denazification, democratization, economic principles, reparations;
    - b. The establishment of central administrations and other problems connected with the political, economic and financial situation of Germany under quadripartite government;
    - c. Liquidation of Prussia.
  2. Consideration of the form and scope of the provisional political organization of Germany.
  3. Preparation of a Peace Treaty with Germany:
    - a. Report of the Deputies for Germany on the views of the Allied States mentioned in the instructions to the Deputies, as well as proposals on questions of procedure;

- b. Basic directives including questions of boundaries, questions of the Ruhr and the Rhineland, and others.
  4. United States draft disarmament and demilitarization treaty and other measures for political, economic and military control of Germany.
  5. Consideration of the report already submitted by the Committee of Coal Reports.
  6. Report of the Deputies on the Austrian Treaty.
- III To instruct the Allied Control Council in Germany as follows:
- The Allied Control Council is instructed to submit to the Council of Foreign Ministers by February 26, 1947 the report called for in paragraph 1 of the agenda for the next meeting of the Council of Foreign Ministers.
- IV To instruct the Deputies appointed for Germany, who will meet in London on January 14, 1947, as follows:

The Deputies for Germany are instructed to:

- a. hear the views of the Governments of neighbouring Allied States, and of other allied states which participated with their armed forces in the common struggle against Germany, which wish to present their views on the German problem.
- b. consider questions of procedure with regard to the preparation of a Peace Treaty for Germany.

RESTRICTED

- c. submit a report on the above matters to the Council of Foreign Ministers by February 26, 1947.

V. To instruct the Deputies appointed for Austria who will meet in London on January 14, 1947, as follows:

The Deputies for Austria are instructed to:

- a. proceed with the preparation of a Treaty recognizing the independence of Austria, taking into consideration the proposals already submitted by the Governments of the United States and the United Kingdom, as well as any further proposals which may be submitted by any member of the Council of Foreign Ministers.
- b. hear the views of the Governments of neighbouring Allied States, and of other allied states which participated with their armed forces in the common struggle against Germany, which wish to present their views on the Austrian problem.
- c. submit proposals on the above matters to the Council of Foreign Ministers by February 26, 1947.

Waldorf-Astoria Hotel,  
New York, N.Y.  
December 13, 1946.

RESTRICTED

RESTRICTED

COUNCIL OF FOREIGN MINISTERS

AGENDA FOR THE FIFTH SESSION OF THE COUNCIL

LONDON 1947

1. Report of the Commission on the Treaty with Austria.
2. Preparation of a German Peace Treaty; Frontiers and procedure.
3. Economic principles, level of German post-war economy and reparations plan.
4. Form and scope of the provisional political organization of Germany.
5. Implementation of decisions taken on demilitarisation at the Moscow C.F.M. Session.
6. The U.S. draft disarmament and demilitarisation treaty, together with Soviet and other possible amendments thereto and other questions relating to security.

The questions enumerated on the above Agenda will be considered in succession; it shall not be required that discussion on one question be completed before starting on the next.

LANCASTER HOUSE,  
LONDON, S.W.1.

28th November, 1947.

RESTRICTED

INDEX

## CHRONOLOGY OF INTERNATIONAL CONFERENCES

	CONFERENCE	PLACE	DATE	PRINCIPAL PARTICIPANTS	DOCUMENTS & DATE
1	Atlantic Conference	Somewhere in the Atlantic	Early in August 1941	President Franklin D. Roosevelt Prime Minister Winston Churchill	Atlantic Charter 14 August 1941
2	Moscow Conference of Foreign Ministers	Moscow, USSR	19 - 30 October 1943	Secretary of State Cordell Hull Foreign Secretary Anthony Eden Foreign Commissar V.M. Molotov	Joint-Four-Nation Declaration, etc. 30 October 1943
3	Tehran Conference	Tehran, Persia	26 Nov - 2 Dec 1943	President Franklin D. Roosevelt Prime Minister Winston Churchill Premier Josef V. Stalin	Tehran Declaration 1 December 1943
4	Yalta Conference	Yalta, USSR	February 1945	President Franklin D. Roosevelt Prime Minister Winston Churchill Marshal Josef V. Stalin	Yalta Communique 11 February 1945
5	Potsdam Conference	Potsdam, Germany	17 July - 2 Aug 1945	President Harry S. Truman Prime Ministers Winston Churchill and Clement R. Attlee Generalissimo Josef V. Stalin	Potsdam Agreement 2 August 1945
6	Council of Foreign Ministers (CFM) Moscow Conference (Fourth Session)	Moscow, USSR	10 March - 24 Apr 1947	Secretary of State George C. Marshall Foreign Secretary Ernest Bevin Foreign Minister Georges Bidault Foreign Minister V.M. Molotov	Approved report containing Agreements and Disagreements on Germany 23 April 1947
7	Council of Foreign Ministers (CFM) London Conference (Fifth Session)	London, England	25 Nov - 16 Dec 1947	Secretary of State George C. Marshall Foreign Secretary Ernest Bevin Foreign Minister Georges Bidault Foreign Minister V.M. Molotov	No approved agreements.

INDEX



I N D E X

	<u>Page No.</u>
<b>A</b>	
ACA Report to CFM on Population Transfers.....	178
Abandonment of the Use of Force & Disarmament of Aggressive Nations (Atlantic Charter, 8th Principle).....	7
Abbreviations, List of, see Table of Contents..	
Abolition of Nazi Laws.....	68
Abolition of the State of Prussia (CCL #46)....	3
Acceleration of Denazification (ACA con/B 1947), see note.....	92
Acceleration of Plant Removals (CFM/L/47).....	230
Access on Equal Terms to Trade & Raw Materials for all States (Atlantic Charter, 4th Principle).....	93
Acquisition of Interest in German Enterprises (CFM/L/47).....	135
Administration Controls, Establishment of (German) Machinery for, (Potsdam).....	94
Administration of DP Camps (CFM/M/47).....	187
(ACA con/B 1947).....	187
Administration of Government by Central Control Commission (Yalta).....	151

	<u>Page No.</u>
<b>A</b>	
(cont'd)	
Advisory Council, German Composition of (CFM/M/47).....	151
Establishment of (CFM/M/47).....	160
Functions of (CFM/M/47).....	162
Agencies of CAA, Guidance of ACC (CFM/M/47)....	157
Agenda for CFM Fourth Session, Moscow, 1947....	271
Agenda for CFM Fifth Session, London, 1947.....	273
Agreed Measures on: Denilitarization (CFM/M/47).....	20
Denazification, General Discussion on CFM Agreed Measures, see note (CFM/M/47).....	92
Population Transfers (1).....	184
Population Transfers (2).....	185
Agreement, Bizonal, Annulment of (CFM/M/47).....	119
Agreement, Potsdam, Para 14, Application of (CFM/L/47).....	127
Agreement on Reparations (Potsdam).....	207
Aggrandizement, Renouncing (Atlantic Charter)..	1
Aggressive Nations, Abandonment of the Use of Force & Disarmament of (Atlantic Charter)....	7
Agriculture, Concentration on (Potsdam).....	93

ic.

I N D E X

	<u>Page No.</u>
<b>A</b> (cont'd)	
Allied Control over Internal Allocations in Germany (CFM/M/47).....	121
Allied, Other, Belligerent & Ex-Enemy States, Participation of (Treaties) (CFM/L/47)....	235
Allied States Participating (Treaties) (CFM/L/47)).....	234
Allied States, Presentation of Views by (Treaties) (CFM/L/47).....	242
Allied Wage Policy (CCD #14 as amended).....	45
Allocation of Separate Pieces of Equipment (CFM/M/47).....	216
Allocations, Internal, in Germany, Allied Control over (CFM/M/47).....	121
Annulment of Bizonal Agreement (CFM/M/47)...	119
Application of Para 14 of Potsdam Agreement (CFM/L/47).....	127
Appointment of Border Commissions (Treaties) (CFM/L/47).....	250
Appointment of Subcommittees (Treaties) (CFM/L/47).....	246

	<u>Page No.</u>
<b>A</b> (cont'd)	
Armed Forces, German Destruction of, (Yalta).....	7
Disbandment & Dissolution of, (CCD #18).....	15
Arrest & Punishment of War Criminals, Nazis & Militarists, and the Internment, Control & Surveillance of Potentially Dangerous Germans (CCD #38).....	79
Assets, External, German-owned, Disposition (Potsdam).....	94
ATLANTIC CHARTER (in its Entirety).....	251
Austria, Transfer of Persons of German Origin (CFM/M/47).....	196
(ACA acn/B).....	204
Authorities, German, Responsibility for Carrying out Provisions of CCD #24 & 38, see note.....	92
Authority, Supreme, in Government (Declaration re Defeat of Germany).....	151
(Potsdam).....	152
<b>B</b>	
Banking (Potsdam).....	140

I N D E X

<u>B</u>	<u>Page No.</u>	<u>C</u>	<u>Page No.</u>
(cont'd)		(cont'd)	
Basic Human Rights (CFM/M/47).....	53	Camps, DP, Administration of (CFM/M/47).....	187
(ACA con/B 1947).....	53	(ACA con/B/1947).....	187
Basic Principles for Democratization of Education in Germany (CCD #64).....	40	Category I War Plants, Liquidation of (CFM/M/47).....	20
Basic Principles of Division of Powers between Central Government & Laender Government (CFM/M/47).....	165	(ACA con/B/1947).....	25
Berlin, the Occupation of Greater, (Statement by Govts of US, UK, USSR & Prov. Govt. of French Republic).....	1	Categories II, III, & IV, Liquidation of Factories in (CFM/M/47).....	21
Bizonal Agreement, Annulment of (CFM/M/47)...	119	(ACA con/B/1947).....	31
Border Commissions, Appointment of (Treaties) (CFM/L/47).....	250	Central Administrative Agencies, German (CAA) Establishment & Supervision of (CFM/M/47)...	154
Boundaries, Determination of, (Declaration re Defeat of Germany).....	1	Exclusion of Saar (CFM/M/47).....	156
Bringing to Trial of War Criminals (ACA con/B/47).....	92	Functions of (CFM/M/47).....	159
		German Executive Committee (CFM/M/47).....	155
		Guidance of Agencies by ADC (CFM/M/47).....	157
		Relationship between Zone Commanders and (CFM/M/47).....	158
		Central Government, Basic Principles of Division of Powers between Central Government & Laender Government (CFM/M/47).....	165
		Central Taxation (Potsdam).....	140
<u>C</u>		Central Tracing Service for United Nations Missing, Establishment of, (CGRC/P/45/54 CCRP).....	175
CFM Agreed Measures, General, (ACA con/B/47) Discussions.....	20	Charter, Atlantic (In its Entirety).....	251
CFM, Approved Parts of ACA Report on Population Transfers to (See Agreed Measures CFM/M/47).....	178		

I N D E X

	<u>Page No.</u>		<u>Page No.</u>
<b>C</b> (cont'd)		<b>C</b> (cont'd)	
Chronology of International Conferences.....	274	Committee, Special Quadripartite, Investigating (DP) (CFM/M/47).....	188
City of Koenigsberg & Adjacent Area (Potsdam)	2	(ACA Berlin 1947).....	188
Claim, Soviet Reparations (includes President Truman's Statement on Reparations) (CFM/M/47).....	220	Committees, Direction of (Treaties) (CFM/L/47).....	245
Clarification of the Policy to be Followed in Regard to the Return of Refugees to Their Former Place of Residence in Germany (CORC/P/46/325) (CCEP).....	177	Committees, Permanent, Composition of (Treaties) (CFM/L/47).....	244
Clearance of Mine Fields & Destruction of Fortifications, Underground Installations, & Military Installations in Germany (Amended 1) (CCD #22).....	17	Committees, Permanent, Establishment of (Treaties) (CFM/L/47).....	243
Commission, Central Control, Administration of Govt. by (Yalta).....	151	Common Export-Import Program (CFM/L/47).....	180
Commission for Checking the Demilitarization of Germany, (ACA Berlin 1947).....	29	Common Sharing of Resources (CFM/M/47).....	112
Commission for Compensation of Damage, Establishment of, (Yalta).....	207	Communications, Quadripartite Coordination of, Action on (CONL/P/46/24).....	110
Commissions, (Border) Appointment of (Treaties) (CFM/L/47).....	250	Completion of Program (Reparations), Time Limit for (CFM/M/47).....	217
Committee, German Executive, CAA (CFM/M/47)..	155	Completion of Removal of Former Nazis and Militarists (ACA con/B/47).....	92
		Composition of Conference (Treaties) (CFM/L/47)	237
		Composition of Council (Treaty) (CFM/L/47).....	233

I N D E X

	<u>Page No.</u>
<b>C (cont'd)</b>	
Composition of German Advisory Council (CFM/M/47).....	151
Composition of Permanent Committees (Treaties) (CFM/L/47).....	244
Composition of Subcommittees (Treaties) (CFM/L/47).....	247
Concentration on Agriculture and Peaceful Domestic Industries (Potsdam).....	93
Conditions for Convening Peace Conference (CFM/L/47).....	236
Conference, Composition of (Treaties) (CFM/L/47).....	237
Conference, Conditions for Convening Peace (CFM/L/47).....	236
Conference, Information and Consultation (Treaties) (CFM/L/47).....	248
Conferences, Chronology of International.....	274
Confiscated Property, under CCL #13 or Legislation Issued Pursuant to CCD #38 (CORC/P/47/225 Final), Disposition of, (CCD #57).....	145
Confiscation, of Literature and Material of a Nazi and Militarist Nature (CCO #4, as amended).....	43

	<u>Page No.</u>
<b>C (cont'd).</b>	
Consultation Conference, Information and, (Treaties) (CFM/L/47).....	248
Control, Allied, over Internal Allocations in Germany (CFM/M/47).....	121
<b>CONTROL COUNCIL DIRECTIVES (CCD)</b>	
CCD #14 (as amended), Allied Wage Policy...	45
CCD #18, Disbandment and Dissolution of the German Armed Forces.....	15
CCD #22 (as amended by CCD #48), Clearance of Mine Fields, and Destruction of Fortifications, Underground Installations & Military Installations in Germany.....	17
CCD #24, Removal from Office & Positions of Responsibility of Nazis and of Persons Hostile to Allied Purposes.....	70
Devolving Responsibility upon German Authorities for carrying out Provisions of CCD #24 & #38 (ACA sec/3/47).....	92
CCD #28 (as amended), Reports on Disposal of German War Material in Germany.....	19
CCD #31, Principles Concerning the Establishment of Federation of Trade Unions.....	41

I N D E X

C (cont'd)

	<u>Page No.</u>
<u>CONTROL COUNCIL DIRECTIVES (CCD) (cont'd)</u>	
CCD #37, Limitation of Characteristics of Ships other than Fishing and Pleasure Craft left to the Peace Economy of Germany.....	100
CCD #38, The Arrest and Punishment of War Criminals, Nazis and Militarists and the Internment, Control and Surveillance of Potentially Dangerous Germans.....	79
Devolving Responsibility upon German Authorities for carrying out Provisions of Control Council Directives #24 & #38 (ACA con/8/47).....	92
CCD #39, Liquidation of German War and Industrial Potential.....	102
CCD #40, Policy to be Followed by German Politicians and German Press.....	42
CCD #44, Limitation of Characteristics of Fishing Craft left to the Peace Economy of Germany.....	106
CCD #45, Limitation of the Technical Characteristics of German Pleasure Craft	105
CCD #47, Liquidation of German War Research Establishments.....	106

C (cont'd)

	<u>Page No.</u>
<u>CONTROL COUNCIL DIRECTIVES (CCD) (cont'd)</u>	
CCD #60, Disposition of Property having belonged to Organizations Listed in CCP #2 & CCL #2 (CORC/P/46/281 Final).....	143
CCD #64, Basic Principles for Democratization of Education in Germany.....	40
CCD #65, Interzonal Exchange of Printed Matter & Films.....	44
CCD #67, Disposition of Property Confiscated under CCL #10, or Legislation Issued Pursuant to CCD #38 (CORC/P/47/226 Final)..	145
<u>CONTROL COUNCIL LAWS (CCL)</u>	
CCL #1, Repealing of Nazi Laws.....	36
CCL #2, Termination and Liquidation of the Nazi Organization (CONL/P/45/44).....	141
CCL #4, Reorganization of German Judicial System.....	58
CCL #8, Elimination & Prohibition of Military Training.....	10
CCL #9, Providing for Seizure of Property Owned by I.G. Farbenindustrie & Control Thereof.....	95

I N D E X

	<u>Page No.</u>
<b>C (cont'd)</b>	
<u>CONTROL COUNCIL LAWS (CCL) (cont'd)</u>	
CCL #10, Punishment of Persons Guilty of War Crimes, Crimes against Peace & against Humanity (CONL/P/45/53 Final).....	42
CCL #22, Works Councils.....	48
CCL #25 (as amended), Control of Scientific Research.....	96
CCL #34, Dissolution of the Wehrmacht.....	11
CCL #43, Prohibition of Manufacture, Import, Export, Transport & Storage of War Materials.....	12, 98
CCL #46, Abolition of the State of Prussia..	3
CCL #60, Punishment for the Theft & Unlawful Use of Rationed Foodstuffs, Goods, and Rationing Documents.....	99
<u>CONTROL COUNCIL ORDERS (CCO)</u>	
CCO #3, Registration of Population of Employable Age, Registration of Unemployed and their Placement at Work.....	46
CCO #4 (as amended), Confiscation of Literature and Material of a Nazi & Militarist Nature.....	43

	<u>Page No.</u>
<b>C (cont'd)</b>	
<u>CONTROL COUNCIL PROCLAMATION (CCP)</u>	
CCP #3, Fundamental Principles of Judicial Reform.....	39
Control of German Economy by Allies for Achieving Allied Aims (Definition of 5 Different Aims) (Potsdam).....	93
Control of (German) Government by Central Control Commission (Yalta).....	151
Control Machinery in Germany Statement by Governments of the UK, USA, USSR & Provisional French Government.....	151
Potsdam.....	94
Control & Occupation (Boundaries) (Yalta).....	1
Control of the Ruhr (CPM/M/47).....	118
Control of Scientific Research (CCL #25, as amended).....	98
Control and Seizure of Property Owned by I.G. Farbenindustrie (CCL #9).....	95
Control and Surveillance of Dangerous Germans (CCD #38).....	79

I N D E X

	<u>Page No.</u>		<u>Page No.</u>
<b>C</b> (cont'd)		<b>C</b> (cont'd)	
Convening Peace Conference, Conditions for (CFM/L/47).....	236	Current Production, Deliveries from, (CFM/M/47).	218
Coordination of Government by Central Control Commission (Yalta).....	151	Current Production, Reparations from, (CFM/L/47)	227
Costs, Occupation, Payment by Germany (CFM/L/47).....	134	Customs (Potsdam).....	140
Costs of DP Maintenance (CFM/M/47).....	192	<b>D</b> DP Camps, Administration of (CFM/M/47).....	187
(ACA acn/B/47).....	192	(ACA acn/B/47).....	187
Council, German Advisory Composition of (CFM/M/47).....	161	DP, Establishment of a Central Tracing Service for United Nations Missing (CORC/P/45/54 CCEP)	175
Establishment of (CFM/M/47).....	160	DP, Special Quadripartite Investigating Committee (CFM/M/47).....	188
Functions of (CFM/M/47).....	162	(ACA acn/B/47).....	188
Council, Composition of (Treaties) (CFM/L/47).....	233	DPs, in Units & Services, Ehlisment of, (CFM/M/47).....	194
Councils, Works, (CCL #22).....	48	(ACA Berlin 47).....	194
Criminals, War, Arrest, Punishment & Internment (CCD #38).....	79	DP Maintenance, Costs of (CFM/M/47).....	192
Criminals, Bringing to Trial of War, (ACA acn/B/47).....	92	(ACA Berlin 47).....	192
Criminals, Punishment of War.....	68	DP Problem to IRO, Reference of (CFM/M/47).....	191
Currency & Banking, Central Taxation and Customs (Potsdam).....	140	(ACA Berlin 47).....	191
		DPs outside Germany, Resettlement of (CFM/M/47).....	186
		(ACA acn/B/47).....	186

I N D E X

	<u>Page No.</u>
<b>D (cont'd)</b>	
Damage, Compensation of, Establishment of Commission for, (Yalta).....	207
Dangerous Germans, Control & Surveillance of, (CCD #38).....	79
Date of Plan Revision (Reparations) (CFM/M/47).....	214
Decartelization (CFM/L/47).....	137
Decartelization, Economic (CFM/M/47).....	120
Decentralization of German Economy (Potsdam).	93
Decentralization of Political Structure and Development of Local Responsibility, Measures for (Potsdam).....	34, 152
Declaration, Joint Four-Nation Proclaimed in Moscow Oct. 1943, Joint Action on the Disarmament of the Enemy.....	7
DECLARATION REGARDING THE DEFEAT OF GERMANY AND THE ASSUMPTION OF SUPREME AUTHORITY WITH RESPECT TO GERMANY BY THE GOVERNMENTS OF THE UK, USA, USSR AND THE PROVISIONAL GOVT OF THE FRENCH REPUBLIC (In its Entirety).....	266
Deficits, Import, Sharing of (CFM/M/47).....	114
Deliveries from Current Production (CFM/M/47)	218

**D (cont'd)**

	<u>Page No.</u>
Demilitarization, Agreed Measures on.....	20
Demilitarization (Declaration re Defeat of Germany).....	7
(Potsdam).....	9
Demilitarization, Joint Consultation on (Joint Four-Nation Declaration).....	7
Demilitarization of Germany, Commission for Checking (ACA con/S/47).....	29
Democratic & Peaceful Basis, Statement on Intention to Offer German People the Opportunity for Reconstruction of their Life on (Potsdam).	34
Democratization of Education, Basic Principles for (CCD #54).....	40
Denazification, Acceleration of, (ACA Berlin 1947).....	92
Denazification, Agreed Measures on (CFM/M/47).....	92
Denazification, (Declaration re Defeat of Germany, etc.).....	68
Destruction of Fortifications, Underground Installations & Military Installations in Germany, Clearance of Mine Fields, and (CCD #22).....	17

I N D E X

	<u>Page No.</u>		<u>Page No.</u>
D (cont'd)		D (cont'd)	
Destruction of German Militarism & Nazism & Disarmament & Disbandment of the German Armed Forces, (Yalta).....	7	Disbandment of German Military Formations (CFM/M/47).....	22
Destruction of National Socialist Party and All Its Affiliated and Supervised Associations (Potsdam).....	68	(ACA Berlin 1947).....	32
Destruction of Nazi Tyranny (Atlantic Charter).....	68	Disbandment of Non-German Units & Services (CFM/M/47).....	23
Determination of Boundaries (Declaration re Defeat of Germany).....	1	(ACA Berlin 1947),.....	33
Development of Local Responsibility & Measures Therefor (Potsdam).....	34, 152	Disposal of German War Material in Germany, Reports on, (CCD #28).....	19
Devolving Responsibility upon German Authorities for Carrying out Provisions of CCD #24 & #38, see note	92	Disposition of German Owned External Assets (Potsdam).....	94
Direction of Committees (Treaties) CFM/L/47).....	245	Disposition of Property Confiscated under CCL #10, or Legislation Issued Pursuant to CCL #38.....	145
Disarmament (Abandonment of the Use of Force) of Aggressive Nations (Atlantic Charter).	7	Disposition of Property re CCP #2 & CCL #2 (CORC/P/46/281 Final).....	145
Disarmament of the Enemy, Joint Action on (Joint Four-Nation Declaration).....	7	Dissolution and Disbandment of the German Armed Forces (CCD #18).....	15
Disbandment and Dissolution of the German Armed Forces (CCD #18).....	15	Dissolution of the Wehrmacht (CCL #34).....	11
		Distribution of Resources, Equitable (CFM/L/47).....	138
		Division of Powers between Central Government & Laender Government, Basic Principles of, (CFM/M/47).....	165

I N D E X

	<u>Page No.</u>
<b>D</b> (cont'd)	
Doctrines, Nazi, Elimination of, from Education (Potsdam).....	35, 68
Drawing up of Final Text (Treaties) (CFM/L/47).....	239
<b>E</b>	
Economic Adjustment (Atlantic Charter).....	93
Economic Decentralization & Decartelization (CFM/M/47).....	120
Economic Integration of the Saar (CFM/L/47).....	270
Economic Measures, Immediate (Potsdam).....	94
Economic Unit, Treatment of Germany as, (Potsdam)	93, 208
Economic Unity 1 (CFM/M/47).....	123
Economic Unity 2 (CFM/M/47).....	124
Economics, General Reservations (CFM/M/47).....	111
Economic Development of Germany, Reparations not to Interfere with, (Potsdam).....	207
Economy, German, Decentralization of (Potsdam)...	93
Economy, German Peace, Limitation of Characteristics of Fishing Craft left to the, (CCD #44).....	105

	<u>Page No.</u>
<b>E</b> (cont'd)	
Economy, German, Control of by Allies (Potsdam).....	93
Economy of Germany, Peace, Limitation of Characteristics of Ships other than Fishing & Pleasure Craft (CCD #37).....	100
Education (CFM/M/47).....	57
(ACA sec/8/47).....	66
Education in Germany, Basic Principles for Democratization (CCD #64).....	40
Education, Statement to Assure Elimination of Nazi Doctrines (Potsdam).....	35, 68
Elections, Supervision of (CFM/M/47).....	52
(ACA sec/8/47).....	59
Electoral Procedure (CFM/M/47).....	55
(ACA Berlin 1947).....	62
Elimination of German War Potential (Potsdam)	93
Elimination of Nazi Doctrines from German Education (Potsdam).....	68
Elimination of Nazism in all its Manifestations in Germany (Yalta).....	68

No.

I N D E X

	<u>Page No.</u>
<b>E</b> (cont'd)	
Elimination of Prohibition of Military Training (CCL #8).....	10
Emigration, German, Organization of (CFM/M/47).....	190
(ACA acn/B/47).....	190
Employment of Non-Nazis in Judicial Capacities and as Public Prosecutors (ACA acn/B/47).....	92
Enlistment of DPs in Units and Services (CFM/M/47).....	194
(ACA acn/B/47).....	194
Entering into Force of Treaty (CFM/L/47).....	241
Enterprises, German, Acquisition of Interest in (CFM/L/47).....	135
Equipment, Allocation, Separate Pieces of (CFM/M/47).....	216
Equitable Distribution of Resources (CFM/L/47).....	138
Establishment of CAA (CFM Moscow 47).....	154
Establishment of a Commission for the Compensation of Damage (Yalta).....	207
Establishment of German Advisory Council (GAC) (CFM/M/47).....	160
Establishment of German Administrative Machinery (Potsdam).....	94

	<u>Page No.</u>
<b>E</b> (cont'd)	
Establishment of Permanent Committees (Treaties) (CFM/L/47).....	243
Establishment of Provisional Government (CFM/M/47).....	163
Establishment of Federation of Trade Unions (CCD #31).....	41
Exclusion of Saar, CAA (CFM/M/47).....	156
Executive Committee, German, CAA (CFM/M/47).....	165
Ex-Enemy States, Participation of Other, Allied, Belligerent, and (Treaties) (CFM/L/47).....	235
Expellees, Redistribution of, (CFM/M/47).....	193
(ACA acn/B/47).....	193
Export-Import Plan (CFM/M/47).....	113
Export-Import Planning, Interim, Principle (CONL/P/45/32).....	107
Export-Import Program, Common (CFM/L/47).....	130
Export, War Materials, Prohibition of (CCL #43).....	98
External Assets, German Owned, Disposition of (Potsdam).....	94

I N D E X

	<u>Page No.</u>
<b>F</b>	
Factories, Categories II, III & IV, Liquidation of (CFM/M/47).....	21
(ACA acn/B/47).....	31
Farbenindustrie, I.G., Property Owned by, Seizure of and Control of (CCL #9).....	95
Films, Intersonal Exchange of Printed Matter & (CCD #55).....	44
(ACA acn/B/47).....	67
(CFM/M/47).....	51
Final Text, Drawing up of (Treaties) (CFM/L/47)..	239
Financial Reform (CFM/M/47).....	147
(CFM/L/47).....	150
Financial Unity I (CFM/M/47).....	148
Financial Unity 2 (CFM/M/47).....	149
Fishing Craft, Limitation of Characteristics of (CCD #44).....	105
Form & Scope of the Provisional Political Organization of Germany (CFM/M/47).....	153
Force, Abandonment of the Use of (Atlantic Charter).....	7
Forces in Germany, Occupation, Limitation of (CFM/M/47).....	268
(ACA acn/B/47).....	269

	<u>Page No.</u>
<b>F (cont'd)</b>	
Forces in Germany, Requirements of (CFM/M/47).....	118
Formations, German Military, Disbandment of (CFM/M/47).....	22
(ACA Berlin 1947).....	32
Fortifications, Destruction of (CCD #22).....	17
Four Zones of Occupation, the, Statement by Governments of UK, USA, USSR & Prov. Govt. of French Republic.....	1
Free Movement of Goods within Germany (CFM/L/47).....	128
Freedom, from Fear and Want (Atlantic Charter).....	34
Freedom of Movement (Atlantic Charter).....	34
(CFM/M/47).....	56, 117
(ACA acn/B/47).....	65
Freedom, of Speech, Press & Religion (Potsdam)	35
Frontier, German-Polish (Yalta).....	1
Frontiers, Western, of Poland (Potsdam).....	2
Functions of CAA (CFM/M/47).....	159
Functions of German Advisory Council (CFM/M/47)	162

I N D E X

	<u>Page No.</u>		<u>Page No.</u>
<b>F</b> (cont'd)		<b>G</b> (cont'd)	
Fundamental Principles of Judicial Reform (CCP #3).....	39	<u>GERMAN PEACE TREATY</u> (cont'd)	
Future German Judicial System (Potsdam).....	34	Composition of Conference.....	237
<b>G</b>		Composition of Council.....	244
GAC, German Advisory Council		Composition of Permanent Committees.....	247
Composition of, (CFM/M/47).....	161	Composition of Subcommittees.....	236
Establishment of, (CFM/M/47).....	160	Conditions for Convening Peace Conference	245
Functions of, (CFM/M/47).....	162	Directions of Committees.....	239
General Discussions on CFM Agreed Measures, (see note on ACA con/B/47).....	92	Drawing up of Final Text.....	241
General Reservations (ECON) (CFM/M/47).....	111	Entering into Force of Treaty.....	243
General Reservations (GOVT) (CFM/M/47).....	153	Establishment of Permanent Committees...	238
General Statement (ECON) (CFM/L/47).....	125	German Participation.....	248
German Armed Forces, Disbandment of (Yalta)....	7	Information & Consultation Conference...	236
German Armed Forces, Disbandment & Dissolution of (CCD #18).....	16	Participation of Other Allied Belligerent & Ex-Enemy States.....	242
German Navy, Disposal of, (Potsdam).....	9	Presentation of Views by Allied States...	240
German Participation (Treaties) (CFM/L/47).....	238	Signature of Treaty.....	1
<u>GERMAN PEACE TREATY</u>		German-Polish Frontier, (Yalta).....	79
Allied States Participating.....	234	Germans, Dangerous, Control & Surveillance of (CCB #38).....	208
Appointment of Border Commissions.....	250	Germany, to be Treated as a Single Economic Unit and Policies Thereof (Potsdam).....	51
Appointment of Subcommittees.....	246	Government, Coordination, Administration & Control of, by Central Control Commission (Yalta).....	163
		Government, Provisional, Establishment of (CFM/M/47).....	164
		Government, Provisional, Functions of (CFM/M/47).....	

I N D E X

<u>G</u> (cont'd)	<u>Page No.</u>	<u>I</u> (cont'd)	<u>Page No.</u>
Government, Reservations (CFM/M/47).....	171	Import-Export Program, Common (CFM/L/47).....	130
Government, Right of Peoples to Choose Form of, (Atlantic Charter).....	151	Import, War Materials, Prohibition of (OCL #43).....	12, 98
Governments, Laender, Powers of, (CFM/M/47)...	172	Improvement of Labor Standards, Economic Adjustment & Social Security (Atlantic Charter).....	95
Greater Berlin, The Occupation of, Statement by Four Governments.....	1	Industrial Potential, Liquidation of (OCD #39)	102
Guidance of CAA Agencies by ACC (CFM/M/47)....	157	Industries, Peaceful, Domestic, Concentration on (Potsdam).....	93
<u>H</u>		Industry, German, Rehabilitation of (CFM/M/47)	122
Human Rights, Basic (CFM/M/47).....	53	Information & Consultation Conference (Treaties) (CFM/L/47).....	248
(ACA acn/B/47).....	53	Information, Free Exchange of (CFM/M/47).....	51
<u>I</u>		Information on Removals (Reparations) (CFM/M/47).....	224
IARC, Reactivation of (CFM/M/47).....	223	(CFM/L/47).....	232
IRO, Reference of DP Problem to (CFM/M/47).....	191	Installations, Military, and Underground Destruction of (OCD #22).....	17
(ACA Berlin 47).....	191	Instruction to Coordinating Committee Concerning OCD #20, 22 & 28 (ACA acn/B)....	24
Import Deficits, Sharing of (CFM/M/47).....	114	Integration of the Saar, Econ (CFM/L/47)....	270
Import-Export Plan (CFM/M/47).....	113		
Import-Export Planning, Principles for Interim (COML/P/45/32).....	107		

I N D E X

	<u>Page No.</u>		<u>Page No.</u>
I (cont'd)		J (cont'd)	
Intent to Eliminate Nazism in All Its Manifestations in Germany (Yalta).....	68	Judicial System, Future German (Potsdam).....	34
International Conferences, Chronology of.....	274	Judicial System, German, Reorganization of, (CCL #4).....	38
Internment, Arrest, Punishment of Militarists (CCD #38).....	79	K	
Interzonal Exchange of Printed Matter & Films (ACA acn/B/47).....	67	Koenigsberg, City of, & Adjacent Area (Potsdam)	2
(CCD #66).....	44	L	
Intolerance, Statement to the Effect that We Will Seek Active Participation of All Nations to Eliminate Tyranny, Slavery, Oppression, and (Tehran).....	34	Labor Standards, Improvement of (Atlantic Charter).....	93
Investigating Committee, Special Quadripartite (DP) (CFM/M/47).....	188	Laender Governments, Basic Principles of Division of Powers between Central Government and, (CFM/M/47).....	166
J		Laender Governments, Powers of,.....	172
Joint Four-Nation Declaration Proclaimed in Moscow Oct 43.		Land Reform (CFM/M/47).....	50
Joint Action on the Disarmament of the Enemy.....	7	(ACA Berlin 47).....	58
Joint Consultation on Demilitarization.....	7	Laws, Nazi, Abolition of, (Potsdam).....	68
Judicial, Employment of Non-Nazis in Judicial Capacities and as Public Prosecutors (ACA).	92	Laws, Nazi, Repealing of, (CCL #1).....	36
Judicial Reform, Fundamental Principles of (CCP #3).....	39	Legal	
		Repealing of Nazi Laws (CCL #1).....	36
		Reorganization of German Judicial System (CCL #4).....	38
		Fundamental Principles of Judicial Reform (CCP #3).....	39

I N D E X

<u>L</u> (cont'd)	<u>Page No.</u>	<u>L</u> (cont'd)	<u>Page No.</u>
Legal Unity (CFM/M/47).....	169	Liquidation and Termination of the Nazi Organization (COML/P/45/44) (CCL #2).....	141
Level of Industry Plan, Revision of, (CFM/L/47)	228	List of Abbreviations, see Table of Contents	
Limitation of Characteristics of Fishing Craft Left to the Peace Economy of Germany (CCD #44)	105	Literature (of Nazi and Militarist Nature), Confiscation of, (CCO #4, as amended).....	43
Limitation of Characteristics of Ships Other Than Fishing & Pleasure Craft Left to the Peace Economy of Germany (CCD #37).....	100	Local Responsibility & Measures Therefor, Decentralization of Political Structure, Development of, (Potsdam).....	34, 152
Limitation of Occupation Forces in Germany (CFM/M/47).....	268		
(ACA Berlin 47).....	269	<b>M</b>	
Limitation of the Technical Characteristics of German Pleasure Craft (CCD #45).....	106	Maintenance, DP, Costs of, (CFM/M/47).....	192
		(ACA acn/B/47).....	192
Liquidation of Category I War Plants (CFM/M/47).....	20	Manpower	
(ACA Berlin 47).....	25	Allied Wage Policy (CCD #14, as amended)...	45
Liquidation of Factories in Categories II, III & IV		Registration of Population of Employable Age, Unemployed & Their Placement at Work (CCO #3).....	46
(CFM/M/47).....	21	Works Councils (CCL #22).....	48
(ACA/B/47).....	31	Manufacture, Import, Export, Transport & Storage of War Materials, Prohibition of, (CCL #43).....	12, 98
Liquidation of German War and Industrial Potential (CCD #39).....	102	Materials, Raw, Access on Equal Terms to (Atlantic Charter).....	93
Liquidation of German War Research Establishments (CCD #47).....	106	Materials, War, Prohibition of the Manufacture, Import, Export, Transport & Storage of, (CCL #43).....	12, 98
Liquidation of Prussia (CFM/M/47).....	4		

I N D E X

**M** (cont'd)

	<u>Page No.</u>
Materials, War, Reports on Disposal of (CCD #28).....	19
Merchant Marine, German, Disposal of (Potsdam).....	9
Militarism, German, Destruction of (Yalta)...	7
Militaristic Doctrines, Control of German Education to Assure Elimination of (Potsdam)	35
Militarists, Completion of Removal of, (ACA B/47).....	92
Militarists, Arrest, Punishment & Internment of, (CCD #38).....	79
Militarists, Removal of, from Public & Semi- Public Office & Positions of Responsibility in Important Private Enterprises (Potsdam).	68
Military Formations, German Disbandment of (CFM/M/47).....	22
(ACA acn/E/47).....	32
Military Installations in Germany, Destruction of, (CCD #22).....	17
Military Training, Elimination & Prohibition of, (CCL #8).....	10
Mine Fields, Clearance of (CCD #22).....	17
Movement, Free, of Goods within Germany (CFM/L/47).....	128

**M** (cont'd)

Movement, Freedom of (Atlantic Charter).....	34
(CFM/M/47).....	56, 117
(ACA acn/B/47).....	68

**N**

National Socialist Party, Destruction of (Potsdam).....	68
Navy, German, Disposal of, (Potsdam).....	9
Nazi Doctrines, Elimination of from German Education (Potsdam).....	35, 68
Nazi Laws, Abolition of (Potsdam).....	68
Nazi Laws, Repealing of (CCL #1).....	36
Nazi Leaders, Punishment of, (Potsdam).....	68
Nazi Organization, Termination & Liquidation of, (CONL/P/45/44) (CCL #2).....	141
Nazis, Former, Completion of Removal of, (ACA acn/E/47).....	92
Nazi & Militarist Literature, Confiscation of (CCD #4).....	43
Nazism, Destruction of, (Yalta).....	7
Nazis & Militarists, Arrest & Punishment of (CCD #38).....	79

I N D E X

N (cont'd)	<u>Page No.</u>	O (cont'd)	<u>Page No.</u>
Nazis, Removal from Office & Positions of Responsibility of, (CCD #24).....	70	Occupation of Greater Berlin, Statement by Govts of the US, UK, USSR & Prov French Govt.....	1
Nazis, Removal from Public & Semi-Public Office & Positions of Responsibility in Important & Private Enterprise (Potsdam)....	88	Oppression, Statement to the Effect that we will Seek Active Participation of all Nations to Eliminate Teheran.....	34
Nazism, in Germany, Intent to Eliminate Manifestations of.(Yalta).....	88	Orderly Transfers of German Population (Potsdam) .....	174
New List of Reparations Removals (CFM/L/47)...	229	Organization of German Emigration (CFM/M/47).....	190
Non-German Units & Services, Disbandment of, (CFM/M/47).....	23	(ACA wcn/B/47).....	190
(ACA/B/47).....	33		
Non-Nazis in Judicial Functions & as Public Prosecutors, Employ of (ACA/B/47).....	92		
		<b>P</b>	
		PWs, German, Repatriation of (CFM/M/47).....	195
		(ACA/wcn/B/47).....	199
		PWs, Return of, to Germany (CFM/M/47).....	195
		PWs, Release of (Declaration re Defeat of Germany).....	174
		PW&DP Directorate, Recommendations of, re the Establishment of a Central Tracing Service for UK Missing in Occupied Germany (CCCF).....	175
		Participating Allied States (Peace Treaty) (CFM/L/47).....	234
Occupation & Control (Boundaries) (Yalta)....	1		
Occupation Costs, Payment by Germany (CFM/L/47)	134		
Occupation Forces in Germany, Limitation of, (CFM/M/47).....	268		
(ACA/B/47).....	269		
Occupation Forces & Their Requirements (CFM/M/47).....	116		
Occupation of the Four Zones, (Statement by Govts of the UK, US, USSR & Prov French Govt)	1		

I N D E X

	<u>Page No.</u>
<b>P</b> (cont'd)	
Participation, German, (Treaties) (CFM/L/47).....	238
Participation of other Allied, Belligerent and Ex-Enemy States (Treaties)(CFM/L/47)	236
Payment by Germany of Occupation Costs (CFM/L/47).....	134
Peace Conference, Convening, Conditions for (CFM/L/47).....	236
Peace Treaty, German, Procedure for the Preparation of, (based on CFM/47/M/125 (Moscow) as revised by CFM D/L/47/G-78 Revised (Deputies for Germany, CFM London) and amended by the Council during CFM London Session) (CFM/L/47) (See German Peace Treaty).....	
Permanent Committees, Composition of, (Treaties) (CFM/L/47).....	244
Permanent Committees, Establishment of (Treaties)(CFM/L/47).....	243
Plan, Export-Import (CFM/M/47).....	113
Plan, Reparations, 27 March 1946 .....	209
Plan, (Reparations) Revision of (CFM/M/47)	213
Plan, Revision of Level of Industry (CFM/L/47).....	228

	<u>Page No.</u>
<b>P</b> (cont'd)	
Plan Revision, (Reparations) Date of (CFM/M/47).....	214
Plant Removals, Acceleration of (CFM/L/47).....	230
Plants, War, Liquidation of Category I (CFM/M/47).....	20
(ACA acn/B/47).....	25
Plants, Reparations, Lists of (CFM/M/47).....	212
Pledging Destruction of Nazi Tyranny (Atlantic Charter).....	68
Poland, Western Frontiers of (Potsdam).....	2
Polish-German Frontier, (Yalta).....	1
Political Parties & Trade Unions (CFM/M/47).....	54
(ACA acn/B/47).....	61
Political Principles (Potsdam).....	152
Political Structure, Decentralization of (Potsdam).....	34, 162
Political Unity 1 (CFM/M/47).....	167
Political Unity 2 (CFM/M/47).....	168

I N D E X

<u>P</u> (cont'd)	<u>Page No.</u>	<u>P</u> (cont'd)	<u>Page No.</u>
Politicians, German, Policy to be followed by, (CCD #40).....	42	POTSDAM AGREEMENT (In Its Entirety)	260
Population, Agreed Measures (1), see VII, Part 2, Para 5 of ACA Report to CFM.....	184	Potsdam, Para 14, Application of (Econ) (CFM/L/47).....	127
Population, Agreed Measures (2), see VII, Part 2, Para 5, of ACA Report to CFM....	185	Powers, Basic Principles of Division of, between Central Government & Laender Governments (CFM/M/47).....	165
Population, German, Orderly Transfers of (Potsdam).....	174	Powers of Laender Governments (CFM/M/47)....	172
Population, Registration of Employable Age & Unemployed, & their Placement at Work (CCO #3).....	45	Present and Future Territorial Division (CFM/M/47).....	5
Population Transfers, General (ACA acn/B/47).....	197	(ACA acn/B/47).....	6
Population Transfers, Suspension of (CFM/M/47).....	189	Presentation of Views by Allied States (Treaties).....	242
(ACA acn/B/47).....	189	President Truman's Statement re Reparations, 9 Aug 1945 (CFM/M/47).....	220
Population Transfers, Persons of German Origin, from Austria (CFM/M/47).....	196	Press, Freedom of (Potsdam).....	35
(ACA acn/B/47).....	204	Press, German, Policy to be Followed by (CCD #40).....	42
Population Transfers, Approved Parts of ACA Report to CFM on, see Agreed Measures (CFM/M/47).....	178	Printed Matter, Exchange of, (Interzonal) (CCD #65).....	44
		(ACA acn/B/47).....	67
		Procedure, Electoral (CFM/M/47).....	55
		(ACA acn/B/47).....	62

I N D E X

P (cont'd)

	<u>Page No.</u>
Procedure for the Preparation of the German Peace Treaty (Based on CPM/47/M/125 (CFM Moscow) as revised by CPM D/L/47/G-78 Revised (Deputies for Germany, CPM London) and amended by the Council during the CPM London Session), see German Peace Treaty.....	
Production, Current, Reparations from (CFM/L/47).....	227
Production, Current, Deliveries from (CFM/M/47).....	218
Production, Increase of (CFM/M/47).....	225
Program, Common Export-Import (CFM/L/47).....	130
Program (Reparations), Time Limit for Completion of (CFM/M/47).....	217
Prohibition of Import of War Materials (CCD #43).....	12, 98
Prohibition of the Manufacture, Import, Export, Transport & Storage of War Materials (CCL #43).....	12, 98
Prohibition of Military Training, and Elimination of (CCL # 18).....	10
Property having belonged to Organizations Listed in CCP #2 & CCL #2 (CORC/P/46/281 Final), Disposition of (CCD#50).....	143

P (cont'd)

	<u>Page No.</u>
Property, Disposition of Property Confiscated under CCL #10 or Legislation Issued Pursuant to CCD #38 (CORC/P/47/226 Final) (CCD #57).	145
Property Owned by I.G. Farbenindustrie, Seizure & Control of (CCL #9).....	95
Prosecutors, Public, Employment of Non-Nazis as (ACA act/B/47).....	92
Provisional Government	
Establishment of (CFM/M/47).....	163
Functions of (CFM/M/47).....	164
Prussia, Abolition of the State of (CCL #46).	3
Prussia, Liquidation of (CFM/M/47).....	4
Punishment for the Theft & Unlawful Use of Rationed Foodstuffs, Goods & Rationing Documents (CCL #60).....	99
Punishment of Persons Guilty of War Crimes, Crimes against Peace & against Humanity COM. P/45/63 Final (CCL #10).....	142
Punishment of War Criminals & Nazi Leaders (Potsdam).....	68
Punishment of War Criminals, Nazis and Militarists and the Internment, Control & Surveillance of Potentially Dangerous Germans CORC/P/46/301 Final (CCD #38).....	79

I N D E X

	<u>Page No.</u>		<u>Page No.</u>
<b>Q</b>			
Quadripartite Coordination of Action on Transport (Communications) COML/P/46/24 (CCEP).....	110		
Quadripartite Committee, Special Investigations (Population--DP) CFM/M/47.....	188		
<b>R</b>			
Reaffirmation of Principles of Atlantic Charter (Yalta).....	54	<b>R</b> (cont'd)	
Rationed Foodstuffs, Punishment for Theft and Unlawful Use of (CCL#50).....	99	Reform, Financial (CFM/M/47).....	147
Rationed Goods, Punishment for the Theft & Unlawful Use of (CCL #50).....	99	(CFM/L/47).....	150
Rationing Documents, Punishment for the Theft and Unlawful Use of (CCL #50).....	99	Reform, Judicial, Fundamental Principles of (CCP #8).....	39
Reactivation of IARC (CFM/M/47).....	223	Reform, Land (CFM/M/47).....	50
Recommendations of the PW-DP Directorate re Establishment of a Central Tracing Service for United Nations Missing in Occupied Germany CORG/P/46/54 (CCEP).....	175	(ACA/acn/B/47).....	58
Redistribution of Refugees & Expellees (CFM/M/47).....	195	Refugees, Redistribution of (CFM/M/47).....	193
(ACA acn/B/47).....	193	(ACA acn/B/47).....	193
Reference of DP Problem to IRO (CFM/M/47).....	191	Refugees, Clarification of Policy to be Followed in Returning to Their Former Place of Residence in Germany CORG/P/46/325 (CCEP)	177
(ACA acn/B/47).....	191	Registration of Population of Employable Age (CCO #8).....	46
		Registration of Unemployed & Their Placement at Work (CCO #3).....	46
		Rehabilitation of German Industry (CFM/M/47).	122
		Relationship between Zone Commanders & CAA (CFM/M/47).....	158
		Release of PWs (Declaration re Defeat of Germany).....	174
		Religion, Freedom of (Potsdam).....	35

I N D E X

R (cont'd)	<u>Page No.</u>
Requirements of Forces in Germany (CFM/M/47).....	118
Removal of Nazis & Persons Hostile to Allied Purposes from Office & Positions of Responsibility (CCD #24).....	70
Removal, of Former Nazis & Militarists, Completion of (ACA acn/B/47).....	92
Removal, of Nazis & Militarists from Public & Semi-Public Office & Positions of Responsibility in Important Private Enterprise (Potsdam).....	68
Removals, Reparations, Information on (CFM/M/47).....	224
(CFM/L/47).....	232
Removals, (Reparations), New List of (CFM/L/47).....	229
Removals, Plant, Acceleration of (CFM/L/47)..	230
Renouncing Territorial or Other Aggrandizement (Atlantic Charter).....	1
Reorganization of German Judicial System (CCL #4).....	58
Reparations, Agreement on (Potsdam).....	207
Reparations Claim, Soviet (CFM/M/47).....	220

R (cont'd)	<u>Page No.</u>
Reparations, Program, Time Limit for Completion (CFM/M/47).....	217
Reparations from Current Production (CFM/L/47)	227
Reparations in Kind from Germany (Yalta).....	207
Reparations not to Interfere with the Economic Development of Germany (Potsdam).....	207
Reparations, Date of Plan Revision (CFM/M/47)	214
Reparations Plan of 27 March 1947.....	209
Reparation Plants, List of (CFM/M/47).....	212
Reparations Removals, New List of (CFM/L/47).	229
Reparations, Soviet Claim (Includes President Truman's Statement) (CFM/M/47).....	220
Repatriation of German PWs (CFM/M/47).....	195
(ACA acn/B/47).....	199
Repayment by Germany of Sums Advanced by Controlling Powers (CFM/L/47).....	132
Repealing of Nazi Laws (CCL #1).....	36
Reports on Disposal of German War Material in Germany (CCD #28).....	19

I N D E X

R (cont'd)	<u>Page No.</u>
Requirements of Occupation Forces (CFM/M/47).	116
Research Establishments, German, Liquidation of (CCD #47).....	106
Research, Scientific, Control Of (CCL #25 as amended).....	96
Reservations (Govt) (CFM/M/47).....	171
Reservations, General	
Econ (CFM/M/47).....	111
Govt (CFM/M/47).....	153
Resettlement of DPs outside Germany (CFM/M/47).....	186
(ACA acn/B/47) .....	186
Resources, Common Sharing of (CFM/M/47).....	112
Resources, Equitable Distribution of (CFM/L/47).....	138
Resources, in Germany, Subjection to German Law (CFM/M/47).....	115
(CFM/L/47).....	136
Responsibility of German Authorities for Carrying out Provisions of CCD #24 & #38 (ACA acn/B/47).....	92
Return of German PWs to Germany (CFM/M/47)...	195
Return of Refugees to Their Former Place of Residence in Germany (CORC/P/46/325)(CCEP).	177

R (cont'd)	<u>Page No.</u>
Revision of Level of Industry Plan.... (CFM/L/47).....	228
Revision of Plan (Reparations) (CFM/M/47).....	213
Revision (Reparations) Plan, Date of (CFM/M/47).....	214
Right of Peoples to Choose Form of Govt. (Atlantic Charter).....	151
Rights, Basic Human (CFM/M/47).....	53
(ACA acn/B/47).....	53
Ruhr, Control of (CFM/M/47).....	118
 S	
Saar, Economic Integration of the (CFM/L/47)	270
Saar, Exclusion of, CAA (CFM/M/47).....	156
Scientific Research Control of (CCL #25 as amended).....	96
Security, Social (Atlantic Charter).....	93
Seizure of Property Owned by I.G. Farben-Industrie, and Control of (CCL #9).....	95
Services, Utilization of (Reparations) (CFM/M/47).....	219

I N D E X

S (cont'd)	<u>Page No.</u>
Services, Disbandment of Non-German Units, and (CFM/M/47).....	23
(ACA acn/B/47) .....	33
Services, Enlistment of DPs in (CFM/M/47).....	194
(ACA acn/B/47) .....	194
Sharing of Common Resources (CFM/M/47)....	112
Sharing of Import Deficits (CFM/M/47).....	114
Ships, Limitation of Characteristics of (CCD #37).....	100
Signature of Treaty (Treaties) CFM/L/47).....	240
Slavery, Statement to Effect That We will Seek Active Participation of All Nations to Eliminate (Teheran Conf).....	34
Social Security (Atlantic Charter).....	93
Soviet Reparations Claim (Including President Truman's Statement) (CFM/M/47)	220
Special Quadripartite Investigations Committees (Pop-DP) (CFM/M/47).....	188
(ACA acn/B/47).....	188
Speech, Freedom of (Potsdam).....	35

S (cont'd)	<u>Page No.</u>
State of Prussia, Abolition of (OCL #46)..	3
Statement, General (Eoon) (CFM/L/47).....	125
STATEMENT BY GOVTS OF UK, USA, USSR & Prov Govt of French Republic The Four Zones of Occupation of Germany. The Occupation of Greater Berlin.....	1 1
STATEMENTS BY THE GOVTS OF UK, USA, & THE USSR & THE PROVISIONAL GOVT OF THE FRENCH REPUBLIC ON THE ZONES OF OCCUPATION OF GERMANY (In Its Entirety).....	259
Statement on Control of German Education to Assure Elimination of Nazi & Militaristic Doctrines (Potsdam).....	35
Statement on Price Policy (CCEP) (CORC/P/46/56 as supplemented by DECO/M/ 46/28 para 324).....	108
Statement to the Effect That We will Seek Active Participation of All Nations to Eliminate Tyranny, Slavery, Oppression, and Intolerance (Teheran).....	34
Statement on Intention Not to Destroy German People (Yalta) .....	34
Statement on Reparations by President Truman (CFM/M/47).....	220

I N D E X

	<u>Page No.</u>
<b>S (cont'd)</b>	
STATEMENTS BY GOVTS OF UK, USA, USSR & PROV GOVT OF FRENCH REPUBLIC ON CONTROL MACHINERY IN GERMANY.....	161
States, Allied, Participating (Treaties) (CFM/L/47).....	234
States, Participation of Other Allied, Belligerent, and Ex-Enemy (Treaties) (CFM/L/47).....	235
Stating that Territorial Changes Should Conform with Freely Expressed Wishes of Peoples Concerned (Atlantic Charter).....	1
Subcommittees, Appointment of (Treaties) (CFM/L/47).....	246
Subcommittees, Composition of, (Treaties) (CFM/L/47).....	247
Subjection of Resources in Germany to German Law (CFM/M/47).....	115
(CFM/L/47).....	136
Supervision of Central Administrative Agencies (CFM/M/47).....	154
Supervision of Elections (CFM/M/47).....	52
(ACA scn/B/47).....	59

	<u>Page No.</u>
<b>S (cont'd)</b>	
Supreme Authority in Government, Uniformity of Treatment of Germans (Potsdam).....	162
(CFM/M/47).....	162
Surveillance and Control of Dangerous Germans (CCD #88).....	79
Suspension of Transfers of Population (CFM/M/47).....	189
(ACA scn/B/47).....	189
<b>T</b>	
Taxation, Central (Potsdam).....	140
TEHRAN CONFERENCE Statement to the Effect That We Will Seek Active Participation of All Nations to Eliminate Tyranny, Slavery, Oppression, and Intolerance.	34
Termination and Liquidation of the Nazi Organization COML/P/45/44 (CCL #2)..	141
Territorial Division, Present & Future (CFM/M/47).....	5
(ACA scn/B/47).....	6

I N D E X

T (cont'd)	<u>Page No.</u>
Territorial, or other Aggrandizement, Renouncing (Atlantic Charter).....	1
Territorial Changes should Conform with Freely Expressed Wishes of Peoples Concerned (Atlantic Charter).....	1
Text, Final, Drawing up of (Treaties) (CFM/L/47).....	239
Theft of Rationed Foodstuffs, Goods and Rationing Documents, Punishment for (CCL #50)	99
Time Limit for Completion of Program (Rep) (CFM/M/47).....	217
Tracing Service for United Nations Missing, Establishment of a Central (CGEC/P/45/54 CCEP).....	175
Trade & Raw Materials, for all States, Access on Equal Terms to (Atlantic Charter).....	93
Trade Unions & Political Parties (CFM/M/47).....	54
(ACA acn/B/47) .....	61
Trade Unions, Principles Concerning the Establishment of Federation of, (CCD #31)	41
Training, Military, Elimination & Prohibition of (CCL #8)	10

T (cont'd)	<u>Page No.</u>
Transfer of Persons of German Origin (From Austria) (CFM/M/47) .....	196
(ACA acn/B/47).....	204
Transfers, Orderly, of German Population (Potsdam).....	174
Transfers, Approved Parts of ACA Report to CFM (Population) CONL/P/47/8 (See Agreed Measures CFM/M/47).....	178
Transfers of Population, Suspension of (CFM/M/47).....	189
(ACA acn/B/47).....	189
Transport (Communications), Quadripartite Coordination of Action on CONL/P/45/24 (CCEP).....	110
Treatment of Germany as a Single Economic Unit & Measures Therefor (Potsdam).....	93
Treatment of Germans, Supreme Authority in Govt, Uniformity of (Potsdam).....	152
Treaty, Entering into Force of (CFM/L/47).....	241

I N D E X

**T** (cont'd)

	<u>Page No.</u>
Treaty, Procedure for the Preparation of the German Peace (based on CFM/47/W/125 as revised by CFM/D/L/47/G-78 Revised (Deputies for Germany CFM London and amended by the Council during the CFM London Session)(CFM/L/47) - See German Peace Treaty).....	240
Treaty, Signature of (Treaties)(CFM/L/47)	240
Trial, War Criminals, Bringing to (ACA acn/B/47).....	92
Truman, President, Statement on Reparations (CFM/W/47).....	220
Tyranny, Pledging Destruction of (Atlantic Charter).....	68
Tyranny, Statement to the effect that we will seek Active Participation of all Nations to Eliminate (Teheran Conf).....	34

**U**

Unemployed, Registration of, & their Placement at Work, (CCO #3).....	46
United Nations Missing, Establishment of a Central Tracing Service for, (CCEP/45/54 (CCEP).....	175
UN Nationals, Compensation of (CFM/W/47).....	226

**U** (cont'd)

	<u>Page No.</u>
Unions, Trade, Principles Concerning the Establishment of Federations of, (COD #31).....	41
Units, & Services, Disbandment of Non-German (CFM/W/47).....	23
(ACA acn/B/47).....	33
Units and Services, Enlistment of MPs in (CFM/W/47).....	194
(ACA acn/B/47).....	194
Unity, Economic, 1 (CFM/W/47).....	123
Unity, Economic, 2 (CFM/W/47).....	124
Unity, Financial 1, (CFM/W/47).....	148
Unity, Financial 2, (CFM/W/47).....	149
Unity, Legal (CFM/W/47).....	169
Unity, Political 1 (CFM/W/47).....	167
Unity, Political 2 (CFM/W/47).....	168

I N D E X

<u>U</u> (cont'd)	<u>Page No.</u>	<u>W</u> (cont'd)	<u>Page No.</u>
Utilization of Services (Reparations) (CPM/M/47).....	219	War, Materials, Prohibition of the Manu- facture, Import, Export, Transport & Storage of (OCL #43).....	12,98
<u>V</u>		War Plants Cat I, Liquidation of (CPM/M/47) .....	20
Views by Allied States, Presentation of (Treaties)(CPM/L/47).....	242	(ACA scn/B/47).....	25
<u>W</u>		War, Potential, Elimination of (Potsdam).....	93
Wage Policy, Allied (CCD #14 as amended)	45	War Research Establishments, Liquidation of (CCD #47).....	106
War Crimes, Crimes against Peace & Against Humanity, Punishment of Persons Guilty of, CORL/F/45/53 Final (OCL #10).....	142	Wehrmacht, Dissolution of (OCL #34).....	11
War Criminals, Arrest, Punishment and Internment of (CCD #38).....	79	Western Frontiers of Poland (Potsdam Agreement).....	2
War Criminals, Bringing to Trial of (ACA scn/B/47).....	92	Works Council (CCD #22).....	48
War Criminals & Nazi Leaders, Punishment of (Potsdam).....	68	<u>Y</u>	
War and Industrial Potential, Liquidation of (CCD #39).....	102	YALTA CONFERENCE COMMUNIQUE (in its entirety)	253
War, Material, German, Reports on Disposal of (CCD #28).....	19	<u>Z</u>	
		Zone Commanders, & CAA, Relationship between (CPM/M/47).....	158
		Zones of Occupation, The Four, Statement by Govts of the UK, US, USSR & Prov Govt of Fr Republic	1



Lithographed by

for

