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occupation in Austria furnished by his Government. Supreme authority in Austria will be exercised jointly, in respect of matters affecting Austria as a whole, by the Military Commissioners on instructions from their respective Governments in their capacity as members of the Allied Council. Subject to this, each Military Commissioner, in his capacity as Commander-in-Chief of the forces of occupation furnished by his Government, will exercise supreme authority in the zone occupied by those forces. Each Commander-in-Chief in his zone of occupation will have attached to him for liaison duties military, naval and air representatives of the other Commanders-in-Chief of forces of occupation in Austria.

(b) The Allied Council will meet at least once in ten days, and it will meet at any time upon request of any one of its members. Decisions of the Allied Council shall be unanimous. The Chairmanship of the Allied Council will be held in rotation by each of its four members.

(c) Each Military Commissioner will be assisted by a political adviser, who will, when necessary, attend meetings of the Allied Council.

ARTICLE 3.

The Executive Committee will consist of one high-ranking representative of each of the four Commissioners. Members of the Executive Committee will, when necessary, attend meetings of the Allied Council.

ARTICLE 4.

(a) The staffs of the Allied Commission in Vienna, appointed by their respective national authorities, will be organized in the following Divisions:

Military; Naval; Air; Economic; Finance;
Reparation, Deliveries and Restitution;
Internal Affairs; Labour; Legal;
Prisoners of War and Displaced Persons;
Political; and Transport.

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Adjustments in the number and functions of the Divisions may be made in the light of experience.

(b) At the head of each Division there will be four officials, one from each Power. Heads of Divisions will take part in meetings of the Executive Committee at which matters affecting the work of their Divisions are on the agenda.

(c) The Staffs of the Divisions may include civilian as well as military personnel. They may also, in special cases, include nationals of other United Nations, appointed in a personal capacity.

ARTICLE 5.

The Allied Council will:

(a) initiate plans and reach decisions on the chief military, political, economic and other questions affecting Austria as a whole, on the basis of instructions received by each Commissioner from his Government;

(b) ensure appropriate uniformity of action in the zones of occupation.

ARTICLE 6.

The Executive Committee, acting on behalf of the Allied Council, will:

(a) ensure the carrying out of the decisions of the Allied Council through the appropriate Divisions of the Allied Commission referred to in Article 4;

(b) co-ordinate the activities of the Divisions of the Allied Commission, and examine and prepare all questions referred to it by the Allied Council.

ARTICLE 7.

The Divisions of the Allied Commission will:

(a) advise the Allied Council and the Executive Committee;

(b) carry out the decisions of the Allied Council conveyed to them through the Executive Committee.

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ARTICLE 8.

The primary tasks of the Allied Commission for Austria will be:

(a) to ensure the enforcement in Austria of the provisions of the declaration regarding the defeat of Germany signed at Berlin on June 5, 1945;

(b) to achieve the separation of Austria from Germany;

(c) to secure the establishment, as soon as possible, of a central Austrian administrative machine;

(d) to prepare the way for the establishment of a freely-elected Austrian government;

(e) meanwhile to provide for the administration of Austria to be carried on satisfactorily.

ARTICLE 9.

In the period before the establishment of departments of a central Austrian administration, which period shall be as short as possible, the decisions of the Allied Commission, in so far as they may require action in the respective zones, will be carried out through the occupation authorities. The necessary instructions to those authorities will be given by the respective Military Commissioners, in their capacity as Commanders-in-Chief, on the basis of decisions of the Allied Council.

ARTICLE 10.

As soon as departments of a central Austrian administration are in a position to operate satisfactorily, they will be directed to assume their respective functions as regards Austria as a whole. In the fulfilment of its tasks, the Allied Commission will thenceforward work through such departments. It will then be the duty of the Divisions of the Allied Commission to control the activities of the respective departments and to communicate to them the decisions of the Allied Council and Executive Committee.

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ARTICLE 11.

(a) An Inter-Allied Governing Authority (Komendatura) consisting of four Commandants, one from each Power, appointed by their respective Commissioners, will be established to direct jointly the administration of the city of Vienna. Each of the Commandants will serve in rotation, in the position of Chief Commandant, as head of the Inter-Allied Governing Authority.

(b) A technical Staff, consisting of personnel of each of the four Powers, will be established under the Inter-Allied Governing Authority, and will be organized for the purpose of supervising and controlling the activities of the organs of the city of Vienna responsible for its municipal services.

(c) The Inter-Allied Governing Authority will operate under the general direction of the Allied Council and will receive orders through the Executive Committee.

ARTICLE 12.

The necessary liaison with the Governments of other United Nations chiefly interested will be ensured by the appointment of such Governments of military missions (which may include civilian members) to the Allied Council.

ARTICLE 13.

United Nations' organizations which may be admitted by the Allied Council to operate in Austria will, in respect of their activities in Austria, be subordinate to the Allied Commission and answerable to it.

ARTICLE 14.

The nature and extent of the Allied direction and guidance which will be required after the establishment of a freely elected Austrian Government recognized by the four Powers will form the subject of a separate agreement between the four Powers.

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SECRET

11 July 1945

COPY NO. 29

STATE-WAR-NAVY COORDINATING COMMITTEE

CORRIGENDUM

TO

SWNCC 30/3

DRAFT AGREEMENT ON ALLIED CONTROL MACHINERY IN AUSTRIA

Note by the Secretaries

Holders of SWNCC 30/3, dated 7 July 1945, are requested to correct their copies as follows:

Page 36, Article 4, paragraph (a):

Insert semi-colon after the word "Political" in the last line.

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

COPY NO. 10

STATE-WAR-NAVY COORDINATING COMMITTEE

PROPOSED AGREEMENT ON ZONES OF OCCUPATION IN AUSTRIA AND THE ADMINISTRATION OF THE CITY OF VIENNA

Reference: a. SWNCC 25/8.

Note by the Secretaries

The enclosure, a memorandum for the State-War-Navy Coordinating Committee from the Acting Secretary of the Joint Chiefs of Staff, is circulated to the Committee in connection with their consideration of Reference a.

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

SECRET

ENCLOSURE

SM-2568
16 July 1945

MEMORANDUM FOR THE STATE-WAR-NAVY COORDINATING COMMITTEE:

Subject: Proposed Agreement on Zones of Occupation in Austria and the Administration of the City of Vienna

The Joint Chiefs of Staff have considered the proposed agreement between the Governments of the United States of America, United Kingdom, and Union of Soviet Socialist Republics, and the Provisional Government of the French Republic on "Zones of Occupation in Austria, and the Administration of the City of Vienna", as approved by the European Advisory Commission (SWNCC 25/8), and perceive no objection to it from the military point of view. Further, the Joint Chiefs of Staff recommend that the United States Government support the recommendations of the European Advisory Commission in their report on the agreement.

For the Joint Chiefs of Staff:

F.R.SWEENEY,
Colonel, G.S.C.
Acting Secretary

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

S E C R E T

COPY NO. 26

SWNCC 25/11

27 July 1945

STATE-WAR-NAVY COORDINATING COMMITTEE

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, UNITED KINGDOM AND UNION OF SOVIET SOCIALIST REPUBLICS, AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON "ZONES OF OCCUPATION IN AUSTRIA, AND THE ADMINISTRATION OF THE CITY OF VIENNA"

Reference: a. SWNCC 25/8

Note by the Secretaries

The State Department has advised that the President has approved SWNCC 25/8, Zones of Occupation in Austria, as recommended by the European Advisory Committee.

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

COPY NO. 28

S E C R E T

SWNCC 25/8

10 July 1945

Pages 21 to 25, Incl.

STATE-WAR-NAVY COORDINATING COMMITTEE

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, UNITED KINGDOM AND UNION OF SOVIET SOCIALIST REPUBLICS, AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON "ZONES OF OCCUPATION IN AUSTRIA, AND THE ADMINISTRATION OF THE CITY OF VIENNA"

Note by the Secretaries

1. The enclosure, a report approved by the European Advisory Commission, transmitting a copy of a proposed agreement between the Governments of the United States of America, United Kingdom, Union of Soviet Socialist Republics, and the Provisional Government of the French Republic on "Zones of Occupation in Austria, and the Administration of the City of Vienna" (Appendix), is circulated for consideration by the State-War-Navy Coordinating Committee as a matter of urgency.

2. A copy of this report has been forwarded to the Joint Chiefs of Staff for comment from a military point of view. The comments of the Joint Chiefs of Staff will be circulated for consideration by the State-War-Navy Coordinating Committee upon receipt thereof from the Secretary, Joint Chiefs of Staff.

CHARLES W. McCARTHY
ALVIN F. RICHARDSON
RAYMOND E. COX
Secretariat

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

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ENCLOSURE

Report by the
European Advisory Commission to Governments of United States of America, United Kingdom and Union of Soviet Socialist Republics and Provisional Government of French Republic on ZONES OF OCCUPATION IN AUSTRIA, AND THE ADMINISTRATION OF THE CITY OF VIENNA

In submitting the text of an agreement on zones of occupation in Austria and administration of the city of Vienna for consideration and approval by the Governments of the United States of America, United Kingdom and Union of Soviet Socialist Republics and Provisional Government of the French Republic, the European Advisory Commission recommends that the four Governments issue directions to their respective Commanders-in-Chief of the forces of occupation in Austria as follows:

1. Personnel of the forces of occupation in Austria, including those allotted for the occupation of Vienna, and personnel of the Allied Commission, will have freedom of movement and communications throughout Austria in the execution of their duties or when traveling on leave, in accordance with regulations to be established by the Allied Council.

2. Allied Council will make necessary arrangements for transit in Austria by road, rail, air and water for goods and supplies required by the forces of occupation in Austria, including those forces allotted for the occupation of the City of Vienna and personnel of Allied Commission and likewise for common use of transport and communication facilities and public utility services in City of Vienna.

3. Use of facilities located in the district of Innerestadt will be regulated equitably by inter-Allied governing authority (Komendatura). The Soviet Commander-in-Chief will allocate areas in territory of the Soviet zone necessary for small unit training and recreation of Allied occupation forces stationed in City of Vienna.

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S E C R E T

4. Living accomodation outside the City will be found in special cases for senior officers and officials by arrangements agreed between respective Commanders-in-Chief.

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APPENDIX

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, UNITED KINGDOM AND UNION OF SOVIET SOCIALIST REPUBLICS, AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON "ZONES OF OCCUPATION IN AUSTRIA, AND THE ADMINISTRATION OF THE CITY OF VIENNA"

ARTICLE I.

The Governments of the United States of America, United Kingdom and Union of Soviet Socialist Republics, and the Provisional Government of the French Republic have agreed that the territory of Austria within her frontiers as they were on 31 December 1937 will be occupied by armed forces of the United States of America, United Kingdom, Union of Soviet Socialist Republics and the Provisional Government of the French Republic.

ARTICLE II.

For the purposes of occupation Austria will be divided as follows into four zones, one of which will be allotted to each of the four powers, and a special Vienna area which will be jointly occupied by armed forces of the four powers:

Eastern (Soviet) Zone: The Province of Lower Austria with the exception of the City of Vienna, that part of the Province of Upper Austria situated on the left bank of the Danube, and the Province of Burgenland which existed prior to the decree of 1 October 1938 concerning boundary changes in Austria, will be occupied by armed forces of the Union of Soviet Socialist Republics.

Northeastern (United States) Zone: The Province of Salzburg and that part of the Province of Upper Austria situated on the right bank of the Danube will be occupied by armed forces of the United States.

Western (French) Zone: The Provinces of Tirol and Vorarlberg will be occupied by armed forces of the French Republic.

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Southern (United Kingdom) Zone: The Province of Carinthia including Osttirol and the Province of Styria as it existed before the decree of 1 October 1938 will be occupied by armed forces of the United Kingdom.

City of Vienna: The territory of the City of Vienna will be divided into the following parts:

The districts of Leopoldstadt, Brigittenau, Floridsdorf, Wieden and Favoriten will be occupied by armed forces of the Soviet Union;

The districts of Neubau, Josefstadt, Hernales, Alsergrund, Wahring and Dobling will be occupied by armed forces of the United States;

The districts of Mariahilf, Penzing, Funfhaus (including the district of Rudolfsheim) and Ottakring will be occupied by French forces;

The districts of Heitzing, Margareten, Meidling, Landstrasse, and Simmering will be occupied by armed forces of the United Kingdom;

The district of Innerestadt will be occupied by armed forces of the four powers.

ARTICLE III.

Boundaries between the zones of occupation with exception of the boundaries of the City of Vienna and the Province of Burgenland will be those obtaining after the coming into effect of the decree of 1 October 1938 concerning boundary changes in Austria. The boundaries of the City of Vienna and of the Province of Burgenland will be those which existed on 31 December 1937.

ARTICLE IV

An inter-Allied governing authority (Komendatura) consisting of four commandants appointed by their respective Commanders-in-Chief will be established to direct jointly the administration of the City of Vienna.

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ARTICLE V.

Tulln airdrome, together with all installations and facilities pertaining thereto will be under administrative and operational control of armed forces of United States of America. Schwechat airdrome together with all installations and facilities pertaining thereto, will be under administrative and operational control of armed forces of United Kingdom for joint use of British and French armed forces. Armed forces and officials of occupying powers will enjoy free and unimpeded access to airdromes assigned to their respective occupancy and use.

ARTICLE VI.

Present agreement has been drawn up in quadruplicate in English, Russian and French languages. All three texts are authentic.

ARTICLE VII.

The present agreement will come into force as soon as it has been approved by the four Governments.

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SWNCC 15/9

6 August 1945

Pages 22 to 32 Incl.

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STATE-WAR-NAVY COORDINATING COMMITTEE

PROPOSED AMENDMENTS TO THE PROTOCOL ON ZONES OF OCCUPATION IN GERMANY AND ADMINISTRATION OF "GREATER BERLIN"

Reference: a. SWNCC 15 Series

Note by the Secretaries

1. The enclosure, a despatch from the U.S. Delegate, European Advisory Commission, to the Secretary of State, transmitting the minutes (Appendix) of an E.A.C. meeting of 26 July 1945, to which is attached the covering report (Annex "A") and the proposed agreement regarding amendments to the Protocol on Zones of Occupation in Germany and the Administration of "Greater Berlin" (Annex "B"), is circulated for the information of the Committee.

2. The U.S. Delegate, E.A.C., was notified from Potsdam of Presidential approval on 26 July 1945 of the above agreement.

CHARLES W. McCARTHY
ALVIN F. RICHARDSON
RAYMOND E. COX
Secretariat

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

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ENCLOSURE

London, July 26, 1945.

AIR MAIL

No. 24494

SUBJECT: EUROPEAN ADVISORY COMMISSION: Germany: Transmitting Signed Minutes of 7th Formal Meeting (1945), Covering Report and Agreement regarding Amendments to the Protocol on Zones of Occupation in Germany and the Administration of "Greater Berlin".

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

With reference to the Embassy's telegram No. 7546 of July 26, 8 p.m. (COMEA 343), reporting the signature by the European Advisory Commission on July 26 of the proposed Agreement regarding Amendments to the Protocol on Zones of Occupation in Germany and the Administration of "Greater Berlin", I have the honor to transmit a folder under the seal of the E.A.C. containing the signed texts in English, Russian, and French of the Minutes of the 7th Formal Meeting (1945), of the Covering Report and the proposed Agreement regarding Amendments to the Protocol on Zones of Occupation in Germany and the Administration of "Greater Berlin".

Respectfully yours,

For the Ambassador:

/s/ E. Allan Lightner, Jr.

E. Allan Lightner, Jr.
Secretary, U.S. Delegation
European Advisory Commission

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A P P E N D I X

E.A.C.(45) 7th Meeting.
26th July, 1945.

EUROPEAN ADVISORY COMMISSION

MINUTES of Meeting held at Lancaster House, London, S.W.1. on Thursday, 26th July, 1945, at 7.0.p.m.

PRESENT:

Monsieur R. Massigli (in the Chair)
Monsieur de Leusse
Professor A. Gros

Sir R.I. Campbell
Viscount Hood
Brigadier F.G. French

Mr. G.F. Saksin
Mr. N. V. Ivanov

Mr. J. G. Winant
Mr. E. A. Lightner, Jnr.
Colonel G.R. Hall

SECRETARIAT:

Lieutenant M.W. Boggs, U.S.N.
Mr. T.A. Marchenko
Mr. E.A. Paton-Smith
Mr. B.V. Ivanoff

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AGENDA.

1. Approval of the text of Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Protocol of 12th September, 1944, on the Zones of Occupation in Germany and the Administration of "Greater Berlin".

2. Approval of the Report by the European Advisory Commission to the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic.

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	THE COMMISSION-
1. Approval of text of the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Protocol of 12th September, 1944, on the Zones of Occupation in Germany and the Administration of "Greater Berlin".	(a) approved the texts of the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Protocol of 12th September, 1944, on the Zones of Occupation in Germany and the Administration of "Greater Berlin", the boundaries of the zones of occupation in Germany being as marked on the annexed map "D" (see Tab), in accordance with the texts of the above-mentioned Protocol and of the present Agreement (the text of the present Agreement in English, Russian and French and map "D" (see Tab), which supersedes map "A" annexed to the Protocol of 12th September, 1944, are annexed);
	(b) decided to submit the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Protocol of 12th September, 1944, on the Zones of Occupation in Germany and the Administration of "Greater Berlin", with the annexed map "D" (see Tab), to the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic for consideration and approval.
2. Report by the European Advisory Commission to the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic.	approved the text of the Report by the European Advisory Commission and decided to transmit it, signed by the four Representatives on the European Advisory Commission, as a covering document to the text of the Agreement regarding Amendments to the Protocol of 12th September, 1944, to the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic. (The text of the Report in English, Russian and French is annexed.)

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Representative of the Government of the United States of America on the European Advisory Commission:	Representative of the Government of the Union of Soviet Socialist Republics on the European Advisory Commission:	Representative of the Government of the United Kingdom on the European Advisory Commission:	Representative of the Provisional Government of the French Republic on the European Advisory Commission:
/s/John S. Winant	/s/G. Saksin	/s/Ronald I.Campbell	/s/R. Massigli

Lancaster House,
London, S.W.1.

26th July, 1945.

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

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ANNEX "A"

REPORT BY THE EUROPEAN ADVISORY COMMISSION TO THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC.

In consequence of a decision of the Crimea Conference announced on the 12th February, 1945, whereby the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom stated their intention to invite the Provisional Government of the French Republic to participate in the occupation of Germany, the European Advisory Commission has examined the question of delimiting the zone of French occupation in Germany.

The Commission now transmits to the four Governments for their consideration and approval the text of an Agreement amending the Protocol of 12th September, 1944, on the zones of occupation in Germany and the administration of "Greater Berlin". The Commission calls to the attention of the four Governments the fact that Articles 4 and 5 of the present Agreement supersede Articles 1 and 2 of the Agreement of 14th November, 1944, between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom regarding Amendments to the Protocol of 12th September, 1944, on the zones of occupation in Germany and the administration of "Greater Berlin".

In view of the physical conditions prevailing in the area of "Greater Berlin", the Commission in the drafting of Article 7 of the present Agreement did not attempt to delimit the area in "Greater Berlin" to be occupied by the armed forces of the French Republic. The Commission recommends that the question of the delimitation of the French area in "Greater Berlin", which will have to be allotted from the American and British areas of "Greater Berlin" as

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a consequence of the greater destruction in the Soviet area of the City, should be referred to the Control Council in Berlin for consideration.

Representative of the Government of the United States of America on the European Advisory Commission:	Representative of the Government of the Union of Soviet Socialist Republics on the European Advisory Commission:	Representative of the Government of the United Kingdom on the European Advisory Commission:	Representative of the Provisional Government of the French Republic on the European Advisory Commission:
/s/John S. Winant	/s/G. Saksin	/s/Ronald I.Campbell	/s/R. Massigli

Lancaster House,
London, S.W.1.

26th July, 1945.

DECLASSIFIED E.O. 11652, Sec 3(E) and 5(D) or (E) NND# 740132

ANNEX "B"

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC REGARDING AMENDMENTS TO THE PROTOCOL OF 12TH SEPTEMBER, 1944, ON THE ZONES OF OCCUPATION IN GERMANY AND THE ADMINISTRATION OF "GREATER BERLIN".

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, having, pursuant to the decision of the Crimea Conference announced on 12th February, 1945, invited the Provisional Government of the French Republic to take part in the occupation of Germany,

the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic have agreed to amend and to supplement the Protocol of 12th September, 1944, between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom on the zones of occupation in Germany and the administration of "Greater Berlin",

and have reached the following agreement:

1. In the Preamble of the Protocol of 12th September, 1944, add the words "and the Provisional Government of the French Republic" in the enumeration of the participating Governments.

2. In Article 1 of the above-mentioned Protocol, substitute "four" for "three" in the words "three zones", "three Powers", and "three powers".

3. In the first paragraph of Article 2 of the above-mentioned Protocol, add "and the French Republic" in the enumeration of the participating Powers; substitute "four" for "three" in the words "three zones" and "three zones".

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4. In place of the description of the North-Western Zone given in Article 2 of the above-mentioned Protocol, the description of the North-Western Zone will read as follows:

"North-Western (United Kingdom) Zone (as shown on the annexed map "D") (see Tab)*	The territory of Germany situated to west of the line defined in the description of the Eastern (Soviet) Zone, and bounded on the south by a line drawn from the point where the frontier between the Prussian provinces of Hanover and Hessen-Nassau meets the western frontier of the Prussian province of Savony; thence along the southern frontier of Hanover; thence along the south-eastern and south-western frontiers of the Prussian province of Westphalia and along the southern frontiers of the Prussian Regierungsbezirke of Koln and Aachen to the point where this frontier meets the Belgian-German frontier will be occupied by armed forces of the United Kingdom."

5. In place of the description of the South-Western Zone given in Article 2 of the above-mentioned Protocol, the description of the South-Western Zone will read as follows:

"South-Western (United States) Zone (as shown on the annexed map "D") (see Tab)	The territory of Germany situated to the south and east of a line commencing at the junction of the frontiers of Saxony, Bavaria, and Czechoslovakia and extending westward along the northern frontier of Bavaria to the junction of the frontiers of Hessen-Nassau, Thuringia and Bavaria; thence north and west along the eastern and northern frontiers of Hessen-Nassau to the point where the frontier of the district of Dill meets the frontier of the district of Oberwesterwald; thence along the western frontier of the district of Dill, the north-western frontier of the district of Oberlahn, the northern and western frontiers of the district of Limburg-an-der-lahn, the north-western frontier of the district of Untertaunus and the northern frontier of the district of Rheingau; thence south and east along the western and southern frontiers of Hessen-Nassau to the point where the River Rhine leaves the southern frontier of Hessen-Nassau; thence southwards along the centre of the navigable channel of the River Rhine to the point where the latter leaves Hessen-Darmstadt; thence along the western

* Map at Tab is substituted for map referred to above.

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frontier of Baden to the point where the frontier of the district of Karlsruhe meets the frontier of the district of Rastatt; thence south-east along the southern frontier of the district of Karlsruhe; thence north-east and south-east along the eastern frontier of Baden to the point where the frontier of Baden meets the frontier between the districts of Calw and Leonberg; thence south and east along the western frontier of the district of Leonberg, the western and southern frontiers of the district of Böblingen, the southern frontier of the district of Nürtingen and the southern frontier of the district of Göppingen to the point where the latter meets the Reichsautobahn between Stuttgart and Ulm; thence along the southern boundary of the Reichsautobahn to the point where the latter meets the western frontier of the district of Ulm; thence south along the western frontier of the district of Ulm to the point where the latter meets the western frontier of the State of Bavaria; thence south along the western frontier of Bavaria to the point where the frontier of the district of Kempten meets the frontier of the district of Lindau; thence south-west along the western frontier of the district of Kempten and the western frontier of the district of Sonthofen to the point where the latter meets the Austro-German frontier will be occupied by armed forces of the United States of America."

6. The following additional paragraph will be inserted in Article 2 of the above-mentioned Protocol, following the description of the South-Western Zone:

"Western (French) Zone (as shown on the annexed map "D") (see Tab)	The territory of Germany, situated to the south and west of a line commencing at the junction of the frontiers of Belgium and of the Prussian Regierungsbezirke of Trier and Aachen and extending eastward along the northern frontier of the Prussian Regierungsbezirke of Trier; thence north, east and south along the western, northern and eastern frontier of the Prussian Regierungsbezirk of Koblenz to the point where the frontier of Koblenz meets the frontier of the district of Oberwesterwald; thence east, south and west along the northern, eastern and southern frontiers of the district of Oberwesterwald and along the eastern frontiers of the districts of

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Unterwesterwald, Unterlahn and Sankt Goarshausen to the point where the frontier of the district of Sankt Goarshausen meets the frontier of the Regierungsbezirk of Koblenz; thence south and east along the eastern frontier of Koblenz; and the northern frontier of Hessen-Darmstadt to the point where the River Rhine leaves the southern frontier of Hessen-Nassau; thence southwards along the centre of the navigable channel of the River Rhine to the point where the latter leaves Hessen-Darmstadt; thence along the western frontier of Baden to the point where the frontier of the district of Karlsruhe meets the frontier of the district of Rastatt, thence south-east along the northern frontier of the district of Rastatt; thence north, east and south along the western, northern, and eastern frontiers of the district of Claw; thence eastwards along the northern frontiers of the districts of Horb, Tübingen, Reutlingen and Münsingen to the point where the northern frontier of the district of Münsingen meets the Reichsautobahn between Stuttgart and Ulm; thence south-east along the southern boundary of the Reichsautobahn to the point where the latter meets the eastern frontier of the district of Münsingen; thence south-east along the north-eastern frontiers of the districts of Münsingen, Ehingen and Biberach; thence southwards along the eastern frontiers of the districts of Biberach, Wangen and Lindau to the point where the eastern frontier of the district of Lindau meets the Austro-German frontier will be occupied by armed forces of the French Republic."

7. In the paragraph of Article 2 of the above-mentioned Protocol which relates to the joint occupation of "Greater Herlin", insert "and the French Republic" in the enumeration of the participating powers; substitute the word "four" for the words "the following three".

8. In Article 3 of the above-mentioned Protocol, substitute "four" for "three" before the word "zones".

9. In Article 4 of the above-mentioned Protocol, substitute "four" for "three" before the word "Powers".

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10. In Article 5 of the above-mentioned Protocol, substitute "four" for "three" before the word "Commandants".

11. In Article 6 of the above-mentioned Protocol, substitute "quadruplicate" for "triplicate"; add "French" in the enumeration of the languages; substitute "The three texts" for the words "Both texts".

The above text of the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Protocol of 12th September, 1944, on the zones of occupation in Germany and the administration of "Greater Berlin" has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on 26th July, 1945.

Representative of the Government of the United States of America on the European Advisory Commission:	Representative of the Government of the Union of Soviet Socialist Republics on the European Advisory Commission:	Representative of the Government of the United Kingdom on the European Advisory Commission:	Representative of the Provisional Government of the French Republic on the European Advisory Commission:
/s/John S. Winant	/s/G. Saksin	/s/Ronald I. Campbell	/s/R.Massigli

Lancaster House,
London, S.W.1.

26th July, 1945

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2 February 1945

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STATE-WAR-NAVY COORDINATING COMMITTEE

ADVICE TO U. S. DELEGATION IN EUROPEAN ADVISORY COMMISSION ON UNITED NATIONS PRISONERS OF WAR

References: a. SWNCC 1
b. SWNCC 1/1

Note by the Secretaries

1. At its seventh meeting the Committee approved a memorandum of the Assistant Secretary of War recommending certain changes in paragraph 1 of the statement of policy (Annex "A" to Appendix "A") on United Nations prisoners of war.

2. To avoid inconsistency between paragraph 1 as so modified and the later paragraphs of the statement of policy, the Secretariat recommends the insertion of the words "United Nations" to precede the words "prisoners of war" in the first line of paragraph 1 and in the fourth and last lines of paragraph 5. These changes are merely matters of form that do not affect the substantive meaning of the paper.

3. In view of the fact that Joint Chiefs of Staff consideration of the statement of policy was given prior to enlarging the definition of United Nations Prisoners of War, it is recommended that a statement to this effect be added to the draft letter to the Secretary of State.

4. The enclosure, a redraft of the statement of policy, together with a redraft of the forwarding letter to the Secretary of State giving effect to the above recommendations, is circulated for information and consideration of the Committee.

WALLACE E. WHITSON
ALVIN F. RICHARDSON
RAYMOND E. COX
Secretariat

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ENCLOSURE

ADVICE TO U. S. DELEGATION IN EUROPEAN ADVISORY COMMISSION ON UNITED NATIONS PRISONERS OF WAR

Report of Informal Ad Hoc Working Party

THE PROBLEM

1. To inform the Department of State, in accordance with its informal request, of the views of the State-War-Navy Coordinating Committee with respect to the guidance to be given to the United States Delegation in the European Advisory Commission as to policy on the subject of United Nations Prisoners of War in Germany.

FACTS BEARING ON THE PROBLEM

2. A draft directive on "United Nations Prisoners of War" prepared in London by the United States Advisors, European Advisory Commission, was transmitted to the Secretary of State for comment by the appropriate government agencies. The draft directive was circulated to the Joint Chiefs of Staff in Joint Chiefs of Staff Memorandum for Information 336. (State Department Paper WS 225).

3. This draft was to have been considered by the Working Security Committee which had representation from the State, War and Navy Departments and the Joint Post-War Committee of the Joint Chiefs of Staff. Because of the recent dissolution of the Working Security Committee, the draft has been considered by an informal ad hoc working party composed of representatives of the State, War and Navy Departments.

DISCUSSION

4. The policy of the United States concerning negotiation and recommendation by the European Advisory Commission on directives to the three Commanders in Chief with respect to the treatment of Germany after surrender or defeat has been most recently stated in a cable dated 12 December 1944 (10371) to

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Ambassador Winant (Appendix A, Annex B). In accordance with this policy it has been the effort of the ad hoc working party to embody only general policy provisions in the statement of policy on United Nations prisoners of war to be submitted for the approval of the Coordinating Committee and transmission to London.

5. In COMEA 136, 15 December 1944, (Appendix C) Ambassador Winant proposed that the subject of United Nations civilian internees be included in the directive on prisoners of war and be omitted from the draft directive on displaced persons and refugees. The reasons for this suggestion were not stated by the Ambassador.

6. The ad hoc working party has given consideration to this proposal but is of the opinion that, in the absence of an explanation from the Ambassador, civilian internees should not be included in the statement of policy on United Nations prisoners of war. Civilian internees will not normally be found in prisoner of war camps and upon release from detention, their treatment and disposition would ordinarily differ from that accorded prisoners of war.

RECOMMENDATIONS

7. It is recommended:

(a) That the Coordinating Committee approve the statement of policy (Annex A to Appendix A).

(b) That the letter in Appendix A be forwarded by the Committee to the Secretary of State.

(c) That a copy of this paper be transmitted by the Joint Chiefs of Staff to the Commanding General, United States Army Forces, European Theater of Operations for his information and guidance.

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APPENDIX A

Letter to the Secretary of State.

The State, War, Navy Coordinating Committee has reviewed the United States draft directive on "United Nations Prisoners of War in Germany" prepared by the United States Advisor, European Advisory Commission. They have approved the appended redraft (Annex A) of this directive as a general statement of policy on the subject.

The State, War, Navy Coordinating Committee recommends that this redraft be transmitted to the United States representative on the European Advisory Commission for his guidance.

The Coordinating Committee invites the attention of the Secretary of State to the cable to the American Ambassador in London (10371-12 December 1944) a copy of which is attached as Annex B. In accordance with the policy set forth in this cable, the Coordinating Committee has approved a statement of policy on the subject of United Nations Prisoners of War which differs from the somewhat detailed directive submitted by the United States Advisor, European Advisory Commission, in that it contains only general policy provisions of the type on which agreement should be reached in the European Advisory Commission negotiations. It has been phrased in a form applicable for inclusion as a section or part of a broad general directive, or appendix thereto, dealing with the initial governing of Germany. It is designed for consideration in the European Advisory Commission together with the redraft of JCS 1067 now in process of clearance in the War and Navy Departments.

The Coordinating Committee has given consideration to the possibility of including in this statement of policy (Annex A), provisions covering the treatment of internees as suggested in recent cables from the American Ambassador in London. The reason

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for this suggestion was not stated by the Ambassador and was not apparent to the Coordinating Committee. Internees in enemy custody will not normally be found in prison camps where prisoners of war are also placed. Upon release, from detention, they will not, as will prisoners of war, be a part of the armed forces or merchant marine of their nations. Their treatment and disposition would ordinarily differ from that to be afforded to prisoners of war. The Coordinating Committee, however, will be prepared to re-examine this question upon receipt of information as to the reasons supporting the Ambassador's suggestion.

The Joint Chiefs of Staff have advised the Secretary of War and the Secretary of the Navy that they have considered the proposed statement of policy on United Nations Prisoners of War submitted to them by the State-War-Navy Coordinating Committee, and that they perceive no objection, from the military point of view.

This advice on the part of the Joint Chiefs of Staff was given prior to the enlarging of the definition of United Nations Prisoners of War to include members of the armed forces of ex-enemy countries. However, the Combined Chiefs of Staff have approved the policy in substantially the same form with respect to Italy.

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ANNEX A TO APPENDIX A

UNITED NATIONS PRISONERS OF WAR
(Reference J.C.S. Memo No. 336)

1. The term "United Nations prisoners of war" as used in this directive includes all personnel held in German custody,

(a) who are or have been members of, or persons accompanying or serving with the armed forces or merchant marine of any of the United Nations or

(b) who as members of the armed forces of ex-enemy countries have been captured by the Germans while engaged in serving the cause of the United Nations

and who, under the rules and customs of war, should be treated as prisoners of war even though not recognized as such by Germany. The term does not include the nationals of any country who are interned in Germany, but who are not included in the group covered by the preceding sentence: further, such term does not include personnel who, although formerly held in German custody as prisoners of war, have accepted release from that status in exchange for employment in Germany. Persons in the latter classes, after appropriate identification, should be dealt with as displaced persons.

2. The transfer into the control of their respective national authorities of United Nations prisoners of war, and their repatriation, will be treated as a matter of urgency second only to military operations and to maintenance of the forces of occupation in Germany and will receive priority above that of displaced persons, refugees and internees. In determining the order of such transfer and subsequent disposition of such prisoners, the following factors will be taken into account as important considerations, giving due regard to the need for equality of

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treatment regardless of nationality or branch of military service:

a. Military operations throughout the world and maintenance of forces of occupation.

b. Requirements of any United Nation for personnel having special qualifications for its war effort elsewhere.

c. Integration with overall transportation requirements.

d. Availability of adequate subsistence and accommodation for repatriated or transferred prisoners of war at destination.

3. The Control Council will coordinate policies with respect to United Nations prisoners of war.

4. In your zone you will free from confinement all United Nations prisoners of war in German custody, assume command of them, and order them to stand fast pending arrangements for their subsequent disposition.

5. The German authorities will be held responsible for the safety and well being of all United Nations prisoners of war. You will require the German authorities to maintain the essential administrative supply and other services for all United Nations prisoners of war, including the provision of adequate food, shelter, clothing and medical care, until such prisoners are evacuated or until otherwise directed by you. It will, however, be your responsibility to see that proper care and maintenance are, in fact, accorded United Nations prisoners of war by the appropriate German authorities, and to supply any deficiencies therein arising out of the failure of the German authorities to make adequate provision therefor. You will, as soon as practicable, place an officer in command of each prisoner of war camp in your zone. Pending such action, you will direct the German authorities to hand over each camp together with its stores, records, arms, and ammunition to the command of the local United Nations Camp Leader, senior officer or other designated representative of the United Nations prisoners of war.

6. You will render all possible aid to such prisoners of war, consistent with the means at hand, to the end that their safety, health and well-being will be protected from adverse conditions

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which may exist in Germany and that the conditions under which they live will be as comfortable as practicable under the circumstances.

7. You will accord liaison on prisoner of war matters to representatives of each of the other two Allied Powers accredited therefor by their respective Commander in Chief, and to representatives of any United Nation accredited therefor by the Control Council or other competent authority. You will arrange for such representatives to have access to prisoners of war who are nationals of their countries, and you will wherever practicable permit them to utilize the facilities of their governments for purposes of relief, transfer and repatriation.

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ANNEX B TO APPENDIX A

December 12, 1944

7 P.M.

U. S. URGENT

AM EMBASSSY,

LONDON

10371

This telegram, which is in reply to your COMEA 132 of December 1 and COMMEA 134 of December 7, has War and Navy concurrence.

The whole question of expediting decisions by the EAC has been under review here in high level conferences. The War and Navy Departments have expressed concern on two aspects of the problem: (a) that there is no general over-all directive agreed upon by the three powers for the initial phase of occupation, and (b) that under the existing system of presenting detailed directives for discussion in the EAC the military commanders will be tied down by such detailed directives whether applicable or not to the situation they may find in Germany. Furthermore, it is doubted here if the Commission will be able to reach agreement in time on thirty-odd directives. It is our opinion, therefore, that you should not seek EAC agreement on the detailed directives in their present form, but should extract from them the general policy provisions on which agreement should be reached in EAC negotiation. We believe, however, that some agreement on broad policy lines before surrender or defeat is essential.

We therefore think that you should urge the Commission to consider, at least initially, the preparation of an over-all directive. The details of policy and questions of procedure and administration should then be turned over for planning on a working military level under the Control Council.

In accordance with this aim, JCS 1067 is being revised here in a form which will make it suitable for presentation to the EAC as a broad general directive for the initial

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governing of Germany. This draft will be transmitted to you at an early date. In the meantime, you should consider JCS 1067 as representing U. S. views with respect to policy referred to therein, which may come up for discussion in the EAC.

In view of these decisions here, we feel that it is not necessary to resubmit to Washington draft directives upon which you have received U. S. comments. These U. S. comments should be followed closely in revising papers for submission to EAC but revised papers need not be resubmitted here so long as they are consistent with views already expressed here. In particular instances, the U. S. comments do not appear to have been fully taken into account. For example, the comments set forth in JCS 1103, transmitted to you by Department's instruction No. 4665 of October 24, were not fully reflected in the revised proclamations and general orders received here. It is believed that draft orders presented to EAC should conform to views expressed in JCS 1103. Possibly consultation between your Military Advisor and U. S. side of SHAEF will be of assistance in guiding form and substance of such orders.

The question of United Nations prisoners of war and other subjects not included or not adequately covered in JCS 1067 or in the policy provisions of the other directives already transmitted to you, will be incorporated in further guidance to be formulated here and transmitted when approved.

We very much hope, however, that you can enter into discussions in the EAC on the material now in hand and the revised JCS 1067, and earnestly recommend the high desirability of having the Commission agree, if possible, on a broad over-all directive which can be utilized by the commanders in the early stages of occupation. (Halifax has asked that 1067 be submitted to EAC). If it is not possible for the Commission to recommend one directive, we should not object to splitting JCS 1067 into several, provided each was a broad policy statement consistent with JCS 1067 and not too detailed.

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7 July 1945

Pages 1 to 20, Incl.

INFORMAL POLICY COMMITTEE ON GERMANY

AGREEMENT BETWEEN GOVERNMENTS OF THE UNITED KINGDOM, UNITED STATES OF AMERICA, AND UNION OF SOVIET SOCIALIST REPUBLICS, AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON CERTAIN ADDITIONAL REQUIREMENTS TO BE IMPOSED ON GERMANY

Note by the Secretaries

1. The enclosure, a report approved by the European Advisory Commission transmitting a copy of a proposed agreement between the governments of the United Kingdom, United States of America, Union of Soviet Socialist Republics and the Provisional Government of the French Republic on certain additional requirements to be imposed on Germany, is circulated for consideration by the Informal Policy Committee on Germany.

2. A copy of this report has been forwarded to the Joint Chiefs of Staff for comment from a military point of view. The comments of the Joint Chiefs of Staff will be circulated for consideration by the Informal Policy Committee on Germany upon receipt thereof from the Secretary, Joint Chiefs of Staff.

CHARLES W. McCARTHY
ALVIN F. RICHARDSON
RAYMOND E. COX
Secretariat

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ENCLOSURE

AGREEMENT BETWEEN GOVERNMENTS OF THE UNITED KINGDOM, UNITED STATES OF AMERICA, AND UNION OF SOVIET SOCIALIST REPUBLICS, AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON CERTAIN ADDITIONAL REQUIREMENTS TO BE IMPOSED ON GERMANY

Report by the European Advisory Commission to the Governments of the United States of America, the Union of Soviet Socialist Republics, and the United Kingdom, and the Provisional Government of the French Republic (Agreed upon in EAC, 4 July 1945)

1. Pursuant to the declaration regarding the defeat of Germany and the assumption of supreme authority with respect to Germany signed at Berlin on June 5, 1945, wherein it is stated, in Article 13 (B) that the Allied representatives will impose on Germany additional political, administrative, economic, financial, military and other requirements, the EAC has, in accordance with its terms of reference, considered certain of the more urgent of these additional requirements. Accordingly, it submits herewith for consideration and approval by the four Governments an agreement regarding certain additional requirements to be imposed upon Germany.

2. It will be recalled that the Commission agreed in March 1944, when discussing the terms of surrender of Germany, that certain broad political and economic requirements should be imposed on Germany at the time of, or shortly after, the surrender and in addition to the mainly military requirements to be contained in the instrument of declaration of surrender. The most important military requirements were announced in the declaration of June 5, 1945. The Commission believes that the enclosed agreement on additional requirements, representing the agreed views of the four Governments will furnish guidance to the Allied representatives regarding additional measures to be imposed on Germany.' The Commission accordingly recommends that the agreement on additional requirements, as soon as it is approved by the

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four Governments, be transmitted to the Allied representatives in Berlin. The Commission recommends that the four Governments authorize the Allied representatives to decide whether publication of this document shall be in whole or in part.

3. The Commission has several comments to make with regard to certain specific provisions in the agreement on additional requirements.

(A) The Commission recommends that in exercising control over German research relating to war or the production of war material, as set forth in sub-paragraph 13 (B), the Allied representatives should, when they consider conditions in Germany appropriate, supplement this provision by issuing the following order to the German people:

> All research, experimentation, development or other study relative to war or the production of war material, whether in public or private establishments, factories, technological institutions, laboratories or elsewhere, is hereby abolished and forbidden in the future.

(B) The Commission recommends that in giving effect to the provisions of sub-paragraph 15 (B) the Allied representatives should also require the German authorities to hand over, for delivery to the Allied Government concerned, any drawings, plates and other special technical equipment utilized directly for the production of monetary tokens for issue by Germany in territories formerly occupied by her or elsewhere.

(C) In connection with the provisions of sub-paragraph 16 (B) the Commission recommends that all property, assets, rights, titles and interests in Germany held for or belonging to any country, other than Germany and the countries referred to in sub-paragraph 16 (A) which has at any time since September 1, 1939, been at war with any of the United Nations, be taken under the provisional control of the Allied representatives and preserved, pending subsequent transfer to the countries of ownership under arrangements to be worked out with the appropriate

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Allied Control Commissions or organs in those countries.

(D) In connection with the execution of the provisions of sub-paragraph 26 (A) the Commission recommends to the four Governments approval of the following understanding:

Vessels of the United Nations surrendered to the Allied representatives in accordance with sub-paragraph 26 (A) will be returned by the Allied representatives to the respective Allied states which own or owned, or whose nationals own or owned, such vessels. Nothing in this provision shall alter in any manner any existing agreements and procedures among any of the United Nations with respect to the pooling of the vessels surrendered by Germany under the provisions of sub-paragraph 26 (A).

(E) In connection with the execution of the provisions of paragraphs 14, 15, 16 and 19, the Commission invites the attention of the four Governments to the great importance of effecting as full and as prompt restitution as possible of property which has been looted by the Germans from occupied Allied countries. It points out the urgency of providing the Allied representatives in Germany with guidance concerning the principles and procedures which should govern the restitution of looted Allied property, in accordance with the declaration made at London on January 5, 1943, on enemy acts of dispossession.

4. During the consultations which the EAC has carried on, under instructions of the four Governments, with representatives of the European Allied Governments concerning the declaration on June 5, 1945, these Governments have expressed, both in wording and orally, their great interest in the additional requirements whcih are to be imposed upon Germany. In view of this concern, the Commission recommends that the four Governments instruct it to communicate the agreement on additional requirements, upon its approval by the four Governments, to the interested Allied Governments. In so doing the Commission would point out to the representatives of those Governments that these additional requirements do not purport to be complete and will be supplemented by specific orders and instructions to be issued by the Allied representatives.

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APPENDIX

AGREEMENT BETWEEN GOVERNMENTS OF THE UNITED KINGDOM, UNITED STATES OF AMERICA, AND UNION OF SOVIET SOCIALIST REPUBLICS, AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC ON CERTAIN ADDITIONAL REQUIREMENTS TO BE IMPOSED ON GERMANY

The Governments of the UK, USA, and USSR and Provisional Government of French Republic have reached the following agreement regarding instructions to be issued by the Allied representatives in Germany:

" We, the Allied Representatives, Commanders-in-Chief of the forces of occupation of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics and the French Republic, pursuant to the Declaration regarding the defeat of Germany, signed at Berlin on 5th June, 1945, hereby announce certain additional requirements arising from the complete defeat and unconditional surrender of Germany with which Germany must comply, as follows:-

SECTION I

1. All Germam 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 accordance with methods and procedures to be laid down by the Allied Representatives.

2. All forms of military training, military propaganda and military activities of whatever nature, on the part of the German people, are prohibited, as well as the formation of any organization initiated to further any aspect of military training and the formation of war veterans' organizations or other groups which might develop military characteristics or which

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are designed to carry on the German military tradition, whether such organizations or groups purport to be political, educational, religious, social, athletic or recreational or of any other nature.

SECTION II

3. (a) German authorities and officials in all territories outside the frontiers of Germany as they existed on 31st December, 1937, and in any areas within those frontiers indicated at any time by the Allied Representatives, will comply with such instructions as to withdrawing therefrom as they may receive from the Allied Representatives.

(b) The German authorities will issue the necessary instructions and will make the necessary arrangements for the reception and maintenance in Germany of all German civilian inhabitants of the territories or areas concerned, whose evacuation may be ordered by the Allied Representatives.

(c) Withdrawals and evacuations under subparagraphs (a) and (b) above will take place at such times and under such conditions as the Allied Representatives may direct.

4. In the territories and areas referred to in paragraph 3 above, there shall immediately be, on the part of all forces under German command and of German authorities and civilians, a complete cessation of all measures of coercion or forced labor and of all measures involving injury to life or limb. There shall similarly cease all measures of requisitioning, seizure, removal, concealment or destruction of property. In particular, the withdrawals and evacuations mentioned in paragraph 3 above will be carried out without damage to or removal of persons or property not affected by the orders of the Allied Representatives. The Allied Representatives will determine what personal property and effects may be taken by persons evacuated under paragraph 3 above.

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SECTION III

5. The Allied Representatives will regulate all matters affecting Germany's relations with other countries. No foreign obligations, undertakings or commitments of any kind will be assumed or entered into by or on behalf of German authorities or nationals without the sanction of the Allied Representatives.

6. The Allied Representatives will give directions concerning the abrogation, bringing into force, revival or application of any treaty, convention or other international agreement, or any part or provision thereof, to which Germany is or has been a party.

7. (a) In virtue of the unconditional surrender of Germany, and as of the date of such surrender, the diplomatic, consular, commercial and other relations of the German State with other States have ceased to exist.

(b) Diplomatic, consular, commercial and other officials and members of service missions in Germany of countries at war with any of the four Powers will be dealt with as the Allied Representatives may prescribe. The Allied Representatives may require the withdrawal from Germany of neutral diplomatic, consular, commercial and other officials and members of neutral service missions.

(c) All German diplomatic, consular, commercial and other officials and members of German service missions abroad are hereby recalled. The control and disposal of the buildings, property and archives of all German diplomatic and other agencies abroad will be prescribed by the Allied Representatives.

8. (a) German nationals will, pending further instructions, be prevented from leaving German territory except as authorized or directed by the Allied Representatives.

(b) German authorities and nationals will comply with any directions issued by the Allied Representatives for the

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recall of German nationals resident abroad, and for the reception in Germany of any persons whom the Allied Representatives may designate.

9. The German authorities and people will take all appropriate steps to ensure the safety, maintenance and welfare of persons not of German nationality and of their property and the property of foreign States.

SECTION IV

10. The German authorities will place at the disposal of the Allied Representatives the whole of the German inter-communication system (including all military and civilian postal and telecommunication systems and facilities and connected matters), and will comply with any instructions given by the Allied Representatives for placing such inter-communication systems under the complete control of the Allied Representatives. The German authorities will comply with any instructions given by the Allied Representatives with a view to the establishment by the Allied Representatives of such censorship and control of postal and telecommunication and of documents and other articles carried by persons or otherwise conveyed and of all other forms of inter-communication as the Allied Representatives may think fit.

11. The German authorities will comply with all directions which the Allied Representatives may give regarding the use, control and censorship of all media for influencing expression and opinion, including broadcasting, press and publications, advertising, films and public performances, entertainments, and exhibitions of all kinds.

SECTION V

12. The Allied Representatives will exercise such control as they deem necessary over all or any part or aspect of German finance, agriculture (including forestry) production and mining,

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public utilities, industry, trade, distribution and economy generally, internal and external, and over all related or ancillary matters, including the direction or prohibition of the manufacture, production, construction, treatment, use and disposal of any buildings, establishments, installations, public or private works, plant, equipment, products, materials, stocks, or resources. Detailed statements of the subjects to which the present provision applies, together with the requirements of the Allied Representatives in regard thereto, will from time to time be communicated to the German authorities.

13. (a) The manufacture, production and construction, and the acquisition from outside Germany, of war material and of such other products, used in connection with such manufacture, production or construction, as the Allied Representatives may specify, and the import, export and transit thereof, are prohibited, except as directed by the Allied Representatives.

(b) The German authorities will immediately place at the disposal of the Allied Representatives all research, experiment, development and design directly or indirectly relating to war or the production of war material, whether in government or private establishments, factories, technological institutions or elsewhere.

14. (a) The property, assets, rights, titles and interests (whether situated inside or outside Germany) of the German State, its political subdivisions, the German Central Bank, State or semi-State, provincial, municipal or local authorities or Nazi organizations, and those situated outside Germany of any person resident or carrying on business in Germany, will not be disposed of in any way whatever without the sanction of the Allied Representatives. The property, assets, rights, titles and interests (whether situated inside or outside Germany), of such private companies, corporations, trusts, cartels, firms, parternerships and associations

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as may be designated by the Allied Representatives will not be disposed of in any way whatever without the sanction of the Allied Representatives.

(b) The German authorities will furnish full information about the property, assets, rights, titles and interests referred to in sub-paragraph (a) above, and will comply with such directions as the Allied Representatives may give as to their transfer and disposal. Without prejudice to any further demands which may be made in this connection, the German authorities will hold at the disposal of the Allied Representatives for delivery to them at such times and places as they may direct all securities, certificates, deeds or other documents of title held by any of the institutions or bodies mentioned in sub-paragraph (a) above or by any person subject to German law, and relating to property, assets, rights, titles and interests situated in the territories of the United Nations, including any shares, stocks, debentures or other obligations of any company incorporated in accordance with the laws of any of the United Nations.

(c) Property, assets, rights, titles and interests situated inside Germany will not be removed outside Germany or be transferred or disposed of to any person resident or carrying on business outside Germany without the sanction of the Allied Representatives.

(d) Nothing in sub-paragraphs (a) and (b) above shall, as regards property, assets, rights, titles and interests situated inside Germany, be deemed to prevent sales or transfers to persons resident in Germany for the purpose of maintaining or carrying on the day-to-day national life, economy and administration, subject to the provisions of sub-paragraph 19 (b) and (c) below and to the provisions of the Declaration or of any proclamations, orders, ordinances or instructions issued thereunder.

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15. (a) The German authorities and all persons in Germany will hand over to the Allied Representatives all gold and silver, in coin or bullion forms, and all platinum in bullion form, situated in Germany, and all such coin and bullion situated outside Germany as is possessed by or held on behalf of any of the institutions or bodies mentioned in sub-paragraph 14 (a) above or any person resident or carrying on business in Germany.

(b) The German authorities and all persons in Germany will hand over in full to the Allied Representatives all foreign notes and coins in the possession of any German authority, or of any corporation, association or individual resident or carrying on business in Germany, and all monetary tokens issued or prepared for issue by Germany in the territories formerly occupied by her or elsewhere.

16. (a) All property, assets, rights, titles and interests in Germany held for or belonging to any country against which any of the United Nations is carrying on hostilities, or held for or belonging to the nationals of any such country, or of any persons resident or carrying on business therein, will be taken under control and will be preserved pending further instructions.

(b) All property, assets, rights, titles and interests in Germany held for or belonging to private individuals, private enterprises and companies of those countries, other than Germany and the countries referred to in sub-paragraph (a) above, which have at any time since the 1st September, 1939, been at war with any of the United Nations, will be taken under control and will be preserved pending further instructions.

(c) The German authorities will take all necessary steps to ensure the execution of the provisions of sub-paragraphs (a) and (b) above, will comply with any instructions given by the Allied Representatives for that purpose, and will

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afford all necessary information and facilities in connection therewith.

17. (a) There shall, on the part of the German authorities and people, be no concealment, destruction, scuttling, or dismantling of, removal or transfer of, nor damage to, ships, transport, ports or harbours, nor to any form of building, establishment, installation, device, means of production, supply, distribution or communication, plant, equipment, currency, stocks or resources, or, in general, public or private works, utilities or facilities of any kind, wherever situated.

(b) There shall be no destruction, removal, concealment, suppression or alteration of any documents, records, patents, drawings, specifications, plans or information, of any nature, affected by the provisions of this document. They shall be kept intact in their present locations until further directions are given. The German authorities will afford all information and facilities as required by the Allied Representatives in connection therewith.

(c) Any measures already ordered, undertaken or begun contrary to the provisions of sub-paragraphs (a) and (b) above will be immediately countermanded or discontinued. All stocks, equipment, plant, records, patents, documents, drawings, specifications, plans or other material already concealed within or outside Germany will forthwith be declared and will be dealt with as the Allied Representatives may direct.

(d) Subject to the provisions of the Declaration or any proclamations, orders, ordinances, or instructions issued thereunder, the German authorities and people will be responsible for the preservation, safeguarding and upkeep of all forms of property and materials affected by any of the said provisions.

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(e) All transport material, stores, equipment, plant, establishments, installations, devices and property generally, which are liable to be surrendered or delivered under the Declaration or any proclamations, orders, ordinances or instructions issued thereunder, will be handed over intact and in good condition, or subject only to ordinary wear and tear and to any damage caused during the continuance of hostilities which it has proved impossible to make good.

18. There shall be no financial, commercial or other intercourse with, or dealings with or for the benefit of, countries at war with any of the United Nations, or territories occupied by such countries, or with any other country or person specified by the Allied Representatives.

SECTION VI

19. (a) The German authorities will carry out, for the benefit of the United Nations, such measures of restitution, reinstatement, restoration, reparation, reconstruction, relief and rehabilitation as the Allied Representatives may prescribe. For these purposes the German authorities will effect or procure the surrender or transfer of such property, assets, rights, titles and interests, effect such deliveries and carry out such repair, building and construction work, whether in Germany or elsewhere, and will provide such transport, plant equipment and materials of all kinds, labour, personnel and specialist and other services, for use in Germany or elsewhere, as the Allied Representatives may direct.

(b) The German authorities will also comply with all such directions as the Allied Representatives may give relating to property, assets, rights, titles and interests located in Germany belonging to any one of the United Nations or its nationals or having so belonged at, or at any time since, the outbreak of war between Germany and that Nation, or since the occupation of any part of its territories by Germany. The

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German authorities will be responsible for safeguarding, maintaining, and preventing the dissipation of, all such property, assets, rights, titles and interests, and for handing them over intact at the demand of the Allied Representatives. For these purposes the German authorities will afford all information and facilities required for tracing any property, assets, rights, titles or interests.

(c) All persons in Germany in whose possession such property, assets, rights, titles and interests may be, shall be personally responsible for reporting them and for safeguarding them until they are handed over in such manner as may be prescribed.

20. The German authorities will supply free of cost such German currency as the Allied Representatives may require, and will withdraw and redeem in German currency, within such time limits and on such terms as the Allied Representatives may specify, all holdings in German territory of currencies issued by the Allied Representatives during military operations or occupation, and will hand over the currencies so withdrawn free of cost to the Allied Representatives.

21. The German authorities will comply with all such directions as may be issued by the Allied Representatives for defraying the costs of the provisioning, maintenance, pay, accommodation and transport of the forces and agencies stationed in Germany by authority of the Allied Representatives, the costs of executing the requirements of unconditional surrender, and payment for any relief in whatever form it may be provided by the United Nations.

22. The Allied Representatives will take and make unrestricted use (whether inside or outside Germany) of any articles referred to in paragraph 12 above, which the Allied Representatives may require in connection with the conduct of hostilities against any country with which any of their respective Governments is at war.

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SECTION VII

23. (a) No merchant ship, including fishing or other craft, shall put to sea from any German port except as may be sanctioned or directed by the Allied Representatives. German ships in ports outside Germany shall remain in port and those at sea shall proceed to the nearest German or United Nations port and there remain, pending instructions from the Allied Representatives.

(b) All German merchant shipping, including tonnage under construction or repair, will be made available to the Allied Representatives for such use and on such terms as they may prescribe.

(c) Foreign merchant shipping in German service or under German control will likewise be made available to the Allied Representatives for such use and on such terms as they may prescribe. In the case of such foreign merchant vessels which are of neutral registration, the German authorities will take all such steps as may be required by the Allied Representatives to transfer or cause to be transferred to the Allied Representatives all rights relative thereto.

(d) All transfer to any other flag, service or control, of the vessels covered by sub-paragraphs (b) and (c) above, is prohibited, except as may be directed by the Allied Representatives.

24. Any existing options to repurchase or reacquire or to resume control of vessels sold or otherwise transferred or chartered by Germany during the war will be exercised as directed by the Allied Representatives. Such vessels will be made available for use by the Allied Representatives in the same manner as the vessels covered by sub-paragraphs 23 (b) and (c) above.

25. (a) The crews of all German merchant vessels or merchant vessels in German service or under German control will remain on board and will be maintained by the German authorities

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pending further instructions from the Allied Representatives regarding their future employment.

(b) Cargoes on board any such vessels will be disposed of in accordance with instructions given to the German authorities by the Allied Representatives.

26. (a) Merchant ships, including fishing and other craft of the United Nations (or of any country which has broken off diplomatic relations with Germany) which are in German hands, wherever such ships may be, will be surrendered to the Allied Representatives regardless of whether title has been transferred as the result of prize court proceedings or otherwise. All such ships will be surrendered in good repair and in seaworthy condition in ports and at times to be specified by the Allied Representatives, for disposal as directed by them.

(b) The German authorities will take all such steps as may be directed by the Allied Representatives to effect or complete transfers of title to such ships regardless of whether the title has been transferred as the result of prize court proceedings or otherwise. They will secure the discontinuance of any arrests of, or proceedings against, such ships in neutral ports.

27. The German authorities will comply with any instructions given by the Allied Representatives for the destruction, dispersal, salvaging, reclamation or raising of wrecked, stranded, derelict or sunken vessels, wherever they may be situated. Such vessels salvaged, reclaimed or raised shall be dealt with as the Allied Representatives direct.

28. The German authorities will place at the unrestricted disposal of the Allied Representatives the entire German shipping, shipbuilding and ship repair industries, and all matters and facilities directly or indirectly relative or ancillary thereto, and will provide the requisite labour and specialist services. The requirements of the Allied Representatives will be specified

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in instructions which will from time to time be communicated to the German authorities.

SECTION VIII

29. The German authorities will place at the unrestricted disposal of the Allied Representatives the whole of the German inland transport system (road, rail, air and waterways) and all connected material, plant and equipment, and all repair, construction, labour, servicing and running facilities, in accordance with the instructions issued by the Allied Representatives.

30. The production in Germany and the possession, maintenance or operation by Germans of any aircraft of any kind or any parts thereof, are prohibited.

31. All German rights in international transport bodies or organizations, and in relation to the use of transport and the movement of traffic in other countries and the use in Germany of the transport of other countries, will be exercised in accordance with the directions of the Allied Representatives.

32. All facilities for the generation, transmission and distribution of power, including establishments for the manufacture and repair of such facilities, will be placed under the complete control of the Allied Representatives, to be used for such purposes as they may designate.

SECTION IX

33. The German authorities will comply with all such directions as the Allied Representatives may give for the regulation of movements of population and for controlling travel or removal on the part of persons in Germany.

34. No person may leave or enter Germany without a permit issued by the Allied Representatives or on their authority.

35. The German authorities will comply with all such directions as the Allied Representatives may give for the repatriation

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of persons not of German nationality in or passing through Germany, their property and effects, and for facilitating the movements of refugees and displaced persons.

SECTION X

36. The German authorities will furnish any information and documents, and will secure the attendance of any witnesses, required by the Allied Representatives for the trial of

(a) the principal Nazi leaders as specified by the Allied Representatives and all persons from time to 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;

(b) any national of any of the United Nations who is alleged to have committed an offence against his national law and who may at any time be named or designated by rank, office or employment by the Allied Representatives;

and will give all other aid and assistance for these purposes.

37. The German authorities will comply with any directions given by the Allied Representatives in regard to the property of any person referred to in sub-paragraphs 36 (a) and (b) above, such as its seizure, custody or surrender.

38. Any person referred to in sub-paragraph 36 (b) above who may be apprehended or surrendered to the Allied Representatives will be handed over immediately, on demand, to the Government of the United Nation concerned.

SECTION XI

39. The National Socialist German Workers' Party (NSDAP) is completely and finally abolished and declared to be illegal.

40. The German authorities will comply promptly with such directions as the Allied Representatives may issue for the abolition of the National Socialist Party and of its subordinate

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organizations, affiliated associations and supervised organizations, and of all Nazi public institutions created as instruments of Nazi domination, and of such other organizations as may be regarded as a threat to the security of the Allied forces or to international peace, and for prohibiting their revival in any form; for the dismissal and internment of Nazi personnel; for the control or seizure of Nazi property and funds; and for the suppression of Nazi ideology and teaching.

41. The German authorities and German nationals will not allow the existence of any secret organizations.

42. The German authorities will comply with such directions as the Allied Representatives may issue for the repeal of Nazi legislation and for the reform of German law and of the German legal, judicial, administrative, police and educational systems, including the replacement of their personnel.

43. (a) The German authorities will comply with such directions as the Allied Representatives may issue for the rescinding of German legislation involving discrimination on grounds of race, colour, creed, language or political opinions and for the cancellation of all legal or other disabilities resulting therefrom.

(b) The German authorities will comply with such directions as the Allied Representatives may issue regarding the property, assets, rights, titles and interests of persons affected by legislation involving discrimination on grounds of race, colour, creed, language or political opinions.

44. No person shall be prosecuted or molested by the German authorities or by German nationals on grounds of race, colour, creed, language or political opinions, or on account of any dealings or sympathies with the United Nations, including the performance of any action calculated to facilitate the execution of the Declaration or of any proclamations, orders, ordinances or instructions issued thereunder.

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45. In any proceedings before any German Court or authority judicial notice shall be taken of the provisions of the Declaration and of all proclamations, orders, ordinances and instructions issued thereunder, which shall override any provisions of German law inconsistent therewith.

SECTION XII

46. Without prejudice to any specific obligations contained in the provisions of the Declaration or any proclamations, orders, ordinances or instructions issued thereunder, the German authorities and any other person in a position to do so will furnish or cause to be furnished all such information and documents of every kind, public and private, as the Allied Representatives may require.

47. The German authorities will likewise produce for interrogation and employment by the Allied Representatives upon demand any and all persons whose knowledge and experience would be useful to the Allied Representatives.

48. The Allied Representatives will have access at all times to any building, installation, establishment, property or area, and any of the contents thereof, for the purposes of the Declaration or any proclamations, orders, ordinances or instructions issued thereunder, and in particular for the purposes of safeguarding, inspecting, copying or obtaining any of the desired documents and information. The German authorities will give all necessary facilities and assistance for this purpose, including the service of all specialist staff, including archivists.

SECTION XIII

49. In the event of any doubt as to the meaning or interpretation of any term or expression in the Declaration and in any proclamations, orders, ordinances and instructions issued thereunder, the decision of the Allied Representatives shall be final."

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IPCOG 9/2

23 June 1945

Pages 33 to 49, Incl.

INFORMAL POLICY COMMITTEE ON GERMANY

DIRECTIVE TO COMMANDER IN CHIEF OF U.S. FORCES OF OCCUPATION REGARDING THE MILITARY GOVERNMENT OF AUSTRIA

References: a. IPCOG 9
b. IPCOG 9/1

Note by the Secretaries

1. The enclosure, a revision of IPCOG 9 to incorporate the amendment proposed by the Joint Chiefs of Staff, as approved by the Informal Policy Committee on Germany on 23 June 1945, is circulated for information and guidance.

2. The Economic and Financial Parts of this directive (IPCOG 9/1), now under consideration by the Informal Policy Committee on Germany, will be circulated as an addendum to this paper after approval by the Informal Policy Committee on Germany.

CHARLES W. McCARTHY
ALVIN F. RICHARDSON
RAYMOND E. COX
Secretariat

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ENCLOSURE

DIRECTIVE TO COMMANDER IN CHIEF OF US FORCES OF OCCUPATION REGARDING THE MILITARY GOVERNMENT OF AUSTRIA

1. The Purpose and Scope of this Directive:

a. This directive is issued to you as Commanding General of the United States forces of occupation in Austria. As such you will serve as United States member of the ~~Governing Body~~ allied council of the Allied ~~Administration~~ commission for Austria and will also be responsible for the administration of military government in the zone or zones assigned to the United States for purposes of occupation and administration. It outlines the basic policies which will guide you in those two capacities after the termination of the combined command in Austria. Supplemental directives will be issued to you by the Joint Chiefs of Staff as may be required.

b. As a member of the ~~Governing Body~~ allied council you will urge the adoption by the other occupying powers of the principles and policies set forth in this directive and, pending ~~Governing Body~~ allied council agreement, you will follow them in your zone. It is anticipated that substantially similar directives will be issued to the Commanders in Chief of the United Kingdom, the Union of Soviet Socialist Republics, and French forces of occupation.

c. In the event that recognition is given by the four governments to a provisional national government of Austria, such government should be delegated authority in appropriate matters to conduct public affairs in accordance with the principles set forth in this directive or agreed upon by the occupying powers. Such delegation, however, shall be subject to the authority of the occupying powers and to their responsibility to see that their policies are in fact carried out.

d. Any provisional national government of Austria which is not recognized by all of the four Governments of the occupying powers shall not be treated by you as possessing any authority. Only individuals who recognize your supreme authority in your zone will be utilized by you in administration.

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PART I

GENERAL AND POLITICAL

2. The Basis of Military Government:

a. The rights, power and status of the military government in Austria prior to the unconditional surrender and total defeat of Germany, were based upon the military occupation of Austria and the decision of the occupying powers to reestablish an independent Austrian state. Thereafter the rights, powers and status are based, in addition, upon such surrender or defeat. The Text of the Instrument of Unconditional Surrender of Germany published as a separate document has been made available to you. You will assure that the policies set forth in that Instrument are carried out in your zone of occupation insofar as they are applicable in Austria even though the defeat of Germany is not followed by a formal signing of the Instrument.

b. Subject to the provisions of paragraph 3 below, you are, by virtue of your position, clothed with supreme legislative, executive, and judicial authority in the areas occupied by forces under your command. This authority will be broadly construed and includes authority to take all measures deemed by you necessary, appropriate or desirable in relation to military exigencies and the objectives set forth in this and other directives.

c. You will issue a proclamation continuing in force such proclamations, orders and instructions as may have heretofore been issued by Allied Commanders in your zone, subject to such changes as you may determine. Authorizations of action by the Supreme Allied Commander, Mediterranean, or by the Supreme Commander, Allied Expeditionary Force, may be considered as applicable to you unless inconsistent with this or other directives.

3. The ~~Governing Body~~ allied council and Zones of Occupation:

a. The four Commanders in Chief, acting jointly, will constitute the ~~Governing Body~~ allied council which will exercise supreme authority in Austria. The United States proposal for an agreement on the organization of the Control Machinery in Austria published as a separate document has been made available to you. When approved by the occupying powers, the text of the agreement on Control Machinery in Austria

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will be furnished you. For purposes of administration of military government, Austria will be divided into four zones of occupation. When the occupying powers have agreed upon the zones of occupation in Austria, the text of the protocol in that regard will be furnished you.

b. The authority of the ~~Governing Body~~ allied council to formulate policy and procedures and administrative relationships with respect to matters affecting Austria as a whole will be paramount throughout Austria. This authority shall be broadly construed to the end that, through maximum uniformity of policy and procedures throughout Austria, the establishment of an independent Austrian Government may be accelerated. In your capacity as a member of the ~~Governing Body~~ allied council, you will seek maximum agreement with respect to policy and maximum uniformity of action by the Commanders in Chief in their respective zones of occupation. You will carry out and support in your zone the policies agreed upon in the ~~Governing Body~~ allied council. In the absence of such agreed policies you will act in accordance with this and other directives of the Joint Chiefs of Staff.

c. The ~~Governing Body~~ allied council should cooperate with the Control Council in Germany in effecting the severance of all political and administrative connections between Austria and Germany, and the elimination of German economic and financial influences in Austria. You will in every way possible assist the accomplishment of this purpose.

d. The ~~Governing Body~~ allied council should adopt procedures to effectuate, and you will facilitate in your zone, the equitable distribution of essential commodities between the zones. In the absence of a conflicting policy of the ~~Governing Body~~ allied council, you may deal directly with one or more zone commanders on matters of special concern to such zones.

e. Pending the formulation in the ~~Governing Body~~ allied council of uniform policies and procedures with respect to travel and movement of persons to and from Austria, no persons shall be permitted to cross the Austrian frontier in your zone except for specific

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purposes approved by you.

f. The military government personnel in your zone, including those dealing with regional and local branches of the departments of any central Austrian administrative machinery, shall be selected by your authority except that liaison officers may be furnished by the Commanders of the other three zones. The respective Commanders in Chief shall have exclusive jurisdiction throughout the whole of Austria over the members of the armed forces under their command and over the civilians who accompany them.

4. Basic Objectives of Military Government in Austria:

a. You will be chiefly concerned in the initial stages of military government with the elimination of German domination and Nazi influences. Consistently with this purpose, you will be guided at every step by the necessity to ensure the reconstruction of Austria as a free, independent and democratic state. It will be essential therefore that every measure be undertaken from the early stages of occupation with this objective in mind.

b. The ~~Governing Body~~ allied council should, as soon as it is established, proclaim the complete political and administrative separation of Austria from Germany, and the intention of the occupying powers to pave the way for the reestablishment of Austria as an independent democratic state. You will make it clear to the Austrian people that military occupation of Austria is intended principally (1) to aid Allied military operations and the strict enforcement of the applicable provisions of the German unconditional surrender instrument in Austria; (2) to eliminate Nazism, Pan-Germanism, militarism, and other forces opposed to the democratic reconstitution of Austria; (3) to cooperate with the Control Council for Germany in the application and enforcement of measures designed to prevent the recurrence of German aggression; (4) to establish Allied control over the use and disposition of German property in Austria; (5) to effect the complete political and administrative separation of Austria from Germany and free Austria from Nazi and German economic and financial influences; (6) to

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facilitate the development of a sound Austrian economy devoted to peaceful pursuits and not vitally dependent upon German supplies, markets and technical and financial assistance; and (7) to foster the restoration of local self-government and the establishment of an Austrian central government freely elected by the Austrian people themselves. Other objectives of the occupation will be to apprehend war criminals, to care for and repatriate displaced persons and prisoners-of-war who are members of the armed forces of the United Nations, and to carry out approved programs of reparation and restitution insofar as these are applicable to Austria.

c. You will assure that there is no fraternization by your troops with any German elements remaining in Austria. While in the initial period of occupation the relationship of the troops to the Austrian civil population will be distant and aloof but courteous, a progressively more friendly relationship may be permitted as experience justifies.

5. Denazification:

a. A Proclamation dissolving the Nazi Party, its formations, affiliated associations and supervised organizations, and all Nazi public institutions which were set up as instruments of Party domination, and prohibiting their revival in any form, should be promulgated by the ~~Governing Body~~ allied council. You will assure the prompt effectuation of that policy in your zone and will make every effort to prevent the reconstitution of any such organization in underground, disguised or secret form. Responsibility for continuing desirable non-political social services of dissolved Party Organizations may be transferred by the Governing Body to appropriate central agencies and by you to appropriate local agencies.

b. All laws which extended the political structure of National Socialism to Austria or otherwise brought about the destruction of the Austrian state or which established discriminations on grounds of race, nationality, creed, or political opinion should be abrogated by the ~~Governing Body~~ allied council. You will render them inoperative in your zone.

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c. All members of the Nazi Party who were German nationals prior to March 13, 1938, Germans who entered Austria after that date, and other Germans directly connected with the Nazi exploitation of Austria will immediately be removed from government positions and all other categories of employment listed below, and will be expelled from Austria in accordance with paragraph 21. All Austrian members of the Nazi Party who have been more than nominal participants in its activities, all active supporters of Nazism and other persons hostile to Allied purposes will be removed and excluded from public office and from positions of importance in quasi-public and private enterprises such as (1) civic, economic, and labor organizations, (2) corporations and other organizations in which the German Government or subdivisions have a major financial interest, (3) industry, commerce, agriculture, and finance, (4) education, and (5) the press, publishing houses and other agencies disseminating news and propaganda. Persons are to be treated as more than nominal participants in Party activities and as active supporters of Nazism when they have (1) held office or otherwise been active at any level from local to national in the Party and its subordinate organizations, (2) authorized or participated affirmatively in any Nazi crimes, racial persecutions or discriminations, (3) been avowed believers in Nazi doctrines, or (4) voluntarily given substantial moral or material support or political assistance of any kind to the Nazi Party or Nazi officials and leaders. No such persons shall be retained in any of the categories of employment listed above because of administrative necessity, convenience or expediency.

d. Property, real and personal, owned or controlled by the Nazi Party, its formations, affiliated associations and supervised organizations, and by all persons subject to arrest under the provisions of paragraph 7 below, and found within your zone will be taken under your control pending a decision by the ~~Governing Body~~ Allied Council or higher authority as to its eventual disposition.

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e. All archives, monuments and museums of Nazi inception, or which are devoted to the perpetuation of militarism, will be taken under your control and their properties held pending decision as to their disposition by the ~~Governing Body.~~ allied council

f. You will make special efforts to preserve from destruction and take under your control records, plans, books, documents, papers, files, and scientific, industrial and other information and data belonging to or controlled by the following:

(1) The central German Government and its subdivisions, the offices of the Reichsstatthalter, the former Austrian state and its subdivisions, German and Austrian military organizations, organizations engaged in military research, and such other governmental agencies as may be deemed advisable;

(2) The Nazi Party, its formations, affiliated associations and supervised organizations;

(3) All police organizations, including security and political police;

(4) Important economic organizations and industrial establishments including those controlled by the Nazi Party or its personnel;

(5) Institutes and special bureaus devoting themselves to racial, political, militaristic or similar research or propaganda.

6. Elimination of pre-Nazi Fascists Influences:

a. You will remove and exclude from the positions enumerated in sub-paragraph 5 c above all persons who took an active and prominent part in the undemocratic measures of the pre-Nazi Fascist regime or in any of its para-military organizations such as the Heimwehr and the Ostmaerkische Sturmscharen.

b. You will prevent the revival of any organization seeking to restore the pre-Nazi Fascist regime.

7. Suspected War Criminals and Security Arrests:

a. You will search out, arrest, and hold, pending receipt by you of further instructions as to their disposition, Adolf

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Hitler, his chief Nazi associates, other war criminals, and all persons who have participated in planning or carrying out Nazi enterprises involving or resulting in atrocities or war crimes.

b. All persons who if permitted to remain at large would endanger the accomplishment of your objectives will also be arrested and held in custody until their disposition is otherwise determined by an appropriate semi-judicial body to be established by you. The following is a partial list of the categories of persons to be arrested in order to carry out this policy:

(1) Officials of the Nazi Party and its formations, affiliated associations, and supervised organizations, down to and including Local Group Leaders (Ortsgruppenleiter) and officials of equivalent rank;

(2) All members of the political police, including the Gestapo and Sicherheitsdienst der S.S.;

(3) The officers and non-commissioned officers of the Waffen S.S. and all members of the other branches of the S.S.;

(4) All General Staff Corps officers;

(5) Officials of the police holding a rank or equivalent positions of authority, above that of Lieutenant;

(6) Officers of the SA holding commissioned rank;

(7) The leading officials of all ministries and other high political officials down to and including urban and rural bürgermeister and officials of equivalent rank, and those persons who have held similar positions, either civil or military, in the administration of countries occupied by Germany;

(8) Nazis and Nazi sympathizers holding important and key positions in (a) national and Gau civic and economic organizations; (b) corporations and other organizations in which the German Government or subdivisions have a major financial interest; (c) industry, commerce, agriculture, and finance; (d) education; (e) the judiciary; and (f) the

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press, publishing houses and other agencies disseminating news and propaganda. It may generally be assumed in the absence of evidence to the contrary that any persons holding such positions are Nazis or Nazi sympathizers;

(9) All judges, prosecutors and officials of the People's Court (Volksgerichtshof), Special Courts (Sondergerichte) and other extraordinary courts created by the Nazi regime;

(10) Any national of any of the United Nations or associated states who is believed to have committed offenses against his national law in support of the German war effort;

(11) Any other person whose name or designation appears on lists to be submitted to you by the JCS or whose name may be notified to you separately.

If in the light of conditions which you encounter in Austria you believe that it is not immediately feasible to subject certain persons within these categories to this treatment, you should report your reasons and recommendations to your Government through the Joint Chiefs of Staff. If you believe it desirable, you may postpone the arrest of those whose cases you have reported, pending a decision communicated to you by the Joint Chiefs of Staff. In no event shall any differentiation be made between or special consideration be accorded to person arrested, either as to manner of arrest, or conditions of detention, upon the basis of wealth or political, industrial, or other rank or position. In your discretion you may make such exception as you deem advisable for intelligence or other military reasons.

8. Demilitarization:

a. In your zone you will assure that all units of the German armed forces including para-military organizations are dissolved as such and that their personnel are promptly disarmed and controlled in accordance with the policies and procedures set forth in the Instrument of Unconditional Surrender of Germany or in

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other directives which may be issued to you. Prior to their final disposition you will arrest and hold all military personnel who are included under the provisions of paragraph 7. Subject to military considerations and priority to be accorded repatriation of United Nations nationals, the ~~Governing Body~~ allied council should cooperate with the Control Council for Germany in arranging the early repatriation or other disposition of German members of the German armed forces, including para-military organizations, found within Austria. The two Allied agencies should likewise concert the prompt return to Austria of Austrian members of the German armed forces found within Germany, except those held as active Nazis, suspected war criminals, or for other reasons.

b. The ~~Governing Body~~ allied council should proclaim, and in your zone you will effectuate, the total dissolution of all military and para-military organizations together with all associations which might serve to keep alive militarism in Austria.

c. All persons who have actively supported organizations promoting militarism or who have been active proponents of militaristic doctrines will be removed and excluded from any of the categories of employment listed in subparagraph 5 c.

d. You will seize or destroy all arms, ammunition and implements of war, including all aircraft, military and civil, and stop the production thereof.

9. Police:

With the exception of the Kriminalpolizei (Criminal Police), all elements of the Sicherheitspolizei (Security Police), e.g., Geheime Staatspolizei (Gestapo), and the Sicherheitsdienst der S.S. will be abolished. Criminal and ordinary police will be purged of Nazi personnel and utilized under the control and supervision of the military government.

10. Administration of Justice:

a. All extraordinary courts, including the Volksgerichtshof (People's Court) and the Sondergerichte (Special Courts), and all court and tribunals of the Nazi Party and of its formations,

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affiliated associations and supervised organizations will be abolished immediately.

b. All ordinary criminal, civil and administrative courts, except those previously re-established by Allied authority, will be closed. After the elimination of all Nazi or other objectionable features and personnel you will permit those which are to exercise jurisdiction within the boundaries of your zone to resume operations under such regulations, supervision and control as you may consider appropriate. Courts which are to exercise jurisdiction over territory extending beyond the boundaries of your zone will be reopened only with the express authorization of the ~~Governing Body~~ allied council and under its regulation, supervision and control. The power to review and veto decisions of German and Austrian courts shall be included within the power of supervision and control.

11. Political Prisoners:

Subject to military security and to the interests of the individuals concerned, you will release all persons found within your zone who have been detained or placed in custody on grounds of race, nationality, creed or political opinion and treat them as displaced persons. You should make provision for the review of convictions of alleged criminal offenses about which there may be substantial suspicion of racial, religious or political persecution, and in which sentences of imprisonment have not been fully served by persons imprisoned within your zone.

12. Reconstituion of an Administrative System:

a. As soon as Nazi and fascist influences have been eliminated from public offices in Austria, the reconstituion of Austrian administrative agencies shall be carried out in such a way as not to prejudice the political and constitutional future of Austria. The ~~Governing Body~~ allied council should be responsible for the early establishment of such nationwide administrative and judicial machinery as may be required to facilitate the uniform execution of its policy throughout Austria, to ensure freedom

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of transit and communication to and between the separate zones of occupation, and to lay the foundation for the restoration of an Austrian national administrative system. Administrative officials with powers extending throughout Austria should be appointed only by or under the authority of the ~~Governing Body~~ allied council.

b. The formal abrogation of the Anschluss (Act of March 13, 1938) will not be considered as re-establishing the legal and constitutional system of Austria as it existed prior to that event. Such portions of earlier Austrian legislation or or Reich legislation relating to Austria may be retained or restored to force as is deemed appropriate for the purposes of military government and the reconstitution of Austria on a democratic basis. In so far as it may prove desirable to utilize constitutional laws for Austrian administration, suitable provisions of the Austrian Constitution of 1920, as amended in 1925 and 1929, should be applied.

c. You will assure the severance of all connections between regional (Gau) and local agencies on the one hand and Reich administrative agencies on the other, and will reconstitute Austrian Provincial (Land) and local administration at the earliest possible moment. You may utilize such agencies of the present regional and local administrations as may be deemed useful.

13. Restoration of Regional and Local Self-Government:

As a member of the ~~Governing Body~~ allied council, you will urge the restoration of regional and local self-government throughout Austria at the earliest possible moment. In the absence of agreement, you will facilitate the holding of elections to local and regional public office within your zone. If prior to or during occupation, local and regional popular councils or similar organs appear, they may be granted temporary recognition pending approval by the ~~Governing Body~~ allied council and be utilized in administration in the event that they possess popular support and are free from Nazi or fascist sympathizers and affiliations.

14. Establishment of Independent Austrian Government:

The ~~Governing Body~~ allied council should, and in your zone you will, make

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it clear to the Austrian people that the Allied Powers do not intend through military government to appoint or establish a national government for Austria but will aid the Austrian people themselves to prepare for the election of a national assembly by democratic means. The Austrian people will be free to determine their own form of government provided the new regime be democratic in character and assume appropriate internal and international responsibilities and obligations.

15. Political Activity and Civil Rights:

a. At the earliest possible moment you will permit such political activity and organization by democratic groups as neither threatens military security nor presents substantial danger of public disorder nor engenders suspicion and disunity among the United Nations.

b. You will prohibit the propagation in any form of Nazi, fascists, militaristic, and pan-German doctrines.

c. To the extent that military interests are not prejudiced and subject to the provisions of the two preceding subparagraphs and paragraph 16, you will permit freedom of speech, assembly, press, association, and religious worship.

d. For purposes of military government you may consider as Austrian citizens all persons who held Austrian citizenship on or before March 13, 1938, or who would have automatically acquired citizenship by operation of the law of Austria in force on March 13, 1938. The acts of July 30, 1925 and August 16, 1933 should not be considered as depriving of citizenship Austrians who have entered the service of foreign states or who have taken up arms against the Reich since 1938. German laws purporting to affect Austrian citizenship should be ignored.

16. Public relations and Control of Public Information:

As a member of the ~~Governing Body~~ allied council you will endeavor to obtain agreement for uniform or coordinated policies with respect to (a) control of public information media in Austria, (b) accrediting of foreign correspondents, (c) press censorship, and (d) issuance of official news communiques dealing with matters within

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the jurisdiction of the ~~Governing Body.~~ allied council U.S. policies in these matters will be sent to you separately and you will be guided by these in your negotiations in the ~~Governing Body~~ allied council.

17. Education:

a. You will initially close all schools and universities except those previously re-established by Allied authority. The closure of Nazi educational institutions, such as Adolf Hitler Schulen, Napolas and Ordensburgen, and of Nazi organizations within other educational institutions, will be permanent.

b. A coordinated system of control over Austrian education and an affirmative program of reorientation will be established designed completely to eliminate Nazi, fascists and militaristic doctrines and to encourage the development of democratic ideas.

c. You will permit the reopening of elementary (Volksschulen), middle (Hauptschulen), and vocational (Berufsschulen) schools at the earliest possible date after Nazi and other objectionable personnel has been eliminated. Textbooks and curricula which are not free of Nazi, fascists and militaristic doctrines shall not be used. The ~~Governing Body~~ allied council should assure that programs are devised for the early reopening of secondary schools, universities and other institutions of higher learning. After Nazi and other objectionable personnel and features have been eliminated and pending the formulation of such programs by the ~~Governing Body~~ allied council, you may formulate and put into effect an interim program within your zone and, in any case, you will encourage the reopening of such institutions and departments which offer training which you consider immediately essential or useful in the administration of military government and the purposes of the occupation.

d. It is not intended that the military government will intervene in questions concerning denominational control of Austrian schools, or in religious instruction in Austrian schools, except in so far as may be necessary to ensure that religious instruction and administration of such schools conform to such Allied regulations as are or may be established pertaining to

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purging of personnel and curricula.

18. Religious Affairs:

a. The ~~Governing Body~~ allied council should leave to the Austrian churchmen of the respective faiths the revision of the constitutions, rituals or internal relationships of purely ecclesiastical bodies.

b. You will protect freedom of religious belief and worship.

c. You will refrain from intervening in matters concerning religious instruction in schools, the establishment or continuation of denominational schools and the re-establishment of ecclesiastical control of any publicly supported schools.

d. You will take necessary measures to protect churches, shrines, church schools, and other ecclesiastical property from damage and from any treatment which lacks respect for their religious character.

e. You may permit religious bodies to conduct appropriate youth, sport, and welfare activities and to receive contributions for such purposes.

f. Subject to the provisions of paragraph 15, you will permit the establishment or revival of religious periodicals and the publication of other religious literature.

19. Treatment of Displaced Persons and Refugees in Austria:

a. Subject to any international agreements and to the agreed policies of the ~~Governing Body~~ allied council, you will undertake the repatriation, return to former residence or resettlement of displaced persons who are (1) nationals of the United Nations and of neutral states, (2) stateless persons, (3) nationals of enemy or former enemy countries who have been persecuted by the enemy for reasons of race, nationality, creed or political opinion, (4) nationals of Italy, as rapidly as military considerations and arrangements with their respective governments permit. Due consideration will be given to the wishes of the individuals involved, and preference will be accorded to nationals of the United Nations and persons freed from concentration camps or other places of detention.

b. You will establish or maintain centers for the assembly and repatriation, resettlement or return of the foregoing displaced persons. Subject to the general control and responsibility of

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military government, existing Austrian agencies will be required to maintain essential supply and other services for them, including adequate food, shelter, clothing and medical care.

c. Subject to your general control, you will hold existing Austrian agencies responsible for the care and disposition of refugees and those displaced persons who are nationals of Germany or former enemy countries not otherwise provided herein. You will facilitate their repatriation or return, subject to whatever control you may deem necessary, as rapidly as military considerations and appropriate arrangements with authorities in their respective home countries permit.

d. Subject to agreed policies of the ~~Governing Body~~ allied council, you will determine the extent to which UNRRA, the Inter-Governmental Committee on Refugees, or other civilian agencies will participate in handling displaced persons and refugees.

e. You will accord liaison on matters connected with displaced persons to representatives of each of the other Occupying Powers accredited therefor by their respective Commander in Chief and to representatives of any of the United Nations and neutral states and of Italy accredited therefor by the ~~Governing~~ allied council Body or other competent authority. You will arrange for such representatives to have access to displaced persons who are nationals of their countries and are authorized to permit them to use the facilities of their governments for purposes of repatriation.

f. The term "displaced persons" includes (1) non-Austrian civilian nationals who have been obliged to leave their own countries or to remain in Austria by reason of the war, (2) stateless persons, and (3) persons who have been persecuted by the enemy for reasons of race, nationality, creed or political opinion. The term "refugees" includes Austrian civilian nationals within Austria who are temporarily homeless because of military operations, or are residing at some distance from their homes for reasons related to the war.

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20. Return of Austrian Civilians to Austria:

In accordance with military considerations and appropriate arrangements with authorities in sending countries, you will cooperate in rapid repatriation of Austrian civilian nationals outside Austria, exclusive of active Nazis and persons suspected of having committed war crimes or held for other reasons.

21. The Removal of German Officials and Civilians from Austria:

a. All German officials, members of the Nazi Party who were German nationals prior to March 13, 1938, Germans who entered Austria after that date and other Germans directly connected with the Nazi exploitation of Austria, except those whom it may be desirable to hold for security or other reasons, should be expelled from Austria. The ~~Governing Body~~ allied council should consult with the Control Council in Germany regarding the removal to Germany of such persons. Removal will be effected at the earliest time consistent with the availability of transport facilities and with the prospect of orderly absorption into Germany.

b. Subject to instructions issued by the ~~Governing Body~~ allied council in accordance with the provisions of the subparagraph a above, you will in your zone take all practicable measures to facilitate and expedite the removal to Germany of all German officials and of German citizens to be repatriated.

22. Diplomatic and Consular Officials and Properties:

All diplomatic and consular officials of countries with which any one of the United Nations has been at war since December 31, 1937 will be taken into protective custody and held for further disposition. The diplomatic and consular property and records belonging to such countries or governments and to their official personnel will be seized and secured if not found in the custody of a protecting power.

23. Arts and Archives:

Subject to the provisions of paragraph 5 above, you will make all reasonable efforts to preserve historical archives, museums, libraries and works of art.

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INFORMAL POLICY COMMITTEE ON GERMANY

ADDENDUM

TO

IPCOG 9/2

DIRECTIVE TO COMMANDER IN CHIEF OF U.S. FORCES OF OCCUPATION REGARDING THE MILITARY GOVERNMENT OF AUSTRIA

References: a. IPCOG 9/1
b. IPCOG 9/2

Note by the Secretaries

1. By informal action on 25 July 1945, the Informal Policy Committee on Germany approved IPCOG 9/1 containing Parts II and III (Economic and Financial) of the Directive to the Commander in Chief of U.S. Forces of Occupation Regarding the Military Government of Austria. Previously, on 9 July 1945, the Joint Chiefs of Staff advised the Informal Policy Committee on Germany that they perceive no objection to IPCOG 9/1 from the military point of view.

2. Holders of IPCOG 9/2 are requested to attach the enclosed pages (Parts II and III of the directive, as approved) to their copies of IPCOG 9/2. With this addendum IPCOG 9/2 contains the complete Directive to Commander in Chief of U.S. Forces of Occupation Regarding the Military Government of Austria as approved by the Informal Policy Committee on Germany.

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

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PART II

ECONOMIC

General Economic Provisions

24. The Allied Council should ensure the direction of the Austrian economy in such a way as to carry out the objectives set forth in paragraph 4 b of this directive and should establish centralized control and administration of the Austrian economy to the extent necessary to achieve the maximum utilization of Austrian resources and equitable distribution of essential goods and services and to obtain uniformity of policies and operations throughout Austria.

You will urge the establishment of such centralized control and administration and, pending agreement in the Allied Council, you will take such measures in your own zone as are necessary to carry out the provisions of this directive.

25. To the maximum extent possible without jeopardizing the successful execution of measures required to implement the objectives outlined in paragraph 4 b of this directive, Austrian authorities and agencies should be used, subject to such supervision as is necessary to ensure that they carry out their task. For this purpose appropriate authority should be given to Austrian agencies and administrative services, subject to strict observance of the provisions of this directive regarding denazification and dissolution or prohibition of Nazi and Fascist organizations, institutions, principles, features and practices.

26. You will preserve all significant records pertaining to important economic, financial and research organizations and activities. You will institute or assure the maintenace of such statistical records and reports as may be necessary to carry out the objectives of this directive.

27. You will initiate appropriate surveys which may assist you in achieving the objectives of the occupation. In particular,

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you will promptly undertake surveys of supplies, equipment and resources in your zone. You will endeavor to obtain prompt agreement in the Allied Council to similar surveys in the other zones of occupation and urge appropriate steps to coordinate the methods and results of these and other future surveys undertaken in the various zones. You will keep the Allied Council and your government currently apprised of the information obtained by means of intermediate reports or otherwise.

Responsibility for Supplies from U.S. Military Sources

28. Imports of supplies from U.S. Military supply sources, for which you will assume responsibility, will be limited to the basic essentials necessary in your zone (a) to avoid disease and unrest which might endanger the occupying forces and (b) for the care of displaced persons. Imports will be undertaken only after maximum utilization of indigenous supplies.

Agriculture, Industry and Internal Commerce

29. You will make maximum use of supplies and resources available within Austria and you will require the Austrians to use all means at their disposal to maximize the production of foodstuffs and other essential goods and to establish as rapidly as possible effective rationing and other machinery for the distribution thereof. You will urge upon the Allied Council that uniform ration scales be applied throughout Austria.

30. The Allied Council should assure to the maximum possible extent the free movement and equitable distribution of goods and services throughout Austria.

31. The Allied Council should facilitate emergency repair and construction for the minimum housing needs of the civil population and restoration of transportation and communications services and public utilities essential to the objectives outlined in paragraph 4 b.

32. In order to supplement the measures taken by the Control Council in Germany for the industrial disarmament of Germany and

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pending final decision as to the steps necessary in Austria to eliminate Germany's war potential, you should, in cooperation with the other zone commanders, take steps to

a. prevent the production, acquisition and development of all arms, ammunition and implements of war, including all types of aircraft, and all parts, components and ingredients specially designed or produced for incorporation therein;

b. seize and safeguard, pending instructions as to disposal, all facilities which are specially designed or adapted to the production of the items mentioned in a and cannot be converted to non-military production, using in such conversion only materials and equipment readily available and not emanating from Germany;

c. take an inventory of all German-owned plant and equipment in Austria, and all plant and equipment regardless of ownership erected or expanded in Austria subsequent to Anschluss, in the following industries: iron mining; steel and ferro-alloys; armaments (including aircraft); machinery (including automotive vehicles, agricultural machinery, locomotives and rolling stock, bearings and other special components, electrical machinery, and general industrial equipment); electronic equipment; electric power; non-ferrous metals, including light metals; rubber and oil, including synthetic rubber and oil; wood pulp; synthetic fibers; instruments; optical glass; chemicals (including pharmaceuticals and plastics) and photographic equipment; in order that the Allied Council may determine what portion of it is redundant to the development of a sound peacetime Austrian economy and make recommendations to the governments of the occupying powers regarding the treatment of these industries;

d. prevent large-scale exportation of light metals pending subsequent instructions on the policy to be followed regarding the Austrian light metals industry;

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e. prevent the construction of plant capacity for the production of synthetic oil and rubber; and establish procedures, in consultation with the Control Council for Germany, for reviewing any projected construction of new or expanded capacity for materials the production of which is prohibited or limited in Germany as a measure of industrial disarmament, in order to ensure that such expansion is not for the purpose of evading controls in Germany;

f. close initially all laboratories, research institutions and similar technical organizations except those considered necessary for the protection of public health and safety, and provide for the maintenance and security of physical facilities where deemed necessary and for the detention of such personnel as are of interest to technological and counter-intelligence investigations. After the provisions of paragraphs 5, 6, 7 and 8 c have been applied, the reopening of laboratories, research institutions and similar organizations should be permitted under license and periodic supervision, in accordance with policies which will be communicated to you.

33. Without prejudice to the possible eventual transfer of equipment or production on reparation account in accordance with any Allied agreements which may be reached, the Allied Council should facilitate the conversion of industrial facilities to non-military production. In such conversion it will be your policy to give priority to the production of essential goods and equipment in short supply.

34. The Allied Council should assure that all semi-official or quasi-public business and trade organizations of an authoritarian character are abolished and that any organizations of commerce, industry, agriculture and handicrafts which the Austrians may wish to establish are based on democratic principles.

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35. The Allied Council should adopt a policy prohibiting cartels or other private business arrangements and cartel-like organizations including those of public or quasi-public character, such as the Wirtschaftsgruppen, which provide for the regulation of marketing conditions, including production, prices, exclusive exchange of technical information and processes, and allocation of sales territories. Such necessary public functions as have been discharged by these organizations should be absorbed as rapidly as possible by approved public agencies. Pending agreement in the Allied Council, you should take no action in your own zone with regard to this paragraph.

36. The Allied Council should adopt policies designed to prevent or restrain inflation of a character or dimension which would endanger accomplishment of the objectives of the occupation. The Allied Council in particular, should direct and empower Austrian authorities to maintain or establish controls over prices and wages and to take the fiscal and financial measures necessary to this end.

Labor, Health and Social Insurance

37. The Allied Council should permit the self-organization of employees along democratic lines, subject to such safeguards as may be necessary to prevent the perpetuation or revival of Nazi, Fascist or militarist influence under any guise or the continuation of any group hostile to the objectives and operations of the occupying forces. The Allied Council should permit free collective bargaining between employees and employers regarding wages, hours, and working conditions and the establishment of machinery for the settlement of industrial disputes. Collective bargaining shall be within the framework of such wage, hour and other controls as may be instituted or revived.

38. The Allied Council should permit the retention or re-establishment of health services and facilities and non-discriminatory systems of social insurance and poor relief.

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Reparation and Restitution

39. As a member of the Allied Council and as zone commander you will ensure that the programs of reparation and restitution embodied in Allied agreements are carried out in so far as they are applicable in Austria. The Allied Council should cooperate with the Control Council in Germany for this purpose. You should urge the Allied Council to an agreement that, until appropriate Allied authorities formulate reparation and restitution program for application in Austria,

a. no removals should be permitted on reparation account; and

b. restitution to other countries should be confined to identifiable looted works of art, books, archives and other cultural property.

Foreign Trade

40. The Allied Council should take prompt steps to re-establish Austrian customs autonomy subject to the provisions of paragraph 51 and establish centralized control over all trade in goods and services with foreign countries.

41. In the control of foreign trade the objectives of the Allied Council should be (a) to obtain as much as possible of Austria's essential imports through regular trade; (b) encourage the development by Austrians as rapidly as possible of foreign markets and sources of supply; and (c) to promote the orientation of Austrian trade away from Germany.

The Allied Council should seek to obtain from sources other than military supply sources any imports essential to the achievement of the objectives set forth in this directive. Arrangements may be made with appropriate authorities in Germany for the importation of essential supplies from Germany, whenever in your judgment such supplies cannot be readily obtained from other sources.

The Allied Council should favor the conclusion of such arrangements for the exchange of Austrian goods and services with those of foreign countries including the development of entrepot

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trade, as will aid in the revival of the Austrian economy on a sound basis and will not prejudice the eventual development of trade on a multilateral basis.

The Allied Council in cooperation with the Austrian authorities, should make a survey of Austrian foreign exchange resources and of the possibilities for foreign markets and sources of supply for Austrian industry and trade to serve as the basis of a program for the development of a sound economy. You will communicate to your government through the Joint Chiefs of Staff the results of such a survey, together with such recommendations as you may deem appropriate.

42. The Allied Council should adopt a policy which would forbid participation of Austrian firms in international cartels or other restrictive contracts and arrangements, and should order the prompt termination of all existing Austrian participation in such cartels, contracts and arrangements. Pending agreement in the Allied Council, you should take no action in your own zone with regard to this paragraph.

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PART III

FINANCIAL

General Provisions

43. The Allied Council should adopt, for application throughout Austria, uniform financial measures which are necessary to the accomplishment of the objectives stated in paragraph 4 b of this directive and which are in conformity with the principles and policies set forth below. You will urge the establishment of centralized administration of such measures to the extent necessary to achieve these objectives and, pending agreement in the Allied Council, you will adopt such necessary measures in your own zone as are in conformity with the provisions of this directive.

44. In the administration of financial matters you will follow the principles set forth in paragraph 25 of this directive.

45. You will maintain such accounts and records as may be necessary to reflect the financial operations of the military government in your zone, and you will provide the Allied Council with such information as it may require, including information in connection with the use of currency by your forces, any governmental settlements, occupation costs, and other expenditures arising out of operations or activities involving participation of your forces.

46. You will take measures to safeguard books and records of all public and private banks and other financial institutions.

47. Subject to any agreed policies of the Allied Council, you are authorized to take the following steps:

a. to prohibit, or to prescribe regulations regarding transfers or other dealings in private or public securities or real estate or other property;

b. to close banks, insurance companies and other financial institutions for a period long enough for you to

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introduce satisfactory control, to ascertain their cash position, to apply the provisions of paragraphs 5, 6, 7 and 8 c of this directive, and to issue instructions for the determination of accounts and assets to be blocked under paragraph 55 below;

c. to close stock and commodity exchanges and similar institutions for such periods as you deem appropriate and apply the provisions of paragraphs 5, 6, 7 and 8 c of this directive;

d. to establish a general or limited moratorium, or moratoria, to the extent necessary to carry out the objectives stated in this directive. In particular, it may prove desirable to prevent foreclosures of mortgages and the exercise of similar remedies by creditors against individuals and small business enterprises;

e. to issue regulations prescribing the purposes for which credit may be extended and the terms and conditions governing the extension of credit;

f. to put into effect such further financial measures as you deem necessary to accomplish the purposes stated in this directive.

48. The Allied Council should designate a suitable bank, preferably the former Vienna Branch of the Reichsbank, to perform under its direction central banking functions. Simultaneously, all connections between such designated bank and institutions or persons in Germany should be severed in accordance with paragraph 57 of this directive. When satisfied that this bank is under adequate control, the Allied Council may, by ensuring that credits are made available only in schillings through the zone commanders or authorized issuing banks or agencies, place such bank in a position to finance other banks or other financial institutions for the conduct of approved business.

Pending the designation of such a bank by the Allied Council, you may designate a bank in your zone to perform similar

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functions under your direct control and supervision and subject to the conditions specified above.

In an emergency you are also authorized to make direct advances, in schillings only, to other financial institutions.

Currency

49. The Allied Council should regulate and control the issue and volume of currency in Austria in accordance with the following provisions:

a. United States forces and other Allied forces within Austria will use only Allied Military schillings for pay of troops and other military requirements. Allied military schillings will be declared legal tender in Austria. As long as Reichmarks are legal tender in Austria, Allied Military schillings will circulate in Austria interchangeably with Reichsmarks at a rate of one Allied Military schilling for one Reichsmark. Reichskreditkassenscheine and other military currency issued by the Germans will not be legal tender in Austria;

b. without authorization by the Allied Council, no Austrian governmental or private banks or agencies will be permitted to issue banknotes or currency;

c. appropriate Austrian authorities should, to the maximum extent possible, be required by the Allied Council to make funds available free of cost in amounts sufficient to meet all expenses of the forces of occupation, including the cost of Allied military government, the pay of Allied military personnel, and to the extent that compensation is made therefor the cost of such private property as may be requisitioned, seized, or otherwise acquired by Allied authorities for reparation or restitution purposes;

d. as soon as administratively practicable, a general conversion into Allied Military schillings of the Reichsmark and Rentenmark currency circulated in Austria should be undertaken by the Allied Council or by you in coordination with the other zone commanders.

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You will receive separate instructions relative to the currency which you will use in the event that for any reason adequate supplies of Allied Military schillings are not available.

You will not announce or establish, until receipt of further instructions, any general rate of exchange between the Allied Military schilling on the one hand and the U.S. dollar and other currencies on the other. However, the rate of exchange to be used exclusively for pay of troops and military accounting purposes will be ten Allied Military schillings for one U.S. dollar.

Public Finance

50. Subject to any agreed policies of the Allied Council, you will take such action as may be necessary to insure that all laws and practices relating to taxation or other fields of finance, which discriminate for or against any persons because of race, nationality, creed or political opinion, will be amended, suspended or abrogated to the extent necessary to eliminate such discrimination. Consistent with the foregoing purpose, the Austrian authorities should be required to take such action in the field of taxation as is necessary to assure an adequate inflow of revenues. Any public revenue in Austria previously collected by the German government may be used for approved public expenditures.

51. Pending the determination of the long-range Austrian customs and trade policy, the Austrian authorities may impose duties on imports for revenue purposes. Duties for other purposes should only be imposed with the approval of the Allied Council. No duties will be imposed on imports for military account or for the account of such relief agencies as may be designated.

52. Subject to any agreed policies of the Allied Council, you will prohibit:

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a. the payment to ex-soldiers of all military pensions, or other emoluments or benefits, except compensation for physical disability limiting the recipient's ability to work at rates which are no higher than the lowest of those for comparable physical disability arising from non-military causes;

b. the payment of all public or private pensions or other emoluments or benefits granted or conferred

(1) by reason of membership in or services to the former Nazi party, its formations, affiliated associations or supervised organizations or any pre-Nazi Fascist organizations, such as the Heimwehr and the Ostmärkische Sturnscharen;

(2) to any person who has been removed from an office or position in accordance with paragraphs 5, 6 and 8 c; and

(3) to any person arrested and detained in accordance with paragraph 7 during the term of his arrest, or permanently, in case of his subsequent conviction.

53. The Allied Council should exercise general control and supervision over the expenditures of public funds to the extent necessary to achieve the purposes of the occupation.

54. The Allied Council should promptly initiate a survey for the purpose of ascertaining (a) the amount of the German government debt held in Austria, (b) the amount of all outstanding internal public debts in Austria, and (c) the fiscal position of Austria. You will promptly submit recommendations concerning the treatment of these debts, taking into consideration the effect on Austrian public credit of policies on this matter.

Property Control

55. Subject to any agreed policies of the Allied Council, you will impound or block all gold, silver, currencies, securities accounts in financial institutions, credits, valuable papers, and all other assets falling within the following categories:

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a. Property owned or controlled, directly or indirectly, in whole or in part, by any of the following:

(1) the governments, nationals or residents of the German Reich, Italy, Bulgaria, Rumania, Hungary, Finland and Japan, including those of territories occupied by them;

(2) the Austrian State, the municipal and provincial government and all governmental authorities within Austria, including their agencies and instrumentalities;

(3) the Nazi party, its formations, affiliated associations and supervised organizations, its officials, leading members and supporters;

(4) all organizations, clubs or other associations prohibited or dissolved by military government;

(5) absentee owners, including United Nations and neutral governments;

(6) any institution dedicated to public worship, charity education or the arts and sciences, which has been used by the Nazi party to further its interests or to cloak its activities;

(7) persons subject to arrest under the provisions of paragraph 7, and all other persons specified by military government by inclusion in lists or otherwise;

b. Property which has been the subject of transfer under duress, or wrongful acts of confiscation, disposition or spoliation, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise;

c. Works of art or cultural material of value or importance, regardless of the ownership thereof.

You will take such action as will ensure that any impounded or blocked assets will be dealt with only as permitted under licenses or other instructions which you may issue. In the case particularly of property blocked under a (2) above, you will proceed to adopt licensing measures which, while maintaining such property under surveillance, would permit its use in

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consonance with this directive. Property taken from Austrians under the conditions stated in b above should be restored as promptly as possible, subject to appropriate safeguards to prevent the cloaking of Nazi, German or militaristic influence.

The Allied Council should seek out and reduce to the possession and control of a special agency all property interests of any type and description owned either directly or indirectly by Germany or a national or a resident thereof.

External Financial and Property Relations

56. All foreign exchange transactions, including those arising out of exports and imports, shall be controlled for the purpose of achieving the objectives set forth in this directive. To effectuate such objectives the Allied Council should

a. seek out and reduce to the possession and control of a special agency all Austrian (public and private) foreign exchange and external assets of every kind and description located within or outside Austria;

b. prohibit, except as authorized by regulation or license, all dealings in gold, silver, foreign exchange, and all foreign exchange transactions of any kind;

c. make available any foreign exchange proceeds of exports for payment of imports necessary to the accomplishment of the objectives set forth in this directive and authorize no other outlay of foreign exchange assets except for purposes approved by the Allied Council or other appropriate authority;

d. establish effective controls with respect to all foreign exchange transactions, including:

(1) transactions as to property between persons inside Austria and persons outside Austria;

(2) transactions involving obligations ~~owned~~ OWED by or to become due from any person in Austria to any person outside Austria; and

(3) transactions involving the importation or exportation from Austria of any currency, foreign exchange

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asset or other form of property.

57. The Allied Council should, in cooperation with the Control Council in Germany, take steps necessary to sever all managerial and other organizational connections of banks, including postal banking offices, and all other business enterprises located in Austria with banks and business enterprises or persons located in Germany.

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SECRET

26 July 1945

COPY NO. 81

STATE-WAR-NAVY COORDINATING COMMITTEE

CORRIGENDUM

TO

ADDENDUM TO IPCOG 9/2

DIRECTIVE TO COMMANDER IN CHIEF OF U.S. FORCES OF OCCUPATION REGARDING THE MILITARY GOVERNMENT OF AUSTRIA

Note by the Secretaries

Holders of the Addendum to IPCOG 9/2, dated 26 July 1945, are requested to make the following change in their copies:

Page 63, paragraph 56d (2):

Change the word "owned" to "owed."

CHARLES W. McCARTHY

ALVIN F. RICHARDSON

RAYMOND E. COX

Secretariat

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IPCOG 2/2

21 May 1945

Pages 19 to 27, Incl.

INFORMAL POLICY COMMITTEE ON GERMANY

INSTRUCTIONS FOR UNITED STATES REPRESENTATIVE
ON THE REPARATION COMMISSION
Reference: a. IPCOG 2/1

Note by the Secretaries

The enclosure, a revision of reference a, incorporating amendments to paragraph 4d adopted by the Informal Policy Committee on Germany, as a result of discussions with the United States Chief of Counsel for Prosecution of Axis Criminality and the United States Representative on the Allied Reparation Commission, and approved by the President on 18 May 1945, is circulated for information and guidance.

CHARLES W. McCARTHY
ALVIN F. RICHARDSON
RAYMOND E. COX
Secretariat

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SECRET

ENCLOSURE

1. It was agreed at the Yalta Conference that Germany must pay in kind for the losses caused by her to the Allied Nations in the course of the war. The primary purpose of the Reparation Commission should be the formulation of a general program for the exaction of substantial reparation and the establishment of the policies under which this program is to be implemented.

2. It is and has been fundamental United States policy that Germany's war potential be destroyed, and its resurgence as far as possible be prevented, by removal or destruction of German plants, equipment and other property.

While cooperating with the other powers in implementing the basic purposes of the Yalta Agreement, the U.S. representative will bear in mind that whatever plan is formulated by the Reparation Commission (hereinafter referred to as the Reparation Plan) should be in conformity with the economic and security objectives of this country with respect to Germany. The position of the United States on the various issues involved in this respect is summarized in the following paragraphs.

3. In determining the size and character of reparation in accordance with points a and b of paragraph 2 of the Reparation Protocol and the allocation thereof among the various claimant nations the following principles are advocated by this Government:

a. The Reparation Plan should assist in the elimination of industrial capacity in Germany considered to be dangerous to the security of the United Nations.

b. The Reparation Plan should aid in strengthening and developing on a sound basis the industries and trade of the

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devastated non-enemy countries of Europe and of other United Nations, and in raising the living standards of these countries.

c. The reparation burden should be distributed in so far as practicable so as to impose equality of sacrifice upon, and result in an equal general standard of living for the German populations of each of the zones under the control of the respective occupying nations.

d. This Government opposes any reparation plan based upon the assumption that the United States or any other country will finance directly or indirectly any reconstruction in Germany or reparation by Germany.

e. The Reparation Plan should not maintain or foster dependence of other countries upon the German economy.

f. The Reparation Plan should not be of such a nature as to promote or require the building up of German economic capacity.

g. To the maximum extent possible, reparations should be taken from the national wealth of Germany existing at the time of collapse, with primary emphasis upon the removal of industrial machinery, equipment and plants, particularly the shipbuilding, metallurgical, machine tool producing, electrical machinery, and chemical industries (including all industries producting oil and oil products, synthetic nitrogen and synthetic rubber), ships, rolling stock, patents, copyrights, and German foreign exchange assets including investments abroad. Capacity for the production of component parts that enter into the production of the industries noted above should also be eligible for removal. Reparation in kind should not include arms, ammunition, and implements of war. (This Government favors the inclusion of

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German ocean-going merchant tonnage in the shipping pool until the end of the war against Japan and its division on some fair basis thereafter, and negotiations with other governments are in progress on this subject.)

h. To the extent that for political reasons it may become necessary in the negotiations to agree that reparations be collected in the form of deliveries of goods from current production over a period of years, such goods should be of such a nature and in such amounts as not to require the maintenance of the German war potential or the continued dependence of other countries on Germany after reparations cease. Accordingly, recurring reparations, over a period of years, should be:

(1) As small as possible in relation to the reparations to be paid in the form of industrial plants and equipment; and

(2) Primarily in the form of raw materials and natural resources, and to the smallest extent possible in the form of manufactured products.

i. The removal of plants and equipment shall take place regardless of the fact that they are owned in whole or in part, directly or indirectly, by United Nations nationals. Where plants or equipment which are owned in whole or in part by a United Nation national are to be so removed arrangements shall be made, if practicable and desired by the government of such national, for the owner to retain his interest in such plant and equipment after removal. If not practicable or so desired, Germany shall furnish to the government of such national adequate reparation to cover the interest of such national.

j. It will be inevitable that the German standard of living will be adversely affected by the carrying out of the

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Reparation Plan. However, the reparation exactions should be held within such limits as to leave the German people with sufficient means to provide a minimum subsistence standard of living without sustained outside relief; but under no condition should this limitation operate to require the retention in Germany of means to support basic living standards on a higher level than that existing in any one of the neighboring United Nations.

k. The Reparation Plan should not put the United States in a position where it will have to assume responsibility for sustained relief to the German people.

4. It was agreed at Yalta that reparation in kind is to be exacted from Germany, partly through the "use of German labor". In negotiations on labor reparation with the other powers in the Reparation Commission, the United States representatives will be guided by the following principles:

a. The United States will not accept reparation in the form of labor services.

b. Both compulsory and voluntary labor services furnished as reparation should be used outside of Germany only for reconstruction and repair of war damage and not for current production operations except for fuel and food.

c. This Government is strongly of the view that persons other than those specified in d below as deserving of punishment should not be called upon to perform compulsory labor service outside Germany.

d. Compulsory labor service should be required only from those judicially convicted as war criminals, including individuals determined by appropriate process to be members of European Axis organizations, official or unofficial, which themselves have been adjudicated to be criminal in purpose or activities.

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e. Agreement should be sought along the following lines with regard to compulsory labor service:

(1) Except for persons tried for specific crimes, and convicted and sentenced to lifetime punishment, the period of compulsory labor service should be limited to a definite span of years.

(2) The standard of living and conditions of employment should conform to humane standards.

(3) The Reparation Commission or Agency should periodically survey the living and working conditions of compulsory workers and the uses made of their services.

f. Apart from persons deserving of punishment as defined above, German labor for reparations should be recruited only on a voluntary basis.

g. The net value of the services of both types of labor shall be included as reparations.

5. The first charge on all approved exports for reparation or otherwise (other than removals of existing plant and equipment) shall be a sum necessary to pay for approved imports. Accordingly, to the extent necessary to pay for such minimum German imports as may be determined to be essential, recipient countries should be required to pay for German exports, except removals of existing plant and equipment. Imports for which payment will be sought shall include supplies imported by the occupying forces for displaced persons and German civilians.

6. Without the approval of an appropriate Allied body there shall be no re-export to third countries of goods received on reparation account.

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7. In order to prevent the treatment as war booty or as reimbursement for occupation costs of exports from Germany which should properly be considered as reparations deliveries, agreement should be sought on the scope of war booty and reimbursement for occupation costs. Agreement should also be sought on the scope of restitution in relation to reparation.

8. The governments participating in the Reparation Commission will retain control over the disposition of German property located within their respective borders. These nations will seek agreement with other countries in which German assets are located designed to eliminate continued German control of such assets and prevent their eventual return to Germans.

9. The United States will expect to assert a claim for reparations before the Reparation Commission in accordance with the principles of the Yalta Protocol in order to preserve its rights to its proper share of payment for losses caused to it by Germany in the course of the war. Pending the furnishing of a more exact claim at a later date the United States representative shall reserve the right to claim delivery of reparations in a total amount to be determined. The United States will desire to receive as much as feasible of its share of reparations in the form of foreign exchange assets including German investments abroad.

10. As an interim program, pending the formulation of more definitive arrangements, this Government would favor formulation of an immediate program by the Reparation Commission along the following lines:

a. During the initial period following the collapse of Germany each of the four occupying powers--Great Britain, Russia, France and the United States--may remove from its

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zone of occupation in Germany plants, equipment and materials (including current output) of such a nature and not in excess of such amounts as may be determined by the Reparation Commission. It shall be our policy to press for inclusion in such an initial removal schedule the categories of plant, equipment and materials (excluding ocean-going merchant tonnage) described in paragraphs 30, 31 and 32 of the "Directive to the Commander in Chief of the United States Forces of Occupation Regarding the Military Government of Germany" and in paragraph 3 g above.

b. The decision as to whether or not the removal of particular plants, equipment or materials out of a zone in Germany is consistent with the purposes of occupation would be made by the commander of such zone, subject to the following conditions:

(1) There would be constant consultation between zone commanders.

(2) In making a decision as to removal the zone commander would be responsible for carrying out any relevant agreed policies which may be formulated from time to time by the Control Council.

(3) The Control Council would have an opportunity to consider any particular removal and could veto it.

(4) Regular reports should be made to the Control Council of transfers for reparation account and the Control Council should keep appropriate Allied agencies currently informed.

c. During this initial period any one of the four occupying powers could allow, if it so desired, any other United Nation entitled to reparations in the form of removals from Germany to take out of its zone plants, equipment and

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materials of such a nature and not in excess of such amounts as may be determined by the Reparation Commission. Such removals would be subject to the policy and conditions specified in sub-paragraphs a and b above.

d. Records should be kept of all deliveries made on reparations account under such interim arrangements and such deliveries should be made without prejudice to the final allocation of reparation shares. The Reparation Commission should determine the principles for valuation of such deliveries.

11. The Reparation Plan should include provision for the early establishment of a reparation agency including representatives of such governments as have suffered devastation or substantial damage. This agency, after detailed study of Germany's capacity to pay and examination of claims to reparation by the various claimant nations, shall develop a long term plan for the delivery of reparations. This plan shall set forth a description of the reparations to be delivered and their physical allocation to the various claimant nations. It shall contain a time schedule indicating the rate at which deliveries are to be made to the several governments over a stated period of years. The reparation agency should be given continuing responsibility for drawing up at regular intervals detailed schedules of the amounts and kinds of reparations items to be delivered and should have authority to determine the allocation of specific items among claimant governments.

In lieu of the establishment of the reparations agency referred to above the Reparation Plan may provide that the Reparation Commission, appropriately expanded by the addition of representatives of other claimant governments, may be continued in existence and utilized for the same purpose.