

## DOCUMENTS ON GERMANY 1944-1959

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### *Protocol on Zones of Occupation and Administration of the "Greater Berlin" Area, September 12, 1944<sup>1</sup>*

PROTOCOL BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNITED KINGDOM, AND THE UNION OF SOVIET SOCIALIST REPUBLICS, ON THE ZONES OF OCCUPATION IN GERMANY AND THE ADMINISTRATION OF "GREATER BERLIN".

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics have reached the following agreement with regard to the execution of Article 11 of the Instrument of Unconditional Surrender of Germany: <sup>2</sup>—

1. Germany, within her frontiers as they were on the 31st December, 1937, will, for the purposes of occupation, be divided into three zones, one of which will be allotted to each of the three Powers, and a special Berlin area, which will be under joint occupation by the three Powers.

2. The boundaries of the three zones and of the Berlin area, and the allocation of the three zones as between the U.S.A., the U.K. and the U.S.S.R. will be as follows:—

#### *Eastern Zone (as shown on the annexed map "A")*

The territory of Germany (including the province of East Prussia) situated to the East of a line drawn from the point on Lübeck Bay where the frontiers of Schleswig-Holstein and Mecklenburg meet, along the western frontier of Mecklenburg to the frontier of the province of Hanover, thence, along the eastern frontier of Hanover, to the frontier of Brunswick; thence along the western frontier of the Prussian province of Saxony to the western frontier of Anhalt;

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<sup>1</sup> Treaties and Other International Acts Series 3071. The protocol was approved by the United States on February 2, 1945; the United Kingdom, December 5, 1944; and the Soviet Union, February 6, 1945. The amendment of November 14, 1944 (*infra*), allocated the northwestern parts of Germany and Greater Berlin to the United Kingdom, established the Bremen enclave for the United States, and assigned the southwestern part of Germany and the southern part of Berlin to the United States. In accordance with the Yalta Agreement (*infra*) this protocol was further amended on July 26, 1945 to provide for French occupation zones, both in Germany and in Greater Berlin (*infra*).

<sup>2</sup> I.e., the draft surrender terms agreed upon in the European Advisory Commission on July 25, 1944. The text of this draft instrument appears in *Foreign Relations of the United States: The Conferences at Malta and Yalta, 1945*, pp. 113-117. Article 11 read as follows: "The Allied Representatives will station forces and civil agencies in any or all parts of Germany as they may determine." The draft instrument (amended on May 1, 1945 to include France) was not used when Germany actually surrendered, but was incorporated in large part into the Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority by the Allied Powers, June 5, 1945 (*infra*).

thence along the western frontier of Anhalt; thence along the western frontier of the Prussian province of Saxony and the western frontier of Thuringia to where the latter meets the Bavarian frontier; then eastwards along the northern frontier of Bavaria to the 1937 Czechoslovakian frontier, will be occupied by armed forces of the U.S.S.R., with the exception of the Berlin area, for which a special system of occupation is provided below.

*North-Western Zone (as shown on the annexed map "A")*

The territory of Germany situated to the west of the line defined above, and bounded on the south by a line drawn from the point where the western frontier of Thuringia meets the frontier of Bavaria; thence westwards along the southern frontiers of the Prussian provinces of Hessen-Nassau and Rheinprovinz to where the latter meets the frontier of France will be occupied by armed forces of \* \* \*

*South-Western Zone (as shown on the annexed map "A")*

All the remaining territory of Western Germany situated to the south of the line defined in the description of the North-Western Zone will be occupied by armed forces of \* \* \*

The frontiers of States (Länder) and Provinces within Germany, referred to in the foregoing descriptions of the zones, are those which existed after the coming into effect of the decree of 25th June, 1941 (published in the Reichsgesetzblatt, Part I, No. 72, 3rd July, 1941).

*Berlin Area (as shown on the annexed 4 sheets of map "B")*

The Berlin area (by which expression is understood the territory of "Greater Berlin" as defined by the Law of the 27th April, 1920) will be jointly occupied by armed forces of the U.S.A., U.K., and U.S.S.R., assigned by the respective Commanders-in-Chief. For this purpose the territory of "Greater Berlin" will be divided into the following three parts:—

*North-Eastern part of "Greater Berlin"* (districts of Pankow, Prenzlauerberg, Mitte, Weissensee, Friedrichshain, Lichtenberg, Treptow, Köpenick) will be occupied by the forces of the U.S.S.R.:

*North-Western part of "Greater Berlin"* (districts of Reinickendorf, Wedding, Tiergarten, Charlottenburg, Spandau, Wilmersdorf) will be occupied by the forces of \* \* \*

*Southern part of "Greater Berlin"* (districts of Zehlendorf, Steglitz, Schöneberg, Kreuzberg, Tempelhof, Neukölln) will be occupied by the forces of \* \* \*

The boundaries of districts within "Greater Berlin", referred to in the foregoing descriptions, are those which existed after the coming into effect of the decree published on 27th March, 1938 (Amtsblatt der Reichshauptstadt Berlin No. 13 of 27th March, 1938, page 215).

3. The occupying forces in each of the three zones into which Germany is divided will be under a Commander-in-Chief designated by the Government of the country whose forces occupy that zone.

4. Each of the three Powers may, at its discretion, include among the forces assigned to occupation duties under the command of its Commander-in-Chief, auxiliary contingents from the forces of any other Allied Power which has participated in military operations against Germany.

5. An Inter-Allied Governing Authority (Komendatura) consisting of three Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the "Greater Berlin" Area.

6. This Protocol has been drawn up in triplicate in the English and Russian languages. Both texts are authentic. The Protocol will come into force on the signature by Germany of the Instrument of Unconditional Surrender.

The above text of the Protocol between the Governments of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics, 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 12th September, 1944, with the exception of the allocation of the North-Western and South-Western zones of occupation in Germany and the North-Western and Southern parts of "Greater Berlin", which requires further consideration and joint agreement by the Governments of the U.S.A., U.K. and U.S.S.R.

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12th September, 1944.

### ***Amending Agreement on Zones of Occupation and Administration of the "Greater Berlin" Area, November 14, 1944*<sup>1</sup>**

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

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

<sup>1</sup> Treaties and Other International Acts Series 3071. This agreement, which amended the protocol of September 12, 1944 (*supra*), was approved by the United Kingdom on December 5, 1944; the United States, February 2, 1945; and the Soviet Union, February 6, 1945. In accordance with the Yalta Agreement (*infra*) the protocol was further amended on July 26, 1945 to provide for French occupation zones, both in Germany and in Greater Berlin (*infra*).