

Statement by the Western Foreign Ministers, on Allied Rights in Berlin, May 13, 1950¹

TRIPARTITE STATEMENT ON BERLIN

The three Western Occupation Powers will continue to uphold their rights in Berlin. They are resolved now as in the past to protect the democratic rights of the inhabitants and will cooperate with the German authorities to improve to the utmost the economic position of the three Western sectors. Meanwhile the three Governments will continue to seek the reunification of the city in free elections in order that Berlin may take its due place in a free and united Germany.

Declaration by the Western Foreign Ministers, on Free Elections, May 14, 1950²

In reaffirming the determination of their Governments to work together, in cooperation with the German Federal Government and all like-minded Powers, for the unification of Germany, the three Foreign Ministers agreed that German unity should be achieved on the basis of the following principles:

- (a) A freely-elected all-German government.
- (b) Individual freedom of movement, freedom from arbitrary arrest and detention, freedom of association and assembly, freedom of speech, press and radio throughout Germany.
- (c) Freedom of action throughout Germany for all democratic political parties.
- (d) Independence of the judiciary.
- (e) Prohibition throughout Germany of political secret police and police formations constituting a military force.
- (f) Assurance of German economic unity through action by a German government on matters such as a unified currency and customs, and through quadripartite agreement on matters such as cessation of reparations from current production, and prohibited and limited industries.
- (g) Surrender and disposal, in accordance with appropriate German legislation, of any industrial enterprise in Germany whose ownership or control was acquired after May 8, 1945 by or on behalf of any foreign Power, unless such acquisition has quadripartite approval and the interest so approved is subjected to German Law.
- (h) Establishment of quadripartite supervision through a four-Power Commission, exercising its reserve powers in such a way as to permit the German Government to function effectively.

The Foreign Ministers further agreed that the first step toward the restoration of German unity should be the holding throughout Germany of free elections to a Constituent Assembly. They, accordingly, welcome and endorse the resolution of the German Federal Republic of March 22, 1950, inviting free all-German elections for a

¹ Released at London. *Ibid.*, June 26, 1950, p. 1039.

² *Ibid.*, June 5, 1950, p. 885. A copy of this declaration was transmitted to the Chairman of the Soviet Control Commission on May 25, 1950 (*infra*).

national assembly empowered to frame an all-German constitution. These elections should be held under international supervision and on the basis of an electoral law to be agreed between the four Occupying Powers which would take into account the principles set forth above. The Constituent Assembly when elected should have the sole task of drafting a constitution for submission to the German people for ratification.

Finally, the Ministers agreed that with the formation of an all-German government on the basis of the foregoing principles, the Four Powers should immediately address themselves to a peace settlement.

Note from the American Ambassador at Moscow to the Soviet Foreign Minister, on the Remilitarization of East Germany, May 23, 1950¹

I have the honor to express to you the United States Government's grave concern at a development in eastern Germany which is already known to the Government of the Union of Soviet Socialist Republics.

There has been created in the part of Germany that is subject to Soviet control a police force which has, by reason of its military training and equipment, the character of an army. This organization is called the Main Administration for Training (Hauptverwaltung Fuer Ausbildung), and it amounts to about 50,000 men. It is not an ordinary police force, and it does not have ordinary police duties. It receives basic infantry, artillery, and armored training and is equipped with military weapons, including machine guns, howitzers, anti-aircraft cannon, mortars, and tanks. It must be regarded, therefore, as a military force.

The Soviet Union has many times expressed its adherence to the principle of the complete disarmament and demilitarization of Germany. In particular, you will recall the following international agreements to which the Soviet Government was a party:

A. Joint Report of February 11, 1945, following the Anglo-Soviet-American Conference in the Crimea:

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; * * *

B. Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority by the Allied Powers, signed by General Eisenhower, Marshal Zhukov, Field Marshal Montgomery and General Tassigny on behalf of their respective Governments on June 5, 1945:

The Four Allied Governments will take such steps, including the complete disarmament and demilitarization of Germany, as they deem requisite for future peace and security.

¹ *Ibid.*, June 5, 1950, pp. 918-919. The decision to make this protest resulted from the London Conference of Foreign Ministers of the United States, United Kingdom, and France held earlier in the month.