

internal affairs, to conduct meetings and assembly, to enjoy freedom of press and publication.

(5) The existence of organizations inimical to democracy and to the maintenance of peace must not be permitted on the territory of Germany.

(6) Civil and political rights equal to all other German citizens for participation in the building of peace-loving democratic Germany must be made available to all former members of the German army, including officers and generals, all former Nazis, excluding those who are serving court sentences for commission of crimes.

(7) Germany obligates itself not to enter into any kind of coalition or military alliance directed against any power which took part with its armed forces in the war against Germany.

Territory

The territory of Germany is defined by the borders established by the provisions of the Potsdam Conference of the Great Powers.

Economic Provisions

No kind of limitations are imposed on Germany as to development of its peaceful economy, which must contribute to the growth of the welfare of the German people.

Likewise, Germany will have no kind of limitation as regards trade with other countries, navigation and access to world markets.

Military Provisions

(1) Germany will be permitted to have its own national armed forces (land, air, and sea) which are necessary for the defense of the country.

(2) Germany is permitted to produce war materials and equipment, the quantity and type of which must not exceed the limitations required for the armed forces established for Germany by the peace treaty.

Germany and the United Nations Organization

The governments concluding a peace treaty with Germany will support the application of Germany for acceptance as a member of the United Nations Organization.

Note from the American Embassy at Moscow to the Soviet Foreign Ministry, Regarding the Soviet Draft of a German Peace Treaty, March 25, 1952¹

The United States Government, in consultation with the Governments of the United Kingdom and France, has given the most careful consideration to the Soviet Government's note of March 10, 1952, which proposed the conclusion of a peace treaty with Germany. They have also consulted the Government of the German Federal Republic and the representatives of Berlin.

The conclusion of a just and lasting peace treaty which would end the division of Germany has always been and remains an essential

¹ *American Foreign Policy, 1950-1955: Basic Documents* (Department of State publication 6446), vol. II, pp. 1797-1798. The British and French Embassies delivered similar notes on the same date.

objective of the United States Government. As the Soviet Government itself recognizes, the conclusion of such a treaty requires the formation of an all-German Government, expressing the will of the German people. Such a Government can only be set up on the basis of free elections in the Federal Republic, the Soviet zone of occupation and Berlin. Such elections can only be held in circumstances which safeguard the national and individual liberties of the German people. In order to ascertain whether this first essential condition exists, the General Assembly of the United Nations has appointed a Commission to carry out a simultaneous investigation in the Federal Republic, the Soviet zone and Berlin. The Commission of Investigation has been assured of the necessary facilities in the Federal Republic and in Western Berlin. The United States Government would be glad to learn that such facilities will also be afforded in the Soviet zone and in Eastern Berlin, to enable the Commission to carry out its task.

The Soviet Government's proposals do not indicate what the international position of an all-German Government would be before the conclusion of a peace treaty. The United States Government considers that the all-German Government should be free both before and after the conclusion of a peace treaty to enter into associations compatible with the principles and purposes of the United Nations.

In putting forward its proposal for a German peace treaty, the Soviet Government expressed its readiness also to discuss other proposals. The United States Government has taken due note of this statement. In its view, it will not be possible to engage in detailed discussion of a peace treaty until conditions have been created for free elections and until a free all-German Government which could participate in such discussion has been formed. There are several fundamental questions which would also have to be resolved.

For example, the United States Government notes that the Soviet Government makes the statement that the territory of Germany is determined by frontiers laid down by the decisions of the Potsdam conference. The United States Government would recall that in fact no definitive German frontiers were laid down by the Potsdam decisions, which clearly provided that the final determination of territorial questions must await the peace settlement.

The United States Government also observes that the Soviet Government now considers that the peace treaty should provide for the formation of German national land, air, and sea forces, while at the same time imposing limitations on Germany's freedom to enter into association with other countries. The United States Government considers that such provisions would be a step backwards and might jeopardize the emergency in Europe of a new era in which international relations would be based on cooperation and not on rivalry and distrust. Being convinced of the need of a policy of European unity, the United States Government is giving its full support to plans designed to secure the participation of Germany in a purely defensive European community which will preserve freedom, prevent aggression, and preclude the revival of militarism. The United States Government believes that the proposal of the Soviet Government for the formation of German national forces is inconsistent with the achievement of this objective. The United States Government remains convinced that this policy of European unity cannot threaten the interests of any country and represents the true path of peace.