

Berlin legislation will be subject to repeal or annulment by the Allied Kommandatura.

### VIII

In order to enable them to fulfil their obligations under this declaration, the Allied authorities shall have the right to request and obtain such information and statistics as they deem necessary.

### IX

The Allied Kommandatura will modify the provisions of this declaration as the situation in Berlin permits.

### X

Upon the effective date of this declaration the Statement of Principles Governing the Relationship between the Allied Kommandatura and Greater Berlin of 14th May, 1949, as modified by the First Instrument of Revision, dated 7th March, 1951, will be repealed.

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### ***Western Declaration on Germany, the European Defense Community, and Berlin, May 27, 1952***<sup>1</sup>

The Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America have signed conventions with the German Federal Republic which will establish a new relationship with that country. These conventions, as well as the treaties for a European Defense Community and a European Coal and Steel Community, of which France is a signatory, provide a new basis for uniting Europe and for the realization of Germany's partnership in the European Community. They are designed to prevent the resurgence of former tensions and conflicts among the free nations of Europe and any future revival of aggressive militarism. They make possible the removal of the special restraints hitherto imposed on the Federal Republic of Germany and permit its participation as an equal partner in Western defense.

These conventions and treaties respond to the desire to provide by united efforts for the prosperity and security of Western Europe. The Governments of the United Kingdom and the United States consider that the establishment and development of these institutions of the European Community correspond to their own basic interests and will therefore lend them every possible cooperation and support.

Moreover, Western Defense is a common enterprise in which the Governments of the United Kingdom and the United States are already partners through membership of the North Atlantic Treaty Organization.

These bonds are now strengthened by the system of reciprocal guarantees agreed to between the member States of the European Defense Community, between these member States and the United Kingdom and also between these member States and the member States of the North Atlantic Treaty Organization.

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<sup>1</sup> *Ibid.*, vol. I, pp. 1197-1198.

For these various reasons, including the fact that these new guarantees will apply to the States concerned only as members of one or the other of these organizations, the Governments of the United Kingdom and the United States have an abiding interest, as has the Government of France, in the effectiveness of the treaty creating the European Defense Community and in the strength and integrity of that Community. Accordingly, if any action from whatever quarter threatens the integrity or unity of the Community, the two Governments will regard this as a threat to their own security. They will act in accordance with Article 4 of the North Atlantic Treaty. Moreover, they have each expressed their resolve to station such forces on the continent of Europe, including the Federal Republic of Germany, as they deem necessary and appropriate to contribute to the joint defense of the North Atlantic Treaty area, having regard to their obligations under the North Atlantic Treaty, their interest in the integrity of the European Defense Community, and their special responsibilities in Germany.

The security and welfare of Berlin and the maintenance of the position of the three powers there are regarded by the three powers as essential elements of the peace of the free world in the present international situation. Accordingly, they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

These new security guarantees supersede the assurances contained in the declaration of the Foreign Ministers of France, the United Kingdom and the United States at New York on September 19th, 1950.

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### ***Second Report of the United Nations Commission to Investigate Conditions for Free Elections in Germany, August 5, 1952***<sup>1</sup>

1. The United Nations Commission to investigate Conditions for Free Elections in Germany submits to the Secretary-General the present report covering its work during the period from May to August 1952 in pursuance of the direction given to it by the General Assembly of the United Nations.

2. In compliance with the direction given to it under the terms of paragraph 4(a) of the resolution adopted by the General Assembly on 20 December 1951 (resolution 510(VI)) on the agenda item entitled "Appointment of an impartial international commission under United Nations supervision to carry out a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany in order to determine whether existing conditions there make it possible to hold genuinely free elections throughout these areas", the Commission submitted on 1 May 1952 [30 April] its report on the results of its efforts to make the necessary arrangements with all the parties concerned to enable it to undertake its work according to the terms of the said resolution.

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<sup>1</sup> *Ibid.*, vol. II, pp. 1814-1819. Excerpts from the first report (April 30, 1952) are printed *supra*.