
DENAZIFICATION

ANNEX Q

TRANSLATION

From the "Taegliche Rundschau," Soviet Occupation Organ,
17 August 1947

ORDER

Issued by the Supreme Commander of the Soviet Military Administration

Commander-in-Chief of Soviet Occupation Forces in Germany

No. 201

Rules for the Application of Directives No. 24 and No. 38
of the Control Council on Denazification

Beginning at the moment of the unconditional surrender of Germany much has been done in the Soviet occupation zone for the cleaning of public authorities, government and important private enterprises of former active fascists, militarists and war criminals, and for the replacement of these persons by men who are able to assist in the democratic reconstruction of Germany in the interest of the German people.

By means of the Land reform landed property of junkers, fascists and war criminals was transferred to the hands of farmers. Credit and banking institutions as well as private enterprises of former active fascists and militarists became property of the people. Thus, in the Soviet occupation zone, the fundamentals of fascism, militarism and reaction have been greatly shaken.

Under these circumstances it is absolutely necessary, corresponding to the decisions of the fourth meeting of the foreign ministers in Moscow, to make a difference between former active fascists, militarists, and persons who are really guilty of war crimes and crimes of a different nature committed by the Nazis on the one hand, and nominal, non-active fascists who are able to break with the fascists ideology and together with the democratic classes of the German people participate in the general efforts at the reconstruction of a peaceful, democratic Germany on the other. A general legal prosecution of all former nominal, non-active members of the Nazi Party would only badly affect the cause of Germany's democratic reconstruction and contribute to the fortification of the position of the remainder of fascist and military reaction.

On account of Article 5, part 1, of Directive No. 38 of the Control Council and the wishes of the antifascist democratic parties, which represent the public of the Soviet zone, I decree the following order:

1) Former members of the Nazi party who did not commit crimes against peace and the security of other nations, or by means of crimes violated the German people themselves, will not only be granted the active right to vote, but also the passive one.

Ordinances, regulations and instructions on the limitation of political and citizen rights of persons belonging to the above-mentioned categories issued by German administrative organs or the organs of the Soviet Military Administration of the Soviet occupation zone will be abrogated.

2) German administrative organs and denazification boards will be obliged to take steps necessary for the speed-up and the conclusion of denazification in the Soviet occupation zone corresponding to the Directive No. 24 and No. 38 of the Control Council and this order.

3) German legal organs will be obliged to concentrate their attention on steps being taken for legal prosecution and speed-up scrutiny of war criminals, members of criminal organizations, and leading personalities of the Hitler regime; at the same

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time a general legal prosecution of all nominal, non-active members of the Nazi Party will be not admissable.

4) German administrative organs will be instructed to remove within three months all former active fascists and militarists from all public and semi-public posts and corresponding positions in private key enterprises.

5) German administrative organs will be obliged not to carry out any confiscations, property sequestrations and compulsory evacuations from dwellings of former fascists on account of orders decreed by authorities other than legal or corresponding administrative organs.

6) It will be determined that denazification boards continue their activity only at the central points of districts, the capitals of the laender, and cities belonging to the laender; the competence of these commissions will include the scrutiny of cases connected with crimes committed by former active members of the Nazi party.

The selection of personnel of the newly-to-be-formed denazification commissions will be left to the local organs of German self-government and be confirmed by superior German administrative organs and the leading organs of the Soviet Military Administration of the Laender. As members of the commission may be admitted only those persons who have actually proven their democratic attitude and according to their moral and political qualities are able to guarantee a just solution of these questions.

7) Scrutiny of cases turned over to the courts by denazification boards, prosecutors or other corresponding organs for investigation of the guilt or for the punishment of war criminals, former Nazis, militarists, profiteers and industrialists who inspired and supported the Nazi regime, will be carried out by German courts by use of the sanctions provided by Directive No. 38 of the Control Council. The competence of the court will depend on the residence of the accused. The investigation of extraordinarily important cases will be made by military government courts by order of the corresponding organs of the Soviet Military administrations.

8) All cases of crimes mentioned in Directive No. 24 and No. 38 will be turned over to German investigation authorities.

9) Responsibility for the execution of this order, as well as the execution of Directives No. 24 and 38 will be transferred to German internal and legal administrations and to the laender governments of the Soviet occupation zone.

The general control of the execution of this order will be vested in the administrative chiefs of the Soviet Military Administration of the laender.

10) The Staff of the Soviet Military Administration is authorized to issue instructions concerning the application of this order.

sgd.:

Supreme Commander of the Soviet Military Administration -
C.i.C. of the Soviet Occupation Forces in Germany

Marshal of the Soviet Union V. Sokolovsky

Chief of Staff of the Soviet Military Administration in Germany

Lt. Gen. G. Lukjantschenko

Berlin, 16 August 1947 (SNB)

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