
DENAZIFICATION

ANNEX R

BK/O(46) 101

28 February 1946

SUBJECT: Denazification

TO : Oberbuergermeister, City of Berlin

The Allied Kommandatura Berlin orders as follows:

1. To publish and post the attached order on denazification for the information and guidance of the public.
2. To carry out the provisions of said order in all phases of the city administration, and
3. To make said order and all other laws and directives on the same subject available at the Magistrat, the Bezirksaemter and any other offices where said order and other laws and directives may be required in effectuating the provisions of said order.
4. Acknowledge receipt of this order, quoting number and date.

BK/O(46) 101a

28 February 1948

ORDER

In order to eradicate completely the influence of National Socialism and militarism from the institutions and economic life of Berlin and to promote the development of true democratic institutions it is ordered that:

1. It is unlawful without special permission of the Allied Kommandatura for any branch of the administration, any public or private undertaking, or any individual to employ or retain in any supervisory or managerial capacity or in any capacity which involves the control of personnel, any member of the Nazi party who has been more than a nominal participant in its activities or any other person who is hostile to the Allied purposes.

2. Persons are to be dismissed from the employment as more than nominal participants in the activities of the NSDAP or as hostile to Allied purposes when they have:

- (i) Joined the NSDAP or were accepted for membership before membership became compulsory in 1937.
- (ii) Held office or otherwise been active at any level from local to national in the Party and its subordinate organizations or in organizations which further militaristic doctrines.
- (iii) Authorized or participated affirmatively in any Nazi crimes, racial persecutions or discriminations.
- (iv) Been avowed believers in Naziism or racial and military creeds, or
- (v) Voluntarily given substantial moral or material support or political assistance of any kind to the Nazi Party, officials and leaders.

3. Further guidance as to the persons who are to be treated as active National Socialists, militarists or as hostile to the Allied purposes will be contained in the regulations to be issued which will be available at each Bezirksamt. (Denazification Regulations No. 1)

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4. Such persons may be employed in some organization other than from which they have been removed, in ordinary work or service whether skilled, unskilled, or clerical in an inferior position, or may practise their profession or trade in a private capacity, provided they do not employ or supervise other persons.

5. They will be replaced by persons who by their political and moral qualities have shown themselves capable of assisting in developing genuine democratic institutions in Germany.

6. Persons removed from public office will not be entitled to the benefit of any pension or any other Civil Service rights.

7. Any person removed or refused employment by reason of the provisions of paragraph 2 who claims that he was only a nominal participant in the activities of the NSDAP and is not a militarist and is not hostile to the development of a genuine democratic tradition in Germany may appeal to the Allied Kommandatura through the Denazification Commission of the Verwaltungsbezirk and the City of Berlin for a declaration that he may still be employed. (Denazification Regulations No. 2)

8. Every public or private undertaking will render by 15 March through their Bezirksamt a list of all persons removed since 30 April 1945, together with the reasons for dismissal, in the manner specified in Denazification Regulations No. 3. Persons practising for their own account, or who are at the time unemployed who are affected by this order shall deliver in respect of themselves the particulars required by this Regulation.

9. No action taken against the property of persons dismissed under this order will be lawful without the authority of the Sector Military Government.

10. Any failure to comply with any of the provisions of this order will render both the undertaking and the responsible individuals, liable to prosecution in the Military Courts for disobedience of an order of the Allied Kommandatura.

11. Acknowledge receipt of this order, quoting number and date.

APRIL 1948
