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# DENAZIFICATION

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## ANNEX T

18 February 1947 (French Zone)

ORDINANCE NO. 79 from the C.i.C.

Relating to the Implementation of Control Council Directive No. 38

(Official Journal No. 56, 27 Feb. 1947)

The French C.i.C. in Germany,

In view of the Declaration of 5 June 1945 concerning the defeat of Germany and the assumption of supreme authority with regard to Germany by the Provisional Government of the French Republic, the Governments of the USA, the UK and the USSR,

In view of the Decree of 15 June 1945 amended by that of 18 October 1945 establishing a French High Command in Germany,

In view of Control Council Directive No. 24 on the elimination of Nazis from administration and responsible posts,

In view of Control Council Law No. 10 relating to the punishment of persons guilty of war crimes and crimes against Peace and Humanity.

In view of Control Council Directive No. 38 on the punishment of Nazis and militarists.

In accordance with a proposal from the Deputy Administrator General for the Military Government of the French Occupation Zone,

The Legal Committee in accord,

### ORDERS THAT:

Art. 1 The implementation of Control Council Directive No. 38 be entrusted to the German governmental authority for each Land who shall, under the terms prescribed by the present ordinance, make the required provisions for legislation and regulations.

These provisions shall not interfere with the legislation in force for the repression of war crimes, crimes against humanity or common law crimes or offences or with provisions relating to the evocation or the reversal of legal decisions, which are expressly maintained.

Art. 2 With the exception of persons considered dangerous by Military Government to the security of the occupation troops and who are still subject to Military Government courts, persons specified by Directive No. 38 will be prosecuted and judged by special German jurisdictions.

The Presidency of each of these jurisdictions will be entrusted to a qualified jurist. Authorized Democratic Parties and Trade Unions, and if occasions arises, the professional group to which the tried person belongs, will be represented.

Art. 3 Without prejudice to the sanctions which may be imposed in the implementation of the present ordinance, decisions given in matters of purges and the loss of civic rights pronounced in electoral matters previous to the setting up of the jurisdictions specified above, should be regarded as established save in exceptional cases.

Art. 4 Sanctions determined by Directive No. 38 and Law No. 10 only, may be imposed by the special jurisdictions provided for in the preceding articles.

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Where a sentence is inflicted depriving a person of liberty, the administrative detention eventually undergone by the person concerned may be reduced under the same terms as detention under remand.

Art. 5 The present ordinance shall be published in the Official Journal of the French Command in Germany and executed as law in the French Occupation Zone.

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