

10) We do not intend that the Japanese shall be enslaved as a race destroyed as [a] nation, but stern justice shall be meted out to all criminals, including those who have visited cruelties upon our prisoners. The Japanese government shall remove all obstacles to the revival and strength[en]ing of democratic tendencies among the Japanese people. Freedom of speech, of religion, and of thought, as well as respect for the fundamental human rights shall be established.

11) Japan shall be permitted to maintain such industries as will sustain her economy and permit the exaction of just reparations in kind, but not those industries which would enable her to re-arm for war. To this end, access to, as distinguished from control of raw materials shall be permitted. Eventual Japanese participation in world trade relations shall be permitted.

12) The occupying forces of the Allies shall be withdrawn from Japan as soon as these objectives have been accomplished and there shall be established in accordance with the freely expressed will of the Japanese people a peacefully inclined and responsible government.

13) We call upon the Government of Japan to proclaim now the unconditional surrender of all the Japanese armed forces, and to provide proper and adequate assurances of their good faith in such action. The alternative for Japan is prompt and utter destruction.

POTSDAM July 26, 1945

HARRY S TRUMAN
WINSTON CHURCHILL
by H. S. T.
PRESIDENT OF CHINA
by wire⁵

The last two "signatures" are in Truman's handwriting. In the copy referred to in footnote 2, *ante*, which also bears three "signatures" in Truman's handwriting, the second appears as "Winston Churchill by authorization H. S. T." This has no place or date. For Churchill's authorization, see document No. 1249. Chiang's concurrence, see document No. 1251.

PROTOCOL OF PROCEEDINGS AND COMMUNIQUÉ, APPROVED BY THE HEADS OF GOVERNMENT OF THE UNITED STATES, THE SOVIET UNION, AND THE UNITED KINGDOM

PROTOCOL OF PROCEEDINGS

EDITOR'S NOTE.—The text of the Protocol, as released to the public by the Department of State on March 24, 1947,¹ was developed in three distinct stages, as follows:

Stage 1. From the preparation of a draft Protocol by the Protocol Subcommittee of the Conference to the end of the Conference. According to the minutes of the Thirteenth Plenary Meeting, August 1, 1945 (*ante*, page 596), the three Heads of Government merely signed "top copies" to which the perfected texts of the Protocol were to be attached, and appointed a committee, consisting of a representative of each of the three Delegations, to "compare texts".^{1a} The United States original of the Protocol as it left the Conference (i. e., the text as it stood at the end of Stage 1) consists of a one-sentence "top document", dated August 1, 1945, and signed by Stalin, Truman, and Attlee, to which there is fastened by a wire staple the "Protocol of the Proceedings of the Berlin Conference", part of which is typewritten and part of which is in mimeographed form, and on the face of which a number of manuscript changes and corrections had been made. The text printed below is the text as it stood at the end of Stage 1.^{1b}

Stage 2. After the United States original of the Protocol reached Washington, but before its text was publicly released, it became apparent that certain editorial corrections had not been made and that certain decisions of the Heads of Government with respect to the Protocol and the Communiqué had not been reflected in changes in the Protocol. A number of changes falling within these categories were then made on the United States original of the Protocol.

Stage 3. Immediately before the publication of the Protocol in a Department of State press release, the United States text of the Protocol was checked against a British text of the same document, and

¹ Department of State press release No. 238 of March 24, 1947, as corrected by a sheet of corrigenda of the same date.

^{1a} Assistant Secretary of State James Clement Dunn represented the United States on the committee to "compare texts". A copy of the Protocol (without the one-sentence "top document") bearing manuscript changes and corrections, many of them in Dunn's handwriting, is in the Department's files (file No. 740.00119 Potsdam/8-245). Many of the changes and corrections entered on this copy (hereafter referred to as Dunn's working copy of the Protocol) were not, however, entered at Babelsberg on the United States original of the Protocol, i. e., the copy to which the signed "top document" was stapled, although it was presumably intended that they were to be so entered.

^{1b} In identifying the Stage 1 text the editors used a photostatic copy of the United States original made in the Department of State on November 5, 1946, before the Stage 2 changes had been made on that document.

rather changes were introduced to bring the United States text into harmony with the British text. These changes, however, were not entered on the face of the United States original.

The text printed below (the text as it stood at the end of Stage 1) annotated to show (a) manuscript changes made on the signed original during Stage 1 and (b) changes introduced in Stages 2 and 3.¹⁰

No. 1383

Files

*Protocol of the Proceedings of the Berlin Conference*BERLIN, August 1, 1945.¹⁴

There is attached hereto the agreed protocol of the Berlin Conference.

И. СТАЛИН²
HARRY S TRUMAN³
C. R. ATTLEE⁴

[Attachment]

PROTOCOL OF THE PROCEEDINGS OF THE BERLIN CONFERENCE

The Berlin Conference of the Three Heads of Government of the S. S. R., U. S. A., and U. K., which took place from July 17 to August 1,⁵ 1945, came to the following conclusions:

I. ESTABLISHMENT OF A COUNCIL OF FOREIGN MINISTERS.

The Conference reached the following agreement for the establishment of a Council of Foreign Ministers to do the necessary preparatory work for the peace settlements:

(1) There shall be established a Council composed of the Foreign

Except that variations in punctuation, spelling, and capitalization which occurred in Stage 3, and minor variations in Stage 3 which were obviously the result of typographical errors, have not been annotated.

In the footnotes which follow, an asterisk (*) indicates that the United States text, as changed, is in harmony with the text published by the British Government in 1947. A dagger (†) indicates that the United States text, as changed, is in harmony with the Russian text published by the Soviet Government in 1955. Full citations to the British and Soviet texts referred to, see *ante*, pp. xxix, x.) There remain, however, both editorial and substantive differences between the United States, British, and Soviet texts. Attention is called to the principal remaining substantive differences in the footnotes which follow.

So dated, although this "top document" was apparently not signed until a few minutes after midnight, i.e., until August 2. See *ante*, p. 596, footnote 38. The texts of the Protocol published by the British and Soviet Governments do not include this "top document", and they place the signatures and dateline after paragraph II at the end of the Protocol. In the British text the dateline reads, "Berlin, 2nd August, 1945." In the Soviet text it reads, in translation, "Berlin, August 1945."

Stalin. Changed in Stage 3 to "Joseph V. Stalin".

Harry Truman. Changed in Stage 3 to "Harry Truman".

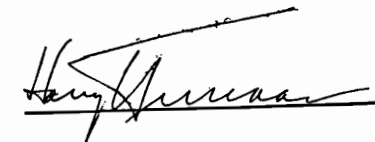
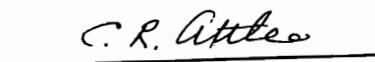
At this point in the United States original is a second page with the identical text printed above, but without the signatures.

August 2. Changed in Stage 3 to "August 2".*†

A." introduced at the beginning of this paragraph in Stage 2.*†

Berlin, August 1, 1945.

There is attached hereto the agreed protocol of the Berlin Conference.

SIGNED "TOP DOCUMENT" ATTACHED TO THE PROTOCOL OF PROCEEDINGS OF THE BERLIN CONFERENCE

~~PROPOSED AGREEMENT
ON
THE POLITICAL AND ECONOMIC PRINCIPLES TO GOVERN THE
TREATMENT OF GERMANY IN THE INITIAL CONTROL PERIOD
TERMS SUBMITTED TO THE FOREIGN SECRETARIES
BY ECONOMIC SUB-COMMITTEE~~

~~B~~ ECONOMIC PRINCIPLES

~~11~~ ¹⁰ In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war as well as all types of aircraft and sea-going ships shall be prohibited and prevented. Production of metals, chemicals, machinery and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in Paragraph ~~14~~ ¹⁵. Productive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on Reparations and approved by the Governments concerned or if not removed shall be destroyed.

~~12~~ ¹¹ At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts and other monopolistic arrangements. ~~Notwithstanding this, however, and for the purpose of achieving the objectives set forth herein, certain forms of central administrative machinery, particularly in the fields of Finance, Transportation and Communications, shall be maintained on a restricted basis.~~

~~13~~ ¹² In organizing the German Economy, primary emphasis shall be given to the development of agriculture and peaceful domestic industries.

15.

A PAGE FROM THE UNITED STATES ORIGINAL OF THE PROTOCOL OF PROCEEDINGS OF THE BERLIN CONFERENCE

A page from section II of the Protocol, showing (a) the deletion of the heading and the correction of paragraph numbers, done in black pencil on the original in Stage 1, and (b) the introduction of the indicator "B" in the heading and the deletion of one sentence of text, indicated in red pencil on the original in Stage 2.

(Facing page 1479)

Ministers of the United Kingdom, the Union of Soviet Socialist Republics, China, France and the United States.

(2) (i) The Council shall normally meet in London, which shall be the permanent seat of the joint Secretariat which the Council will form. Each of the Foreign Ministers will be accompanied by a high-ranking Deputy, duly authorized to carry on the work of the Council in the absence of his Foreign Minister, and by a small staff of technical advisers.

(ii) The first meeting of the Council shall be held in London not later than September 1st 1945. Meetings may be held by common agreement in other capitals as may be agreed from time to time.

(3) (i) As its immediate important task, the Council shall be authorized to draw up, with a view to their submission to the United Nations, treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland, and to propose settlements of territorial questions outstanding on the termination of the war in Europe. The Council shall be utilized for the preparation of a peace settlement for Germany to be accepted by the Government of Germany when a government adequate for the purpose is established.

(ii) For the discharge of each of these tasks the Council will be composed of the Members representing those States which were signatory to the terms of surrender imposed upon the enemy State concerned. For the purposes of the peace settlement for Italy, France shall be regarded as a signatory to the terms of surrender for Italy. Other Members will be invited to participate when matters directly concerning them are under discussion.

(iii) Other matters may from time to time be referred to the Council by agreement between the Member Governments.

(4) (i) Whenever the Council is considering a question of direct interest to a State not represented thereon, such State should be invited to send representatives to participate in the discussion and study of that question.

(ii) The Council may adapt its procedure to the particular problem⁷ under consideration. In some cases it may hold its own preliminary discussions prior to the participation of other interested States. In other cases, the Council may convoke a formal conference of the State[s] chiefly interested in seeking a solution of the particular problem."

⁸ It was agreed that the three Governments should each address an identical invitation to the Governments of China and France to adopt this text and to join in establishing the Council. The text of the approved invitation was as follows:

Council of Foreign Ministers.

Draft for identical invitation to be sent separately by each of the Three Governments to the Governments of China and France.

"The Governments of the United Kingdom, the United States and the U. S. S. R. consider it necessary to begin without delay the essential preparatory work upon the peace settlements in Europe.

⁷ Changed in Stage 3 to "problems".

⁸ "B." introduced at the beginning of this paragraph in Stage 2.*†

and they are agreed that there should be established a Council of Foreign Ministers of the Five Great Powers to prepare treaties with the European enemy States, for submission to the Conference. The Council would also be empowered to propose solutions of outstanding territorial questions in Europe and to discuss other matters as member Governments might agree to.

The text adopted by the Three Governments is as follows:

(Text of the Proposal).
 In agreement with the Governments of the United States and Great Britain, His Majesty's Government in the United Kingdom and the Government of France, the United States Government, the United Kingdom and the French Government extend a cordial invitation to the Government of China (France) to adopt the text quoted above and to join in setting up the Council.⁹ His Majesty's Government, The United States Government and the Soviet Government attach much importance to the participation of the Chinese Government (French Government) in the proposed Council and they hope to receive an early and favorable reply thereto.

It is understood that the establishment of the Council of Foreign Ministers for the specific purposes named in the text would be without prejudice to the agreement of the Crimea Conference¹¹ that there should be a periodical consultation between the Foreign Secretaries of the United States, the Union of Soviet Socialist Republics and the United Kingdom.

The Conference also considered the position of the European Advisory Commission in the light of the Agreement to establish the Council of Foreign Ministers. It was noted with satisfaction that the Commission had ably discharged its principal tasks by the recommendation that it had furnished for the terms of surrender for Germany in the zones of occupation in Germany and Austria and for Allied control machinery in those countries.¹³ It was felt that the work of a detailed character for the coordination of the Council for the control of Germany and Austria would in future be within the competence of the Allied Control Commission¹⁴ at the Allied Commission at Vienna. Accordingly the Council

concluded in italics, which were underscored in the original, were obviously intended to apply the form of invitation to be used by each of the three inviting Governments, but there appear to have been inadvertent omissions in the text. The sentence of this paragraph presumably should read: "In agreement with the Governments of the United States and U. S. S. R., His Majesty's Government in the United Kingdom (United Kingdom and U. S. S. R., the United States Government and United Kingdom, the Soviet Government) extend[s] a cordial invitation to the Government of China (France) to adopt the text quoted above and to join in setting up the Council." Cf. document No. 715 and the document No. 1395.

The text introduced at the beginning of this paragraph in Stage 2.*†

document No. 1417, section VIII.
 The text introduced at the beginning of this paragraph in Stage 2.*†
 The Soviet text reads, in literal translation, "recommendations concerning the final surrender of Germany".

document No. 233.
 "Control Commission" changed in Stage 3 to "Control Council".*†

reference agreed to recommend to the Member Governments of the European Advisory Commission that the Commission might now be dissolved.¹⁵

II. THE PRINCIPLES TO GOVERN THE TREATMENT OF GERMANY IN THE INITIAL CONTROL PERIOD^{16a}

A. Political Principles.

1. In accordance with the Agreement on Control Machinery in Germany,¹⁶ supreme authority in Germany is exercised, on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the Control Council.

2. So far as is practicable, there shall be uniformity of treatment of the German population throughout Germany.

3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

(1)¹⁷ The complete disarmament and demilitarization of Germany and the elimination or control of all German industry that could be used for military production. To these ends:—

(a) All German land, naval and air forces, the S. S., S. A., S. D. and Gestapo, with all their organizations, staffs and institutions, including the General Staff, the Officers' Corps, Reserve Corps, military schools, war veterans' organizations and all other military and quasi-military¹⁸ organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;

(b) All arms, ammunition and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition and implements of war shall be prevented.

¹⁵ The final sentence changed in Stage 3 to read: "Accordingly it was agreed to recommend that the European Advisory Commission be dissolved."* The Soviet text reads, in literal translation, "Accordingly, it is recommended that the European Advisory Commission be dissolved."

^{16a} The Soviet text, which contains the words "Political and Economic Principles" in this heading, also contains the following introductory statement following the heading: "The following political and economic principles for the treatment of Germany were adopted:".

¹⁶ Signed at London, November 14, 1944, as amended by a further agreement signed at London, May 1, 1945. For texts, see *Treaties and Other International Acts Series No. 3070; United States Treaties and Other International Agreements*, vol. 5, pt. 2, p. 2062. The agreement of November 14, 1944, also printed in *Foreign Relations*, The Conferences at Malta and Yalta, 1945, p. 124.

¹⁷ Corrected in Stage 3 to "(i)".*†

¹⁸ Changed in Stage 3 to "semi-military".*†

(ii) To convince the German people that they have suffered a total military defeat and that they cannot escape responsibility for what they have brought upon themselves, since their own ruthless warfare and the fanatical Nazi resistance have destroyed German economy and made chaos and suffering inevitable.

(iii) To destroy the National Socialist Party and its affiliated and supervised organizations, to dissolve all Nazi institutions, to ensure that they are not revived in any form, and to prevent all Nazi and militarist activity or propaganda.

(iv) To prepare for the eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany.

4. All Nazi laws which provided the basis of the Hitler regime or established discrimination¹⁹ on grounds of race, creed, or political opinion shall be abolished. No such discriminations, whether legal, administrative or otherwise, shall be tolerated.

5. War criminals and those who have participated in planning or carrying out Nazi enterprises involving or resulting in atrocities or war crimes shall be arrested and brought to judgment. Nazi leaders, influential Nazi supporters and high officials of Nazi organizations and institutions and any other persons dangerous to the occupation or its objectives shall be arrested and interned.

6. All members of the Nazi Party who have been more than nominal participants in its activities and all other persons hostile to Allied purposes shall be removed from public and semi-public office, and from positions of responsibility in important private undertakings. Such persons shall be replaced by persons who, by their political and moral qualities, are deemed capable of assisting in developing genuine democratic institutions in Germany.

7. German education shall be so controlled as completely to eliminate Nazi and militarist doctrines and to make possible the successful development of democratic ideas.

8. The judicial system will be reorganized in accordance with the principles of democracy, of justice under law, and of equal rights for all citizens without distinction of race, nationality or religion.

9. The administration of affairs²⁰ in Germany should be directed towards the decentralization of the political structure and the development of local responsibility.^{20a} To this end:—

(i) local self-government shall be restored throughout Germany on democratic principles and in particular through elective councils as rapidly as is consistent with military security and the purposes of military occupation;

(ii) all democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany;

(iii) representative and elective principles shall be introduced into regional, provincial and state (Land) administration as rapidly as may be justified by the successful application of these principles in local self-government;

(iv) for the time being, no central German Government shall be established. Notwithstanding this, however, certain essential central German administrative departments, headed by State Secretaries, shall be established, particularly in the fields of finance, transport, communications, foreign trade and industry. Such departments will act under the direction of the Control Council.

10. Subject to the necessity for maintaining military security, freedom of speech, press and religion shall be permitted, and religious institutions shall be respected. Subject likewise to the maintenance of military security, the formation of free trade unions shall be permitted.

²¹ *Economic Principles*

11.²² In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war as well as all types of aircraft and sea-going ships shall be prohibited and prevented. Production of metals, chemicals, machinery and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in Paragraph 15.²³ Productive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on Reparations and approved by the Governments concerned or if not removed shall be destroyed.

12. At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts and other monopolistic arrangements. Notwithstanding this, however, and for the purpose of achieving the objectives set forth herein, certain forms of central administrative

²¹ During Stage 1 there was deleted the following heading which appeared in the draft above the heading printed: "Proposed Agreement on the Political and Economic Principles To Govern the Treatment of Germany in the Initial Control Period[:]. Text as Submitted to the Foreign Secretaries by Economic Subcommittee".*† "B." was introduced before the heading printed in Stage 2.*† See ante, p. 591. The text of section II B in Dunn's working copy of the Protocol bears only the typed heading, "B. *Economic Principles*".

²² This paragraph number was corrected from "10" in Stage 1.*† The numbers of the eight succeeding paragraphs, i. e., 12 to 19 inclusive, were likewise corrected in Stage 1,*† having been numbered 11 to 18 inclusive in the draft. The renumbering of the later paragraphs of this section was caused by the insertion of a new paragraph 2. See document No. 879, footnote 5. The text of section II B in Dunn's working copy of the Protocol is correctly numbered.

²³ Corrected from "14" in Stage 1.*† The number is correct in Dunn's working copy of the Protocol.

¹⁹ Changed in Stage 3 to "discriminations".

²⁰ The words "of affairs" deleted in Stage 3.*†

^{20a} The Soviet text reads, in literal translation. "the development of a sense

ery, particularly in the fields of Finance, Transportation and communications, shall be maintained or restored.²⁴

In organizing the German Economy, primary emphasis shall be placed on the development of agriculture and peaceful domestic industries.

During the period of occupation Germany shall be treated as a single economic unit. To this end common policies shall be established with regard to:

mining and industrial production and ²⁵ allocation; agriculture, forestry and fishing; wages, prices and rationing; import and export programs for Germany as a whole; currency and banking, central taxation and customs; reparation and removal of industrial war potential; transportation and communications.

When applying these policies account shall be taken, where appropriate, of varying local conditions.

Unnecessary controls shall be imposed upon the German economy but to the extent necessary:

to carry out programs of industrial disarmament and ²⁶ demilitarization, of reparations, and of approved exports and imports.

to assure the production and maintenance of goods and services necessary to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average standards not exceeding the average of the standards of living in European countries. (European countries means all European countries as excluding U. K. and ²⁷ U. S. S. R.)

to ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and to meet the need for imports.

to control German industry and all economic and financial transactions, including exports and imports, with the view of preventing Germany from developing a war potential and of attaining the other objectives named herein.

to control all German public or private scientific bodies, research establishments, experimental institutions, laboratories, et cetera, connected with scientific activities.

to ensure the imposition and maintenance of economic controls determined by the Control Council, German administrative machinery created and the German authorities shall be required to the

The final sentence of this paragraph was deleted in Stage 2.* This deletion is reflected in Dunn's working copy of the Protocol. Cf. the attachment to document No. 1380 and *ante*, p. 591. The sentence was not deleted, however, in the final text.

word "its" introduced at this point in Stage 3.*†

word "and" replaced by a comma in Stage 3. Neither the word "and" nor the comma appears in Dunn's working copy of the Protocol.

words "U. K. and" replaced by "the United Kingdom and the" in

†

fullest extent practicable to proclaim and assume administration of such controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

17. Measures shall be promptly taken:

- (a) to effect essential repair of transport;
- (b) to enlarge coal production;
- (c) to maximize agricultural ²⁸ output; and
- (d) to effect emergency repair of housing and essential utilities.

18. Appropriate steps shall be taken by the Control Council to exercise control and the power of disposition over German owned external assets not already under the control of United Nations which have taken part in the war against Germany.

19. Payment of Reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

The above clause will not apply to the equipment and products referred to in paragraphs 4 (a) and 4 (b) of the Reparations Agreement.²⁹

III. GERMAN REPARATION ³⁰

1. Reparation claims of ³¹ U. S. S. R. shall be met by removals from the zone of Germany occupied by the U. S. S. R., and from appropriate German external assets.

2. The U. S. S. R. undertakes to settle the reparation claims of Poland from its own share of reparations.

3. The reparations ³² claims of the United States, the United Kingdom and other countries entitled to reparations shall be met from the Western Zones and from appropriate German external assets.

4. In addition to the reparations to be taken by the U. S. S. R. from its own zone of occupation, the U. S. S. R. shall receive additionally from the Western Zones:

(a) 15 per cent of such usable and complete industrial capital equipment, in the first place from the metallurgical, chemical and

²⁸ Changed from "agriculture" in Stage 1.*†

²⁹ i. e., section III, *infra*.

³⁰ Changed in Stage 3 to "Reparations From Germany".*†

³¹ The word "the" introduced at this point in Stage 3.*†

³² Changed in Stage 3 to "reparation".

machine manufacturing industries as is unnecessary for the German peace economy and should be removed from the Western Zones of Germany, in exchange for an equivalent value of food, coal, potash, zinc, timber, clay products, petroleum products, and such other commodities as may be agreed upon.

(b) 10 per cent of such industrial capital equipment as is unnecessary for the German peace economy and should be removed from the Western Zones, to be transferred to the Soviet Government on reparations account without payment or exchange of any kind in return.

Removals of equipment as provided in (a) and (b) above shall be made simultaneously.

5. The amount of equipment to be removed from the Western Zones on account of reparations must be determined within six months from now at the latest.

6. Removals of industrial capital equipment shall begin as soon as possible and shall be completed within two years from the determination specified in paragraph 5. The delivery of products covered by 4 (a) above shall begin as soon as possible and shall be made by the U. S. S. R. in agreed installments within five years of the date hereof.^{32a} The determination of the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparation shall be made by the Control Council under policies fixed by the Allied Commission on Reparations,³³ with the participation of France, subject to the final approval of the Zone Commander in the Zone from which the equipment is to be removed.

7. Prior to the fixing of the total amount of equipment subject to removal, advance deliveries shall be made in respect to³⁴ such equipment as will be determined to be eligible for delivery in accordance with the procedure set forth in the last sentence of paragraph 6.

8. The Soviet Government renounces all claims³⁵ to shares of German enterprises which are located in the Western Zones of Germany as well as to German foreign assets in all countries except those specified in paragraph 9 below.

9. The Governments of the U. K. and U. S. A. renounce their claims³⁶ to shares of German enterprises which are located in the Eastern Zone

^{32a} The Soviet text reads, in literal translation, "within five years of the said date".

³³ See *International Agencies in Which the United States Participates* (Washington, Government Printing Office, 1946; Department of State publication No. 899), p. 141.

³⁴ The word "to" changed by hand to "of" in Dunn's working copy of the Protocol.*

³⁵ The words "in respect of reparations" introduced at this point in Stage 3.*† These words appear in Dunn's handwriting as an interlineation in Dunn's working copy of the Protocol. See *ante*, pp. 586-587.

³⁶ The words "their claims" replaced by "all claims in respect of reparations" in Stage 3.*† The words "in respect of reparations" appear in Dunn's handwriting as an interlineation following the words "their claims" in Dunn's working copy of the Protocol. See *ante*, pp. 586-587.

of occupation in Germany, as well as to German foreign assets in Bulgaria, Finland, Hungary, Rumania and Eastern Austria.

10. The Soviet Government makes no claims to gold captured by the Allied troops in Germany.

IV. DISPOSAL OF THE GERMAN NAVY AND MERCHANT MARINE.

A.³⁷

The following principles for the distribution of the German Navy were agreed:

(1) The total strength of the German surface navy, excluding ships sunk and those taken over from Allied Nations, but including ships under construction or repair, shall be divided equally among the U. S. S. R., U. K., and U. S.³⁸

(2) Ships under construction or repair mean those ships whose construction or repair may be completed within three to six months, according to the type of ship. Whether such ships under construction or repair shall be completed or repaired shall be determined by the technical commission appointed by the Three Powers and referred to below, subject to the principle that their completion or repair must be achieved within the time limits above provided, without any increase of skilled employment in the German shipyards and without permitting the reopening of any German ship building or connected industries. Completion date means the date when a ship is able to go out on its first trip, or, under peacetime standards, would refer to the customary date of delivery by shipyard to the Government.

(3) The larger part of the German submarine fleet shall be sunk. Not more than thirty submarines shall be preserved and divided equally between the U. S. S. R., U. K. and U. S.³⁸ for experimental and technical purposes.

(4) All stocks of armament, ammunition and supplies of the German Navy appertaining to the vessels transferred pursuant to paragraphs (1) and (3) hereof shall be handed over to the respective powers receiving such ships.

(5) The Three Governments agree to constitute a tripartite naval commission comprising two representatives for each Government, accompanied by the requisite staff, to submit agreed recommendations to the Three Governments for the allocation of specific German warships and to handle other detailed matters arising out of the agreement between the Three Governments regarding the German fleet. The Commission will hold its first meeting not later than 15th August, 1945, in Berlin, which shall be its headquarters. Each Delegation on the Commission will have the right on the basis of reciprocity to inspect German warships wherever they may be located.

(6) The Three Governments agreed that transfers, including those of ships under construction and repair, shall be completed as soon as

³⁷ "A." moved in Stage 3 to the beginning of the following paragraph.

³⁸ Changed in Stage 3 to "U. S. A." This change was marked in Dunn's working copy of the Protocol.

possible, but not later than 15th February, 1946. The Commission will submit fortnightly reports, including proposals for the progressive allocation of the vessels when agreed by the Commission.]

B.³⁹

The following principles for the distribution of the German Merchant Marine were agreed:—

(1) The German Merchant Marine, surrendered to the Three Powers and wherever located, shall be divided equally among the U. S. S. R., the U. K., and the U. S.⁴⁰ The actual transfers of the ships to the respective countries shall take place as soon as practicable after the end of the war against Japan. The United Kingdom and the United States will provide out of their shares of the surrendered German merchant ships appropriate amounts for other Allied States whose merchant marines have suffered heavy losses in the common cause against Germany, except that the Soviet Union shall provide out of its share for Poland.

(2) The allocation, manning, and operation of these ships during the Japanese War period shall fall under the cognizance and authority of the Combined Shipping Adjustment Board and the United Maritime Authority.⁴¹

(3) While actual transfer of the ships shall be delayed until after the end of the war with Japan, a Tripartite Shipping Commission shall inventory and value all available ships and recommend a specific distribution in accordance with paragraph (1).

(4) German inland and coastal ships determined to be necessary to the maintenance of the basic German peace economy by the Allied Control Council of Germany shall not be included in the shipping pool thus divided among the Three Powers.

(5) The Three Governments agree to constitute a tripartite merchant marine commission comprising two representatives for each Government, accompanied by the requisite staff, to submit agreed recommendations to the Three Governments for the allocation of specific German merchant ships and to handle other detailed matters arising out of the agreement between the Three Governments regarding the German merchant ships. The Commission will hold its first meeting not later than September 1st, 1945, in Berlin, which shall be its headquarters. Each delegation on the Commission will have the right on the basis of reciprocity to inspect the German merchant ships wherever they may be located.

³⁹ "B." moved in Stage 3 to the beginning of the following paragraph.

⁴⁰ Changed in Stage 3 to "U. S. A." This change was marked in Dunn's working copy of the Protocol.

⁴¹ Concerning these two organizations see, respectively, *United States Government Organization Manual, 1953-54* (Washington, Government Printing Office, 1953), p. 542, and *International Organizations in Which the United States Participates, 1949* (Washington, Government Printing Office, 1950; Department of State publication No. 3655), p. 323.

VI⁴²

CITY OF KOENIGSBERG AND THE ADJACENT AREA

The Conference examined a proposal by the Soviet Government to the effect that pending the final determination of territorial questions at the peace settlement, the section of the western frontier of the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg-Goldap, to the meeting point of the frontiers of Lithuania, the Polish Republic and East Prussia.

The Conference has agreed in principle to the proposal of the Soviet Government concerning the ultimate transfer^{42a} to the Soviet Union of the City of Koenigsberg and the area adjacent to it as described above subject to expert⁴³ examination of the actual frontier.

The President of the United States and the British Prime Minister have declared that they will support the proposal of the Conference at the forthcoming peace settlement.

VII⁴⁴WAR CRIMES⁴⁵

The Three Governments have taken note of the discussions which have been proceeding in recent weeks in London⁴⁶ between British, United States, Soviet and French representatives with a view to reaching agreement on the methods of trial of those major war criminals whose crimes under the Moscow Declaration of October, 1943⁴⁷ have no particular geographical localisation. The Three Governments reaffirm their intention to bring these criminals to swift and sure justice. They hope that the negotiations in London will result in speedy agreement being reached for this purpose, and they regard it

⁴² Corrected in Stage 2 to "v" *† This correction is marked in Dunn's working copy of the Protocol, where the numbering of all the succeeding sections of the Protocol is likewise corrected. An undated working paper (file No. 740.00119 Potsdam/7-3045) which contains a numbered list of the proposed sections of the Protocol indicates that at one stage it was expected that section v of the Protocol would deal with the Ruhr. When the Heads of Government decided on August 1 that the Protocol would not contain a section on the Ruhr (see *ante*, pp. 595-596), this decision should have precipitated a renumbering of section vi (on the city of Königsberg and the adjacent area) to section v, and an appropriate renumbering of all succeeding sections of the Protocol. As noted above, this renumbering was carried out in Dunn's working copy of the Protocol, but the correct numbering was not entered on the United States original of the Protocol until Stage 2, as defined above (see *ante*, p. 1477).

^{42a} The Soviet text reads, in literal translation, "concerning the transfer".

⁴³ Corrected by hand in Stage 1 from "exper".

⁴⁴ Corrected in Stage 2 to "vi" *†

⁴⁵ Changed in Stage 2 to "War Criminals" *†

⁴⁶ For the London discussions referred to, for the text of the Agreement of August 8, 1945, signed at the conclusion of those discussions, and for the text of the Charter of the International Military Tribunal annexed to that Agreement, see *Report of Robert H. Jackson, United States Representative to the International Conference on Military Trials, London, 1945*.

⁴⁷ Text in Department of State *Bulletin*, vol. ix, p. 810.

a matter of great importance that the trial of these major criminals could begin at the earliest possible date. The first list of defendants will be published before 1st September.⁴⁸

VIII. ⁴⁹

AUSTRIA

The Conference examined a proposal by the Soviet Government on the extension of the authority of the Austrian Provisional Government to all of Austria.

The three Governments agreed that they were prepared to examine the question after the entry of the British and American forces into the city of Vienna.

It was agreed that reparations should not be exacted from Austria.

IX. ⁵⁰

POLAND

Declaration ^{50a}

We have taken note with pleasure of the agreement reached among representative Poles from Poland and abroad which has made possible the formation, in accordance with the decisions reached at the Crimea Conference,⁵¹ of a Polish Provisional Government of National Unity recognised by the Three Powers. The establishment by the British

and United States Governments of diplomatic relations with the Polish Provisional Government⁵² has resulted in the withdrawal of recognition from the former Polish Government in London,⁵³ which no longer exists.

The British and U. S.⁵⁴ Governments have taken measures to protect the interests⁵⁵ of the Polish Provisional Government,^{55a} as the recognised Government of the Polish State, in the property belonging to the Polish State located in their territories and under their control whatever the form of this property may be. They have further taken measures to prevent alienation to third parties of such property. All such facilities will be given to the Polish Provisional Government^{55a} for the exercise of the ordinary legal remedies for the recovery of any property belonging to the Polish State which may have been wrongfully alienated.

⁴⁸ For the list referred to, which was made public on August 29, 1945, see Department of State *Bulletin*, vol. XIII, p. 301.

⁴⁹ Corrected in Stage 2 to "vii".*†

⁵⁰ Corrected in Stage 2 to "viii".*†

⁵¹ The Soviet text this heading reads, in literal translation, "A. Declaration on the Polish Question", and the following introductory statement follows the text: "The Conference has adopted the following declaration on the Polish Question."

⁵² Document No. 1417, section vi.

⁵³ The words "of National Unity" introduced at this point in Stage 3.*

⁵⁴ Concerning United States recognition of the Polish Provisional Government of National Unity, see vol. I, document No. 501.

⁵⁵ Changed in Stage 3 to "United States".*†

^{55a} Changed in Stage 3 to "interest".

^{55b} The words "of National Unity" introduced at this point in Stage 3.*†

The Three Powers are anxious to assist the Polish Provisional Government⁵⁶ in facilitating the return to Poland as soon as practicable of all Poles abroad who wish to go, including members of the Polish armed forces and the merchant marine. They expect that those Poles who return home shall be accorded personal rights⁵⁷ and property rights on the same basis as all Polish citizens.

The Three Powers note that the Polish Provisional Government⁵⁸ in accordance with the decisions of the Crimea Conference has agreed to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot in which all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates; and that representatives of the Allied Press shall enjoy full freedom to report to the world upon developments in Poland before and during the elections.

B. *Western Frontier of Poland.*

In conformity with the agreement on Poland reached at the Crimea Conference the three Heads of Government have sought the opinion of the Polish Provisional Government of National Unity in regard to the accession of territory in the north and west which Poland should receive. The President of the National Council of Poland⁵⁸ and members of the Polish Provisional Government of National Unity⁵⁹ have been received at the Conference and have fully presented their views. The three Heads of Government reaffirm their opinion that the final delimitation of the western frontier of Poland should await the peace settlement.

The three Heads of Government agree that, pending the final determination of Poland's western frontier, the former German territories east of a line running from the Baltic Sea immediately west [of]⁶⁰ Swinemunde, and thence along the Oder River to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier,⁶¹ including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics in accordance with the understanding reached at this conference⁶² and including the area of the former free city of Danzig,

⁵⁶ The words "of National Unity" introduced at this point in Stage 3.*†

⁵⁷ The word "rights" deleted in Stage 3.*† This change was marked in Dunn's handwriting in Dunn's working copy of the Protocol.

⁵⁸ Bolesław Bierut.

⁵⁹ See *ante*, p. 322.

⁶⁰ The words "immediately west" substituted for "through" in Stage 1.*† The word "of" introduced in Stage 2.*† The words "immediately west of" appear in Dunn's handwriting as an interlineation in Dunn's working copy of the Protocol. See *ante*, p. 592.

⁶¹ See the map facing p. 1152, *ante*.

⁶² *Ante*, section vi (v).

shall be under the administration of the Polish State and for such purposes should not be considered as part of the Soviet zone of occupation in Germany.

x.⁶⁸

CONCLUSION OF PEACE TREATIES AND ADMISSION TO THE UNITED NATIONS ORGANISATION.

The Three Governments consider it desirable that the present anomalous position of Italy, Bulgaria, Finland, Hungary and Roumania should be terminated by the conclusion of Peace Treaties.⁶⁴ They trust that the other interested Allied Governments will share these views.

For their part the Three Governments have included the preparation of a Peace Treaty with ⁶⁵ Italy as the first among the immediate important tasks to be undertaken by the new Council of Foreign Ministers. Italy was the first of the Axis Powers to break with Germany, who [to] ⁶⁶ whose defeat she has made a material contribution, and has now joined with the Allies in the struggle against Japan. Italy has freed herself from the Fascist regime and is making good progress towards reestablishment of a democratic government and institutions. The conclusion of such a Peace Treaty with a recognised and democratic Italian Government will make it possible for the Three Governments to fulfil their desire to support an application from Italy for membership of the United Nations.

The Three Governments have also charged the Council of Foreign Ministers with the task of preparing Peace Treaties for Bulgaria, Finland, Hungary and Roumania. The conclusion of Peace Treaties with recognised democratic Governments in these States will also enable the Three Governments to support applications from them for membership of the United Nations. The Three Governments agree to examine each separately in the near future, in the light of the conditions then prevailing, the establishment of diplomatic relations with Finland, Roumania, Bulgaria, and Hungary to the extent possible prior to the conclusion of peace treaties with those countries.⁶⁷

The Three Governments have no doubt that in view of the changed conditions resulting from the termination of the war in Europe, representatives of the Allied Press will enjoy full freedom to report to the

⁶³ Corrected in Stage 2 to "ix".*†

⁶⁴ The following passage deleted at this point in Stage 1: "so that as soon as possible thereafter relations between them and the ex-enemy States can, where necessary, be reestablished on a normal footing".*† See *ante*, p. 590, footnote 16. This passage is also marked for deletion in Dunn's working copy of the Protocol.

⁶⁵ Changed in Stage 3 from "with" to "for".*† This change appears in Dunn's handwriting as an interlineation in Dunn's working copy of the Protocol.

⁶⁶ The correction from "who" to "to" made in Stage 2.*†

⁶⁷ Concerning United States action to carry out the provisions of the final sentence of this paragraph see: for Finland, Department of State *Bulletin*, vol. XIII, pp. 283, 339; for Rumania, *ibid.*, vol. XIV, pp. 256, 298; for Bulgaria, *ibid.*, vol. XVII, p. 746; for Hungary, *ibid.*, vol. XIII, p. 478.

world upon developments in Roumania, Bulgaria, Hungary and Finland.

As regards the admission of other states into the United Nations Organization, Article 4 of the Charter of the United Nations ⁶⁸ declared ⁶⁹ that:

1. Membership in the United Nations is open to all other peace-loving States who ⁷⁰ accept the obligations contained in the present Charter and, in the judgment of the organization, are able and willing to carry out these obligations;

2. The admission of any such State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

The Three Governments, so far as they are concerned, will support applications for membership from those States which have remained neutral during the war and which fulfil the qualifications set out above.

The Three Governments feel bound however to make it clear that they for their part would not favour any application for membership put forward by the present Spanish Government, which, having been founded with the support of the Axis Powers, does not, in view of its origins, its nature, its record and its close association with the aggressor States, possess the qualifications necessary to justify such membership.

XI.⁷¹

TERRITORIAL TRUSTEESHIP

The Conference examined a proposal by the Soviet Government on the question of trusteeship territories envisaging those categories of territories ^{71a} as defined in the decision of the Crimea Conference ⁷² and in the Charter of the United Nations Organisation.

After an exchange of views on this question it was decided that the disposition of any former Italian ⁷³ territories was one to be decided in connection with the preparation of a peace treaty with ⁷⁴ Italy and that the question of Italian ⁷³ territory would be considered by the September Council of Ministers of Foreign Affairs.

⁶⁸ Treaty Series No. 993; 59 Stat. (2) 1031.

⁶⁹ Changed in Stage 3 to "declares".*† This change is marked in Dunn's working copy of the Protocol.

⁷⁰ Reads "which" in the Charter. The text included in the Protocol also has variations of capitalization and punctuation from the text of the Charter.

⁷¹ Corrected in Stage 2 to "x".*†

^{71a} The British text omits the words "envisaging those categories of territories". The Soviet text likewise contains no Russian translation of these words.

⁷² See document No. 1416, section 1.

⁷³ The word "colonial" introduced at this point in Stage 3.*†

⁷⁴ Changed in Stage 3 from "with" to "for".* This change appears in Dunn's handwriting as an interlineation in Dunn's working copy of the Protocol.

XII.⁷⁵REVISED ALLIED CONTROL COMMISSION PROCEDURE IN ROUMANIA,
BULGARIA AND HUNGARY.

The Three Governments have taken ⁷⁶ note that the Soviet Representatives on the Allied Control Commissions in Roumania, Bulgaria and Hungary, have communicated to their United Kingdom and United States colleagues proposals for improving the work of the Control Commissions, now that hostilities in Europe have ceased.

The Three Governments agree that the revision of the procedures of the Allied Control Commissions in these countries will now be undertaken,⁷⁷ taking into account the interests and responsibilities of the Three Governments which together presented the terms of armistice to the respective countries, and accepting as a basis, in respect of all three countries, the Soviet Government's proposals for Hungary as annexed hereto.⁷⁸

ANNEX.⁷⁹

TEXT OF A LETTER TRANSMITTED ON JULY 12 TO THE REPRESENTATIVES OF THE U. S. AND U. K. GOVERNMENTS ON THE ALLIED CONTROL COMMISSION IN HUNGARY.

In view of the changed situation in connection with the termination of the war against Germany, the Soviet Government finds it necessary to establish the following order of work for the Allied Control Commission in Hungary.

1. During the period up to the conclusion of peace with Hungary the President (or Vice-President) of the ACC will regularly call conferences with the British and American representatives for the purpose of discussing the most important questions relating to the work of the ACC. The conferences will be called once in 10 days, or more frequently in case of need.

Directives of the ACC on questions of principle will be issued to the Hungarian authorities by the President of the Allied Control Commission after agreement on these directives with the English and American representatives.

2. The British and American representatives in the ACC will take part in general conferences of heads of divisions and delegates of the

⁷⁵ Corrected in Stage 2 to "XI".*†

⁷⁶ The words "have taken" changed in Stage 3 to "took".*† This change appears in Dunn's handwriting as an interlineation in Dunn's working copy of the Protocol.

⁷⁷ Dunn has changed the beginning of this paragraph by hand, in his working copy of the Protocol, to read as follows (italics supplied): "The Three Governments agreed that the revision of the procedures of the Allied Control Commissions in these countries *would* now be undertaken".*

⁷⁸ The words "(Annex 1)" introduced at the end of the paragraph in Stage 3.*†
⁷⁹ Changed in Stage 2 to "Annex 1".*† In Stage 3 this annex was removed from its position at the end of the section of the Protocol to which it pertains and placed near the end, between section XXI and annex II,*† both of which were introduced in Stage 2 (post, p. 1498).

ACC, convoked by the President of the ACC, which meetings will be regular in nature. The British and American representatives will also participate personally or through their representatives in appropriate instances in mixed commissions created by the President of the ACC for questions connected with the execution by the ACC of its functions.

3. Free movement by the American and British representatives in the country will be permitted provided that the ACC is previously informed of the time and route of the journeys.

4. All questions connected with permission for the entrance and exit of members of the staff of the British and American representatives in Hungary will be decided on the spot by the President of the ACC within a time limit of not more than one week.

5. The bringing in and sending out by plane of mail, cargoes and diplomatic couriers will be carried out by the British and American representatives on the ACC under arrangements and within time limits established by the ACC, or in special cases by previous coordination with the President of the ACC.

I consider it necessary to add to the above that in all other points the existing Statutes regarding the ACC in Hungary, which was confirmed on January, 20 [sic], 1945,⁸⁰ shall remain in force in the future.

XIII⁸¹ORDERLY TRANSFER OF GERMAN POPULATIONS^{81a}

The Three Governments, having considered the question in all its aspects, recognise that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.

Since the influx of a large number of Germans into Germany would increase the burden already resting on the occupying authorities, they consider that the Allied⁸² Control Council in Germany should in the first instance examine the problem, with special regard to the question of the equitable distribution of these Germans among the several zones of occupation. They are accordingly instructing their respective representatives on the Control Council to report to their Governments as soon as possible the extent to which such persons have already entered Germany from Poland, Czechoslovakia and Hungary, and to submit an estimate of the time and rate at which further transfers could be carried out having regard to the present situation in Germany.

The Czechoslovak Government, the Polish Provisional Government and the Control Council in Hungary are at the same time being informed of the above and are being requested meanwhile to suspend

⁸⁰ Not printed.

⁸¹ Corrected in Stage 2 to "XII".*†

^{81a} The Soviet text contains the following introductory statement following this heading: "The Conference has adopted the following decision:".

⁸² The word "Allied" deleted in Stage 3.*†

further expulsions pending an examination by the Governments concerned of the report from their representatives on the Control Council.

XIV⁸³

OIL EQUIPMENT IN RUMANIA

The Conference agreed to set up two bilateral commissions of experts, one to be composed of United Kingdom and Soviet Members, and one to be composed of United States and Soviet members, to investigate the facts and examine the documents, as a basis for the settlement of questions arising from the removal of oil equipment from⁸⁴ Rumania. It was further agreed that these experts shall begin their work within ten days, on the spot.

XV⁸⁵

IRAN

It was agreed that Allied troops should be withdrawn immediately from Tehran, and that further stages of the withdrawal of troops from Iran should be considered at the meeting of the Council of Foreign Ministers to be held in London in September, 1945.

XVI⁸⁶

THE INTERNATIONAL ZONE OF TANGIER

A proposal by the Soviet Government was examined and the following decisions were reached.

Having examined the question of the Zone of Tangier, the three Governments have agreed that this Zone, which includes the city of Tangier and the area adjacent to it, in view of its special strategic importance shall remain international.

The question of Tangier will be discussed in the near future at a meeting in Paris of representatives of the Governments of the Union of Soviet Socialist Republics, the United States of America, the United Kingdom and France.⁸⁷

XVII⁸⁸

THE BLACK SEA STRAITS

The three Governments recognised the need for revision of the Convention on the Straits concluded at Montreux⁸⁹ as failing to meet present-day conditions.⁹⁰

⁸³ Corrected in Stage 2 to "xiii".*†

⁸⁴ Changed in Stage 3 from "from" to "in".*†

⁸⁵ Corrected in Stage 2 to "xiv".*†

⁸⁶ Corrected in Stage 2 to "xv".*†

⁸⁷ See Department of State *Bulletin*, vol. XIII, pp. 380, 613.

⁸⁸ Corrected in Stage 2 to "xvi".*†

⁸⁹ League of Nations Treaty Series, vol. CLXXIII, p. 213.

⁹⁰ This paragraph revised in Stage 3 as follows: "The Three Governments recognized that the Convention on the Straits concluded at Montreux should be revised as failing to meet present-day conditions."† The British text reads: "The three Governments recognised that the Convention concluded at Montreux should be revised as failing to meet present-day conditions."

It was agreed that as the next step the matter should be the subject of direct conversations between each of the three Governments and the Turkish Government.

XVIII⁹¹

INTERNATIONAL INLAND WATERWAYS.

The Conference considered a proposal of the U. S. Delegation on this subject and agreed to refer it for consideration to the forthcoming meeting of the Council of Foreign Ministers in London.

XIX⁹²

EUROPEAN INLAND TRANSPORT CONFERENCE.

The British and U. S. Delegations to the Conference informed the Soviet Delegation of the desire of the British and U. S. Governments to reconvene the European Inland Transport Conference and stated that they would welcome assurance that the Soviet Government would participate in the work of the reconvened conference. The Soviet Government agreed that it would participate in this conference.⁹³

XX⁹⁴

DIRECTIVES TO MILITARY COMMANDERS ON ALLIED CONTROL COUNCIL FOR GERMANY.

The three Governments agreed that each would send a directive to its representative on the Control Council for Germany informing him of all decisions of the Conference affecting matters within the scope of his duties.^{94a}

XXI⁹⁵USE OF ALLIED PROPERTY⁹⁶ FOR SATELLITE REPARATIONS OR "WAR TROPHIES"

The proposal⁹⁷ presented by the U. S.⁹⁸ Delegation was accepted in

⁹¹ Corrected in Stage 2 to "xvii".*†

⁹² Corrected in Stage 2 to "xviii".*†

⁹³ See *Participation of the United States Government in International Conferences, July 1, 1941-June 30, 1945*, p. 138. See also Executive Agreement Series No. 494; 59 Stat. (2) 1740.

⁹⁴ Corrected in Stage 2 to "xix".*†

^{94a} The Soviet text reads, in literal translation, "to its representative on the Control Council concerning questions coming within the scope of his competence".

⁹⁵ Corrected in Stage 2 to "xx".*†

⁹⁶ Changed in Stage 2 to "Properties"; to "Property" once more in Stage 3.*†

⁹⁷ The words "(Annex II)" introduced at this point in Stage 2.*†

⁹⁸ Changed in Stage 3 to "United States".*

principle by the Conference, but the drafting of an agreement on the matter was left to be worked out through diplomatic channels.⁹⁹

⁹⁹ The Soviet text of this paragraph reads, in literal translation: "The Conference decided to accept in principle the proposal of the American Delegation (Annex No. 2). The wording of this proposal is to be agreed upon through the diplomatic channel."

The Protocol, as it stood at the end of Stage 1, ended with this paragraph. In Stage 2 an additional section XXI was introduced*† and annex II (pertaining to the final section of the Protocol as it stood at the end of Stage 1) was added.*† In Stage 3 the annex to the section on "Revised Allied Control Commission Procedure in Roumania, Bulgaria and Hungary" (*ante*, p. 1494) was inserted between the new section XXI and annex II.*† The texts of the new article and annex introduced in Stage 2 are as follows:

XXI
MILITARY TALKS

During the Conference there were meetings between the Chiefs of Staff of the three governments on military matters of common interest.
[Cf. document No. 1384, section XIV, and *ante*, p. 594.]

ANNEX II

[The heading, "Use of Allied Property for Satellite Reparations or 'War Trophies'" was inserted at this point in Stage 3.† A similar heading above the words "Annex II" was deleted in Stage 2.*]

1. The burden of reparation and "war trophies" should not fall on allied nationals.

2. Capital equipment.—We object to the removal of such allied property as reparations, "war trophies", or under any other guise. Loss would accrue to allied nationals as a result of destruction of plants and the consequent loss of markets and trading connections. Seizure of allied property makes impossible the fulfilment by the satellite of its obligation under the armistice to restore intact the rights and interests of the allied nations and their nationals.

The United States looks to the other occupying powers for the return of any equipment already removed and the cessation of removals. Where such equipment will not or cannot be returned, the United States [changed to "U. S." in Stage 3] will demand of the satellite adequate, effective and prompt compensation to American nationals, and that such compensation have priority equal to that of the reparations payment.

These principles apply to all property wholly or substantially owned by allied nationals. In the event of removals of property in which the American as well as the entire allied interest is less than substantial, the United States [changed to "U. S." in Stage 3] expects adequate, effective, and prompt compensation.

3. Current production.—While the United States [changed to "U. S." in Stage 3] does not oppose reparation out of current production of allied investments, the satellite must provide immediate and adequate compensation to the allied nationals including sufficient foreign exchange or products so that they can recover reasonable foreign currency expenditures and transfer a reasonable return on their investment. Such compensation must also have equal priority with reparations.

We deem it essential that the satellites do [the word "do" deleted in Stage 3] not conclude treaties, agreements or arrangements which deny to allied nationals access, on equal terms, to their trade, raw materials, and industry; and appropriately modify any existing arrangements which may have that effect.

[Cf. document No. 842.]

[BABELSBERG,] August 2, 1945[.]

REPORT ON THE TRIPARTITE CONFERENCE OF BERLIN

I²

On July 17, 1945, the President of the United States of America, Harry S. Truman, the Chairman of the Council of People's Commissars of the Union of Soviet Socialist Republics, Generalissimo J. V. Stalin, and the Prime Minister of Great Britain, Winston S. Churchill, together with Mr. Clement R. Attlee, met in the Tripartite Conference of Berlin. They were accompanied by the foreign secretaries of the three Governments, Mr. James F. Byrnes, Mr. V. M. Molotov, and Mr. Anthony Eden, the Chiefs of Staff, and other advisers.

There were nine meetings between July 17 and July 25. The Conference was then interrupted for two days while the results of the British general election were being declared.

On July 28 Mr. Attlee returned to the Conference as Prime Minister, accompanied by the new Secretary of State for Foreign Affairs, Mr. Ernest Bevin. Four days of further discussion then took place. During the course of the Conference there were regular meetings of the Heads of the Three Governments accompanied by the foreign secretaries, and also of the Foreign Secretaries alone. Committees appointed by the Foreign Secretaries for preliminary consideration of questions before the Conference also met daily.

The meetings of the Conference were held at the Cecilienhof near Potsdam. The Conference ended on August 2, 1945.

¹ The source copy is filed in a folder in the Truman Papers bearing the following typed notation: "Final typewritten copy as prepared under the direction of the President's Press Secretary, Mr. Charles Ross, on 2 August 1945 after the President, Attlee and Stalin had made changes in an earlier draft at the last Plenary Session." This represents the final text in the files of the United States Delegation which was prepared at the Conference site. The text released at Washington on August 2 (the source for the text printed in the Department of State *Bulletin*, vol. XIII, p. 153) was based on a telegraphic transmission and contains minor variations from the text here printed.

For the "earlier draft" referred to above, i. e., the Report of the Communiqué Subcommittee, to which a cover sheet bearing the signatures of the three Heads of Government was attached, see document No. 1380.

In connection with the Communiqué, see also the general annotations to document No. 1383.

² This Roman numeral is a manuscript addition.