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THE SECRETARY OF STATE
WASHINGTON

December 8, 1943

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My dear Mr. Secretary:

As promised you in our discussion on Tuesday morning I am sending herewith the statement on the treatment of Germany.

Sincerely yours,

The Honorable
Henry L. Stimson,
Secretary of War.

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E.O. 11652, Sec. 2.23 and 3.10) or (E)
Authority: 48 CFR 1.101-2.2
By: [Signature] 12/29/79

S/W Germany Treatment of (Policy Recommendations)

The Treatment of Germany

DECLASSIFIED

E.O. 13526, Sec. 3(E) and

Authority

By: EPL 730 Date

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s/w Germany Treatment of (Policy Recommendation)

It is proposed that, in accordance with the declarations of the principal United Nations regarding the unconditional surrender of Germany, the terms of surrender to be accepted unconditionally by Germany shall be previously agreed upon jointly by the Governments of Great Britain, the U. S. S. R., and the United States; and that in coming to this agreement the three Governments be guided by the following principles:

1. That an instrument be signed which contains an admission of the total defeat of Germany.
2. That the instrument be signed both by an authorized agent of whatever German Government may exercise power de jure or de facto and by an authorized agent of the military authorities.
3. That the instrument empower the United Nations to exercise all the rights of an occupying power throughout Germany.
4. That the instrument bind the German Government to deliver, without reciprocity, all prisoners of war and such other nationals of United Nations states as may be held in detention.
5. That the instrument empower the United Nations to regulate the demobilization of the German armed forces.
6. That the instrument stipulate the release of the political prisoners held by the German Government, the abandonment of the concentration camps and the delivery to agents designated by the United Nations of persons who may subsequently be accused of actions within the United Nations' definition of war crimes.
7. That the instrument bind the German Government to the continued maintenance of all agencies of economic control, together with their staffs, complete records and other equipment, for subsequent disposition by the United Nations authorities.
8. That the instrument empower the United Nations to supervise the economic activities of Germany.
9. That the instrument bind the German Government to deliver, according to the stipulations of the United Nations High Command, all arms and armaments, other military and naval stores, and stocks of raw materials wherever located.

A. - TREATMENT OF GERMANY DURING THE ARMISTICE PERIOD

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Inter-Allied Control. It is proposed that during the armistice period a strict international control -- military, political and economic -- be maintained; and that this control be exercised through an inter-Allied Control Commission charged with the carrying out of the terms of surrender and the policies agreed upon by Great Britain, the U. S. S. R. and the United States.

The Occupation of Germany. For the purpose of securing the execution of surrender terms and assuring the creation of conditions for a permanent system of security it is recommended that the occupation of Germany be effected by contingents of British, Soviet and American forces.

Local Government

Local Government. It is recommended that policy with respect to local government (functions, agencies, personnel) be based upon the principle of minimum interference with established mechanisms and procedures. All Nazi government officials, in whatever capacity, should be promptly eliminated and every vestige of the Nazi regime should be uprooted.

It is recommended that effective supervision of local government be maintained by the occupation authorities and the Control Commission through the media of:

1. Mandatory and veto power over acts of key administrators.
2. Control of personnel administration.
3. Control over the administrative functions of the government authorities.

Treatment of National Socialist Party. The National Socialist Party should be dissolved forthwith. The functions of certain existing structures, such as those dealing with employment and social insurance, might be continued temporarily, subject to a thoroughgoing elimination of Nazi and other objectionable elements and to effective supervision by the occupation authorities.

Reparations. It is recommended that the principle be recognized that it is the duty of Germany to provide reparations for the physical damages inflicted by its armed forces upon the U. S. S. R. and other Allied and occupied countries; and that the forms, extent, and distribution of such reparations be determined through a Commission on German Reparations, consisting initially of representatives of the Governments of Great Britain, the U. S. S. R. and the United States, with provision for the representation of other directly interested governments.

Disarmament. For the purpose of providing a basis for a general security system, it is proposed that, on the cessation of hostilities:

1. All German armed forces should be disarmed and demobilized;
2. All arms, ammunition and military equipment and facilities wherever located should be surrendered to the United Nations;
3. Captured and surrendered arms should be scrapped;
4. Manufacture of war matériel should cease immediately;
5. For the armistice period at least the control of arms manufacturing facilities, as well as all economic facilities, in Germany should be transferred to the United Nations.

Among measures of permanent control of German military potential, the following are suggested for consideration:

1. Germany should be denied a standing army and military training should be prohibited;
2. The German General Staff should be disbanded and should not be reconstituted in any form;
3. The military caste system in all its phases should be eliminated;

4. Arms

4. Arms manufacturing facilities in Germany should be dismantled;
5. The importation and manufacture in Germany of arms, ammunition, and implements of war, and materials essential to their manufacture, including all types of aircraft, should be prohibited;
6. A permanent audit and inspection system should be established and maintained under supervision of the United Nations.

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B. - PERMANENT STATUS OF GERMANY

Problem of German Political Unity. At the present time there is no indication whether the effect of defeat will be to strengthen the trend towards political unity within Germany, or whether the reaction against the defeated Hitler regime will lead to emergence of a spontaneous movement for the creation of several separate states out of the territory of the present Reich. Certain vital phases of this question continue under study.

Democratic Government. It is the view of the American Government that, in the long run, the most desirable form of government for Germany would be a broadly based democracy operating under a bill of rights to safeguard the civil and political liberties of the individual. Among the conditions required for the success of a new democratic experiment in Germany would be: a tolerable standard of living; restriction of measures of control to the requirements of general security; harmony of policy and purpose among the British, Soviet and American Governments. Since the administration of Germany will be controlled by the inter-Allied mechanisms during the armistice period, it is during that period that the bases of a democratic regime should be laid. Early steps should be taken to restore freedom of speech, religion, and of the press, freedom to organize political parties other than of Nazi-Fascist doctrine, cultural associations and trade unions. When conditions permit, preparations should be made for the holding of free elections for the creation of a central German Government to which the occupation authorities would gradually transfer their responsibility for the internal administration of the country.

Decentralization. It is the view of the American Government that the potential threat of Germany to general security might be lessened through decentralization of the German political structure, through assigning to the federal units control over a wide range of administrative functions, and through encouraging any movement which may emerge within Germany in favor of the diminution of Prussian domination over the Reich.

Frontiers. This is a matter which should come within the purview of the general settlement.