

Memorandum from the French Foreign Ministry (Paris, 19 November 1948)

Caption: On 19 November 1948, the French Foreign Ministry sends a note to Baron Jules Guillaume, Belgian Ambassador to Paris, to protest against Law No 75, published on 10 November by the US and British military authorities without prior consultation of France, which determines a new status for the coal and steel industry of the Ruhr area.

Source: Archives Nationales du Luxembourg, Luxembourg. Ministère des Affaires étrangères. Deuxième guerre mondiale. Deuxième guerre mondiale - Autorité internationale de la Ruhr. Conférence pour l'établissement de l'A.I.R. - 1948, AE 8111.

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1 — The orders published in Frankfurt on 10 November 1948 by the American and British Commanders in Chief concerning the reorganisation of the German iron, steel and coal industries have provoked a formal protest by the French Government to the Governments of the United States and the United Kingdom. The reason for this protest lies in a paragraph in the preamble to the orders.

This paragraph states that the Military Government has decided that the question of the final ownership of the iron and steel and coal industries should be left to the discretion of a freely elected, representative German Government.

This very serious decision gives rise to objections which are all the more strident in that they appear to criticise the general policy of the two powers in Germany. Since the concluding of the London Agreements in June 1948, developments in this policy have been causing the French Government grave concern.

2 — The question of the ownership of the mines and primary industries of the Ruhr was raised by the French Government in September 1945, at the Council of Ministers of Foreign Affairs. Since then it has continued to be discussed at all the meetings of the four or three powers where the German problem was on the agenda. This clearly demonstrates — if such demonstration were necessary — that the question is an essential part of any peace settlement and that it can be validly resolved only in such a settlement or in some agreement of the same kind concluded between the Allied Powers. The French Government cannot accept that a decision should be taken by an order issued by occupation authorities which represent only two of the powers concerned.

The issue of the ownership of the mines and primary industries of the Ruhr had been considered during the London negotiations which took place between last February and June. It was not possible at that time to reach any agreement between the various powers represented, and the question was left unresolved, as is clearly shown by the fact that there was a discussion about whether it should be referred to in the final communiqué of the conference, and it was finally agreed not to mention it because it was not possible to agree on the wording.

Later, in August 1948, the American and British military authorities informed the French authorities about the plan which finally led to the orders of 10 November. The French authorities raised very strong objections to the paragraph in the preamble which refers to the ownership of the industries. Since no notice was taken of those objections, the French Government approached the American and British Governments directly. It formally notified them — and General Koenig made the same statement to his colleagues — that the solution to the problem of the ownership of the mines and primary industries of the Ruhr could not be prejudiced by any initiative of the authorities of the Combined Economic Area (Bizone) and that the French Government would regard as null and void any decision taken without an agreement between the three Governments.

In this way, the French Government made its position clear, in good time and without any possible doubt. Its protest is based, not on the fact that it was not informed of the decisions which the Anglo American authorities were preparing to take, but on the fact that those authorities are not competent to take decisions which have to form an integral part of the peace settlement with Germany. Consequently, the French Government does not recognise the legal authenticity of the initiatives taken by the Bizonal authorities.

3 — As to the substance of the question, when it ratified the London Agreements the French Government made it clear to the other signatory Governments that the French Parliament had instructed it to attach certain reservations to its approval. Those reservations were concerned in particular with the need to place the mines and primary industries of the Ruhr under international control.

The order issued by the American and British Commanders in Chief runs directly counter to any

international solution to the problem of the Ruhr. However, it goes far beyond that, because there is a risk that in Germany itself it will have enormous political repercussions. The Agreements concluded in London were based on the principle that central government in Germany should take the form of a federal government with limited powers, so as to remove any risk that the Third Reich might be restored. Yet to leave the question of the ownership of the iron and steel and coal industries to the discretion of a future German Government would be to grant that Government rights which the Third Reich had never had in the past. It would run the risk of giving it powers which would open the door to highly dangerous developments, and it would go directly against the very precise concepts adopted jointly in London. Even if it did not actually lay the foundations for centralism and militarism, it would at least give such tendencies every opportunity to develop.

4 — For all the reasons set out above, the French Government wants the Governments of the United States and the United Kingdom to state clearly and publicly that, by publishing, for practical and urgent reasons, the law on the coal and steel industries of the Bizone, the American and British Military Governments did not intend, and did not have the power, to prejudice the decision on the final devolution and ownership of those industries in the Ruhr, which is to be taken by the powers concerned when the peace settlement with Germany is concluded.

5 — In accordance with the categorical mandate given to it by the National Assembly, the French Government has let it be known that it attaches equal importance to the establishing of international control of the management of the coal, coke and steel undertakings in the Ruhr. When it accepted the recommendations of the London Conference on Germany, it indicated that it would like to come back to this question as part of the implementation agreement required for the formation of the International Authority for the Ruhr. This has been entered on the agenda of the conference which is currently meeting in London. The French Government very much hopes that the precise — and also very moderate — proposals tabled by its delegation may be unanimously approved by the Governments represented at that conference.

The French Government notes with satisfaction Mr Marshall's suggestion that France would be invited to participate immediately in the operation of the control groups for coal and steel. However, it requests that, when the control period is over, the International Authority should be given powers to control management, thereby allowing that body, in particular, to prevent the formation of excessively large and dangerous concentrations of economic power in the Ruhr, to prevent control of the undertakings from falling back into the hands of people who instigated or encouraged the aggressive plans of the National Socialist Party, and finally to ensure that the management of the coal, coke and steel industries of the Ruhr is in line with the objectives proposed by the signatory Governments, in other words the need for European recovery and security.

6 — The French Government is all the more anxious that these problems should be solved in a satisfactory manner because it feels that developments in the situation in Germany are such as to give rise to serious concern at the present time. Given that the spirit of nationalism is showing signs of a resurgence, the participation of representatives from Berlin in the Bonn Parliamentary Council, which has been tolerated up to now, may well falsify the conditions in which we envisage supervising the political construction of Western Germany. At a time when the much-needed recovery of the German economy is commencing, there are too many signs of a tendency to turn Germany back into the strongest power in Europe and the centre of Europe's economy. In this respect, the difficulties encountered over the dismantling of factories for war reparations or over the definition of proscribed or restricted industries are worrying signs. (On this last point, the French Government will very shortly be submitting a specific memorandum.)

Current developments strengthen even further the position adopted by the French Government on the ownership and management of the mines and industries of the Ruhr. In the French Government's opinion, these developments make it necessary for the three Allied Governments to review jointly not only this question but also their general policy in Germany.