

Memorandum on the powers and responsibilities of France, United Kingdom and the United States following the establishment of the FRG (1949)

Caption: In 1949, the French, British and US Governments issue a memorandum on the exercise of powers and responsibilities of the three Western occupying powers in Germany after the creation of the Federal Republic of Germany (FRG).

Source: Archives Nationales du Luxembourg, Luxembourg. Affaires étrangères. Deuxième Guerre mondiale. Question allemande. Statut d'occupation 1947-1949, AE 4182.

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Agreed memorandum regarding principles governing exercise of powers and responsibilities of United States - United Kingdom - French Governments following establishment of German Federal Republic.

1. The Governments of the United States, United Kingdom and France retain the supreme authority assumed by them under the declaration signed at Berlin on June 5th, 1945, including the right to revoke or alter any legislative or administrative decisions in the three western zones of Germany.
2. Generally speaking, the German governing authorities, whether federal or land, shall be at liberty to take administrative and legislative action, and such action will have validity if not vetoed by the allied authority. This means that Military Government will disappear, and that the functions of the allies shall be mainly supervisory.
3. There will be certain limited fields in which the Allies will reserve the right to take direct action themselves, including the issuance of orders to German officials at both the federal and local levels. However these fields will be restricted to a minimum; and aside from security matters, the exercise of direct powers by the allies should be regarded as temporary and self-liquidating in nature.
4. Upon the coming into being of the German Federal Republic, the responsibility for supervision of the utilisation of funds made available by the United States Government to the German economy for purposes of relief as well as of recovery will rest with the Economic Co-operation Administration. Such contributions as the United Kingdom (and French) Governments agree to make shall be within the inter-European payments agreement. It is understood that the German Federal Republic should become a party to the convention for European Economic Co-operation and execute a bilateral agreement with the Government of the United States.
5. With the establishment of the German Federal Republic and the termination of Military Government the functions of the allied authorities shall be divided, military functions being exercised by a Commander-in-Chief and all other functions by a High Commissioner. Each of the allied establishments in Germany aside from occupation forces shall come under the direction of the High Commissioner. The three High Commissioners together will constitute the Allied High Commission.
6. It is the aim of the three Governments to restrict to a minimum the size of the staffs maintained within Germany for the above purposes.
7. It is a major objective of the three Allied Governments to encourage and facilitate the closest integration, on a mutually beneficial basis, of the German people under a democratic federal State within the framework of a European association.