

SIXTH MEETING OF COUNCIL OF FOREIGN MINISTERS: GERMAN QUESTION AND AUS- TRIAN TREATY

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The sixth session of the Council of Foreign Ministers attended by the Ministers of Foreign Affairs of France, Robert Schuman; of the Union of Soviet Socialist Republics, A. Y. Vyshinsky; of the United Kingdom, Ernest Bevin; and of the United States of America, Dean Acheson, took place in Paris from May 23 to June 20, 1949. During this meeting the German question and the Austrian treaty were discussed. The Council of Foreign Ministers took the following decisions.

I. THE GERMAN QUESTION

Despite the inability at this session of the Council of Foreign Ministers to reach agreement on the restoration of the economic and political unity of Germany, the Foreign Ministers of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States will continue their efforts to achieve this result and in particular now agree as follows:

1. During the course of the fourth session of the General Assembly of the United Nations to be convened next September, the four governments, through representatives at the Assembly, will exchange views regarding the date and other arrangements for the next session of the Council of Foreign Ministers on the German question.

2. The occupation authorities, in the light of the intention of the Ministers to continue their efforts to achieve the restoration of the economic and political unity of Germany, shall consult together in Berlin on a quadripartite basis.

3. These consultations will have as their purpose, among others, to mitigate the effects of the present administrative division of Germany and of Berlin, notably in the matters listed below:

(A) Expansion of trade and development of the financial and economic relations between the Western zones and the Eastern zone and between Berlin and the zones.

(B) Facilitation of the movement of persons and goods and the exchange of information between the Western zones and the Eastern zone and between Berlin and the zones.

(C) Consideration of questions of common interest relating to the administration of the four sectors in Berlin with a view to normalizing as far as possible the life of the city.

4. In order to assist in the work envisaged in paragraph 3, the respective occupation authorities may call upon German experts and appropriate German organizations in their respective jurisdictions for assistance. The Germans so called upon should exchange pertinent data, prepare reports and, if agreed between them, submit proposals to the occupation authorities.

5. The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States agree that the New York agreement of May 4, 1949, shall be maintained.¹ Moreover, in order to promote further the aims set forth in the preceding paragraphs and in order to improve and supplement this and other arrangements and agreements as regards the movement of persons and goods and communications between the Eastern zone and the Western zones and between the zones and Berlin and also in regard to transit, the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to insure the normal functioning and utilization of rail, water, and road transport for such movement of persons and goods and such communications by post, telephone, and telegraph.

6. The occupation authorities will recommend to the leading German economic bodies of the Eastern and Western zones to facilitate the establishment of closer economic ties between the zones and more effective implementation of trade and other economic agreements.

II. THE AUSTRIAN TREATY

The Foreign Ministers have agreed:

(A) That Austria's frontiers shall be those of January 1, 1938;

(B) That the treaty for Austria shall provide that Austria shall guarantee to protect the rights of the Slovene and Croatian minorities in Austria;

(C) That reparations shall not be exacted from Austria, but that Yugoslavia shall have the right to seize, retain, or liquidate Austrian property, rights and interests within Yugoslav territory;

(D) That the Soviet Union shall receive from Austria \$150,000,000 in freely convertible currency to be paid in six years;

¹ TIAS 1915, *ante*, p. 843.

(E) That the definitive settlement shall include:

(1) The relinquishment to Austria of all property, rights or interests held or claimed as German assets and of war industrial enterprises, houses, and similar immovable property in Austria held or claimed as war booty, on the understanding that the deputies will be instructed to define more accurately the categories of war booty transferred to Austria (with the exception of those oil assets and DDSG—Danube Shipping Company—properties transferred to the Soviet Union under other paragraphs of article 35 of the treaty indicated in the U.S.S.R. proposals of January 24, 1948, as revised, and retained in general under Austrian jurisdiction). Accordingly the assets of the DDSG in Bulgaria, Hungary, and Rumania as well as 100 percent of the assets of the company in eastern Austria in accordance with a list to be agreed upon by the deputies will be transferred to the U.S.S.R.

(2) That the rights, properties, and interests transferred to the U.S.S.R. as well as the rights, properties, and interests which the U.S.S.R. cedes to Austria shall be transferred without any charges or claims on the part of the U.S.S.R. or on the part of Austria. At the same time it is understood that the words "charges or claims" mean not only creditor claims as arising out of the exercise of the Allied control of these rights, properties, and interests after May 8, 1945, but also all other claims including claims in respect of taxes. It is also understood that the reciprocal waivers by the U.S.S.R. and Austria of charges and claims apply to all such charges and claims as exist on the date when Austria formalizes the rights of the U.S.S.R. to the German assets transferred to it and on the date of the actual transfer to Austria of the assets ceded by the U.S.S.R.

(F) That all former German assets which have become the property of the U.S.S.R. shall not be subject to alienation without the consent of the U.S.S.R.

(G) That the deputies shall resume their work promptly for the purpose of reaching agreement not later than September 1, 1949, on the draft treaty as a whole.